



**SANTA FE COUNTY  
REGULAR MEETING  
BOARD OF COUNTY COMMISSIONERS**

**July 10, 2007**

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 3:10 p.m. by Chair Virginia Vigil, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance and State Pledge, roll was called by County Clerk Valerie Espinoza and indicated the presence of a quorum as follows:

- |   |                        |
|---|------------------------|
| <b>Members Present:</b>                   | <b>Members Absent:</b> |
| Commissioner Virginia Vigil, Chair        | [None]                 |
| Commissioner Jack Sullivan, Vice Chairman |                        |
| Commissioner Paul Campos                  |                        |
| Commissioner Mike Anaya                   |                        |
| Commissioner Harry Montoya [3:30 arrival] |                        |

**V. INVOCATION**

An invocation was given by John Michael Salazar from Human Resources.

[Due to audio difficulties, the initial part of the meeting is presented in summary form.]

**VI. APPROVAL OF THE AGENDA**

- A. Amendments**
- B. Tabled or withdrawn items**
- C. Consent Calendar: Withdrawals**

Roman Abeyta County Manager, announced the following changes to the agenda: addition of IX. B. Discussion of Santa Fe County Transfer Station Hours; tabling of items XII. A. 6, 12, 14, 15 and 16; and item XII. A. 13 was withdrawn. With those changes, Commissioner Anaya moved to approve the agenda and Commissioner Sullivan seconded. The



motion passed by 4-0 voice vote. Commissioner Montoya was not present for this action.

**VII. APPROVAL OF THE MINUTES:**

**A. June 12, 2007**

Commissioner Sullivan noted he had some typographical changes, and called the Commission's attention to the motion summaries on pages 45 and 86. On page 45, referring to BCC CASE # MIS 07-5220 Vista Ltd. Master Plan Extension, the summary read: "The motion to grant a two-year extension in BCC CASE # MIS 07-5220, with the condition that the applicant work with conditions as noted above passed by unanimous [5-0] voice vote." did not adequately reflect the complexities in the discussion. The same was true for case # Z 06-5030, and he suggested that in the future the motion summary simply record the vote.

With those amendments, Commissioner Sullivan moved to approve the minutes of June 12<sup>th</sup>. Commissioner Anaya seconded and the motion passed by 4-0, Commissioner Montoya was not present.

**VII. B. June 22, 2007, Special Budget Session**

Commissioner Anaya moved approval of the June 22, 2007 meeting minutes as submitted and Commissioner Sullivan seconded. The motion passed by 4-0 voice vote, Commissioner Montoya was not present.

**VIII. MATTERS OF PUBLIC CONCERN - NON-ACTION ITEMS**

Steven Rosenthal, president of the board of directors of the Vista Grande Library in Eldorado was present with 12 community members to express thanks to the Commission for their support.

Marilyn Bane, 622 1/2 Canyon Road, president of the Old Santa Fe Association, spoke of the 15.4-acre property at the intersection of Old Las Vegas Highway and Old Pecos Trail that is scheduled for annexation by the City. She said the annexation circumvents the RPA procedure and in appropriate zoning and density. She submitted for the record e-mail responses to a petition in opposition. *[Exhibit 1]*

[Verbatim begins.]

MARILYN BANE: If you have the opportunity to comment and recommend to our City Council as to how you feel about this. We urge you to not recommend this and to feel free to make any comments that you would like in opposition. We would support you any way that we can. I have, and the people here who will also be speaking have many different

signatures of many different areas of people. Mine, strangely enough, happen to come largely from the county.

Whether it is Arroyo Hondo, Sunlit Hills, Seton Village, Old Las Vegas Trail, Old Santa Fe Trail, to a person there is opposition to this. If you would like, Mr. Abeyta, if you would like copies of the petitions that I have I'll be glad to supply them to the County if that would be helpful. We will be speaking, if it goes to the City Council as planned on August 8<sup>th</sup>, we will be speaking on behalf of that then. Neighborhood associations who have not been contacted or have not had the opportunity to have their board meetings to get votes will be contacted this week. So I believe that there will be an even greater groundswell of support for denying this. Thank you for your time and your patience. I appreciate it.

CHAIR VIGIL: Thank you, Ms. Bane. You may give the petitions to our recorder who can make it a part of the record.

MS. BANE: I'll be glad to. May I have copies of them? I appreciate it.

CHAIR VIGIL: Thank you. Next.

TERESA SEAMSTER: My name's Teresa Seamster, and my address is 104 Vaquero Road, which is off of 285 South. Just to continue what Marilyn Bane has suggested, I have a petition from a number of people who live in a variety of subdivisions and homeowners associations out in the county who are opposed to any spot annexation by the City of County land, regardless of what the use is. I have a letter here from the Old Las Vegas Highway Community Task Force. I'm a representative of that group. We've been working with the New Mexico DOT for three years on a redesign and re-landscape of Old Las Vegas Highway. That project is not complete as yet and we still have money available to us from the DOT for landscaping and possibly for some historic signing and heritage tour information.

So I can read this letter, but I think since you have such a busy agenda it would be better for me just to simply hand it in. [Exhibit 2] It does represent East Ranch in Lamy, 285 South, the Ridges, Eldorado, Rancho de Bosque in Lamy, Eldorado again, Ranchitos de Santa Fe, Tierra de Costa, Rancho Escondidos, Old Ranch Road and Los Vaqueros. So those are the people who have signed this, and these are all representatives who could take petitions back to their neighborhoods and bring back a lot more signatures. Right now they're just the 11 of us on it. Thank you very much.

CHAIR VIGIL: Thank you, Ms. Seamster. You may give those to our recorder. Good afternoon. Please state your name.

ANN LACY: Good afternoon. Ann Lacy. I live at 81 Old Agua Fria Road. Commissioner Vigil, Commissioners, I wanted to very briefly give a little background. The community, I mean the community of Santa Fe and Santa Fe County, have spent over 10 years collaborating with the City of Santa Fe, Santa Fe County, the state legislature, and many private organizations and neighborhood associations in designing, redesigning and preserving Old Pecos Trail, Old Las Vegas Highway, and the gateway at the corner.

Because we have spent over 10 years designing this area, we're really disturbed that suddenly, without much warning, a good chunk of the area and big change near the corner might be a possibility. Because it's an annexation request, we see that this is the beginning of

the end for all of Old Las Vegas Highway, because without some kind of way for the community to collaborate with all the governments and the Department of Transportation, I think we're looking Old Las Vegas Highway being commercialized from Old Pecos Trail all the way to 285.

At the time that the gateway was preserved and over \$600,000 was raised by the community – it took about three years – we were able to actually raise over \$300,000 which was matched with COLTPAC. We actually had an extra \$40,000 and went back to the donors and asked them what they wanted to do with the money they had donated. Did they want it back? And they said, no. We have given this money and it has bought that acreage at the corner for preservation, the last uncommercialized entrance into Santa Fe, but we would like you to take this money and use it someplace else in town. So that money has actually gone to projects in the southeast portion of town along the river, where it's still being used and it's been pretty valuable in helping to raise money for a river corridor.

So with that I guess I just want to say that the efforts at Old Pecos Trail and Old Las Vegas corner, as a commercialized gateway is very much like a commons. We see it as something that the entire community not only enjoys but finds of value. That has been a springboard for other very valuable communal areas in town and we're really hoping that there's some way that as a community that collaborates with the City, the County, the state – state legislators gave \$150,000 to buy part of this corner – that we can keep planning with the County and the community. So I'm hoping that you'll look at this annexation as a problem, not just here but countywide, and somehow assist us participants in really trying to do some long-range planning and collaboration. Thank you.

[Commissioner Montoya joined the proceedings.]

CHAIR VIGIL: Thank you, Ms. Lacy. And welcome, Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you.

MARLA THOMPSON: Hello, I'm Marla Thompson and I live at 2101 Old Arroyo Chamiso. I'm here today representing the Arroyo Chamiso-Sol y Lomas Owners Association. Our association represents DeVargas Heights, DeVargas Heights South, Sol y Lomas, Arroyo Chamiso and Quail Run. We too as an association are here asking for your support in not recommending this annexation along Old Las Vegas Highway. We participated in the big effort that Ms. Lacy just spoke about, trying to preserve that area, preserve that gateway, that entrance to our historic city.

I commend the County for the actions it's taken in its success last Friday with the District Court action and we hope to see more success. I think that they all spoke very well. I'm not going to repeat it, but I too have not spoken to anyone who approves of this spot zoning that the City seems to be doing. So thank you for your efforts and we appreciate your support. I have petitions of 107 that I'd like to submit to the record. *[Exhibit 3]*

CHAIR VIGIL: Please do. Thank you Ms. Thompson. Is there anyone else out there would like to address the Commission on matters that are not a part of the agenda today? Seeing, hearing none, thank you all for coming before us. We appreciate your comments. Commissioner Campos.

COMMISSIONER CAMPOS: I have a question for Mr. Abeyta. Have you received a letter from the City of Santa Fe asking for comment on this particular annexation request?

MR. ABEYTA: Madam Chair, Commissioner Campos, we did when this application was first submitted. It's been several months now, but we did send a reply to the City objecting to it and letting them know we would like to honor the RPA process before they consider annexation.

COMMISSIONER CAMPOS: The RPA process is no piecemeal annexations.

MR. ABEYTA: Right.

COMMISSIONER CAMPOS: Until we have a regional annexation plan.

MR. ABEYTA: Yes.

COMMISSIONER CAMPOS: Okay. I'd just like to briefly comment that I have talked to Mr. Loftin. Months ago he asked me about this project and I suggested to him that I thought it was a bad idea at this place. Piecemeal annexation always is bad zoning, bad planning, and that we had an RPA plan in hand that we were trying to work on and that it would be helpful if we had cooperation from all folks so that we could actually move forward with an annexation plan that made sense to the community, not just for one landowner. I'm concerned about the encroachment of this annexation into the county which is essentially a rural area, which is an important entrance into the community.

I think the Commissioners should make an attempt to talk to your fellow Councilors and the Mayor and discuss this issue because it's of great important to our planning and to our general public policy by annexation and planning. Thank you, Madam Chair.

CHAIR VIGIL: Any other questions or comments? Seeing, hearing none, thank you all. I just have a real quick question. Any of you who spoke to us, have any of you learned about when the next Regional Planning Authority meeting is? Mary Helen Follingstad is the executive director of that. If you would contact her, we have been discussing annexation and I think that your voices need to be heard in that particular authority so you may.

COMMISSIONER MONTOYA: July 19<sup>th</sup>, Madam Chair.

CHAIR VIGIL: Is it July 19<sup>th</sup>? Okay.

COMMISSIONER MONTOYA: 4:00.

CHAIR VIGIL: You can call the County Manager's office and they'll direct you to it. Thank you all.

## **IX. MATTERS FROM THE COMMISSION**

### **A. Resolution No. 2007-106. A Resolution that is Presented to Stand in Opposition of Proposed Decreased Federal Budget Appropriations Related to the Operations of the Los Alamos National Laboratory (Commissioner Montoya)**

COMMISSIONER MONTOYA: Thank you, Madam Chair. This was a

topic of discussion that occurred during the intergovernmental summit that we had a couple of weeks ago. The majority of the officials there, elected and non-elected, asked that we draft a resolution which would essentially ask Congress to not cut anywhere from – and I see Bill Heinbach in the audience. Bill, is this \$100 or \$300 million. Is that correct? That's being proposed right now?

BILL HEINBACH: It's between \$100 and \$400 million cut.

COMMISSIONER MONTOYA: \$100 to \$400 million cut. So all of the other elected bodies, the City of Española, the City of Santa Fe, have been requested to do this, as well as the Pueblos. And again, what we're asking is that they not cut any of this because it will impact us tremendously in terms of the gross receipts tax that Santa Fe County currently receives as a result of Los Alamos National Laboratory. So I would stand for any questions and move for approval.

CHAIR VIGIL: Motion. Is there a second?

COMMISSIONER SULLIVAN: Second.

CHAIR VIGIL: Motion and second. Is there any questions or further discussion?

**The motion to approve Resolution 2007-106 passed by unanimous [5-0] voice vote.**

COMMISSIONER MONTOYA: Madam Chair, just so the Commission knows, we will forward a copy of this to our congressional delegation as well as to the elected bodies that are going to be making the decisions on exactly how much funding Los Alamos will be receiving. So it will go to those congressional committees as well.

CHAIR VIGIL: Thank you, Commissioner Montoya. Before we move on to item B, I just want to announce Mr. Heinbach did leave the Los Alamos National Laboratory's summary document on their achievement, and those are right next to your packets on your desk. Thank you for bringing that, Mr. Heinbach.

**IX. B. Discuss Santa Fe County Transfer Station Hours (Commissioner Anaya)**

COMMISSIONER ANAYA: Thank you, Madam Chair, members of the Commission. I've had a few people call me in regards to why the transfer stations are closed for lunch. I tell them our transfer station employees need to eat lunch at some time, but I also can – they said, well, sometimes we can only get off at lunch and take our trash to the transfer station and it would be more convenient for the residents of Santa Fe County if we could possibly look at something to keep the transfer stations open during lunch, maybe alternate employees in terms of times they do go to lunch.

I just wanted to bring that up to see if we could accommodate our constituents out there better. I'm involved and the County has been involved with illegal dumping and

illegal dumping task force, and now we're starting to do a statewide illegal dumping task force. It would eliminate by opening up the transfer stations and making it more accessible to the public I think that maybe we should talk about it and see what we can do with our Public Works Director to come up with some ideas on how we can make it more efficient for our residents. I stand for any questions.

CHAIR VIGIL: Any questions?

COMMISSIONER MONTROYA: Madam Chair, I think that makes sense. If we were to have the employees rotate rather than – I try to do that in my own office so that we're open 8:00 to 5:00 and there's no break in between so employees alternate during the lunch hour. That would make sense because sometimes it is inconvenient when you're in the middle of doing something and then you have to wait the whole hour or 45 minutes before you can go to the transfer station, so I'd like to see that.

CHAIR VIGIL: I'm going to recommend, Roman – actually there were other issues that were brought up in the previous meetings so perhaps we need to set an agenda item on cleaning up some of what needs to be cleaned up in solid waste. One of the issues that I brought up was there are many residents who go there to deliver recyclables and they're charged against their coupon. I wonder if that's discouraging recycling and if it is in fact, should we be doing that?

So those kinds of things need to be clarified and so perhaps a future agenda item where all our concerns can be addressed.

MR. ABEYTA: I'll do that, Madam Chair.

## **IX. OTHER MATTERS FROM THE COMMISSION**

CHAIR VIGIL: Commissioner Anaya, do you have any specific matters?

COMMISSIONER ANAYA: I'll pass.

CHAIR VIGIL: Okay, Commissioner Sullivan.

COMMISSIONER SULLIVAN: Madam Chair, just quickly. First of all, thanks to the volunteers and the supporters of the Vista Grande Library who were here this afternoon and for all they've done for the entire 285 area in providing that wonderful service out there that's been expanding and just meeting a tremendous need. So we appreciate your being here and appreciate all of your efforts and we'll try to double your salary next time around. In fact we'll guarantee that.

CHAIR VIGIL: He's saying that because he's not going to be here to vote on it.

COMMISSIONER SULLIVAN: I'm also saying it because they don't get any salary and two times zero is zero.

CHAIR VIGIL: We could double that.

COMMISSIONER SULLIVAN: Other than their director. But the other item is a quick question to Roman. We talked at our meeting on June 12<sup>th</sup> about coming up

with a complaint procedure for the public to file a complaint about a particular County individual or an action. This came up in the discussion of the transfer station. Have we made any progress on that?

MR. ABEYTA: Madam Chair, Commissioner Sullivan, nothing to report at this time but we're looking at several different options. So I'll have something for you by the next meeting.

COMMISSIONER SULLIVAN: Okay. Again, my interest was in getting someone who calls in and says I don't like this or I have a complaint against that, and have them be more specific and if they feel strongly about it to put it down in writing and get it to you so you can take some definitive action, rather than just dealing with hearsay. I think that's important.

Then the last thing, Madam Chair, also at our June 12<sup>th</sup> meeting we talked about the wastewater study that's ongoing and I had some strong thoughts that we needed to ensure that that looked at what would be involved in the Route 14 area to develop a regional network of infrastructure, particularly a spinal system that the County could move forward with and then recoup the costs subsequently as developments take place. And I just wanted to ask Doug or Dr. Wust or whoever's here if we've made any progress or if the consultant has any recommendation on that.

DOUG SAYRE (Utilities Director): Commissioner Sullivan, we have - we addressed some of your specific questions with the consultant, ASCG, and they are due to submit their first draft of that feasibility study, I believe it's on Thursday of this week, so we'll look into that to make sure that those specific concerns are addressed and how we do that. I think what we discussed is the financial aspect of this. We wanted to have him present some things and then we would come back to him about how we see the infrastructure and the plant can be financed or supported with I guess the way developments are possibly occurring in that State Road 14 area, so we'll be looking into that, very definitely.

COMMISSIONER SULLIVAN: Okay. Again, my theory being this undertaking, the plant expansion, or actually a new plant, plus the trunk lines is beyond the capacity probably of any one developer and so I think here's where the County has the duty to step in and put in that spinal system and then recoups the logical costs, recoups the cost of the plant operations and so forth through wastewater fees, but it can also recoup the trunk line costs and connection costs through agreements with developers as they come forward. I think that's the only way we're ever going to truly get off the dime on this regional wastewater and it sounds like you're moving that way on the study.

MR. SAYRE: Madam Chair, Commissioner Sullivan, I certainly agree and that's what we'll look at addressing about doing that.

COMMISSIONER SULLIVAN: Thank you, Madam Chair. That's all I had.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: I'll pass at this time.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Madam Chair. Speaking of wastewater, we had a site visit yesterday, went down to Willard, which is in the heart of New Mexico. At least that's what the sign said. Population about 30. It's a pretty small place, but they had a pretty impressive wastewater system and then one that I think Doug might agree would work in the Sombrillo area with the funding that we have, so we're taking a look at the potential. Go ahead, Doug. You can supplement what I say. Looking at the potential of where these would be located, because we do need probably about a quarter of an acre to put in that type of a system. Doug, do you want to add anything?

MR. SAYRE: Madam Chair, Commissioner Montoya, we certainly we're I think impressed and enthused about a cluster type of wastewater system that Willard put in, because it went into an older community and addressed a lot of the needs and also put in a treatment system that was more affordable for the people rather than say maybe a central, complete collection system with a central treatment plant. So I think we can certainly look into this, look at this aspect, especially for some of these northern communities such as Sombrillo or Chimayo or some of these other areas that need wastewater treatment facilities.

This certainly provides a means and ways to get it accomplished, and I agree with you.

COMMISSIONER MONTOYA: Yes. They're very affordable, looking at probably about a third of the cost. Is that about right?

MR. SAYRE: I think it was two-thirds of the cost, wasn't it. I think the central treatment plant was going to be about \$1.6 million and they came in with about \$900,000 for this complete system, which is about 2/3 the cost.

COMMISSIONER MONTOYA: Certainly I think something that we need to consider when we look at the development of wastewater systems in this cluster manner.

And then the second thing, Madam Chair, the reason I was late is I got detained at the jail, not because I couldn't make bail -

CHAIR VIGIL: They finally caught up to you.

COMMISSIONER MONTOYA: I was doing a site visit, and Madam Chair, I've got to say that from the time that I last visited the jail, which was probably about a year and a half ago to the time that I walked in this afternoon, it just felt totally different. The environment was a lot more friendly. People greeted you with a sincere welcome. That's how I felt. It was just a completely different feeling than what I had when I visited the last time. Unfortunately, I didn't have enough time to go through the facility but I would encourage the rest of the Commissioners to go take a look and visit with some of the staff. I certainly feel like the hard work and the commitment this Commission has put towards that jail is paying off. It's like I said, it felt a lot different and a lot better.

CHAIR VIGIL: Anything further, Commissioner Montoya? Thank you.  
Commissioner Anaya.

COMMISSIONER ANAYA: I'll pass.



CHAIR VIGIL: And Commissioner Campos.

COMMISSIONER CAMPOS: I'm done.

CHAIR VIGIL: I just want to ask a quick question. The City is moving forward on ENN meeting for the Southwest Sector Plan. Do we have staff planners that are participating in that?

MR. ABEYTA: Madam Chair, I don't know if we're actually attending the meetings but we are gathering information. If you'd like, we can send staff to those meetings, see what we can do to accommodate that.

CHAIR VIGIL: I think it probably would be wise to monitor the meetings because a lot of the decisions that are going to be made are going to cross-impact both county and city residents particularly in the traditional historic village of Agua Fria. One of the concerns that I particularly have is whether or not the Southwest Sector Plan actually complements or coincides with the Arterial Roads Task Force. I did get some information on that from Judy McGowan, but the problem that the residents in that southwest sector are having are traffic. What this piecemeal annexation that's occurred with the San Ysidro Village and other proposed annexation are doing to the traffic there. I know the City requires that traffic studies be done but I'm concerned how comprehensive those traffic studies are, how much input the County has in those.

So I think all of that information needs to be a part of our understanding and our representation at the southwest sector ENN meetings. Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Madam Chair. I have one issue and that is Representative King for the last four or five years has been getting money from the legislature to help us remodel the grandstand at Madrid Ballpark, which is about ready to fall down. It's probably one of the first – or it was the first lit ballpark in the country. And I just want to know where we're at with that. So does Representative King. We don't want anybody to get hurt there. I know that staff has been talking with the Town of Madrid to either find out if they're going to donate the property to us, so that we can start using that money to start rebuilding that grandstand, and I just would like to get a follow-up on what's happening. Thank you, Madam Chair.

MR. ABEYTA: Madam Chair, we'll look into that and get with Commissioner Anaya by tomorrow.

CHAIR VIGIL: Thank you, Mr. Abeyta. Now we'll go on with the Consent Calendar. I did ask early, Commissioner Montoya, you weren't here. There's only two item on that. Are you wanting to remove any one or discuss.

COMMISSIONER MONTOYA: Both of them. No, I'm just kidding.

**X. CONSENT CALENDAR**

**A. Miscellaneous**

- 1. Resolution No. 2007-107. A Resolution Requesting Approval of the Fiscal Year 2008 Final Budget**
- 2. Resolution No. 2007-108. A Resolution Authorizing the County to Relinquish Ground Lease No. BL-1505 With the State Land Office for the County Business Park; Delegating Authority to the County Manager to Execute Relinquishment Document**

COMMISSIONER MONTTOYA: Move for approval.

COMMISSIONER SULLIVAN: Second.

**The motion to approve the Consent Calendar as published passed by unanimous [5-0] voice vote.**

**XI. STAFF AND ELECTED OFFICIALS' ITEMS**

**A. Matters from the County Manager**

**1. Update on Various Issues**

MR. ABEYTA: Madam Chair, the only thing I have is we received a letter regarding Santo Domingo Pueblo and their intentions on incorporating more property into their Pueblo limits. We have spoken with them. They don't have any plans right now for that property. They definitely do not have any plans for a casino or anything like that. So we're in discussions with them, but we feel comfortable that there are no plans for anything in the immediate future. And I'll keep the Commission updated as we get more information from them.

COMMISSIONER MONTTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTTOYA: So, Roman, does that mean that we'll send forward a letter supporting their request to place that land in trust?

MR. ABEYTA: Yes. But I'll be sure to run that by the Commission before we sent it off.

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Would you identify the land? Where is this land?

MR. ABEYTA: Madam Chair, Commissioner Campos, this land is along I-25 as you go down La Bajada Hill, if you're heading towards Albuquerque, on your right-hand side. It's 2300 acres. So it runs from there all the way into Santo Domingo Pueblo, and then north to the southern end of the Santa Fe Canyon Ranch property.

COMMISSIONER CAMPOS: I assume no decision has been made as to whether to oppose or favoring the action.

MR. ABEYTA: No. No. But I think the main concerns that some of you have raised with me is just the proposed use for that land. And like I said, right now, in our discussions with them, they don't really have any concrete plans but as we get more information I'll share that with you.

COMMISSIONER CAMPOS: If they didn't have concrete plans why would they be moving forward with their proposed conversion?

MR. ABEYTA: It sounds like they just want to increase the size of their Pueblo and protect that property, from what they're discussing.

COMMISSIONER CAMPOS: This is a process that involves the BIA?

MR. ABEYTA: Yes.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: What Pueblo is that?

MR. ABEYTA: Santo Domingo Pueblo.

COMMISSIONER SULLIVAN: Santo Domingo Pueblo. And what benefits does putting it in trust give to them?

MR. ABEYTA: I'll have to ask Steve to answer the question.

MR. ROSS: Madam Chair, Commissioner Sullivan, it relieves them from exposure to state and local taxes, for one thing. It protects the Pueblo from, particular to the County, our land use regulations.

COMMISSIONER SULLIVAN: So in that 2300 acres anything could be developed that they saw fit and any water use could be undertaken, notwithstanding our hydrologic requirements.

MR. ROSS: That's correct. It becomes a part of the Pueblo.

COMMISSIONER SULLIVAN: I think that's a pretty big concern. I'd feel uncomfortable putting forward a letter of support even if they don't have any immediate uses for the land, but to have that much of Santa Fe County deleted from our Code and from our stringent water protection requirements would raise a red flag for me at least.

MR. ROSS: Madam Chair and Commissioner Sullivan, the procedure is the letter comes in from BIA and they ask specific questions, and there are four questions. Is it on the tax roles right now? is one of them. What is the current use of the property? What are the County services that currently benefit the property? The letter that goes back to BIA simply answers those questions and BIA weighs the answers to those questions. In conjunction with the answers they receive from the governor's office, because they've also received a letter, and from the other counties that are affected, and make their own decision.

So the letter wouldn't support the application, it just merely would answer these four questions.

COMMISSIONER SULLIVAN: And this land is already owned by the Santo Domingo Pueblo?

MR. ROSS: That's right.

COMMISSIONER SULLIVAN: Well, that same issue came up when we were reviewing the racetrack, and there was some discussion of the racetrack being put into trust for, not Santo Domingo Pueblo, but for the Pojoaque Pueblo. I know that - I think not having it in trust gave us an ability to deal with the issues that the neighbors had and to come to some agreement jointly with the Pueblo as to what we'd do out there. So I'd feel very uncomfortable having that island deleted from Santa Fe County. But as you say, that's not the issue that you're responding to now. You're just answering some specific questions. Thank you.

CHAIR VIGIL: Any further questions or comments? If you would keep us updated on that, Mr. Abeyta. I think my initial concern is to make sure that the county residents had some public input at some level, if that's at all possible, and not knowing what the BIA process is I wanted to provide that opportunity for Santa Fe County residents. Anything further from any of the Commissioners? Okay. And Mr. Abeyta, is there anything further from you?

MR. ABEYTA: That's all, Madam Chair. Thank you.

**XI. Matters from the County Attorney**

**1. Executive Session**

- a. Discussion of Pending or Threatened Litigation**
- b. Limited Personnel Issues**
- c. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights**
- d. Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations with a Bargaining Unit**

CHAIR VIGIL: Can I ask you, Mr. Ross, how much time you approximate this will take. It is now 4:00. Public hearings, have they been noticed for 6:00 or 5:00?

MR. ROSS: Madam Chair, they're always noticed for 5:00. So we can do the best we can to get out. We have a lot of issues to discuss, so I would estimate an hour to an hour and a half.

CHAIR VIGIL: Thank you. Is there a motion?

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: I move that we go into executive session on the ground noted by Attorney Stephen Ross.

CHAIR VIGIL: Is there a second?

COMMISSIONER SULLIVAN: Second.

**The motion to go into executive session pursuant to NMSA Section 10-15-1-H**

**(7, 2, 8 and 5) to discuss the matters delineated above passed upon unanimous roll call vote with Commissioners Campos, Montoya, Sullivan, Vigil and Anaya all voting in the affirmative.**

[The Commission met in executive session from 4:00 to 6:15.]

CHAIR VIGIL: The meeting of July 10, 2007 of the Board of County Commissioners will reconvene. Is there a motion to come out of executive?

COMMISSIONER SULLIVAN: So moved,

COMMISSIONER CAMPOS: Where we only discussed items as noted on the agenda a, b, c and d. I'll second that.

CHAIR VIGIL: Okay. There's a motion and a second.

**The motion to come out of executive session passed by unanimous [4-0] voice vote. [Commissioner Montoya was not present for this action.]**

## **XII. PUBLIC HEARINGS**

### **A. Land Use Department**

- 1. Request Authorization to Publish Title and General Summary of an Ordinance Amending Article III Section 10, Article V Section 9, Article VII, Section 6.5 and Article X of the Land Development Code, Amending the Requirements for Community Water and Sewer Systems or Shared Wells for Subdivisions and Land Divisions; Repealing Previous Inconsistent Language (Commissioner Sullivan)**

COMMISSIONER SULLIVAN: Madam Chair, this is something that the staff and I have been working on for a number of months, primarily Penny Ellis-Green and Karen Torres with the Water Resources Department, and also Steve Ross. This does two things. One is that in the current Code we have a number of conflicting areas of language regarding water and community water systems and definitions and so forth that frankly this creates loopholes that can be a problem in good development review processes.

The other portion of this ordinance – and again, Karen is here and of course, so is Steve. I don't see Penny but Penny did a great deal of work in getting all of these various sections codified. The other part is the table that is shown on page 2 of the ordinance, and that's a table that is currently in the ordinance. Primarily the changes in this table are to encourage – more than encourage, but require that when we have these subdivisions that are five and more lots that they have a community water system and that if they're under 2.5 acres in lot size that they also have a community liquid waste disposal system. If they're over 2.5 acres then they would only have to have community water.

This has been the area that we've had a great deal of problem in public health and safety in developments that are right on the periphery of the city in the county where rapid development is growing and dense development is growing, and we're seeing sprawl occur just for the purpose of getting around the need to have a community water system. I think we need to recognize that sprawl is not a good thing in these areas and a community water system is a fact of life. I think we would see more cooperation between developers in putting together joint lines to tie into the County system and finding solutions to connect into sewer.

So that's a primarily difference in how we would address water and sewer systems and I'll yield to staff for any other comments. Who's going to talk about that?

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: is there an amount of lot sizes, or not sizes, but amount of lots that it would pertain to?

COMMISSIONER SULLIVAN: Yes. That's on this chart. If you look at this chart, Commissioner Anaya, if you're in a small-lot development, two to four lots, there's no requirement for sewer or water. The only requirement, regardless of what the size of your lot is is that you have a shared well system, if you're more than one house. Once you get into the subdivision category that we normally see here, other than a couple of the large subdivisions, for example, like Rancho Viejo which already have sewer and water and so it's not an issue. Most of the subdivisions that we deal with are in the five to 24 category. What we want to see is we want to see community water systems begin to be put in place for those subdivisions. And that would be required in this category. Sewer wouldn't be required if they were over 2.5-acre lots, just the water.

COMMISSIONER ANAYA: On the well, when you say shared well, is it one well per two? Or one for four? What is your thinking there?

COMMISSIONER SULLIVAN: It could be either. If you look down at note 3 down at the bottom of that table, it says a shared well shall serve no more than four dwelling units. So it could be two, three or four.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR VIGIL: Are there any other questions for Commissioner Sullivan? If not, did staff want to make any statements with regard to this? If not, I have questions for staff.

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: Is there anyone from staff that would like to give us an overview and an evaluation?

CHAIR VIGIL: Has staff had the opportunity to do an overview and an evaluation on this?

MR. ROSS: Madam Chair, Commissioner Campos, a number of staff participated in drafting this.

COMMISSIONER CAMPOS: Anyone want to give us an overview and an

evaluation of the proposed ordinance?

MR. ROSS: Well, I think the most important thing the proposed ordinance does is that it puts a lot of proposed developments on community water and sewer or community water systems that previously could have been served by some sort of a well system. So if the goal is to move a large number of people onto public or quasi-public water supplies. That's what this ordinance would do. I guess that's the central feature of an ordinance like this.

COMMISSIONER CAMPOS: I understand that. But what about water rights?

MR. ROSS: Water rights – the devil's in the details. A community system under our Code requires water rights. You can't use a 72-12-1 domestic well as a source for water for a community water system. You need to have water rights.

COMMISSIONER CAMPOS: That will be probably likely the most contentious issue.

MR. ROSS: I think for most people that is the biggest hurdle in doing a development is securing and transferring to a well the water rights. No question. It's expensive, time-consuming, difficult. And this ordinance would move that burden onto a larger class of developments.

COMMISSIONER CAMPOS: Okay. Thank you.

COMMISSIONER SULLIVAN: Madam Chair, just in response to that, that one issue. That's one of the reasons I didn't suggest we work on this until we had adopted an allocation policy. So we now have a water allocation policy that answers that five to 24 question for the smaller lot developments. We now have a policy that allows small developments to come forward and obtain water, at a fee, and in a priority process that the Commission determines, from the County without having to acquire water rights. They will pay us a fee to be determined by the BCC, and the BCC will use that money to acquire water rights more economically. We can negotiate for them and we can purchase them in a bulk rate more easily than individuals can, going out on the market, and that also prevents competition in the market, driving the price up with having lots of individual buyers out there running around, particularly those that don't know too much about how to purchase water rights.

So I think the water rights issue would have been a deal-killer before that allocation policy. With that now I think we've got really good balance on how we deal with both large and small.

CHAIR VIGIL: Commissioner Sullivan, have you had any feedback from water associations that are currently in existence?

COMMISSIONER SULLIVAN: I have not.

CHAIR VIGIL: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, currently, right now, what is our status with two and four lots? They could put shared wells or they can put individual wells for each?

COMMISSIONER SULLIVAN: That's correct.

COMMISSIONER ANAYA: So that would be the change.

COMMISSIONER SULLIVAN: That would be the change for those.

COMMISSIONER ANAYA: Okay. So what's the change on the five and 24? That they can use shared wells? Right now?

COMMISSIONER SULLIVAN: On the five to 24 – is it okay if I respond, Madam Chair? On the five to 24, Commissioner Anaya, the change is that now they're required to have a community water system. See the A's across the chart?

COMMISSIONER ANAYA: What are they required to do now?

COMMISSIONER SULLIVAN: Now, they're not required to have a community water system. They can use domestic wells and they can daisy-chain those domestic wells together. In other words, they can drill two or three or four different wells and make them a little system which doesn't come under the Environment Department's review or doesn't come under their quality requirements or their reporting requirements. So we have these little systems developing out in the county that are not managed well and don't have Environment Department overview.

COMMISSIONER ANAYA: But they're following the Code.

COMMISSIONER SULLIVAN: They're following the current Code, yes. And that's – one of the issue is that with these individual wells daisy-chained together we have these makeshift systems that really aren't in the best public interest in terms of having good quality and reliable water.

COMMISSIONER ANAYA: And they're not required to put in a sewer system either.

COMMISSIONER SULLIVAN: That's correct.

COMMISSIONER ANAYA: Okay. What about 25 to 99? What is the current Code?

COMMISSIONER SULLIVAN: I'll have to check with staff. I don't believe there's too many changes on the 25 to 99.

MR. ROSS: Madam Chair, Commissioner Anaya and Sullivan, the only change on 25 to 99 is the A on more than 10 to 40. So a community water system isn't currently required for that classification of development.

COMMISSIONER ANAYA: I'm sorry. Say that again.

MR. ROSS: It's the column that has the title more than 10 to 40, and you go down to the row that says 25 to 99, and there's an A there, that A isn't in the current Code.

COMMISSIONER ANAYA: Oh, okay.

MR. ROSS: So a community water system would be required for that category development and it isn't currently required.

COMMISSIONER ANAYA: Okay. So the change on the 5 to 24 is you would need a community water system and you would need a liquid disposal system. But right now you don't need those under 5 to 24.



MR. ROSS: Right.

COMMISSIONER ANAYA: Okay. Thank you.

CHAIR VIGIL: Any further questions? We can reserve them for later. This is a public hearing.

COMMISSIONER SULLIVAN: No, it's just title and general summary.

CHAIR VIGIL: It's listed and then noticed under public hearing. Is there anyone out there that would like to address the Commission on this. Please come forward. Ms. Guerrerortiz. Is there anyone else besides Ms. Guerrerortiz?

[Duly sworn, Oralynn Guerrerortiz testified as follows:]

ORALYNN GUERRERORTIZ: Hi. I'm Oralynn Guerrerortiz with Design Enginuity, P.O. Box 2758, Santa Fe, New Mexico. Sorry, I didn't have a lot of time to think about this. I furiously wrote a few notes. I think that we actually dealt with this ordinance once before. It was proposed back in I think 2003. At that time it failed, but I think at point we presented several arguments which I'll try to remember.

There's a lot of different issues that Commissioner Sullivan covered. One of them was that water systems aren't regulated by the Environment Department for quality and things like that for some of the smaller developments. That's true, but requiring or calling a system a community water system doesn't mean anything from the Environment Department. The Environment Department regulates under the Safe Drinking Water Act, and it's 15 connections or more, or 25 people or more being served. And then they regulate. Then they test for water quality.

And the reason I know this is because I did have a project about seven years ago that you all approved and there was a condition requiring me to file it with the Environment Department as a public water supply, and to have it regulated by them. And I had to go through gyrations to try to convince them that they had to do this and they just did not want to do it. It's because they basically have their manpower and their resources focused on the Safe Drinking Water Act, and they didn't really care about what the County said about how the County defined something. So that was one issue that I think that you may want staff to look at a little more closely, work with the Environment Department and see in fact if you're going to get more regulation on water quality.

The way I read this ordinance is that one of the major issues is that water rights are required. So now if I wanted to do a five-lot family transfer in Santa Cruz, I'd need water rights under this ordinance. I think that really hurts the little person. The reason we have set up the water rights requirement for when you have more lots is because it's more affordable when you're spreading it over many lots.

Community water also implies things like fire protection needs. Fire protection standard at 500 gallons per minute for two hours with 20 psi, minimum cost, \$150,000. That's a 50,000 gallon tank and pressure - unless you elevate them, which I don't want to propose. Unless you elevate them then you're adding a pressure system to actually deliver the water at that kind of rate. That's a \$60,000 pump, two of them - about \$30,000 each, two of them, so you have redundancy, plus the tank at about \$90,000. So you've got a

minimum cost of about \$150,000, which may be okay if you're spreading it across a lot of lots, but if you're spreading it across five lots, then you're talking \$30,000 a lot, plus the cost of water rights.

I really appreciate that the Commission is going to consider providing water rights to people who are close in, but if somebody's developing up in Chimayo, if somebody's developing in Edgewood, they don't have the ability to connect to a County system. And the way this ordinance is written, it's broader, so there's much bigger impact.

I also think that one of the goals or one of the things that will come out of the way the ordinance is proposed is we will get worse sprawl. Instead of having a 24-lot subdivision, we'll see a lot more four-lot subdivisions, because people will try to get under the rules. And I think that that is a disadvantage. Because there are things that come in that before 24 lots, like affordable housing, which you will not get at four lots. And so you must recognize that there will be impacts from this that could be not good for the community on the whole. I think that's as much as I want to say right now and I'm sure if I had more time to think about it I'd come up with more concerns. Thank you very much.

CHAIR VIGIL: Thank you, Ms. Guerrerortiz. Anyone else out there that would like to address the Commission on this item? Seeing none, Mr. Ross, or anyone from staff, have we had the actual opportunity to have staff do an impact analysis of this? I'm not hearing what the consequences are and I guess one of my concerns is in my district, I represent a water association, a very traditional historic water association, and I would like to know how they think this might impact them. I don't know that this has gone through any kind of a process from those associations that we're trying to affect.

MR. ROSS: Madam Chair, we have not shared this with anyone before tonight, we being staff. Generally, the way this works is we come to you for title and general summary and then we start the public process at that point, which usually involves – would have to in this case – two public hearings before this body. Certainly we can fashion any sort of method by which the public can be made more aware of this and be given an opportunity to comment. Certainly, sending it to the various affected associations makes a lot of sense to me.

CHAIR VIGIL: It would make sense to me that we get their comments, because often what we as Commissioners learn on items that we take action on is that those affected people didn't know about it, probably because they're not keeping their eye on the legal notices or on our website. But I'm concerned that there may be some adverse impacts on some of our water associations and how we move forward. I want to make sure that if we're giving something of this caliber that we're doing it in the best interests of the entire County and I'm not sure that we even know that at this point in time. Those are just my comments. Are there any other comments from Commissioners?

COMMISSIONER CAMPOS: Madam Chair.

CHAIR VIGIL: Commissioner Campos.

COMMISSIONER CAMPOS: At this point we're just authorizing publication so that we can have the discussion with the community. I think there will be a

lot of interest and a lot of input. I would suggest we move forward so we can have the discussion. I'm sure down the road we're going to have staff with more input.

CHAIR VIGIL: What's the pleasure of the Commission?

COMMISSIONER SULLIVAN: I would agree, Madam Chair. I think your suggestion is good. We need to get comments from the water associations. I think if anything, probably this will help bolster the associations because it will encourage new developments to seek out the associations and upgrade their systems and buy into them and make them more viable than they are now, and if necessary, bring water rights to them. Most associations require that of new participants. So I think the point is well taken and I would look forward to getting their comments. I think they'll be positive and if there are other ways to deal with some of the issues we can certainly work with that.

I'd move for approval of the authorization to publish title and general summary.

COMMISSIONER CAMPOS: I'd second that, and just a brief comment. I think the issue here is how much will it cost to get a certain amount of quality. Do we just have developments that get in as inexpensively as possible and then the buyers suffer the consequences when they do not have the quality. I think this would enhance the quality, yet there's going to be that discussion between quality and cost. I think that's going to be the main discussion here.

CHAIR VIGIL: I would just comment that I agree probably on its face there are some positive impacts. But the spillovers, the really rippling effects of this is we've heard testimony tonight that our family transfers may be affected. I want to make sure that when we know what we're acting on, we're actually knowing that we're acting on it in its fullest scope. So anyway, I heard a motion. Did I hear a second?

COMMISSIONER CAMPOS: Yes. I seconded.

CHAIR VIGIL: There's a motion and a second that we approve item XII.

A. 1.

**The motion to authorize publication of title and general summary passed by majority 4-1 voice vote with Commissioner Vigil voting against.**

**XII. A. 2. Request Authorization to Publish Title and General Summary of an Ordinance Amending Ordinance No. 1996-10, As Amended, the Santa Fe County Land Development Code, Article XV, to Create a Media District Within the Santa Fe County Community College District [Exhibit 4: Use Table]**

CHAIR VIGIL: Who will take the lead on this?

JACK KOLKMEYER (Land Use Administrator): I will, Madam Chair. Good evening, Madam Chair, Commissioners. This item is to request authorization to publish title and general summary for an ordinance amending Ordinance 1996-10, as

amended, the Santa Fe County Land Development Code, Article XV, to create a media district within the Santa Fe Community College District. In your packet you have a draft copy of the proposed ordinance. You have a map showing the location of this area and also a set of design standards that I believe has been updated. I'd like to thank Senior Planner Robert Griego from Land Use, who along with Sue Hermann from Legal prepared this draft Media District Ordinance.

As you know we've been struggling with the business park in the Community College District now for some years. We've had proposals for a film operation there that got turned down a couple of years ago. We've had requests for flea markets and for storage units and we've gone back and forth. We've had problems with the short-term leases for that property. A while back in conjunction with staff and the Commissioners, it was decided that the County should go forward and purchase this property, which we now are pursuing that with the State Land Office.

In the interim we've gone back and we've looked at our Growth Management Plan, the Community College District Plan, the County business plan and economic development planning that we've been doing over the past few years, it's become clear that those people coming forward to us have been for potential uses for the business park that seem very logical for that area have come from printing and publishing, from the film industry and also from other related industries such as the broadcast media.

In particular, one of the problems that this group comes forward with is the need to change the massing of some of the buildings, to have heights that are not in direct alignment with the Community College District standards because of the nature of some buildings such as soundstages and those kinds of things. It's also a very tricky property because it sits wedged in between the state penitentiary and the County detention facility, so it hasn't been viewed in the past years as one of the more desirable properties for certain kinds of businesses.

Also there's been the issue that will the County business park, once it could move into operations, would it in fact be competing with the other employment centers throughout the Community College District? So for those principal reasons we've decided that to really focus on a particular thing that the Community College District can contribute to and this particular business park could contribute to would be the creation of a media district, particularly to provide a specific district where a variety of media businesses that I just mentioned - the film industry, publishing, broadcast media, can be located to accommodate the special needs for film and media businesses. The County has received, as I also said, significant interest from these types of industries over the last couple of years.

The proposed media district is located within the Community College District. Ordinance 2000-12 identifies land use and zoning regulations for the Community College District. The proposed media district as most of you already know, is approximately 65 acres and is located entirely on the County development park property within a designation in the Community College District of an employment zone. Employment zones, just to refresh this for all of us are defined as areas within the Community College District where

businesses with special needs for access, buffering, technology, storage and size can be located by providing additional economic opportunities of enhanced employment, growth close to residences to help meet the goal of economic sustainability.

The Community College District plan actions for the district also include the following: strategically place the district within the regional economy, provide a variety of employment in a diverse array of settings complementary to the economic needs of the district, and third, to provide a variety of learning environments and programs related to employment opportunities within the district. The existing development standards for employment zones identified in the zoning matrix of the Community College District Ordinance do not meet specific needs for major media and film production companies to locate. For example, the maximum height for employment zone is 30 feet, which is not adequate for buildings such as soundstages and film scene production, which can range anywhere from 60 to 80 feet.

The proposed media district supports the County's Growth Management Plan, the Community College District Plan, the County economic development plan and the County business plan, as I pointed out earlier. The County community business plan explicitly identified the film and publishing industries as target industries for Santa Fe County.

So finally, and probably most importantly in this matter, the creation of a media district will allow the County to implement its economic development strategies by focusing on targeted and desired industries, industry clusters, while we'll create economic development opportunities that will not compete with other economic development in the Community College District. We are therefore requesting authorization to publish and title and general summary for this ordinance and myself, Robert Griego and Sue Hermann will be happy to answer any questions for this particular stage of this project. Thank you.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Madam Chair. Regarding the bid that we have in to purchase this property, when are we going to hear whether or not we're going to be able to buy that land?

MR. KOLKMEYER: I believe it's July 16<sup>th</sup>. Is that - July 19<sup>th</sup>, Commissioner.

COMMISSIONER MONTOYA: That's the closing date? Okay.

CHAIR VIGIL: Any further questions? Any other Commissioners?  
Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Kolkmeier, what about the height variance? Are you going to just change the standard so it's no longer 30 feet so we don't have to mess around with variances every time there's a project? How do you deal with that? I don't see anything in the ordinance itself that addresses the height issue.

ROBERT GRIEGO (Senior Planner): Madam Chair, Commissioners, would you mind if I approach. This matrix is actually in your packet but this one is much cleaner and it will show you very clearly. [Exhibit 4] There's a height section in the zoning matrix that will answer your question.

COMMISSIONER CAMPOS: For this particular ordinance?

MR. GRIEGO: For this particular ordinance.

COMMISSIONER CAMPOS: Okay, that's fine. Just explain it to me.

MR. GRIEGO: Okay. Madam Chair, Commissioners, the zoning matrix in the Community College District – what we did was we amended it for a media district. So within the media district we looked at the development standards for size, density, height, and such.

MR. KOLKMEYER: And Commissioner Campos, if I might while Robert is passing that out, there are specific recommendations that you'll see under height. For maximum building height, for up to 60 feet for special needs structures, and up to 80 feet for up to 40 percent of a specific building footprint. So to answer your question specifically, yes. Because we wouldn't want to go and do variances every time something came in to do this, so we would build it in with a specific design standard mechanism in this new ordinance.

COMMISSIONER CAMPOS: Okay.

MR. KOLKMEYER: And of course this evening is just to request to publish title and general summary. And we can go into greater detail as we move forward with the public hearings on this as well, too, Commissioner.

COMMISSIONER CAMPOS: Do you think this will be an issue that will be of great interest to a lot of people?

MR. KOLKMEYER: The issue of height, Commissioner, or –

COMMISSIONER CAMPOS: The issue of height, the 60 and the 80-foot.

MR. KOLKMEYER: We've already had a discussion about some of the proposed uses in Las Soleras and we know some of those heights – I think that was at the last EZC meeting. Probably it will be, because again, this is a fairly prominent part of the Community College District. Although as I pointed out before, having the County detention facility on the south side and the state penitentiary on the west side, those are also already fairly tall buildings. There's a slight drop in the terrain. We don't even have a specific proposal before us yet. We're having some discussions as you already know with Santa Fe Studios and other interested parties as well. But we think that projects like that can be designed so that the higher buildings can be on that portion of the property on the north side of the business park that slopes downward. But they'll be visible, for sure. I think we'll be really interested and really concerned to hear from the residents of that area and also from other interested parties because this will be a large project that will also employ a lot of people and employ people in the industry that we think is important for this area. But height will probably be – and probably the massing of some of these buildings will be an issue also, Commissioner Campos.

COMMISSIONER CAMPOS: Okay. Thank you, Mr. Kolkmeier.

CHAIR VIGIL: Any other questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Jack, the red flag to me is of course the height issue, 80 feet, and the definition which you have there on A. 6 on the left-hand side

of your exhibit, of what a special needs structure is. I think that everyone will say, well, I've got a special needs structure. But you define them as being a particular media usage, such as sound and recording stages and broadcasting studios. Now, Que Suave doesn't need an 80-foot building to broadcast from as I'm sure you know. But probably what you're thinking about is not the building but is some kind of a - I'm not sure what you're thinking about, but I think we need to be a lot clearer about what the so-called special need structures are, and we need to define or breakout whether you're talking about buildings or whether you're talking about antenna or some time of transmitting devices. Because an 80-foot high building might have one local reaction. An 80-foot antenna might not have as violent a negative reaction as an 80-foot building. So I think we probably need some clarity on that in those definitions.

The other question I had was where does the 80 feet come from?

MR. KOLKMEYER: Madam Chair, Commissioner Sullivan, your first point is a good one, Commissioner Sullivan. It also includes such things, because we've had discussions with some of the interested parties out there for the use of wind generators also, which are pretty high. So there's antennas, although the broadcast industry tends to not use antennas in the same way that they did 10 or 15 or 20 years ago because it's so satellite oriented these days. But antennas - the 80-foot comes from a fairly typical soundstage and studio, as they are developed in Los Angeles for major film companies. That's where that figure comes from.

COMMISSIONER SULLIVAN: Just in comparison, do you know how high the Lencis soundstage is?

MR. KOLKMEYER: I don't know exactly but it's probably 40-some feet, would be my guess. The Lencis right behind us here?

COMMISSIONER SULLIVAN: Yes.

MR. KOLKMEYER: That's probably 40-some feet. Because the height restriction in downtown was 54 feet, I believe, which is the height of La Fonda.

COMMISSIONER SULLIVAN: But I think they got an exception.

MR. KOLKMEYER: To go higher than that? I don't recall.

COMMISSIONER SULLIVAN: To go higher than that to float the sets up and down. I was just trying to get a visual comparison of what 80 feet looks like.

MR. KOLKMEYER: Well, we really don't have 80-foot tall buildings around here. So it is kind of hard to visualize. If you've seen pictures of the soundstages in Albuquerque, I believe those are 70 feet. The soundstages that they've developed in Albuquerque. Probably the closest would be St. Vincent's Hospital, because those are four storied but they're not your standard 12-foot stories. I believe they're 15 feet. So that's probably 60 feet.

COMMISSIONER SULLIVAN: Okay.

MR. KOLKMEYER: I just got information that the Lencis is around 80 feet.

COMMISSIONER SULLIVAN: Is around 80 feet. Okay. So if we wanted

to know how high 80 feet is we go out the front door and look at it.

MR. KOLKMEYER: Yes. Take a look over there.

COMMISSIONER SULLIVAN: Take a look at the Lencic and see if we like that.

COMMISSIONER CAMPOS: Commissioner, how tall is this building, do you think, as an engineer?

COMMISSIONER SULLIVAN: I don't know how tall this building is.

COMMISSIONER CAMPOS: We might have the answer.

COMMISSIONER SULLIVAN: This building is not 80 feet, though because the Lencic is higher than this building.

MR. KOLKMEYER: And they're not in open fields, either.

COMMISSIONER SULLIVAN: So then the other issue that we've dealt with before is in dealing with the film industry is fire protection, when they're doing work on the lots. I don't see anything about fire protection in here. Now, we do have - one of the questions I wanted to have the staff look at is we do have a separate ordinance that we passed fairly recently about providing fire protection during media events and we did that so Chief Holden didn't have to come back to us every time we had one of these special events. I don't know if that ordinance applies here. If it does, then we're covered. It was just something I would point out for you to take a look at.

MR. KOLKMEYER: We will take a look at that, but again, the nature of those types of permits where we have some of the issues with fire protection have to do with outdoor shooting like on Eaves Ranch and Bonanza Creek. In the soundstages, the nature of the filming will be different but we'll make sure that that gets covered and we'll look at that also.

COMMISSIONER SULLIVAN: Well, aren't you anticipating some outdoor filming, because that brings into my next issue, which is the lighting. We have an exception here to the County's lighting policy that allows them on a temporary basis to put, I guess, big floodlights out there to enable them to shoot outside. And my question about that is can we pass a County ordinance that contradicts the state statute, the Night Sky Ordinance, the state statute. Because right now our ordinance and anything that's constructed has to meet the Night Sky Ordinance which is a state statute, not an ordinance.

In here we're saying for temporary uses we allow them to not have to comply with that lighting ordinance. But our County lighting ordinance I think mirrors the state Night Sky Statute. So my question is, can we do that?

MR. KOLKMEYER: Madam Chair, Commissioner Sullivan, we'll have to look into that specific request, but as far as we know, the proposal that we've seen so far from the previous film production company that came forward, Whirling Rainbow and now Santa Fe Studio, would - there will be a need for a back lot. But again, this would be very different from the kind of lighting that's used on outdoor sets. But because this is high up there by the County detention facility, we would want to make sure that we don't get that kind of lighting situation that we have for these large outdoor productions. And



how exactly we'll go about doing that - Shelley just informs me that the CDRC can approve unshielded lighting on a temporary basis per our current Code right now.

COMMISSIONER SULLIVAN: I don't know if that's legal either. Because we have a state statute that says you -

MR. KOLKMEYER: We'll look into that.

COMMISSIONER SULLIVAN: Yes. I throw it out as something that -

MR. KOLKMEYER: Lighting will be a huge issue here, same as height will be as well.

COMMISSIONER SULLIVAN: I think the concept of this 65-acre parcel as being a media center is a good one. The devil is always in the details and we need to be sure that this doesn't become a mechanism just to throw up anything that anybody wants out there. Thank you, Madam Chair.

CHAIR VIGIL: And I just want to respond because I'm familiar with the night sky lighting section. I think it is actually specific to permanent lighting, and what we're addressing here is just lighting for filming purposes, correct?

MR. KOLKMEYER: That's correct.

CHAIR VIGIL: This is a public hearing. Is anyone out there wanting to address the Commission on this item. We are on item XII.A. 2.

MR. ROSS: Madam Chair, we're actually here on a request to authorize publication of title and general summary. We don't necessarily have to have a public hearing.

CHAIR VIGIL: It's actually advertised, as I said to Commissioner Sullivan for the first item, under public hearings. So with that, I think since it's been noticed that way I would move ahead and request that the members of the audience address the Commission if any of them would like to. Seeing, hearing none - Commissioner Anaya.

COMMISSIONER ANAYA: I'm just happy to see this come forward. I think this is a great opportunity for Santa Fe County and us developing that business park. So I move for approval.

COMMISSIONER MONTROYA: Second.

CHAIR VIGIL: There's a motion and second.

**The motion to authorize publication of title and general summary passed by unanimous [5-0] voice vote.**

**XII. A. 3. Request Authorization to Publish Title and General Summary of an Ordinance Amending Article X of the Land Development Code to Amend the Definition of Community Water System and Include a Definition of a Water and Sanitation District; Renumbering Remaining Definitions**

PENNY ELLIS-GREEN (Deputy Land Use Administrator); Thank you, Madam Chair. The proposed ordinance would define a water and sanitation district as a community water system, thereby requiring the same water supply submittals for a development using a water and sanitation district as is required for a development using a community water system. A water and sanitation district would also be listed within the definitions and defined as a community water system. The existing Code does not have specific requirements for water and sanitation district and this ordinance would clarify this. The draft ordinance is attached. It's amending Article X of the Land Development Code. And I'll stand for questions.

CHAIR VIGIL: Any questions?

COMMISSIONER MONTOYA: Madam Chair, how does this tie in with the previous, #1 on the agenda regarding the community water and sewer systems and shared well, the proposed ordinance from Commissioner Sullivan?

MS. ELLIS-GREEN: Madam Chair, Commissioner Montoya, it doesn't change when you're required to do a community water system, it just defines a water and sanitation district as being a community water system.

COMMISSIONER MONTOYA: Okay.

CHAIR VIGIL: Any further questions? Penny, how is this distinguished from water associations and all other kinds of community water systems? I'm not sure what's trying to be done here. For example, how would Agua Fria Water Association fit under here?

MS. ELLIS-GREEN: Madam Chair, I believe it would fit under a community water system. At the moment, under the water section of our Code we have municipal or County-owned water utilities and then all other community water systems. So we're just really clarifying that a water and sanitation district is a community water system.

CHAIR VIGIL: Okay. Any further questions? What's the pleasure of the Commission?

COMMISSIONER MONTOYA: Madam Chair, move for approval to publish title and general summary.

COMMISSIONER SULLIVAN: Second.

CHAIR VIGIL: Motion and second.

**The motion to authorize publication of title and general summary passed by unanimous [5-0] voice vote.**

CHAIR VIGIL: And Mr. Ross, I guess just for clarification, while these don't necessarily require public hearings, they probably should have been noticed under our Water Resource Department or another one, so I will request comments from the public just because they've been noticed as such.

MR. ROSS: Madam Chair, that's perfectly appropriate. What Mr. Kolkmeier and I were just discussing is the way that the agenda is laid out for these kinds of matters is a little confusing, so we'll talk to Mr. Abeyta about that.

CHAIR VIGIL: And I think these could have come under Water Resource Department as I mentioned, but because they're under Land Use and public hearings, I think we need to comply with the way it was noticed.

**XII. A. 4. Request Approval of Resolution No. 2007-\_\_\_. Amending Resolution 1999-137, the Santa Fe County Growth Management Plan, to Adopt and Incorporate the Pojoaque Valley Community Strategic Plan (1<sup>st</sup> Public Hearing) [Exhibit 5: Community Plan]**

CHAIR VIGIL: Renee, the floor is yours.

RENEE VILLAREAL (Community Planner): Good evening, Madam Chair, Commissioners. For this presentation, members of the Pojoaque Valley Planning Committee and County Planning staff will briefly go over the highlights of the Pojoaque Valley Community strategic plan. This is, as you said, the first of two public hearings to present this plan.

First the background of the planning process will first be presented and then we'll go into the specific actions of the plan. I'd like to acknowledge that this plan is the culmination of four years of work of the Pojoaque Valley Planning Community. As we see changes in land use patterns in the valley and more commercial development occurring adjacent to the traditional community, along with changing values and community needs, the committee acknowledges the necessity to be proactive rather than reactive to changes occurring in and around the traditional communities in the valley.

Initially the planning process began in 2002 as a group of citizens from the traditional communities of the Pojoaque Valley came together to identify common issues and concerns and they began to explore how to address them. Community members identified reasons to develop a community plan, which include preserving and protecting the historic and rural nature of the community, seeking a stronger, more unified voice in an unincorporated area of Santa Fe County, the need for local development review, to improve land use controls and community services, and to provide the opportunity to work with community and neighbors on common issues and collaborative projects.

The planning process was initiated by Santa Fe County Resolution 2002-163, which gave authorization to establish a representative planning committee, initiate a planning process to prepare a community plan, and to establish the initial planning boundary, known

as the Pojoaque Valley Traditional Community District. The Pojoaque Valley Traditional Community boundary is indicated in the turquoise on this map, and surrounding it are the Pueblos, as I'm indicating with this light. There's purple and blue and there's like a light pink that are the tribal nations, Pueblo communities. And in the gold you'll see an active land grant, which is the Jacona land grant, indicated in gold.

Why a community strategic plan? Well, in 2003, the strategic planning method was selected by the committee members because they felt a strategic approach would better help them control their future in the valley with short and long-term actions to address specific issues with an implementation strategy associated with each action. We also felt strategic planning was more appropriate for this area because it's unincorporated, it has less political control and has various governmental jurisdictions in which to work with.

The community planning process structure that was selected, we have a chairperson and vice chairperson. We used the consensus decision making process and we, as I said, we selected the strategic planning method. Regular committee meetings have been held on a bi-monthly basis.

As you can see by this chart the planning process is pretty elaborate. We started with vision and mission statement development. We went on to community assessment, internal and external analysis done, the SWOT analysis. As you can see the specifics of the areas we looked at are indicated in white. Then we went on to scenario development and action plans were developed and assigned. We're not at the point where we will be getting adoption at the plan and at that point we will be looking at implementation and monitoring of the plan and its associated ordinances.

As you can see, the center focus is community outreach. There was extensive public outreach. The Pojoaque Valley Planning Committee not only met consistently on a bi-monthly basis throughout the planning process but all meetings have been open to the public. In addition to these meetings the PVPC has held focus groups in the community. We've had two community-wide forums in 2005. We had a mixed-use informational meeting at the beginning of this year where we mailed invitations to property owners in those areas, the proposed mixed-use zones that we'll talk about in just a bit. Recently, we had a community open house in May in order to solicit final input and participation from the greater Pojoaque Valley community.

We have also attended community events where we disseminated information about the plan, and we also had people fill out surveys. I would like to also mention we have held meetings with tribal leadership on a consistent basis to inform them of the process, present our goals and also to just keep them updated on what we're doing and identify opportunities for collaboration.

In addition to this, we've notified all property owners in the traditional communities. Several community-wide mailings were done using the County Assessor's database. We've had community members who have attended our meetings included in our mailing list and also were sent notices and agendas either through e-mail or through regular mail. Our meeting dates were posted, not only throughout the community, on flyers, but

also on the website. We have our notes and also background information about the planning process on the County website. And of course we use the newspaper to notify about upcoming meetings.

At this time I'd like to hand it over to David Dogruel. He's the chairman of the Pojoaque Valley Planning Committee.

CHAIR VIGIL: Thank you, Renee. Nice job. Mr. Dogruel. Please state your name and address for the record.

MR. DOGRUEL: Thank you, Renee. Madam Chair, Commissioners, my name is David Dogruel, P.O. Box 3045, Santa Fe, New Mexico, a lifelong resident of Nambe, and current chair of the Pojoaque Valley Planning Committee. Renee already covered the process that we went through as far as strategic planning and engaging our community and formulating this plan. What I'd like to share with you and with the audience is the actual product of the plan. In your packet you have copies of the plan. The executive summary I think nicely summarizes what we're trying to accomplish with the plan so if you'd like to refer to that as a quick summary, that's the place to look.

There are two components of the strategic planning process, of both the vision and mission. We chose 2025 as the date for what we'd like our community to look like by 2025. The vision incorporates a number of the components that all members of the planning process thought were very important, and I'm not going to read this whole thing, but things like rural communities, the historic roots, rural character, harmonious relationships, gardens, animals, small business, clean air, land and water, community facilities and services, properties – good access to our properties, waste management, public open space, community energy, community cooperation, and achieving all that through a cooperative planning and implementation effort are really what guided our vision.

To get to that vision, that drove really the development of our mission statement and that's what guided our plan and eventually our actions which I will share with you in just a moment. While I'm not going to read all these, these all support the concepts of that vision of where we want to be in 2025, and include things like, again, rural character, harmonious relationships, secured access to properties, good facilities and services, open space and kind of citizenship issues – education, participation of our children.

Prior to that mission statement and some work of the committee, we really narrowed it down to kind of five what we call major themes for the plan. [inaudible] Those are to create public places that support our community and serve our youth, preserve clean water supply, strengthening and building community relationships in communications with our neighbors. That also ties in increasing local input and education about zoning, which is really what a community plan is, a zoning document when it comes down to it. Grow the local economy, we felt was very important. And finally, the last part of the last kind of theme is really what has to be the first theme, is to create some type of body or an entity that's going to help make this happen in cooperation with Santa Fe County and with you.

I'm going to move on to the specific actions, and the first one, this theme is about

creating public spaces. The first action is to provide a new state-of-the-art multi-purpose community center. Some of the things we see for this are educational, entertainment and informational uses. Again, I'm not going to read all these but a performing center, place for children, mentoring, oral histories, art, branch college courses, extension service, recreation, which is something that is very important for the entire county. Possibly a Sheriff's substation, a police or a fire substation, Sheriff substation, things like that.

Other communities in Santa Fe County have state-of-the-art facilities and we feel Pojoaque would benefit from such a state-of-the-art facility. Another action under that theme is to create a connected trail system which will serve as a running course for the high school cross country team and for other runners that use this area. A recent article in the *New Mexican* about the Butterfly Run had some quotes from some international runners. They come up from UNM to train here. The climate and environment of running in northern New Mexico is a particularly valuable training area, so we'd like to develop this trail system which will benefit both high school and other runners, hikers, bikers, horseback riders, involving both the Pueblo of Pojoaque, San Ildefonso Pueblo, and the County.

A recent trails meeting of Santa Fe County showed that the countywide trails system is a project that the County is interested in and the concept is currently supported by the Pueblo of Pojoaque. Where would this trail be? Well, it already exists, adjacent to the Jacona campus in Jacona and there's both a short and a long route which goes primarily in the Jacona land grant. However, part of one of the loops does go into BLM property, and then a short piece does intersect a corner of lands owned by the Pueblo of Pojoaque. So we'd like to get that trail system finalized, marked, get some information posted at the front of it, to allow all of the citizens of Santa Fe County to use this, and eventually be able to connect to Caja del Rio trails which extend all the way out to the southern part of the county.

As far as serving our youth – and again, some of these concepts as you're looking through this plan may seem a little bit outside of a land use document, and what we wanted to do through the strategic plan is to try to address some additional community issues that again are outside somewhat of land use. So here the plan advocates for support of community education and job opportunities and recreation for our valley youth, recreation could be tied into the trails and the community center. Clean water of course is an issue that's facing everyone in Santa Fe County, and some of our actions under this theme are to improve acequia diversions and delivery systems. We'd like to start with a pilot project on an existing acequia. Another action is to protect and utilize domestic wells to the extent possible. Again, this is all pending the outcome of the Aamodt water suit. We'd like to promote some projects that involve removing non-native vegetation from our acequias and other riparian areas.

This was touched on a little bit earlier business of this meeting, using water fairs to continue to monitor water quality in the valley. Traditional actions under this theme are to develop and implement some strategies for water conservation – looking at graywater,

water catchment, perhaps retrofitting some domestic appliances and landscaping.

Pursuing some options for wastewater management and treatment, looking at advance treatment systems, again this was spoken of a little earlier, cluster development and how water and wastewater can be better managed for those type of developments, and also updating substandard septic systems when new developments are proposed or under construction.

Another big theme is how to strengthen relationships with our neighbors, both Pueblo and non-Pueblo. Two ideas here are to create a youth counsel of both Pueblo and traditional community youth to address youth-related issues and also to address some community problems in collaboration with our neighbors. Some of these are already programs that are existing, things like graffiti and animal control, speeding, road maintenance. We'd also like to expand into some kind of more social ideas about suicide prevention, teen pregnancy and drug and alcohol abuse. CARE Connection is a program that Santa Fe County already has in place and we think that's a good place to start as well as a program such as Commissioner Montoya's Hands Across Cultures.

We'd also like to, again, this being a zoning document, really educate folks and communicate and evaluate and modify existing regulations as needed to address current and future density and family transfers and affordable housing. You as Commissioners have heard it many times before that how dare anyone in Santa Fe County tell me what to do with my land, but managing growth and development is something that we have to do as our society moves forward. Specific to the Pojoaque Valley we've decided that  $\frac{3}{4}$  of an acre is the minimum lot size that will be preserved. We feel that is currently supported by current water quality and is currently manageable. We will also maintain current family transfers.

However, we will encourage alternative development patterns, things like clustered housing, clustered development, where houses are built a little closer together, again, using more intelligent, common utility water/wastewater systems, and leaving more open space for folks that value that, as well as continuing to promote affordable housing.

In your packet is a traditional community land use table that's been modified specifically for our Pojoaque plan for our valley. I'm not going to go into that in any great detail. The goal of that is to really make your jobs as Commissioners easier and County staff easier to minimize variances. We'd like folks to know what developments are appropriate and not appropriate that are requested of the County so frequently. This involves improved public notification and education. Recently the Qwest towers issue in Pojoaque drove a necessity to include a much more rigorous public notification process in our plan.

We'd also like to continue resolving some of these boundary issues with out neighbors on a case-by-case basis. A quick example of what this district land use table looks like, it has a residential district and mixed-use districts which I'll show in a moment, and a bunch of uses that are permitted, conditions, special uses or uses that are not allowed in the Pojoaque Valley.

Growing the local economy, we felt was also very important as Renee mentioned. The vast majority of development, both commercial and residential is occurring in areas outside of the traditional community, so we wanted to look at how we could empower our neighbors to do some economic development. Some actions include revitalizing and cultural practices, there are some programs that have already begun in that area. Continuing to support arts and crafts in the Pojoaque Valley, supporting home businesses and home occupations, specifically to our plan, home businesses have been added to the residential use category.

Moving on to the creation of these proposed mixed-use corridors or mixed-use districts. The only one currently existing in the Pojoaque Valley is a node at the intersection of US 84/285 and New Mexico Highway 503. We are proposing three additional districts along US 84/285 north to the edge of the traditional community, headed toward Española, along New Mexico 502 with approximately a 500-foot buffer from the road setback, and additionally, further out on New Mexico 502 on some areas that currently house some amount of commercial and mixed-use development as well as expanding that to include some areas of the Jacona land grant that are currently publicly for sale. There's also an additional very small piece here in Cuyamungue, adjacent to US 84/285.

Again, our district land use table does include uses for these mixed-use zones and we have put in some special conditions, for example, I show here as a use standard for offices, the limit of 20,000 square feet for the Pojoaque Valley, we felt would be appropriate.

And finally, this is this last kind of action that really has to be first after this plan is adopted, is to create some type of entity that will look after the interests of the Valley as well as serve as kind of a local development review committee, which would be a kind of standard role for such a group. But like I mentioned, it's role will be somewhat expanded from the traditional LDRC. These committee members, we would envision would be representative of all of our traditional neighborhoods in the valley and approved by the Commission.

Some things that have actually been accomplished during the planning effort, in addition to actually preparing the plan, through the efforts largely of Commissioner Montoya, revitalizing and renovating our Pojoaque tennis courts, which are used by a number of people in the valley, including one of our planning committee members who's here tonight. The farmers' market, while the committee certainly can't take exclusive credit for that, it was a concept that was discussed early in the planning process and several folks took that idea and ran with it, and I believe Mr. Vicente Roybal-Jasso is here tonight and he has really spearheaded the development of the farmers' market.

Some efforts in junk car education and remediation for Code enforcement have been done. During this planning process we've been pleased to see the opening of the Santa Fe County northern satellite office in Cuyamungue, and finally some progress on the community center and the trail system actually has been made during this planning process.



With that I'd like to conclude and thank the Commissioners and the audience. We'd be happy to entertain any questions, as well as incorporate any ideas of improvements you have in the plan before its final draft which we will bring before at the next meeting. Thank you.

CHAIR VIGIL: Thank you, David. Are there any questions of Renee or David? Seeing, hearing none, this is a public hearing. Is there anyone out there that would like to address the Commission on this item? Please come forward. We will not be taking action on this item; this is just the first public hearing. Welcome.

DAVID ORTIZ: Madam Chair, my name is David Ortiz. I reside at 217-B State Road 503 in Nambe. I would like to express my support for the plan as it's been presented. I served as its vice chair and I was involved in the process from the beginning. I had some concerns, initially, that motivated me to participate in the planning process. Those concerns were addressed in the plan. One of them was the preservation of the acequia system in the valley and the promotion of the rural nature of the valley, and I think that's been addressed quite adequately in the plan.

The other concern was that I wanted to make sure that we could provide and protect the family transfer policy in the plan, because as you know, land values in the valley have become very expensive and the only way that our future generation can remain in the valley is if we're able to pass on land to our children. I think, again, that has been preserved in the plan and I stand in full support of the plan. So thank you very much for allowing me.

CHAIR VIGIL: Thank you. Thank you, David. Commissioner Sullivan.

COMMISSIONER SULLIVAN: Two quick questions for the staff. In most of these plans we've seen two items addressed and I don't see it here and may just have missed it. One is the limitation on water usage. Is the quarter acre-foot water use in there?

MS. VILLAREAL: Madam Chair, Commissioner Sullivan, you're referring to the water limitations?

COMMISSIONER SULLIVAN: Limitation per residence. Yes.

MS. VILLAREAL: It's going to remain what the standard is right now. We couldn't change anything because of the Aamodt suit. We would like to recommend or encourage limited water use but as far as right now, at this moment, we can't restrict any water use so the use is three acre-feet.

COMMISSIONER SULLIVAN: Well, a lot of this is recommendatory in this plan and I would certainly - I understand that Aamodt's three feet but it only applies to certain parts of the area. I think you have other areas, don't you, that are not a part of that Aamodt?

MS. VILLAREAL: Actually, Madam Chair, Commissioner Sullivan, the entire area of the traditional community is held under the jurisdiction of the Aamodt suit.

COMMISSIONER SULLIVAN: So the committee is proposing that in their judgment it's okay for everyone to use three acre-feet for residential usage.

MS. VILLAREAL: I don't think in that particular case that we're

supporting that use but I think that with the Aamodt suit, and I don't know the final details or what's been working out with the settlement, but I think it's going to require limitations on water use.

COMMISSIONER SULLIVAN: And what is the committee's position on those limitations? What do they feel is reasonable?

MR. DOGRUEL: Madam Chair, Commissioner Sullivan, and again, I don't want to kind of beat the same dead horse, but in the absence of a finalized Aamodt settlement, we felt in the plan putting in specific numbers would be inappropriate subject to federal adjudication.

COMMISSIONER SULLIVAN: I guess my thought on that would be that part of the community planning process is influencing the growth and influencing the decision making, both at the County level as well as at the federal level, and one way to do that is to make your case, is to state your opinion, to state what you feel is in the best interest of the public in that area. It's sometimes a controversial part of a plan, but if we just want to have a feel-good plan we can have a feel-good plan. If we want to have a plan that people get together and knock heads over and say, look, do we recognize that there's a water shortage problem or do we bury our heads in the sand. I'd like to see at least a statement, notwithstanding what federal jurisdictions may do, as to what the committee feels is an appropriate water usage for this area. Typically, those are put into these use tables is where they are.

MR. DOGRUEL: Madam Chair, Commissioner Sullivan, I agree with all your statements in concept and idea. I think to put a specific number on water use in the Pojoaque Valley would be incredibly contentious. We certainly support and would be happy to enhance or add some language for stronger advocacy for water conservation and minimizing uses where possible. Then again in the absence of the settlement of the Aamodt suit and an actual number that adjudicates actual water rights we feel it would be difficult at best to put an actual number in a plan that would be in any way, shape or form more restrictive than what the Aamodt settlement is proposing

If you've followed the suit there's a vast difference of opinion in the Pojoaque Valley whether folks feel the settlement is fair, the amount of water that is being proposed for domestic use for wells, is fair. Other people feel it's incredibly generous. To come up with a number, I think again would be incredibly difficult. But we'd be certainly happy to add some language in line with your comments and suggestions toward minimizing water use, encouraging conservation and developing kind of water-sensible strategies for future development. To put an actual number on it right now for a domestic well in the Pojoaque Valley, I think would be an incredibly difficult issue.

COMMISSIONER SULLIVAN: I can only say to you that in every one of these community plans it's been an incredibly difficult issue. There are the same pros and cons and tugs and pulls that occur between those who feel there's a divine right to three acre-feet and those who have other opinions as to how we're going to have enough water for future generations. And they've come up with a number. Consensus planning doesn't

mean that every single person agrees. Consensus planning means that you have a consensus and that you move forward.

So that's an area that I think needs work. The other is - and again, I may have missed it in here, are there provisions on guesthouses?

MR. DOGRUEL: Madam Chair, Commissioner Sullivan, there are not specific provisions on guesthouses. However, accessory structures as far as living units are addressed in the use table. For clarification and confirmation of that Renee or Mr. Kolkmeier -

COMMISSIONER SULLIVAN: What is an accessory structure and what are you proposing in your plan as definition of an accessory structure?

MR. DOGRUEL: Well, certainly, we're not getting down to the level of tool sheds.

COMMISSIONER SULLIVAN: Well, we have people living in tool sheds. You'd be surprised. You'd be surprised what people can live in. And again, one of the most difficult areas that our Code enforcement people have is in so-called guesthouses which become a second permanent residence in an area where zoning only permits one permanent residence. So is it addressed anywhere in the plan now, specifically, the plan we're looking at?

MR. DOGRUEL: Madam Chair, Commissioner Sullivan, I'll defer that question to Renee Villareal or Jack Kolkmeier. I believe it's covered currently in the Code and not specifically modified for our plan.

MS. VILLAREAL: Madam Chair, Commissioner Sullivan, actually that's correct, what David just mentioned. We didn't change anything that's currently in the Code.

COMMISSIONER SULLIVAN: What's in the Code now?

MS. COBAU: Madam Chair, Commissioner Sullivan, current Code specifies that an accessory structure can have a kitchen or a bath, but not both.

COMMISSIONER SULLIVAN: And that's okay with the Pojoaque Planning Committee, that these accessory structures as guesthouses can't be lived in permanently. Because particularly in the Pojoaque area, in the northern part of the county in general you see a lot of that.

MS. VILLAREAL: Madam Chair, Commissioner Sullivan, we did discuss extensively about those issues and although there is concern, part of it is we don't have the Code enforcement to make sure that it's not occurring. We can only go by what the Code - what people come in and try to approve for guesthomes. At that point we can do our best with Code enforcement and that was one of the, I guess concerns of, well, if we have something in the plan, how is the County going to enforce it. And I think that's always an issue because we have limited staff to enforce our Code and the regulations.

COMMISSIONER SULLIVAN: Thank you. Thank you, Madam Chair.

CHAIR VIGIL: Any further questions?

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: I just want to commend the committee that are here. If the members would stand up and be recognized. I think they certainly should be recognized. Don Wilson, Carl Berney, Mary Louise Williams, Chuck Berger, of course David Ortiz, and then in the back, Joe and Amelia Garcia, as well as David Dogruel and Vicente Roybal-Jasso, who was a member of it.

Madam Chair, the work that these people put in over the last four 4 ½ years to produce the document which really didn't create a whole lot of controversy which initially it did, when we first talked about having a land use for the Pojoaque Valley. There were some people that were concerned and I think Mr. Ortiz mentioned that he certainly was one of them, in terms of protecting some of the things that are currently in our Code. So I think they've done an excellent job in terms of putting together not only a land use plan but also a community plan that is going to require some resources on behalf of the County, the state, and even the federal government to accomplish some of these things. I think that's something different than some of the other plans that have come before us in terms of really providing the long-term vision that we'd like to see continue in the Pojoaque Valley.

So I'd just like to commend the work that has been done by this group and others who have come and gone as the process has progressed. But it certainly is something that I believe that this Commission should adopt and unfortunately, as David did mention, Commissioner Sullivan, the Aamodt lawsuit will essentially dictate what we will be able to use for water and that is why it wasn't included on this and until that settlement is final, we really can't determine or would we want to determine what we think we should be able to use, because essentially the agreement's going to be drawn up between the different governments including the Pueblos that are involved. So once that's done then we can probably incorporate something easily into this plan. But I just wanted to mention that, Madam Chair, in terms of the tremendous work that this group and others have done. Thank you very much.

CHAIR VIGIL: Commissioner Montoya, I have a question. Are you saying that because this particular plan incorporates a capital outlay sort of infrastructure proposal that this commits the County to dollars to this community, or FTEs, or anything of that nature, based on our adopting the plan or the ordinance?

COMMISSIONER MONTOYA: No. No, what I'm saying is that this plan as it's been constructed does request and as I mentioned it, is going to request from the County, from the state and from the federal government capital resources to complete some of these projects. So the requests are going to be coming from the community to those entities for assistance in completing some of these tasks. But in no way does it commit the County to anything.

CHAIR VIGIL: Okay. Thank you. I actually want to thank the people who were involved in this planning process. We think this is one of the most powerful tools that our County has and that's the ability for communities to come together and make decisions for their own future. Thank you for all the work you put into it. Anything else from

members of the Commission? With that we'll move forward on this and we have another hearing. When will that be held, Ms. Villareal? Do you know? It's August 14<sup>th</sup>?

MS. VILLAREAL: That's right, Madam Chair. August 14<sup>th</sup>.

CHAIR VIGIL: Thank you very much.

COMMISSIONER MONTOYA: Thank you.

- XII. A. 5. CDRC Case #V 07-5180 Ramona Maestas Variance Ramona Maestas, Applicant, is Requesting a Variance of Article III, Section 10 (Lot Size Requirements) of the Santa Fe County Land Development Code, to Permit a Second Residential Unit on 1.06 Acres. The Property is Located Off State Road 502 at 8 Sombra de Jose in Jacona Within Section 12, Township 19 North, Range 8 East (Commission District 1)**

VICENTE ARCHULETA (Review Specialist): Thank you, Madam Chair. On May 17, 2007, the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of the applicant's request with staff conditions. The applicant is requesting a variance of Article III, Section 10 of the Land Development Code in order to allow placement of a second home on 1.06 acres. The property is located at 6 Sombra de Jose within the Traditional Community of Pojoaque. Article III, Section 10 of the Land Development Code states the minimum lot size in this area is .75 acres per dwelling unit. This could be reduced to .33 acres with community water and community sewer.

There is currently one home, one septic system, and a well on the property. The applicant has been approved for an additional septic system on this property. The applicant is requesting this variance because she is in poor health and needs her daughter Laura Griego to care for her. The applicant's daughter states that there is no other family to help with the responsibility of taking care of her mother. The applicant's daughter also states that she can not afford to pay for someone else to take care of her mother and her mother is on a fixed income that will enable her to pay for her own care. The applicant's daughter states that she now lives in La Madera (Rio Arriba County), which is approximately 70 miles away and has to travel daily to Pojoaque to make sure her mother does not need help with anything and the travel has become a burden on her and her mother.

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

if by doing so the purpose of the Code would be nullified.”

Staff recommends that the CDRC deny the request for a variance, based on Article III, Section 10 of the Land Development Code, which states that the minimum lot size in this area is .75 acres per dwelling. While the applicant’s needs to care for her family member may be a valid non-self inflicted condition, staff does not support this variance request as it would result in increased density not allowed by the code.

If the decision of the BCC is to recommend approval of the applicant’s request, staff recommends the following conditions be imposed. May I enter the conditions?

[The conditions are as follows:]

1. Water use shall be restricted to 0.25 acre-feet per year, per dwelling unit. A water meter shall be installed, and annual water meter readings shall be submitted to the Land Use Administrator by January 31<sup>st</sup> of each year. Water restrictions shall be recorded in the Santa Fe County Clerks Office.
2. No additional dwellings will be allowed on the property.
3. The existing driveway will serve both homes.
4. The applicant shall submit an updated Environmental Department Liquid Waste Permit showing the correct lot size and correct number of homes.
5. The applicant shall upgrade the existing septic system to serve both homes. [See below]
6. No further division of this land shall be permitted.
7. The applicant shall remove all un-permitted accessory structures.

Madam Chair, I’d like to make a clarification on condition #5. It should read: The applicant shall upgrade the existing septic system to serve both homes and shall provide documentation that all NMED and Code conditions regarding a liquid waste system are in compliance. Thank you, Madam Chair.

CHAIR VIGIL: Thank you, Mr. Archuleta. Are there any questions of staff? Is the applicant here?

[Duly sworn, Laura Griego testified as follows:]

LAURA GRIEGO: My name is Laura Griego.

CHAIR VIGIL: Laura, do you agree with all the conditions as have been presented to the Board of County Commission?

MS. GRIEGO: Yes, I do.

CHAIR VIGIL: Would you like to address the Commission on your case?

MS. GRIEGO: Yes, I would. This whole process started for me quite some time ago before my grandmother passed away and my mother’s health started going bad. My mother and I, in trying to care for my grandmother, my grandmother just passed away. Then my brother died and my mom’s health got worse. And me going back and forth every day added more stress to my mother’s condition, because she worried about me always being on the road with my kids late at night and traveling back and forth.

She asked me this past winter about me trying to move closer to her. I went to

Española and started looking for a place to move my mobile home. I went to every trailer place in the valley and there wasn't anywhere that I felt that I could take my kids - I have small kids - that they would safe while I was at work, or anybody that I knew for childcare to help me be closer to my mother.

Meanwhile, it's added expense. So my mom said, well, the yard, the land where she lives is really big. I could move my home there. I don't want to be an inconvenience to my aunties who live on both sides, so I told my mom, okay, if I can be there and not be a problem to anybody, it's going to help me financially and also help my mother and she doesn't have to be stressed out about me being on the road all the time. My kids have an opportunity to go to a better school. And my mom, if something happened to her and her being alone there.

Meanwhile, I came and I started the whole process. I brought with me all the papers that my mom had for the land, which were the survey, the warranty deed, and I came to the office and I asked for permission to place my home on that land. At that time I was never that, because of the size of the property that I wouldn't be able to move there. Instead they gave me a really nice actually diagram and they showed me steps of what I needed to do and permits that I needed to acquire to be able to do this. So I started the process. I missed work. I went to every office they said I had to go to. I paid for all these permits. I got my own septic permit which cost me money and I had to abide by a lot of conditions that the Española office gave to me. I did everything that they asked of me.

Meanwhile, still going back and forth, still trying to care for my mother, missing work, paying for all these permits, paying to get it posted in the newspaper, going and taking pictures of signs - doing everything that they asked. And now, today again I ask for permission to put my home next to my mother's to help take care of her. There's nobody else to do it and I would like to be able to care for my mother the way that she did for her parents until they passed away. And that's why we're asking for the variance.

CHAIR VIGIL: Thank you very much. Are there any questions of the applicant? Commissioner Sullivan

COMMISSIONER SULLIVAN: Ms. Maestas, is it your intent - you live in La Madera now.

MS. GRIEGO: Yes, sir.

COMMISSIONER SULLIVAN: And do you work in La Madera?

MS. GRIEGO: No, sir. I work in Española.

COMMISSIONER SULLIVAN: You work in Española. So you have to commute from La Madera to Española of course.

MS. GRIEGO: Yes.

COMMISSIONER SULLIVAN: So is the idea that you will then - do you own property or do you just live in a mobile home park in La Madera?

MS. GRIEGO: The property that I live on now belongs to my ex-husband. I own the home; he owns the land.

COMMISSIONER SULLIVAN: Okay. So your intent then is that you

would move your home to your mother's property and you would continue to work in Española.

MS. GRIEGO: Yes. I have to work. I have kids.

COMMISSIONER SULLIVAN: Sure. And you and your kids would live

then in -

MS. GRIEGO: And be able to go to a better school.

COMMISSIONER SULLIVAN: Thank you, Madam Chair.

CHAIR VIGIL: Any further questions?

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Could you or staff clarify on this septic system, is this replacing an existing one for accommodating the new structure that's going to be placed there along with the existing?

MS. GRIEGO: We talked about with this gentleman here about updating the existing system that's there so that it could - my mom's house and my home could both use that.

COMMISSIONER MONTOYA: So it would be one septic system then.

MS. GRIEGO: Yes. That's a condition that he's asking for. I obtained my own permit to have my own septic. I already have that. But he wants be to put in a septic for both of our homes to use. Which if that is a condition I would do that because my mom's could use to be updated anyway. I just don't like the idea because if anything happened I don't want to inconvenience my mother because I added my house on to there.

COMMISSIONER MONTOYA: And you'll also be using the same well?

MS. GRIEGO: Yes.

COMMISSIONER MONTOYA: Okay.

CHAIR VIGIL: Any further questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Question for staff. On condition 6 it states no further division of this land shall be permitted. Is the applicant requesting a division of the land?

MS. COBAU: Madam Chair, Commissioner Sullivan, I don't believe the applicant is asking for a division of the land. I believe they're asking for a second dwelling unit on that and we could probably strike that condition.

COMMISSIONER SULLIVAN: Well, I think there's some value to the condition in that what we do see happening from time to time is as soon as a second house gets put on there then the next step is they come in for a lot split. And they say, well, the house is already there and now I want to split the lot. So I think that's a useful condition. I just wanted to clarify whether they're making that request at that time, but right now, your understanding is their request is to place a second residence, permanent residence on this property that's about an acre in size.

MS. COBAU: Commissioner Sullivan, that's correct, and if I could clarify, we did ask that it be on a shared septic because the NMED criteria requires that for a



separate individual septic that it be placed on no less than .8 acre and that's based on adequate percolation tests and variables for those adequate percolation tests include the soil type, groundwater depth, which in this area it's been brought to our attention that the groundwater is somewhat shallow. We have to make sure that setback distances are maintained, and I believe when the NMED was approached for the initial permit the lot size on the plat, some of the documentation that was given to the NMED was not correct, and that's one of the conditions, that the correct lot size be given to the NMED. That will go away if it's on a shared septic.

COMMISSIONER SULLIVAN: I believe that was Commissioner Montoya's question. Thank you, Madam Chair.

CHAIR VIGIL: If there are no further questions, this is a public hearing is there anyone out there who would like to address the Commission? Please step forward.

[Duly sworn, Jose Duran testified as follows:]

JOSE DURAN: Madam Chair, Commissioners, Jose Duran, P.O. Box 4342, Fairview, New Mexico. I too would like to verify that Laura does suffer hardship traveling an hour and 45 minutes to and from her home to take care of her mother. I have helped her. Sometimes she'll borrow the truck to even go throw trash for her. She'll make sure her mother has medication and if I can parallel my situation. When I took care of my grandfather it was where a family takes care of each other. It's not a nursing home and with a good role model, because she's responsible, this would benefit her and her children. Pojoaque School is about 5, 10 minutes from where she lives. Walmart in Española would be another 30 minutes, so this would cut time, like in 2/3.

Any time she needs help I will help her where her mother's concerned. I do recommend that she upgrade the septic, because that's what I had to do. Keep everything within approval notice for permits and getting the house set. Please take this into consideration for her.

CHAIR VIGIL: Thank you, Mr. Duran. Is there anyone else out there that would like to address the Commission on this?

[Duly sworn, Amelia Garcia testified as follows:]

AMELIA GARCIA: I am Amelia Garcia. I am a little concerned about the facts as have been presented. I would like documentation that her mother is actually very sick and she needs medical assistance. I don't understand how she can come from La Madera and work at Walmart and take care of her mother at the same time. Now, how does a person have employment and take care of a sickly person, and who does it during the day. There's neighbors there, family members that are capable of helping her without her coming all the way from the Walmart or all the way from La Madera. I think that she's just giving us a story that she really needs to park a double-wide on such a small area and the Codes do not allow that. I think our County should stick to our ordinances and follow through and discourage this type of allowing people to do that without [inaudible]

CHAIR VIGIL: Thank you, Ms. Garcia. Is there anyone else out there? Please come forward and I will allow you a few minutes. David, did you want to address

this case?

[Duly sworn, David Dogruel testified as follows:]

MR. DOGRUEL: David Dogruel. I previously stated my name and address. Madam Chair, Commissioners, I certainly appreciate that the applicant the hardship the applicant has expressed to you and to the audience. However, in previous testimony before the Commission requesting variances that affect both my neighborhood and the valley in general I always ask the Commission to take these words into account, that the needs of the many outweigh the needs of the few. The needs of the neighbors and the community always have to be considered heavily and significantly when any variance that will impact their quality of life is requested of the Commission.

Again, certainly not meaning to demean or diminish the hardship that's been expressed by the applicant, the needs of the neighbors and the needs of the community in regards to again, higher density, sprawl, water, and in this case wastewater implications have to be considered. So I would like that entered into the record and ask you to weigh that consider in your decision regarding this variance. Thank you.

CHAIR VIGIL: David, what does your planning process, how did you all address the mobile home situation?

MR. DOGRUEL: Well, mobile homes are a de factor form of affordable housing. Some people of course cannot afford site built or custom homes, so mobile homes are a type of housing that can be afforded. It's the only thing affordable to certain people. We haven't made any specific exclusions or limitations on mobile homes. Again, our desire is as staff has recommended, that the additional home on the 1.06 acres not be allowed, because we are currently supporting and advocating in our plan fairly strict adherence to the one dwelling per  $\frac{3}{4}$  of an acre. Again, that's what we consider the minimum acceptable due to current water quality standards. Apparently a separate septic permit was granted for this lot, apparently due to some incorrect information on a plot. So I find it disturbing that NMED would grant a second septic permit for more than one dwelling on a 1.06-acre piece. There was an additional  $\frac{3}{4}$  of an acre that was supported by current water quality. So even upgrading this septic system to allow a second dwelling on this 1.06-acre lot I think is somewhat dangerous.

But back to your question, Madam Chair. We have not tried to exclude or put any specific language regarding mobile homes. Our plan simply requests and advocates that the  $\frac{3}{4}$  of an acre minimum lot size be maintained and through our district use tables we are wanting to attempt to minimize the number of these such variance requests that are made, again, primarily for preservation of rural quality, which includes adequate land per dwelling, and of course this  $\frac{3}{4}$  of an acre for water quality and for wastewater.

CHAIR VIGIL: Thank you, David. Are there any other questions? You actually wanted to address the Commission with a summary, and then Commissioner Anaya.

MR. DURAN: Madam Chair, Commissioners, this is a good example of why people complain. I put my house on a one-acre next to my grandfather, and the only

person that helped was his daughter. I took care of him during the week, just like she's going to do, travel back and forth when I moved from Las Cruces. I left all the regulations to the professionals. I followed the rules, and this is what happens. When somebody complains they do not want to take responsibility. They see what goes on. They do. But until they get to know you as a person, then they will help you. And this is in short term. This is 10, 20, 30 years down the road. You only get one mother and one father and she has one mother.

Now, I live next to my father and if he needed help, I would help him. He lives close to the one-acre where I'm at and I'm perpendicular to where he is. So I can see where the citizens are concerned about that. And I can verify she doesn't live in a tool shed. It's a mobile home, but this is long term. There will be noise when they put in the septic and that's good. It's upgraded. For the most part it's going to be the daughter that's going to be there. Whether it's to bathe her 10 years down the road, and I'm not going to disclose the age but my grandfather was 80 and once Alzheimer's sets in or cancer as in our case then there will be somebody.

Sometimes you miss work and you can't make those funds up unless you have personal or sick hours accrued but I can relate with her. There's always somebody quick to criticize, but who's there in the end? It's a family member, a daughter, or the son. Thank you.

CHAIR VIGIL: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, is the public hearing closed?

CHAIR VIGIL: Is there anyone else that would like to address the Commission on this? I will close the public hearing then.

COMMISSIONER ANAYA: Thank you, Madam Chair. First of all I'd like to commend Laura for taking care of her mother. In the past these issues have come forward and this is a question of staff. We've granted temporary permits for a period of two years and then after the two-year period we renewed it or looked at it to see if it needed to be renewed. Are we not doing that anymore to people that want to take care of their parents when they're elderly?

MS. COBAU: Madam Chair, Commissioner Anaya, we're no longer issuing temporary permits or temporary variances. We've been advised by Mr. Ross that there's not a provision in the Code to issue temporary permits. So we're bringing this forward based on legal recommendation of how to handle these cases from this point forward.

COMMISSIONER ANAYA: So Madam Chair, is that something we need to put in the Code for situations like this, and what happens to all the temporary permits that we issued years ago?

MS. COBAU: Madam Chair, Commissioner Anaya, I think we have 15 or 16, outstanding temporary permits currently on our books that will be expiring. We found that it's very difficult for Code enforcement, once somebody pays for a septic system and they pay for all the infrastructure for the temporary second dwelling unit they don't like to remove it. They have a very difficult time enforcing the temporary nature of the placement

of a home on a site such as this. So we're just going by what we've been told, Commissioner Anaya, by legal.

When someone is approaching the permit counter for placement of a temporary dwelling unit, they're being denied and they're being sent over to the development review side of the hallway and requesting variances.

COMMISSIONER ANAYA: Madam Chair, but on this particular case, you're asking the applicant to reconstruct the old septic system, so that would be easier for them if they decided to pull out, or if we decided that they needed to pull out. Then they wouldn't be installing two separate septic systems. I realize where you're coming from; you're not issuing them anymore. But does this Board have the right, which I think we do, to issue a temporary permit in this case? Thank you, Madam Chair.

CHAIR VIGIL: Okay Any further questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Maybe we could get Mr. Ross back to address Commissioner Anaya's question. I think that in the cases in the past we've, even though we may not have the authority in our Code, if the applicant agrees to the condition then it becomes enforceable. So there is that option I think that we could discuss. On the flipside, I realize the difficulty that Code enforcement has in having to track these temporary residences and then once the mother or the family member passes away then requiring them to move the structure out. It's not a pleasant enforcement situation. So I guess the first question would be for Mr. Ross.

MR. ROSS: Madam Chair, Commissioner Sullivan, I guess we're talking about - from what I just heard from Shelley, we're talking about the temporary permits. The problem with temporary permits - I know we issue them but the legal problem is they're not provided for in the Code. So we've got it on our list of things to address in the Code rewrite. We have a historical pattern of granting them absent anything in the Code.

COMMISSIONER SULLIVAN: If the applicant agrees. I know in other land use issues where we bring forward items that may not be specifically in the Code that pertain to a unique land use situation and the applicant agrees with them, are they then enforceable?

MR. ROSS: They're enforceable against the applicant.

COMMISSIONER SULLIVAN: So in this case if that were an option the Commission was leaning toward then it would be a matter of seeing if the applicant agreed to that condition. And if they did, would it then be enforceable.

MR. ROSS: Against the applicant.

COMMISSIONER SULLIVAN: Yes. Okay. I think that clears it up. We don't have it in the Code and we probably should but on the other hand we need to make a decision right here and tonight so we need to have some options. Thank you, Madam Chair.

CHAIR VIGIL: Any further questions? Seeing, hearing none, what's the pleasure of the Commission?

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: From the testimony that I've heard I would like to move for approval with the condition and strike condition #6 and add condition #8 to be a temporary placement of a period of two years, and then we renew it after a period of two years.

CHAIR VIGIL: There's a motion. Is there a second?

COMMISSIONER SULLIVAN: Second.

COMMISSIONER CAMPOS: Clarification. Commissioner Anaya, we're not voting on the variance, right? We're just allowing a temporary placement?

COMMISSIONER ANAYA: Temporary placement for two years.

COMMISSIONER CAMPOS: Okay.

CHAIR VIGIL: Okay. There's a motion. Is that clear, Mr. Ross, for you?

MR. ROSS: Madam Chair, that sounds good to me.

CHAIR VIGIL: Can I just for clarification purposes, Commissioner Anaya, you did say that item 6 be discluded, however, I think the discussion lent itself to include that so that no further division of this land shall be permitted. Does you motion still include discluding it?

COMMISSIONER ANAYA: Oh, I must have fell asleep.

CHAIR VIGIL: So you would want to include that no further division of this land shall be permitted?

CHAIR VIGIL: Would that be the appropriate language or would the appropriate language be no further structure would be placed on this land since this isn't actually a division?

MR. ROSS: Madam Chair, is this a land division? No, it's not a land division. So the latter language should do it.

COMMISSIONER SULLIVAN: Madam Chair, just take out the word "further" because this is not a land division so if you just delete the word "further" the condition becomes no land division shall be -

CHAIR VIGIL: No division of this land shall be permitted. Commissioner Anaya, is that the intent -

COMMISSIONER ANAYA: That's fine.

CHAIR VIGIL: Is that the intent of the seconder?

COMMISSIONER SULLIVAN: Yes, Madam Chair.

CHAIR VIGIL: Any further discussion?

**The motion passed by unanimous [5-0] voice vote.**

**XII. A. 7. CDRC Case #V 07-5200 Rancho de Gonzales Variance Rancho de Gonzales (J.J. Gonzales), Applicant, Requests a Variance of Article III, Section 4.2 (Types and Locations of Commercial or Industrial Districts) of the Santa Fe County Land Development Code to Allow Commercial Zoning Outside a Commercial District. The Subject Property is Located at 27328 East Frontage Road, Adjacent to National Guard Armory, Within Section 33, Township 16North, Range 8 East (Commission District 5) Vicente Archuleta, Case Planner [Exhibit 6: Informational Packet]**

MR. ARCHULETA: Thank you, Madam Chair. On May 17, 2007 the County Development Review Committee met and recommended approval of this case.

The applicant is requesting a variance of Article III, Section 4 to allow that his property to be zoned commercial. Article III, Section 4.1 of the Land Development Code states: "Commercial and industrial non-residential land uses are permitted only in zoned districts." There are several reasons why commercial districts are established. The main reason is to avoid strip commercial patterns of development along highways. Commercial districts are allowed at qualifying intersections and are specifically not allowed to develop as strips along a highway. The size and type of uses allowed in a district are based on the capacity of the roads at the intersection.

The applicant's property is located in an area where there is no qualifying intersection. The applicant states, "In 1990 the National Guard moved its headquarters from Santa Fe to the East Frontage Road on land they acquired from the State and from several land owners, including Rancho de Gonzales. On the parcel they acquired from Rancho de Gonzales they built a multi-story pyramid shaped building for their headquarters. This building has impacted the property because of its imposing nature and its proximity to the Rancho de Gonzales property boundary and the helicopter traffic resulting from transporting National Guard officials can be very loud. The National Guard Complex has had a huge impact on the East Frontage Road. For example, it occupies approximately 1000 acres. They employ several hundred people that commute to and from the facility each day, they have living quarters for several hundred soldiers, have numerous buildings, have hundreds of military vehicles ready to be deployed and a firing range that they use at all hours of the day and night."

The applicant also states, "The National Guard and the New Mexico Corrections Department have expanded their facilities to the extent that they now occupy all the land between NM State Road 14 and the I-25 East Frontage Road. They do not have to comply with zoning regulations on their property. This impacts everyone living on the East Frontage Road between the La Cienega exit and the NM 599 bypass."

In the surrounding areas, there are numerous commercial properties. North of the National Guard are Tent Rock Construction and Lamoreaux Crane Service, to the south is Charlie's Auto Mechanic Service and Jonathon's Towing Service. Across Interstate 25 are

the I-25 Business Park, Reliable Towing and Excel Roofing.

Currently on the property there are three single-family residences on the 47.017 acres. Various family members have resided there in the past and the Applicant states: "In the last few years it has been difficult to rent the houses due to the proximity of the Prison and the National Guard Complex.

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

Article III, Section 4.1 of the Land Development Code states, "Commercial and industrial non-residential land uses are permitted only in zoned districts."

Staff does not feel unusual topography or non-self inflicted condition is demonstrated as required by Article II, Section 3.1 and thus would not be considered a minimal easing of Code criteria, therefore, staff recommends denial of the requested variance.

CHAIR VIGIL: Thank you. Are there any conditions of approval?

MS. COBAU: Madam Chair, there are conditions. I'd just go on to say if the decision of the BCC is to approve this variance request we recommend the following conditions, and there are two conditions, Madam Chair.

CHAIR VIGIL: And those will be entered into the record. Thank you.

[The conditions are as follows:]

1. Commercial use shall not exceed size and intensity of those uses allowed in a neighborhood or small-scale center district. [See Exhibit 1]
2. A master plan, preliminary and final development plan must be submitted for review and approval by the BCC as required by Santa Fe County Land Development Code prior to commencement of construction of any kind.

CHAIR VIGIL: Are there any questions of staff? Commissioner Sullivan.

COMMISSIONER SULLIVAN: The question I had is is this property in the Highway Corridor?

MR. ARCHULETA: Madam Chair, Commissioner Sullivan, it's in the scenic corridor, which is outside of the two-mile where there is no ordinance at this point.

COMMISSIONER SULLIVAN: Okay, but there is a Highway Corridor plan?

MR. ARCHULETA: That's correct.

COMMISSIONER SULLIVAN: And so certainly a condition here could be that if we're changing this from residential to commercial that the applicant could agree to

comply with the conditions of the corridor plan, could they not?

MR. ARCHULETA: That's correct.

COMMISSIONER SULLIVAN: Okay. I notice - the other question I had, Madam Chair, was that I noticed that in the CDRC meeting on May 17, 2007 the minutes state that Mr. Archuleta stated staff does not feel unusual topography or non-self-inflicted condition is demonstrated as required by Article II, Section 3.1 and thus would not be considered a minimal easing of the Code. Therefore staff recommends denial of the requested variance. Then in your presentation this evening staff is recommending approval of the variance. What's happened between the CDRC meeting in May and the meeting today?

MS. COBAU: Madam Chair, Commissioner Sullivan, there was some pretty compelling testimony that was made during the CDRC hearings. Based on the recommendation of the CDRC we have, at a staff level, revised our recommendation based on the testimony at CDRC, and we did a little bit more research in the area.

COMMISSIONER SULLIVAN: Okay. So you changed your mind, essentially. Okay, that's legal and not fattening. In the map, Exhibit 1 in the packet showing where the property is located and the proximity of the National Guard facility, there are of course subdivisions immediately to the north and immediately to the south of this property. Fairly large residential subdivisions that are presumably also impacted by the helicopters flying in and the shooting range. So I can see that while it's not the most desirable of neighbors to have next to you for a residential development, since they're there, you would certainly have that knowledge if you built. So I'm not totally convinced that the National Guard makes the property unusable.

In terms of the use code, are there not other uses other than residential that are permitted in this property or on this property?

MS. COBAU: Under current zoning it would be for residential use only. People could have a home occupation, but that would be the closest to a commercial use that would be permitted under the current Code criteria on this parcel. And Commissioner Sullivan, I know the copy on Exhibit 1 is not a very good quality, but there is just vacant property to the south. There is a subdivision immediately to the north of the National Guard Armory and there are certainly subdivisions on the north side of i-25, but there is just vacant land to the south of this property.

COMMISSIONER SULLIVAN: Just to the south of the word "underground", isn't that a subdivision? I think it is.

MS. COBAU: I don't think so, Commissioner Sullivan. I think that that's - okay, Vicente's telling me that is a subdivision. I thought it was a bad copy.

COMMISSIONER SULLIVAN: It's in my district. I recall walking around out there. It was kind of a tough area to campaign in. A lot of dogs. Anyway, so the only current uses that would be permitted would be residential and home occupations. And what would be the lot sizes that would be permitted without going to water or sewer?

MR. ARCHULETA: Madam Chair, Commissioner Sullivan, the minimum



lot size would be 2.5 acres.

COMMISSIONER SULLIVAN: Two and a half acres without water or sewer. Proof of geo-hydro would be half that. Would that be correct?

MR. ARCHULETA: That's correct. This is the Basin Hydrologic Zone.

COMMISSIONER SULLIVAN: Okay. So it's 2.5 and half that with geo-hydro.

MR. ARCHULETA: Family transfer.

COMMISSIONER SULLIVAN: Oh, half that for family transfer, not proof of geo-hydro. So family transfer could be half. Thank you, Madam Chair.

CHAIR VIGIL: Any further questions of staff? Mr. Gonzales would you please come forward.

[Duly sworn, J.J. Gonzales testified as follows:]

J.J. GONZALES: My name is J.J. Gonzales. I reside at 54 Entrada La Cienega, Santa Fe, New Mexico. I represent Rancho de Gonzales Partnership. We have owned this property probably since for the last 50 years. My father purchased this property in 1952 and when he acquired this property there was nothing between what is now I-25 and Highway 14. In 1955 the state penitentiary moved out there and they started encroaching on all the surrounding neighbors. We used to have grazing leases on that property and in a few years all those were taken away from us. The penitentiary started fencing all their property for security reasons.

In 1990 the National Guard decided to use some of that state land to move their headquarters. A lot of people that live out there, they moved out there probably in the sixties and seventies and that was just before the County Code was adopted so they all had one, two, 2.5-acre lots. They purchased 10-acre lots, divided them into parcels. The thing is many of the people that live out there today have been out there for many, many years. They were there way before the National Guard moved out there. None of us ever had a choice with the National Guard. They are exempt from all the County Codes. They just build whatever they want to build, whatever height they want. If they want to have their helicopters come to the headquarters to pick up their officials, that's what they do.

It's a very busy place out there, especially now in this situation we're in in the wartime. They mobilize a lot of people in and out of that area. I do have an area photograph here; I want to show you some of the main features that exist out there. And if I could have my brother come up here and hold this photograph.

CHAIR VIGIL: You have a handout. You're free to do that now that you're up if you'd like to.

MR. GONZALES: We have a packet that we've prepared and presented for the CDRC. I think you have that information somewhere in your packets, but these are the ones that we've prepared.

Basically, what we have here is the Gonzales site is right in this area. It's a 47-acre site. Over north of the Gonzales property is a helicopter landing pad. That is a very busy place at times. Next to that is the headquarters which is over a five-story building that is

right next to our property, on the north boundary of our property. Over east of there we have I believe the underground bunkers. I don't know what they store there, but they're visible from our property. Over further to the east they have a firing range. And that is usually in operation. Today was a very busy day. I happened to be out in La Cienega today, one of the few days I stay out there during the day, and there was activity there all day long. I know at nighttime you can hear whatever they do for night training.

So there are several areas here that have a big impact on Rancho de Gonzales. In your packet I have a table of contents there and that shows all the photographs I have. It also shows, I have pictures there of all the commercial development that is surrounding Rancho de Gonzales property and how it's impacted us. We have three houses on the property. It's been pretty much vacant all these years except for the three houses that we have. We've never actually thought of doing much development on that property. This last year we had a couple of vacancies out there in the houses. We had a difficult time renting those houses. That's when I realized that residential is not so suitable here.

We had people ask us if they could do some commercial type of development. I told them that this wasn't zoned for any type of commercial development. If you look at your packet you see Exhibit #1, it shows the way that the penitentiary and the National Guard complex has been developed in the last probably 30 or 40 years. They occupy everything from I-25 all the way to Highway 14. Our little piece of parcel there is just on the southeast corner of this big, huge 2,000, 3,000 acre state piece of property.

Also, in the first photograph after Exhibit #1 you'll see there's a big national headquarters building there. That's the big, five-story building you see from our property. The next photograph there is the helicopter landing pad, and you see some helicopters there that are on the pad. The other photograph shows the helicopters approaching that. Sometimes they land as many as three helicopters at one time on that piece of property. The next photograph there shows the bunkers. And then I couldn't get any other photographs, like the firing range, but we have aerial photographs of that. And you'll see the National Guard and the penitentiary, that is what in that Google area map that we pulled up, that's what was there maybe two or three years ago.

Now every year or every day or every month, they have more development that they're doing there. Towards the end of our packet we have the letters from the neighbors. We have two real close neighbors that have property adjoining to our property and they wrote us letters of support. My other neighbor, he's very supportive of our request for a variance. I don't think that anybody out there really has any complaints about what we've done. I don't think the County has received any negative feedback from our proposed request for rezoning.

I think that if you look at that property, see all the businesses that surround it. Exhibit #2 shows many of the business that are right up and down on the frontage road, there's probably 20 or 25 businesses right now that are home occupation businesses. There's some commercial businesses. There's Santa Fe Bronze. There's Custom Craft. There's a roofing business, towing business. There's a lot of commercial businesses that

are surrounding us. To the south we have at least two or three towing companies that exist in that area. And I think that's one of the things that when this came before the CDRC and before the County originally made their first assessment of it, we hadn't prepared anything and they just saw that our presentation was very well presented and they decided that there were some non-self-inflicting conditions that existed on the property. And I think for those reasons I would ask you to grant our variance on this rezoning. Thank you very much.

CHAIR VIGIL: Thank you, Mr. Gonzales. Are there any questions of the applicant?

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Gonzales, regarding the letter from the New Mexico Department of Transportation, what were they requesting the permission to survey?

MR. GONZALES: They were interested in acquiring their property to move their headquarters from Cerrillos Road out to our piece of property. And they sent us a letter some time in March asking for permission to survey, and we did grant them permission to access the property for a survey. I think after that they have found another site that they would like to acquire.

COMMISSIONER MONTOYA: Okay. Thank you.

CHAIR VIGIL: Further questions of the applicant? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Gonzales, the property immediately to the south of you, which shows on Exhibit 2 with a number 1 on it, and the next page after Exhibit 2 you have a picture of the sign there that says that this property is available and that it's zoned general retail and commercial. Has this parcel been given a variance, that whole parcel, for commercial?

MR. GONZALES: As far as I know, that piece of property was purchased from Rancho de las Golondrinas and that is owned by a partnership that is advertising that parcel as zoned as retail-commercial. That's what they have it advertised as. And that is a picture of the sign that we happened to see there. As far as I know that parcel has never been changed to commercial, but they're advertising that parcel for commercial purposes.

COMMISSIONER SULLIVAN: Vicente, do you agree with that? The question was the piece of land south of the Gonzales property -

MR. ARCHULETA: At this point, Commissioner Sullivan, this hasn't come in for any type of change of use so right now we would consider this a residential piece of property.

COMMISSIONER SULLIVAN: Yet the sign that's up there says that it's zoned general retail and commercial, buy part or all.

MR. ARCHULETA: I don't believe - this property has not been zoned so I think they're saying that it has the potential, whoever the Old Santa Fe Realty is, is saying they may have the potential to become commercial. But that has to go through the zoning process and master plan.

COMMISSIONER SULLIVAN: It seems to be somewhat deceiving on the sign there, but obviously nobody's bought the land yet. I bring that up because if the Commission had already zoned this as commercial and then the subject property was in the middle, that would seem like, well, we've got commercial type property on both sides, it would seem to be logical that the one in the middle would be that way as well. Okay, so that's probably still residential. Thank you, Madam Chair.

CHAIR VIGIL: Further questions of the applicant? Mr. Gonzales, are you in agreement - I forgot to ask you - with the conditions put forth by staff?

MR. GONZALES: Yes.

CHAIR VIGIL: And there was a recommendation that you also comply with the Highway Corridor Ordinance. Are you in agreement with that?

MR. GONZALES: I've attended the Highway Corridor meetings and that I think had been dropped in that area, between 599 and Exit 271. There was such an outpouring of local opposition that I think the meeting they had last March, I think they probably dropped that. They tried to enforce the Highway Corridor out there and I think the people do not want to be included in the Highway Corridor because they had to give up too much of their property. So I'll go along with whatever the current Code calls for in that area. But I don't think the Highway Corridor is in force in that area.

CHAIR VIGIL: Okay. Is that correct, Shelley?

MS. COBAU: Madam Chair, that is correct. The Highway Corridor Ordinance is only in effect within the two-mile radius of the city limits. But I would like to point out to the applicant that because there's a frontage road, the setback criteria is substantially reduced from properties that don't have a frontage road, and the Highway Corridor plan in this case, the setback could be reduced to 25 feet with a screen and with a landscape buffer. So it wouldn't take 150 feet off the front of the property as in much of the other Highway Corridor areas. In other properties that have come in on the south side of I-25, such as the Carlos Gallegos property, that's closer to the La Cienega exit, he did agree to comply with the Highway Corridor plan and provide that 25-foot setback from the frontage road.

CHAIR VIGIL: Okay. Is that something that staff would work out with the applicant should it be necessary to?

MS. COBAU: Madam Chair, the second condition requires that the applicant come forward with a master plan for staff review and back to the BCC for final approval of their master plan. So I believe that those type of details could be worked out during the master planning process.

CHAIR VIGIL: Okay. Thank you. This is a public hearing. Is there anyone else out there who would like to address the Commission on this item of the agenda? Seeing, hearing none, the public hearing is closed. Any further questions? What's the pleasure of the Commission?

COMMISSIONER MONTOYA: Madam Chair, move for approval of this along with the staff conditions.

COMMISSIONER ANAYA: Second.  
CHAIR VIGIL: Motion and second. Any further discussion?

**The motion passed by 4-1 voice vote with Commissioner Sullivan voting against.**

CHAIR VIGIL: Mr. Gonzales, you have your request.

- XII. A. 8. EZ Case #V/S 03-4833 Valle Serena Reconsideration of Condition Valle Serena Subdivision (Zena Boylan), Applicant, Siebert and Associates (James Siebert), Agent, Request Consideration of a Condition Imposed by the BCC to Connect to a Community Sewer System. The Property is Located Approximately One Mile East of NM 14, on Valle Del Monte, Within Section 25. Township 16 North, Range 8 East and Section 30, Township 16 North, Range 8 East (5-Mile EZ, District 5) Vicente Archuleta, Case Planner [Exhibit 7: July 9 Letter]**

MR. ARCHULETA: Thank you, Madam Chair. On June 12, 2007, the Board of County Commissioners met and tabled this case so the applicant could address issues brought forth by the BCC about connections to the County utilities for sewer service. On February 13, 2007 the Board of County Commissioners met and approved the final subdivision plat and development plan for phase 2 of the Valle Serena Subdivision with staff conditions, plus an additional condition imposed by the BCC to connect to either Rancho Viejo's community sewer system or the private Turquoise Trail Subdivision sewer system.

The applicant requests reconsideration of the condition imposed by the BCC to require the connection to community sewer service. The applicant states, "In my initial discussions with Rancho Viejo it was possible from an engineering standpoint to connect to the Rancho Viejo sewer system. I have since been informed by Isaac Pino that such a connection could only be approved in conjunction with a rate hike, a rate hearing before the Public Regulation Commission requesting an extension of the current Rancho Viejo sewer service area. The Valle Serena Subdivision is not contiguous with the Rancho Viejo boundary and additional properties would have to be included in the request for a modification to the Rancho Viejo sewer service area.

"While Rancho Viejo does not have a problem providing sewer service to Valle Serena, with a maximum of 14 lots, Rancho Viejo is not willing to commit to sewer service for the other vacant properties that would have to be included in the extension of sewer service request to the PRC. The addition to the Rancho Viejo sewage treatment plant would be designed to principally accommodate the future growth of Rancho Viejo.

Connection to the Rancho Viejo sewer system is not feasible given the expansion of the service area through the PRC and the concerns that Rancho Viejo would have regarding the obligations that would be inherent in an expanded service area.

“Connection to the Turquoise Trail sewer system would require the approval of the City Council in addition to approval from Thornburg Enterprises, LLC. There was a concern regarding the deferral of the wastewater costs to the buyer of the lot.”

Recommendation: The applicant requests a reconsideration of the condition to connect to the Rancho Viejo or Turquoise Trail sewer systems and instead use conventional, onsite wastewater treatment systems, and install a dry sewer line within the subdivision that would connect to the County sewer line. All lot owners within phase 2 of the Valle Serena Subdivision would be advised in the disclosure statement and restrictive covenants that the septic tank and leachfield system would have to be abandoned and reclaimed according to NMED standards and they would have to connect to the County sewer system at such time as they are informed by the County Water Resources Division that such a connection if required. Thank you, Mr. Chair.

COMMISSIONER SULLIVAN: Thank you, Vicente. Any questions for staff? Seeing none, applicant.

Oath

JIM SIEBERT: My name is Jim Siebert, this case was tabled to allow the applicant and staff time to investigate the details of connecting to the County sewer system. We have done that. We've spent a great deal of time with County utility staff working out the particular details of this. What I'd like – and what the maps indicate is what are the principal participants in the system and what you have – this is Valle Serena here, consisting of 14 lots in phase 2. This is the Sonterra development sitting here that's 520 lots including commercial development. The Santa Fe Skies RV Park, which is 98 spaces, and the San Cristobal development. Sonterra is an approved master plan. San Cristobal is an approved master plan and Santa Fe Skies is actually an operational RV park at this time.

What we did is determine what would be the actual service area on a gravity flow standpoint for a regional sewer. The assumption is that the regional sewer would be coming up the drainage of the La Cienega Creek. What we've done is determine in the Sonterra and some of the backup information towards the back of your packet indicates this is really the majority of the Sonterra development, with the exception I think it's 89 lots, could be served by a sewer line that would come through the Valle Vista, the Valle Serena development, and then a portion of San Cristobal could also be served by a sewer line in La Cienega Creek.

What Vicente did is use the San Cristobal master plan, determined what the gravity flow area is and approximately 790 units could gravity flow into this particular area.

Then what we did is come up with costs. Well, in the first, we call the phase 1 would be through the Valle Serena project, and this would be a 10" County sewer. Down the County Road Bajo and then down to the drainage of Cienega Creek. The second phase assumption is that you would then have a sewer line here. Obviously you wouldn't build

them separately, but it would serve two distinct areas. This serves this area and the southern part of Sonterra. This would serve the majority of Sonterra and Santa Fe Skies. Santa Fe Skies would have to lift the effluent to the sewer manhole here on Camino Bajo. They're in the same situation we are. They find it impossible to connect into the Thornburg sewer system.

What we further discussed was – this is the Valle Serena development – is that how do you guarantee the Sonterra and some of these other areas can be served in the future with the regional sewer system for Santa Fe County. In this particular case, the applicant, Zena Boylan, controls this property here as well as Valle Serena. What we looked at is bringing a sewer line up to Camino Bajo, which sits right here, which is a County road, from which point then you have County roads that could provide access all the way to State Road 14. The third alignment is Cienega Creek.

To kind of summarize the proposal, is that we are asking to temporarily permit onsite septic systems. We would include in the disclosure statement and the covenants that those septic systems would have to be discontinued when a regional sewer system is there. The applicant would actually construct a gravity flow sewer system – it would be a dry system – within the subdivision itself that would be designed to connect to the future County sewer system. She would also agree to granting the necessary easements that would allow the County sewer system to be installed from Camino Bajo to the eastern end of her property. Then what we did is we just calculated some costs, and this is where, frankly, we do get into some theory. We discussed this before, what would be a reasonable proportion and share. We calculated the cost of a 10-inch sewer and the number of participants in that, which as we stated earlier would be principally Sonterra, Valle Serena, and Santa Fe Skies and came up with a cost there of \$8,127.

Included in this cost is an assumption that the sewer system might not be available for five years. There is an annual compounded eight percent inflation factor built into that. Then there's a 12-inch sewer that goes up through the La Cienega Creek drainage and crosses State Road 14, so included in those costs is a boring under State Road 14. And those costs, for the proportion for that line, proportionally would be \$4,161 on a pro rata basis for Valle Serena. The total cost to Valle Serena for the regional sewer system would be \$12,289.

What we're proposing to do is for that \$12,000 that there would be either a letter of credit or an escrow account created to provide a contribution to the future regional sewer system. We feel that this is a real advantage to the County from the standpoint that now you have an opportunity not only – this subdivision is on County water. You now have the opportunity to collect that water, treat it, and have the potential to reuse it. We think it's a very sustainable solution. The other thing, we think it's a good solution actually be beginning the regional sewer system. We spent a great deal of time with County utility staff kind of figuring out the basics of this and when you proceed forward I think this will, especially with the provision of easements, facilitate that process. And I'll answer any questions you may have.

CHAIR VIGIL: Are there any questions of the applicant? Seeing, hearing none, this is a public hearing. Is there anyone in the audience that would like to address the Commission on this case? Seeing hearing none, I will close the public hearing, ask the Commission what is their pleasure?

COMMISSIONER SULLIVAN: Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I'd like to ask Mr. Sayre for his comments on the proposal on the costs and preliminary engineering, which I think appears to be fairly well done. Doug, could you give us your thoughts on this?

MR. SAYRE: Madam Chair, Commissioner Sullivan, we have sat down with Jim Siebert on this and we've looked at all the development we think could come into this what we call kind of the regional sewer and also what we call a little bit of a subregional sewer that just serves this subdivision as well as a portion of Sonterra. I think we tried to come up with a concept that we thought was equitable between all of these entities, to say how could this be set up?

We also looked at the costs. I did some costs. Jim did some costs. I primarily used the current costs that we have on the Valle Vista sewer system because we had eight and ten-inch pipe on that, and found some 12-inch current costs on sewer pipe. So we used those costs to try project. Then with the details, the manholes, the depth, the various factors that would come into installing a sewer in this location. I think we prefer the La Cienega Creek route. That gives us more opportunity for more subdivisions or more entities to connect, and that's one of the advantages of using that route. It's certainly the lowest part of the basin. Almost all of the proposed San Cristobal development would come into this regional sewer. That part that can come into the portion that we've already built down near the County development park and where it goes across presently over to the prison wastewater system. So the rest of it can come in there at maybe a lower part of this. So we think all of the San Cristobal development can be served by this regional sewer also.

I've tried to meet with them, by the way, to discuss this but we looked with our consultant about what sizing should be done, so we met with them to develop this. But I think the cost and I guess the participation factor seems reasonable to us and I have reviewed it with Jim and perused it over fairly intricately about how, what we thought was reasonable to do. So I think this presentation is certainly within what the boundaries of what we discussed with him to do and what I thought was directed by the Commission to do.

COMMISSIONER SULLIVAN: We're not being presented with the arroyo routing here, right? He's cutting off and going down the County road, right?

MR. SAYRE: No. The way I saw it, I think he showed a regional two sewer - let me check that. He's using the La Cienega Creek route.

COMMISSIONER SULLIVAN: He is? Okay.

MR. SAYRE: On what he refers to as the phase 2 regional sewer, that's La



Cienega Creek. That's definitely the lowest part of the basin which would make all of the area accessible to that sewer.

COMMISSIONER SULLIVAN: Okay. Then the amount of units he's calculating in San Cristobal would be consistent with using that lower sewer route.

MR. SAYRE: That's correct, Commissioner Sullivan.

COMMISSIONER SULLIVAN: Okay, so just by way of history here we went back some time and the Commission was told that the phase 2 of this would have a community water system and if it got community water it would have a community sewer system. It did get community water and then the applicant came back and said, well, now we want septic tanks. So we've been fine-tuning this problem for several Commission meetings. I think we're getting pretty close to something that's acceptable. I think the chairwoman brought up the question at the last meeting about can we commit to a specific dollar amount when we don't have final plans, and I would add to that to of course the \$12,000 doesn't have any contribution to the wastewater treatment plant either. This is only for sewer lines. Is that correct, Mr. Sayre?

MR. SAYRE: Commissioner Sullivan, that is correct.

COMMISSIONER SULLIVAN: Yes. Okay. But nonetheless, I think we're moving towards a process and a strategy here which I think is important. We've kind of dumped it on this 14-unit subdivision, but nonetheless, the process is we need to design a regional sewer. We need to know where it's going to go. We need to know what it's going to cost and we need to know how much the development community needs to pay for it in order to use it. And we need to require that they do use it. Those are my goals. So I think this does a pretty good job at it. Thank you, Madam Chair.

CHAIR VIGIL: Any other questions, comments? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, this is a question for staff: Did the applicant say that in phase 2 of his subdivision that he was going to provide a wastewater treatment facility?

MR. ARCHULETA: Madam Chair, Commissioner Anaya, I believe the applicant – that may have been said at phase 1. But for phase 2 they've been proposing onsite liquid waste systems from the start.

COMMISSIONER ANAYA: So I guess this question goes to Commissioner Sullivan. I believe you read back in the minutes that they had proposed a wastewater treatment plant.

COMMISSIONER SULLIVAN: Yes, Madam Chair, Commissioner Anaya. In our meeting of January 13, 2004, which I just happen to have a copy of the minutes here, when we dealt with phase 1 of this, which consisted of six units to be on septic tanks, Mr. Siebert testified, "I think with regard to subsequent, should Zena Boylan ever decide to proceed forward, and that's dependent upon the availability of County water, that she would agree to have a community system, or if a County system is available, to tie to that."

Of course the community water did become available. The County water system did

become available, so that was a commitment that there either be a tie to a County system, if it's available, which at this current time is not, or that they would agree to have a community system. Based on that testimony the Commission approved the development plan for phase 1. And that's where the commitment comes for the community system, 2004.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR VIGIL: Any further questions? What's the pleasure of the Commission?

COMMISSIONER ANAYA: Move for approval with conditions.

CHAIR VIGIL: There's a motion. Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIR VIGIL: There's a second.

COMMISSIONER SULLIVAN: Madam Chair, discussion.

CHAIR VIGIL: yes.

COMMISSIONER SULLIVAN: The conditions, and I recommend that we vote in favor of this.

CHAIR VIGIL: Were you referring to the conditions as proposed by the applicant, Commissioner Anaya?

COMMISSIONER ANAYA: Oh, I don't see any conditions.

COMMISSIONER SULLIVAN: Yes. I think to make it clear, Commissioner Anaya, if we could propose it with the conditions or those proposed by the applicant in their letter dated July 9, 2007, because those aren't reflected in the -- it looks like the same letter but the current one is dated July 9<sup>th</sup>, that he passed out.

COMMISSIONER ANAYA: This one?

COMMISSIONER SULLIVAN: Correct. That's the one where he lays out the estimated costs and their agreement to build the onsite sewer and their agreement to participate in the offsite sewer to the tune of \$12,000 and some change, and the agreement to provide, and I assume, Mr. Siebert -- correct me if I'm wrong -- this is at no cost -- necessary easements to the County to access that regional sewer.

MR. SIEBERT: Madam Chair, Commissioner Sullivan, that's correct.

COMMISSIONER SULLIVAN: Okay. Did I summarize the letter, Mr. Siebert, correctly?

MR. SIEBERT: Yes, you did.

COMMISSIONER SULLIVAN: Okay.

COMMISSIONER ANAYA: So with the letter dated July 9, 2007.

COMMISSIONER CAMPOS: The seconder is fine with that.

CHAIR VIGIL: Motion and second. Any further discussion?

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Do previous conditions still apply?

MR. ARCHULETA: Madam Chair, Commissioner Montoya, the conditions

of the approval, they still apply.

COMMISSIONER MONTOYA: They still apply? Thank you.

CHAIR VIGIL: That goes to the intent of the motion being made. Any further questions?

**The motion passed by unanimous [5-0] voice vote.**

COMMISSIONER SULLIVAN: And Madam Chair, thank you, staff for spending the time for spending the time to sit down and get these answers to the questions in a timely fashion.

[Commissioner Campos left the meeting.]

- XII. A. 9. CCRDC Case #Z/V 07-5030 Los Cabos Master Plan/Variance and Land Division. Los Cabos LLC (Ron Adams), Applicant, Tigges Planning Consultants (Linda Tigges), Agent, fro Master Plan Approval for a Commercial Development Consisting of 18,750 Square Feet, and a Request for the Following Variances of Article XV, Section 6.B.1 (Community College District): a Variance to Allow On-Site Septic Systems Rather Than Connecting to Community Sewer; and Article XV, Section 4.B.2.b.ix (Community College District) and a Variance to Allow a Development Which is Not Mixed Use. The Applicant Also Requests Plan Approval to Divide 3.27 Acres Into Three Lots For Commercial and Industrial Use. The Subject Property in Located Within the Community College District, Off NM State Road 14, East of the Santa Fe Brewery, Within Section 24 and 25, Township 16 North, Range 8 East (5-Mile EZ, District 5) Vicente Archuleta, Case Planner**

CHAIR VIGIL: I will just state before I give it over to you, Mr. Archuleta, that Commissioner Campos had to leave early so we still have a quorum. There's four of us but maybe we could move forward on these cases. We have two more after this one. Vicente, it's yours.

MR. ARCHULETA: Thank you, Madam Chair. On June 6, 2007, the Community College District Development Review Committee met and acted on this case. The decision of the CCDRC was to recommend approval subject to staff conditions.

The applicant is requesting approval for master plan zoning approval for a commercial development consisting of 18,750 square feet, and a request for the following variances of Ordinance No. 2000-12 (Community College District): a variance to allow onsite septic systems rather than connecting to community sewer; and a variance to allow a

development which is not mixed use. The applicant also requests plat approval to divide 3.27 acres into three lots for commercial and industrial use. The property is located in an Employment Center District of the Community College District.

Los Cabos Subdivision is planned for non-residential use. Though the final uses will not be determined until the development plan is submitted, for purposes of determining parking, water use and traffic generation, the buildings are expected to be used for work spaces, small offices and warehousing.

The applicant also requests a variance of Article XV of Santa Fe County Land Development Code, Ordinance No. 2000-12, Community College District Land Use and Zoning Regulations, requiring the connection to community sewer systems. Community water and sewer are within 200 feet of the proposed project.

Article XV, Section 6.B.2 states: "If a community water supply service and/or community sewer supply service is not available within 200 feet of the property boundary, schools and other public buildings may be developed utilizing private water supply wells and/or private wastewater treatment systems provided, however that any such private water supply wells shall demonstrate water availability pursuant to Article VII, Section 6 and any such private wastewater treatment systems shall conform to the requirements of Article VII, Section 2.

"Notwithstanding the foregoing, within one year of community water and/or sewer service becoming available within 200 feet of the property boundary, the facility shall connect to the community systems and decommission the private systems and cap any on-site water wells. Such decommissioning and capping shall conform to NMED and NMOSE regulations and guidelines."

Article XV, Section 6.B.3 states: "Except as identified in the preceding two paragraphs, the requirements for community water and community sewer systems set forth in the County Land Development Code Article VII, Section 2 and Article VII, Section 6, respectively, shall apply for all developments within the CCD." Therefore a variance is required.

Article XV, Section 4.B.2.b.ix states: "In an Employment Center Zone, an applicant may propose a phase which is not mixed use if:

- 1) the phase following the non-mixed use is a mixed use phase; and
- 2) the proposed use is for a major employer, is not retail, creates a significant number of new jobs and all infrastructure is adequate; and
- 3) the Board finds, in their discretion, that (a) the proposed non-mixed use phase bears a sufficient connection to the approved, proposed or built residential uses in the same Zone or any adjacent or contiguous Zone such that the overall mixed use intention of this Ordinance will be achieved: and (b) the uses in the non-mixed-use phase promote and advance the county regional goals for employment and economic development and are compatible and appropriate with principles of the CCD and meet the requirements of the Land Use Table." Therefore, a variance is required.

Article II, Section 3.1 (Variances) states: "Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A development review committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with the Code provision at issue will result in an arbitrary and unreasonable taking of property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified."

The application was reviewed for the following: existing conditions, adjacent property, open space, access, water, fire protection, liquid and solid waste, terrain management, landscaping, traffic, parking, lighting and signage.

Recommendation: Staff recommends denial of the variance to CCD Ordinance 2000-12, as the applicant has not demonstrated that the development meets the criteria established in Article XV, Section 4.B.2.b.ix for mixed use and the request is not driven by topographic or other non-self inflicted conditions. Regarding the variance of Article XV, Section 6.B.2, regarding the requirement to connect to County water and sewer, the applicant has provided documentation indicating that they are unable to comply with this criteria and staff feels this is not a non-self inflicted condition and the variance may be supportable.

If the decision of the BCC is to recommend approval of the variances as requested, Staff recommends master plan approval for a commercial development consisting of 18,750 square feet and plat approval to divide 3.27 acres into three lots for commercial and industrial use subject to the following conditions. May I enter those conditions into the record?

[The conditions are as follows:]

1. All redlines comments must be addressed.
2. Master plan with appropriate signatures must be recorded with the County Clerk.
3. A detailed signage and lighting plan shall be submitted with the Preliminary development plan. Signage and lighting shall conform to EZO requirements. All lighting shall be shielded.
4. All utilities shall be underground.
5. The applicant must submit access permits as required by NMDOT.
6. Compliance with the Santa Fe Metro Area Highway Corridor Ordinance standards.
7. A discharge permit from NMED shall be required prior to final development plan approval.

8. A contract from a solid waste disposal service must be submitted prior to final development plan approval.
9. The dumpster(s) location must be identified on the final development plan. Dumpster(s) must be screened by a 6' opaque wall or fence.
10. A detailed landscape plan must be submitted with final development plan application. All new trees shall be a fifty percent mix of evergreen and deciduous trees. Trees shall have a caliper of 1.5 inches and be a minimum of six-feet tall at time of planting. Shrubs shall be a minimum of 5-gallons at time of planting
11. A detailed drainage and grading plan with calculations shall be submitted with the development plan for parking lot and impervious surface drainage that will not be retained in cisterns.
12. A detailed fire protection plan to be approved by the County Fire Marshal shall be submitted with the final development plan.
13. Compliance with applicable review comments from the following:
  - a) State Engineer
  - b) State Environment Department
  - c) Soil & Water District
  - d) State Highway Department
  - e) County Hydrologist
  - f) Development Review Director
  - g) County Fire Marshal (Site Plans & Building Plans)
  - h) County Public Works
  - i) State Historic Division
  - j) Technical Review Division
14. Applicant shall submit detailed building elevations, building height shall not exceed 24 feet.
15. The applicant must address all minor redline comments by the County Subdivision Engineer as shown on the plat of survey and terrain management plan. These plans may be picked up from Vicente Archuleta, Development Review Specialist within the Land Use Dept. These plans must be resubmitted with the Mylar prior to recordation.
16. All three lots shall connect to community sewer when within 200 feet of original lot.
17. Single point of access off Fireplace Drive, with Knox lock gated emergency access only on State Road 14.

CHAIR VIGIL: Are there any questions of Mr. Archuleta?

COMMISSIONER SULLIVAN: Madam Chair, one question.

CHAIR VIGIL: One question, Commissioner Sullivan.

COMMISSIONER SULLIVAN: Vicente, your testimony was that there is sewer within 200 feet of the property. Is that correct?

MR. ARCHULETA: Madam Chair, Commissioner Sullivan, that's correct. That's the City sewer line that Thornburg has put in for Longford Homes.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIR VIGIL: Ms. Tigges, please state your name and address for the record and be sworn in for testimony.

[Duly sworn, Linda Tigges testified as follows:]

LINDA TIGGES: Linda Tigges, 1925 Aspen Drive. I would like to introduce the applicant, Ron Adams, and our civil engineer, Joe Chato. We do agree with the conditions of approval except for the last condition, condition #17 that was added by the Community College District Development Review Committee, and I'll be discussing that later in the presentation.

First I'd like to locate the property for you. It is - on this map first it's right here on State Road 14 where State Road 14 bends to the east. And to maybe orient you further, the property is, for those of you who've lived in this area, it's the extension of State Road 14 before the interstate went in. It's the old right-of-way that has been abandoned by the Highway Department and after some intervening purchases was purchased by the applicant.

So to the east is the proposed Harley Davidson development. Here's Fireplace Road, PNM, the La Cienega Fire Department. Here is the Santa Fe Brewery. Sonny Otero's project is here and here's Mesa Steel down here. It's in the midst of commercial development. The site plan -

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Linda, are you just talking about the thing in white?

MS. TIGGES: Yes. It's three acres.

COMMISSIONER ANAYA: Just a strip. How wide and long is it?

MS. TIGGES: I'd have to look on the plat. It's enough to accommodate three lots.

COMMISSIONER ANAYA: Okay. I think it's - well, I better not estimate. Joe, maybe you could look that up for me. He wanted to know how long and how wide. This is the site plan. The idea is to have three units on it, three industrial, commercial units on the project, divided into three lots. The applicant has not got a tenant for any of these. His plan is if he gets approval, to sell them. However, we are suggesting that they would be partly office, partly warehouse and partly workspaces, similar to the projects in the Turquoise Trail Park and in the general area.

We worked to meet these standards of the Community College District. It is in an employment center. We set back 50 feet from Fireplace Road over here. We did 50 percent open space. We have a 33 percent park area and there is a central area, a seating area here. In the middle we have 75 parking spaces.

In terms of infrastructure, I think you can see that the southern most property, the entrance is from State Road 14 where the two on the north, the entrance is from Fireplace

Road, and we checked that out with the Fire Department and it was acceptable. We have a water availability for 1.25 acre-feet of water. For sewer line, we are as Vicente pointed out, we are requesting a variance and would provide three liquid waste systems, which leads me to talk about the variances.

The first variance is for the liquid waste system. There is a sewer line right to the west but it is a private line, the Thornburg line, and we have two letters in the packet, I think it's exhibit 12-A, the one from Thornburg himself, and one from the head of the - I guess it's a sewer organization that says that they are provided that line by the City under contract. They are not able to add anyone else to the contract and they don't have capacity for us anyway. So we're asking for a variance for that. I think that's why the staff recommended approval. If you can't find the letters I have them here and I can hand them out.

MR. ARCHULETA: Madam Chair, Commissioner Sullivan, that is on Exhibit G.

MS. TIGGES: Okay.

CHAIR VIGIL: Please proceed, Linda.

MS. TIGGES: Thank you. The second variance has to do with the nature of the Community College District employment zones. When that was adopted I think the idea was that each employment zone would have some mixed use, a mixed-use aspect. The definition of mixed use in the Code, in the Community College District Ordinance says "Mixed use means and refers to a land use pattern which provides for integration of appropriate residential and non-residential uses." I don't believe that it was intended to apply to a three-acre parcel. That's why we're asking for a variance. The parcel is bounded on one side by a brewery and the other side by Harley Davidson. They have a recreational track on their lot, and then also in the area is other industrial development. Residential in this area would be inappropriate and probably hard to market.

The third item I wanted to bring up was the last item on the conditions of approval in Vicente's report, item #17. The Community College District Board was concerned about additional access off State Road 14 so they wanted us to have access only from Fireplace Road. It would be around the top all three units. We would like to have that condition deleted for two reasons. The first is that we had hoped that because these would be warehouse work spaces, it would be best if they could have security. If they could have gates or fences. The first two would be connected so this one couldn't, the northern one couldn't but the other two parcels would be able to have gates. If there's one road going all the way down the cul-de-sac then the only one with any security is the last one.

To answer your earlier question, it's 149 feet across.

The second point is that this is an extension of State Road 14. We already have access, traditional access from the south. The old pavement runs right down the middle of the property. It will be removed. So we've already got access from the current State Road 14. And then finally, and maybe most importantly, you can see here, this is the current and former access, and this is a road that goes across - well, I should say a driveway that goes



across the property to Sonny Otero's property. That's his access point. That's his entrance. If we were to close off this southern boundary we would be not only blocking access to the subject property but also to Sonny Otero's development. So there's some legal aspects there that give us some concerns.

So for those reasons we're asking that condition #17 be deleted. With that, I'll stand for questions.

CHAIR VIGIL: Questions for the applicant. Seeing, hearing none, this is a public process. Is there anyone out there who would like to address the Commission on this item. Seeing, hearing none, the public hearing is closed. What's the pleasure of the Commission? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Madam Chair, I'm looking at the - it doesn't have an exhibit number but it's similar to the one that she's showing there of the access on to 14. The problem I see with that and I imagine that's what Community College District Committee was concerned about was that as you come out on that access going southbound you've got a pretty dangerous situation. You're coming out at an angle, and I think that that's an issue, and there's the short-cutting issue of driving through to get from one road to the other. So deleting that condition would concern me.

I'm still also concerned that the letter, the boilerplate letter from the City saying you have to go through the process in order to get City sewer or City approval. But I think as we saw with the previous applicant there are ways to look at how to pre-sewer the development and prepare it for County sewer, which hasn't been done here. We just can't continue to develop all along Route 14 on septic tanks. It's not going to be practical. And if there was no pre-sewering ahead of time then we'd have to come in and tear up the applicant's paving to do that and that would be extremely difficult. Again, there's no indication of contribution to offsite costs of future sewer lines.

Are these things, Ms. Tigges, that you've looked at?

MS. TIGGES: One of the conditions of approval was that when a public sewer line came within 200 feet we would connect to that sewer line. So that was an acceptable condition.

COMMISSIONER SULLIVAN: That's a standard - that's County ordinance, so there's nothing fancy about that. The suggestion that I'm making is we're having a number of small developments such as the one that just preceded you pop up along Route 14, all of whom want to put septic tanks in. We're very close to putting sewer throughout that area through a regional sewer system. We're currently doing a study of a regional sewage treatment plant that would be located there as well, a spinal system for regional sewers that the previous development referred to and gave some costs on.

So we need to have a mechanism that these developments can easily connect to sewer, because once lots are sold or once something happens out there and construction occurs and everything is paved over, then it becomes much more difficult to get a sewer line in and require them to hook up to a sewer.

CHAIR VIGIL: What's your recommendation, Commissioner Sullivan,

COMMISSIONER SULLIVAN: My recommendation is that the applicant be required to pre-sewer the site for future connection to the regional sewer system, and that the applicant also agree to pay its pro rata share based on flow volume of the cost of the interceptor sewer collection lines of that system, and that they either bond or through a letter of credit provide the necessary financial documents to accomplish that.

CHAIR VIGIL: Ms. Tigges?

MS. TIGGES: I think the applicant would rather not do that of course, because it's hard to know when the sewer would come through there, and there hasn't been any specific date given for that. However, if it is a policy for all persons in the area, a general policy, rather than an ad hoc policy, and there's some assurance that it is a general policy, then that would be more acceptable. And what I've heard tonight is that it applies to two subdivisions that have been before you tonight. I think we'd need some assurance that it was an area-wide County policy and also some indication of the charge.

Now, you might keep in mind that we're asking for master plan here, not development plan. Specific property owners would come in for development plan.

COMMISSIONER SULLIVAN: Madam Chair, I guess the problem I have is that if they're going to sell lots there and we don't know what's going to go on those lots, and I might just ask Ms. Tigges, are any of those proposed to be storage units, self-storage units?

MS. TIGGES: At this time we don't know what the use would be. We have a fairly broad use list. I don't believe there are any proposals for it to be a storage unit. They're more work space.

COMMISSIONER SULLIVAN: Okay. Because I saw storage units require a variance there. They're a conditional, not a permitted use.

MS. TIGGES: Well, then we are not asking for self-storage units.

COMMISSIONER SULLIVAN: Okay. You're not asking for a variance for self-storage units. Okay.

MS. TIGGES: No. That's correct.

COMMISSIONER SULLIVAN: But I think you may not have been present but in past meetings and in this meeting the staff has reported on the wastewater system and the study. It's about 2 ½ years down the road. It's coming. We would need to have some mechanism more than just a disclosure document that would enable the County easily to require that these lot owners that you're going to sell these lots to hook into the sewer. And it's just awfully difficult to come back and say, okay, here's the sewer; now, tear up all your pavement and change your connections on your building and hook in.

MS. TIGGES: Just to repeat, the applicant would agree, I believe, to City policies that are area-wide and are not, do not have the appearance of just applying to this property.

COMMISSIONER SULLIVAN: We've only applied the policy. I guess if you need some other assurances you might want to – we'd be glad to table this for you this evening and you can work with staff and get some comfort zone on that. Perhaps, Mr.

Sayre, you might have some comments that might assist as well.

MR. SAYRE: Madam Chair, Commissioner Sullivan, could I address this situation presently? We have contacted PNM. We have contacted the Santa Fe Brewing Company. This particular client I thought had been advised that we were considering how we could sewer this area, how we could work this. We've tried to work with all entities in the area to say this is coming. The feasibility study is going to be here and approved, we think, within the next couple of months so that we can look at how this can be addressed. I think this situation is similar to the previous one with Valle Serena. We want to see how this can be done.

We worked out an easement for the water line from the brewing company, also from Sonny Otero. They have access to this because it's next to them. I think we could work out where the sewer would be in the vicinity of this so that both the brewing company and this entity could connect, and I do agree with you, we probably need to go ahead and put in the dry sewer system so that we don't tear up the system later on. But we could have it set up similar to what we're going to require for Valle Serena, so that they put in the onsite system now, but they would readily connect to the sewer system when it can be connected to the regional system. I think that can be worked.

We can work, I think, on a participation basis between PNM, the Santa Fe Brewing Company, who is really interested in getting off their current system and on to a regional system, and probably Sonny Otero, and this entity, to work this all out. We have looked at this; it could probably be gravity on down over underneath the freeway and possible to the Komis property where there would be a lift station. So we're trying to look at what's the most feasible way to handle wastewater treatment in this area, as well as across the interstate.

So that's coming and I think if we can have those conditions we can work out how the cost factors should work on that, if that's agreeable.

CHAIR VIGIL: Thank you, Mr. Sayre. Ms. Tigges, did you want to respond?

MS. TIGGES: Yes. Thank you. That was very helpful and I did have a chance to talk to the client. He has agreed to have that be a condition of approval and I think I heard two things. One, the setting it up as a sewer, and then also the pro rata share for the - treatment plant or the sewer line? If you could be more specific.

COMMISSIONER SULLIVAN: The offsite sewer line.

MS. TIGGES: The offsite sewer line.

COMMISSIONER SULLIVAN: Not the treatment plant.

MS. TIGGES: Not the treatment plant. Okay.

COMMISSIONER SULLIVAN: That would be a big hit.

MS. TIGGES: Yes, it would. And I think maybe, just to be clear in my mind that this would be a condition I guess on the plat, because at this time we don't - the way the cost is based on the flow, we don't know what that flow is. So it would be a condition on the plat that the developers of the property would pay the pro rata share,

rather than at the master plan level.

COMMISSIONER SULLIVAN: I think, Madam Chair and Ms. Tigges, that that – we are just at master plan approval now. I think that my preference would be that we leave that detail for the applicant and the staff to work out when you come back for development plan approval.

MS. TIGGES: Thank you.

COMMISSIONER SULLIVAN: It may be, as was the case with Valle Serena, the applicant is paying it, and then they're selling 14 lots. It was \$12,000; it wasn't a lot of money. I don't know what the case would be here, but you may want to get it out of the way and approve it because costs just escalate. You may want to fix it versus having it be uncertain. So I think that those would – that would better be handled later.

Now, Shelley, does this come back to the BCC?

MS. COBAU: Madam Chair, Commissioner Sullivan, this will come back to the BCC for development plan approval.

COMMISSIONER SULLIVAN: For development plan approval. Okay. So we have that opportunity then to revisit this. But in terms of the master plan conditions, Madam Chair, my recommendation would be that we approve the master plan, that we approve the variance with an additional condition which staff has agreed to, that onsite sewer, dry sewer be constructed, and that the applicant – and that pro rata participation in the offsite sewer be a requirement.

CHAIR VIGIL: Is that in the form of a motion?

COMMISSIONER SULLIVAN: I would move that.

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Does that include the request of the applicant that item 17 be deleted?

COMMISSIONER SULLIVAN: My motion did not. I spoke to that previously. I think that 17 makes sense. I would certainly be open as the staff looks at it further in the development plan process to revisit it if there's a compelling reason for that. Perhaps the DOT comments would help on that as well.

CHAIR VIGIL: Okay. So it's left as a condition of approval.

COMMISSIONER SULLIVAN: In my motion it would be left in.

CHAIR VIGIL: Is that the same intent of the seconder? Any further discussion or questions?

**The motion passed by unanimous [4-0] voice vote. [Commissioner Campos was not present for this action.]**

MS. TIGGES: Madam Chair, what about the variance for the mixed use?

CHAIR VIGIL: Did the maker of the motion include that variance?

COMMISSIONER SULLIVAN: I think the motion addressed all the variances and it specifically focused on the sewer variance by saying we were not

approving the sewer variance. Let me rephrase that. We were approving the sewer variance but with the condition that was just described, of the dry sewer and the offsite participation.

CHAIR VIGIL: Seconder agree with that? Okay. We have some clarification on that.

**XII. A. 10. EZ Case #S 05-4841 Suerte del Sur Subdivision, Phases 1-5. Santa Fe Planning Group Inc., (Scott Hoeft), Agent for Suerte del Sur, LLC (Gerald Peters), Applicant, is Requesting an Amendment of the Previously Approved Master Plan and Preliminary Plat/Development Plan for a Residential Subdivision Consisting of 304 Lots on 660 Acres. The Property is Located Along Los Sueños Trail South of Las Campanas and North of Piñon Hills Subdivision Within Section 24, Township 17 North, Range 8 East (5-Mile EZ, District 2) [Exhibit 8: Amended Master Plan and Phasing Plan; Exhibit 9: Rubin letters, June 26 & 27]**

JOE CATANACH (Technical Director): Thank you, Madam Chair, Commissioners. On April 10, 2007 the BCC tabled this request based on a tie vote, and I included those April minutes. On May 8, 2007 the BCC tabled this request with direction to the applicant to proceed with an affordable housing plan that is in accordance with the ordinance regarding dispersal and phasing of the affordable housing within the subdivision.

The staff report goes on to describe the previous approvals, approvals that occurred in 2004 by the CDRC for master plan, for initially a 264-lot subdivision and then in July 2005 the BCC granted master plan, and then in February 2006 the EZC recommended preliminary plat/development plan. April 11, 2006 the BCC granted preliminary plat/development plan, and I included those minutes of that April 2006 BCC meeting.

After that, in February 2007 the CDRC recommended approval for an amended master plan and in March 2007 the EZC recommended approval for amended preliminary plat/development plan. I included those minutes. The current request is for an amendment of the previously approved master plan and preliminary plat/development plan in order to include 30 percent affordable housing for the purpose of complying with the Affordable Housing Ordinance. The summary background and conditions as outlined in the staff report to the BCC on April 11, 2006 is relevant and remains as presented. I included the staff report that was presented to the BCC in April 2006.

The amended master plan and plat increases the number of lots from 264 to 304, with the following specific amendments. This is the follow-up that occurred after the May meeting, integrating affordable housing into each phase. So phase 1 includes 11 affordable housing lots, 33 market lots, an eight-acre tract for a community building with swimming pool and hard courts. Phase 2 is 15 affordable lots, 42 market lots. Phase 3, 24 affordable

lots, 62 market lots. Phase 4 16 affordable lots, 38 market lots. Phase 5, 14 affordable lots, 49 market lots, and a four-acre neighborhood community park with recreational facilities. The average lot size for the affordable is .70 acre, and the market lots primarily range in size from one to 3.5 acres with nine ranch lots consisting of five acres, including 54.6 acres as common recreational open space for a public trail.

The proposal is a density transfer with a 15 percent density bonus allowed for the affordable housing. The gross density is one residential unit per 2.17 acres. Water service previously approved by the BCC does not include water service for the affordable housing. The County Water Resources Department has issued a letter confirming additional water service for the affordable housing. This additional allotment of water is subject to approval by the BCC in conjunction with approval of the amended master plan and the preliminary plat/development plan. Water use is allocated at .25 acre-foot per lot, which includes the water for the 20 percent line loss in accordance with a condition previously imposed by the BCC. Therefore water will be restricted to .245 acre-foot per lot.

The equestrian facility has been deleted from the proposal. The proposed amendment is primarily for the purpose of complying with the Affordable Housing Ordinance. The affordable housing plan has been reviewed by the affordable housing administrator and is acceptable regarding integration, phasing and design of the affordable housing within the subdivision. Staff recommends an amendment to the master plan and preliminary plat/development plan subject to the following conditions.

1. Compliance with applicable conditions previously imposed by the BCC for its preliminary plat/development plan. That was at the April 11, 2006 BCC meeting.
2. Total number of residential lots shall not exceed 304.
3. Offsite section of Los Sueños Trail that extends north of the proposed subdivision to Las Campanas Drive shall be upgraded to a minor arterial standard.
4. Submit final affordable housing agreement in conformance with the affordable housing plan as approved by the County staff. That has been submitted and there has been a review by Duncan Sill regarding the most recent affordable housing agreement.

Thank you, Madam Chair.

CHAIR VIGIL: Thank you, Mr. Catanach. Are there any questions of staff?  
Seeing none, is the applicant here?

JAMES RUBIN: James Rubin, Rubin Katz law firm, representing Suerte del Sur, LLC.

CHAIR VIGIL: Okay, Mr. Hoef, will you be testifying?

SCOTT HOEFT: Yes.

CHAIR VIGIL: Would you please state your name and we'll get you sworn in.

MR. HOEFT: Scott Hoef, Santa Fe Planning Group.

CHAIR VIGIL: Please proceed.

MR. RUBIN: Madam Chair, Commissioners, I stand before you tonight with an affordable housing plan that I believe meets the spirit of the Affordable Housing Ordinance the intent of it, and most importantly, the letter of the law in the Affordable Housing Ordinance. I submitted to you on June 21<sup>st</sup>, to each of you a letter, which I believe is in record as well. It shows exactly how Suerte has met each and every element required under the Affordable Housing Ordinance. This process has been going on for approximately a year. It was than long ago that you approved the amended master plan and the preliminary plat subject to affordable housing.

I'd like to submit to you that the current plan is a plan which you and Santa Fe County can be very proud of and use as an example in other subdivisions throughout the county and we ask that you approve it. Scott and I will present a few points very briefly and then stand for questions. I'd like to note that we have gone beyond the County Code in terms of notice to interested parties. I advised all of you of that and put that in the record as well. We actually sent out, even though we weren't required, to 50 different neighborhood associations and interested individuals, a copy of the plan, the phasing of the plan - everything else, all for full disclosure, so there would be no surprises here tonight. Because I think that all of you like the public to be informed. So we took that extra step even though we weren't required to do it.

Now, we had originally planned to include all 80 affordable lots and units in phases 1 and 2. But back in April, Commissioner Sullivan contended that that did not meet the letter of the law, that these had to be phased in. That is found in Section 4.E of the ordinance. We have phased these in on a pro rata basis, so now the County citizens will receive the affordable units in the shares that Joe mentioned in his report. So we have satisfied Section 4.E, which Commissioner Sullivan also brought up again at the May meeting and asked that the applicant do that.

It was also directed at that point that we need Section 4.D of the ordinance, that even though staff had previously believed that the plan presented in April met the spirit and intent of the terms of reasonable dispersal, there was some question among you. So we have gone from three basic affordable lot areas now to six different locations throughout the five phases, where the affordable lots will be located. So we fully satisfied in our opinion, Sections 4.D and 4.E.

I'd like to note that the ordinance states that affordable housing will be reasonable dispersed. That's what we've done here is reasonably disperse. Your ordinance does not state that it has to be randomly dispersed and polka-dotted throughout the subdivision. It doesn't state that it has to be scattered; it states reasonable dispersal. Six different locations of affordable lots we believe more than reasonably meets the letter of the law here.

We agree with staff that our plan satisfies the law and we urge you again to make Suerte an example of what it takes to meet the spirit the law and how affordable housing can be integrated into subdivisions of any type - high end, mid end, low end - it doesn't make any difference. It shows how you can do it with creativity and we ask that you approve this tonight to that we can get this project going. This has been in process

essentially for four years at this point, and we've done everything that the law requires us to do. We ask for amended master plan and preliminary plat approval and Scott would now like to present a few comments.

CHAIR VIGIL: Let me just ask if the Commissioners have any questions of you. Do the Commissioners? Seeing none, Scott, please.

[Previously sworn, Scott Hoeft testified as follows:]

MR. HOEFT: I'm going to jump right to the May 8<sup>th</sup> hearing, and at that hearing we got two directions. One is further dispersement, the second is the phasing of the project and to adjust it. Tackling that question we chose of course to handle the east side of the property, and if you remember, the previous iteration of this plan had affordables in the north and on the east side of the project. To pull some of the affordables from the east side of the project made obvious sense. When this project was originally approved with 264 lots in the master plan those were large-lot residential, so to convert those back to large-lot residential was an easy transition.

If you also remember from our previous hearings there was individuals from Tierra Grande, from La Vida Trail area that were concerned about the amount of affordable in that area, the pocket of it. So it was wise in our judgment to pull some of that out and of course distribute it through the balance of the project. So that's why we chose that area on the east side of the project.

Turning to the center of the project and why we've selected the locations that we have, the perimeter of the project doesn't make sense of course. Obviously, what we went through with the Tierra Grande folks. So obviously the decision was to keep it away from the perimeter and keep the perimeter of the project as large-lot residential and to develop additional pockets of residential within the center of the project, roughly equidistant from each other. That was the logic.

If you turn to the area that is just west of the clubhouse, we've heard on several occasions that to have a pocket of affordable housing, an area close to the clubhouse made some sense. That's the first area that we turned to, was the areas that are labeled by C, there's nine lots there and that stands for a compound lot.

Before I go too much further on that I also just want to highlight that, the discussions I had with Mr. Sill, who asked me to continue to define our product types within the affordable housing plan. Just don't earmark the lots but earmark what you're going to do with the lots. We have three product types on the project. One is compound, the second is zero lot line, and of course the last is single family.

The compounds, we thought that product type made most sense in close proximity to the clubhouse, and of course from a design standpoint the lots made sense because they weren't deep lots, and so we designed two cul-de-sacs that you would pull into and the compound homes would be surrounding that cul-de-sac. From a demographic standpoint, our logic is we feel that would best serve the senior market. So as we begin to stratify with the product types we can also begin to stratify with the demographic types. Again, if we have a project that is just all single-family homes we are not hitting every market, the



affordables.

The second product that we introduced, and we've mentioned at the last hearing but we've now labeled it more carefully, is zero lot line. You'll see those scattered labeled as Z throughout the balance of the other pockets. Zero lot line product is two lots share a common wall and from a distance they look like a larger home. So you have from the appearance, you're looking at some of those images right now that we put on the map there. You can see that, again, it has a larger appearance. You have two garages on the front but it provides the appearance of a large home. And again, from a design standpoint it makes sense, but also from a demographic standpoint it begins to hit another product point, which is more of an empty-nester, somebody that's not necessarily a senior but who may not necessarily want a single-family home. Santa Feans that have been in town for quite some time but have noticed the rising cost of real estate. So you have somebody that their kids have just graduated but yet they don't have grandchildren yet. They don't necessarily want the responsibility of a single-family lot. So again, that zero product begins to hit a different demographic.

Then of course the last is the single-family. From a design standpoint, single-family makes the most sense when you have difficult topography to work with. You have the end of a cul-de-sac, you have a pie-shaped lot - those are the types of scenarios that allow you to put in a single-family lot. And again as we know, that's going to probably be the most desired. Again, from a demographic standpoint, that hits your entry-level homebuyer.

So again, we introduced or had further explained the three different housing types on this and have further clarified the pockets of affordable housing on this project. In sum, we have 43 single-family homes, 28 zero lot line, and then 9 compound.

Turning to the phasing, which was the second question that was brought forth at the May 8<sup>th</sup> hearing, we addressed the phasing plan by of course looking at Section 4, Subsection E again, and trying to tackle that head-on, with the direction of course to disperse it throughout the phases. Now, again, our intent there was to frontload the project with 80 affordable lots. That was an altruistic attempt on our part and as Steve Ross gave his interpretation of that section, which we thought it was to prevent to the backloading of affordable lots, we agreed with the BCC's decision on May 8<sup>th</sup> to go ahead and further disperse it through the five phases of the project and eliminating having the 80 affordables upfront.

So you can see from the phasing plan that I've provided you that we have five phases, the project's always had five phases of development and that each of those phases has a component of affordable within it, pursuant to Section 4, subsection E of the ordinance.

So in sum, I would just like to conclude by saying that keep in mind the project has been going for a while so I just wanted to reiterate again that this is a rural, residential, custom home project, which is different than what you have seen before, and again, the intent is to keep it in flavor with the surrounding properties of the area, the abutting properties, and the second thing is to keep in mind that the pockets of affordable housing

make sense from a construction and an economic standpoint. It's a lot easier from a builder's standpoint to take down several affordable lots at once and build them cost-effectively, than it is to have lots that are scattered around the project. So again, with that I stand for questions.

CHAIR VIGIL: Questions of the applicant?

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: On the previous approval, Joe, did we approve 264 units?

MR. CATANACH: Yes, Commissioner Montoya. That's correct.

COMMISSIONER MONTOYA: And now the applicant is wanting to increase it to 304.

MR. CATANACH: Yes.

COMMISSIONER MONTOYA: 80 units was being proposed for affordable units under the 264 and it's still 80 units under the 304?

MR. HOEFT: Commissioner Montoya, the math on that is that you take your 264, you take your 30 percent of your 264 and you get your 80 units. You use the density provision of the Code, which is 15 percent. It's 15 percent on top of the 264, is the 40 additional lots. Your affordable is still based on your original density of the 264. So to answer your question, yes.

COMMISSIONER MONTOYA: Why did you increase the number of lots that were already approved?

MR. HOEFT: To offset some of our costs. It's a provision within the ordinance to increase your density by 15 percent, the density bonus provision within the Affordable Housing Ordinance.

COMMISSIONER MONTOYA: I don't recall that that was one of the things that was discussed, that part of fixing the dispersment of the affordable units, that additional lots be placed to offset, or whatever you said was the reason that you did increase in the number of lots.

MR. HOEFT: Commissioner Montoya, when we first submitted this to staff back in January we had 304 lots and then as it has proceeded through process, it's been 304 lots all along. So we haven't done anything in addition. It's just using the simple provisions of the Code. It's always been - the last time you saw this in April it was 304.

MR. CATANACH: I'm sorry. I may have misunderstood. I thought you meant April 2006. In April 2006 it was 264. In April 2007, recently, it was 304, which was the total number.

COMMISSIONER MONTOYA: So how many were approved? How many did we approve?

MR. CATANACH: Back in April 2006?

COMMISSIONER MONTOYA: Yes. 264?

MR. CATANACH: Yes, Commissioner.

COMMISSIONER MONTOYA: And then in April of 2007?

MR. CATANACH: Well, it was tied but it was a proposal for the 304.

COMMISSIONER MONTOYA: Oh, so we haven't acted on that increase in the number yet.

MR. CATANACH: In April there was a tie vote. In May there was some direction and it was tabled, and here we are back again.

COMMISSIONER MONTOYA: Okay. Thank you.

MR. RUBIN: May I respond?

CHAIR VIGIL: Please.

MR. RUBIN: Chair Vigil, Commissioner Montoya, after we got preliminary plat approval, where we had the 264 lots or right about - right before that, you enacted the Affordable Housing Ordinance. And at that point we were then told to come back with an amended master plan and preliminary plat that satisfied the Affordable Housing Ordinance. That was a condition of approval when the preliminary plat was approved in 2006.

The density bonus, to increase the number of lots for each and every subdivision in Santa Fe County when affordable housing is provided under the ordinance, is something that we took advantage of, just like every other subdivider in the county, bringing that type of provision before you, to take advantage of, and it's right in the Code. So we got the ability to increase our number of lots by 264 to 304 because the density bonus that the BCC enacted in the ordinance. That's how we got to the 304.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: That's all, Madam Chair.

CHAIR VIGIL: Okay. Further questions? I have some particular questions.

COMMISSIONER MONTOYA: Madam Chair, I'm sorry, I do have more. That's that this water service agreement that is currently approved by the BCC, Joe, does not include water for affordable housing?

MR. CATANACH: That's correct, Commissioner Montoya. The water service agreement approved by the BCC does not include water for affordable housing. Now, the Affordable Housing Ordinance does state that the County would provide water for affordable housing, so in this packet and as part of this request, the County water utility has submitted a letter. Let's see if I can track it for you in this packet. This letter is from the Water Resources Department, Exhibit D, and it's a letter regarding water service for affordable housing. They've stated that they can provide water service and that this service commitment should be included in your development permit application be made clear in your hearing that additional water allocation is part of your plan revision. The service commitment is only binding upon approval by the Santa Fe County Board of County Commissioners of your development permit.

So utilities, the Water Resources Department has issued the letter and my staff report states, the last paragraph right before the recommendation, my staff report says that as a part of this request, in conjunction with this request for amended master plan, they

would also be requesting that the BCC allow the water allocation for the affordable housing. So in effect, the Board taking action on this amended master plan and preliminary plat, they would also be taking action on allowing water for affordable housing.

COMMISSIONER MONTOYA: Thank you.

MR. CATANACH: And I believe it's in the amount of ten acre-feet to cover the affordable housing.

CHAIR VIGIL: All phases? I see yes and no.

MR. CATANACH: It would be half; it would be 40 units. Ten acre-feet would be able to take care of 40 units.

CHAIR VIGIL: So we need 20 acre-feet.

MR. CATANACH: We'd need 20 acre-feet to cover all 80.

CHAIR VIGIL: And would that have to go through our water allocation policy?

MR. CATANACH: Let's see. The affordable housing in the first two phases adds up to 26. There's an additional 24 in phase 3. It would look like it's only going to cover the first two phases. There would be 50 units in the first three phases of affordable housing, so the 10 acre-feet is only going to cover affordable housing for phases 1 and 2, 26 units.

CHAIR VIGIL: Okay. While they're discussing and maybe further clarifying this for us, Mr. Catanach, I have a question regarding one of the conditions of approval. It says offsite - on page 3, the offsite section of Los Sueños Trail, also known as Hager Road, that extends north of the proposed subdivision to Las Campanas Drive shall be upgraded to a minor arterial standard. Does a minor arterial standard include bike trails?

MR. CATANACH: It would include a shoulder that the bikes would be able to ride on.

CHAIR VIGIL: Okay. And how much easement is required for a minor arterial? Do we know?

MR. CATANACH: I recall that you probably need - I'm thinking 66 feet of easement.

CHAIR VIGIL: Okay.

MR. CATANACH: Minimum of 66 feet.

CHAIR VIGIL: Has the applicant worked out an agreement with the surrounding neighborhoods? I know there was some controversy with regard to building this road, when construction started. Do we have any knowledge of that? You're welcome to answer that.

MR. RUBIN: Madam Chair, we have a signed agreement with the Hager Road property owners to the south, and we are working on the agreement with the Lose Sueños Trail owners to the north. Joe Joiner represents some of those parties. The prior condition was that we have those two agreements fully executed by the time we present for final plat to you at the hearing.

CHAIR VIGIL: So you understand that as a condition?

MR. RUBIN: That was a prior condition and that condition continues. We've got one half of it down. We're working on part 2.

CHAIR VIGIL: Okay. Thank you.

MR. RUBIN: And I think there are some of the Hager Road owners here tonight who can confirm that.

CHAIR VIGIL: Thank you. Are there any other questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Joe or staff, on the water service agreement that we have with Suerte, my recollection is that didn't provide water for all of the subdivision. It only provided for some number of units. Do you recall what that number was?

MR. CATANACH: That's correct, Commissioner Sullivan, and I can only recall phases 1 and 2. I believe the number of lots within the phases have stayed consistent. When this proposal came and was granted preliminary approval in April 2006, phases 1 and 2 consisted of 92 residential lots and two community tracts.

COMMISSIONER SULLIVAN: That sounds like more lots than were in my recollection of that water service agreement.

MR. CATANACH: I've included the staff report from April 11, 2006 and it breaks down the phasing that was included as part of that water service agreement. We're adding up the numbers and phase 1 was 52 residential lots and two community tracts for recreational and equestrian facilities, and phase 2 was 40 residential lots. That was back in April 2006. For 92. Now they've deleted the equestrian.

COMMISSIONER SULLIVAN: I understand. But what was the water service agreement? What did it say? It granted a certain number of acre-feet, as I recall.

MR. CATANACH: Forty-five acre-feet.

COMMISSIONER SULLIVAN: Forty-five total. So that would get them a total of 180 lots, ultimately.

MR. CATANACH: At a .25 allocation.

COMMISSIONER SULLIVAN: Yes. That's what's stated here. Okay. So they only have a water service agreement for 180 units.

MR. CATANACH: Forty-five acre-feet.

COMMISSIONER SULLIVAN: Right. And they don't have water service for the 40 extra units that they recently came in for last year as a result of the density bonus.

MR. CATANACH: Regarding the affordable housing units?

COMMISSIONER SULLIVAN: No, regarding the market units. When they came in under the density bonus, the affordable housing units of course stayed the same at eighty.

MR. CATANACH: Right.

COMMISSIONER SULLIVAN: But they came in and requested 40 more market homes, but there's not a water service agreement for those additional homes, either, is there?

MR. CATANACH: Commissioner Sullivan, the water service agreement is for 45 acre-feet and they'll have that much water to allocate to the number of lots that they're going to be able to do that with.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIR VIGIL: Okay. Any further questions? Seeing, hearing none, this is a public hearing. Let me ask anyone out there if they would like to address the Commission. Please come forward and state your name and address, be sworn in for testimony.

[Duly sworn, K. Paul Jones testified as follows:]

K. PAUL JONES: My name is K. Paul Jones, 6 Desert Rain, Santa Fe, New Mexico, representing the Los Sueños Subdivision. With regard to, Madam Chair's inquiry regarding to the conditions, particularly #3, offsite section of Los Sueños Trail, which extends north, and its upgrading of that to a minor arterial standard. Mr. Catanach might correct me if I'm mistaken, but as I understand it, that is an obligation of the developer. A separate condition that's referred to here is a road maintenance agreement with the Los Sueños Trail Associations, and that would be then the maintenance of Los Sueños Trail once it is upgraded and the portion of Los Sueños Trail that runs through the Suerte del Sur, all the way through Hager Road.

Those are two separate issues that I wanted to make sure that I had a correct understanding of that.

CHAIR VIGIL: Thank you, Mr. Jones. Does the applicant understand that a maintenance agreement would be entered into with the Los Sueños Association?

MR. RUBIN: Yes, Madam Chair. As I mentioned, Joe Joiner represents one or more of those associations.

CHAIR VIGIL: And he's represented that to you?

MR. RUBIN: We've actually been working on it. We have title work, significant title work to determine through whose lands Los Sueños Trail runs, and we're in conversations through Mr. Joiner, so we are moving forward on that. We have concentrated on trying to get the affordable housing plan done. Since we got the one done to the south we're now concentrating on the one to the north.

CHAIR VIGIL: Okay. Thank you. Anyone else?

[Duly sworn, Rick Driscoll testified as follows:]

RICK DRISCOLL: My name is Rick Driscoll, 1011 Monte Serena, Santa Fe. I'm here tonight representing - I actually am a co-owner of parcel #4 of the Hager Road properties south of this property here, the Suerte del Sur property, but I'm here tonight - actually my partner is here to represent our parcel. I'm representing parcel 1, 3, 6 and 7, which are the lands of the Catholic Foundation and Judy Ross and Ted Wegner.

I would just like to say that we have worked out - when I say we, I mean the

owners of the parcels south of Suerte del Sur – have in fact come to an agreement. We’ve signed an agreement on the construction of Hager Road. We have reached an agreement there. I just wanted you all to know that, and also we’ve sent some e-mails to all of the Commissioners prior to the last meeting which I wasn’t able to attend, but I would just like to reiterate that we have reviewed their affordable housing amendment, the current one, and we are in total support of it. We feel like they’ve done an admirable job really trying to integrate it into their subdivision and I think that these are going to be actually some of the nicest affordable homes in the county. And I’d just like to applaud them for that. Thank you.

CHAIR VIGIL: Thank you, Mr. Driscoll. Next.

[Duly sworn, Danny Marmion testified as follows:]

DANNY MARMION: My name is Danny Marmion. I live at 19-A Las Estrellas in La Cienega. I’m here tonight because I also represent two tracts of the Hager property. Each tract is 43 acres and represents about 17 lots. We have entered into a cost-sharing agreement with the applicant. I’m glad that the Commission and County staff had enough foresight on master plan approval to make it a requirement.

We’ve worked with for quite a while as well as we’ve worked with the different associations. This thing has been going on for probably three or four years and when you look back in memory and think about all the people that have attended these meetings, different homeowners associations, David Gold’s group – those people didn’t just give up and not show up tonight. We’ve been working on this for a long, long time, and Madam Chair, Commissioner Montoya, I think you remember a while back where Pandorada Subdivision was up and we had groups from the various homeowners associations to come forward to support our initiatives and to support this project.

We’ve come a long, long way. You do have a walking, hiking trail system through the Hager property, through Penny Lane to Pinon Hills, through Mr. Peters’ project. When they say that this is a project to be proud of, they may not have been willing and easy to get here but they are here. They’re using the ordinances that you folks set out and staff set out to get the density bonuses. They’ve got to spread the cost over somebody, some place. They’re business people like anybody else.

But at this point, I ask on behalf of the Hager Trust is that we move forward. The applicant has done everything that I can think of by the letter of the law or ordinance. You’ve got an applicant that has deep pockets. He’s here. He’s able to actually build these affordable units. It’s time to stop debating and roll up our sleeves and let these people go to work. We need that Hager Road for our projects. It’s an arterial road. It will mean that the people on the Pinon Hills Subdivisions will no longer have to depend on the low riverbed crossing. They’ll have 24-hour emergency access in and out of these subdivisions. I just hope that the Commission will rule in their favor. It’s time to go to work. It’s time to get this thing done.

CHAIR VIGIL: Thank you, Mr. Marmion. Anyone else?

[Duly sworn, Joe de Bella testified as follows:]

JOE DE BELLA: My name's Joe de Bella, 23 West Old Agua Fria Road. I'm Rick Driscoll's partner. We own Terra Bella. We basically have worked with all the different subdivisions around and again, I really feel that what Scott and Jim have worked on has really been what you've asked for. I agree with Danny as far as we're able to get some high-water crossings. I've been out in that area and haven't been able to cross with my pickup. I think that emergency crossing, that's going to be the most important thing as far as access. That's it.

CHAIR VIGIL: Thank you, Mr. de Bella. Is there anyone else out there that would like to address the Commission? Let me just ask now, because we do have another case after this. Is there anyone else that would like to address the Commission on this item? If so, please raise your hands right now. It's only this gentleman?

[Duly sworn, Tom Segelsky testified as follows:]

TOM SEGELSKY: My name is Tom Segelsky and it's 2 Dreamcatcher, Santa Fe. Madam Chair, Commissioners, I believe it's accurate to represent that the homeowners associated with properties along Los Sueños Trail have been, as this project has been developing, informed about the need to upgrade it and ultimately some agreement with the developer to maintain it. However, I think one of the newer developments, at least that I recognize tonight, is that when we speak to upgrading and maintaining this road, but primarily upgrading it, there's an implication that it's going to be widened and it appears that it's going to be widened substantially.

I don't believe, and this is just for the record, I'm not espousing any opinion at this time, but for the record I don't believe that members of the community who will be affected by that expansion have been given an opportunity to properly deliberate that issue and for the record, I would suggest that may be something that has to be addressed in the future.

CHAIR VIGIL: Okay. Thank you, Mr. Segelsky. I would just ask staff to comment. Mr. Segelsky expressed concern on further widening of this road from its original proposal?

MR. CATANACH: Madam Chair, the road in question I guess is Los Sueños Trail. It has always been presented consistent with the road plan that has been adopted by the County Commission for many years. It has always been presented that this road will be upgraded to a minor arterial.

MR. SEGELSKY: I don't dispute that. It's just that the implications of what that means from an actual number of feet either side of the road, that has not really, I don't believe been considered by the property owners along that road. So it may be fair to say that the definition inherent in that prescribes some number of feet but that deliberation I think is still something that the homeowners are going to want to give some consideration to.

CHAIR VIGIL: And my understanding is that the applicant will be meeting with the Los Sueños neighborhood to address those concerns, from the testimony I heard tonight. You also may be hearing my sort of – and I haven't made this recommendation.

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That the applicant include discussions with the homeowners regarding bike trails in that area. We do have another – I think it's a minor arterial road. It's Caja del Rio that goes to Las Campanas on the western part of this that you might recognize is often used by bikers. One of the things that we get criticized for is that we're not really looking at developments and being inclusive of what might be done to create safer trails for bikers.

And I know this isn't something that the applicant or any of the other adjacent property owners have had discussions about, but I'm going to recommend that those discussions continue before we look at this project again. That may not be something that Los Sueños Trail is concerned about, but it is something that I'm concerned about for the better of the entire communities there. And I think to address your concern, and maybe I'm not fully crystallizing for you but my understanding is that there is a specific definition of a minor arterial road, that that in fact is 66 feet. Is that correct? Sixty-six feet, that that is being recommended as a condition of approval, but also as a condition of approval, but also as a condition of approval, we have asked the applicant to enter into agreements, both for the actual construction and for the maintenance of that road and they have testified tonight that they have not had an opportunity to do that with Los Sueños.

So I think that condition remains clear for them and without that condition being met I'm not sure they can go to a next step.

MR. SEGELSKY: So we will in the future have an opportunity to compare 66 feet to what we have and then if there's an encroachment further on our properties, what that encroachment will be.

CHAIR VIGIL: You will have every opportunity to discuss that. Is that everybody's understanding?

MR. CATANACH: Madam Chair, yes, that's the understanding. That 66-foot easement is already a platted easement of record. So there would not – certainly there would be a change in the actual roadway structure within that easement, but that easement is already a platted easement of record. It would not take any more private property.

MR. SEGELSKY: So does that mean that physically, there won't be any encroachment on the property that exists right now? There's sufficient property space there now to accommodate the 66 feet?

MR. CATANACH: There is a 66-foot right-of-way that has been platted that is sufficient to accommodate the minor arterial.

MR. SEGELSKY: Okay. So we can pursue that more in the future, but I just wanted to bring that to the record and I appreciate everybody's consideration and yours, Madam Chair.

CHAIR VIGIL: Thank you. Still a public hearing. Danny, you can have – if you want to make a few statements, because I need to close this public hearing.

MR. MARMION: I'm here pushing for Hager Road and it is an arterial road which the easement's been granted and won't take up any more easement. It should be a 24-foot road surface. Because it is an arterial road there's different standards than collectors or small roads. They have to design the road so that lights don't hit your front

windows and stuff. There's a whole bunch of criteria that our engineers had to follow for that arterial road that are much different than what they've had in the past. In theory, they should have a much better road and the paved road surface of 24 feet.

CHAIR VIGIL: Thank you. Okay, I'm going to go ahead and close this public hearing, seeing that nobody else will testify. Questions, comments from the Commission? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Madam Chair, a question for the applicant. One of the last individuals that just testified said that we should move forward and let Mr. Peters build the affordable units. Will Mr. Peters be building the affordable units?

MR. RUBIN: Madam Chair, Commissioner Sullivan, I don't think that's been determined yet. We are still months away even from final plat if we get through this tonight. So it hasn't been determined whether that LLC is going to be building those units or the lots will be sold to contractors who are going to build those units. I can't answer that question tonight.

COMMISSIONER SULLIVAN: Okay. Will Mr. Peters be building the market units?

MR. RUBIN: I don't believe so, Madam Chair, Commissioner Sullivan. I don't believe so. I believe the lots are going to be for sale for custom homes as Mr. Hoeft testified.

COMMISSIONER SULLIVAN: Okay. So we have some pictures here of what these units would look like. How do we know that that's what they will look like, the compounds and the zero lot lines and so forth? What assurance do we have that that's what the affordable homes look like?

MR. HOEFT: Commissioner Sullivan, it was an example to demonstrate what a compound lot looks like, a zero lot line looks like, and what a single-family house looks like. It was just for illustration purposes only, at the request of Mr. Sill, because there's been some confusion over what these product types look like. So we put some images on that plan just to help clarify the housing types.

COMMISSIONER SULLIVAN: But there's no requirement that once Mr. Peters sells the lots that that's in fact what they'll look like.

MR. HOEFT: They'll look like a compound lot, they'll look like a zero lot line and they'll look like a single-family lot, but we haven't gotten that far, Commissioner Sullivan, in terms of what the final product is going to look like.

COMMISSIONER SULLIVAN: So the applicant is selling lots. Whatever the builder builds is whatever the builder wants to build, provided it's a compound lot.

MR. HOEFT: Commissioner Sullivan, we have design guidelines that are going to be put in place on the project. It's going to be heavily governed. Did you have a comment, Jim?

MR. RUBIN: Yes. Madam Chair, Commissioner Sullivan, your ordinance does not require that the exact footprints of the house, the exact design of the house be defined at this point or at any point. That is the Affordable Housing Ordinance. All that is

required is housing types. The design is left up to the developer or the contractor or the homeowner, all to avoid, I think, micromanaging what goes on to each individual lot within any subdivision in this county. That is your ordinance and we are following the letter of the law in showing by just this representation the type of unit as to what might be built. But we are following the law in trying to avoid any confusion.

As for requirements, as Mr. Hoeft just mentioned, we have to have covenants. Those covenants have to be presented to staff with the final plat, and we will do that. And it will be required that these housing types be built. Thank you.

CHAIR VIGIL: Thank you.

COMMISSIONER SULLIVAN: Thank you, Madam Chair. I don't believe my testimony if Mr. Rubin listened to it stated anything about what the ordinance did or didn't require. I believe what I was clarifying was one of the proponents who spoke here testified under oath to the Commission that the project – he suggested the project move forward so that Mr. Peters could build these homes. And I believe your response is that we don't know whether Mr. Peters is going to build the homes or not. Is that an accurate representation?

MR. RUBIN: Yes, sir.

COMMISSIONER SULLIVAN: Yes or no will do.

MR. RUBIN: Yes, sir.

COMMISSIONER SULLIVAN: Thank you. Madam Chair, really what has been holding up this project for the better part of a year is the applicant's non-compliance with the Affordable Housing Ordinance. And we're getting closer and that's good to see. I don't see in my personal opinion that we've yet met or even come close to a reasonable dispersement. An area that bothers me, if you'll look at the map that the applicant has provided, the large blob of affordable units up at the north end of the subdivision hasn't changed. Basically what they've done is they've split the phases, they've drawn the phase line in between them and put half of those lots in one phase and approximately half of those lots in another phase, more specifically 11 in phase 1 and 15 in phase 2.

We still have a large blob of affordable housing units all located in that one location. That's 26 affordable housing units. That's 33 percent of all the affordable housing units in the whole subdivision. That's one-third of all the units are right there in that blob or whatever you want to call it. I don't think that that would meet anyone's definition of reasonable dispersement when you put a third of all the units in one area of a 680-acre tract. This tract is more than a square mile, so we're going to put a third of the affordable housing units all in one bunch.

So I think in my personal opinion that these six blobs, as opposed to the three blobs that we had before still does not meet the requirement of the ordinance. I do recognize that some clustering of affordable units is wise. We can put compounds or duplexes together. I'm not personally a proponent of scattering every other lot as a market lot and then every third lot is an affordable housing lot and every sixth lot is a market lot. I recognize you want to have some economies of construction. But I don't see that a third of all the

affordable housing units being in one piece of the development meets that criterion. Thank you.

CHAIR VIGIL: Okay. Further comments, questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR VIGIL: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I've seen this proposal I think probably four or five times. Ever since we've passed our Affordable Housing Ordinance I was hoping we'd start constructing affordable housing for our community, for the people in our community. I've heard this Commission and the members, our staff members, talk about affordable housing onsite, clustered, offsite of the development, not phased in, phased in. And I believe that every time they've come back I think they've - the applicant has done what we have asked.

They've worked with the neighbors. There's not that many neighbors here today complaining. Actually, there's not any I don't believe. They've worked with the local developers. I think they've pretty much jumped through all of our hoops and jumped through hoops that shouldn't have been jumped through. When does it stop? I think it's time that we stopped today and approved this and start building affordable houses for people that need it. And with that I move for approval with the conditions.

COMMISSIONER MONTOYA: Second.

CHAIR VIGIL: Would you include a condition on that motion for the applicant to put in bike trails on Los Sueños Trail and meet with all the developers to see what the most appropriate design for that would be? That wasn't a part of the requests and conditions; it's something that I'm requesting. Would you include that in your motion?

COMMISSIONER ANAYA: To put bike trails on Los Sueños Trail?

CHAIR VIGIL: Yes.

COMMISSIONER ANAYA: Yes.

CHAIR VIGIL: Does the seconder agree with that inclusion?

COMMISSIONER MONTOYA: Is that agreeable to the applicant? Yes.

MR. RUBIN: May I ask one question? If a paved shoulder is required as part of the minor arterial, when you're talking about the bike trail on Caja del Rio. Really, I ride out there. We're actually riding outside the white stripe. If that is part of a minor arterial, we would ask that that satisfy what you are asking for.

CHAIR VIGIL: I am asking that you as an applicant meet with the neighborhoods, in terms of what their recommendation would be. I would also ask that you meet with the bike trail coalitions. There's a lot of work that's been done in what's appropriate, because there are safety issues. So I think my recommendation would be that you come forth with a design that there has been some consensus building with both the bike advocates and the neighborhoods there. Bike trail advocates. Is that appropriate? And that may be a paved shoulder. I don't know what it will be, because you're going to get sort of diverse recommendations on this.

MR. RUBIN: We will do that. I have a partner who's on the biking

committees for the City so we have some in-house expertise on that.

CHAIR VIGIL: Okay. So we're not focused on that as future developments, I think, when we start looking at our Land Development Code we need to incorporate more information about bike trails and hopefully we won't catch you by surprise as you come before us. Thank you for the motion. We have a second. I just want to comment on the word reasonable. I actually, for the first time since this development came before us received e-mails that commended this process. It has been a long and drawn out process. There were many stages throughout the approval process that I just wasn't sure what was going to happen here.

And part of the problem is we were dealing with a new Affordable Housing Ordinance. I think that when you deal with something new you are going through your own learning curve. I think we've had a good learning curve through this process and I actually think that the proposal we have tonight is reasonable. And I think somebody can make a subjective opinion that says it's not reasonable, but in my mind it is reasonable and I'm not too sure that it's appropriate as I heard somebody's testimony, polka-dotting or interspersing, because I'm not too sure that would work for this particular development. I have reservations about that, and I do know that affordable housing has to be designed in a way that it itself works. I think we'll see. For all we know this could be a benchmark for our future developments and I'm hoping it is because we're strong advocates for affordable housing and I'm hoping that our community benefits from that and from our decision tonight. With that, if there are no other comments.

**The motion passed by 3-1 voice vote with Commissioner Sullivan voting against. [Commissioner Campos was not present for this action.]**

- XII. A. 11. EZ Case #S 02-4325 La Pradera Subdivision, Phases 4-6. Design Enginuity (Oralynn Guerrerortiz) Agent for Gardener Associates, LLC (John McCarthy), Applicant, is Requesting Final Plat/Development Plan Approval for 60 Residential Lots on 29 Acres. The Property is Located Along Dinosaur Trail Within Sections 17, 18, Township 16 North, Range 9, East (2-Mile EZ, District 5)**

CHAIR VIGIL: Can we get a sense of how long everyone's testimony is going to take, just so that I can assure my Commissioners and keep a quorum? How long is your presentation going to be, Joe?

MR. CATANACH: Madam Chair, I can get through the staff report in five minutes.

CHAIR VIGIL: Thank you. Please proceed.

MR. CATANACH: Thank you. The summary, just to outline

some of the previous approvals. March 2004, BCC granted approval for a mixed-use development which was 80 residential units, 16,335 square feet of commercial space on 69 acres. That was phase 1. Then June 2005 EZA granted a master plan amendment for expansion of the subdivision to allow an additional 158 lots on 94 acres as phases 2 through 6. So in January 2006 the BCC granted preliminary plat/development plan approval for phases 2 through 6 and final approval for phases 2 and 3. I included the minutes of that January 2006 meeting and that consisted of 97 lots.

On May 10, 2007 the EZC recommended final approval of phases 4 through 6, which is the current request, final approval for phases 4 through 6. The applicant is requesting final approval for phases 4 through 6 consisting of 60 lots on 28.4 acres, which includes nine lots for affordable housing within a village zone neighborhood. I broke down the phasing. Phase 4 is 27 lots. Phase 5, 22 lots, Phase 6 is 11 lots. Lots range in size from 5,426 square feet to 12,809 square feet, with 15.2 acres of common open space with public trails.

Madam Chair, traffic impact analysis was submitted. This has been reviewed regarding Dinosaur Trail and the intersections. As part of phase 1 development plan offsite road improvements have been completed for Dinosaur Trail regarding asphalt pavement and the connecting intersection at Richards Avenue and Rancho Viejo Boulevard. Traffic lights are in place at the State Road 14-Rancho Viejo Boulevard intersection and the Richards Avenue-Dinosaur Trail intersection. The onsite section of Dinosaur Trail will be realigned and will extend parallel with Interstate 25 within the required setback.

That realignment of Dinosaur Trail is part of the phases 2 and 3 development plan, which has been recorded and they are building that out at this time. Dinosaur Trail is subject to a conditional dedication to the County for future ownership and maintenance at such time the County accepts the dedication. The internal subdivision roads will be paved with curb and gutter and sidewalks and will provide for on-street parking.

Water service will be provided from the Santa Fe County water utility based on a water service agreement previously approved by the BCC. Water rights have been transferred to the County. The water utility will provide .19 acre-foot for each lot which includes 20 percent line loss and .126 acre-foot water restriction will be imposed on each lot. The .19 acre-foot water rights allocation will be required until such time it can be demonstrated that the subdivision will not exceed the .126 acre-foot water restriction. Existing wastewater treatment facility will be expanded and utilized.

The staff report addresses terrain management, open space, landscaping, archeology. There's an existing homeowners association with covenants.

Recommendation: The proposed subdivision is in accordance with the Community College District Ordinance and the Extraterritorial Subdivision Regulations. The BCC granted preliminary approval subject to conditions. The EZC has now recommended final approval. The applicant has addressed the conditions. Staff recommends final approval of phases 4 through 6 and staff would enter the conditions into the record, Madam Chair.

[The conditions are as follows:]

1. Submit final affordable housing agreement subject to approval by staff.
2. Submit solid waste fees as required by the extraterritorial subdivision regulations.
2. Cost estimate and financial surety for completion of required subdivision Improvements as approved by staff.
3. Compliance with applicable review comments from the following:
  - A) State Engineer
  - B) State Environment Department
  - C) Soil & Water District
  - D) State Department of Transportation
  - E) County Water Resources Department
  - F) County Fire Marshal
  - G) County Public Works
  - H) County Technical Review
  - I) State Historic Div.
  - J) Santa Fe Public School District
  - K) County Open Space, Parks & Trails Division
4. Final development plan submittals shall include the following:
  - A) No more than two project signs for the entire subdivision (including phase 1) with a maximum sign area of 20 square feet and a height of 5 feet.
5. Bus stop shall include a pull-out lane.

CHAIR VIGIL: Thank you. Those conditions will be entered. Are there any questions of staff? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Joe, where is the affordable housing plan?

MR. CATANACH: The affordable housing plan, in this packet – okay, I have the review memo from Duncan Sill regarding the affordable housing agreement and let's see if I can –

COMMISSIONER SULLIVAN: Where's the plan?

MR. CATANACH: It's going to be in the section – the first part of the packet is the applicant's letters and report, and that goes all the way – you can go through the packet and that would be the applicant's development report. That development report has a page 12. The applicant's development report is paged up to page 12, and after page 12 there's a letter that was submitted notifying the public school district of the proposed development. After that is a letter from the Environment Department regarding discharge permit, and right after the letter from the Environment Department regarding discharge permit is the affordable housing material.

COMMISSIONER SULLIVAN: I still haven't found it. Maybe you could show me what it – show me where it is.

MR. CATANACH: I can do that.

COMMISSIONER SULLIVAN: I see a little thing, Section 12 in the

applicant's thing. Is that what you're talking about? Okay, but let me just clarify. Mr. Sill's review says he's reviewed the draft agreement about the affordable housing, which is the boilerplate agreement. I believe that our ordinance requires at final approval that we review the affordable housing plan and that that plan show the dispersion of the homes, just like we reviewed here for the Suerte Development.

MR. CATANACH: Commissioner Sullivan, I can only refer you to the documents in the packet. Any explanation of the affordable housing review I would have to refer you to Duncan.

COMMISSIONER SULLIVAN: Okay. Well, we have Duncan's letter here. It says he's reviewed the draft agreement and finds the contents consistent and acceptable with the plan, but just as we've done with all developments at this stage, just as we finished doing here ten minutes ago, we have a document in front of us that shows the designation of the lots for affordable housing. We've done it on every approval for Rancho Viejo. We've spent at least three hearings doing it for Suerte and that's the document I'm looking for here. All we have - and I see on page 11 of the applicant's report regarding affordable housing - it says that they'll have four income range 1 and two income range 2 and two income range 3 for a total of eight type A's and so forth and so on.

MR. CATANACH: If you look at the last page of the agreement it breaks down the number of lots within phase 4, phase 5, phase 6, and the level 1, level 2, level 3 categories.

COMMISSIONER SULLIVAN: I know, but that's not what I'm looking for; I'm looking for the plan. Where are those lots? That's what's required by the ordinance, a plan.

MR. CATANACH: This applicant - the site plan that's in your packet is reduced and it's hard to read but I believe that site plan identifies where the affordable lots are within those phases.

COMMISSIONER SULLIVAN: Could you point out where that site plan is? Is that Exhibit C?

MR. CATANACH: It is Exhibit C, yes.

COMMISSIONER SULLIVAN: And which are - what is the identification of the affordable lots?

MR. CATANACH: There's a legend there that identifies the affordable lots and again, this applicant should be able to provide you with a full-sized copy of that but there's a legend that identifies the affordable lots with an A.

CHAIR VIGIL: Perhaps your question will be clarified when we get a chance to speak with the applicant.

MR. CATANACH: That reduced copy, you'll never read that copy.

COMMISSIONER SULLIVAN: Let me make a recommendation that we be provided with copies that we can read.

CHAIR VIGIL: I think what staff is saying is that we were provided, it's just they're unreadable.



COMMISSIONER SULLIVAN: We can't read it. Okay. We have an affordable housing plan but we can't read it. Okay. Thank you, Madam Chair. That's all the questions I have.

CHAIR VIGIL: Are there any further questions for staff? Seeing, hearing none, is the applicant here?

ROSANNA VAZQUEZ: We are. Good evening. My name's Rosanna Vazquez and I'm here with some of the owners of La Pradera and Oralynn Guerrerortiz, our engineer. We are in agreement with all the conditions of approval, Madam Chair, and I stand for questions if you have any.

CHAIR VIGIL: Okay. Do you want to explain the affordable housing allocation. Which particular lots will be affordable housing lots?

MS. VAZQUEZ: A couple things I want to put into the record, when we recorded the affordable housing plan for phases 2 and 3 we listed all of the affordable units for the entire development. It is a recorded document now. The affordable units that are in these phases – this is phase 4 here, and this is 5 and 6 up here. They are denoted with an A as affordable. So there are four in a row here. There's one here. There's three in a row here. One here. Two at Lot 72 and 71, Lot 146 is an affordable unit, Lots 90 and 99 are affordable units. 198.

COMMISSIONER SULLIVAN: Okay. So they're designated on a map that somebody in Santa Fe County can read, although not the County Commission. So we have somewhere a document that describes what –

MR. CATANACH: Duncan Sill looked at a map when he put his memo together. Yes, sir.

COMMISSIONER SULLIVAN: I appreciate that but I'd like to look at one too. On this map that Shelley x-ed out for us I see eight affordable housing units. Is that all the affordable housing units in 4, 5 and 6?

MR. CATANACH: Nine.

MS. VAZQUEZ: There should be nine.

COMMISSIONER SULLIVAN: You're right. I can't count this late. There is nine. There are nine. And that's at the 15 percent. This is under the old ordinance, correct?

MS. VAZQUEZ: Madam Chair, Commissioners, that's correct.

COMMISSIONER SULLIVAN: Then I guess one other question for the applicant then, Madam Chair, would be are you still building your road in the highway corridor where no building is allowed.

MS. VAZQUEZ: Yes, we're building the road in accordance with the approval that we received.

COMMISSIONER SULLIVAN: Okay, but just to remind the Commission that this is in the highway corridor that no construction is permitted.

CHAIR VIGIL: Okay. Any further questions? This is a public hearing. Is there anyone out there who would like to address the Commission on this item? Please

come forward. Seeing none, I'll close the public hearing and ask the Commission what is their pleasure.

COMMISSIONER MONTOYA: Madam Chair.

CHAIR VIGIL: Commissioner Montoya.

COMMISSIONER MONTOYA: Move for approval with staff conditions.

CHAIR VIGIL: There's a motion. Is there a second?

COMMISSIONER ANAYA: Motion and second for approval with all staff conditions. The applicant has testified that they agree with them. Does this include a bike trail?

MS. VAZQUEZ: Madam Chair, there is a trail.

CHAIR VIGIL: Okay, will that trail be inclusive for bikes or walkers or what is the intent?

MS. VAZQUEZ: Madam Chair, it would suffice for both. It's a ten-foot village trail.

CHAIR VIGIL: Okay. And will you be providing connectivity and/or access to other developments?

MS. VAZQUEZ: Madam Chair, we're trying to do that on the side by Rancho Viejo. The trail that goes down towards Richards Avenue hits the intersection of Dinosaur Trail and Richards. That will be connected eventually when Oshara and the rest of the development is done.

CHAIR VIGIL: Okay. So Rosanna, is it your understanding that based on the fact that this affordable housing component was under the old ordinance, the 15 percent ordinance, that the appropriate review has been applied to this?

MS. VAZQUEZ: Madam Chair, Commissioners, I do. Duncan and I have met when we submitted for preliminary and the entire plan for phases 2 through 6. He saw where they were going to be located. He has seen the type of housing that is being constructed currently. He reviewed the plan that was submitted in the preliminary development plan approval as well as this one. We've worked on the last contract that was recorded for phases 2 and 3, and we're on the last step now for phases 4, 5 and 6. I feel very comfortable that if there was an issue the County would come to us and let us know what it was and we would be able to work that out. We have met the requirements and further I think that if there's anything that happens that we need to deal with in the future I think we can deal with it because we have a very long-standing working relationship on this project.

CHAIR VIGIL: Okay. Thank you.

COMMISSIONER SULLIVAN: Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: In the discussion, I just want to be sure that we have it in the record that the Santa Fe County Highway Corridor Ordinance, 2000-01, says there will be no development in the highway corridor, period. That's what it says. It doesn't show pictures of houses. It doesn't show little drawings that some other

ordinances do that don't apply to the Community College District. That's the only Highway Corridor Ordinance that applies to the Community College District. This development does not comply with the Santa Fe County Highway Corridor Ordinance. So I can't support it for that reason, and I want to be sure that it's clear in the record that there is an ordinance and that we are looking at a development that is building its onsite roads within the highway corridor, thus giving it more developable land in the balance of the subdivision, and that's not at all the intention of the Highway Corridor, because the Highway Corridor was based on the noise zones and the intent was to move everything back to a given noise contour. If you put a road in that open space in the highway corridor you're adding more noise so obviously you can't meet the noise contour requirements.

I want to be very clear that if the Commission decides to move forward on this, to approve this application that it's doing so in contravention of the Highway Corridor Ordinance and if you feel that that's appropriate then I think the best way to do it is to change the ordinance, go through that process. Thank you.

CHAIR VIGIL: Could I ask staff to just give us a history of that for the record. We obviously have approved this previously. Based on Commissioner Sullivan's statements, I'm concerned about the posturing of those statements because they're actually challenging us to go against an ordinance and I think we've already been at a place where we've reviewed this development and it's up to us for final development review. I don't want to the record to be finalized with this statement of challenge that we as a Commission will be approving something against the Highway Corridor Ordinance. We have previously approved this, correct?

MR. CATANACH: Yes, Madam Chair. There's been a master plan - that issue was discussed substantially when the master plan was approved, the master plan amendment to allow expansion of the subdivision for additional lots and additional acreage. That issue was discussed as part of that master plan amendment. It may have come up again when final approval was granted for phases 2 and 3 and I could let you know what some of the discussion was that we talked about.

CHAIR VIGIL: But it's all part of the record, Mr. Catanach. Is this the development that worked with many of the neighbors in the Highway 14 area and the recommendation for that road came from those neighborhood hearings. Is that correct? If I'm recalling this project.

MR. CATANACH: This applicant, this developer worked with a neighborhood association. There's an existing subdivision there. I think it's called Vista Ocala. This applicant worked on that issue. I'm not exactly sure how the issue of realigning the road came up. It may have come up through both working with the neighbors and the applicant but this applicant did work with those neighbors and as I understand, that was part of the consensus with those neighbors was realignment of the road.

CHAIR VIGIL: And I think part of the reason, if I'm correct, Mr. Catanach, is they wanted that road there because it provided the buffering for the

neighborhoods around there and I'm not sure I'm recalling this correctly but is that your understanding?

MR. CATANACH: The consensus with the neighborhood came about obviously where the neighborhood felt that they had an opportunity so they wouldn't have so much traffic going in front of their houses to realign that road.

CHAIR VIGIL: Okay, so it was more for traffic purposes than buffering. Okay. Thank you for clarifying that. Any further comments?

COMMISSIONER SULLIVAN: Madam Chair.

CHAIR VIGIL: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Yes, what the neighbors requested was that they didn't want the main access road to be next to their houses, just as Mr. Catanach has stated. They didn't request that the road be put into the highway corridor. They just didn't want it running next to their houses. The applicant could have put the road outside the highway corridor and achieved the same purpose, but that would have given them less developable lots. So that's what happened. There was no, I think from my recollection and dealing with the neighborhood, insistence that the road be put in the highway corridor they just didn't want it in their backyard and so the developer moved it. And I stand by my research of the ordinance, which I have researched in detail, and that is the ordinance. That is the requirement. Thank you.

CHAIR VIGIL: I do believe we have a motion and a second.

**The motion passed by 3-1 voice vote with Commissioner Sullivan voting against. [Commissioner Campos was not present for this action.]**

**XIII. ADJOURNMENT**



Chair Vigil declared this meeting adjourned at 10:55.

Approved by:

Board of County Commissioners  
Virginia Vigil, Chair

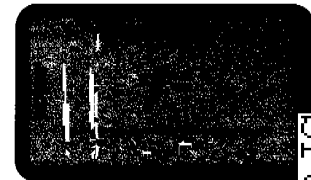
ATTEST TO:

VALERIE ESPINOZA  
SANTA FE COUNTY CLERK

Respectfully submitted:

Karen Farrell, Wordswork  
227 E. Palace Avenue  
Santa Fe, NM 87501

Subj: **Re: Petition**  
Date: 7/6/2007 12:22:42 P.M. Mountain Daylight Time  
From: [sherwood@cybermesa.com](mailto:sherwood@cybermesa.com)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)



SEC CLERK RECORDING 08/24/2007

On Jul 5, 2007, at 2:17 PM, [MABinSF@aol.com](mailto:MABinSF@aol.com) wrote:

I would much appreciate a few minutes of your time to review the following petition. If you would like to join us in protesting this annexation and rezoning, please hit "reply" and simply add your name, address and your city voting district.

If you belong to a neighborhood organization or other group, I would much appreciate your requesting approval from that Board to be included in the petition under a separate "reply."

And feel free to forward this to anyone else who you feel may want to join us!

Many thanks.

Marilyn Bane

**CITY & COUNTY RESIDENT'S PETITION  
AGAINST THE ANNEXATION & REZONING OF COUNTY LAND  
TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT**

This is a petition against the City of Santa Fe's annexing and rezoning a 15.4 acre parcel of land in the county, designated "Scenic" and "Mountain Corridor" land on the Old Las Vegas Highway near the Old Pecos Trail.

We, the undersigned residents of Santa Fe city and county, request the City of Santa Fe **not approve** the **Annexation** and **Rezoning** to R3 of the 15.4 acres of land along the Old Las Vegas Highway for the development of 50 housing units because:

1. The land is outside the City's proposed future annexation plan which already includes 12,000 additional acres of county land to be annexed.
2. The City should approve eastside housing with at least 30% affordable housing included, but should follow its' own General Plan ordinances concerning appropriate zoning and density.
3. A high density development of 50 homes on 15.4 acres in an area of 1 home allowed per 10 acres, would urbanize this area as well as set a precedent for future city annexations and rezoning of county land.

We support the efforts of local, city, county, and state organizations (Arroyo Hondo Land Trust, Arroyo Chamisa Sol y Lomas Association, Old Las Vegas Highway Community Task Force, New Mexico Department of Transportation, and Old Santa Fe Association) to preserve this significant scenic entry to Santa Fe, with its' Route 66 historic road design, and "scenic" and "historic" appearance and highway designations by the Federal Highway Administration for the benefit of all Santa Fe residents, businesses, and visitors.

Ted Carlin

1194 Senda del Valle

Santa Fe, NM 87507  
District 3

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See what's free at [AOL.com](http://AOL.com).

Ted Carlin

"

SFC CLERK RECORDING 08/24/2007

**Subj: RE: Petition**  
**Date: 7/6/2007 9:48:00 A.M. Mountain Daylight Time**  
**From: harry@pollittstudio.com**  
**To: MABinSF@aol.com**

Henry E. (Harry) Pollitt  
 24 Camino del Sol, Santa Fe County, District 4

From: MABinSF@aol.com  
 To: ggp.hd1340@hotmail.com  
 Subject: Petition  
 Date: Thu, 5 Jul 2007 16:56:40 EDT

I would much appreciate a few minutes of your time to review the following petition. If you would like to join us in protesting this annexation and rezoning, please hit "reply" and simply add your name, address and your city voting district. If you belong to a neighborhood organization or other group, I would much appreciate your requesting approval from that Board to be included in the petition under a separate "reply." And feel free to forward this to anyone else who you feel may want to join us! Many thanks. Marilyn Bane

**CITY & COUNTY RESIDENTS' PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT**

This is a petition against the City of Santa Fe's annexing and rezoning a 15.4 acre parcel of land in the county, designated "Scenic" and "Mountain Corridor" land on the Old Las Vegas Highway near the Old Pecos Trail. We, the undersigned residents of Santa Fe city and county, request the City of Santa Fe not approve the Annexation and Rezoning to R3 of the 15.4 acres of land along the Old Las Vegas Highway for the development of 50 housing units because: The land is outside the City's proposed future annexation plan which already includes 12,000 additional acres of county land to be annexed. The City should approve eastside housing with at least 30% affordable housing included, but should follow its own General Plan ordinances concerning appropriate zoning and density. A high density development of 50 homes on 15.4 acres in an area of 1 home allowed per 10 acres, would urbanize this area as well as set a precedent for future city annexations and rezoning of county land. We support the efforts of local, city, county, and state organizations (Arroyo Hondo Land Trust, Arroyo Chamisa Sol y Lomas Association, Old Las Vegas Highway Community Task Force, New Mexico Department of Transportation, and Old Santa Fe Association) to preserve this significant scenic entry to Santa Fe, with its Route 66 historic road design, and "scenic" and "historic" appearance and highway designations by the Federal Highway Administration for the benefit of all Santa Fe residents, businesses, and visitors.

See what's free at AOL.com.

SFC CLERK RECORDING 08/24/2007



SFC CLERK RECORDING 08/24/2007

Subj: Re: Petition  
Date: 7/6/2007 1:12:25 P.M. Mountain Daylight Time  
From: dan@dtbprojects.com  
To: MABinSF@aol.com

I absolutely support this petition against annexation and re-zoning of the parcel in question. I believe there is insufficient infrastructure (water, power, gas, cable, schools) as well as serious flaws in the traffic plan and drainage issues to support this annexation.

Dan Baker  
1909 proctor ct  
santa fe, nm 87505  
district 2

=====

MABinSF@aol.com wrote:

- > \*CITY & COUNTY RESIDENT'S PETITION \*
- >
- > \*AGAINST THE ANNEXATION & REZONING OF COUNTY LAND\*
- >
- >
- > TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT
- >
- >
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- >
- > This is a petition against the City of Santa Fe's annexing and rezoning
- > a 15.4 acre parcel of land in the county, designated "Scenic" and
- > "Mountain Corridor" land on the Old Las Vegas Highway near the Old Pecos
- > Trail.
- >
- >
- >
- > We, the undersigned residents of Santa Fe city and county, request the
- > City of Santa Fe \*not approve\* the \*Annexation\* and \*Rezoning\* to R3 of
- > the 15.4 acres of land along the Old Las Vegas Highway for the
- > development of 50 housing units because:
- >
- >
- >
- > 1. The land is outside the City's proposed future annexation plan
- > which already includes 12,000 additional acres of county land to
- > be annexed.
- > 2. The City should approve eastside housing with at least 30%
- > affordable housing included, but should follow its' own General
- > Plan ordinances concerning appropriate zoning and density.
- > 3. A high density development of 50 homes on 15.4 acres in an area of
- > 1 home allowed per 10 acres, would urbanize this area as well as
- > set a precedent for future city annexations and rezoning of county
- > land.
- >
- > We support the efforts of local, city, county, and state organizations
- > (Arroyo Hondo Land Trust, Arroyo Chamisa Sol y Lomas Association, Old
- > Las Vegas Highway Community Task Force, New Mexico Department of
- > Transportation, and Old Santa Fe Association) to preserve this
- > significant scenic entry to Santa Fe, with its' Route 66 historic road

- > design, and "scenic" and "historic" appearance and highway
- > designations by the Federal Highway Administration for the benefit of
- > all Santa Fe residents, businesses, and visitors.

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> See what's free at AOL.com <<http://www.aol.com?ncid=AOLAOF00020000000503>>.

SFC CLERK RECORDING 08/24/2007

Subj: **RE: Petition**  
 Date: 7/6/2007 1:59:47 P.M. Mountain Daylight Time  
 From: [tim\\_maxwell@newmexico.com](mailto:tim_maxwell@newmexico.com)  
 To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Tim Maxwell  
 16 Overlook Rd.  
 Santa Fe, NM 87505  
 County Comm. District 4

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**From:** MABinSF@aol.com [mailto:MABinSF@aol.com]

**Sent:** Thursday, July 05, 2007 1:48 PM

**To:** rde@cybermesa.com; ecojane@cybermesa.com; tedskis@comcast.net; phcrump@newmexico.com; WalkerRE@aol.com; elaine@historicsantafe.com; santafelynn@hotmail.com; dmeinspahr@yahoo.com; chatwinsf@comcast.net; radacton@earthlink.net; randallbell@qwest.net; eric.blinman@state.nm.us; canyonroad@comcast.net; petronio@newmexico.com; tim\_maxwell@newmexico.com; richardcmccord@msn.com; macwatson@cybermesa.com; MLIERZ@aol.com; WDNichols@aol.com; BILLOWMAN@aol.com; Bernadette.LeRouge@state.nm.us

**Subject:** Petition

I would much appreciate a few minutes of your time to review the following petition. If you would like to join us in protesting this annexation and rezoning, please hit "reply" and simply add your name, address and your city voting district.

If you belong to a neighborhood organization or other group, I would much appreciate your requesting approval from that Board to be included in the petition under a separate "reply."

And feel free to forward this to anyone else who you feel may want to join us!

Many thanks.

Marilyn Bane

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---

See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007

Subj: **Re: Petition**  
Date: 7/6/2007 3:21:34 P.M. Mountain Daylight Time  
From: [g-rust@earthlink.net](mailto:g-rust@earthlink.net)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Thanks Marilyn!

Here's our info for Bill and I, let me know if you need a separate email from Bill. I'm also going to take this around to our neighbors and some friends who live on this end of OSFT.

gayle

Gayle Rust  
17 Camino Monte Feliz  
Santa Fe, NM 87505  
-- county, no city district

Bill Rust  
17 Camino Monte Feliz  
Santa Fe, NM 87505  
-- county, no city district

----- Original Message -----

**From:** [MABinSF@aol.com](mailto:MABinSF@aol.com)  
**To:** [g-rust@earthlink.net](mailto:g-rust@earthlink.net)  
**Sent:** Thursday, July 05, 2007 2:38 PM  
**Subject:** Petition

I would much appreciate a few minutes of your time to review the following petition. If you would like to join us in protesting this annexation and rezoning, please hit "reply" and simply add your name, address and your city voting district.

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Many thanks.

Marilyn Bane

**CITY & COUNTY RESIDENT'S PETITION  
AGAINST THE ANNEXATION & REZONING OF COUNTY LAND  
TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT**

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---

See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007

Subj: **Re: Petition**  
Date: 7/7/2007 10:17:50 P.M. Mountain Daylight Time  
From: [chicoma1@earthlink.net](mailto:chicoma1@earthlink.net)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

John & Merry Schroeder, 757 Placita Santa Fe, County of SF, District County 4.

----- Original Message -----

From: [MABinSF@aol.com](mailto:MABinSF@aol.com)  
To: [chicoma1@earthlink.net](mailto:chicoma1@earthlink.net)  
Sent: Thursday, July 05, 2007 2:21 PM  
Subject: Petition

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---

See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007



Subj: **Re: Petition**  
Date: 7/8/2007 9:12:51 P.M. Mountain Daylight Time  
From: CMottWoolley  
To: MABinSF  
CC: [tina@thebrowncow.com](mailto:tina@thebrowncow.com)

Marilyn,

You may add Tina and me as supporting the petition against annexation. I am forwarding the petition to George Bingham, our neighbor.

Best regards,

Mott

---

See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007

Subj: **Re: Petition**  
Date: 7/8/2007 9:45:34 P.M. Mountain Daylight Time  
From: BILLOWMAN  
To: MABinSF

Add my name to the Petition: William Loeb, 218 Camino Encantado, 87501, District 1  
(for your protection I note that I am not a voter in N. Mex.)Bill

Re the "lawsuit" I am in the dark. I urged the anti-Taos Hy group to fund a court objection, but this is the first I have heard that it has been undertaken. Hurray!!

\*\*\*\*\*

See what's free at <http://www.aol.com>.

SFC CLERK RECORDING 08/24/2007

Subj: **Re: Petition**  
Date: 7/5/2007 10:15:50 P.M. Mountain Daylight Time  
From: gemile@cybermesa.com  
To: MABinSF@aol.com

Gerald Pitchford  
1269 Este Ln.  
Santa Fe  
Council District 1

On Jul 5, 2007, at 2:35 PM, MABinSF@aol.com wrote:

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Santa Fe residents, businesses, and visitors.

---

See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007

**Subj:** Re: Petition  
**Date:** 7/5/2007 5:54:18 P.M. Mountain Daylight Time  
**From:** [swestheimer@comcast.net](mailto:swestheimer@comcast.net)  
**To:** [MABinSF@aol.com](mailto:MABinSF@aol.com)

Stephen Westheimer 1240 Canyon Road District 2

— Original Message —

**From:** [MABinSF@aol.com](mailto:MABinSF@aol.com)  
**To:** [swestheimer@comcast.net](mailto:swestheimer@comcast.net)  
**Sent:** Thursday, July 05, 2007 2:16 PM  
**Subject:** Petition

I would much appreciate a few minutes of your time to review the following petition. If you would like to join us in protesting this annexation and rezoning, please hit "reply" and simply add your name, address and your city voting district.

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 AGAINST THE ANNEXATION & REZONING OF COUNTY LAND  
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See what's free at [AOL.com](http://AOL.com).

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No virus found in this incoming message.  
Checked by AVG Free Edition.  
Version: 7.5.476 / Virus Database: 269.10.0/886 - Release Date: 7/4/2007 1:40 PM

SFC CLERK RECORDING 08/24/2007

Subj: **Re: Petition**  
Date: 7/5/2007 3:26:53 P.M. Mountain Daylight Time  
From: [luddite.aka.vel@gmail.com](mailto:luddite.aka.vel@gmail.com)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Please add my name to those who are protesting this annexation and re-zoning:  
Vel Richey-Rankin  
172 Arroyo Hondo Trail  
Santa Fe, NM 87508  
voting precinct: 068

On 7/5/07, MABinSF@aol.com <MABinSF@aol.com> wrote:

>  
>  
>  
>  
>  
> I would much appreciate a few minutes of your time to review the following  
> petition. If you would like to join us in protesting this annexation and  
> rezoning, please hit "reply" and simply add your name, address and your city  
> voting district.

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> appreciate your requesting approval from that Board to be included in the  
> petition under a separate "reply."

>  
>  
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> us!

>  
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>  
> Many thanks.

>  
>  
>  
> Marilyn Bane

>  
> CITY & COUNTY RESIDENT'S PETITION  
>  
> AGAINST THE ANNEXATION & REZONING OF COUNTY LAND  
> TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

>  
>  
>  
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> 15.4 acre parcel of land in the county, designated "Scenic" and "Mountain  
> Corridor" land on the Old Las Vegas Highway near the Old Pecos Trail.

>  
>  
>  
> We, the undersigned residents of Santa Fe city and county, request the City  
> of Santa Fe not approve the Annexation and Rezoning to R3 of the 15.4 acres

SFC CLERK RECORDING 08/24/2007

- > of land along the Old Las Vegas Highway for the development of 50 housing units because:
  - >
  - >
  - >
  - > The land is outside the City's proposed future annexation plan which already includes 12,000 additional acres of county land to be annexed.
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  - >
  - > We support the efforts of local, city, county, and state organizations (Arroyo Hondo Land Trust, Arroyo Chamisa Sol y Lomas Association, Old Las Vegas Highway Community Task Force, New Mexico Department of Transportation, and Old Santa Fe Association) to preserve this significant scenic entry to Santa Fe, with its' Route 66 historic road design, and "scenic" and "historic" appearance and highway designations by the Federal Highway Administration for the benefit of all Santa Fe residents, businesses, and visitors.
  - >
  - >
  - >
  - > See what's free at AOL.com.



SFC CLERK RECORDING 08/24/2007

Subj: RE: Petition  
Date: 7/5/2007 3:29:57 P.M. Mountain Daylight Time  
From: ggp.hd1340@hotmail.com  
To: MABinSF@aol.com

Gaye Gravely Pollitt

24 Camino del Sol, Santa Fe County, District 4

From: MABinSF@aol.com  
To: ggp.hd1340@hotmail.com  
Subject: Petition  
Date: Thu, 5 Jul 2007 16:56:40 EDT

I would much appreciate a few minutes of your time to review the following petition. If you would like to join us in protesting this annexation and rezoning, please hit "reply" and simply add your name, address and your city voting district.

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See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007

Subj: **RE: Petition**  
Date: 7/5/2007 2:32:30 P.M. Mountain Daylight Time  
From: [rde@cybermesa.com](mailto:rde@cybermesa.com)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Sign me up. I will miss the Monday executive meeting in favor of rehab.

Peace & Long Life,  
Richard D. Ellenberg  
[rde@cybermesa.com](mailto:rde@cybermesa.com)  
505-992-1396  
1714 Canyon Road  
Santa Fe, NM 87501

-----Original Message-----

**From:** [MABinSF@aol.com](mailto:MABinSF@aol.com) [mailto:[MABinSF@aol.com](mailto:MABinSF@aol.com)]  
**Sent:** Thursday, July 05, 2007 1:48 PM  
**To:** [rde@cybermesa.com](mailto:rde@cybermesa.com); [ecoJane@cybermesa.com](mailto:ecoJane@cybermesa.com); [tedskis@comcast.net](mailto:tedskis@comcast.net);  
[phcrump@newmexico.com](mailto:phcrump@newmexico.com); [WalkerRE@aol.com](mailto:WalkerRE@aol.com); [elaine@historicsantafe.com](mailto:elaine@historicsantafe.com);  
[santafelynn@hotmail.com](mailto:santafelynn@hotmail.com); [dmeinspahr@yahoo.com](mailto:dmeinspahr@yahoo.com); [chatwinsf@comcast.net](mailto:chatwinsf@comcast.net); [radacton@earthlink.net](mailto:radacton@earthlink.net);  
[randallbell@qwest.net](mailto:randallbell@qwest.net); [eric.blinman@state.nm.us](mailto:eric.blinman@state.nm.us); [canyonroad@comcast.net](mailto:canyonroad@comcast.net);  
[petronio@newmexico.com](mailto:petronio@newmexico.com); [tim\\_maxwell@newmexico.com](mailto:tim_maxwell@newmexico.com); [richardcmccord@msn.com](mailto:richardcmccord@msn.com);  
[macwatson@cybermesa.com](mailto:macwatson@cybermesa.com); [MLIERZ@aol.com](mailto:MLIERZ@aol.com); [WDNichols@aol.com](mailto:WDNichols@aol.com); [BILLOWMAN@aol.com](mailto:BILLOWMAN@aol.com);  
[Bernadette.LeRouge@state.nm.us](mailto:Bernadette.LeRouge@state.nm.us)  
**Subject:** Petition

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AGAINST THE ANNEXATION & REZONING OF COUNTY LAND**

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---

See what's free at AOL.com.

SFC CLERK RECORDING 08/24/2007

SFC CLERK RECORDING 08/24/2007

Subj: **Re: Petition**  
Date: 7/5/2007 2:45:07 P.M. Mountain Daylight Time  
From: [lexyclement@comcast.net](mailto:lexyclement@comcast.net)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Lexy and Patrick Clement  
424 Camino Del Monte Sol  
Santa Fe, NM 87505  
District 2

----- Original Message -----

**From:** [MABinSF@aol.com](mailto:MABinSF@aol.com)  
**To:** [lexyclement@comcast.net](mailto:lexyclement@comcast.net)  
**Sent:** Thursday, July 05, 2007 2:22 PM  
**Subject:** Petition

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---

See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007

Subj: **Re: Petition**  
Date: 7/5/2007 2:05:49 P.M. Mountain Daylight Time  
From: [tedskis@comcast.net](mailto:tedskis@comcast.net)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

T.C.Williams, 250 E. Alameda District 2  
On Jul 5, 2007, at 1:48 PM, [MABinSF@aol.com](mailto:MABinSF@aol.com) wrote:

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We support the efforts of local, city, county, and state organizations (Arroyo Hondo Land Trust, Arroyo Chamisa Sol y Lomas Association, Old Las Vegas Highway Community Task Force, New Mexico Department of Transportation, and Old Santa Fe Association) to preserve this significant scenic entry to Santa Fe, with its' Route 66 historic road design, and "scenic" and "historic" appearance and highway designations by the Federal Highway Administration for the benefit of all Santa Fe residents, businesses, and visitors.

Subj: **(no subject)**  
Date: 7/9/2007 6:13:30 A.M. Mountain Daylight Time  
From: [janiebos@comcast.net](mailto:janiebos@comcast.net)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Marilyn

I would like to add my name to your petition

Jane B Bingham

SFC CLERK RECORDING 08/24/2007



Subj: **Re: (no subject)**  
Date: 7/9/2007 2:08:51 P.M. Mountain Daylight Time  
From: [janiebos@comcast.net](mailto:janiebos@comcast.net)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Thank you Marilyn

16 Cole Lane  
Santa Fe 87508

----- Original message -----

From: [MABinSF@aol.com](mailto:MABinSF@aol.com)  
Thanks so much, Janie. Could you send me your address?

Best,  
Marilyn

---

See what's free at [AOL.com](http://AOL.com).

SFC CLERK RECORDING 08/24/2007

Subj: Re: Petition  
Date: 7/10/2007 6:59:09 A.M. Mountain Daylight Time  
From: [jblythe@cybermesa.com](mailto:jblythe@cybermesa.com)  
To: [MABinSF@aol.com](mailto:MABinSF@aol.com)

Joan Blythe and John Clubbe 1266 Canyon Road Santa Fe, NM 87501. District 2 I believe

----- Original Message -----  
From: [MABinSF@aol.com](mailto:MABinSF@aol.com)  
To: [jblythe@newmexico.com](mailto:jblythe@newmexico.com)  
Sent: Thu, 5 Jul 2007 16:15:47 EDT  
Subject: Petition

- > I would much appreciate a few minutes of your time to review the
- > following petition. If you would like to join us in protesting
- > this annexation and rezoning, please hit "reply" and simply add
- > your name, address and your city voting district.
- >
- > If you belong to a neighborhood organization or other group, I
- > would much appreciate your requesting approval from that Board to
- > be included in the petition under a separate "reply."
- >
- > And feel free to forward this to anyone else who you feel may want
- > to join us!
- >
- > Many thanks.
- >
- > Marilyn Bane
- >
- > CITY & COUNTY RESIDENTS' PETITION
- > AGAINST THE ANNEXATION & REZONING OF COUNTY LAND
- > TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT
- >
- > This is a petition against the City of Santa Fe's annexing and
- > rezoning a
- > 15.4 acre parcel of land in the county, designated "Scenic" and
- > "Mountain Corridor" land on the Old Las Vegas Highway near the
- > Old Pecos Trail.
- >
- > We, the undersigned residents of Santa Fe city and county, request
- > the City of Santa Fe not approve the Annexation and Rezoning to R3
- > of the 15.4 acres of land along the Old Las Vegas Highway for the
- > development of 50 housing units because:
- > 1. The land is outside the City's proposed future annexation
- > plan which already includes 12,000 additional acres of county land
- > to be annexed.
- > 2. The City should approve eastside housing with at least 30%
- > affordable housing included, but should follow its own General
- > Plan ordinances concerning appropriate zoning and density.
- > 3. A high density development of 50 homes on 15.4 acres in an
- > area of 1 home allowed per 10 acres, would urbanize this area as
- > well as set a precedent for future city annexations and rezoning of
- > county land. We support the efforts of local, city, county, and
- > state organizations
- > (Arroyo Hondo Land Trust, Arroyo Chamisa Sol y Lomas Association,
- > Old Las Vegas Highway Community Task Force, New Mexico Department
- > of Transportation, and Old Santa Fe Association) to preserve this
- > significant scenic entry to Santa Fe, with its Route 66 historic
- > road design, and "Scenic" and "historic" appearance and
- > highway designations by the Federal Highway Administration for the
- > benefit of all Santa Fe residents, businesses, and visitors.

> \*\*\*\*\* See what's free at  
<http://www.aol.com>.

----- End of Original Message -----

Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Michael D. Anaya  
Commissioner, District 3



SEC CLERK RECORDING 08/24/2007

February 2, 2007

Mayor David Coss  
City of Santa Fe  
P.O. Box 909  
Santa Fe, NM 87504

RE: Annexation of Old Las Vegas Highway Subdivision

Dear Mayor Coss:

It has come to the attention of Santa Fe County that a petition method annexation is nearing completion. The proposed area of annexation is approximately 15.4 acres of land upon which approximately fifty homes will be constructed. The Fourth Amended & Restated Regional Planning Authority Joint Powers Agreement clearly specifies that the City and County will jointly develop an annexation plan which will govern future annexations by the City. The Regional Planning Authority (RPA) members agreed that "future annexation strategies and discussions must be conducted under the auspices of the RPA and that future annexation matters will follow the RPA Regional Future Land Use and Growth Management Plan."

The RPA is working effectively at developing the aforementioned annexation plan and is the most appropriate forum to evaluate whether annexation of any particular tract of land is advisable. Moving forward with annexation of Old Las Vegas Highway Subdivision will jeopardize the integrity of the agreements being developed through the RPA, and will constitute a breach of the Fourth Amended and Restated Joint Powers Agreement and as amended from time to time. On behalf of Santa Fe County, I urge you to postpone any action on annexations until such time as the RPA has completed development of an annexation plan and that plan has been adopted by both the City and the County.

Sincerely,

Roman Abeyta, County Manager

Board of County Commissioners  
SF City Council

July 10, 2007

RE: ANNEXATION & REZONING OF COUNTY LAND OF 15.4 ACRES ON OLD LAS VEGAS HIGHWAY FOR HIGH DENSITY HOUSING DEVELOPMENT

Dear Commissioners and Councilors,

The Old Las Vegas Highway Community Task Force and a rapidly growing number of agencies, associations, and residents in Santa Fe City and County, are concerned that you as our elected representatives are proposing to annex and rezone county land OUTSIDE the Regional Planning Authority boundaries, and ignore the specific request of County Manager, Roman Abeyta, to delay such an action until a joint County and City agreement can be reached

The residents from county neighborhood associations listed on the accompanying land use petition strongly OPPOSE:

- 1) annexation of land outside the City's proposed future annexation
- 2) Overturning zoning and development criteria in the General to allow "spot developments" Plan
- 3) development of 50 homes on 15.4 acres (in an area where 1 house per 10 acres is allowed ) which would urbanize this mountain corridor and set a precedent for future city annexations and rezonings of county land.

The future of anyone being able to "afford" to live in the city or county of Santa Fe, will DEPEND on long range planning that will finally address:

- 1) runaway land values and taxes in the county as a result of city land use decisions
- 2) water budgets and development limits
- 3) loss of mountain corridor and scenic areas that define our landscape and the heritage of our area
- 4) offering more "rehab loans" and remodeling the affordable homes that we have (which is the SINGLE MOST POPULAR OPTION listed in the SF Housing Needs Assessment Report, 2007, for residents seeking a "new" home from \$100,000-300,000 in cost), rather than continue to approve sprawling subdivisions with all the resulting infrastructure costs and urban blight.

Please delay any annexation and rezoning requests until the RPA agreements are finalized and until such long-range city-county planning can take place for the benefit of all city and county residents.

Thank you,

Teresa Seamster  
C/o Old Las Vegas Highway Community Task Force

Residents:

Maureen Goldberg  
Lamy (East Ranch)

Nancy and Fred Strauss  
285 South (The Ridges)

Patricia Peck  
Eldorado (La Paz)

Karen Barnes  
Lamy (Rancho de Bosque)

Patricia Lavengood  
Eldorado

Linda Strong  
Ranchitos de Santa Fe

RoseMarie Bagioni  
Tierra de Costa

Lorraine Loker  
Rancho Escondidos

Lois Lockwood  
Old Road Ranch

Teresa Seamster  
285 South (Los Vaqueros)

Please include this letter and petition in the public record of the  
Board of County Commissioners

**CITY & COUNTY RESIDENT'S PETITION  
AGAINST THE ANNEXATION & REZONING OF COUNTY LAND  
TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT**

SFC CLERK RECORDING 08/24/2007

This is a petition against the City of Santa Fe's annexing and rezoning a 15.4 acre parcel of land in the county, designated "Scenic" and "Mountain Corridor" land on the Old Las Vegas Highway near the Old Pecos Trail.

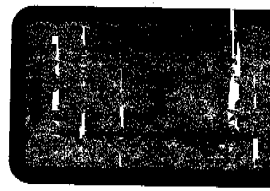
We, the undersigned residents of Santa Fe city and county, request the City of Santa Fe **not approve** the **Annexation and Rezoning** to R3 of the 15.4 acres of land along the Old Las Vegas Highway for the development of 50 housing units because:

1. The land is outside the City's proposed future annexation plan which already includes 12,000 additional acres of county land to be annexed.
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Name (Print)	Street Address	Signature	Date
1. MAUREEN GOLDBERG	18 Remedios Road	<i>Maureen Goldberg</i>	6/6/07
2. Nancy Strauss	97 Principe de Paz	<i>Nancy Strauss</i>	6/6/07
3. FRED STRAUSS	97 Principe de Paz	<i>Fred Strauss</i>	6/6/07
4. PATRICIA PECK	SF, NM 87506 111 LA PAZ LOOP	<i>Patricia Peck</i>	6/6/07
5. KAREN BARNES	51 Bishop Lamy Rd Lamy NM	<i>Karen Barnes</i>	6/6/07
6. PATRICIA LAVENGOOD	ONE GAVILAN CT	<i>Patricia Lavengood</i>	6/6/07
7. LINDA STRONG	#5 Camino Polvillo	<i>Linda Strong</i>	6/6/07
8. ROSAMARIE BAGIONI	28 Camino Capillos Spur	<i>Rosamarie Bagioni</i>	6/6/07
9. <i>Maureen</i>	48 Crown Valle	<i>Maureen</i>	6/6/07
10. Lois K. Lockwood	25 Bishop Lamy Rd	<i>Lois K. Lockwood</i>	"

107 total



SFC CLERK RECORDING 08/24/2007

# CITY & COUNTY RESIDENT'S PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

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Name	Address
1. CHARLES F. PRINCE	3101 OLD PECOS TRAIL #210, SF NM 87505
2. DAVID J. MOREHEAD	3101 OLD PECOS TRAIL #814, SANTA FE - 87505
3. MARJORIE D. MOREHEAD	3101 OLD PECOS TRAIL #814, Santa Fe 87505
4. EILEEN G. HOFFMAN	3101 Old Pecos Trail, #150, Santa Fe 87505
5. HAROLD CUNNINGHAM	601 MONTE ALTO, SANTA FE
6. SARAH F. RISING	2725 CALLE SARINA, Santa Fe NM
7. TERRY B. TEEB	3101 OLD PECOS TRAIL #810 6 11
8. ESTHER SUTAN	3101 Old Pecos Tr. #304 "
9. BEUCE CHEMEL	3101 Old Pecos TR-642, SF 87505
10. Anita Wollmar	2000 A Union DR 9887628

(10)

## CITY & COUNTY RESIDENT'S PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

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Name	Address
1. Stephen Hoffman	3101 Old Pecos Trail #150 SF NM 87505
2. Harold Whit	3101 Old Pecos Trail #202 SF NM 87505
3. Mary H. Bee	3101 Old Pecos Trail #225 SF, NM 87505
4. Peg Polansky	3101 Old Pecos Tr #313 -
5. Don Polansky	3101 Old Pecos Tr #313 -
6. Diane Polansky	736 Calle Esperanza SF 87505
7. Janet Dennis	3101 Old Pecos Trail Santa Fe, NM 87505
8. Phyllis Weiland	2114 Calle Azulejo SF 87505
9. Jimmy PREWITT	3101 OLD PECOS TR. #206 SF 87505
10. FRANK ETRE	3101 Old Pecos Tr #218 SF 87505
11. CAROLYN ETRE	3101 Old PECOS TR #218 " "



## CITY & COUNTY RESIDENT'S PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

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**Name**

**Address**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <i>Red D. Morris</i></li> <li>2. <i>Susan P. Pool</i></li> <li>3. <i>W.W. Workespoon</i></li> <li>4. <i>Mary Ruth Workespoon</i></li> <li>5. <i>Je Ceccarolo</i></li> <li>6. <i>Munira McLean</i></li> <li>7. <i>John Jodas</i></li> <li>8. <i>Marla K. Thompson</i></li> <li>9.</li> <li>10.</li> </ol> | <p># 676 - 3101 Old Pecos Tr.</p> <p>3101 Old Pecos Tr, 686 S Fe</p> <p>#691 3101 Old Pecos Trail S.F.</p> <p>#691 3101 Old Pecos Trail SF</p> <p>#694 3101 OLD PECOS TRAIL SF</p> <p>#694 3101 OLD PECOS TRAIL SF</p> <p>#687 3101 Old Pecos Trail SF 87505</p> <p>2101 Old Arroyo Chamisa, SF, NM</p> |
|--|---|

## CITY & COUNTY RESIDENT'S PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

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Name	Address
1. <i>Shirley M. Keith</i>	3101 Old Pecos Tr. #685, Santa Fe, NM
2. <i>Hilary B. Anastos - Kurose</i>	3101 OLD PECOS TR #685, SANTA FE, NM
3. <i>Don B. Barrett</i>	3101 Old Pecos Trail #689 Santa Fe
4. <i>John R. Thompson</i>	3101 Old Pecos - #620
5. <i>John Stevens</i>	3101 Old Pecos 628
6. <i>Kelsi Sampson</i>	3101 Old Pecos Trail 628
7. <i>Tanya Spaulding</i>	3101 Old Pecos Trail 629
8. <i>Donald Wilkes</i>	3101 Old Pecos Tr 679
9. <i>Marcelo Rainey</i>	3101 Old Pecos Tr. 680
10. <i>Linda L. Nance</i>	3101 Old Pecos #676

# CITY & COUNTY RESIDENT'S PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

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Name	Address
1. <i>Barbara Cochran</i>	3101 OLD PECOS TRL #1668 SFNM
2. <i>Judith B. Lang</i>	3101 OLD PECOS TR. #670 SFNM
3. <i>Robert Lang</i>	3101 OLD PECOS TR. #670, SANTA FE NM
4. <i>John Cochran</i>	3101 OLD PECOS TR, #668 SANTA FE NM
5.	
6.	
7.	
8.	
9.	
10.	

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**Name**

**Address**

- |                                 |   |
|---------------------------------|---|
| 1. BERT & PAULA CROSS           | 3101 OLD PECOS TRAIL #703 SANTA FE NM 87505 |
| 2. Kathy Brennan                | 3101 Old Pecos Tr #114 Santa Fe NM 87505    |
| 3. Carol Elwood                 | 3101 Old Pecos Tr #418 Santa Fe NM 87505    |
| 4. YUKIYE REVELLE               | 3101 Old Pecos Tr. #205 Santa Fe, NM 87505  |
| 5. PATRICIA LOVE                | 72 CAMINO QUIEN SABE SF, NM 87505           |
| 6. Genevieve Reggs              | 2506 Alameda APT 127 SF NM 87501            |
| 7. DEAN Alexis Nuby             | 58 LUZ DEL MUNDO 87508                      |
| 8. ERIKA SANDERS 3101 Old Pecos |   |
| 9. unittor                      | trail.                                      |
| 10. ELAINE CASHMAN 4153         | 3101 OLD PECOS TR #153                      |

## CITY & COUNTY RESIDENT'S PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

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Name	Address
1. Susan + Lee Berk	3101 Old Pecos Trail #664 S.F. 87505
2. MICHAEL GRASKOW	3101 OLD PECOS TRAIL # 913
3. JAMES STUGINO James Stugino	3101 OLD PECOS TRAIL #697
4. Jon Thayer	3101 Old Pecos Trail #204
5. Judith Kinsley	3101 Old Pecos Tr. S.F. 87505
6. James W. Manning	3101 Old Pecos Trail #811 SF 87505
7. [Signature]	3101 Old Pecos Trail S.F. NM
8. J.A. Roberts	3101 Old Pecos Trail #646 87505
9. RICHARD OBERHO	7 SENDA MESCAL S.F. NM 87508
10. Judy Taylor	7 Senda Mesca S.F. NM 87501

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Also, we support the efforts of local, city, county, and state organizations (Arroyo Hondo Land Trust, Arroyo Chamisa Sol y Lomas Association, Old Las Vegas Highway Community Task Force, New Mexico Department of Transportation, and Old Santa Fe Association) to preserve this significant scenic entry to Santa Fe, with its' Route 66 historic road design, and "scenic" and "historic" appearance and highway designations by the Federal Highway Administration for the benefit of all Santa Fe residents, businesses, and visitors.

Name	Address
1. JOHN H FRAZIER	3101 OLD PECOS TRAIL UNIT 641
2. JEANNE E FRAZIER	3101 OLD PECOS TRAIL UNIT 641
3. JANET S. OLLMANN	1029 MANSION RIDGE ROAD
4. HANK MILAM	3101 Old Pecos Trail Unit 621
5. Maria Scott Milam	3101 Old Pecos Trail # 621
6. Linda Robinson / Dave Vialo	3101 Old Pecos Trail # 609
7. Larry M Brennan	1125 Old Santa Fe Trail
8. <del>Geoffrey</del>	3101 Old Pecos Tr. 915
9. Margaret R. Muel	3101 Old Pecos Tr #735
10. Dawn Nell	3101 Old Pecos Trail # 735

## CITY & COUNTY RESIDENT'S PETITION AGAINST THE ANNEXATION & REZONING OF COUNTY LAND TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT

This is a petition against the City of Santa Fe's annexing and rezoning a 15.4 acre parcel of land in the county, designated "Scenic" and "Mountain Corridor" land on the Old Las Vegas Highway near the Old Pecos Trail, in order to approve a 50 home subdivision by Homewise.

We, the undersigned residents of Santa Fe city and county, request the City of Santa Fe **not approve** R3 development on 15.4 acres of land along the Old Las Vegas Highway for the following reasons:

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Name	Address
1. BEN SERBER	3101 OLD PECOS TR, SF 87505
2. GEORGE GOODWIN	" " " " @ 301
3. FRANK GOODWIN	" " " " " "
4. LYNN GOODWIN	" " " " " "
5. CALLIE DUKSIN	" " " " " "
6. TIMOTHY H GOODWIN	23 upper Pond SF 87505
7. DR. M. PERCIVAL	" " " " " "
8. STACE J GOODWIN	1204 GALISTO " 87505
9. LEE ELIZ GOODWIN	1933 SAN ANTONIO DR SF 87505
10. JAKE IVEY	3101 OLD PECOS TR 87505

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Name	Address
1. LARRY E. GOODWIN	7 Apple Blossom Rd 82508
2. JAM GOODWIN	1967 Holly, SF 87505
3. JAKE IV EY	1933 San Jo De Ponso 87505
4. Callie DUBSON	3101 old Pecos Tr. SF 87505
5. RONA GORDER	5526 Toyon Rd, SF 92115
6. DR MELISSA BUSVAL	3101 old Pecos Tr 87505
7. Callie DUBSON	7 Apache Bottom Rd 87505
8. STACE GOODWIN	3101 old Pecos Tr, 87505
9. STEVE GOODWIN	4 4 # 316
10. TIMOTHY GOODWIN	3101 4 4 # 316



SFC CLERK RECORDING 08/24/2007

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Name	Address
1. A.H. PAAY	3101 Old Pecos TRAIL # 667
2. Ethel T. Paay	3101 Old Pecos TRAIL # 667
3. MARJORIE M. LICK ENGEL	632 E. Palace Avenue
4. Frank Engel	632 E. Palace Avenue
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9. Thelma M. Muffenough	3101 Old Pecos TR. # 684
10. J. J. Muffenough	Unit 310 3101 Old Pecos TR.

(10)

**CITY & COUNTY RESIDENT'S PETITION  
AGAINST THE  
ANNEXATION & REZONING OF COUNTY LAND  
TO ALLOW HIGH DENSITY HOUSING DEVELOPMENT**

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3. <i>Bambana Horton</i>	<i>2009 Calle Lejano</i>
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6.	
7.	
8.	
9.	
10.	



# *Pojoaque Valley Community Strategic Plan*



*Prepared by: The Pojoaque Valley Planning Committee  
and the Santa Fe County Planning Division*

*Final Draft - June 2007*

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### **Core Pojoaque Valley Committee Members:**

*The following individuals are those community members that have actively participated in the planning process, and have dedicated their time for the good of the community and for future generations.*

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GARY & NATASYA GUNDERSEN	ORLANDO & BECKY ROMERO	
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Palace of the Governors/  
Museum of New Mexico



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- o Superintendent Toni Trujillo and the Pojoaque Valley School Board
- o The Santa Fe New Mexican – The Pojoaque Edition writers
- o Barbara Williams and the art students that participated in the logo contest

To the tribal leadership of and near the Valley, our deepest appreciation for the time you have taken to meet with us and give us your input and support:

Pueblo of Nambé  
Pueblo of Pojoaque  
Pueblo of San Ildefonso

Pueblo of Santa Clara  
Pueblo of Tesuque

## Executive Summary

The Pojoaque Valley Community Strategic Plan (referred to here as the Plan) is the result of almost 4 years of work by the Pojoaque Valley Planning Committee (PVPC) and the Planning Division of the Santa Fe County Growth Management Department (Formerly the Land Use Department). The process began in late 2002 as a group of citizens from the traditional communities of the Pojoaque Valley came together to identify common issues and concerns and to begin to explore how to address them. A core committee of approximately 15 members has worked by consensus to gather community input, analyze issues and propose solutions.

Several common themes were discovered through this planning process including a desire by the people to preserve the rural character, history and culture of the Pojoaque Valley, improve land use controls and community services to help manage growth, and protect and strengthen relationships between neighbors. People in the Valley also believe that sustainable water and wastewater management are critical to maintain a high quality of life.

Strategic planning was the method chosen by the PVPC to guide the development of the Plan. A vision for the Pojoaque Valley of 2025 and a mission to achieve the vision were drafted. Assessment of the Community was conducted via analyses of strengths, weaknesses, opportunities and threats (SWOT) which focused on the common themes identified above. Community involvement throughout the process included focus group meetings, two community-wide forums, surveys, meetings with Tribal officials, participation in community events and a community-wide open house. A forward-looking scenario for the Pojoaque Valley was developed and, in combination with the results of the SWOT analysis and community feedback, refined to focus on specific goals and the actions necessary to achieve them. A summary of these goals and actions is presented below. A strategy of implementation of these actions has been proposed and various means of monitoring the progress of the actions have been suggested.

The Goals and Proposed Actions of this Community Strategic Plan include:

**Goal One: Create public places that can support community and serve our youth.**

ACTION 1A: Provide a multi-purpose community center for educational and community-oriented programs and events.

ACTION 1B: Create a connected trail system, which will also serve as a running course for the Pojoaque Valley High School sports teams.

ACTION 1C: Promote community support for quality education, and advocate for more job opportunities and recreation for Valley Youth.

***Goal Two: Ensure a clean water supply.***

- ACTION 2A: Preserve acequias and improve diversions and delivery systems.
- ACTION 2B: Develop and implement strategies for domestic water conservation.
- ACTION 2C: Protect domestic water supplies.
- ACTION 2D: Pursue options for wastewater management and treatment systems.

***Goal Three: Strengthen and build community relationships and communication between neighbors and government entities and increase local input into zoning regulations.***

ACTION 3A: Consider a "Youth Council" of both Pueblo and Traditional Community youth that can work directly with the School District, the County and the Pueblos on youth-related issues.

ACTION 3B: Address the following community problems in collaboration with governmental agencies and other organizations:

- Vandalism and Graffiti
- Trash and Dumping
- Road Maintenance
- Speeding
- Drugs/Alcohol Abuse
- Suicide Prevention
- Teen Pregnancy
- Animal Control

ACTION 3C: Communicate, evaluate, and modify existing zoning regulations as needed to address growth and land use issues, such as density, family transfers, and affordable housing.

***Goal Four: Grow the local economy.***

ACTION 4A: Establish mixed-use districts or "corridors" for Valley businesses.

ACTION 4B: Revitalize traditional agricultural practices.

ACTION 4C: Promote an arts and crafts economy in the Valley.

ACTION 4D: Support home businesses and home occupations.

***Goal Five: Create an entity that looks after the interests of the Valley by implementing the Community Strategic Plan, and is able to plan cooperatively with the County, State and Federal governments, the Jacona Land Grant, and the local Pueblos.***

After approval of the Plan and the Ordinances associated with the above Action Plans, a local development review committee will be formed. This committee will be the recommending body charged with monitoring and implementing the Plan.

## I: The Planning Process

### ***Santa Fe County Community Planning:***

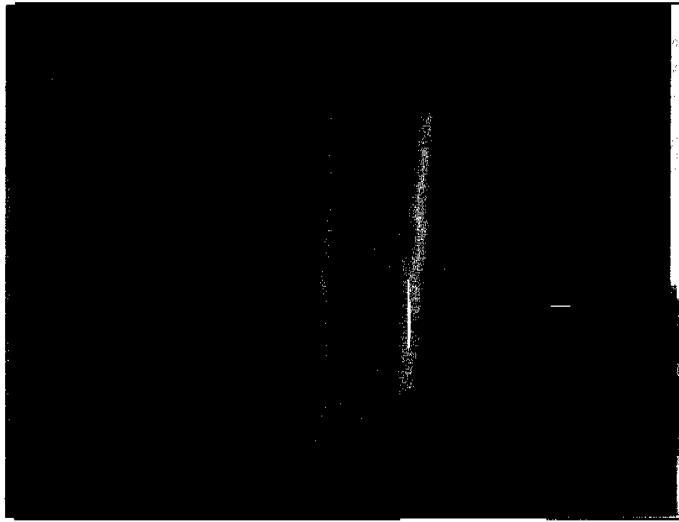
The 1980 Santa Fe County General Plan first identified Traditional Communities throughout the County. This identification was devised to recognize areas in the County that had been settled at densities higher than the hydrologic studies and 1980 General Plan would allow, where there was a long history of family settlement and where the opportunity existed to provide or improve water and sewer systems.

The original criteria for Traditional Community status has been continued and incorporated into Article XIII of the County Land Development Code. A place that receives a traditional community status must have the following criteria:

1. Continuous settlement since 1925;
2. A historic pattern of diverse and mixed community land uses which carried through to the present;
3. Presence of historic structures;
4. Existence of a village center.

The Pojoaque Valley settlement areas of Nambe, Pojoaque, Jacona, Jaconita, El Rancho and Cuyamungue were designated as Traditional Communities in the 1980 General Plan based on the criteria above.

As unincorporated communities throughout Santa Fe County have experienced rapid growth over the past two decades, community members realized that planning would be a necessity to address the issues in a proactive, not reactive manner. Therefore, in 1996, the Board of County Commissioners requested that the Land Use Department and Planning Division begin working to help Traditional Communities and Contemporary Communities develop local land use plans. Santa Fe County Ordinance 2002-3 (which revised Ordinance 1998-5) is known as the Community Planning Ordinance and describes the process for conducting community plans and provides for County staff to assist communities in developing plans.



Essentially, community planning is a means for unincorporated communities to have a voice about future development and growth. Community planning is a process by which residents, business owners, and property owners can examine their area and decide what and how change can best be managed to support and protect community resources. Planning includes solving problems, but also expressing a clear vision for the future. A plan is the result of the community identifying a common set of concerns, goals to work toward addressing these concerns, and guidance for the adoption of clear policies to achieve the goals for managing future development and growth in the community.

Planning for Traditional Communities must be consistent with the history and culture of the community and the ways that past effective planning efforts have shaped the area. The planning process must include the opinions, vision, and values of residents, business owners, property owners and other stakeholders in order to be representative of the community. The process involves looking at issues that all community members may not agree on but have a shared interest in addressing. Planning requires an open and inclusive dialogue so that all voices are heard and acknowledged.

An advantage to the planning process is that a community can be empowered to work more as a collective body rather than as individuals, thus impacting the greater community. Having a plan in place can empower a community to be proactive about the future and their role in it.

### ***What is Strategic Planning?***

According to the International City/County Management Association (ICMA) publication, **Strategic Planning for Local Government**, strategic planning in the public sector is a systematic process that enables a community to understand the numerous future environments in which it might exist, establishes consensus about how best to achieve its most desired vision, and illuminates the actions that will most likely make that happen, all within the context of expected available financial and human resources.

Strategic Planning is a means of understanding change, forecasting change and setting a course of action to manage the expected implications of change. When the Strategic Planning process is complete, the community should have agreement on at least the following elements:

- **A Vision** for the community in the future
- **A Mission Statement** for the community
- **A Community Assessment** and conclusions about what the unplanned future might be like

- A complete list of the community's **Strengths and Weaknesses** as well as its **Opportunities and Threats (SWOT)**
- **Actions** with identified time frames
- An **Implementation Plan** that includes time lines and groups or individual assignments
- A description of the plan's relationship to County government
- A **Schedule** for performance assessments, periodic reviews and replanning, if necessary.

### ***Why Choose Strategic Planning?***

A particular challenge for Traditional Communities such as those in the Pojoaque Valley is that, as an unincorporated community, decisions about planning and governmental resources and services are top down. In the past, the community has had a limited role in these decisions, mostly in communication and collaboration with the elected County Commissioner and/or the State legislators representing this area.

With the implementation of a formal community planning process (Santa Fe County Ordinance 2002-3), Traditional Communities were provided with a mechanism for undertaking community plans and putting them into legal ordinances. Many Traditional Communities have chosen the comprehensive methodology for their plans. However, such plans can sometimes be difficult to implement, fund and monitor over time. For this reason, in 2003, the PVPC decided to choose a strategic planning methodology because committee members felt that a strategic planning approach would better help them control their future.

For a more detailed timeline of the Pojoaque Valley Planning Committee and the work that has been accomplished, please see the Planning Committee Timeline in **Appendix D**.

## The Importance of Planning for the Pojoaque Valley

The Pojoaque Valley has a history of unique design characteristics and settlement patterns and like many of the Traditional Communities of Santa Fe County, is currently facing critical issues brought about by increases in population, erosion of the agricultural base, development pressures, and inadequate infrastructure and services. Unlike many of the other Traditional Communities, however, the Pojoaque Valley shares its landscape with the Native American Pueblos of Nambe, Pojoaque, and San Ildefonso. This unique relationship presents different challenges and opportunities especially related to boundaries, economic development and infrastructure.



A dramatic change in the Pojoaque Valley occurred about 10 years ago with the advent of Indian gaming, followed by a rapid increase in commercial development, primarily on tribal land. In late 2002, a group of citizens, concerned about the disparate development patterns in the Pojoaque Valley, assembled, and with the support of the County, began to explore how an unincorporated area could manage future growth and development in the Valley.

At an initial public meeting held in October, 2002 and attended by members of all of the Traditional Communities, the following community issues were identified as important to consider in a community plan:

- Agricultural and Cultural Resources Protection
- Air, Light and Noise Pollution
- Problems with ATVs (all terrain vehicles) – safety, liability, trespassing
- Community Facilities and Services – fire, police, community centers
- Housing – affordable housing, opportunities for additional housing, balanced growth, areas appropriate for housing
- Infrastructure – roads, utilities and high tech communications
- Lack of Public Transportation
- Land Use and Zoning Problems – land use controls, code enforcement, density, rural area protection, commercial mining, pollution

- Limited Open Space – recreational facilities and bike lanes
- Maintain Rural Lifestyle
- Planning Boundary Issues – original land grant deeds and boundaries, property ownership
- Pueblo Participation and Involvement in the Planning Process
- Trash – illegal dumping, no solid waste disposal system
- Tribal Land – sacred sites and sovereign rights
- Water Preservation and Conservation – water rights, acequias, quality of drinking water, waste water treatment and disposal.
- Youth Participation in Community Issues

Since several issues common to the Traditional Communities of the Pojoaque Valley were identified, a decision to work collectively to solve them via community planning was made. The Pojoaque Valley Planning Committee (PVPC) was formed, members from each of the Traditional Communities were identified, roles of committee members were defined, and the consensus process was chosen for committee business. A petition to formally begin the planning process for the Pojoaque Valley was drafted and on December 10, 2002, the Board of Santa Fe County Commissioners approved Resolution 2002-163 to initiate the planning process.

We have discovered through this planning process that the people of the Pojoaque Valley have a strong desire to preserve the rural character, history and culture of the Valley, improve land use controls and community services to help manage growth, and protect and strengthen relationships between neighbors, including our Pueblo neighbors. People in the Valley also believe that sustainable water and wastewater use are critical to a high quality of life.

This is the first time that the Pojoaque Valley communities have collectively addressed such a comprehensive list of concerns. Developing the Pojoaque Valley Community Strategic Plan has been a concerted effort to take all of these concerns into consideration and craft a strategic plan that provides both short-term and long-term actions. The goal of planning and zoning in this area is to preserve the intrinsic character and integrity of the Valley, while enabling growth in the community over time.

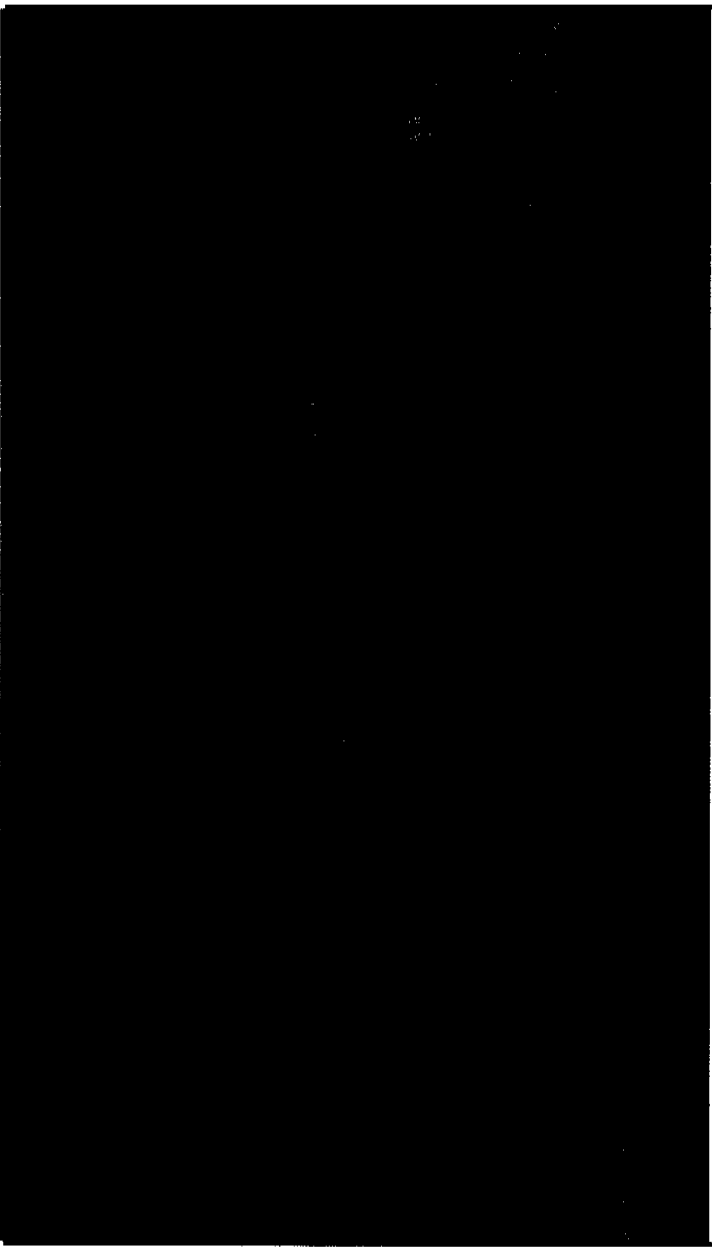


**Major Themes**

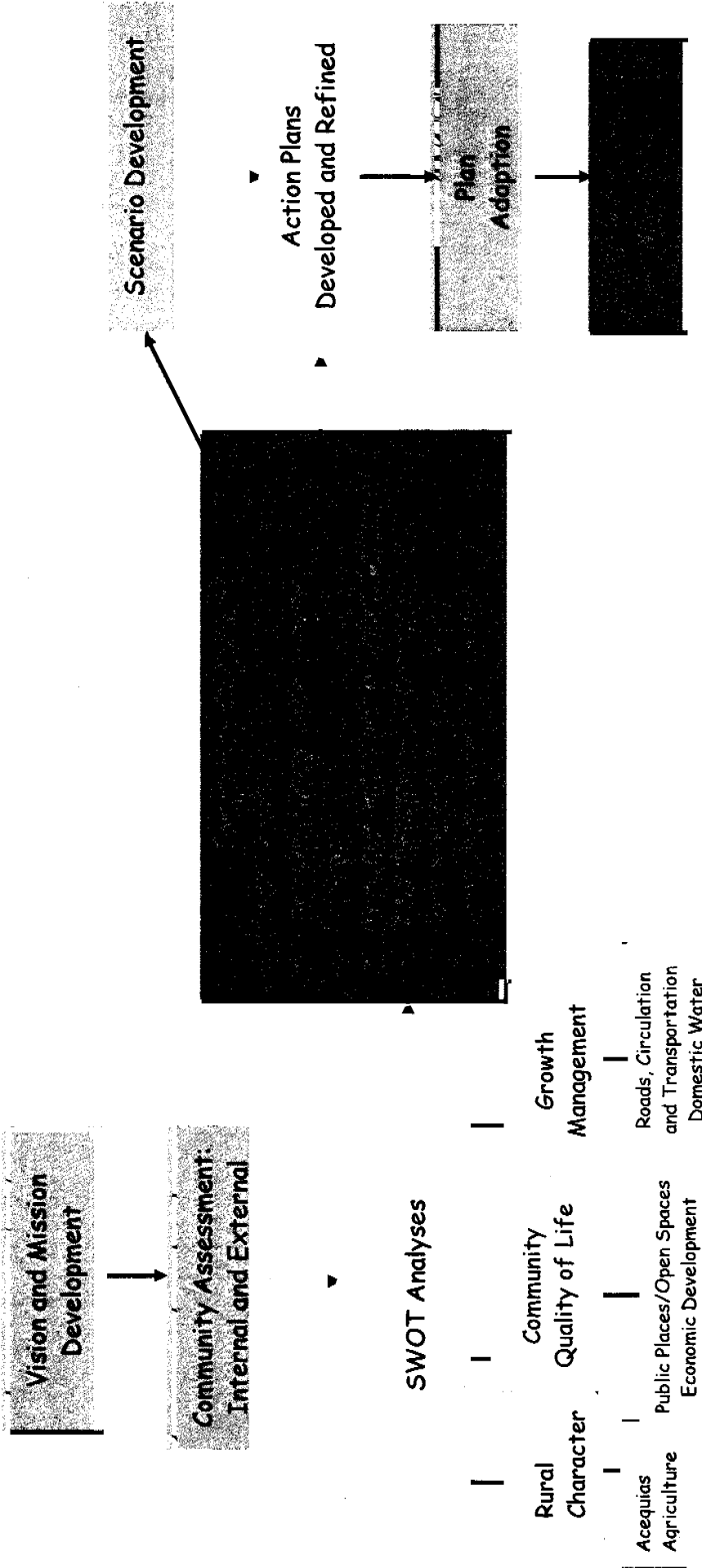
At meetings held during March 2003, the Pojoaque Valley Planning Committee (PVPC) reviewed several different planning methodologies and agreed to undertake the Pojoaque Valley Community Plan as a Strategic Plan. In addition, the Committee also agreed that the Community Strategic Plan would focus on five major consolidated issues:

1. Water and Wastewater
2. Land Use and Growth Management
3. Rural Lifestyles and Agriculture
4. Pueblo Relationships, including Boundaries and Roads
5. Community Facilities and Services

At this time the Committee was ready to move forward with a strategic, yet community-oriented planning process.



# Pojoaque Valley Community Planning Process



## Community Involvement

The Community Planning process has incorporated extensive public outreach activities, which have included several community-wide mailings using the County Assessor's database, periodic newspaper display advertisements or bulletins in the Pojoaque Valley section of the New Mexican, and flyers posted in community spaces like the post office and the grocery store, to name a few. Community members who attended meetings were included in a mailing list and were sent regular notices and agendas of the bi-monthly planning committee meetings through Santa Fe County Planning Division. A website on the County home page for the Pojoaque Valley Planning effort was also created to allow access to historical information about the planning process, past community meeting notes and summaries from the past three years, and future meeting dates.

Focus group meetings were held at the beginning of 2005 in order to solicit broader community input and to prepare for the community-wide forums. The five focus groups that were held were with a neighborhood association in the Valley, a high school youth group, a senior/elder group,

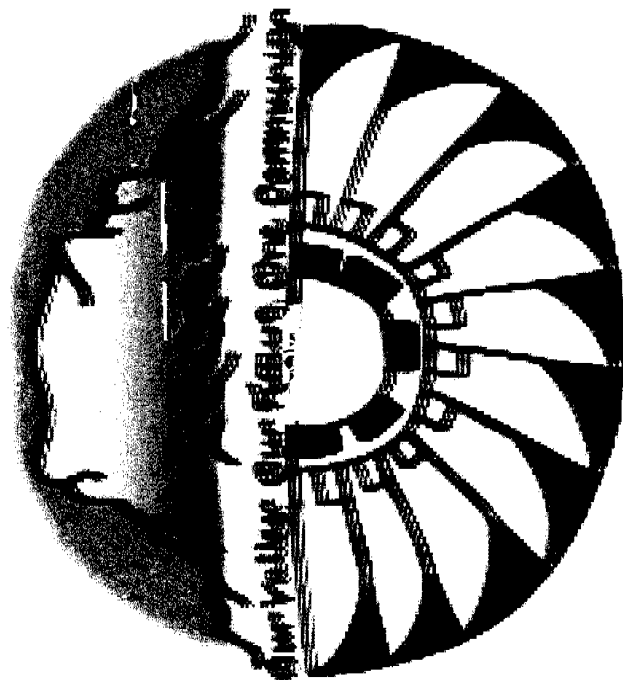


an acequia/farming group, and a local business owners group. These focus groups provided invaluable information about some of the issues each of them were facing in the Valley, and what each of the groups would like to preserve and protect. In addition, a survey was created to get more feedback. This survey was circulated during the various community events the committee participated in such as the Pojoaque Festival and The Gathering for Mother Earth.



The committee then held two Community-Wide Forums, one in February and one in August of 2005. Both of these forums were held in order to present information to the public about what the committee saw as important issues and to get feedback on these topics. At the first Community-Wide Forum the Committee sponsored a logo contest. As a way to get the youth involved, the Committee asked two art classes at the Pojoaque Valley High School to be involved in designing the logo for the PVPC. The students produced some magnificent work for the contest. Although not all could be selected, the winner of the logo contest was Steven "Ike" Martinez, whose logo is displayed below. The logo winner was selected by community participants at the 1<sup>st</sup> Community-Wide Forum. Steven was presented with a \$100 award and a certificate. The 2<sup>nd</sup> Place winner was given a \$50 award and a certificate. The Honorable Mentions were each given an award certificate. All students were individually honored at a PVPC meeting in April 2005.

The Pojoaque Valley Community Open House was the final community outreach event held on May 19, 2007. This event was well attended and gave members of the community a chance to give their feedback on the final draft of the Strategic Plan, but in a community-oriented and less formal setting.



Steven Ike Martinez -- 1<sup>st</sup> Place (logo at left)

Joseph Romero -- 2<sup>nd</sup> Place

Julia DePaula -- Honorable Mention

Casey Geyer - Honorable Mention

Angelica Maestas - Honorable Mention

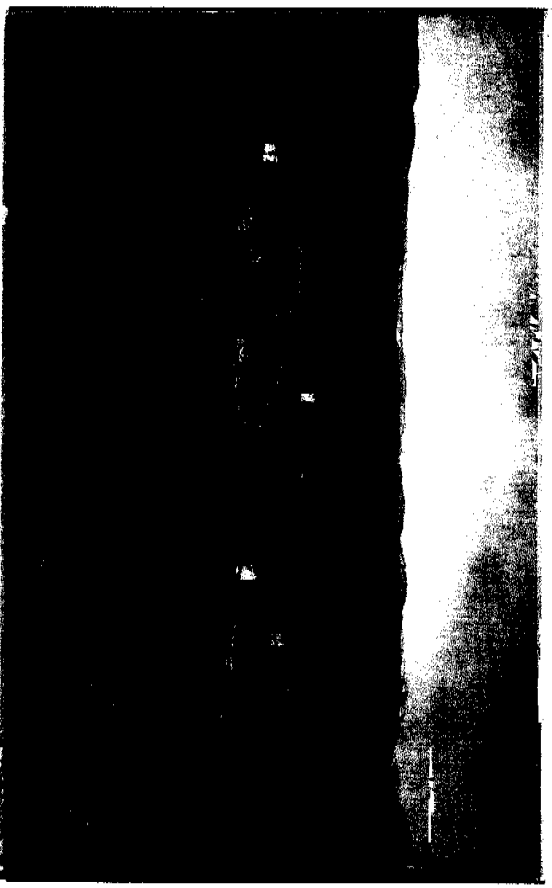
## II. Background and Context

### *A Brief History of the Pojoaque Valley*

The Pojoaque Valley is a historic community of Indigenous and Hispano peoples that has survived and thrived despite semi-arid lands receiving unpredictable precipitation, a history of struggle over land and water, and the complexities of changing times for consecutive generations up to the present era. The place-name Pojoaque comes from the indigenous word, *Po´suwae´geh*, which translates as “*the water drinking place or where the rivers meet*”. The name conveys a geographical reference to the confluence of two rivers; the Rio Nambé and the Rio Tesuque, which creates the Rio Pojoaque.

### *Early Settlement and Pueblo History*

The ancestors of the original inhabitants of the Valley were said to have migrated from Chaco Canyon and Mesa Verde to the Pajarito Plateau around 1200 to 1500 AD. Due to a long-lasting drought and other factors, those earlier sites were abandoned and the people migrated to other areas including the Pojoaque Valley. The ancestral Tewa settlements of the Valley were established following this migration, and were occupied through the Pueblo Revolt of 1680. Following the Spanish Reconquest of 1692, the Cuyamungue and Jacona Pueblos were destroyed by Spanish soldiers, and the surviving villagers fled to the neighboring Tewa Pueblos of Tesuque, Pojoaque, Nambé, and San Ildefonso. From 1540 to 1848, the Pueblos fell under Spanish, then Mexican governance. In 1848, the Pueblos became part of the United States.



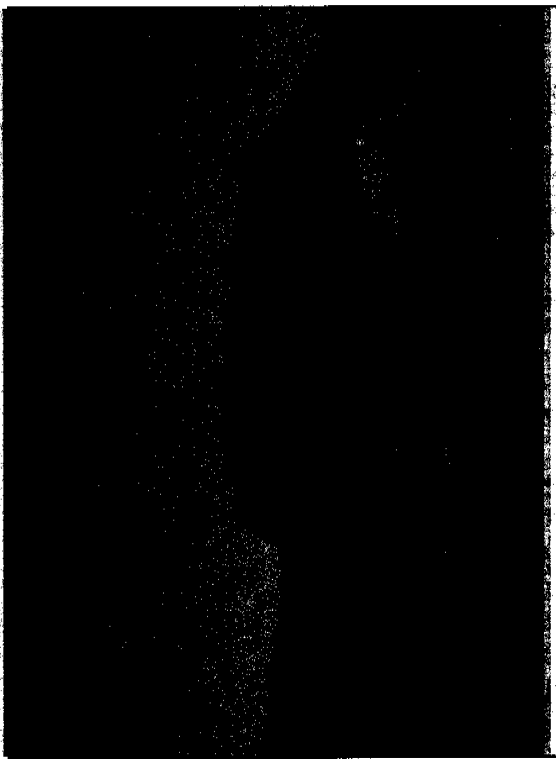
*Nambé Pueblo, circa 1880* Photo by: John K. Riddle  
Courtesy of Palace of the Governors (MNM/DCA) - Negative no: 7638

The cultural and traditional legacies of Pueblos in the Valley have faced serious challenges throughout history. The combined consequences of warring nomadic tribes, the Spanish conquest, smallpox, lack of water and a diminished land base due to encroachment all contributed to reduced populations of the Pueblos in the Valley over time. The current Pueblos of Nambé, San Ildefonso and Pojoaque have both common and distinct histories, and have survived through the difficult periods that have occurred in the Valley.

Pojoaque Pueblo, in particular, was essentially unoccupied by the end of the nineteenth century. A turnaround began in the 1930s, however, when several families returned to Pojoaque, and the Pueblo received permanent federal recognition as part of the Indian Reorganization Act.

Nambé Pueblo has been continuously occupied since the mid 1300s with several villages originally distributed along the eastern end of current Pojoaque Valley. Around 1700 the last of these sites was abandoned and the current Nambé Pueblo became a central village. The Spaniards found the Nambé area particularly attractive for agriculture and settled near the Pueblo. The Rio Nambé originates in the Sangre de Cristo Mountains above Nambé Pueblo, and has historically been a major source of water for agricultural irrigation.

San Ildefonso Pueblo lies at the western end of the Pojoaque Valley adjacent to the Rio Grande. The Pueblo was established in the late 1500s and early 1600s where water for crop irrigation was plentiful. San Ildefonso is easily located by the identifying natural landmark of Black Mesa, or *Tunyo*, in Tewa, which is intimately connected with the life, religion and history of the Pueblo. It was from the top of Black Mesa that the San Ildefonso people fought off Spanish soldiers in 1694. The production of pottery at San Ildefonso underwent a major revival beginning in 1880 with the development of new designs, leading to the Pueblo now being internationally recognized for the distinctive black on black matte pottery style.

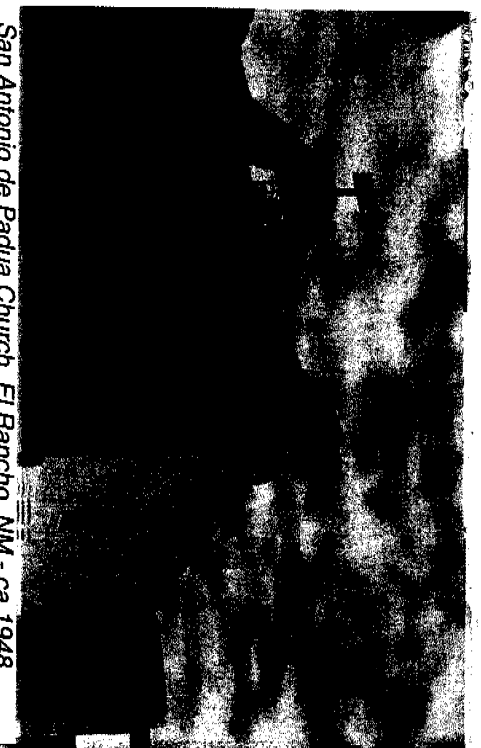


*Tunyo, also referred to as Mesa Huerfana and Black Mesa is a visible landmark in San Ildefonso.*

## ***The Colonial Period and Beyond***

In 1540, inspired by stories from Cabeza de Vaca's expeditions, Coronado's expedition to New Mexico and the search for the Seven Cities of Cibola began. It was Don Juan de Onate who later established permanent settlements in northern New Mexico in the late 1500s in what is now Ohkay Owingeh (San Juan Pueblo). El Camino Real was established between El Paso del Norte and Santa Cruz, New Mexico during this time. In 1680, Pueblo Indians revolted against the Spanish in New Mexico, causing the Spanish to flee to El Paso, however in 1692 Don Diego de Vargas re-conquered the capital of the New Mexico territory. Mexico won independence from Spain in 1821 and expelled Spanish officials from New Mexico. War between Mexico and the United States concluded in 1848 with the Treaty of Guadalupe Hidalgo which placed the territories of New Mexico and California under control of the United States. New Mexico became a Territory on September 9, 1850 and a State on January 6, 1912.

During this entire period, settlement of the Pojoaque Valley continued to occur as both individual homesteads and family compounds were built, farms and ranches were established and *capillas* (chapels) and churches were constructed. Each of the now-designated Traditional Communities developed as families continued to grow and more settlers arrived. Land and water were key components to these settlement patterns as agriculture was a basis for most land use, and these two intertwined factors have played a major role in the history of the Pojoaque Valley.



San Antonio de Padua Church, El Rancho, NM - ca. 1948  
Photo by: Tyler Dingee  
Courtesy of Courtesy Palace of the Governors  
(MNM/DCA) Negative no: 91893



Land Use Patterns in Nambé - ca. 1935 Photo by: T. Harmon Parkhurst  
Courtesy of Palace of the Governors (MNM/DCA) - Negative no: 40963

### *Land Grants*

In 1692, after the Reconquest, many land grants were given to followers of Governor Diego de Vargas. Instead of the practice of *encomiendas* (a form of land granted, typically to soldiers and settlers), the 18<sup>th</sup> century land grants tended to be private grants, where the individual who owned the land could sell it after the possession requirements were met. Community land grants became more prevalent in the nineteenth century. For community land grants, a family or group of families were usually given an allotment of land for a house, an irrigable plot, and a portion of unallotted land that was held in common for such uses as pastures, watering places, firewood, hunting, fishing, gathering plants/vegetation, and rock and mineral quarrying.

In 1702 Don Ignacio Roybal applied to Governor Cubero for part of the abandoned Jacona Pueblo land. He was granted this land in 1735 by King Philip V of Spain. This grant, known as the Jacona Land Grant, was one of 295 grants created to encourage frontier settlement by the Spanish and Mexican governments from the late 1600s to 1846. The Spanish Crown granted land to the Pueblos starting in 1689.

### *Communal vs. Private Property*

As the community land grants indicate, land was historically perceived as communal property. Land grants often took an organic form in concurrence with the natural landscape and based on foundations of social relations. However, when New Mexico became part of Mexico, later a Territory and then eventually part of United States, determination of private and public lands began to shift. During Mexican governance, legislation was created allowing the unused communal lands of both Indians and Hispanos to be distributed among private hands, creating a checkerboard pattern of land ownership. Further adjudication of land occurred in structured patterns such as the grid-like townships forms.

The Office of the Surveyor General of New Mexico was established in 1854 and the Court of Private Land Claims was created in 1891 to address land claims. As an example of one such claim, in 1893 the Court acknowledged 6,952 acres of the Jacona Land Grant, but stipulated that the heirs had to pay property taxes. In 1929 the Grant was seized by the federal government for failure to pay taxes. Several shareholders bought the Grant back that same year and reorganized it as a private, unincorporated association (Jacona Land Grant Association). Today 102 shares are divided among the estimated 318 members. Numerous other private land claims in the Valley, including payments to Pueblos for lands lost from federal neglect, were settled after the 1924 Pueblo Lands Act but water rights were not adjudicated at the same time, setting the stage for future conflict.



### *Acequia Culture*

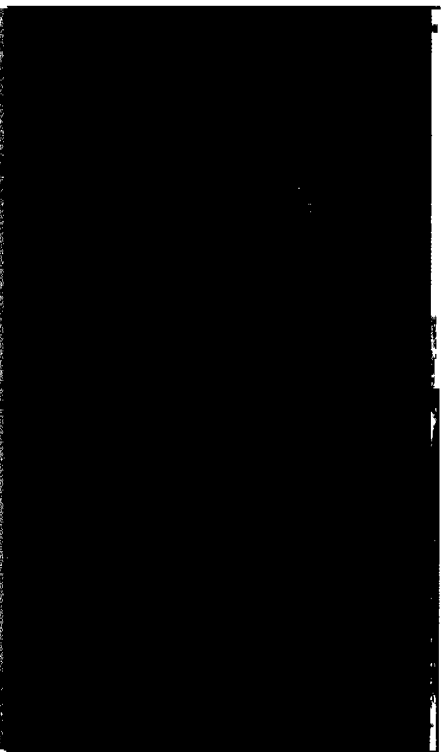
Although the Pueblos had a system of irrigation and water movement, the Spanish settlers developed an *acequia* system in the Pojoaque Valley to expand systems that were already in place. As an example, between 1723-1725, Don Ignacio Royal initiated construction of the *Acequia Madre de los Senores Roybales* (Now known as the *Acequia Larga de Jacona*). The *acequia* organizations in particular were responsible for overseeing the equitable distribution of irrigation water in the Valley and in other rural communities throughout northern New Mexico. The most important role of the *acequia* was that it was a source of livelihood; using the water to assist in the cultivation of food for sustenance and survival. This irrigation institution was the basis for collective action as community was united through a system that provided self-sufficiency and self governance. Land use patterns were often referenced to *acequias*, with clustered homes situated above an *acequia* on an elongated lot with the agricultural land below the *acequia*.

### *Modern Times*

While agriculture and mutual cooperation guided much of the early development of the Pojoaque Valley, the increasing population and shifts in land use patterns have brought about changes in the nature of the Traditional Communities. Some of these changes are manifest in historical and current conflicts created by the interweaving of private and Pueblo trust lands. Outside influences have also affected the sense of community and cooperation in the Valley. Mutual aid societies such as La Sociedad Proteccion Mutua de Trabajadores Unidos, or S.P.M.D.T.U., established in 1929, united Hispanos to assist and protect members from inequities. New Deal programs of the 1930s brought English-language schools to the Pojoaque Valley and the establishment of the Los Alamos Scientific Laboratory (now Los Alamos National Laboratory) in 1943 offered employment to many in northern New Mexico. As the Laboratory grew, homes and land in the Traditional Communities were purchased by scientists and engineers and agriculture was impacted by the loss of irrigable land to residential development.

The first volunteer fire department in Santa Fe County was established by community members in Pojoaque in 1959. The Pojoaque Valley Irrigation District was formed in 1969 and the Nambé Dam was constructed by the US Army Corps of Engineers in 1974, enhancing the *acequia* system with a more reliable source of water, but also complicating

La Sociedad Protección Mutua de Trabajadores Unidos in Nambé - Present Day





*Pojoaque Canteen, Pojoaque, NM, June 1949*  
Photo by: Anaelato G. Apodaca  
Courtesy of Courtesy Palace of the Governors  
(MNM/DCA) Negative no: 149284

In the late 1980s, tribal gaming emerged as a rapidly-expanding form of economic development in New Mexico. The Pueblo of Pojoaque opened the Cities of Gold Casino in 1995, driving a rapid expansion of both residential and commercial development in Pojoaque. The major highways in the Pojoaque Valley were reconstructed during the 1980s and 1990s, both better connecting the Valley with Santa Fe, Espanola and Los Alamos and bringing additional pressures to the rural character.

Still, the people of the Pojoaque Valley have a history of collaboration; land-use decisions were made in the past in ways that were cooperative and respectful, issues were discussed face to face and there were shared gathering places where people came together as a community. Today we are at the point where collaboration and community involvement will be important in solving present and future issues.

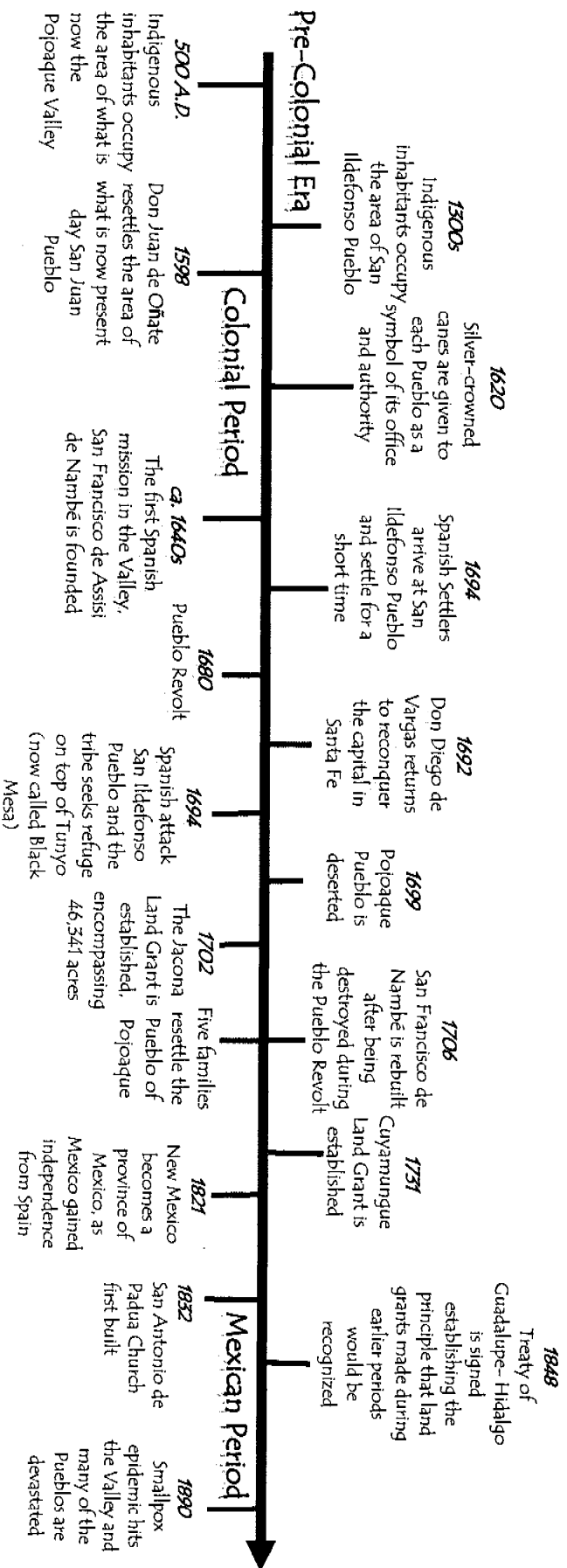
disputes over water rights. The State of New Mexico vs. Aamodt water rights adjudication lawsuit was filed in 1966 to determine the surface and ground water rights of users in the Nambé, Pojoaque and Tesuque drainage basin (the Pojoaque Basin). This determination was necessary as a result of congressional legislation in 1962 that provided for water storage projects such as the Nambé reservoir because its cost had to be fairly distributed among the users. Over the years several legal precedents have been set, including both the limitation of Pueblo water rights to historical beneficial use based on the doctrine of prior appropriation and its subsequent reversal. Prior rights of the Pueblos were later legally established, while other water rights were still unresolved. In 1999 a federal judge ordered the parties to engage in negotiations which are still in process.



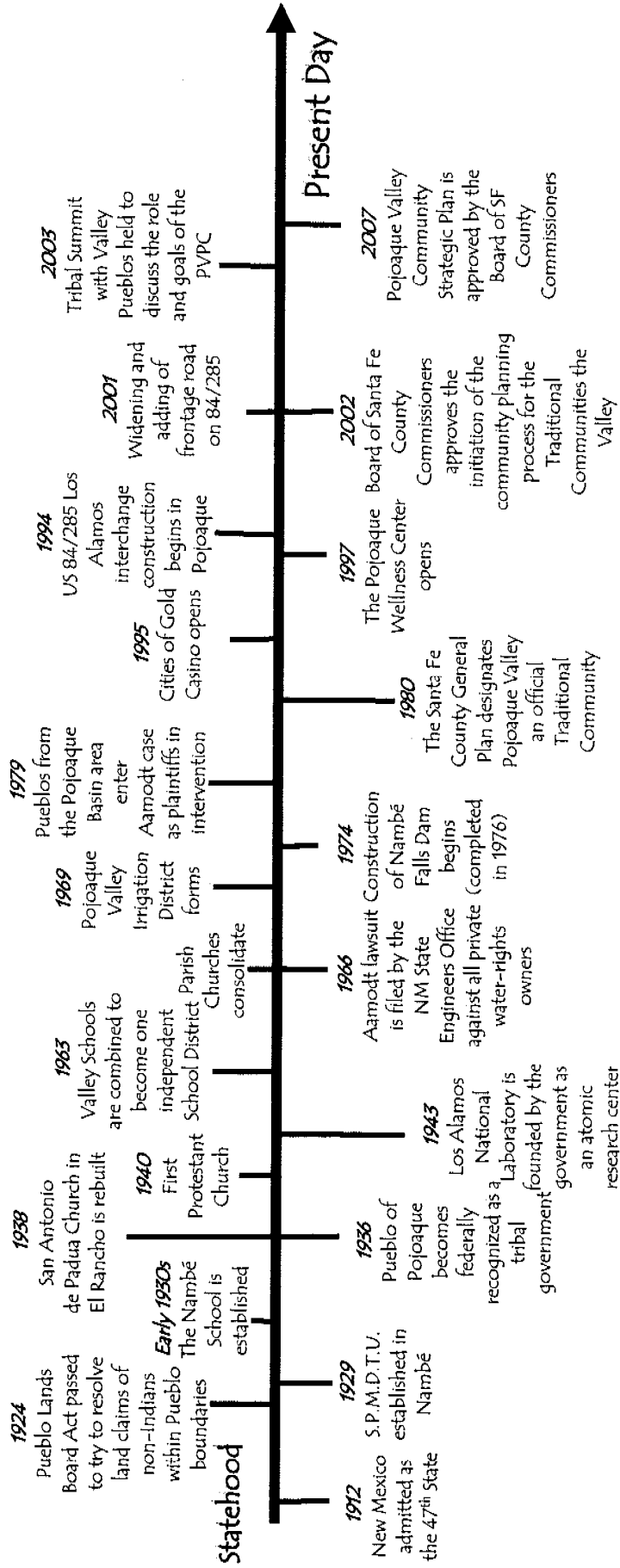
*Los Matachines Dance in El Rancho for New Year's Day*

collaboration and community involvement will be

## Historical Timeline of Pojoaque Valley Key points in history that have had an impact on the Valley



## Historical Timeline of Pojoaque Valley (continued)



# Trends in the Pojoaque Valley

## CHARACTERISTICS OF THE VALLEY

### *Physical and Social Domains*

As defined for this strategic plan, the "Greater Pojoaque Valley" includes (a) all land located within the Federally-defined reservation boundaries of Nambe, Pojoaque and San Ildefonso Pueblos, plus (b) that portion of the Jacona Land Grant which lies north of State Highway 502, plus (c) that portion of the Cuyamungue Land Grant which lies outside Pueblo boundaries.

So defined, the Valley extends across 101.3 square miles (64,850 acres), accounting for 5.3% of the County total.

The Pojoaque Valley Traditional Community District, as designated by the Santa Fe County's 1980 General Plan, lies entirely within the Greater Pojoaque Valley (see context map of the District in **Appendix F**). The District occupies 7.4 square miles (approximately 4700 acres) of land. Although the District occupies only 5% of the Valley's geography, it currently contains 69% of the Valley's population and 28% of its current employment.

Jurisdictionally, land use planning and regulatory authority within the District (as well as the non-Pueblo portions of the Jacona and Cuyamungue Land Grants) resides exclusively with Santa Fe County. Regulatory authority for development of lands contained within each Pueblo's boundaries, but outside the proposed District, is vested in each of the three respective Pueblo councils of Pojoaque Pueblo, Nambe Pueblo, and San Ildefonso Pueblo. Tribally-controlled lands occupy 88% of the Valley's landscape. Non-tribally owned lands -- including the currently proposed Pojoaque Valley Traditional Community District, the Jacona Land Grant, and a portion of the Cuyamungue Land Grant -- occupy the remainder (Pitts, 2006).

### *Rural Character*

The Pojoaque Valley has been a traditional agricultural settlement with a land tenure and social tenacity that makes it unique. The families that have held the land for centuries have created the Valley's own distinct world-view and tradition of intercultural cooperation. On the other hand the Pojoaque Valley is not monolithic. Although each community that makes up the Valley has a different history. Dependency on the land and the need to work together has bound these

communities together in the face of environmental hardships, social and political struggles, and more recently, the growing pains associated with changing cultural and economic factors.

Today, the Valley has remained relatively rural compared to the more urbanized centers of Santa Fe, Espanola and Los Alamos that surround it. Although the Valley lacks many of the services and amenities found in urban areas, it has retained a unique rural character and the nuances of rural living. The feeling of openness is due in part to the adjoining lands belonging to the Pueblo Indians. These protected Pueblo lands provide natural viewsheds. In addition, the dense but rural nature of the Traditional Communities will not allow the proliferation of growth.

The rural character of the Valley remains important to community residents. Residents prize their ability to use their land for a mixture of uses including agricultural, residential and non-residential uses. Committee members have identified rural land patterns as desirable although there is recognition that activities in the surrounding Pueblos will provide impetus to growth and development.

### **Existing Zoning**

Areas of the Pojoaque Valley designated as Traditional Communities that qualified for a community planning process in Zoning Districts (TCZD) were created under the 1980 County General Plan. The intention of this designation was to



*Pojoaque, NM, ca. Undetermined*  
Courtesy of Courtesy Palace of the Governors  
(MNM/DCA) Negative no: 40962

Photo by: T. Harmon Parkhurst

preserve the land use pattern and character of Traditional Communities in Santa Fe County. The Santa Fe County Land Development Code addresses zoning in Traditional Communities as follows.

Minimum lot size in the TCZD is one dwelling unit (du) per three quarters of an acre (3/4 ac). Minimum lot size can be reduced to one third of an acre (1/3 ac) with community water and sewer.

## **EXISTING CONDITIONS**

### ***CURRENT POPULATION, HOUSEHOLDS, AND HOUSING***

In 2005, approximately 7200 persons inhabited the Greater Pojoaque Valley. Of this number, 5000 reside in the Traditional Community District  
900, on tribally owned lands within Pojoaque Pueblo  
1100, on tribally owned lands within Nambe and San Ildefonso Pueblos  
200, in the non-pueblo portion of the Cuyamungue Land Grant

The Valley contains approximately 3100 homes (2175 of which are located in the Traditional Community District). Valley households number 2800 (of which 2000 inhabit the Community District).

At present, Valley residents account for 9.6% of Santa Fe County's estimated "rural" population (i.e., County residents who live outside the City of Santa Fe).

Noteworthy characteristics of the Valley's population include:

- As compared to the rest of the County, the population is more Hispanic and Native American in character (59% and 19%, as compared to rural County averages of 50% and 4%);
- The Valley hosts relatively more elderly (age 65+ ) persons;
- Net in-migration into the Valley has been less than elsewhere in the County; in 2000, 71% of the population lived in the same homes they lived in 1995 (versus 59% in the rural County);
- Valley residents have less formal education, and have lower incomes; than the County norm;

- Valley residents are highly reliant on employment at Los Alamos, less dependent on the City of Santa Fe; 28% work in Los Alamos, 39% in the City (as compared to averages of 9% and 53%, in the rural County as a whole);
- The proportion of mobile homes (25% of all housing) is slightly lower than the rural County average; vacation homes are few.

### ***CURRENT EMPLOYMENT***

In 2005, the Valley hosted an estimated 1282 jobs. Approximately 28% (360 jobs) of the Valley's employment is located in the Community District; 72%, outside the District (almost entirely on tribal lands). A large majority of the Valley's employees (952) work in the area's public schools, other government services, and the Valley's resort, recreation, and lodging complex.

The Valley's jobs-to-population ratio (18 jobs per 100 residents) is virtually identical to the rural County average. However, the Valley's jobs are disproportionately concentrated in educational and other government services and in the lodgings/entertainment/recreation industries. These activities account for 74.3% of the Valley's employment. In contrast, local service employment is very low. For New Mexico communities of similar size, private-sector workers who provide retail goods and consumer services to the local population typically average 18 employed workers per 100 local residents. The Valley average is 3.

Principal employers within the Valley are the Valley's resort complex and the Pojoaque high school and elementary school. Together, they account for approximately 840 of the Valley's employees. Government employment accounts for another 112 jobs; retail establishments, 104.

### ***DEVELOPMENT TRENDS***

Population and housing growth in the Valley has been slower than the rural County average. Growth on non-tribal lands has been declining; growth on tribal lands (mostly, within Pojoaque Pueblo) has been increasing. On balance, the increase in tribal-lands growth has offset recently declining growth on non-tribal lands.

Annual population growth in the County (outside the City) averaged 4.5% during the Nineties, but since 1997 has dropped to an average of 2.2% per year. In contrast, the Valley as a whole has been growing at a fairly constant 1.3-1.5% since at least 1990.



During the last five years, net housing growth within the Valley has been relatively stable, averaging approximately 51 units per year.

- 43% of this growth -- 22 units annually -- occurred on non-tribal lands
- 43% (22 units), on tribal lands within Pojoaque Pueblo;
- 14% (7 units), on tribal lands within Nambe and San Ildefonso Pueblos.

One consequence of the Valley's stability and the County's declining growth is that the Valley now accounts for a larger share of County growth than has been the case in the recent past. Among major subregions of Santa Fe County (outside the City) during 2000-2003, annual net housing growth in the Valley ranked fourth, surpassed only by:

- Santa Fe Community College District (123 units/year)
- Tres Arroyos/West Las Campanas (74 units)
- Eldorado (72 units)

In addition, the Valley -- despite its low rate of historic and recent growth -- has now grown to a size equal to many established, self-sufficient, and incorporated New Mexico communities. For example, the Valley's current population (7200) is comparable to those of: Aztec (6900), Belen (7100), Bernalillo (7500), Raton (6900), Truth or Consequences (7200), Taos (4800).

Finally, review of development plans currently under consideration in the region indicates that through 2010, population and housing growth in the Valley will remain generally stable at current levels.

### III. Vision, Mission and Strategic Plan



*View of the Sangre de Cristo Mountains from the Valley*

#### ***A Vision for the Valley's Future***

What follows is the vision for Pojoaque Valley as collectively expressed by those who participated in the community visioning process undertaken between March and May 2003. It portrays what the community imagines Pojoaque Valley could be like in 2025, if strategic actions are taken to turn this Vision into reality. The vision is written from the perspective of a community member living in the Valley in the year 2025. Some may feel the Vision is too optimistic; however, what seems difficult, or impossible, in the short-run becomes an exciting challenge over a period of two decades. In addition, the Vision bonds a community, stimulates decision-making processes and becomes a catalyst for action.

## Vision 2025

Pojoaque Valley is still home to our thriving predominantly rural communities. We remain blessed by the natural beauty that surrounds us and continue to honor our historical roots. We cherish our socio-economic and cultural diversity while nurturing and protecting the harmonious and interdependent relationships among all our people.

Pojoaque Valley continues to retain its quiet, rural character: small vegetable gardens and farm animals such as horses, cows, and chickens are a common sight; roads remain relatively narrow and typically unpaved with no billboards, vibrant and economically viable acequias water agricultural lands; cottage industries and carefully placed resource-conserving small businesses enhance economic viability while preserving open space; and star-lit skies outshine artificial light. We enjoy clean air, land, and water, and everyone knows their neighbors.

We have high quality community facilities and services that are accessible to everyone. The Valley's schools are among the best in the nation. Skilled and considerate law enforcement officers who have roots in our communities encourage respect for the law. We have excellent fire protection and guaranteed access to our properties via rural roads that are safe for us, and our children to walk, as well as ride bicycles and horses. There are effective solutions for solid and liquid waste management.

Lovely public open spaces, recreational areas, and comfortable plazas have been developed with community energy where residents of all ages gather and foster a cohesive atmosphere that distinguishes our Valley as a model of community cooperation and mutual support.

Because of an earth affirming, cooperative planning, and implementation effort, we have fulfilled our expectations for a high quality of life for our families now and for future generations.

## ***Mission Statement***

Our mission is to formulate a strategic plan for sustainable development<sup>1</sup> that promotes the rural quality of life in the Traditional Communities in the Pojoaque Valley. The quality of life we want includes: a) maintained rural character of the Valley as described in our "Vision 2025"; b) harmonious relationships between Pueblo and Non-Pueblo communities; c) secured water sources and good quality drinking water; d) secured access to property; e) satisfactory level of community facilities & services, particularly the provision of appropriate liquid & solid waste management, law enforcement, safe roads and wellness facilities; f) substantial open space, organized recreational areas and shared gathering places; and g) quality public education that promotes citizenship responsibility of a democratic society<sup>2</sup> within our community and prepares our children for the demands of 21<sup>st</sup> century employment.

## ***Mission Objectives:***

1. Empower the Pojoaque Valley Traditional Communities by developing an evolving planning capability, including the capacity to effectively coordinate programs and projects among key stakeholders, to secure funding, and to implement this strategic plan.
2. Promote an economy that supports and revitalizes the agricultural activity in the Valley while developing other resource-conserving economic activities.
3. Identify, map and work towards resolving jurisdictional boundaries in an effort to formulate and implement County land use ordinances.
4. Develop land use ordinances that reflect a concerted and cooperative effort among the County, State, and Pueblo governments in resolving the Valley's growth management issues:
  - Maintaining the Valley's rural character
  - Maintaining adequate water supply and good water quality
  - Developing a capacity to manage solid and liquid wastes
  - Preventing loss of agricultural lands and increasing open space
  - Providing infrastructure including related public services and public safety
5. Develop local indicators that the Planning Review Committee can use to monitor and evaluate the plan's implementation.

<sup>1</sup>Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

<sup>2</sup> Citizenship responsibility of a democratic society refers to the obligations to contribute to the common good by performing duties to benefit the community.



A positive future for the Valley must also be realistic about challenges it faces:

- Residents must find better ways of communicating with each other;
- Rapid residential and commercial development threaten the traditional nature and quality of life in the Valley;
- Conflict over water persists in the Valley;
- The interweaving of private and Pueblo lands is straining relationships; and
- Pueblo gaming, related commercial development, zoning and the reconfiguration of local highways present challenges to realizing a diverse local economy.

### ***A New Planning Approach***

A new planning approach is needed to achieve a positive future scenario. One of the key elements to this approach is to determine what can be planned cooperatively with the Pueblos and what lies outside the scope of such planning. This is of the utmost importance since Valley residents have no independent, formal source of political power.

### ***Major Components of the Pojoaque Valley Strategic Plan***

- ❖ ***Create public places that can support community and serve our youth.***
- ❖ ***Ensure a clean water supply.***
- ❖ ***Strengthen and build community relationships and communication between neighbors and government entities and increase local input into zoning regulations.***
- ❖ ***Grow the local economy.***
- ❖ ***Create an entity that looks after the interests of the Valley by implementing the Community Strategic Plan, and is able to plan cooperatively with the County, State and Federal governments, the Jacona Land Grant Board, and the local Pueblos.***

## **Community Analysis and Issues**

### ***A Community Scan***

A community working on a strategic plan needs to complete a community evaluation that considers the various environments that make an impact on that community. This is particularly important for a Traditional Community such as the Pojoaque Valley that is not incorporated and has limited powers and abilities to effect change.

The Community Scan has two parts: an Internal Analysis and an External Analysis.

#### **Internal Analysis**

The Internal Analysis is a detailed description of the community's strengths and weaknesses related to achieving the stated mission. It is an assessment of the community's existing resources that will be called upon to achieve the mission in several specific categories. The categories deemed most significant to the Pojoaque Valley were: water; land use; historical and cultural issues; social and economic issues; and education. Separate groups were designated to work on these issues. Final reports were presented to the planning committee who decided that this work would determine the specific themes to be used in the SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis, described in the subsequent section.

#### **External Analysis**

#### ***Scenario Development for Strategic Community Planning***

External Analysis is the identification and study of key factors external to the community seeking to accomplish its mission, and then structuring them into alternative paths of future scenarios. The External Analysis portion of a community strategic plan is essentially a study of Opportunities and Threats that affect the community from the outside. The three important elements considered in this analysis were community and Pueblo power and authority; relations with neighboring pueblos, communities and other government entities; and future economic development.

This process began with identifying Key Decision Factors. These are positive and negative factors within the community environment that have the greatest perceived influence on the success or failure of the stated mission.

Positive Key Decision Factors are called Opportunities and negative Key Decision Factors are called Threats. Sometimes, especially in other styles of planning, these are referred to as Opportunities and Constraints.

The next step was to identify patterns or clusters of these Key Decision Factors and group them into common, thematic Driving Forces. These Driving Forces are the outside or external "forces" that will ultimately drive the future of the community's chosen mission. The overall thematic categories agreed upon for scenario development were socio-cultural, economic, political, technological and environmental.

Once specific themes were developed, alternative draft future scenarios were formulated. Scenarios were constructed using the Key Decision Factors and the Driving Forces as a framework to specify how various possibilities combine to produce a variety of political, economic or other chosen external events in which eventual strategies will have to function. They were descriptions of future possibilities designed to help reduce uncertainties about future planning.

Strategic community planning can use either singular or multiple scenarios. A single scenario of the future may prove to be inaccurate. Multiple scenarios reduce that possibility although reality may also prove to be some combination of the multiple scenarios chosen.

In community strategic planning, each community decides which path to follow. By choosing a singular scenario, the community may choose to undertake a more detailed analysis of the Key Decision Factors and the Driving Factors, or complete a scenario after the SWOT Analysis in order to structure the scenario to be as relevant and intuitive as possible.

Initially the PVPC constructed and discussed four narrative scenarios. It was decided that a final agreed upon future scenario would be developed at a community meeting after a series of focus groups and the SWOT analysis were completed.

The main purpose of a scenario is ultimately to show how it will affect the community's **mission statement**, the overall objective of the community's entire plan. A secondary purpose, also extremely important, is to generate discussion and debate about the future since most of us are predisposed to think about the present or continue to dwell in the past, especially regarding community problem solving initiatives. Scenarios are a way for us to ultimately make planning sense out of a relationship of the past, present and future. They help us to focus on assumptions and visualize relationships about desires and premises in the context of alternative futures.

For the purposes of the PVPC, it was decided to take all of the information from the Internal and External Analyses and the Focus Groups and proceed forward with the SWOT Analysis.



## SWOT Analysis

Strengths, Weaknesses, Opportunities and Threats (SWOT) analyses examine strengths and weaknesses internal to a community, and opportunities and threats coming from factors external to the community; strengths and weaknesses are generally under some form of local control, while opportunities and threats are not. Some typical questions used in the SWOT analyses included:

**Strengths:** Which resources are available for success? What are our abilities? What kinds of resources characterize our community in comparison with other traditional communities?

**Weaknesses:** What kind of difficulties could we encounter in our initiative? In what areas are we lacking or have limitations? What are the disadvantages of our community compared to other communities?

**Opportunities:** What are we aiming for? What other opportunities could arise if we achieve a success? What prospects could occur in the future if certain goals are achieved today?

**Threats:** What obstacles could arise? What are the financial risks or problems associated with our goals? What are the risks that could negatively influence our community?

Answers to these kinds of questions can help to understand which internal and external elements are taken into account when defining actions, plans and decisions. It is important to know that some elements can be both strengths and weaknesses, and some opportunities can also represent threats. Therefore, correct interpretation of data is essential to understand the local situation.

The SWOT is a focused examination or community discussion of the themes to guide the development of action plans that are essentially opportunities built on strengths that are checked by the realities of weaknesses and threats. Results of the internal and external analyses were combined to guide the SWOT analysis. The themes and topics to focus the SWOT analyses were identified after a full review of the vision and mission statements, meeting notes and initial key issues. In the above context, the following themes and topics were analyzed:

<b>Theme</b>	<b>Topics</b>
<b>Rural Character</b>	Acequias, Agriculture, and History and Culture
<b>Growth Management</b>	Domestic Water and Wastewater and Roads, Circulation and Transportation
<b>Community Quality of Life</b>	Public Places and Open Space, and Economic Development

An example of a completed SWOT analysis is shown in **Appendix E**. The results of the SWOT analyses were combined with information including key facts, key stakeholders, key information sources and the relationship to other themes and topics to guide the refinement of specific goals and the actions needed to achieve these goals. These action plans form the core guidance of the community plan.

Once the SWOT was completed, the First Community-wide Forum was held on February 2005. From this meeting, matters of importance to community members were synthesized into a document called "**A Desired and Positive Future Scenario for the Pojoaque Valley**". The details of these findings are outlined in the following section.

#### **IV: Strategic Goals and Actions**

Following the first Community-wide Forum, held in February of 2005, the Committee was able to consolidate issues of importance into a few major Action Plans. These Action Plans are the basis for the Community Strategic Plan, and will be the main focus for the Pojoaque Valley Planning Authority, or whatever form the local development review committee assumes.

#### **Community Actions:**

The Pojoaque Valley Planning Committee seeks support from the Board of County Commissioners for those Action Plans identified in the Community Strategic Plan that will require Community Action. The Community Actions outline proposed future programming or projects that the Community Strategic Plan identifies as important work to be addressed in the community. These Actions are not proposed ordinances and do not outline any legal changes for land use or future development in the community. The community is responsible for working with the County and/or various agencies or groups to see that these actions are executed. Some Actions may be taken by the Pojoaque Valley Planning Authority, or whatever form the Local Development Review Committee will take to oversee the Community Strategic Plan.

#### **Ordinance Actions:**

Some Action Plans will warrant development of Community Ordinance Actions, which are policies identified through the planning process, which may change or amend the County Land Development Code or other County Ordinances. The Ordinance Actions may be adopted by the Board of County Commissioners as a set of legally binding regulations specifically for the Traditional Communities in the Pojoaque Valley. The County is responsible for enforcement of all ordinances.

#### **Implementation and Responsibilities:**

The Planning Division of Santa Fe County's Growth Management Department is the lead agency responsible for assisting the residents of the Pojoaque Valley Traditional Community in the creation of this Community Strategic Plan as well as for helping the community coordinate implementation of the various actions outlined in the Plan. Upon adoption of a set of ordinances for the Pojoaque Valley, the County is responsible for enforcement of the ordinances contained in the Plan. The Community Plan is intended as an active document that can and should be reviewed and updated as conditions change throughout the Pojoaque Valley.

The following are the consolidated Action Plans that were gleaned from the various community forums and meetings and from surveys asking about the most important issues the community felt needed attention.

***Goal One: Create public places that can support community and serve our youth.***

- ACTION 1A: Provide a multi-purpose community center for educational and community-oriented programs and events.
- ACTION 1B: Create a connected trail system, which will also serve as a running course for the Pojoaque Valley High School sports teams.
- ACTION 1C: Promote community support for quality education, and advocate for more job opportunities and recreation for Valley Youth.

***Goal Two: Ensure a clean water supply.***

- ACTION 2A: Preserve acequias and improve diversions and delivery systems.
- ACTION 2B: Develop and implement strategies for domestic water conservation.
- ACTION 2C: Protect domestic water supplies.
- ACTION 2D: Pursue options for wastewater management and treatment systems.

***Goal Three: Strengthen and build community relationships and communication between neighbors and government entities and increase local input into zoning regulations.***

- ACTION 3A: Consider a "Youth Council" of both Pueblo and Traditional Community youth that can work directly with the School District, the County and the Pueblos on youth-related issues.
- ACTION 3B: Address the following community problems in collaboration with governmental agencies and other organizations:
  - Vandalism and Graffiti
  - Trash and Dumping
  - Road Maintenance
  - Speeding
  - Drugs/Alcohol Abuse
- Suicide Prevention
- Teen Pregnancy
- Animal Control

ACTION 3C: Communicate, evaluate, and modify existing zoning regulations as needed to address growth and land use issues, such as density, family transfers, and affordable housing.

**Goal Four: Grow the local economy.**

ACTION 4A: Establish mixed-use districts or “corridors” for Valley businesses.

ACTION 4B: Revitalize traditional agricultural practices.

ACTION 4C: Promote an arts and crafts economy in the Valley.

ACTION 4D: Support home businesses and home occupations.

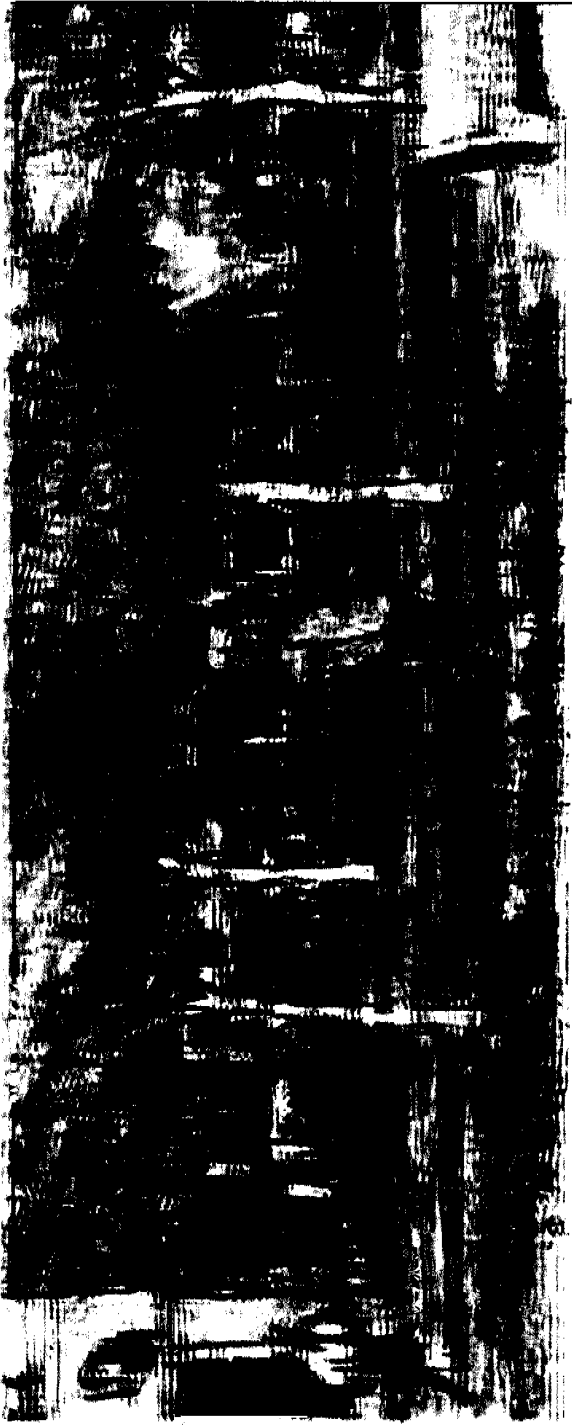
***Goal Five: Create an entity that looks after the interests of the Valley by implementing the Community Strategic Plan, and is able to plan cooperatively with the County, State and Federal governments, the Jacona Land Grant, and the local Pueblos.***

After each of the Action Plan details have been laid out in the following section, a detailed matrix has been provided in the subsequent section to outline how each of these Actions Plans will be implemented and monitored.

***Goal One: Create public places that can support community and serve our youth.***

**Actions:**

- 1A: Provide a multi-purpose community center for educational and community-oriented programs and events.
- 1B: Create a connected trail system, which will also serve as a running course for the Pojoaque Valley High School sports teams.
- 1C: Promote community support for quality education, and advocate for more job opportunities and recreation for Valley Youth.



**ACTION 1A: Provide a multi-purpose community center for educational and community-oriented programs and events.**

**BACKGROUND:**

Over time, the Valley has lost many of its public spaces, from the plazas to the informal areas where youth and elders would gather to share information, visit, or even to seek *resolanas*<sup>3</sup>. The community needs space for community gatherings and events, as well as places for educational experiences and learning outside of a classroom setting.

Currently there are no appropriate public places for large community events, such as large meetings, performing arts, youth activities, display space or arts and crafts festivals. Limited community spaces included PVHS, churches, the S.P.M.D.T.U., El Rancho Community Center, the Wellness Center, and the Boys and Girls Club.

Therefore our goal is to create more public spaces, especially for youth and seniors. We envision a community park, as well as a place for performing arts, arts and crafts, and other community-oriented or educational events and activities.

**CURRENT STATUS:**

The County is discussing a possible site with the Jacona Land Grant. These are current sites that are being considered, however we are not limited to these sites if other opportunities arise. In addition, legislative funding has been obtained to begin feasibility studies and preliminary design work on a community center.

**FIRST STEPS:**

Work with the County Project Coordinator and Commissioner to:

- Decide what site would be appropriate.
- Meet with appropriate parties to confirm options for site.
- Prepare a feasibility study and a preliminary conceptual design of the community center.
- Secure sale or lease of the site.

**RESOURCES:**

- State Legislative Appropriations
- Funding through Capital Outlay Projects

<sup>3</sup> Spanish word for a sunny place, but typically meaning a comfortable gathering space where people come together to share stories, information and news of the day.

**PARTNERS:** | Pojoaque Valley School District  
| Jacona Land Grant Board  
| State Legislature and Representatives for the Valley  
| County Commissioner  
| County Growth Management and Community Services Departments

**ACTION 1B:** *Create a connected trail system that will also serve as a running course for the Pojoaque Valley High School sports teams.*

**BACKGROUND:** | The Pojoaque Valley High School has excellent cross country and distance runners, who have won many State titles over the years. Currently the sports teams, including college and pro runners train using existing trails near the new High School campus. There have been trespassing issues in the past, but for the most part the users of the trail, especially the athletes, are respectful of the trails and the natural habitat around them.

The Valley needs more public, multi-use trails to promote the health of the community and to provide visitors and tourists with additional activities. The existing trail needs to be marked and improved. The ultimate goal would be to connect the existing trail near the school to other trails that lie outside of the Valley area. This project would be accomplished in phases.

**CURRENT STATUS:** | A proposed trail system has been designated and recorded using GPS.  
| An additional trail system is being devised along the rivers  
| We need to follow up on the initial meetings we have had with property owners and Pueblos.

- FIRST STEPS:** |
- Present trail system plan to the County Open Land and Trails Planning Advisory Committee (COLTPAC) to put in a request for funding.
  - Create an agreement with the Jacona Land Grant, Pojoaque Pueblo and the BLM through means of a Memorandum of Agreement (MOA).
  - Define a Management Plan and Phases and secure legal easements
  - Design a trail, allowing for future connections with other planned and existing trails.

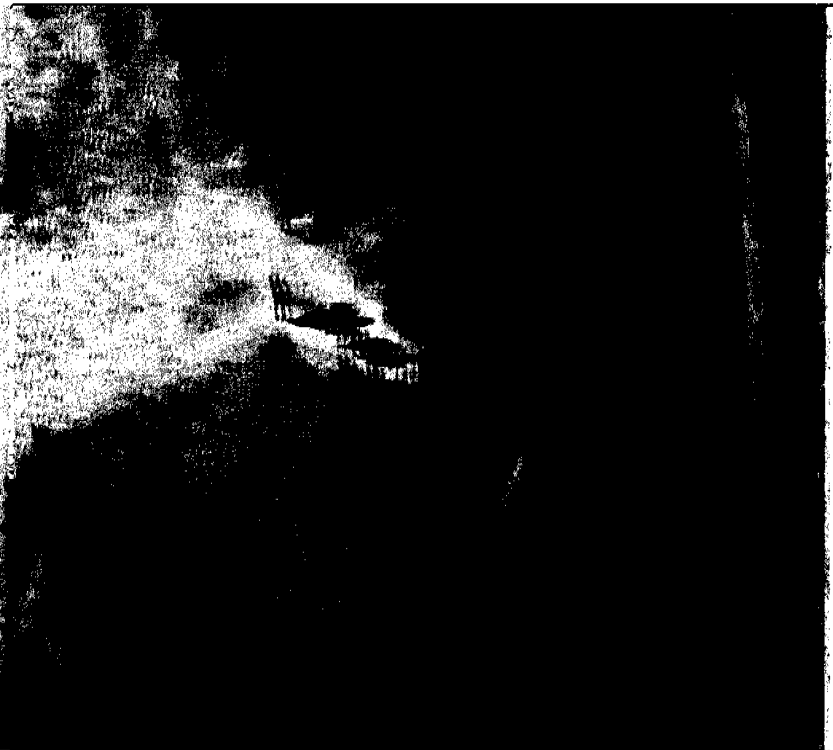


**RESOURCES**

County Open Land and Trails Planning Advisory Committee (COLTPAC)  
Support of the PV School District, PVHS cross-country program, other athletic programs  
Greater Valley community

**PARTNERS:**

**COLTPAC**  
County Open Space and Trails Division  
PV School District  
Jacona Land Grant Board  
BLM/National Park Service  
State Legislature  
Valley Pueblos



**ACTION 1C: Promote community support for quality education, and advocate for more job opportunities and recreation for Valley Youth.**

**BACKGROUND**

This Action is being proposed to promote healthier living for youth, promote better social opportunities, and retrain young people for new skills. We hope to provide more employment opportunities to keep youth in the Valley. The committee is committed to decreasing drug use, vandalism, graffiti, teen pregnancy and suicides in the area. We also recognize that it is essential to include our young people and those presently providing resources in any and all planning initiatives for this Action.

Although this Action is technically out of the scope of a strategic plan of this nature, our intent is to identify the needs of the youth that are currently not being met by the school and the community. Identifying needs is the first step towards providing community support.

**CURRENT STATUS:**

- Most employment opportunities are being provided by the Pueblos and Los Alamos National Laboratory.
- The PVPS provides a public education through high school.
- There are community colleges or UNM Extensions in Espanola, Los Alamos and Santa Fe.

**FIRST STEPS:**

- Explore what is needed by conducting focus groups and surveys with youth, local businesses, educational entities and social services.
- Define "rallying" issues to build around.
- A complete inventory of all activities, clubs, and resources currently available to youth in the Valley
- Start mobilizing the community in support of these issues that have been identified as important.

**INFORMATION NEEDED:**

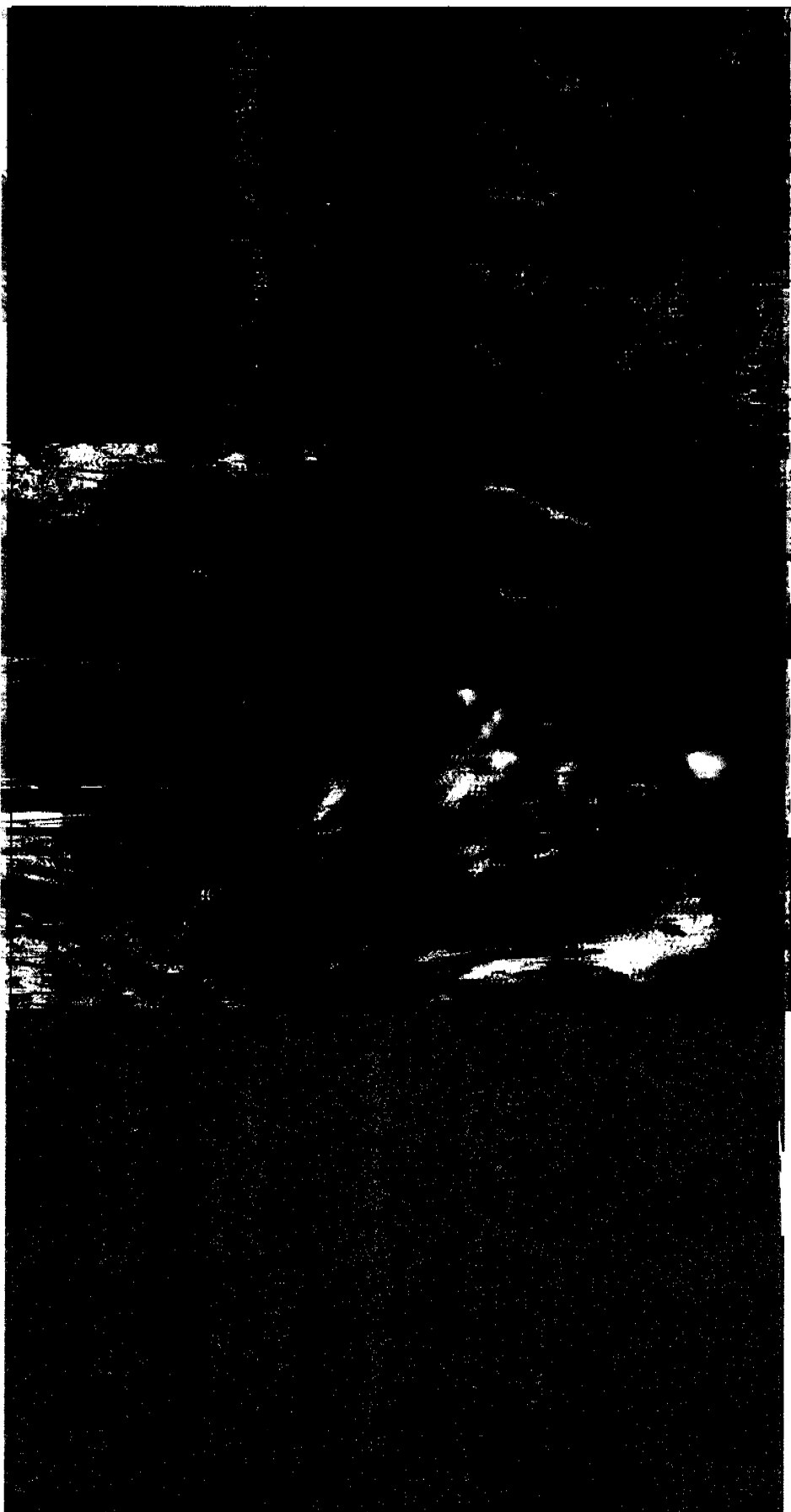
- An complete understanding of future options for the Old School facility
- An employment survey of youth
- What high speed internet options are available to youth
- Local incentives available to keep youth employed in the Valley
- Find out if young people would like to create an entity such as a Youth Council including both Pueblo and Traditional Community Youth, that can work directly with SF County and Pueblo governments on youth-related issues.

**RESOURCES:**

Pojoaque Valley Public Schools (PVPS)  
Pojoaque, Nambé and San Ildefonso Pueblos  
Pojoaque Pueblo Wellness Center/Employment Training Center  
Hands Across Cultures Teen Center in Arroyo Seco  
Santa Fe County – CDBG Block Grants  
State Legislature – Capital Outlay funds  
LANL – possible Community Development funds  
Local groups and sports leagues  
El Rancho Community Center  
Grants and foundation funding sources

**PARTNERS:**

Local youth leaders and community volunteers/leaders  
Santa Fe County District 1 Commissioner  
PVPS  
Pueblos  
State Legislature for project funding



***GOAL TWO: Ensure a clean water supply.***

**ACTION 2A: Preserve acequias and improve diversions and delivery systems.**

**BACKGROUND:**

Our acequias are a historical and cultural icon of the Pojoaque Valley and are considered the lifelines of the community. They are essential for the support of agriculture, and sustain the ecological health of the riparian ecosystems and the entire watershed. We need to create a fair, comprehensive and sustainable water usage plan for acequias. We can ease pressure on other Valley water sources by making efficient use of the acequias. Tasks include improving water capture and delivery, and educating parciantes about water conservation and potential funding sources.

Some of the challenges we face in preserving our acequias include problems with rights of way and access to these waterways, as well as limited funding and lack of knowledge of their importance.

**CURRENT STATUS:**

- Today, there are about 24 functioning acequias in the Valley.
- About 90% of the water used in the Valley is for acequias.
- Currently acequias irrigate approximately 1900 acres in the Pojoaque-Nambe Sub-basins by diversion of 8,440 acy of surface water and 365 acy of ground water from authorized/metered agricultural wells.
- Much of the irrigation infrastructure is old and in need of repair, with obsolete diversions requiring a great deal of maintenance
- Most parciantes use the flood irrigation method
- There is limited information about usage
- Lack of use of existing system can affect water rights
- Building is occurring on land with water rights

**FIRST STEPS:**

- Promote a pilot project in order to model the method for bringing together the resources necessary to improve and preserve acequias.
  - Choose an acequia for the pilot project. La Otra Banda is a likely candidate because it is the largest in the Valley, both in terms of irrigated acres and number of parciantes.
  - Document the process and make it available to other acequias.
- Investigate sources of technical and financial assistance for acequias.

**RESOURCES/  
INFORMATION  
NEEDED:**

- The New Mexico Acequia Association and the Interstate Stream Commissioner can supply information about funding sources for acequia improvement
- The County Public Works Department has a vested interest in improving the acequia diversions because they currently help with maintenance on the diversions.

- Learn more about the state of the existing systems, for example, the flow rate, and the level of usage.
- Get information about available, appropriate technologies.
- Water banking is an option for preserving unused water rights.

**PARTNERS:**

Each Acequia Commission in the Valley  
 Rio Pojoaque Acequia and Well Water Association (RPAWWA)  
 Agricultural Revitalization Initiative (ARI)  
 Valley parciantes  
 SF County  
 NM Acequia Association  
 Natural Resources and Conservation Service  
 Office of the State Engineer

**ACTION 2B: *Develop and implement strategies for domestic water conservation.***

**BACKGROUND:**

The Valley has limited water resources. Drought conditions and the Aarodt water settlement make it even more important to conserve this precious resource. This action aims to develop and implement water conservation strategies for the Valley. Techniques would include initiatives such as the use of gray water, water collection and storage systems, and retrofitting of toilets and showerheads.

**CURRENT STATUS:**

- Use of gray water is permitted
- Drought encourages conservation
- The County has water conservation ordinances, but there is no effective means of enforcing them
- The “use it or lose it” rule for water rights discourages conservation

**FIRST STEPS:**

- Disseminate information about water conservation County requirements and other water conservation information at the County satellite office in Cuyamungue.
- Begin formulating a conservation education initiative through the schools or individual teachers or programs.
- Develop a County sponsored incentive program for water conservation.

- RESOURCES:**
- City of Santa Fe/Santa Fe County conservation initiatives and water restrictions and regulations
  - Literature on xeriscaping, desert landscaping

- POSSIBLE OBSTACLES:**
- Water rights laws that encourage waste
  - Lack of incentives to conserve
  - Short term expense for individuals
  - Culture and local habits

- PARTNERS:**
- Community organizations
  - County
  - State
  - An education subcommittee of the Pojoaque "Planning Authority"

**ACTION 2C: *Protect domestic water supplies.***

**BACKGROUND:** The aim of this Action is to ensure that we have an adequate source of safe water for drinking and other domestic uses. Many community members have expressed the opinion that the use of domestic wells, rather than a centralized water system may limit growth in the area and help maintain our rural lifestyle.

Four water fairs have been held as a coordinated and cooperative effort by the New Mexico Environment Department (NMED), Los Alamos National Laboratory (LANL), in collaboration with Santa Fe County. Over 400 domestic well samples were collected and analyzed. Water quality analyses were performed by NMED and LANL on common inorganic contaminants including nitrate, arsenic, uranium, iron, manganese, and fluoride. For those residents who gave permission, well locations were GPS-surveyed by Santa Fe County for the follow up visits.

- CURRENT STATUS:**
- Nearly all domestic water comes from wells in the Valley
  - Some Valley well water contains naturally occurring uranium at varying levels
  - Water tables are falling
  - Well use will be affected by the Aamodt settlement
  - No regulatory structure for the periodic checking of domestic wells for contamination is in place

**FIRST STEPS:** | Promote a coordinated effort to remove non-native species of vegetation that contribute to the depletion of the aquifer.

- Hold regular water fairs to consistently monitor water quality and to use as a venue to educate the community about the quality of their water sources.
- Synthesize existing data about water quality.

**INFORMATION NEEDED:**

- Water quality data from the last water fairs
- Better groundwater information from recent and historical data
- Standards for typical water usage for an average family
- Better understanding of relationship between future development and groundwater

**RESOURCES:** |

- Office of the State Engineer
- NM Environment Department
- Los Alamos National Laboratory (LANL)
- Acequia Organizations
- Rio Pojoaque Acequia and Well Water Association (RPAWWA)
- Pojoaque Basin Water Alliance (PBWA)

**PARTNERS:** |

- LANL
- County
- Community
- NM Environment Department
- Office of the State Engineer
- Federal government representatives
- Valley Pueblos

**ACTION 2D: Pursue options for wastewater management and treatment systems.**

**BACKGROUND:** | This Action is intended to provide options for short and long term wastewater management and treatment systems in the Valley to prevent potential problems of groundwater contamination.

**CURRENT STATUS:**

Currently Valley residents use septic tanks to handle wastewater. Although there have been a few localized problems with groundwater contamination, we are not yet at the point where aquifer damage is extensive. However, if density in the Valley increases, septic systems may not continue to be a viable option. We need to



consider other options for wastewater treatment. Pojoaque Pueblo is in the process of planning a new system which will include the Pueblos and the PV schools. There is potential for non-Indian residents of the Valley to hook up to this system if there are ways to subsidize the costs. However, it is not certain when or if the Pojoaque Pueblo wastewater treatment system will become available to the Traditional Communities planning area. Moreover, it may not be feasible to connect all residents to the system. Therefore we support the development and improvement of decentralized wastewater treatment options.

#### FIRST STEPS:

- Continue to improve wastewater treatment systems.
  - Address the issue of older, sub-standard septic systems by requiring properties within the Pojoaque Valley Traditional Community District that are going to be divided, subject to a family transfer, variance, or rezoning, to furnish complete and accurate documentation to the County which demonstrates that all facilities on-site are in compliance with all New Mexico Environment Department regulations. Also require proof that necessary permits have been obtained for any and all septic and waste disposal facilities on the property.
  - Get more information about options for local systems and information on better septic and re-use technologies
  - Create demonstration and pilot projects of Advanced Treatment Systems
- Support a regional wastewater facility to include the Traditional Communities of the Valley.
  - Have a location study done for a potential regional scale waste water system project
  - Work with Pueblos to get other areas of Valley connected to their system

#### RESOURCES:

Regional consortium on wastewater - Española Basin Regional Planning Issues Forum  
Pilot projects throughout NM  
Modern septic technology

#### PARTNERS:

Community organizations  
County  
Pueblos  
The Pojoaque Valley "Planning Authority"

***GOAL THREE: Strengthen and build community relationships and communication between neighbors and government entities and increase local input into zoning regulations.***

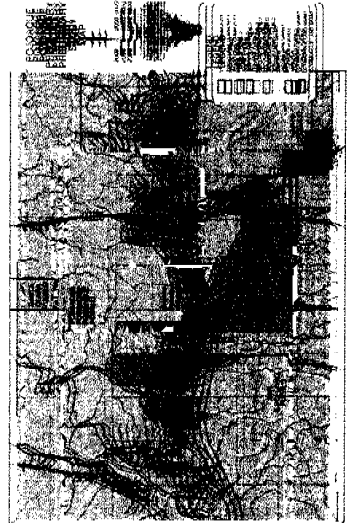
**Actions:**

3A: Consider a "Youth Council" of both Pueblo and Traditional Community youth that can work directly with the School District, the County, and Pueblos on youth-related issues.

3B: Address the following community problems in collaboration with governmental agencies and other organizations:

- Vandalism and Graffiti
- Animal Control
- Speeding
- Road Maintenance
- Trash and Dumping
- Drugs/Alcohol Abuse
- Teen Pregnancy
- Suicide Prevention

3C: Communicate, evaluate, and modify existing zoning regulations as needed to address growth and land use issues, such as density, family transfers, and affordable housing.



***ACTION 3A: Consider a "Youth Council" of both Pueblo and Traditional Community youth that can work directly with the School District, the County, and Pueblos on youth-related issues.***

**BACKGROUND:**

This youth directed entity should represent and speak for the students and youth of the various communities of the Valley. It should meet on a regular basis to propose solutions for issues that affect youth in the Valley. These issues would be defined by the youth council, but might include, for example, recreational opportunities, part time job opportunities, and pregnancy and suicide prevention initiatives.

**CURRENT STATUS:**

Most school and student organizations focus on school functions and activities and do not always capture community issues and topics. The Boys and Girls Club is a resource for youth, but usually does provide programs that appeal to youth past the age of 14 or 15. Existing religious based youth groups do not include all of the Valley youth.

**FIRST STEPS:**

- Determine what entity will take the lead to start this organization and hold the initial meetings with youth groups, for example, an Education and Youth Subcommittee.
- Meet with existing high school groups/organizations to get input and to see if youth would be interested
  - Decide the purpose of this group and what issues the group would work on
  - Determine whether the entity would simply provide support for other student/youth organizations, or would also attempt to influence decisions made in the community (by the County, the PV School District, Pueblos etc).
- If a Youth Council is desired after thorough consultation with local youth, explore funding resources might be available through State and Federal grants, or through the Community Development division of LANL. Funding could be used for youth conferences, youth leadership programs, local projects, or other initiatives that would benefit youth.

**RESOURCES:**

- PV School District
- Boys and Girls Club
- Hands Across Cultures Teen Center
- Pueblos
- County
- Wellness Center
- Church groups

**PARTNERS:** Existing student organizations and youth groups  
PV School District and School Board  
Pueblo government and community  
County government

**ACTION 3B: Address the following community problems in collaboration with governmental agencies and other organizations:**

- **Vandalism and Graffiti**
- **Animal Control**
- **Speeding**
- **Road Maintenance**
- **Trash and Dumping**
- **Drugs/Alcohol Abuse**
- **Teen Pregnancy**
- **Suicide Prevention**

**BACKGROUND:**

In order to enhance the quality of life in the Valley, we need better law enforcement and community based volunteer efforts to address community problems. All of the community is affected by those with alcohol, drug and gambling problems. We are concerned about teen pregnancy and suicide. Graffiti, vandalism, litter and illegal dumping mar the beauty of our Valley. Speeding makes walking, driving and at times even living on certain streets, dangerous. Many pets are not in compliance with County ordinances. All of these issues will require the community to work in collaboration with government agencies and other organizations. However, community involvement will be essential for finding solutions to many of these issues.

**SHERIFF'S DEPARTMENT:**

**CURRENT STATUS:**

**Enforcement -**

- The two County deputies that cover the Pojoaque Valley are not here on a regular basis.
- Pueblo Officers have jurisdiction on Pueblo land
  - Both BIA and tribal officers provide law enforcement on Pueblo lands
  - Easements that pass through Pojoaque Pueblo land are patrolled by tribal officers who are cross-deputized by the Santa Fe Sheriff's Office.

- o The BIA officers are primarily responsible for law enforcement on tribal lands of Nambe and San Ildefonso.
- o Offenses such as DWI or traffic violations found by tribal police do not necessarily become part of the offender's record.

***Vandalism and Graffiti -***

- Graffiti is considered a crime
- The Sheriff's Department keeps a file of the work of graffitiists and taggers in the County, and actively uses these sources to catch the vandals. One detective is specifically assigned to graffiti cases.
- Graffiti/tagging incidents in the community can be reported to Crime Check. The number is 428-3720.

***Animal Control -***

- County regulations require owners to have licenses for dogs. The owner must show a proof of rabies shots in order to get the license.
- Dog owners must provide a mechanism to keep the animal on the property – (i.e.) fencing, electric fencing, or by tying the dog with a chain, rope, etc. The chain or rope should not be shorter than 6 feet, but no longer than 8ft or the length that would not permit the animal from going onto an adjacent property.
- No leash is required when walking a dog, but the animal must heed verbal commands.

**FIRST STEPS:**

**Advocate for improved law enforcement to include:**

- o Advocate for a continuous law enforcement presence in the Valley to address crime, speeding, vandalism, ATV violations, and animal control issues.
- o Advocate for improved communication between County, BIA, and Tribal Police.
- o Provide community support to the deputies for enforcement of speeding, animal control and vandalism laws.

**Address vandalism and graffiti:**

- o Identify where graffiti is most problematic
- o Organize volunteer efforts for cleaning graffiti
- o Support an adopt-a-wall and/or adopt-a-sign program
- o Support educational awareness programs in collaboration with law enforcement efforts to comeback graffiti issues in the Valley.

**CODE ENFORCEMENT:**

**CURRENT STATUS:**

***Littering/Illegal Dumping -***

- Rivers and arroyos are commonly used as dumping grounds
  - Jurisdictional issues prevent the policing of arroyos that are the most common location for illegal dumping
- Legal dumping can occur at the transfer station – but permits can only be purchased in Santa Fe or by mail.
- The County has a Solid Waste Compliance Officer in the Growth Management Department that works with Tribal officials, the BLM, and the State Forest Service to work on illegal dumping issues. The officer also assists with citations for uncovered loads to the Pojoaque Transfer Station. Unfortunately, this Officer must cover the entire County so there is not much focus on the Pojoaque Valley.

**FIRST STEPS:**

- Examine littering and dumping issues:
  - Identify the high priority areas for illegal dumping
- Organize clean up of the roads, arroyos and other waterways
  - Request trash clean-ups by Corrections Department programs
  - Organize community-based volunteer cleanup efforts – i.e.) Explore adopt-a-road/arroyo programs
- Determine the causes of littering and educate the public to discourage it.
- Provide more access to transfer stations and make the purchase of permits more convenient.
  - Utilize the County Satellite Office in Cuyamungue to sell refuse permits.
  - Reduce fees; expand hours of operation

**ROADS:**

**CURRENT STATUS:**

- There are 41 roads in the Pojoaque Valley that are maintained by the County
- The majority of the roads that are County maintained are dirt roadways, but there are also roads that are maintained with asphalt and base course

**FIRST STEPS:**

- Work with Roads Division to improve road maintenance:
  - Address general routine grading of earth roads
  - Remove trees and weeds that are encroaching on roads making walking and biking difficult and unsafe

## **OTHER AGENCIES AND ORGANIZATIONS:**

### **FIRST STEPS:**

- Support the State, County, Schools, Pueblos and non-profit organizations to promote community programs that address abuse of drugs, alcohol, and gambling, and to work on suicide and teen pregnancy prevention:
  - Establish a multi-purpose community center to house some of these community programs and/or be an information clearinghouse for them.

### **OVERALL RESOURCES:**

- Graffiti: County Sheriff and deputies – models for reducing graffiti in communities
- La Cienega model that was used to reduce illegal dumping in the traditional community
- Adopt-a-Sign programs or the "In Memory Of" signs to get people thinking about speeding, drinking, etc.
- Marquee signs owned by Pueblo and school could be used as reminders to slow down
- Hands Across Cultures for youth related issues

### **PARTNERS:**

- **County:** Sheriff's Department, Community Services Department, Growth Management, Open Space and Trails, Animal Control, Health and Human Services (CARE Connection and Healthcare Assistance Program)
- **Pueblo:** Tribal Police, Bureau of Indian Affairs
- **PV Schools:** Teen Wellness Centers and Counselors  
Leaders in the community

**ACTION 3C: Communicate, evaluate, and modify existing zoning regulations as needed to address growth and land use issues, such as density, family transfers, and affordable housing.**

**BACKGROUND:**

The greater Pojoaque Valley comprises 65,000 acres, of which 4,700 acres of privately-owned lands in the Traditional Communities are subject to Santa Fe County development authority. The diverse nature of the Pojoaque Valley was recognized in the 1980 Santa Fe County Development Code which established county zoning ordinances seeking to balance preservation with development. Even before these early regulations were adopted, land use patterns in the Pojoaque Valley were changing as historical agricultural use has been giving way to more contemporary development of residential dwellings.

The lack of education, understanding and communication relating to land use regulations has led to misunderstanding by both landowners and regulatory officials. Development through variances and illegal subdivisions of land has created several areas with public and environmental safety concerns, local density problems and occasional conflict. In addition, there are not enough officers to enforce the Code.

A key desire by residents of the Pojoaque Valley is the preservation of the natural beauty and landscape of the area including remaining bosque, wetlands and green space that has been valued by generations of local residents and newcomers alike. The viewshed composed of such elements and even manmade features is a component of the rural character of the Valley that residents seek to protect as development continues to occur.

The Pojoaque Valley Community Strategic Plan supports the preservation and enhancement of the viewshed of the Pojoaque Valley and advocates for the appropriate integration of new development into the landscape, including the use of design features and landscaping to minimize visual impacts. The Plan also supports the integration of alternative, efficient and renewable energy systems and designs into both existing and future development.

Aspects of development that impact the quality of life include visual impacts, air quality and noise, and such impacts can affect a few neighbors, entire neighborhoods or extended communities. Planning for impact mitigation begins with appropriate public notification of the proposed development and the type(s) of impact it will have. The Pojoaque Valley Community Strategic Plan seeks to improve and expand the public notification process for developments that would have impacts beyond neighboring landowners and for which existing public notification requirements are not adequate.



The primary result of the Plan is a set of land use ordinances appropriate for maintaining the quality of life in the Traditional Communities yet flexible enough to accommodate future needs. These ordinances shall be developed through communication, evaluation and appropriate modification of existing requirements and shall be consistently interpreted and enforced.

**CURRENT STATUS:**

- Unregulated variances contribute to random development patterns, safety problems, and contention between community members.
- Current development notifications are often limited to small signs or postings that are visible only to people standing a few feet in front of them and do not serve to inform neighborhoods or the larger community adequately.
- The current land use regulations are not clear and not consistently enforced.
- Family transfers provide families in the Valley an opportunity to continue the legacy of land inheritance and to ease burdensome subdivision regulations for families.
- The minimum lot size in the Pojoaque Valley Traditional Communities is one dwelling unit (du) per three quarters of an acre (3/4 ac). Minimum lot size can be reduced to one third of an acre (1/3 ac) with community water and sewer. Maximum density with community water and sewer is three dwelling units per acre.
- The Code Rewrite is in the process of being completed – County Land Use is trying to expedite this process with the legal department.

**FIRST STEPS/  
PROGRAM ACTIONS:**

**Development Review:**

- Hold community forums to explain the changes in the Santa Fe County Growth Management Plan and gather feedback from community members. Communicate the information through schools, churches and other community organizations.
- Provide copies of ordinances and the Community Strategic Plan at the Santa Fe County Northern Office in Cuyamungue.
- Establish local review of new developments to determine if the location, intensity, and design of new development respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural or recreational concern.

**Public Notification and Community Outreach:**

- Applicants for any residential development with 5 or more lots, as well as for non-residential development projects with large-scale impacts, shall publicize and hold a pre-application community-wide meeting to present the proposed development concept and gather public comments and concerns about the development.
  - Large-scale impacts include, but are not limited to, significant impacts such as large or high artificial structures, generation of smoke, dust, particulate emissions or noxious fumes or odors, loud noise, bright light pollution or the modification of community infrastructure such as roads, waterways and trails.
  - The applicant shall publish notice of the time, place and purpose of the meeting in the weekly Pojoaque section of the Santa Fe New Mexican and Albuquerque Journal North newspapers and shall mail notice to neighborhood organizations associations in the Pojoaque Valley.
  - The applicant shall record the meeting proceedings and submit a written record to the County along with the application for development.

- In addition to County Code requirements, notice of pending applications of land divisions, family transfers, subdivisions, rezoning, home businesses, non-residential uses or other applications requiring committee review, shall be prominently posted and maintained in a manner most visible to community and adjacent neighbors.

**Support Affordable Housing Options:**

- Support the enforcement of the Santa Fe County Affordable Housing Ordinance in the Pojoaque Valley Traditional Communities District.
- Avoid segregation of affordable housing by encouraging developments with both affordable housing and market rate housing.
- Encourage clustering of homes in order to give landowners the option to maintain agricultural practices and/or preserve open space.
- Support family compounds in order to maintain traditional lifestyles.
- Promote the location, intensity, and design of new housing to respect existing neighborhood values.

- Support Family Transfers as a form of affordable housing which supports the continuation of family legacy and inheritance through the transfer of family land.

**Continue Resolving Boundary Issues:**

- Work with property owners, the Pueblos, the County, State representatives, and Congressional delegates to resolve issues and discrepancies concerning the Pojoaque Valley Traditional Community District boundaries on a case by case basis.
- Consider including other areas of the Jacona Land Grant in the Pojoaque Valley Traditional Community District boundaries, provided the majority of the shareholders of the Grant support this inclusion.
- In the future, areas such as Loma Blanca (north of the old dairy), the southern part of Cuyamungue, and other public lands may also be considered for inclusion into the Traditional Community District. This inclusion will need a majority of the community members in these areas to come forth and express a desire to be included in the Traditional Community District.

**RESOURCES:**

- County Growth Management Department
- County Attorney's Office
- Other Traditional Community plans and ordinances

**PARTNERS:**

- Community leaders
- County Commissioner and County staff
- State Representatives
- Congressional delegates
- Bureau of Indian Affairs
- Pueblo Leadership in the Valley

**GOAL FOUR: GROW THE LOCAL ECONOMY**



**Actions:**

- **4A:** Establish a mixed-use district or "corridor" for Valley businesses.
- **4B:** Revitalize traditional agricultural practices.
- **4C:** Promote an arts and crafts economy in the Valley.
- **4D:** Support home businesses and home occupations.

**ACTION 4A: Establish mixed-use districts or “corridors” for Valley businesses.**

**BACKGROUND:**

In Traditional Community districts, the Land Use Code allows for mixed uses including agriculture, residential, large scale residential, community service, institutional, non-residential or recreational uses anywhere within the boundaries of the community and at qualifying intersections. However, going through the approval process for some uses can be a difficult undertaking. With the completion of the community plan, mixed use areas will be designated in order to provide options for local services and help grow the local economy. The process of starting a business in these areas would also be simplified.

**CURRENT STATUS:**

- The Pojoaque Pueblo owns the majority of businesses and services in the Valley. There are a few non-Pueblo businesses located off of Hwy 285 and 502, most of which have been grandfathered in. There is potential for more businesses on these main corridors.
- In 1980, a commercial radial node that encompasses an area larger than the major intersections was designated. However, this node needs to be updated to fit the current needs of the community.
- The Pojoaque Valley Planning Committee has designated potential areas for commercial/mixed use zones along U.S. 84/285 and S.R. 502. These designations have been approved by the residents that live in those areas.
- Home businesses and home occupations will remain an option for entrepreneurial Valley residents throughout the Traditional Community District.

**FIRST STEP:**

- Support the Pojoaque Valley District Use Table that outlines specific lands uses which are permitted, not permitted, conditional uses, and special uses within the Residential and Mixed-Use Districts. See **Appendix B** for the list of uses specific to the Pojoaque Valley Traditional Community District.
- Recommend adoption of the mixed-use districting maps and the Pojoaque Valley District Use Table through the public hearing process and through BCC approval. The proposed mixed-use zoning map and the related uses in the Valley can be found in **Appendix G**. More detailed maps of the three proposed mixed-use zones can be found in **Appendix H, I, and J**.
- Recommend including parcels that were formerly Jacona Land Grant land, adjacent to NM 502, in the Pojoaque Valley Traditional Community District and designating them as mixed-use.
- Continue disseminating information in the community about mixed-use zoning.

- RESOURCES:**
- Current business owners/landowners adjacent to U.S. 84/285 and S.R. 502 or any other County Road in the Valley
  - Landowners in other potential mixed-use/commercial corridors
  - County

**ACTION 4B: Revitalize traditional agricultural practices.**

**BACKGROUND:** Our Valley has a long tradition of agriculture, and agriculture is an essential component of the rural character of the area. Although many people are turning to other ways of making a living, and housing is being built on agricultural land, there are some people in the Valley who are successfully farming for a living. In addition, many people grow their own food in gardens. A vital agricultural sector will enable people to make a living locally or to supplement their income, as well as to provide fresh, healthy food for the community. However, due to limited water resources and social and economic factors, the ability to maintain our agricultural traditions will become more challenging for current and future generations.

**CURRENT STATUS:**

- A farmer's market has been started, with the financial support of the Pueblo of Pojoaque and the New Mexico Farmers' Market. The Pueblo of Pojoaque has provided a permanent venue that is easily accessible and visible from the freeway.
- Initial funding for a commercial kitchen has been appropriated by the State. The details to get the kitchen up and running are still in process of formulation.
- A program has been negotiated by the Pojoaque Pueblo to allow local growers to sell their produce at the Pojoaque Supermarket.
- Community organizations have been created to establish programs that would address the loss of agricultural land in the Valley and throughout Santa Fe County. The goals of some of these programs are to protect these lands and put them back into production by finding funding sources to pay for clearing invasive vegetation, for acequia system components, and for hiring people to cultivate fallow land. A few of the local groups that are currently initiating this kind of work are: Santa Fe County Soil and Water Conservation District, Agriculture Revitalization Initiative, and the New Mexico Acequia Association.

**FIRST STEPS:**

- Work with local groups to achieve the following:
- Determine which agriculture programs in the area are viable.

RESOURCES:

- Consider reestablishing and/or supporting youth related agricultural revitalization programs such as the FFA, 4-H, or other horticulture or land based programs.
- Disseminate information about agri-business and local agricultural projects and initiatives.
- Local farmers, growers, and acequia users
- Youth oriented programs focusing on agricultural initiatives in and outside the schools.
- Farmer's Market – local and state
- Pueblo of Pojoaque
- Pueblo of Nambé
- Pueblo of San Ildefonso
- SF County Soil and Water Conservation District
- Agricultural Revitalization Initiative
- New Mexico Acequia Association
- Pojoaque Valley Irrigation District
- Rio Pojoaque Acequia and Well Water Association (RPAAWWA)
- Pojoaque Basin Water Alliance (PBWA)
- Interstate Stream Commission (ISC)
- USDA
- Funding for agricultural initiatives: Legislative Capital Outlay; 80/20 Federal/Local matching funds



**ACTION 4C: Promote an arts and crafts economy in the Valley.**

**BACKGROUND:**

Historically the Valley has been home to well known artists and many traditional and contemporary artists currently live and work in the Valley. An arts and crafts economy is consistent with the character of the Valley that we wish to preserve. Today, there are some artists that want and need more exposure. Promoting arts and crafts in the Valley may be the way to accomplish this.

**CURRENT STATUS:**

There are currently two annual art events in the Valley: the Pojoaque River Art Tour and La Sociedad Protección Mutua de Trabajadores Unidos (S.P.M.D.T.U) Hispanic Arts Festival. The Poeh Center Museum exhibits the work of regional Native American artists, and some artists have galleries in their homes. There is no ongoing community venue for local artists to promote, market and sell their products.

**FIRST STEPS:**

- Create a permanent community arts venue:
  - Survey artists and craftspeople to gauge interest in having other venues or opportunities to market their work
  - Explore potential venues that may be available, or may become available in the future. A potential site may be the future multi-purpose community center for the Valley.

**RESOURCES:**

- Active artists and local galleries
- S.P.M.D.T.U.
- Pojoaque River Art Tour
- El Rancho Community Center
- State and federal funds available for Community Centers and Capital Outlay Funds



**ACTION 4D: Support home occupations and home businesses.**

**BACKGROUND:**

The Santa Fe County 1999 Growth Management Plan promoted the concept of home occupations. The Plan's intent was to create the option to have a business or profession operating within a residential dwelling, thus promoting economic growth, without the impact that comes with commuting or going to another place of work.

**CURRENT STATUS:**

The home occupation requirements are currently outlined in the County Development Code and are allowed anywhere in the County, provided all of the requirements of the Code are met. Home businesses are an addition in the proposed Santa Fe County Code Rewrite and are recommended and supported by the Pojoaque Valley Planning Committee.

**FIRST STEPS:**

- Amend the current Land Use Code to allow home businesses in the Pojoaque Valley Traditional Community District. The following requirements would be enforced below:

**Home Business Requirements:**

Small scale home businesses, including but not limited to retail shops and galleries, offices or restaurants may be allowed as accessory uses to single-family dwellings provided that such businesses comply with the following standards:

1. A site development plan shall be submitted and all uses and plans shall be subject to a conditional use permit as identified in the County Code;
2. Not more than 2,500 sq. ft. shall be dedicated to the use;
3. The owner shall reside on-site; and not more than 6 persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home business;
4. All outdoor storage shall be screened and there shall be no more than 1,000 square feet of such storage related to the home business;
5. The use shall not be disruptive of the residential character of the neighborhood;
6. Such uses may have no more than one sign advertising the accessory use in accordance with the requirements of Sec. 7.12, signs;
7. No equipment or process shall be used that significantly interferes with the existing use of property in the adjacent area;
8. Such uses shall comply with any otherwise applicable use-specific standards of this Code;
9. The use shall not create any disturbing or offensive activity, noise, vibration, smoke, dust, odor, heat, glare, or unhealthy or unsightly condition.

**GOAL FIVE: IMPLEMENTATION OF THE ACTION PLANS AND CONTINUED COOPERATIVE PLANNING WITH THE COUNTY, STATE AND FEDERAL GOVERNMENTS, THE JACONA LAND GRANT INC., AND THE LOCAL PUEBLOS.**

**Action 5:**  
**Create an entity that looks after the interests of the Valley by implementing the Community Strategic Plan, and is able to plan cooperatively with the County, State and Federal governments, the Jacona Land Grant Inc., and the local Pueblos.**



***Action 5: Create an entity that looks after the interests of the Valley by implementing the Community Strategic Plan, and is able to plan cooperatively with the County, State and Federal governments, the Jacona Land Grant Inc., and the local Pueblos.***

**BACKGROUND AND JUSTIFICATION:**

The Pojoaque Valley is unlike any other community in Santa Fe County. Although it is unincorporated, it has a population and area comparable to existing incorporated communities in New Mexico. To add to its complexity the Valley is made up of six Traditional Communities surrounded by three Pueblos and the Jacona Land Grant.

Upon approval of the Community Strategic Plan by the Board of County Commissioners, our unique community will need a distinctive "Planning Authority" to implement the plan. This entity should represent the people of the various communities of the Valley and be able to communicate across political jurisdictions. In addition, this entity will need to make recommendations concerning Valley issues and be advocates for the residents of the Valley.

The role and responsibilities of this group would include those of existing Local Development Review Committees (LDRCs) as designated in the Santa Fe County Code. However this entity will have an expanded role to include both planning and advocacy functions in order to implement the non-ordinance actions of the strategic plan. The size of the group is proposed to be 5 to 7 members depending on the need and also the interest, but most importantly, to get equitable representation from each of the communities in the Valley.

**CURRENT STATUS:**

- The Planning Committee exists but is temporary
- We need to implement a Local Development Review Committee (LDRC) entity when the plan is approved. A "Valley Council" or "Planning Authority" has been proposed that would include the functionality of a LDRC (which traditionally focuses on land use issues), but would have the additional mission of implementing other actions of the Community Strategic Plan.
- Tribal leadership from the surrounding Pueblos in the Valley will continue to communicate and make decisions via government to government interaction.

**FIRST STEPS:**

- Modify the existing Code to allow for the expanded role of the LDRC to a "Planning Authority" recommending body.
- Solicit community-wide support by meeting with existing Valley organizations as well as the general community to explain the role of the group.

- Establish the "Planning Authority" with defined duties and functions. The Planning Authority will create subcommittees as needed to work on community topics.

RESOURCES:

Existing community organizations representing the interests and concerns of the Valley  
County Commissioner and State Legislator for the Valley

PARTNERS:

County Commissioner  
County Planning staff  
Community organizations  
PV School Board

## V. Implementing, Monitoring and Evaluating

### *Implementation of the Plan*

Upon adoption by the Board of County Commissioners, the Plan will serve as an amendment to the County's Growth Management Plan. Recommendations can be implemented through ordinances and/or through programs and projects. Specific zoning recommendations and design standards and guidelines will be implemented through ordinances, which become amendments to the County Land Development Code. Any projects and proposals identified through the planning process may be considered as possible projects in the Infrastructure Capital Improvement Program (ICIP) and the County's Capital Improvement Program (CIP). The Plan should be updated as conditions change in the Valley.

#### ***A Local Development Review Committee – "Pojoaque Valley Planning Authority"***

A local group is proposed to assist in implementing and monitoring the success of the Plan. The primary role of this "Planning Authority" will be advisory to policy makers, namely the Board of County Commissioners (BCC) and other Santa Fe County agencies and divisions. This recommending body will advocate for the vision, mission, and actions of the Pojoaque Valley Community Strategic Plan. In this role, the Planning Authority members would work closely with the County Commissioner for the Valley to prioritize projects, explore funding sources, and help to organize local community groups and meetings to address concerns and move projects forward. The Authority would be only a recommending and planning body, so concerns about power dynamics should not be an issue.

#### **Development Review**

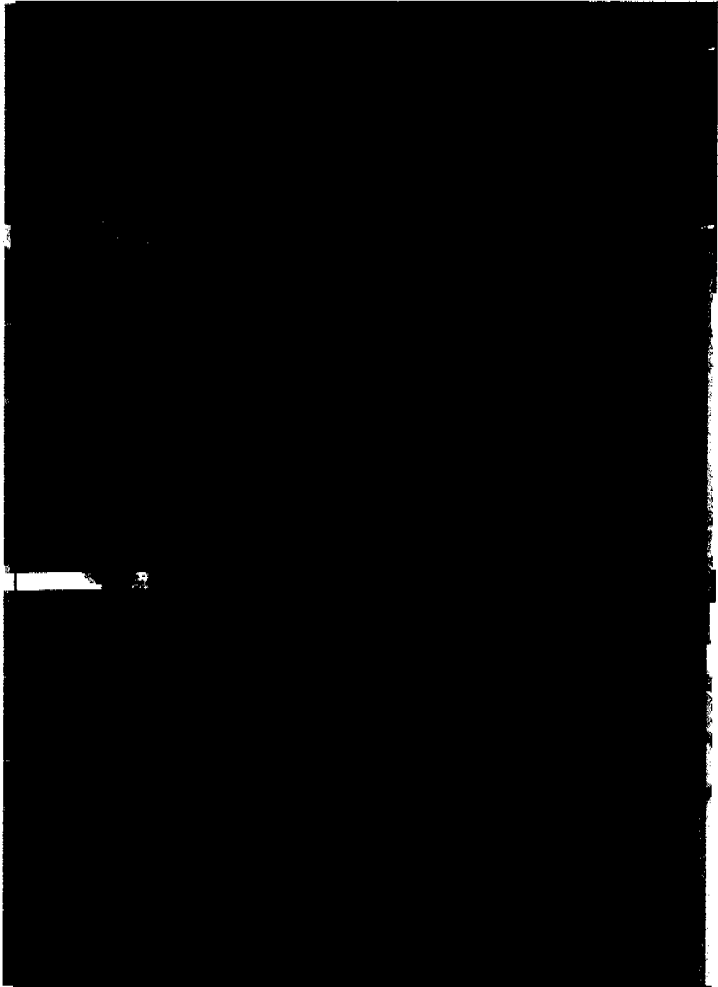
Review of new development in the Valley will be a key role for the Planning Authority. The BCC will have empowered the group to review local development plans and will honor the local group's recommendations regarding proposed developments. The group should be the primary point of contact for community members to explore development options.

**Selection of Committee Members**

The selection process may be similar to that used to fill seats in the County Open Land and Trails Planning and Advisory Committee (COLTPAC) process. It will be required however, that membership of the committee will be representative of each of the six Traditional Communities of the Pojoaque Valley. The ideal size of the Planning Authority would be 5 to 7 members.

An ad-hoc selection committee could be established by the Valley County Commissioner. The selection committee members would likely have some experience and/or history with the Pojoaque Valley community planning effort or otherwise be active in some sort of public capacity in the Pojoaque Valley.

This selection committee would review all applications, giving priority to those candidates' names that the committee believes would best serve the goals of the Community Strategic Plan and the entire Valley. These recommendations will be forwarded to the County Commission for final appointment.



# Implementation and Monitoring Strategy

ACTION	Phase One (1 - 2 Years)	Phase Two (3-5 Years)	Phase Three (6 -10 years)	Partners
<b>1A: Provide a multi-purpose community center</b>	❖ Work with County Project Coordinator and Commissioner to:	❖ Request ICIP funding for additional needs not covered by legislative appropriations	❖ Continue updating and monitoring the community center to assess the needs of the community	❖ County staff
	• Decide what site would be most appropriate	❖ Request additional funding for additional needs not covered by legislative appropriations such as construction, operating expenses, and staffing	❖ Design and build the community center	❖ Jaccona Land Grant Inc.
	• Meet with appropriate parties to confirm options for site	❖ Meet with the PV School Board to create a secondary agreement about trailheads, access, and parking	❖ Update COLTPAC on trail needs and maintenance; ask for additional funding if possible	❖ PV School District
	• Prepare a feasibility study and a preliminary conceptual design of the community center.	❖ Provide necessary infrastructure for the trail construction	❖ Continue to pursue connecting trail systems with the Pojoaque Trail	❖ State and County Representatives
	• Secure sale or lease of the site	❖ Name the multi-purpose trail – a name indicative of where the trail runs and the history of the area		
	❖ Present trail system plan to COLTPAC to put in a request for funding	❖ Promote the trail to the community		
	❖ Create an agreement with the Jaccona Land Grant, the Pojoaque Pueblo and the BLM through means of a Memorandum of Agreement (MOA)	❖ Create a "Friends of the Trail" program for volunteer maintenance of the trail		
	❖ Define a Management Plan and Phases and secure legal easements	❖ Explore connectors with other trail systems in or near the Valley.	❖ Ongoing support and evaluation of youth issues and needs	❖ A subgroup of the Pojoaque Valley Planning Authority or another local group will need to initiate these activities
	• Design the trail, allowing for future connections with other planned and existing trails			❖ PV Schools
				❖ Valley Pueblos
<b>1B: Create a connected trail system</b>				
<b>1C: Promote community support for quality education, and advocate for more job opportunities and recreation for Valley Youth</b>	❖ Conduct focus groups and surveys with youth, local business, educational entities and social services	❖ Establish an ongoing working relationship with the PV School Board concerning youth related issues.		
	❖ Define issues of importance to the above groups	❖ Establish an ongoing working relationship with local businesses to identify and encourage job opportunities for Youth.		
	❖ Complete an inventory of all activities, clubs, and resources available to youth	❖ Support recreational activities for the Youth at the community center.		
	❖ Start mobilizing the community in support of the issues that have been identified as important.			

<p><b>2A: Preserve acequias and improve diversions and delivery systems</b></p>	<ul style="list-style-type: none"> <li>❖ Promote a pilot project in order to model the method for bringing together the resources necessary to improve and preserve acequias. <ul style="list-style-type: none"> <li>- Choose an acequia for the project that is one of the larger systems in regards to irrigated land and number of participants (i.e. La Otra Banda)</li> </ul> </li> <li>❖ Document the process and make it available to other acequias.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Assist in establishing an acequia preservation program, working with local acequia groups and the NM Acequia Association</li> </ul>	<ul style="list-style-type: none"> <li>❖ Ongoing inquiries for future technical and financial assistance for acequias</li> </ul>	<ul style="list-style-type: none"> <li>❖ Acequia Commissions in the Valley</li> <li>❖ Rio Pojoaque Irrigation District</li> <li>❖ NM Acequia Association</li> <li>❖ RPAWWA</li> <li>❖ OSE</li> </ul>
<p><b>2B: Develop and implement strategies for domestic water conservation</b></p>	<ul style="list-style-type: none"> <li>❖ Disseminate information about water conservation County requirements and other water conservation information at the County satellite office in Cuyamungue.</li> <li>❖ Begin formulating a conservation education initiative through the schools or with individual teachers or programs</li> <li>❖ Develop a County sponsored incentive program for water conservation</li> </ul>	<ul style="list-style-type: none"> <li>❖ Investigate sources of technical and financial assistance for acequias</li> </ul>	<ul style="list-style-type: none"> <li>❖ Ongoing education and dissemination of information as new technologies are introduced</li> </ul>	<ul style="list-style-type: none"> <li>❖ County staff Education subcommittee</li> </ul>
<p><b>2C: Protect domestic water supplies</b></p>	<ul style="list-style-type: none"> <li>❖ Promote a coordinated effort to remove non-native species of vegetation that contribute to the depletion of the aquifer.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Hold another water fair in order to consistently monitor water quality - A water fair can be used as a venue to educate the community about the quality of their water sources.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Support a regional wastewater facility to include the Traditional Communities of the Valley.</li> </ul>	<ul style="list-style-type: none"> <li>❖ LANL</li> <li>❖ NMED</li> <li>❖ OSE</li> <li>❖ Valley Pueblos</li> </ul>
<p><b>2D: Pursue options for wastewater management and treatment systems.</b></p>	<ul style="list-style-type: none"> <li>❖ Improve wastewater treatment systems: <ul style="list-style-type: none"> <li>• Address the issue of older, sub-standard septic systems by requiring properties in the Pojoaque Valley Traditional Community District that are going to be divided, subject to a family transfer, variance, or rezoning, to furnish complete and accurate documentation to the County which demonstrates that all facilities on-site are in compliance with all New Mexico Environment Department regulations</li> <li>• Require proof that necessary permits have been obtained for any and all septic and waste disposal facilities on the properties mentioned above.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Continue to support a regional wastewater facility as well as other local options for wastewater treatment.</li> </ul>	<ul style="list-style-type: none"> <li>• Have a location study done for a potential regional scale waste water system project</li> <li>• Work with Pueblos to get other areas of Valley connected to their system</li> </ul>	<ul style="list-style-type: none"> <li>❖ Valley Pueblos Regional consortium on wastewater (currently EBRPIF)</li> </ul>
<p><b>3A: Consider a Youth Council that can work directly with the School District, the County, and Pueblos on youth-related issues</b></p>	<ul style="list-style-type: none"> <li>❖ Determine what entity will take the lead to start this organization and hold the initial meetings with youth groups, for example, an Education or Youth Subcommittee.</li> <li>❖ Meet with existing high school groups/organizations to get input and to see if youth would be interested <ul style="list-style-type: none"> <li>• Decide the purpose of this group and what issues the group would work on</li> <li>• Determine whether the entity would simply provide support for other student/youth organizations, or would also attempt to provide input to decisions made in the community (by the County, the PV School District, Pueblos, PV Planning Authority etc).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Get more information about options for local systems and information on better septic and re-use technologies</li> <li>❖ Create demonstration and pilot projects of Advanced Treatment Systems</li> </ul>	<ul style="list-style-type: none"> <li>❖ If a Youth Council is desired after thorough consultation with local youth, explore funding resources available through State and Federal grants, or through the Community Development division of LANL. Funding could be used for youth conferences, youth leadership programs, local projects or other initiatives that would benefit youth.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Education or Youth Subcommittee of PV Planning Authority</li> <li>❖ PV Schools</li> <li>❖ Pueblos</li> <li>❖ Boys and Girls Club</li> <li>❖ Church groups</li> </ul>



**3B: Address community problems in collaboration with governmental agencies and other organizations**

- ❖ **Law Enforcement:**
  - ❖ Advocate for a continuous law enforcement presence in the Valley (crime, speeding, vandalism, animal control, and ATV violations)
  - ❖ Advocate for improved communication between County, BIA and Tribal Police
- ❖ **Vandalism and Graffiti:**
  - ❖ Identify where graffiti is most problematic
  - ❖ Organize volunteer efforts for cleaning graffiti
  - ❖ Support educational awareness programs in collaboration with law enforcement efforts to combat graffiti issues.
- ❖ **Littering/illegal Dumping:**
  - ❖ Examine littering and dumping issues and identify the areas of concern for illegal dumping
  - ❖ Organize clean up of the roads, arroyos and other waterways
  - ❖ Address problems accessing the transfer station
    - Reduce fees; expand hours of operation

- ❖ **Roads:**
  - ❖ Improve road maintenance – regular grading and removal of encroaching vegetation on roads
- ❖ **Other Agencies and Organizations:**
  - ❖ Support the State, County, Schools, Pueblos and non-profit organizations to promote community programs that address abuse of drugs, alcohol, and gambling, and to work on suicide and teen pregnancy prevention.

**3C: Communicate, evaluate, and modify existing zoning regulations as needed to address growth and land use issues**

- ❖ **Development Review:**
  - ❖ Hold community forums to explain the changes in the Santa Fe County Growth Management Plan and gather feedback from community members. Communicate the information through schools, churches and other community organizations.
  - ❖ Provide copies of ordinances and the Community Strategic Plan at the Santa Fe County Northern Office in Cuyamungue.
  - ❖ Establish local review of new developments to determine if the location, intensity, and design of new development respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural or recreational concern.
- ❖ **Public Notification and Community Outreach:**
  - ❖ Applicants for any residential development with 5 or more lots, as well as for non-residential development projects with large-scale impacts, shall publicize and hold a pre-application community-wide meeting to present the proposed development concept and gather public comments and concerns about the development.
    - Large-scale impacts include, but are not limited to, significant impacts such as large or high artificial structures, generation of smoke, dust, particulate emissions or noxious fumes or odors, loud noise, bright light pollution or the modification of community infrastructure such as roads, waterways and trails.
    - The applicant shall publish notice of the time, place and purpose of the meeting in the weekly Pojoaque section of the

- ❖ **Vandalism and Graffiti:**
  - ❖ Support an adopt-a-wall and/or adopt-a-sign program
- ❖ **Littering/illegal Dumping:**
  - ❖ Organize a community cleanup
  - ❖ Utilize the County satellite office in Cuyamungue for purchase of refuse permits
  - ❖ Support educational programs in collaboration with law enforcement efforts to inform the community about vandalism, graffiti, and illegal dumping
  - ❖ Support an adopt-a-road program and trash cleanup by the Corrections Department program
- ❖ **Other Agencies and Organizations:**
  - ❖ Establish a multi-purpose community center in order to house community programs and/or act as an information clearinghouse for the community.
- ❖ Continue to utilize the County satellite office in Cuyamungue to disseminate information about these community issues and the ways the community can get involved
- ❖ Continue to support educational programs to inform the community about vandalism, graffiti, and illegal dumping
- ❖ County departments and divisions
- ❖ Pueblos
- ❖ PV Schools
- ❖ Neighborhood Associations in the Valley

- ❖ **Development Review and Public Notification:**
  - ❖ Continue to disseminate information about land use regulations in the Pojoaque Valley.
  - ❖ Evaluate how the notification and community outreach procedures
- ❖ **Boundary Issues:**
  - ❖ Consider including other areas of the Jacona Land Grant in the Pojoaque Valley Traditional Community District boundaries, provided the majority of the shareholders of the Grant support this inclusion.
  - ❖ Continue working on boundary discrepancies with private owners, Pueblo, County, State and Federal representatives on a case by case basis.
- ❖ **Boundary Issues:**
  - ❖ Areas such as Lorna Blanca (north of the old dairy), the southern part of Cuyamungue, and other public lands may also be considered for inclusion into the Traditional Community District.
  - ❖ This inclusion will need a majority of the community members in these areas to come forth and express a desire to be included in the Traditional Community District.
- ❖ County staff
- ❖ County Commissioner
- ❖ Pueblos
- ❖ State Representatives
- ❖ Congressional delegates
- ❖ BIA

Santa Fe New Mexican and Albuquerque Journal North newspapers and shall mail notice to neighborhood organizations associations in the Pojoaque Valley.

- The applicant shall record the meeting proceedings and submit a written record to the County along with the application for development.
- In addition to County Code requirements, notice of pending applications of land divisions, family transfers, subdivisions, rezoning, home businesses, non-residential uses or other applications requiring committee review, shall be prominently posted and maintained in a manner most visible to community and adjacent neighbors.

**Support Appropriate Housing:**

- ❖ Support the enforcement of the Santa Fe County Affordable Housing Ordinance in the Pojoaque Valley Traditional Community District.
- ❖ Avoid segregation of affordable housing by encouraging developments with both affordable housing and market rate housing.
- ❖ Encourage clustering of homes in order to give landowners the option to maintain agricultural practices and/or preserve open space.
- ❖ Support family compounds in order to maintain traditional lifestyles.
- ❖ Promote the location, intensity, and design of new housing to respect existing neighborhood values.
- ❖ Support Family Transfers as a form of affordable housing which supports the continuation of family legacy and inheritance.

**Continue Resolving Boundary Issues:**

- ❖ Work with property owners, the Pueblos, the County, State representatives, and Congressional delegates to resolve issues and discrepancies concerning the Pojoaque Valley Traditional Community District boundaries on a case by case basis.
- ❖ Support the Pojoaque Valley District Use Table that outlines specific lands uses which are permitted, not permitted, conditional uses, and special uses within the Residential and Mixed-Use Districts. (See Appendix B for the list of uses specific to the Pojoaque Valley Traditional Community District.)
- ❖ Recommend adoption of the mixed-use districting map and the Pojoaque Valley District Use Table through the public hearing process and through BCC approval. (The proposed mixed-use zoning maps and the related uses in the Valley can be found in Appendices G, H, I, and J.)
- ❖ Recommend including parcels that were formerly Jacona Land Grant land, adjacent to NM 502 in the PV Traditional Community District and designating them as mixed-use.
- ❖ Continue disseminating information in the community about mixed-use zoning.

**4A: Establish mixed-use districts or "corridors" for Valley businesses.**

- ❖ Work with Jacona Land Grant to consider other areas of land that are adjacent to NM 502 to be included in the mixed-use corridor.
- ❖ Evaluate designated mixed-use zones and identify potential opportunities for the Valley to promote local businesses.
- ❖ County Jacona Land Grant
- ❖ Landowners in other potential mixed-use corridors

**4B: Revitalize traditional agricultural practices**

- ❖ Work with local groups to achieve the following:
  - Determine which agriculture programs in the area are viable.
  - Consider reestablishing and/or supporting youth related agricultural revitalization programs such as the FFA, 4-H, or other horticulture or land based programs.

- ❖ Disseminate information about agri-business and local agricultural projects and initiatives.

- ❖ Farmer's Market
- ❖ Pueblos
- ❖ PV Irrigation District
- ❖ RPAWVA
- ❖ NIM Acequia Assoc.

**4C: Promote an arts and crafts economy in the Valley.**

- ❖ Explore options for a permanent community arts and crafts venue:
  - Survey artists and craftspeople to gauge interest in having other venues or opportunities to market their work/skills.
  - Explore potential venues that may be available or may become available in the future. A potential site may be the future multi-purpose community center for the Valley.

- ❖ Create a permanent community arts and crafts venue in which to show, sell and promote the local artists in the Valley.

- ❖ S.P.M.D.T.U.
- ❖ Active artists and local galleries
- ❖ Pojoaque River Arts Tour

**4D: Support home occupations and home businesses**

- ❖ Amend the current Land Use Code to allow home businesses in the Pojoaque Valley Traditional Community District.
- ❖ Disseminate information about home occupation and home business requirements at the County satellite office.

- ❖ Disseminate information about small business funding opportunities

- ❖ County staff
- ❖ Small business enhancement organizations

**5: Create an entity that looks after the interests of the Valley by implementing the Community Strategic Plan, and is able to plan cooperatively with the County, State and Federal governments, the Jacona Land Grant Inc., and the local Pueblos.**

- ❖ Modify the existing Code to allow for the expanded role of the Pojoaque Valley LDRC to a "Planning Authority" recommending body.
- ❖ Solicit community-wide support by meeting with existing Valley organizations as well as the general community to explain the role of the group.
- ❖ Establish the "Planning Authority" with defined duties and functions. The "Planning Authority" will create subcommittees as needed to work on community topics.

- ❖ Re-evaluate the role of the Planning Authority and make the necessary adjustments as needed.

- ❖ County Commissioner
- ❖ County Planning staff
- ❖ County staff
- ❖ PV School Board

**VI: Appendices**

- A. Pojoaque Valley Traditional Community District Density Criteria Table**
- B. Pojoaque Valley Traditional Community District Use Table**
- C. Demographic and Economic Profile and Projections of the Greater Pojoaque Valley**
- D. Timeline of the Planning Process**
- E. SWOT Example**
- F. Pojoaque Valley Traditional Community District Map**
- G. Map of Proposed Pojoaque Valley Mixed-Use Zones**
- H. Map of Proposed Mixed-Use Zone A**
- I. Map of Proposed Mixed-Use Zone B**
- J. Map of Proposed Mixed-Use Zone C**
- K. Proposed Pojoaque Valley Multi-Purpose Trail Map**

**Appendix A:**

**POJOAQUE VALLEY TRADITIONAL COMMUNITY DISTRICT DENSITY CRITERIA TABLE**

Zoning Sub-Districts	Base Density	Water Cons.	Long Term Water	Both W&S (Principal Use)	Residential Uses (Acres Per Dwelling Unit)		Maximum Lot Coverage (%)	Non-Residential Uses	Residential Uses	Max. Height (ft)	Minimum Setbacks (ft)
					Community Services	Nonresidential Uses					
PVTCD	.75	.75	.75	.33			40	24	24	24	0 20 20

## ***Appendix B: Pojoaque Valley Traditional Community District Use Table***

### **Principal Uses:**

#### **P Permitted Uses**

A "P" indicates that a use is allowed by right in the respective zoning district, in accordance with the Development Permit review procedures and shall be approved by the Administrator. Permitted uses are subject to all other applicable regulations of the Santa Fe County Land Development Code.

#### **C Conditional Uses**

A "C" indicates that a use is allowed only if reviewed and approved by the CDRC or applicable LDRC as a Conditional Use, in accordance with the Conditional Use review procedures. Conditional Uses are subject to the submittal requirements of a site development plan and all other applicable regulations of the Code.

#### **S Special Uses**

An "S" indicates that a use is allowed only if reviewed and approved by the Board of County Commissioners as a Special Use, in accordance with the Special Use review procedures. Special Uses are subject to the submittal requirements of a site development plan and all other applicable regulations of the Code.

#### **Uses Not Allowed**

A blank cell (one without a "P", "C" and "S") indicates that a use type is not allowed in the respective zoning district. Uses not listed may be allowed in accordance with the provisions of Section 10.11. Principal Uses Not Specifically Listed.

**Note:** The Pojoaque Valley Traditional Community District Use Table, below, is organized into 5 major use groups: Residential Use Categories, Public, Civic and Institutional Use Categories, Retail, Service and Commercial Use Categories, Industrial Use Categories, and Open Use Categories. Each major use group is further divided into specific uses. The use category system is based on common functional, product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest.

#### **Key and Definitions:**

**Please note that this table is part of the proposed Land Use Code Rewrite, and will be implemented by ordinance when approved by the Board of County Commissioners.**

**Residential District = Pojoaque Valley Traditional Community District** – The Traditional Community boundary area for which we are planning.

**Mixed-Use Districts** – These are the designated Mixed-Use Districts that the PVTCDC that allow for a variety of uses. These areas include portions off of SR 502, US 84/285 and the northwest portion of Cuyamungue on 84/285.

# POJOAQUE VALLEY TRADITIONAL COMMUNITY DISTRICT USE TABLE

Use Categories	Specific Uses	Residential District	Mixed-Use Districts	Use Standards
	All household living not listed below			
	Single-family dwellings and manufactured homes			P
	Two-family dwellings (duplexes)			P
	Multi-family dwellings			C
	Manufactured home communities and subdivisions			S
	Mobile homes			P
	Upper floor residential			P
	All group living not listed below			S
	Community residential homes			P
	Family compounds			C
	All places of worship			C
	All day care not listed below (Accessory Home-based)			C
	Day care (13 or more adults or children)			C
	All community service not listed below			S
	Community facilities			P
	Libraries			P
	Museums			P
	Philanthropic institutions			P
	Senior centers			P
	All educational facilities not listed below			C
	Elementary school			C
	Middle or high school			C
	Colleges or universities			C
	Business and vocational schools			C
	All government facilities not listed below			C
	Emergency services			P

# POJOAQUE VALLEY TRADITIONAL COMMUNITY DISTRICT USE TABLE

Use Categories	Specific Uses	Residential District	Mixed-Use Districts	Use Standards
	Jail or prison		P	
	Post Office		C	
	All parks and open space not listed below		C	
	Cemetery, columbaria, mausoleum, memorial park		C	
	Public parks		S	
	All passenger terminals not listed below			
	Airports			
	Airports or heliport, private			
	All social service institutions		S	
	Utilities not listed below		C	
	Major utilities		S	
	Minor utilities		C	
	Telecommunications facilities		C	
	All major entertainment events, not listed below		S	
	Fairgrounds		S	
	All medical services not listed below		S	
	Hospitals		S	
	Medical and dental offices/clinics		P	
	Emergency medical offices		P	
	All offices not listed below		C	
	Banks and other financial institutions		C	
	Offices (<5,000 square feet)		P	
	Offices (>5,000 to 50,000 square feet)		P	
	Office uses (>50,000 square feet)		S	
	All commercial parking lots and garages			
	All transient accommodations not listed below			
	Inns and bed and breakfasts (<7 units)		P	



# POJOAQUE VALLEY TRADITIONAL COMMUNITY DISTRICT USE TABLE

Use Categories	Specific Uses	Residential District	Mixed-Use Districts	Use Standards
	Inns and bed and breakfasts (7-12 dwelling units)			
	Hotels, motels, and inns (>12 dwelling units)			
	Resorts (with or without conference centers)			
	All indoor recreation not listed below			
	Adult entertainment			
	Convention or conference center			
	Private clubs and lodges (not-for-profit)			
	Entertainment and recreation, indoor			
	All outdoor recreation not listed below			
	Golf courses			
	Recreational uses, outdoor			
	Outfitter and guide services			
	Racetracks and stadiums			
	Recreational vehicle park/campground			
	Riding academies and public stables			
	All restaurants and bars not listed below			
	Restaurants (See also Home Restaurants)			
	Restaurant, serving beer, wine, or liquor			
	Taverns and bars			
	All indoor retail sales and services not listed below			
	Art galleries or dealers			
	Appliance, bicycle, jewelry, shoe or watch repair			
	Convenience stores			
	Exercise or dance studios			
	Gasoline and fuel sales			
	Liquor stores			
	Outdoor markets			
	Personal service establishments			
	Retail establishments, indoor <5,000sf			



# POJOAQUE VALLEY TRADITIONAL COMMUNITY DISTRICT USE TABLE

Use Categories	Specific Uses	Residential District	Mixed-Use Districts	Use Standards
	All resource extraction not listed below			
	Mining and extractive uses			
	Sand and gravel operations			
	All agriculture not listed below			
	Agriculture, grazing and ranching			
	All agricultural business not listed below			
	Animal boarding or training (large animals)			C
	Animal boarding, kennels, shelters (small animals)			C
	Animal breeding (commercial) and development			S
	Animal hospital or veterinarian (large animal)			S
	Animal hospital or veterinarian (small animal)			S
	Animal raising (commercial)			S
	Animal processing, packing, treating, and storage			S
	Dairy farm or milk processing plant, commercial			S
	Greenhouse or nursery			S
	Feed lot, commercial			S
	Livestock auctions or stock yards			S
	Livestock or poultry slaughtering or dressing			S
	Processing of food and related products			S
	Packing house for fruits or vegetables			S
	Retail sales of farm equipment and supplies			S
	Tree or sod farm, retail or wholesale			S

**Appendix C:**  
**DEMOGRAPHIC AND ECONOMIC PROFILE OF THE GREATER POJOAQUE VALLEY, 1990-2010**

**OVERVIEW**

This report presents demographic and economic estimates for the Pojoaque Valley region of northern Santa Fe County and for a proposed Pojoaque Valley Traditional Community Planning District. Comparative figures are provided for the City of Santa Fe, Santa Fe County outside the City, and the County as a whole. Because Pojoaque Pueblo hosts the bulk of economic activity within the Valley, data are also provided for Pojoaque Pueblo.

The following statistical indicators are reported in the pages that follow\*:

- A summary of benchmark demographic statistics for years 1990 and 2000 (population, housing, and household characteristics); including benchmarks for social and economic statistics for 2000 (employment, income, education, journey to work);
- Annual population, housing, and household projections for years 2006-2010.

The benchmark demographic estimates of this report derive from U.S. Census Bureau data files, tabulated at the Census Block level. Year 2000 socioeconomic estimates were tabulated from tract-level Census files. In carrying out this study, all housing and population estimates prepared for 1990-2005 were verified against high-resolution aerial photography of the Valley region.

Employment statistics for 2005 were obtained from ESRI Business Information Solutions (ESRIBIS), a national provider of economic statistics to corporate and government users.

The demographic estimates and projections reported for 2001-2010 were prepared by demographer Al Pitts, using data inputs and calibration methods conventionally employed by the Santa Fe County Land Use Planning Division and the Santa Fe City/County Regional Planning Authority. Population and housing statistics for non-tribal lands within the Valley derive principally from building permit data provided by the County's Land Use Department. Statistics on home construction and non-residential development on tribally-owned land within Pojoaque Pueblo were graciously provided by the Pueblo of Pojoaque Enterprise Corporation.

\*Note: This study is not the complete demographic and economic profile of the greater Pojoaque Valley. To see the complete findings of the study, contact the County Planning Division for a copy.

# DEMOGRAPHIC AND ECONOMIC PROFILE OF THE GREATER POJOAQUE VALLEY, 1990-2010

## SUMMARY

INDICATOR	YEAR	POJOAQUE COMMUNITY DISTRICT	GREATER POJOAQUE VALLEY	SANTA FE COUNTY (X-CITY)
<b>POPULATION</b>				
Persons (April)	1990	4,132	5,816	43,089
Persons (July)	2000	4,786	6,756	67,424
Persons (July, estimated)	2005	4,972	7,217	75,191
Persons (July, projected)	2010	5,165	7,756	83,892
Average annual growth (percent)				
	1990-2000	1.4	1.5	4.5
	2000-2005	0.8	1.3	2.2
	2005-2010	0.8	1.5	2.2
Median Age (years)				
	2000	38.8	36.5	36.3
Population Characteristics (percent)				
Persons 0-17 years of age	2000	25.6	27.4	27.5
Persons 65 years of age and older		12.6	10.9	7.8
Hispanic persons		66.8	59.0	50.2
Native American persons		6.6	18.8	3.9
Persons living in households		100.0	100.0	98.7
Persons living in families (% of persons in households)		86.3	86.5	86.0
Persons living alone (% of persons in households)		9.6	9.1	8.0
Persons who lived in a different house in 1995		29.0	14.5	41.3
Persons who lived outside of Santa Fe County in 1995		14.5	7.7	23.3
Persons who lived outside of New Mexico in 1995		7.7	7.7	14.6
Persons who did not complete high school (*)		18.5	18.5	15.6
(*) Percent of persons age 25 years and older		23.7	23.7	33.9
<b>HOUSEHOLDS</b>				
Number of households (April)	1990	1,570	2,130	15,051
Number of households (July)	2000	1,906	2,617	25,042
Number of households (July, estimated)	2005	2,003	2,829	28,471
Number of households (July, projected)	2010	2,105	3,076	32,256
Household Characteristics				
Average household size (persons)	2000	2.5	2.6	2.7
Average family size (persons)		3.1	3.1	3.2
Family households (% of all households)		71.0	71.4	71.5
Single-person and other non-family households (%)		29.0	28.6	28.5
Households living in owner-occupied housing (%)		81.9	79.8	80.0
Households with income less than \$20,000 (%)		28.3	28.3	19.8
Median household income		\$34,132	\$44,205	\$44,205
<b>HOUSING</b>				
Housing units (April)	1990	1,755	2,405	16,783
Housing units (July)	2000	2,067	2,845	27,168
Housing units (July, estimated)	2005	2,173	3,076	31,037
Housing units (July, projected)	2010	2,283	3,346	35,151
Average annual growth (housing units)				
	1990-2000	31	41	1,013
	2000-2005	22	51	774
	2005-2010	22	53	823
Housing Characteristics (% of total units)				
Occupied housing units	2000	92.0	92.2	91.7
Vacant housing units		8.0	7.8	8.3
Recreational/seasonal units		1.6	1.8	2.7
Owner-occupied units (% of occupied units)		81.9	79.8	80.0
Conventional detached single-family homes		67.4	67.4	64.4
Mobile homes		25.4	25.4	28.9
Multi-family housing units		7.2	7.2	6.7
<b>EMPLOYMENT</b>				
Employed persons	2005	360	1,282	13,072
Percent employed in:				
Construction		1.1	0.7	7.9
Manufacturing, transport, communications, utilities		1.4	3.6	5.6
Retail trade		9.4	8.1	22.9
Entertainment, recreation, accommodations		47.9	45.0	13.9
Educational services		5.8	20.7	10.9
Government		11.9	8.7	12.6
All other		22.5	13.2	26.2
<b>RESIDENT LABOR FORCE (age 16 and older)</b>				
Resident labor force (persons)	2000	3,137	3,137	34,203
Employed persons in labor force (persons)		2,993	2,993	32,540
Unemployment rate (percent)		4.6	4.6	4.9
Percent of employed residents who work in				
City of Santa Fe		38.9	38.9	52.5
Remainder of Santa Fe County		25.3	25.3	21.3
Los Alamos County		28.1	28.1	8.5
Elsewhere		7.7	7.7	17.7
<b>JOURNEY TO WORK</b>				
Employed persons who work at home	2000	117	117	2,437
Employed persons who commute to work		2,876	2,876	30,103
Commuters (% of employed persons)		96.1	96.1	92.5
Median one-way travel time to work (minutes)		28.6	28.6	24.4
Percent of commuters who travel by:				
One-passenger private vehicle		74.9	74.9	76.0
Carpool		19.7	19.7	20.0
Public transportation		0.3	0.3	0.3
Other means (e.g., bicycle, walked, motorcycle)		5.1	5.1	3.7

01. POPULATION, HOUSEHOLD, AND HOUSING GROWTH, 1990-2010

PRINCIPAL ASSUMPTIONS

COUNTY-ADMINISTERED LANDS (Pojoaque Valley Traditional Community District and a portion of the Cuyamungue Land Grant)

HOUSING OCCUPANCY After 1996, occupied units as a pct of all housing units remains constant at the Census2000-enumerated level.  
 AVERAGE HOUSEHOLD SIZE After 1996, household size declines at half the average annual rate experienced during 1990-2000.  
 HOUSING GROWTH After 2003, unit housing growth remains constant at the average annual rate experienced during 1999-2003.

PUEBLO-ADMINISTERED LANDS (All Pueblo lands located outside the Pojoaque Valley Traditional Community District)

HOUSING OCCUPANCY After 2000, occupied units as a pct of all housing units remains constant at the Census2000-enumerated level.  
 AVERAGE HOUSEHOLD SIZE After 2000, household size declines at half the average annual rate experienced during 1990-2000.  
 HOUSING GROWTH Beginning in 2000, unit housing growth in Nambé and San Ildefonso Pueblos remains constant at the average annual rate experienced by each during 1990-2000.

Beginning in 2007, annual housing growth on tribally-owned land within Pojoaque Pueblo remains constant at 24 units per year, consistent with residential construction plans under consideration by the Pueblo of Pojoaque Enterprise Corporation as of August 2006.

POPULATION YEAR (July 1)	GREATER POJOAQUE VALLEY	TRADITIONAL COMMUNITY DISTRICT	POJOAQUE PUEBLO TRIBAL LANDS	NAMBÉ PUEBLO TRIBAL LANDS	SAN ILDEFONSO PUEBLO TRIBAL LANDS	CUYAMUNGUE LAND GRANT (NON-TRIBAL) (*)
1990 (April, Census)	5,816	4,132	650	423	408	203
2000 (April, Census)	6,695	4,771	658	531	520	215
2000 (July)	6,756	4,786	698	533	524	215
2001	6,906	4,818	800	544	528	216
2002	6,983	4,852	842	552	530	217
2003	7,074	4,883	864	562	534	221
2004 (Projected)	7,128	4,934	861	572	539	222
2005 (Projected)	7,217	4,972	896	583	543	223
2006 (Projected)	7,333	5,013	959	593	547	221
2007 (Projected)	7,431	5,051	1,008	600	549	223
2008 (Projected)	7,540	5,088	1,065	610	553	224
2009 (Projected)	7,649	5,126	1,121	620	557	225
2010 (Projected)	7,756	5,165	1,174	630	561	226

AVERAGE ANNUAL GROWTH (%)

1990-2000	1.47	1.44	0.70	2.28	2.47	0.56
2000-2005	1.33	0.77	5.12	1.81	0.71	0.73
2005-2010 (Projected)	1.45	0.76	5.55	1.56	0.65	0.27

(\*) Portion not located within Pueblo boundaries.

01. POPULATION, HOUSEHOLD, AND HOUSING GROWTH, 1990-2010  
(continued)

HOUSING UNITS YEAR (July 1)	GREATER POJOAQUE VALLEY	TRADITIONAL COMMUNITY DISTRICT	POJOAQUE PUEBLO TRIBAL LANDS	NAMBE PUEBLO TRIBAL LANDS	SAN ILDEFONSO PUEBLO TRIBAL LANDS	CUYAMUNGUE LAND GRANT (NON-TRIBAL) (*)
1990 (April, Census)	2,405	1,755	228	166	173	83
2000 (April, Census)	2,821	2,061	255	214	195	96
2000 (July)	2,845	2,067	271	215	195	96
2001	2,912	2,086	311	220	198	97
2002	2,957	2,105	329	225	200	98
2003	2,999	2,128	339	230	202	100
2004 (Projected)	3,030	2,151	339	235	204	101
2005 (Projected)	3,076	2,173	355	240	206	102
2006 (Projected)	3,132	2,195	381	245	208	103
2007 (Projected)	3,184	2,217	403	250	210	104
2008 (Projected)	3,238	2,239	427	255	212	105
2009 (Projected)	3,292	2,261	451	260	214	106
2010 (Projected)	3,346	2,283	475	265	216	107
<b>AVERAGE ANNUAL GROWTH (%)</b>						
1990-2000	1.65	1.61	1.70	2.56	1.23	1.43
2000-2005	1.57	1.01	5.55	2.22	1.00	1.22
2005-2010 (Projected)	1.70	0.99	6.00	2.00	0.95	0.96
<b>HOUSEHOLDS</b>						
YEAR (July 1)	GREATER POJOAQUE VALLEY	TRADITIONAL COMMUNITY DISTRICT	POJOAQUE PUEBLO TRIBAL LANDS	NAMBE PUEBLO TRIBAL LANDS	SAN ILDEFONSO PUEBLO TRIBAL LANDS	CUYAMUNGUE LAND GRANT (NON-TRIBAL) (*)
1990 (April, Census)	2,130	1,570	209	149	128	74
2000 (April, Census)	2,595	1,900	230	204	173	88
2000 (July)	2,617	1,906	244	205	174	88
2001	2,679	1,923	281	210	176	89
2002	2,719	1,941	297	214	177	90
2003	2,758	1,962	306	219	179	92
2004 (Projected)	2,787	1,983	306	224	181	93
2005 (Projected)	2,829	2,003	320	229	183	94
2006 (Projected)	2,881	2,024	344	234	185	94
2007 (Projected)	2,926	2,044	363	238	186	95
2008 (Projected)	2,976	2,064	385	243	188	96
2009 (Projected)	3,026	2,084	407	248	190	97
2010 (Projected)	3,076	2,105	428	253	192	98

(\*) Portion not located within Pueblo boundaries.

01. POPULATION, HOUSEHOLD, AND HOUSING GROWTH, 1990-2010  
(continued)

ANNUAL NET HOUSING GROWTH

UNIT HOUSING GROWTH CALENDAR YEAR	GREATER POJOAQUE VALLEY	TRADITIONAL COMMUNITY DISTRICT	POJOAQUE PUEBLO TRIBAL LANDS	NAMIBE PUEBLO TRIBAL LANDS	SAN ILDEFONSO PUEBLO TRIBAL LANDS	CUYAMUNGUE LAND GRANT (NON-TRIBAL)
2000	94	22	64	5	2	1
2001	38	16	15	5	2	0
2002	50	22	20	5	2	1
2003	32	23	0	5	2	2
2004	30	22	0	5	2	1
2005	51	22	31	5	2	1
2006	50	22	20	5	2	1
2007	54	22	24	5	2	1
2008	54	22	24	5	2	1
2009	54	22	24	5	2	1
2010	54	22	24	5	2	1

Figures in italics are projected or estimated.

AVERAGE ANNUAL GROWTH (units)

1990-2000	41.4	30.6	27	4.6	2.2	1.3
2000-2005	50.9	21.2	21.7	5.0	2.0	1.0
2006-2010	53.2	22.0	23.2	5.0	2.0	1.0

POJOAQUE VALLEY TRADITIONAL COMMUNITY DISTRICT:  
ANNUAL HOME CONSTRUCTION BY UNIT TYPE, 1997-2003

UNIT HOUSING GROWTH CALENDAR YEAR	NET GROWTH	NEW UNIT CONSTRUCTION	HOUSING LOSSES	SRES	NET GROWTH BY TYPE OF UNIT	OTHER
					MOBILE	
1997	30	35	-5	14	15	1
1998	34	40	-6	14	19	1
1999	29	33	-4	9	19	1
2000	22	23	-1	11	10	1
2001	16	17	-1	10	6	0
2002	22	25	-3	12	10	0
2003	23	28	-5	17	5	1
TOTAL, 1997-2003	176	201	-25	87	84	5

SRES: Conventional single-family residences; MOBILE: Mobile homes.



## **Appendix D: Pojoaque Community Planning Process Timeline**

- November 2002** First initial meeting to see if the Traditional Communities wanted to move forward with a community plan.
- December 2002** The Board of Santa Fe County Commissioners (BCC) approved through Resolution No. 2002-163, the initiation of the community planning process for the Traditional Communities of Pojoaque Valley: Cuyamungue, El Rancho, Jacona, Jaconita, Nambé and Pojoaque.
- January 2003** First Official Planning Committee meeting held
- Feb-March 2003** Discussion and decision to do a Community Strategic Plan
- March 2003** Identified Key Community Issues
- March 2003** Gerald Gonzales, County Manager, extended a formal letter of invitation to participate in the planning process to Tribal Governors of Santa Clara, San Ildefonso, Nambé, Pojoaque and Tesuque on March 11, 2003.
- April 2003** Pojoaque Valley Planning Committee Members attended the Annual Tribal Summit on April 9th where they approached the individual Pueblo Governors and requested their participation in their community planning effort.
- April – June 2003** Vision and Mission Statement development
- July - Aug 2003** Vision and Mission completed and translated to Spanish
- September 2003** Tribal Summit with Pojoaque Valley Pueblos held to discuss the role and goals of the Pojoaque Valley Planning Committee.
- Oct 2003-Jan 2004** Internal and External Analyses started
- May - Dec 2004** *Strengths, Weaknesses, Opportunities and Threats* (SWOT) analyses started and completed. SWOT analyses were done for the following themes: Acequias, Agriculture, Roads and Circulation, History and Culture, Open Space, Economic Development, Water, and Wastewater
- Jan – Feb 2005** Focus groups were conducted and an informal survey was created.
- February 2005** Community-wide Forum held on February 26<sup>th</sup> to get feedback from the greater community about the issues and topics the committee felt were important

- Mar – April 2005** Consolidated SWOTS and community feedback to create the Principles and Challenges working draft; the outline for the eventual community strategic plan
- May 2005** Tribal Leadership Meetings held with the Pueblos of Nambe, Pojoaque, San Ildefonso, Santa Clara, and Tesuque
- June – July 2005** Committee worked on Action Plans for each of the themes identified at the Community-wide Forum and from the Principles and Challenges document.
- August 2005** A 2<sup>nd</sup> Community-Wide Forum was held on August 27<sup>th</sup> to present the final Action Plans to the community to see if the Committee captured most of the important issues and topics affecting the Traditional Communities. This was also an opportunity to figure out what areas needed more refining.
- September 2005** Recap of the Community-Wide Forum and Action Plans; Opportunity to start planning for the next steps to be taken on specific projects. A Presentation to the PV School Board took place on September 28<sup>th</sup>.
- Oct – Nov 2005** Held Land Use clarification discussions to get a better grasp on the Land Use Code and the Code Rewrite as it pertains to the Traditional Communities in the Valley.
- December 2005** Worked on land use mapping exercises to designate potential commercial/mixed-use districts in the Valley
- January 2006** Continued work on clarifying potential commercial/mixed-use districts; had discussions about including other areas of the Valley into the Traditional Boundary – like the southern portion of Cuyamungue and parts of the Jacona Land Grant.
- Feb - April 2006** Revised the Land Use Table that determines appropriate permitted land uses in Valley
- May – July 2006** Drafted the Community Strategic Plan
- August - Nov 2006** Revised and completed Action Plans
- December 2006** Holiday Break
- Jan – April 2007** Assembly and refinement of the Community Strategic Plan draft
- May 2007** Community Open House held to present final draft of Plan
- June 2007** Final Community Strategic Plan Draft to be presented at the CDRC for recommendation (tentative)
- July and Aug 2007** Final Community Strategic Plan Draft to be presented at the first and second public hearings for the BCC (tentative)

## Appendix E: Example of SWOT Analysis

(Completed in September 30, 2004)

**Theme: Community Quality of Life**  
**Topic: Public Places/Open Space**

**Mission Statement and Objectives:** *Shared gathering spaces, substantial open space and organized recreational areas*

### **KEY FACTS:**

- Ownership of Open Space in Pojoaque Valley consists of Pueblo Land, the Jacona and Cuyamungue Land Grants, BLM, and National Forest Service land that are contiguous to the Valley.
- In 1998, County voters passed a \$12 million general obligation bond enabling the County for the first time to acquire large tracts of land for conservation and recreation. It also established the Wildlife, Mountains, Trails, and Historic Places Program in order to preserve historic and natural areas.
- The County Open Land and Trails Planning and Advisory Committee (COLTPAC) was created in September of 1998 as a result of the bond language and the General Plan Policies.
  - The County formed the 30-member citizen committee to represent the different regions and divergent points of view – made up of conservation organizations, property owners, youth, families, retired persons, farmers, ranchers and community organizations.
  - Serves to advise staff and the Board on long-term open land and trails plans and to recommend implementation strategies.
  - Now made up of 13 members – 11 of them voting members which represent each of the various areas of the County.
- In 2000, an SF County produced an Open Land and Trails Plan for the Wildlife, Mountains, Trails, and Historic Places Program. The purpose of the plan is to:
  - Establish long-term strategies for open space and trails conservation
  - Evaluate, acquire, develop and manage parks, open lands, and trails
  - Enforce existing Land Development Code requirements

### **Recreational Facilities in the Valley:**

- PV Public School student facilities – track, basketball courts, tennis courts, baseball/softball fields, football/soccer fields
- El Rancho Community Center
- Pojoaque Pueblo Health and Wellness Center
- Wellness Center Trail
- San Ildefonso Ballfield
- Nambé Pueblo Recreation Area – Nambé Falls and Lake
- County Tennis Court
- Jacona Baseball Field

### **SWOT ANALYSIS:**

#### **Strengths:**

- New school buildings and related facilities are replacing old and inadequate buildings.
- PVS Community facilities such as the Admin. Building provides spaces in which to convene.

- El Rancho Senior Center and S.P.M.D.T.U. serve as meeting places for various activities such as classes, small meetings, special occasions or community and society gatherings.
- Privately owned open spaces provide scenic views and privacy.
- Arroyos and waterways (Rio Tesuque, Rio Pojoaque and Rio Nambe) provide natural passageways and important open space.
- COLTPAC purchase of 5 acres is an asset for open space.
- Open Pueblo land provides scenic vistas and natural buffers from development.
- Acequias, related easements, and active associations are an asset; providing a means to provide open space and connectivity to land and water and biodiversity in general.

**Weaknesses:**

- Lack of identifiable, usable, and shared gathering spaces that serve the various needs of the local communities.
- Any new buildings added to PVS facilities have to be financed through bond issue processes – some residents are anti-tax and do not support bond issues.
- Tennis courts and other older facilities are not well maintained.
- No other recreational facilities are available outside of the PVS and Wellness Center.
- Lack of organized recreational areas for ATVs and other motorized vehicles.
- Walking, hiking and other physical activities are limited or prohibited on Tribal designated land.

**Opportunities:**

- Opportunity to start a Farmer's Market and Arts and Crafts venue
- Multi-purpose facility
- Runner's Course or Multi-Purpose Trail/Cultural Corridor

**Threats:**

- Lack of areas for ATV use cause degradation of the roads and arroyos that are currently being used for these activities.
- ATVs also contribute to other environmental disturbances such as disturbing habitat and contributing to noise pollution.
- Potential residential density under current County Code may prevent the preservation of open space and agricultural preservation in the future.

**Possible Actions:** Using the old high school building for a Community/Senior Center and a Farmer's Market

Creating a runner's course/cultural corridor from the current cross country trails

**Key Information Sources:** Project and Facility Management Dept – Open Space, Parks, and Trails Div; COLTPAC, National Forest Service, BLM

**Key Stakeholders:** Land Grants, Pueblos, Traditional Communities, Public Schools, Youth sports programs and teams

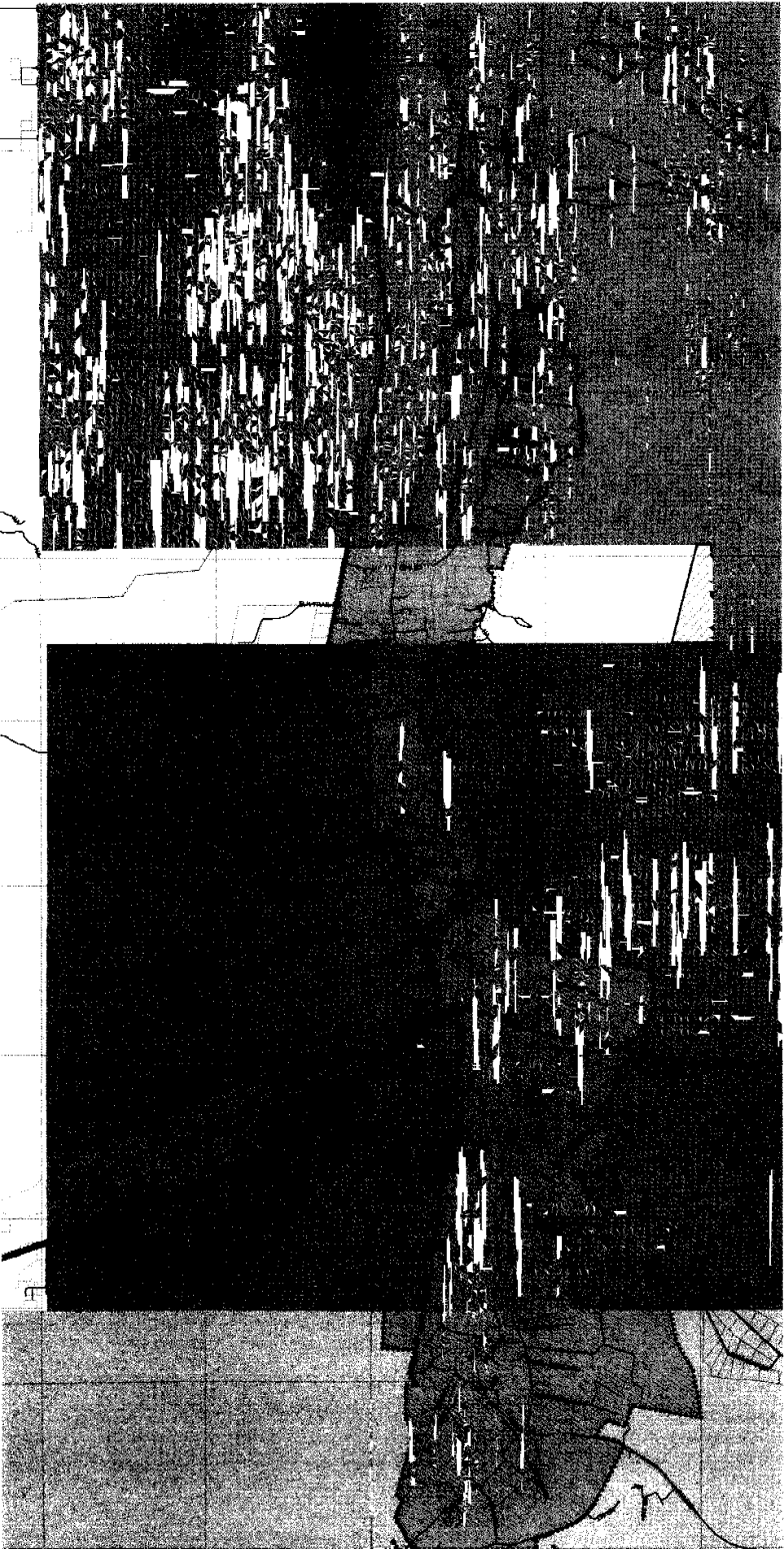
**Related Themes:** Land Status, Rural Character, Quality of Life

**Related Topics:** Agriculture, Acequias, History and Culture, Jurisdiction and Zoning, Growth Management

Draft Status

Appendix F:  
Pojoaque Valley Traditional Community District

Draft Status



Legend

- GPS Roads
- Traditional Community District
- BLM
- Parcels
- Jacona Land Grant
- SL
- Nambé Pueblo
- Pojoaque Pueblo
- San Ildefonso Pueblo

1:36,000  
1 inch equals 0.57 miles



This information is for reference only.  
 State of Colorado Department of Natural Resources  
 Users are solely responsible for  
 confirming data accuracy.

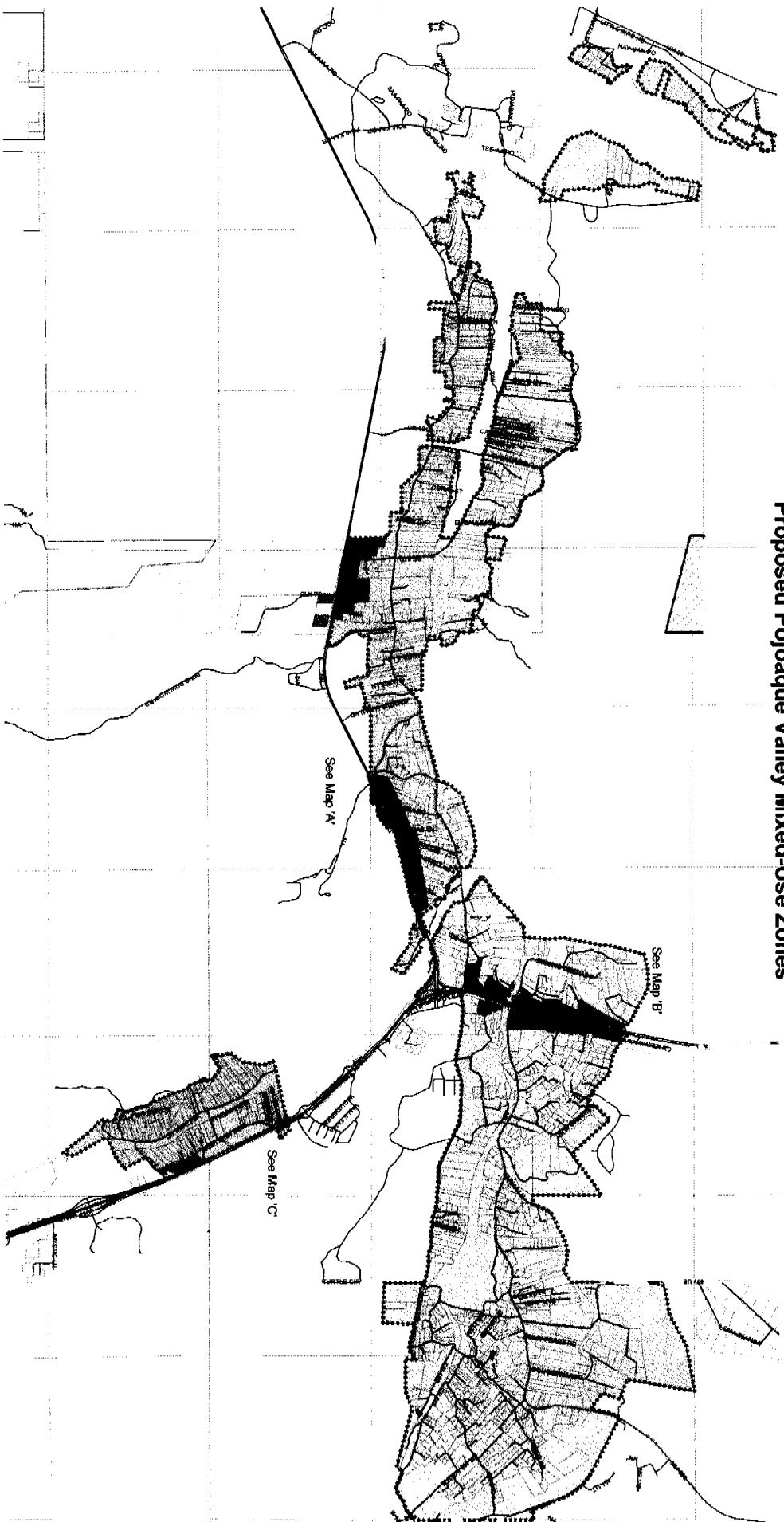


June 5, 2007

Draft Status

### Appendix G: Proposed Pojoaque Valley Mixed-Use Zones

Draft Status



- Legend**
- GPS Roads
  - Pojoaque Valley Traditional Community District
  - BLM Parcels
  - Jacona Land Grant
  - Proposed Mixed Use Zones
  - SL

1:36,000  
1 inch equals 0.57 miles



This information is for reference only. State of New Mexico Planning and Community Development Department. Users are solely responsible for confirming data accuracy.

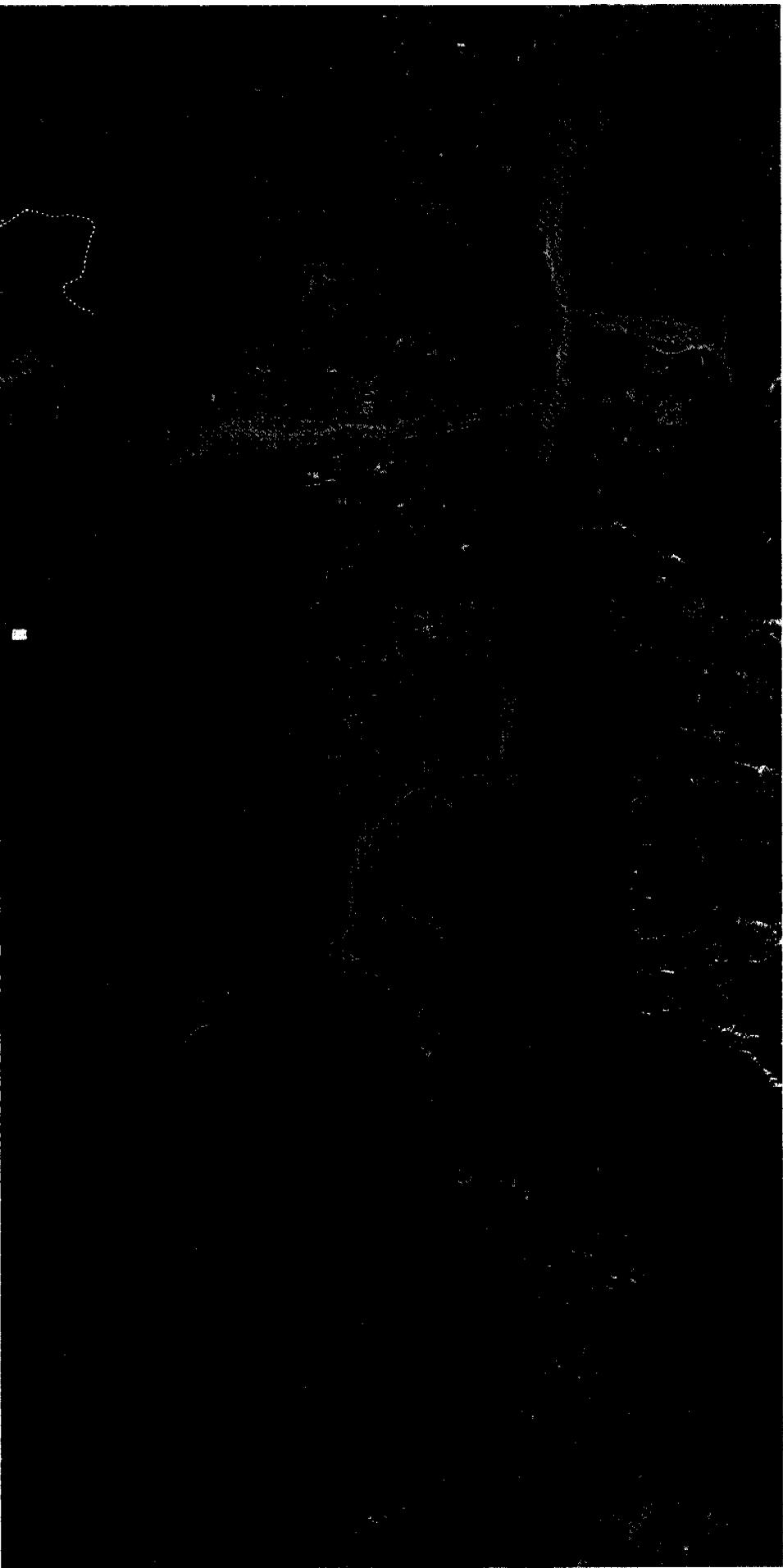


June 5, 2007

Draft Status

Appendix H:  
Proposed NM 502 Mixed-Use Zone - Map "A"

Draft Status



- Legend**
- Trail
  - GPS Roads
  - Parcels
  - Proposed Mixed Use Area
  - Institutional
  - Open Space
  - Traditional Community Planning District
  - Jacona Land Grant

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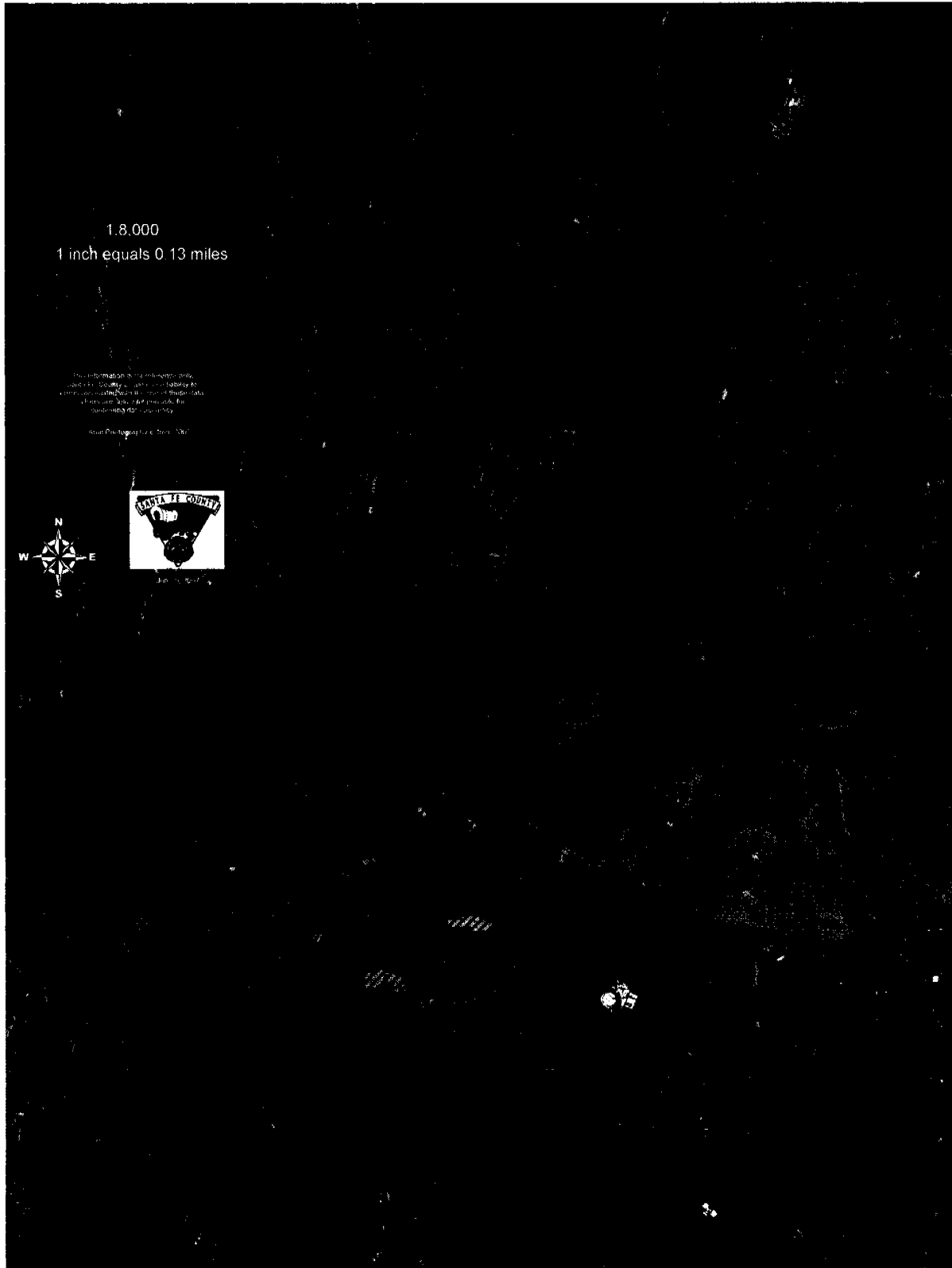



This information is for reference only. Users are advised to verify the accuracy of the information. Users are solely responsible for any errors associated with the use of these data. All rights reserved. All photography is from 2005.






June 5, 2007

# Appendix I: Proposed US 84/285 Mixed-Use Zone - Map "B"



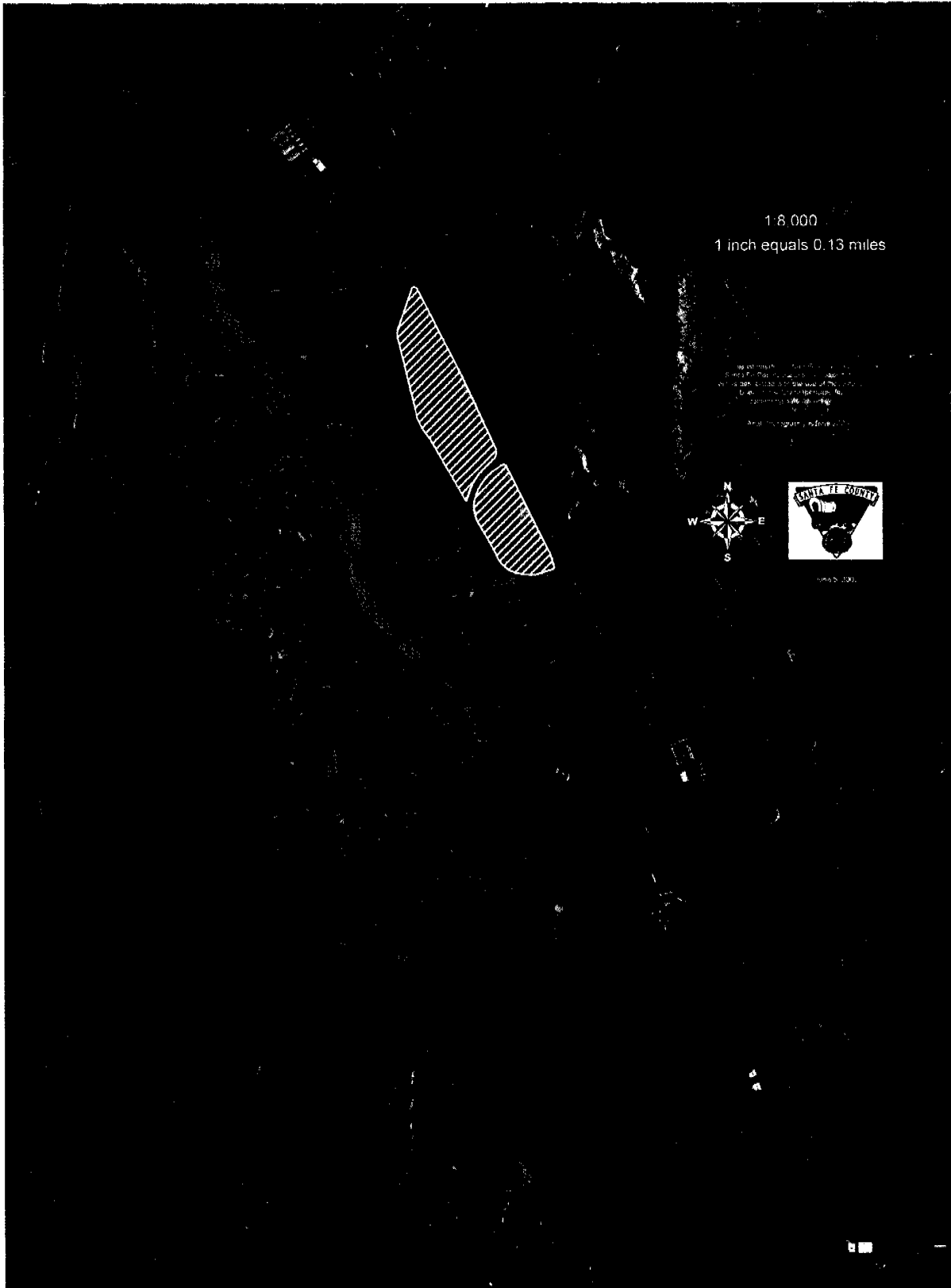
— GPS Roads  
 Traditional Community District

 Proposed Mixed Use Area  
 Institutional  
 Open Space  
 Parcels

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# Appendix J: Proposed Cuyamungue Mixed-Use Zone - Map "C"



**Legend**

— GPS Roads

▨ Traditional Community District

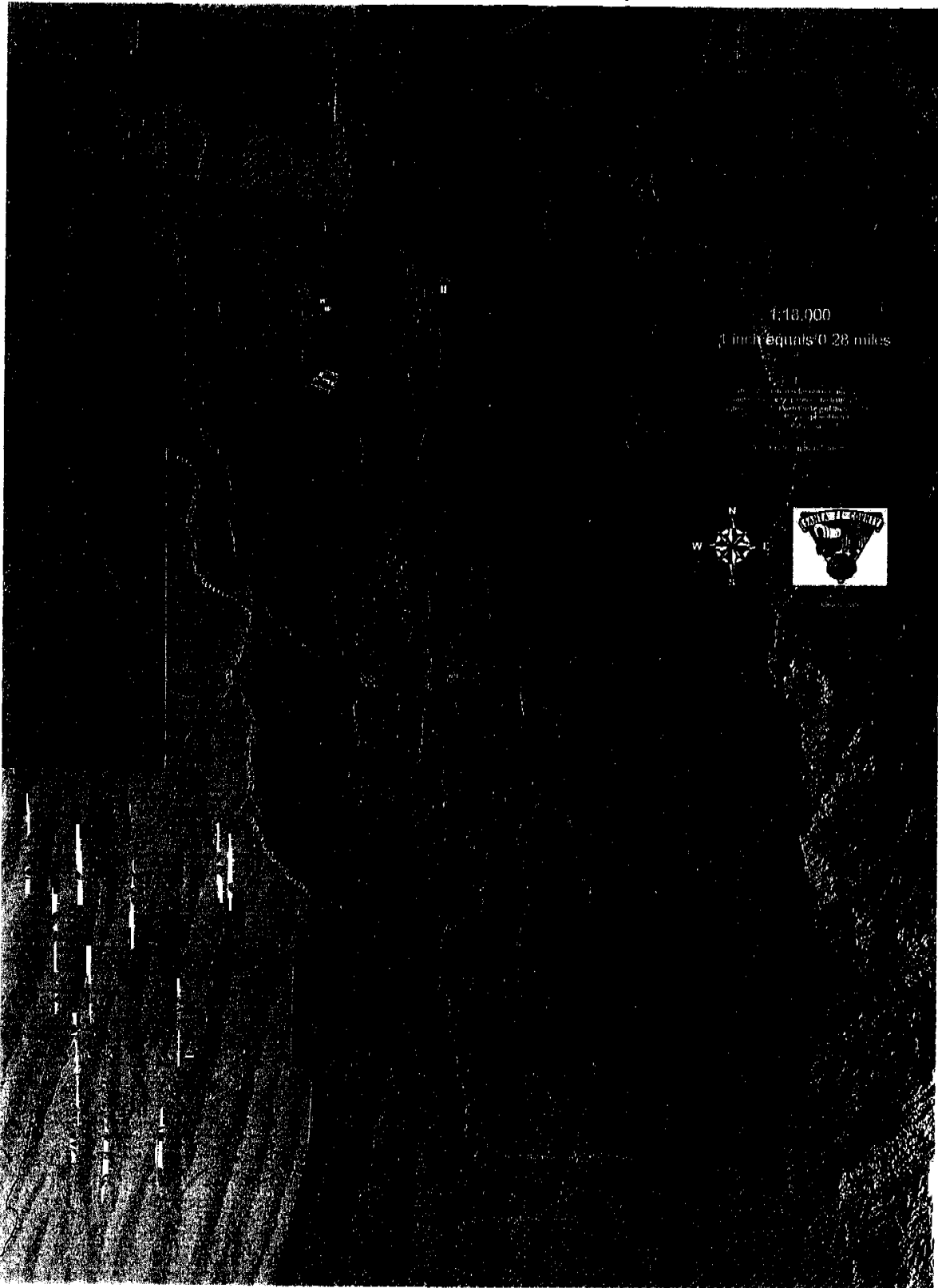
▨ Proposed Mixed Use Area

▨ Pueblo In-holdings

▨ Parcels

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# Appendix K: Proposed Pojoaque Valley Multi-Purpose Trail



**Legend**

- ▲ Trail Points
- ▬ Proposed Multi-Purpose Trail
- ∩ GPS Roads
- ▨ Portion of Pojoaque Valley Traditional Community District
- BLM
- ▭ Parcels
- ▨ Jaona Land Grant

SFC CLERK RECORDING 08/24/2007

# **Rancho de Gonzales Variance**

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### **Exhibit 1 - Overview, Satellite Photograph**

- Detail Exhibit 1, #1: New Mexico National Guard Headquarters*
- Detail Exhibit 1, #2: NM National Guard, Helicopter Landing Pad*
- Detail Exhibit 1, #3: NM National Guard, Helicopters on Approach*
- Detail Exhibit 1, #4: NM National Guard, Bunkers*

### **Exhibit 2 - Business Properties on Frontage Road**

- Detail Exhibit 2, #1: Land for Sale sign*
- Detail Exhibit 2, #2: Jonathan's Towing*
- Detail Exhibit 2, #4: Motel Six Billboard*
- Detail Exhibit 2, #6: Tent Rock Construction*
- Detail Exhibit 2, #7: Santa Fe Bronze*
- Detail Exhibit 2, #8: Custom Craft*
- Detail Exhibit 2, #9: Mountain States Insulators*
- Detail Exhibit 2, #11: Reliable Towing*
- Detail Exhibit 2, #12: Excel Roofing*

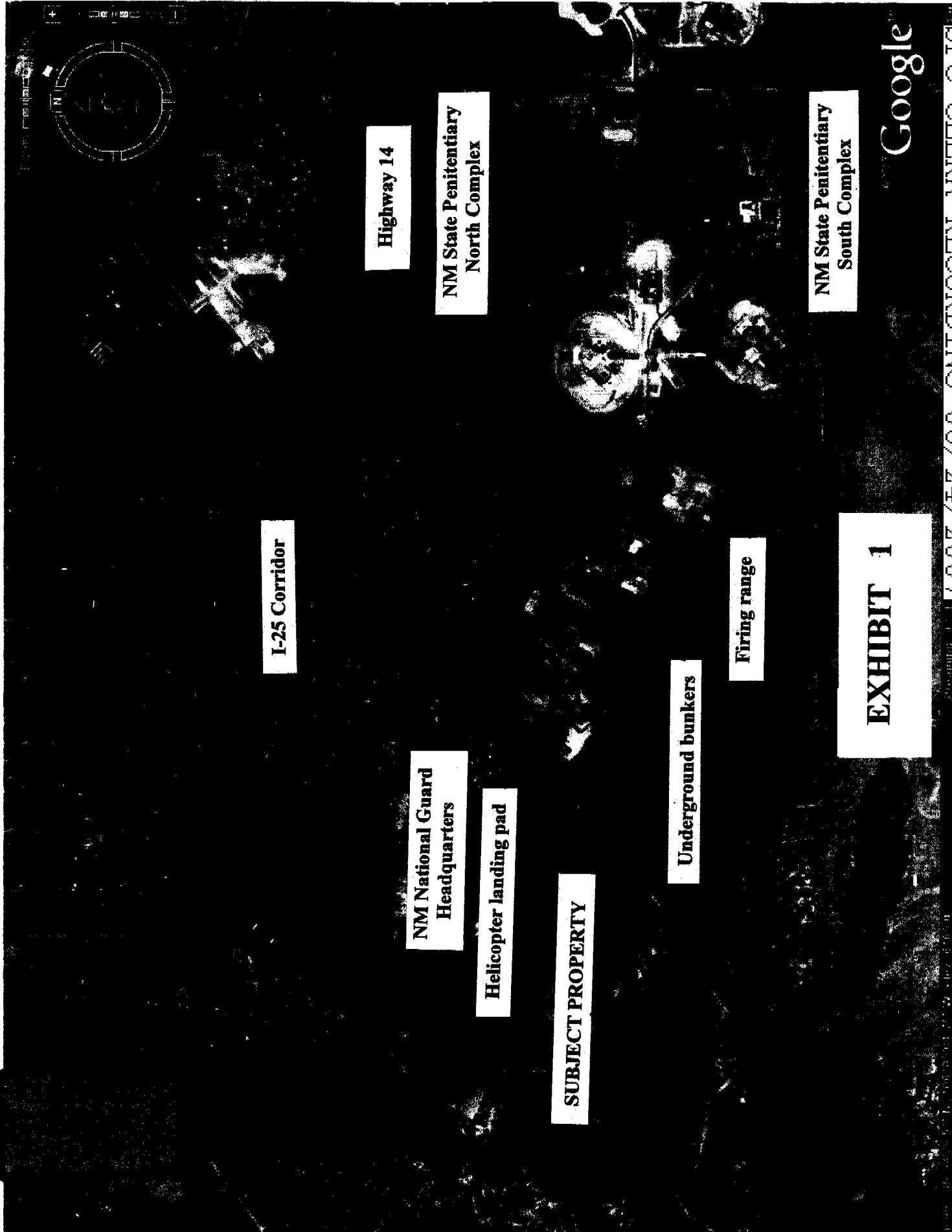
Deed of Sale to National Guard

Letter from Department of Transportation

Letter of support from Patt Burch

Letter of support from Bill Tcherneshoff

Letter of support from George Paloheimo



I-25 Corridor

Highway 14

NM National Guard  
Headquarters

Helicopter landing pad

SUBJECT PROPERTY

Underground bunkers

Firing range

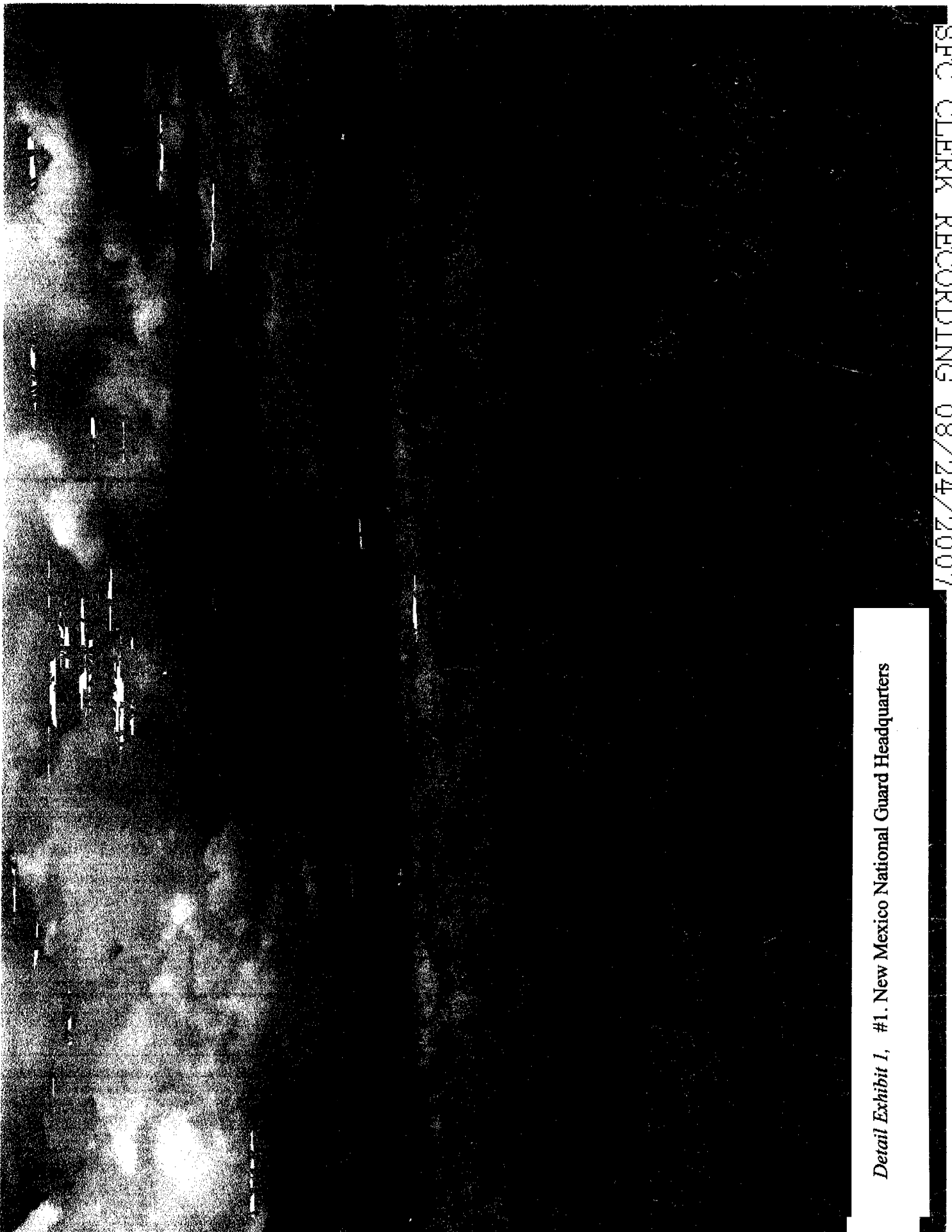
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North Complex

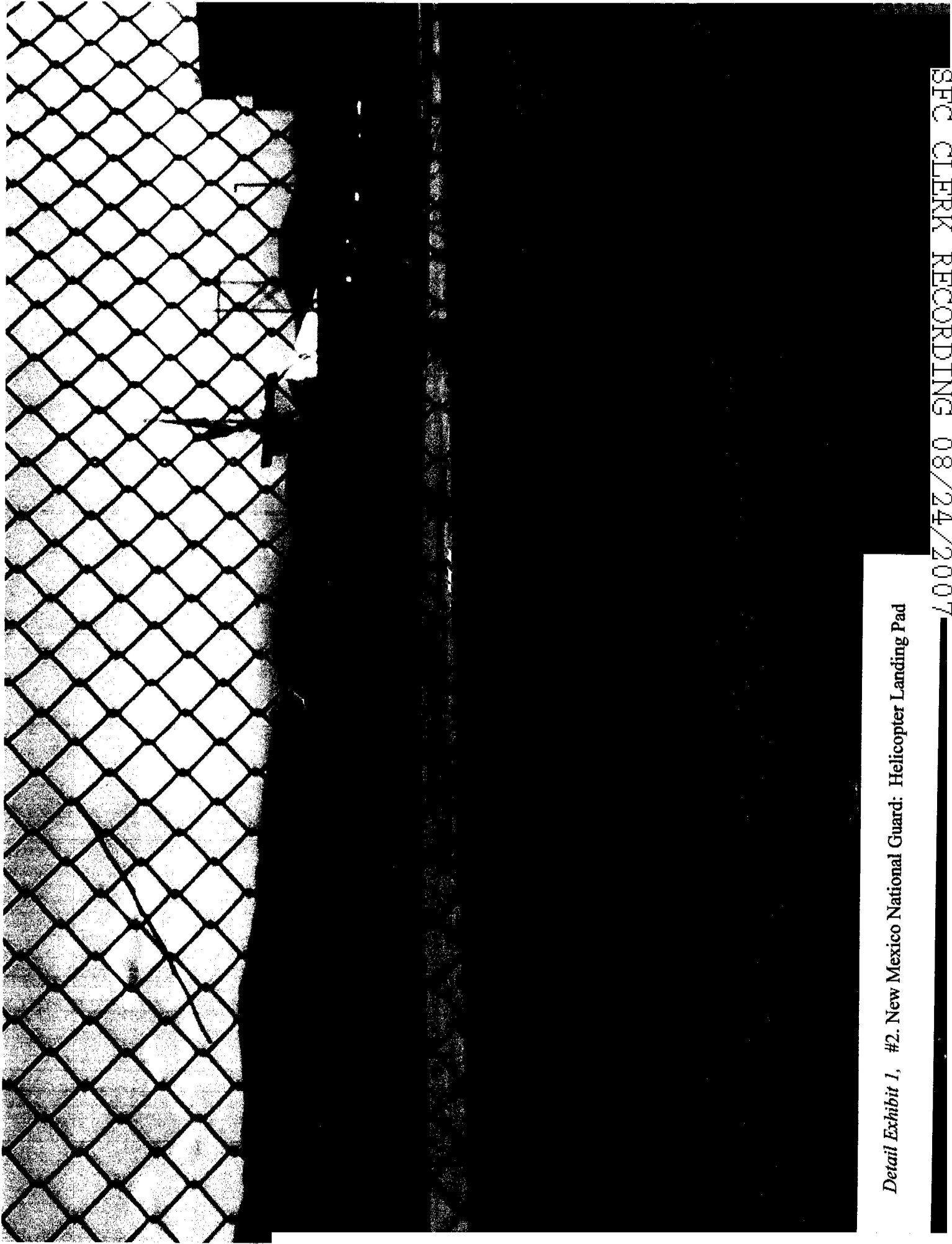
NM State Penitentiary  
South Complex

EXHIBIT 1

Google

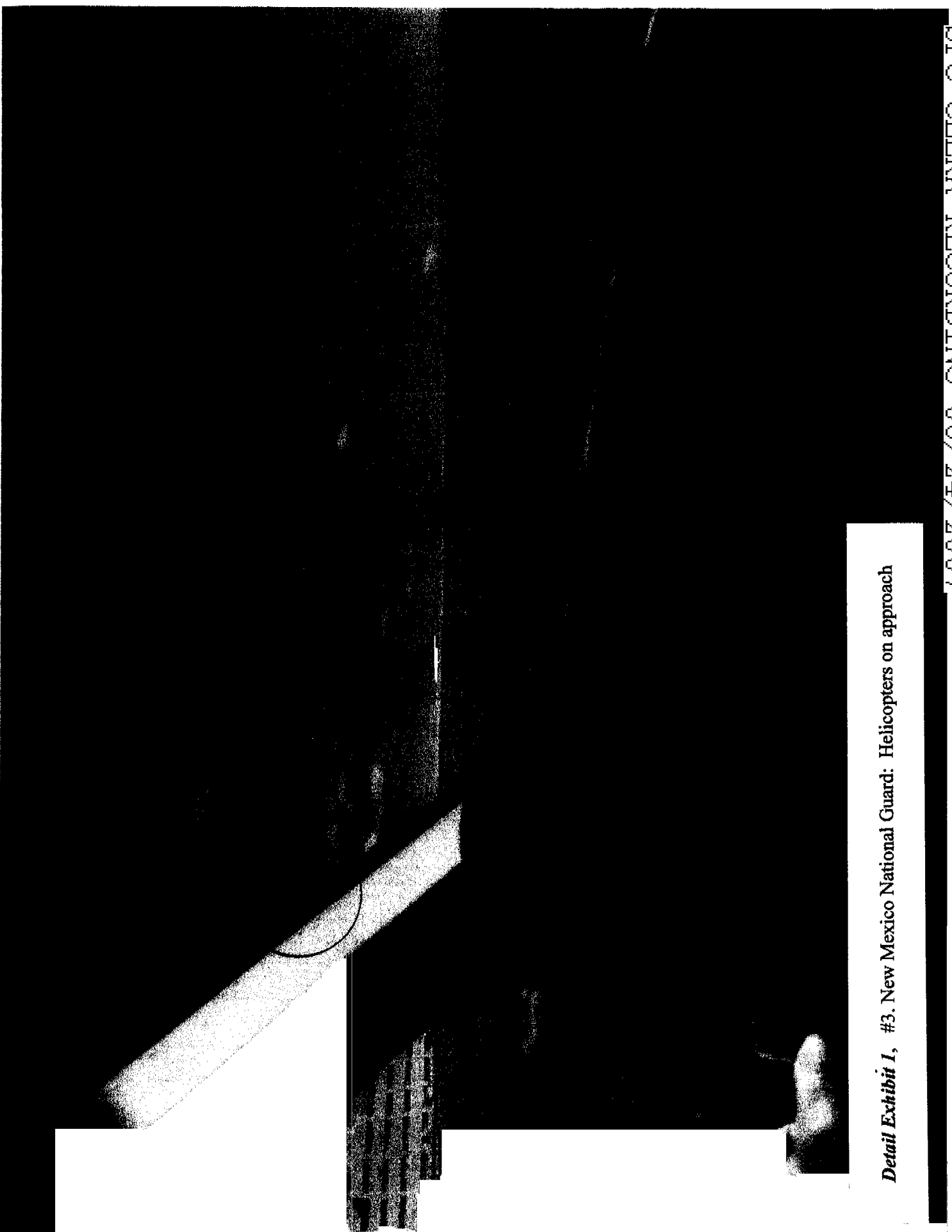
*Detail Exhibit 1, #1. New Mexico National Guard Headquarters*

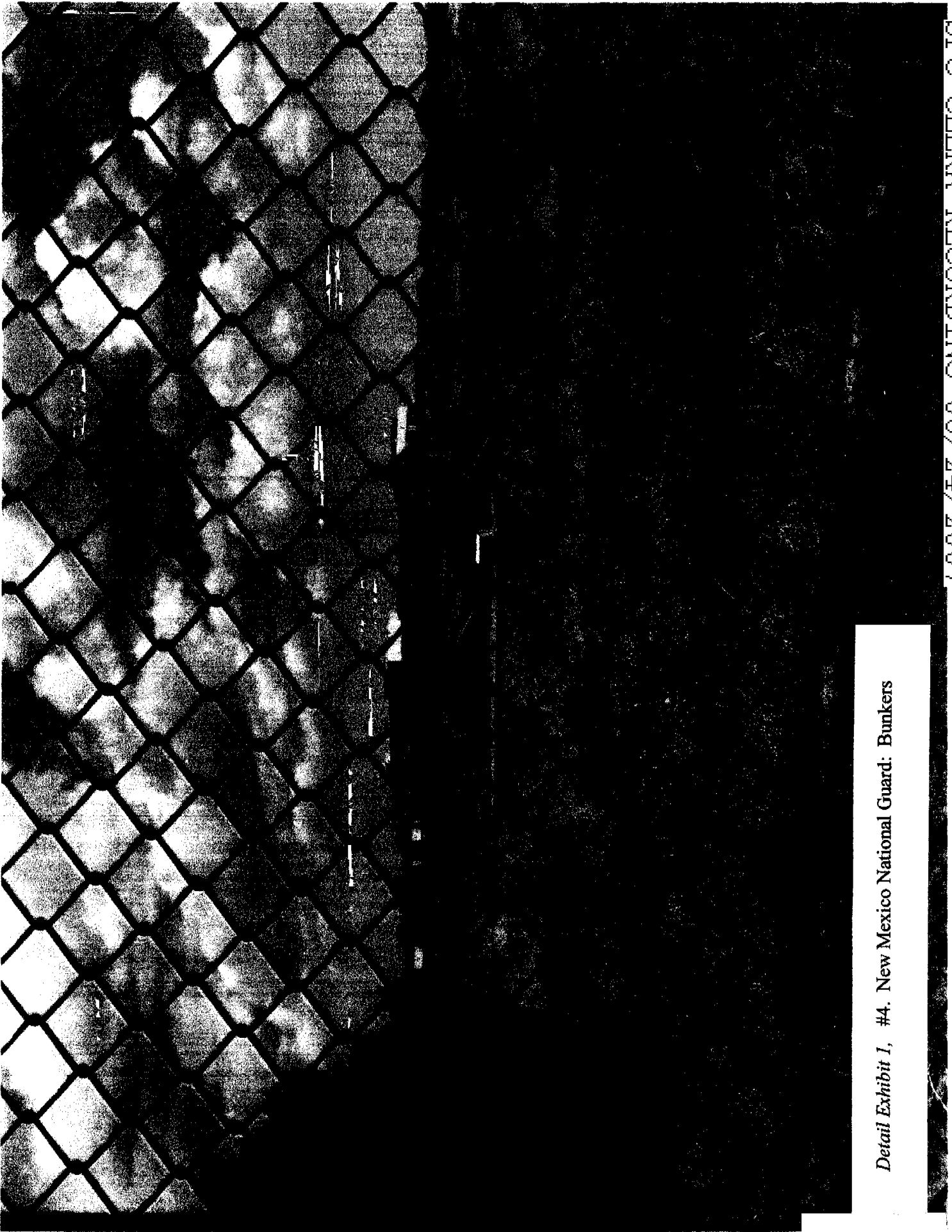




*Detail Exhibit 1, #2. New Mexico National Guard: Helicopter Landing Pad*

*Detail Exhibit 1, #3. New Mexico National Guard: Helicopters on approach*



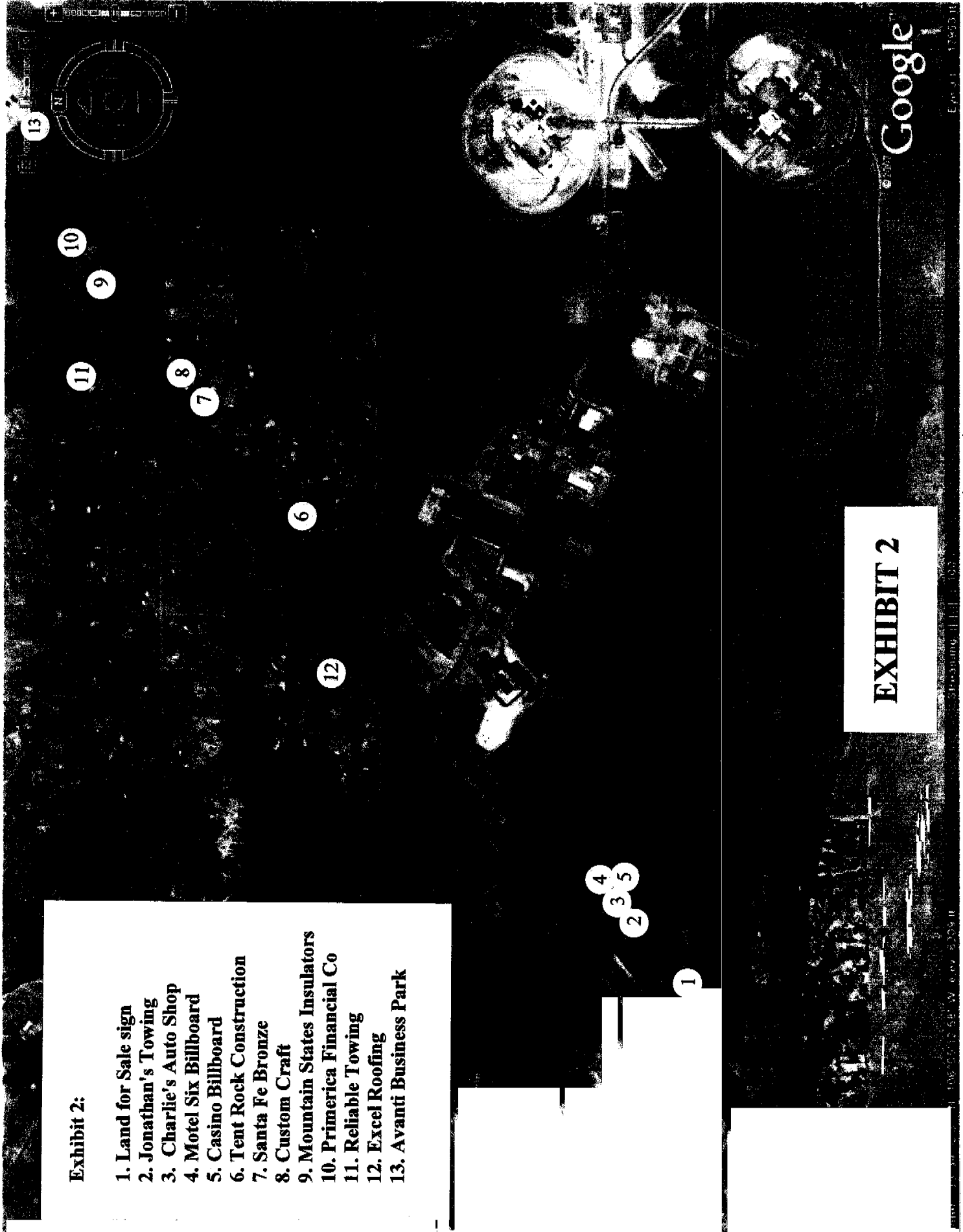


*Detail Exhibit 1, #4. New Mexico National Guard: Bunkers*



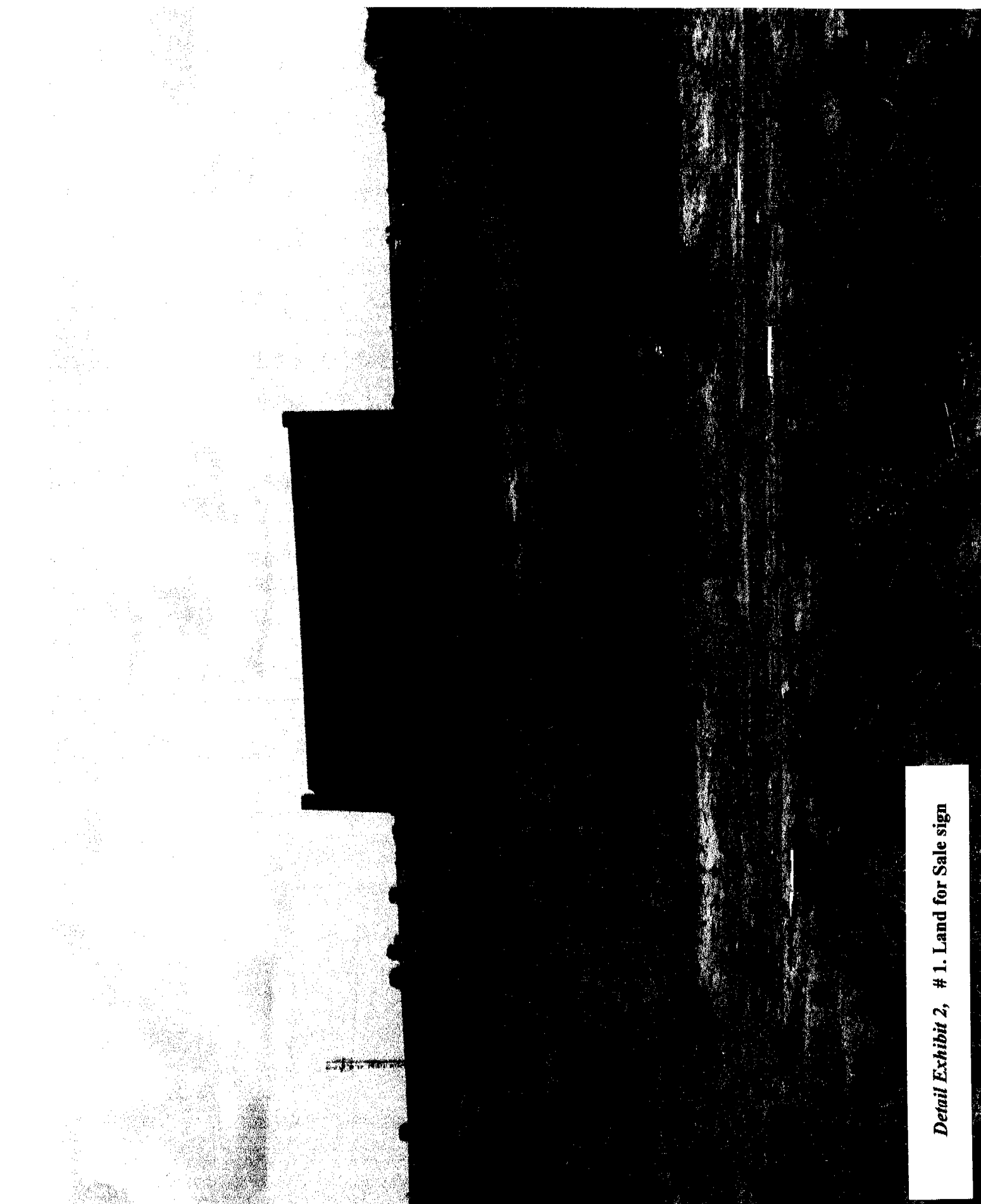
**Exhibit 2:**

1. Land for Sale sign
2. Jonathan's Towing
3. Charlie's Auto Shop
4. Motel Six Billboard
5. Casino Billboard
6. Tent Rock Construction
7. Santa Fe Bronze
8. Custom Craft
9. Mountain States Insulators
10. Primera Financial Co
11. Reliable Towing
12. Excel Roofing
13. Avant Business Park



**EXHIBIT 2**

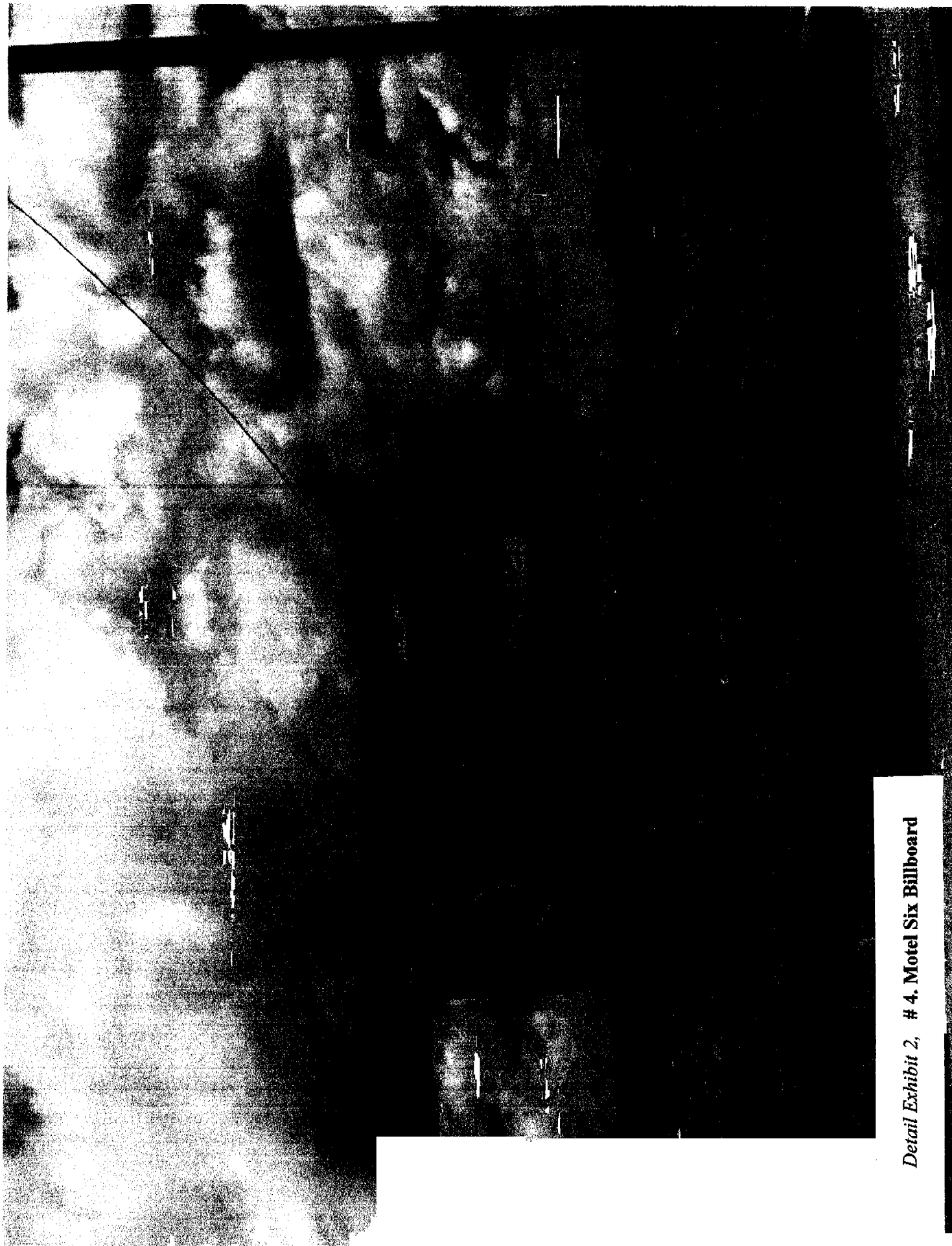
*Detail Exhibit 2, # 1. Land for Sale sign*

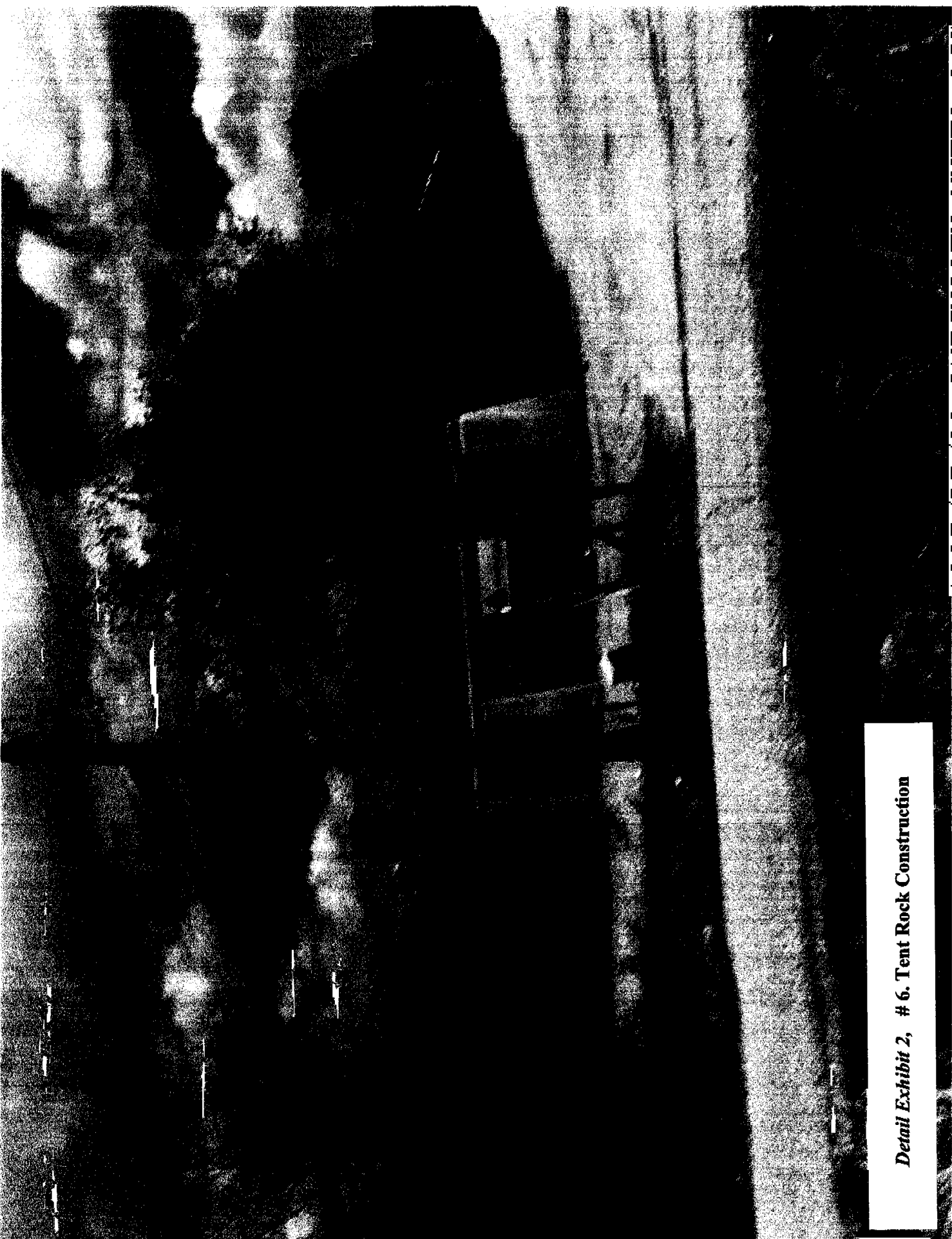




Detail Exhibit 2, # 2. Jonathan's Towing

*Detail Exhibit 2, # 4. Motel Six Billboard*



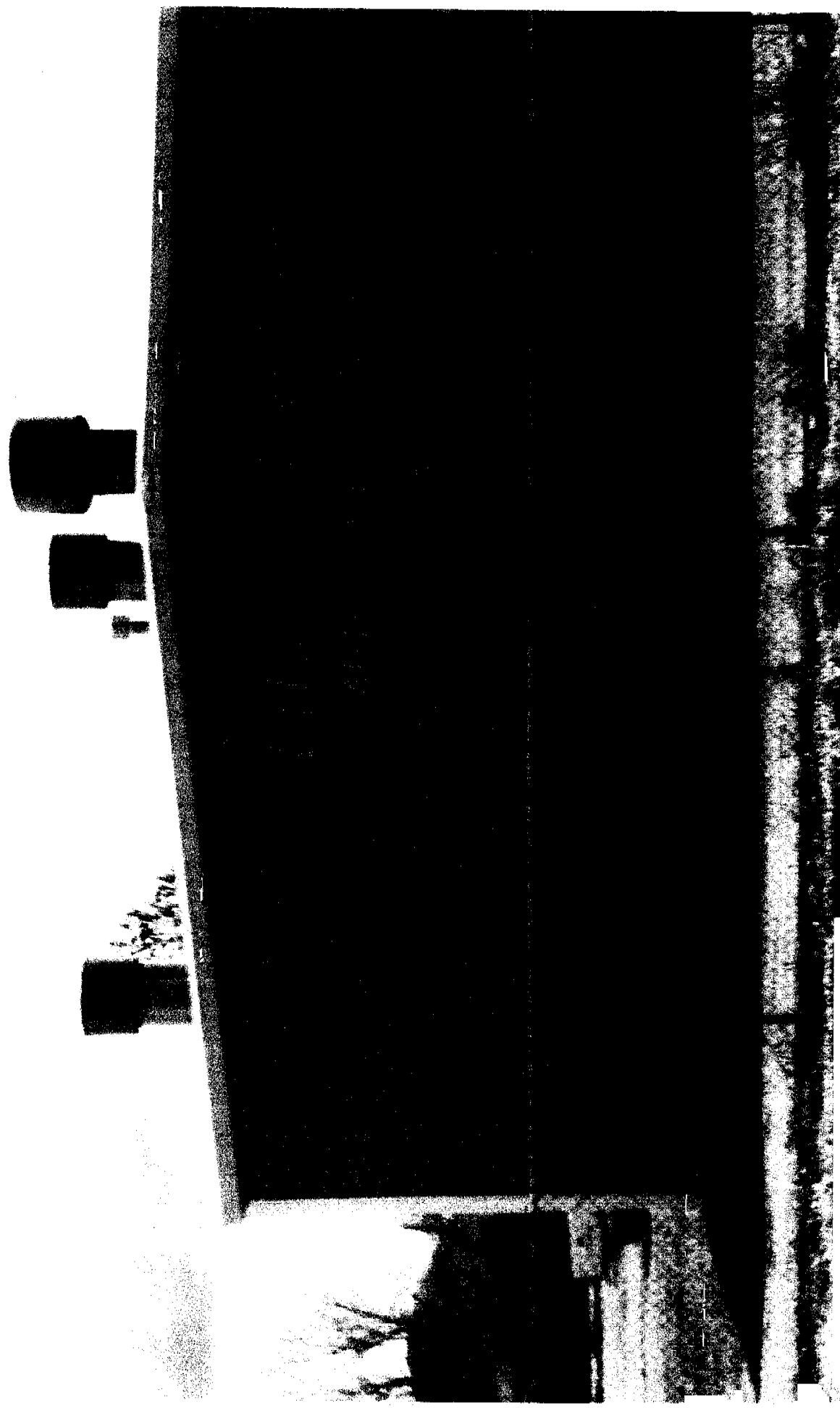


**Detail Exhibit 2, # 6. Tent Rock Construction**



*Detail Exhibit 2, # 7. Santa Fe Bronze*

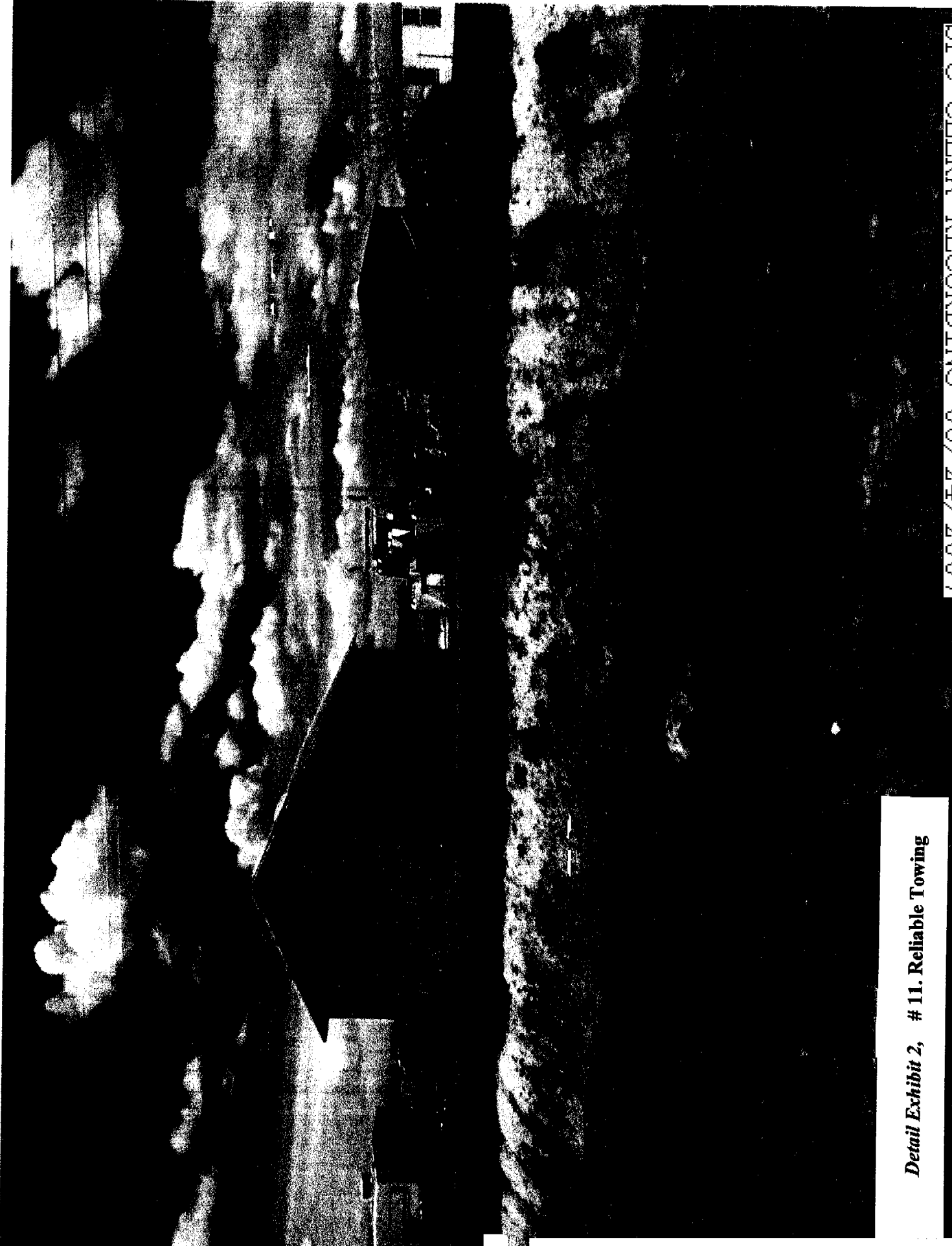
*Detail Exhibit 2, # 8. Custom Craft*





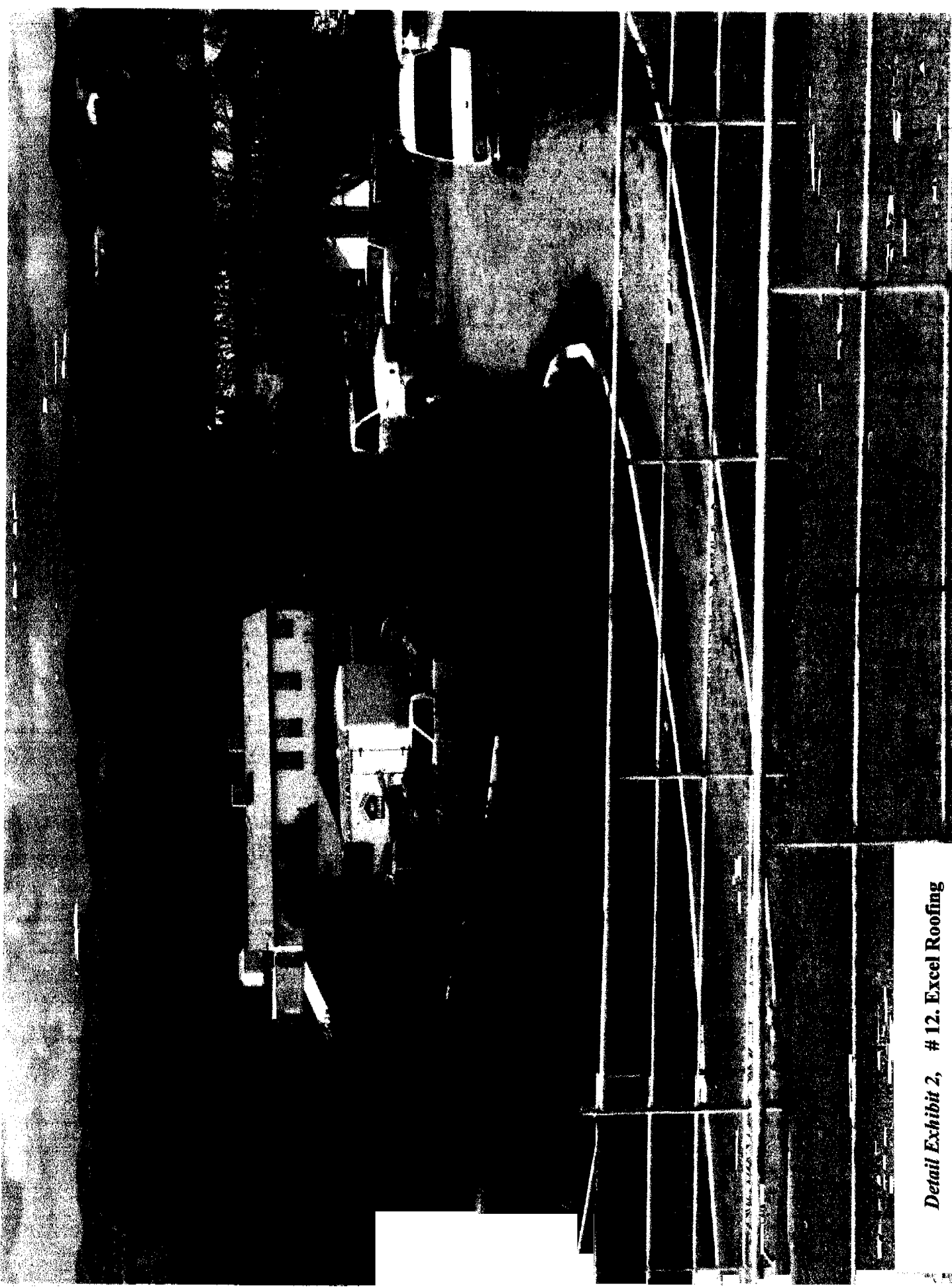
*Detail Exhibit 2, # 9. Mountain States Insulators*





*Detail Exhibit 2, # 11. Reliable Towing*

*Detail Exhibit 2, # 12. Excel Roofing*



SPECIAL WARRANTY DEED

686503

Ten Thirty One Exchange Corp., a New Mexico corporation, for consideration paid, grant<sup>s</sup> to New Mexico State Armory Board, a body corporate (Section 20-8-1 NMSA 1978) whose address is PO Box 4277, Santa Fe, NM 87502-4277

the following described real estate in Santa Fe, County, New Mexico: An undivided three-fourths (3/4) interest in and to the following property: A certain tract of land, hereby designated as Parcel B, lying and being situate in a portion of the E1/2 SE1/4 of Section 33, T.16N., R.8E., N.M.P.M., County of Santa Fe, State of New Mexico, being more particularly described as follows, to-wit: Beginning at a point for the southeast corner of said Section 33, monumented by a U.S.G.L.O.S. Section Stone thence N.00°10'51"E. along the east line of said Section 33 a distance of 769.80 feet to the true point and place of beginning, the most southerly corner of Parcel B herein described, monumented by a number 4 rebar with cap; thence N.40°43'32"W. leaving said section line a distance of 1026.82 feet to a point on the southerly right-of-way line of Interstate Highway 25, New Mexico State Highway Commission Project No. I-025-5(24)263, said point being the most westerly corner of Parcel B herein described, monumented by a New Mexico State Highway right-of-way marker, Station 357+08; thence N.51°17'58"E. along said southerly right-of-way line a distance of 611.79 feet to a point of curve; thence northeasterly on a curve through an arc of 49°01'09" to the right (radius = 214.04 feet) a distance of 208.79 feet to a point on the east boundary line of Section 33, the northeast corner of Parcel B herein described monumented by a number 4 rebar with cap; thence S.00°10'51"W. along the east boundary line of Section 33, a distance of 1210.33 feet to the true point and place of beginning. Containing an area of 10.00 acres, more or less, according to a "Plat of Survey for N.M. State Armory Board Parcel B", certified by Salvador E. Vigil, a registered professional surveyor; said plat bears Project No. D1-507.

SUBJECT TO: Reservations, restrictions and easements of record.

special

with/warranty covenants.

WITNESS its hand and seal this 15 day of June, 19 90

Ten Thirty One Exchange Corp.

(Seal)

BY: John R. Fox its President

(Seal)

(Seal)

(Seal)

BY:

ACKNOWLEDGMENT FOR NATURAL PERSONS



ss. I, the undersigned, do hereby acknowledge before me this day of 19 90

by Jona G. Armijo, Notary Public

ACKNOWLEDGMENT FOR CORPORATION

FOR RECORDERS USE ONLY COUNTY OF SANTA FE STATE OF NEW MEXICO I hereby certify that this instrument was filed for record on the 3 day of July A.D. 19 90 at 2:59 o'clock P.M. and was duly recorded in book 1116 page 25 of the records of Santa Fe County. Witness my Hand and Seal of Office Jona G. Armijo County Clerk, Santa Fe County, N.M.

STATE OF NEW MEXICO COUNTY OF Santa Fe ss. The foregoing instrument was acknowledged before me this 15 day of June, 19 90 by John R. Fox President of Ten Thirty One Exchange Corp., a New Mexico corporation, on behalf of said corporation.

Signature of Jona G. Armijo



My commission expires: OFFICIAL SEAL SHERRI ORTEGA Notary Public

Signature of Sherri Ortega



SFC CLERK RECORDING 08/24/2007



*New Mexico* DEPARTMENT OF  
**TRANSPORTATION**  
 MOBILITY FOR EVERYONE

March 27, 2007

Henry Gonzales  
 2433 Avenida De Las Estrellas  
 Santa Fe, NM 87504


**RE:** Request for permission to Survey property.

Dear Mr. Gonzales,

We are requesting permission to survey the land located in Township 16N, Range 8E, and Section 33; Santa Fe County, New Mexico owned by Rancho De Gonzales.

If you have any questions or need further information please contact me at 827-7526.

Sincerely,

  
 Stephen Martinez, Agent  
 Acquisition Unit  
 Right of Way Bureau

**XC:** Clyde Archibeque, Operations Section Chief  
 File

**Bill Richardson**  
 Governor

**Rhonda G. Faught P.E.**  
 Cabinet Secretary

**Commission**

**Johnny Cope**  
 Chairman  
 District 2

**David Schutz**  
 Vice Chairman  
 District 5

**Gregory T. Ortiz**  
 Secretary  
 District 6

**Norman Assed**  
 Commissioner  
 District 3

**Jim Franken**  
 Commissioner  
 District 4

**John Hummer**  
 Commissioner  
 District 1

SFC CLERK RECORDING 08/24/2007

May 11, 2007

To: Santa Fe County Land Use.  
Attention Mr. Jack Kolkmeyer, Administrator.

From: Patt A. Burch, property owner next to the National Guard Complex on the East Frontage Road, 9 Pablo Drive.

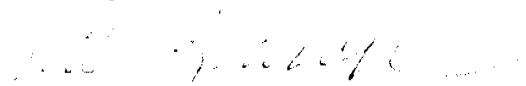
Re: Commercial designation on the Gonzales property, East Frontage Road, Santa Fe County.

Dear Sir,

I have received the certified letter indicating that Gonzales is petitioning Land Use for a Commercial designation on the property he owns adjoining the National Guard Complex land. As a property owner in the immediate vicinity of the National Guard Complex, it is my opinion that our properties have been stigmatized by the complex with all of the noise from aircraft and heavy equipment. We feel like the only use that would be acceptable for the Gonzales property would be some type of Commercial use. We do support this designation change and hope that you will approve it because we don't feel like anyone would want to reside right next to the Complex.

If you have any questions and/or comments, please call me anytime.

Sincerely,



Patt A. Burch (505)471-1473  
9 Pablo Drive  
Santa Fe, NM. 87508

Bill Tcherneshoff  
2 Otto Road  
Santa Fe, NM 87507

Jack Kolkmeier  
Santa Fe County Land Use Administrator  
102 Grant St.  
Santa Fe, NM 87504

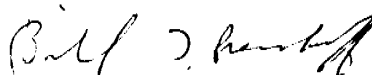
May 10, 2007

Dear Mr. Kolkmeier,

I am writing in support of Rancho de Gonzales' application for the rezoning of their property on the East Frontage Road next to the National Guard Complex. As a neighbor, I feel the National Guard has impacted everyone living in this vicinity. For example, gun fire from the shooting range can be heard day and night. Helicopter flights are frequent to and from the National Guard Headquarters and further disturb the tranquility of the neighborhood.

It is my opinion that the Gonzales' use of their land for residential purposes is diminished by being so close to the National Guard. Therefore, I would urge that their request for rezoning be granted.

Sincerely,



Bill Tcherneshoff



# EL RANCHO DE LAS GOLONDRINAS

A LIVING HISTORY MUSEUM

334 Los Pinos Road • Santa Fe, New Mexico 87507 • Phone (505) 471-2261 • Fax (505) 471-5623

May 14, 2007

The County of Santa Fe  
102 Grant St.  
Santa Fe, NM 87501

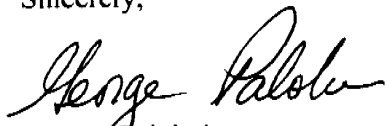
Dear Sirs;

I am writing to support Sr. J.J. Gonzales and his family's petition to change the zoning of their property on the east side of I25 to commercial from residential.

For some time now, more and more of the properties on that side of the interstate have been filling up with businesses, with the National Guard being the biggest of all. The Gonzales property abuts the National Guard, pretty well guaranteeing that it will never be attractive as residential land. Immediately to the south of them is another commercial property.

In light of these facts, I see no reason to deny their request for a zoning change.

Sincerely,

  
George Paloheimo

SFC CLERK RECORDING 08/24/2007



**JAMES W. SIEBERT  
AND ASSOCIATES, INC.**

**915 MERCER STREET \* SANTA FE, NEW MEXICO 87505  
(505) 983-5588 \* FAX (505) 989-7313  
siebert.associates@comcast.net**

July 9, 2007

Shelly Cobau  
Development Review Division Director  
P.O. Box 276  
Santa Fe, NM, 87504

Re: Valle Serena County Sewer Proposal

Dear Ms. Cobau:

At the June 12, 2007 County Commission meeting, the Board of County Commissioners tabled the request for reconsideration of the condition to connect to a community sewer system to allow time for the staff and applicant to work out the details of a temporary on-site wastewater treatment system with a latter connection to the County sewer system, which is planned with the upgrade to the Valle Vista treatment plant.

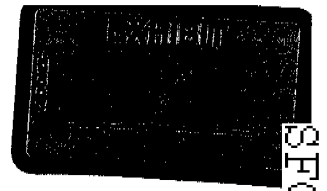
The details of the proposal are:

*Dry Sewer Line*

The applicant will construct a dry sewer system within the Subdivision based on the enclosed plan. Easements will be added to the plat to reflect the location of the sewer line. The sewer line is designed to have a 10 foot separation from the County water line.

*Requirement to Connect to County Sewer*

The covenants and Disclosure Statement will require the connection to the County sewer system when it is extended to the property and is available for use. Septic tanks will have to be abandoned, pumped out and filled pursuant to NMED standards.



REC CLERK RECORDING 08/24/2007



*Sewer System*

An assumed alignment for a County 10 inch sewer line is provided with this letter through the Valle Serena Subdivision and the adjoining property to the west owned by the applicant. This allows for sewer access to Camino Bajo, which is a County Road, from which point a sewer line can be extended to State Road 14. This sewer line would serve the Sonterra development to the east consisting of 520 dwellings and commercial uses and a portion of the San Cristobal development to the south and east and the Santa Fe Skies RV Park.

The estimated cost for the interior 8 inch sewer system and the 10 inch regional sewer system is attached to this letter. The cost for the interior dry sewer system is \$81,668.00 or \$5,833.00 per lot for the 14 lots. The cost for the 10 inch regional sewer system (Phase I) is \$218,517.00. The cost for the 12" inch (Phase II) regional sewer system is \$287,811.00.

*Estimate of Users on Regional Sewer System*

**Phase I**

The following is an estimate of dwellings that would be served by phase I of a regional sewer system:

Santa Fe Skies RV Park:	98 spaces
Sonterra:	435 dwellings (does not include any of the commercial proposed in the master plan)
Valle Serena:	14 dwellings
<b>Total</b>	<b>547 dwellings</b>

**Phase II**

Phase I	547
Sonterra:	85
San Cristobal	<u>791</u>
<b>Total</b>	<b>1,423</b>

Included with this letter is a drawing of the Master Plans for the Sonterra and San Cristobal developments and a description of the dwellings that can be served by gravity flow for each phase of the County sewer system.

*Valle Serena Contribution to Phase I*

<b>10" Regional Sewer:</b>	\$218,517.00
Assumed 8% annual compounded Inflation factor for a 5 year period:	\$321,073.00
No. of dwellings, Phase I	547
Per unit cost for phase I with 547 dwellings:	\$586.97
Valle Serena contribution, 14 x \$586.97:	\$8127.58

*Valle Serena Contribution to Phase II*

<b>12" Regional Sewer:</b>	\$287,881.00
Assumed 8% annual compounded Inflation factor for a 5 year period:	\$422,992.00
No. of dwellings, Phase II:	1,423
Per unit cost for Phase II with 1,423 dwellings:	\$297.25
Valle Serena Contribution to Phase II 14 x \$297.25:	\$4161.50

**Phases I & II of Regional sewer**

Phase I:	\$8,127.58
Phase II:	\$4161.50
<b>Total</b>	<b>\$12,289.08</b>

Page four  
Valle Serena Sewer Proposal  
July 9, 2007

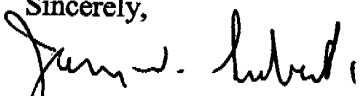
*Proposal*

The applicant would construct the interior 8 inch sewer line and a letter of credit or escrow account would be established in the sum of \$12,289.08. Zena Boylan will dedicate the easements needed to extend a future regional sewer line from Camino Bajo, (County Road 48A) to the eastern boundary of the Valle Serena Subdivision.

*Future Engineering Studies*

A consulting engineer will prepare the study for the preferred sewer alignment and determine a per lot assessment based on the anticipated number of users and the estimated cost of the system. The offer made in this proposal is considered a contribution to the regional sewer system and does not commit the County to a subsequent cost to be estimated by the consulting engineering firm.

Zena Boylan, the developer of Valle Serena, was one of the first participants in the County water system before construction of the water system. Now Ms. Boylan will be one of the first participants in the County sewer system.

Sincerely,  
  
James W. Siebert

Xc: Doug Sayre  
Stephen Wust  
Zena Boylan  
Jim Parker

Prepared by  
James W. Siebert  
July 9, 2007

### Valle Serena Sewer Cost Estimate

#### 10" Regional Sewer-Valle Serena to La Cienega Creek

Description	Unit	Unit Cost	No.	Extension
<sup>1</sup> 10" sewer line	LF	32.00	3,930	125,760.00
Manholes	Ea	3,650.00	12	43,800.00
Tv & Pressure	LF	1.75	2,823	4,940.00
Testing				
Compaction				5,000.00
Testing				
Survey				6,000.00
Eng. & Admin		11%		20,405.00
			<b>Sub Total</b>	205,905.00
			<b>GRT</b>	12,612.00
			<b>Total</b>	218,517.00

#### 12" Regional Sewer - Valle Serena to West SR 14 ROW

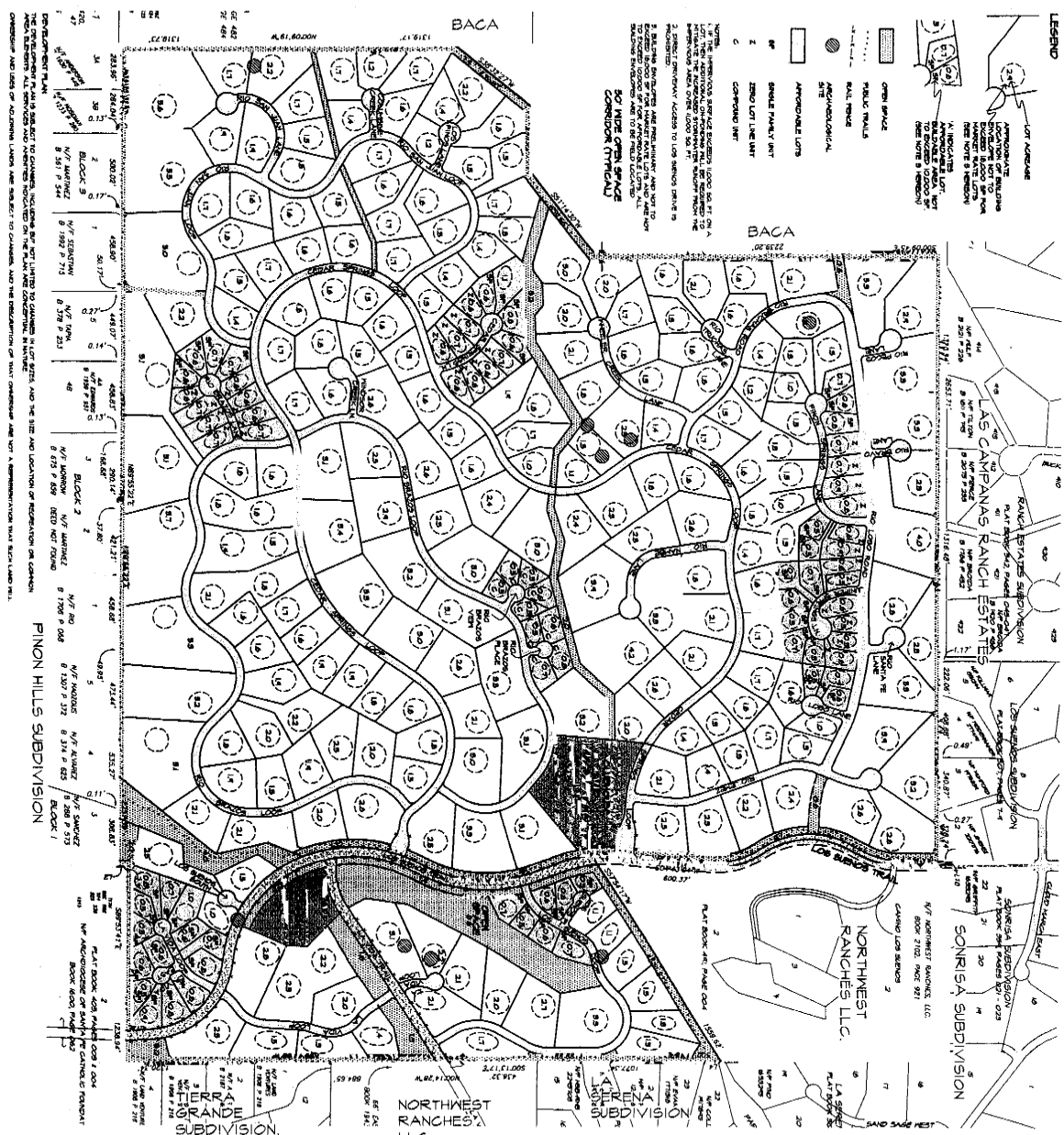
Description	Unit	Unit Cost	No.	Extension
<sup>2</sup> 12" sewer line	LF	38.00	4,100	155,800.00
Manholes	Ea	3,650.00	11	40,150.00
Tv & Pressure	LF	1.75	4,100	7,175.00
Testing				
Compaction				7,000.00
Testing				
Bore	LF	110.00	220	24,200.00
Survey				10,000.00
Eng. & Admin		11%		26,875.00
			<b>Sub Total</b>	271,200.00
			<b>GRT</b>	16,611.00
			<b>Total</b>	287,811.00

<sup>1</sup> Assumes 8' or less depth

<sup>2</sup> Assumes 8' or less depth

8" Valle Serena Sewer

Description	Unit	Unit Cost	No.	Extension
1 8" sewer line	LF	22.00	1246	27,412.00
Manholes	ea	3,650.00	7	25,550.00
Tv & Pressure Testing	LF	1.75	1246	2,181.00
Compaction Testing				5,000.00
Survey lateral lines	ea	845.00	14	5,000.00
			<b>Sub Total</b>	11,830.00
			<b>GRT</b>	76,973.00
				4,715.00
				81,688.00



**PROJECT DATA**  
 TOTAL LAND AREA: 400 ACRES  
 APPROVABLE LOTS: 280  
 OPEN SPACE: 120  
 TOTAL NUMBER OF LOTS: 400  
 APPROVABLE LOTS PER ACRE: 1.0  
 OPEN SPACE PER ACRE: 0.3



APPROVED BY THE E.L.L. MEETING ON	DATE
DAVID	
CITY MEMBER	
CITY PLANNER	
CITY ENGINEER	
CITY ATTORNEY	
COUNTY APPROVAL	
COUNTY DEVELOPMENT DEPARTMENT	
COUNTY LAND AND ADMINISTRATION	

**"SUERTE DEL SUR"**  
 SANTA FE COUNTY, NEW MEXICO  
**AMENDED MASTER PLAN**

**DANSON SURVEYS INC.**  
 PROFESSIONAL LAND SURVEYORS  
 1000 S. SANTA FE AVENUE  
 SANTA FE, NM 87501

**Santa Fe Engineering Consultants, LLC**  
 1000 S. SANTA FE AVENUE  
 SANTA FE, NM 87501





PROJECT: SANTA FE COUNTY, NEW MEXICO  
 SHEET TITLE: "SUERTE DEL SUR"

PHASING PLAN  
 SANTA FE COUNTY, NEW MEXICO  
 "SUERTE DEL SUR"

DAVISON SURVEYS, INC.  
 PROFESSIONAL LAND SURVEYORS  
 SANTA FE, NM  
 1000 W. CENTRAL AVENUE, SUITE 100  
 SANTA FE, NM 87505  
 (505) 424-1100  
 www.davisonsurveys.com

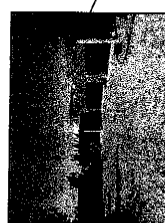
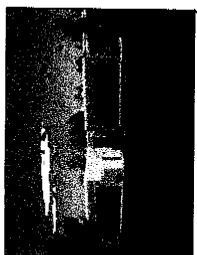
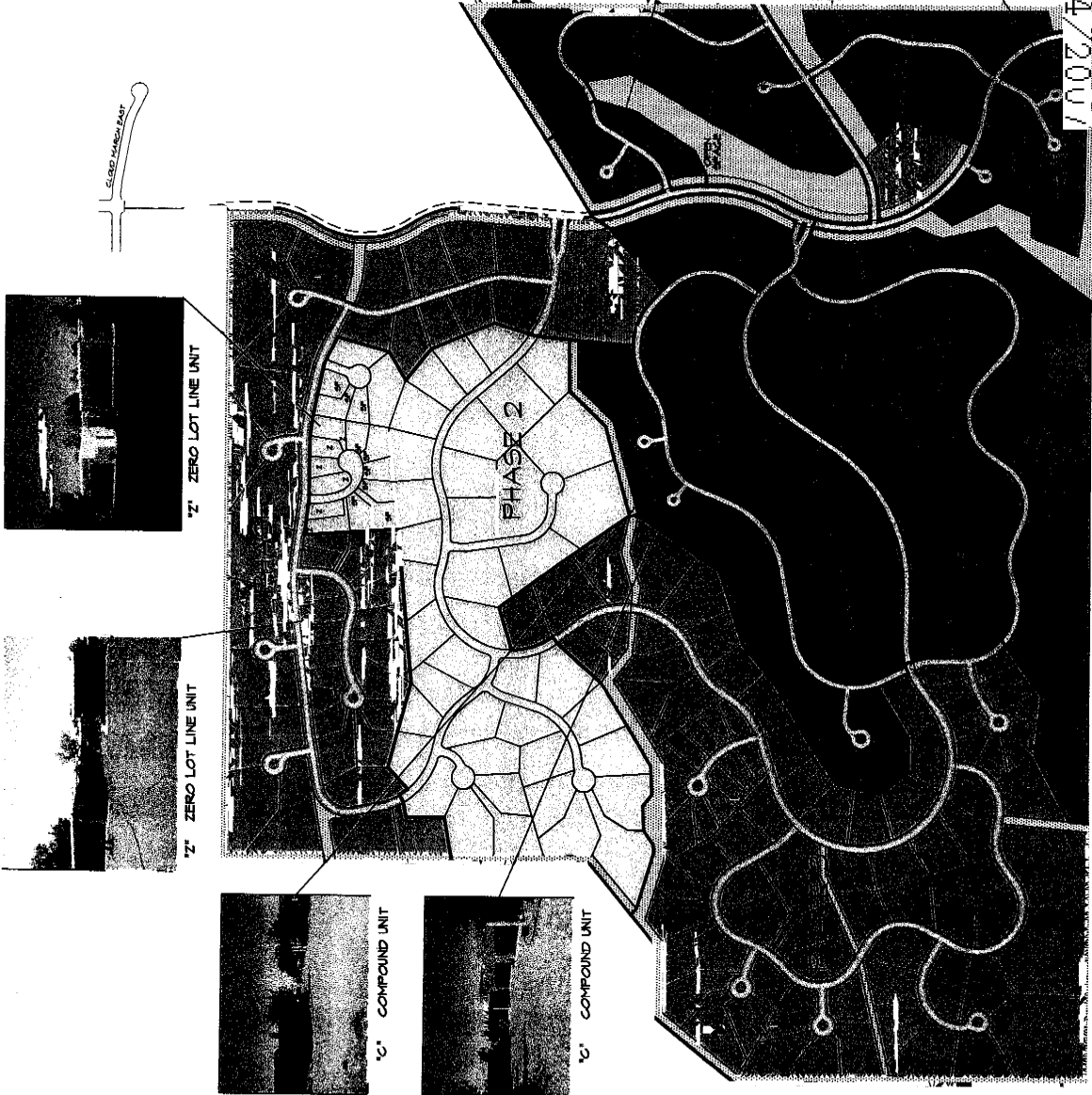
Santa Fe Engineering  
 CONSULTANTS, LLC  
 1000 West Central Avenue, Suite 100  
 Santa Fe, NM 87505  
 (505) 424-1100  
 www.santafeengineering.com

SANTA FE PLANNING  
 CONSULTANTS, LLC  
 1000 West Central Avenue, Suite 100  
 Santa Fe, NM 87505  
 (505) 424-1100  
 www.santafeplanning.com

PHASING LEGEND

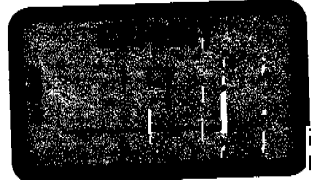
- PHASE 1  
39 MARKET RATE LOTS  
11 AFFORDABLE LOTS
- PHASE 2  
42 MARKET RATE LOTS  
15 AFFORDABLE LOTS
- PHASE 3  
62 MARKET RATE LOTS  
24 AFFORDABLE LOTS
- PHASE 4  
58 MARKET RATE LOTS  
16 AFFORDABLE LOTS
- PHASE 5  
49 MARKET RATE LOTS  
14 AFFORDABLE LOTS

TOTALS ALL PHASES (660.918 AC.)  
 80 AFFORDABLE HOUSING LOTS  
 224 MARKET RATE LOTS



# Rubin Katz Law Firm

A Professional Corporation | ATTORNEYS AT LAW



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Melanie E. MacGillivray  
Owen C. Rouse III  
James S. Rubin

Callin S. DiMotta  
Patrick J. Dolan  
Brenden J. Murphy  
Shelby E. Robinson

June 27, 2007

~~The Honorable Mike D. Anaya~~

~~The Honorable Paul Campos~~

~~The Honorable Jack Sullivan~~

The Honorable Mike D. Anaya

The Honorable Paul Campos

The Honorable Jack Sullivan

Santa Fe County Board of County Commissioners  
102 Grant Avenue  
Santa Fe, New Mexico 87501

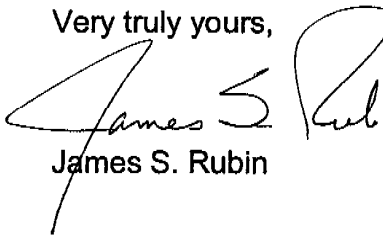
**Re: EZ Case No. S 05-4840 Suerte del Sur Subdivision, Phases 1-5  
Full Compliance with Santa Fe County Ordinance No. 2006-02 on  
Affordable Housing**

Dear Commissioners:

Recognizing your strong desire that the public be fully informed, and in the interest of full disclosure, we sent the enclosed letter yesterday to fifty pertinent homeowners' associations, land owners and parties of interest in the above-referenced matter. Suerte del Sur, LLC had no legal duty to furnish this information directly to such persons under applicable law, but we prefer that your July 10<sup>th</sup> hearing on the affordable housing plan be held before a fully informed public.

Thank you for your consideration.

Very truly yours,



James S. Rubin

JSR/msa  
Enclosures

cc/enc: Jack Kolkmeier, Land Use Administrator  
Joe Catanach, Senior Technical Review Specialist  
Duncan Sill, Affordable Housing Administrator

cc/enc/email: Suerte del Sur, LLC  
Scott Hoeft

C:\JSR\2950.40\Correspondence\07-0627 County Commission ltr.doc

SHC CLERK RECORDING 08/24/2007



# Rubin Katz Law Firm

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Owen C. Rouse-III  
James S. Rubin

Caitlin S. DiMotta  
Patrick J. Dolan  
Brenden J. Murphy  
Shelby E. Robinson

June 26, 2007

~~To: All Affordable Housing and Amended Master Plan  
Committee Members/Commissioners (1947-2007)~~

Re: Suerte del Sur – Affordable Housing and Amended Master Plan  
EZ Case No. S 05-4840

Ladies and Gentlemen:

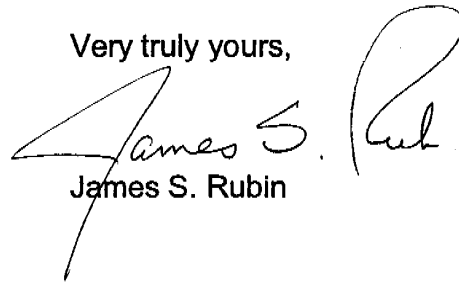
As you may recall, no final action was taken by the BCC at its April 2007 meeting. In May certain Commissioners asked for additional information. The plan should be heard at the July 10, 2007 BCC meeting.

Although Suerte is not required to give you additional notice regarding tabled matters, in the interest of full disclosure we are enclosing the revised Affordable Housing Plan and Description. We are confident that this plan meets all requirements of the Affordable Housing Ordinance.

Please note that the number of locations within Suerte where affordable housing lots will be located has increased to six areas from three areas so that affordable lots are more dispersed within the community.

Obviously we do not control how the July BCC meeting will be conducted, but there is always the possibility that the public hearing portion may be reopened. Again, in the interest of affording all parties due process, we are advising you of the proposed changes to the Suerte plan.

Very truly yours,



James S. Rubin

JSR/msa  
Enclosures

V:\JSR\2950.40\Affordable Housing\07-0626 JSR Itr to HOAs.doc

BCC CLERK RECORDING 08/24/2007

Mr. Rubin's June 26, 2007 attached letter was sent to the following:

Sonrisa Home Owners Association	Adrienne Arias
La Vida Home Owners Association	Mark Edwards and Renee Edwards
Los Suenos Home Owners Association	Fred Tapia and Vanessa A. Tapia
La Serena Home Owners Association	Tapia Living Trust
La Mirada Owners Association	Jimmy Martinez and Joanne P. Martinez
<del>El Estero Owners Association</del>	<del>John Hall and Phyllis G. Hall</del>
<del>El Estero Owners Association</del>	<del>John Hall and Phyllis G. Hall</del>
<del>El Estero Owners Association</del>	<del>John Hall and Phyllis G. Hall</del>
Camino Tres Arroyos NH Assoc.	Randy Travis and Elizabeth Travis Trust
West Santa Fe Association	Antonio J. Baca, Baca Trust
Pucsta del Sol Association	PMB Limited Partnership
Tierra Grande HOA	Hel-Mark of Santa Fe, Ltd. Co.
Jerold W. Wulf and Joyce H. Wulf	Edward R. Broida, Trustee
Richard L. Griffith and Malie Griffith	
Northwest Ranches LLC	
Las Campanas Limited Partnership	
Glen F. Tilton and Jacqueline M. Tilton	
Robert M. Cranwell and Debra Cranwell	
Joseph E. Weidenhamer	
Tom Mumford and Joyce Mumford	
Jaques Constant and Annie Constant	
William Jimenez and Cynthia G. Jimenez	
Isaac J. Pino and Katherine Newsom Pino	
Sandra Kay Jaynes	
Benny L. Evans and Eveline K. Evans	
Harry W. Majors and Linda C. Majors	
Dean Shrader and Theresa Shrader	
Jonathan David Beamer and Francine Salkin	
Tierra De La Vida LLC	
Kevin Holman	
Anthony J. Atkins	
Fredrick Buffone and Wendy Buffone	
Las Lomitas, LLC	
Pauline A. Chavez	
Raul M. Alvarez and Isabel Marie Alvarez	
Robert Lee Haozous	
Edward Rio and Suzanne Rio	
Manuel A. Martinez, Jr.	
Trace Sanchez and Victoria Sanchez	

SFC CLERK RECORDING 08/24/2007