

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

**May 28, 2014**

Danny Mayfield, Chair - District 1  
Robert Anaya, Vice Chair - District 3  
Miguel Chavez - District 2  
Kathy Holian - District 4 [telephonically]  
Liz Stefanics - District 5



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC MINUTES  
PAGES: 194

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**SPECIAL MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**May 28, 2014**

This special meeting of the Santa Fe Board of County Commissioners was called to order at approximately 5:17.m. by Chair Danny Mayfield, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**Members Present:**

Commissioner Danny Mayfield, Chair  
Commissioner Robert Anaya, Vice Chair  
Commissioner, Kathy Holian [telephonically]  
Commissioner Miguel Chavez  
Commissioner Liz Stefanics

**Members Excused:**

[None]

**VI. Approval of the Agenda**

KATHERINE MILLER (County Manager): Mr. Chair, Commissioners, we'd like for you to approve the agenda as it is listed but I want to note we are actually going to request something different than is what's noted here on items VI an VIII, as far s requesting to publish title and general summary of the ordinances. We would like to request different action on those at that time. Based upon our meeting last night, meetings out in the community and direction by the Commission last night at our meeting of wanting to have additional meetings out in the different regions of the county and wanting to have additional public input and consideration of the criteria for the map, we actually want to slow down this process and kind of pull back from starting the public hearing tonight on the map.

We'd like to have a public meeting with public comment but not as a public hearing. We'd like to add additional meetings to the process and we'd like to get to that when we get into the agenda item on process and timeline and also on the request for action. So I'd just note those things, that I'd like you to adopt the agenda as published with the ten items, however, we do have some requested changes at the time we get to the action items.

CHAIR MAYFIELD: A couple questions for myself, Ms. Miller, and maybe for Attorney Shaffer. But as what you just stated, is tonight's public comment, if this is where this Commission elected to go tonight for the record and all this comment will be provided in the record?

MS. MILLER: Mr. Chair, Commissioners, yes. All of it is on the record. It's verbatim. It's just not conducted as a public hearing with sworn testimony but everything will be recorded and minutes will be taken verbatim and it will be on the record.

CHAIR MAYFIELD: Thank you. And just my opinion on this for everybody,

and the Commissioners can weigh in on this, I think if we do initiate this process, sort of like when we developed the Sustainable Land Development Code and initiated that, we want to make sure that this County acts in the right way, we provide enough public outreach so everybody can have their opinion on this and provide their opinion on this. There were maps that were mailed out to many people. I see one right in front of me on this lady's lap. They weren't – I guess – they were hard to make out. Those are some of the comments that I heard from a lot of people. They were very hard to make out. You had to go to our website, and staff did a great job with our website but maybe I'm speaking for myself, not the best interactive user on the computer, so I'm just glad that we are maybe considering this and pushing this out.

Also, I'm going to ask the Commissioners if they'd care to weigh in on this please. Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Mr. Chair and Mr. Shaffer, from what I understand from Ms. Miller's comments, the public hearing – taking action and having a public hearing would actually move us into the process of making decisions and it's similar to the comment I believe I made last night about another ordinance we were going to publish title and general summary to that if we were going to make amendments it would be much more difficult. So that in my opinion, waiting to publish title and general summary until we've had public comments and made possible amendments might make the process easier. Could you comment on the legal process of a public hearing versus public comment?

GREG SHAFFER (County Attorney): Mr. Chair, Commissioner Stefanics, when the Board of County Commissioners is taking specific action on a zoning ordinance it is required to have a public hearing and to give specific specified notice of that public hearing, and that begins when the Board authorizes to publish title and general summary in terms of that process. So the idea of a public hearing is specifically taken from statutes. So there's nothing, in my opinion, that would preclude the Board from having public meeting and input into something that it ultimately puts out for that public hearing and begins that process. So I think – I hope that answers your question. If not I'd be pleased to take another pass at it.

COMMISSIONER STEFANICS: Thank you. That's starting to answer my question. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. The only thing I have to add is if we are going to push the timeline out a little bit further I think that's good. It will give us the opportunity to get more information out and to all the public to give us their feedback, as Commissioner Stefanics stated. So if there are appropriate changes that can be made now we can make them before we adopt the land use plan. So we're going to move it out a little bit, we're going to postpone making any formal action so that we can listen to your concerns without having to get into any big debate. I want to just listen this afternoon to what your comments are.

CHAIR MAYFIELD: Thank you so much, Commissioner Chavez. Mr. Shaffer, I can also ask please that you provide a quick recap of the Commission's – oh, I'm sorry. Commissioner Holian, please. Commissioner, we have to get a little bit audio because

right now we can't hear you.

COMMISSIONER HOLIAN: Okay. All right. I'll save my comments for later.

CHAIR MAYFIELD: Commissioner, you have to speak up or somebody has to work on the audio.

COMMISSIONER HOLIAN: Can you hear me now?

CHAIR MAYFIELD: We hear you great now.

COMMISSIONER HOLIAN: Okay. I just wanted to say that I am in agreement with slowing the process down and having more meetings in the community. This is a very important step for the County and we really need to do this process and the zoning map in a very open way. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you for those comments, Commissioner. Mr. Shaffer, can you provide a little recap of the Commission action last night as far as the zoning map that was sent out, the advice that we've received with counsel, how this process will move forward? Mr. Chair, what I'm getting at is when the public wants to contact one of the Commissioners about a potential piece of property and the zoning map, that this is viewed as an adjudicated case in front of us right now. We've been advised not to have those discussions. Can you provide that recap from last night please?

MR. SHAFFER: Mr. Chair, I believe depending on which process the Board opts to follow it's going to influence the proceedings going forward. We were speaking last evening, it was specific to this being the public hearings required by law with respect to a proposed map. If you are now refining that process to take additional input before a proposal is formally put on the table by the Board for consideration you might be in a slightly different scenario in terms of that input. Having said that, I do believe that part of the desire for the additional meetings and additional input is that you would have more outreach, more opportunity for the public to interface with the Board as a body so that type of individualized meeting, even in the lead-up to proposing title and general summary might not be necessary, depending upon how many meetings you want to potentially have, because you are elongating the process and making the Board as a body more accessible to the public.

CHAIR MAYFIELD: Thank you for that, Mr. Shaffer. Commissioner Chavez, please.

COMMISSIONER CHAVEZ: And I would just say that I like that better because we're all in the same room at the same time, so we're all here. So that would then mean that individual meetings, one on one, with individual Commissioners might not be that necessary. It's an open process and we want the forum to be – I would like it to be an open process only, so that again, we're all in the same room at the same time. So I do appreciate the Attorney's summary on that and that is how I would like it. Personally, that's how I will function. Everyone else might do it a little bit differently, but I'm more comfortable doing it that way. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. So Commissioners, with that discussion, we have approval of an agenda in front of us, noting that we will be looking at VI. and VIII. for a little reconsideration.

COMMISSIONER ANAYA: Move for approval, Mr. Chair.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Thank you. We have a motion and a second.

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

**IV. Process and Timeline for Sustainable Land Development Code Amendments and Zoning Map Adoption**

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Mr. Chair, Commissioners. In your packet you have an updated schedule to the one that had previously been presented to the Board in February and March, but as Katherine stated, taking into consideration your comments on the process from last night and public input, we're proposing that this process be extended and refined. That would allow us to continue to have the two meetings that have been noticed as public meetings to allow the public to comment on the adoption draft of the zoning map, but these would not be the official hearings for adoption.

We would then propose to hold four additional BCC special public meetings, one in each growth management area, to discuss zoning of properties in those specific growth management areas. And I would send out meeting requests to check availability for those meetings and we would continue to hold those during the summer. We would then request to publish title and general summary of a version of the zoning map that the Board directs us to release after those public meetings. At that point we will do all the required legal noticing for the required public hearings for the adoption of the zoning map.

So based upon the revised process, and allowing more time for public comment and input, the Board may therefore want to postpone items VI. and VIII. on this agenda for a later time until we have had these public meetings and the Board has asked us to publish title and general summary at a later time, once we have released a zoning map that the Board directs us to release.

CHAIR MAYFIELD: Thank you. We have two questions, Penny, please. Vice Chairman Anaya, please.

COMMISSIONER ANAYA: Mr. Chair, based on that input that I'm in agreement with and I believe the Commission is, I move that we strike items VI. and VIII.

COMMISSIONER STEFANICS: I'll second that. Well, actually we're postponing, Commissioner Anaya.

COMMISSIONER CHAVEZ: Yes. I want to question just the way you stated the motion.

COMMISSIONER ANAYA: Mr. Chair, I'd defer to Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, no, I'm just – I'm looking for I guess a clarification on the motion because I think it's a postponement, but I'm wondering, should it be date-specific.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya, please.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Chavez, I'm fine with a postponement. I don't think we want to be at a date specific because we might find that in the discussions that we have that we may need to add hearings or have additional input. So if you're okay, I'll modify my motion to move to postpone items VI. and VIII. if the seconder is okay.

COMMISSIONER CHAVEZ: That's good.

CHAIR MAYFIELD: Let's have some discussion please. Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Penny and Ms. Miller and Mr. Shaffer, I still would be interested in, and I think the public is very interested in when we would see the process culminating, because even if we have four additional meetings after the two that we have already planned, people are going to want to know, are we talking 14 action? Are we talking about 15 action or are we talking about 16 action? So I think in fairness to the public we need to have a little clarity about what we're intending to do. Thank you Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioners. Anybody else? So let me just ask this really quick. Well, let me take the vote on this for the postponement with the deferral to a later date and date-certain or a little clarity around that hearing both comments from Commissioner Stefanics and Commissioner Anaya. Who from staff wants to take a crack at that?

MS. ELLIS-GREEN: Mr. Chair, as far as the dates are concerned, it will depend on availability of the Board but we would hope that we could get some of those dates occurring in June and July, and at that point, take direction from the Board as to whether more are needed or whether we can move forward with publish title and general summary about the August timeframe.

CHAIR MAYFIELD: Ms. Ellis-Green and knowing some of the Commission, do we already have prior commitments, if we're looking at June and July?

MS. ELLIS-GREEN: Mr. Chair, again, it's subject to your availability. So what we will do is go through our process of requesting when dates could be available for the Board, and at that point, when we set those dates, we'll have a little bit of a clearer idea as to the timeframe.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Mr. Chair and staff, I think that we already are scheduled for one special meeting a month for several different items, and I think to expect that we're going to do several long meetings over and above our other regular land use cases might not be practical. So if we had a goal that we would try to culminate by the end of 14 that would allow us to do something specific every month towards the goal. But I really would like for you to think about this. If you have two meetings a month and half of us don't come, you either won't have a quorum or you won't have total buy-in. So I would ask you to plan this carefully.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya, please.

COMMISSIONER ANAYA: Mr. Chair, along with Commissioner Stefanics' comments I'm okay with a target. I'm not going to say we set it in stone but I would agree that we should have a target date and the end of the year seems to be a reasonable target, given the other commitments we have coming up in the immediate future. So I guess what I'm saying to the public is I don't expect us to now in June and July try and shove six meetings in and force the public into a difficult situation. So I would say a target of December is a good target and then we can see how that evolves through the public input process. Is that okay, Commissioner Stefanics, Mr. Chair?

CHAIR MAYFIELD: Thank you. I guess my only request would be that the Commissioners try to make themselves available for every district meeting. We're in each others' districts and I respect that but if we could try to do our best to all accommodate that and make all the meetings.

COMMISSIONER CHAVEZ: I have a question on that, thought. Are you expecting – are we going to notice that there will be a quorum at those?

CHAIR MAYFIELD: Yes.

COMMISSIONER CHAVEZ: Okay.

MS. MILLER: Mr. Chair, Commissioner Chavez, based upon direction last night, they would be BCC meetings of a regional nature, so we would notice them as a BCC meeting and need a quorum to hold those.

COMMISSIONER CHAVEZ: Okay. Just wanted to be clear.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya, please. Thank you, Commissioner Chavez, for the question.

COMMISSIONER ANAYA: Mr. Chair, to that point we had some discussions last night in relation to these meetings that are on the radio and broadcast and we want to say publicly, we're not going to be able to broadcast all of the meetings when we go into the region. We're going to do our best, absolutely, when we do them here, but we're not going to be able to broadcast our meetings as we do our normal meetings when we go to southern Santa Fe County or northern Santa Fe County. But we'll make the transcripts readily available and have those meetings adequately noticed so that people can attend. Correct?

MS. MILLER: Mr. Chair, Commissioner Anaya, that's correct, and just one other note. We do have to, when we take action on the whole map and everything, that needs to be here in the County seat, at the County building. These would be meetings and that's a statutory requirement. These would be meetings that we'd consider of a regional nature so that's why we broke them down to the growth management areas and we would have one in each region is what we're proposing.

CHAIR MAYFIELD: Thank you. And just for the public. So when we get to that point, after we have some of these regional public meetings then we then do publish title and general summary. There may be one or two final full public hearings that will be here just like tonight. So everybody is comfortable with that.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Chairman Mayfield, so I'd modify my motion to include the words postpone items VI. and VIII. and have a target completion date of the end of the year, December 2014. If the seconder is okay with that.

COMMISSIONER STEFANICS: I'm fine.

CHAIR MAYFIELD: We have a motion and a second and I have a question on the agenda, but I'm going to save that for after this.

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

CHAIR MAYFIELD: Thank you. Ms. Miller, I guess I should ask this question at the onset of the approval of the agenda, but where in here are we affording for public comment tonight? Is it going to be throughout the duration?

MS. MILLER: Mr. Chair, that would be at your discretion at this point. Anytime. What we are still proposing is just to put out some of the code amendments, just so they're out for public comment and discussion. We don't anticipate a long discussion on that and we have a lot of time to go through those items throughout the next several months and the thought was that most of the public comment would come after the presentation of the zoning map.

CHAIR MAYFIELD: Thank you. So Ms. Ellis-Green, so everybody – yes.

COMMISSIONER STEFANICS: I'm sorry. In regards to a conversation we had last evening, Mr. Shaffer and Ms. Ellis-Green, I had asked specifically that we research in the proposed land use code whether there is an avenue for individual petitioning. Was that answer arrived at? Because if it's what I think it is it's going to answer a lot of questions.

MS. MILLER: Mr. Chair, Commissioner Stefanics, the question that was posed last night was in the code, is there a process of rezoning the property once the zoning map is adopted and Penny has the specific sites, I believe.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, in Chapter 1, Section 1.15, it addresses SLDC texts amendments or zoning map amendments and they are also addressed in the procedural section of Chapter 4, in the procedural table, Table 4.1 is a zoning map amendment. It's reviewed by a hearing officer, Planning Commission, and the Board of County Commissioners. So they are allowed and there is procedure in here.

COMMISSIONER STEFANICS: Okay. So could you repeat those two sections for myself and the public to hear again?

MS. ELLIS-GREEN: Sure. Mr. Chair, Commissioner Stefanics, Chapter 1, Section 1.15 is zoning map amendments, and Chapter 4, Table 4.1 includes – is a list of application types and the procedures that those applications follow. And that does include zoning map amendments, stating that their heard by the hearing office, Planning Commission and the Board of County Commissioners.

COMMISSIONER STEFANICS: Thank you very much. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner. Penny, I'm going to go back to item 4, the process with the timeline, are you finished with that presentation?

MS. ELLIS-GREEN: Mr. Chair, yes, I am.

CHAIR MAYFIELD: Thank you.

**V. Presentation of Proposed Ordinance Amending Ordinance No. 2013-6, the Sustainable Land Development Code**

CHAIR MAYFIELD: Ms. Ellis-Green.

MS. ELLIS-GREEN: Thank you, Mr. Chair, Commissioners. This item is going to introduce the proposed changes to the SLDC. I did put copies at the back of the room. This is also available on our website, and I'm going to touch on the major changes that are being proposed just in view of the time that we have tonight. As I go through that, the changes I'd like to highlight is change #1 on page 1. We added a section allowing complete applications that have already been made to continue through the process under the existing code. So again, that's only for complete applications.

The next item I'd like to highlight is on page 3, items 10 and 11. We were requested to review the two road tables in Chapter 7. We've made right-of-ways consistent and we have allowed chip-seal as an alternative for local roads with a lower daily traffic volume rather than the previously required paving.

The next item is on page 6, #13. We added language into the wastewater system section to make it more consistent with the water system section to require these systems to meet Environment Department standards, be designed by an engineer, require easements and to require a financial guarantee.

The next section is on page 9, Section 17. We have added new language related to the Galisteo Basin Archeological Sites Protection Act. Next section is on page 10, #21. We've added two paragraphs to allow a reduced setback to a floodplain if there's bank stabilization, and also to allow a residence to have a standard sized retention pond under certain conditions. And this is actually current code.

Next item is on page 12, #26. This language will clarify that existing master plans identified on the zoning map as a planned development district, a PDD, are allowed to build out in accordance with their master plan approval. And that's a change to 8.10.11. On the same page, items #27 - #30 are all adding a residential density standard into the non-residential zoning districts. The next item is on page 14, item 31. We deleted the community services section and we've made those uses allowed in the use table. Also on the same page, we have added in standards for a trade contractor in residential areas, and on page 15 we added in standards for an automotive paint and body business. These both go in the supplemental use sections of the code.

And the last item I'd like to highlight is on page 17, #40. We added a definition of retreat. We've heard concerns from numerous retreats we have throughout the county as to where these uses are allowed so we've added a definition and we've also added that in the use table.

After the proposed ordinance in your packet is a colored use table. On page 1, Appendix B-1, you can see we added the row for retreats, allowing retreats as a permitted or

conditional use in almost every district. On page 2, we made it clear what a trade contractor was, including plumbing, electrical, roofing, painting and landscaping businesses, and we added another line for automotive paint and body shops. On page 3 we've added a line for movie ranches, allowing those for permitted or conditional uses throughout the county. On page 4, we've added a line for community centers, again, allowing those as permitted or conditional uses.

On page 6, we've added a recycling transfer station and we've also added four lines for wireless communications facilities which makes that section of our use table consistent with the text. And those are the major changes to the use table.

CHAIR MAYFIELD: Thank you. Commissioners? Ms. Ellis-Green, do you have also like a general memo summary of all of this? I've been yellow-tabbing my papers but I think it could be beneficial for myself and the public if we could get a memo on all of what you just stated.

MS. ELLIS-GREEN: Mr. Chair, copies of the ordinance are available. We'll make sure it's all on the webpage and the use table as well.

CHAIR MAYFIELD: And the suggested changes.

MS. ELLIS-GREEN: Yes. The suggested changes are what is in the ordinance.

CHAIR MAYFIELD: Thank you. Commissioner Chavez? Thank you.

COMMISSIONER STEFANICS: Mr. Chair, Penny, I believe what the chair is asking and what I would want is a separate document just like we have here that identifies the changes, not making people look through the entire code for the changes.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, it's this ordinance here that is on the webpage, which is just all of the changes.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR MAYFIELD: Thank you. Thank you, Commissioner Stefanics. Penny, does that complete your presentation?

MS. ELLIS-GREEN: Mr. Chair, yes.

CHAIR MAYFIELD: Okay, so we'll save that for the public if you can keep that in my mind for comment and we are now going to go – we're skipping item VI because it's been postponed.

**VI. Request to Publish Title and General Summary of an Ordinance Amending Ordinance No. 2013-6, The Sustainable Land Development Code (Action Item)**

This item was postponed.

**VII. Presentation of Proposed Ordinance Adopting the Zoning Map of All Land in the Unincorporated Area of Santa Fe County to which the Santa Fe County Sustainable Land Development Code Applies**

MS. ELLIS-GREEN: Mr. Chair, Commissioners, in your packet is a draft ordinance. Once the Board gives us direction to move forward with publishing title and general summary after we've done the additional public meetings, the ordinance adopting the zoning map will look like the one in your packet, which just reads that this ordinance hereby enacts the official zoning map of the Sustainable Land Development Code that was enacted by this Board of County Commissioners as Ordinance No. 2013-6, and hereby incorporates by reference this official zoning map within that ordinance including any amendments to that ordinance, and that this ordinance shall become effective 30 days after recordation.

CHAIR MAYFIELD: Thank you. Commissioners, do you have any questions? Seeing none, so who here from the public would like to comment tonight? Thank you. Nobody needs to be sworn in tonight as this is just public comment, so whoever cares to go first, please come up. We will ask that you're comments be very concise to this. If you hear somebody state something prior to you, if you would not repeat that I'd appreciate it.

MS. MILLER: Mr. Chair, would you like to hear a quick presentation from Robert on what staff did do relative to the zoning map before public comment? That was item IX. They were going to actually present how they came up with the basis of the map.

CHAIR MAYFIELD: Commissioner? Yes, yes. I'm sorry, Ms. Oralynn Guerrerortiz, we're going to hear from Mr. Griego first.

**VIII. Request to Publish Title and General Summary of an Ordinance Adopting the Zoning Map of All Land in the Unincorporated Area of Santa Fe County to which the Santa Fe County Sustainable Land Development Code Applies (Action Item)**

This item was postponed.

**IX. The Zoning Map of All Land in the Unincorporated Area of Santa Fe County to which the Santa Fe County Sustainable Land Development Code Applies (First Public Hearing) [Exhibit 1: Adoption Draft Zoning Map Material]**

CHAIR MAYFIELD: Mr. Griego, do you want to do item IX. please?

ROBERT GRIEGO (Planning Manager): Good afternoon, Mr. Chair, Commissioners. For the zoning map presentation today I'm going to provide a brief background of the zoning map draft and the process of creating the map and provide a summary of the public comment and review process that we underwent and identify issues that they public identified though the public review process. Finally, I will provide some options and recommendations for consideration by the Board.

CHAIR MAYFIELD: Thank you, Mr. Griego. Please.

MR. GRIEGO: To discuss the Sustainable Land Development Code zoning map, the Sustainable Growth Management Plan was approved in 2010. The SGMP included a future land use map. Part of the future land use map included the land use categories, sustainable development areas, and policies in the Sustainable Growth Management Plan identified the need for comprehensive zoning in the county which would include base zoning districts, community planning districts, planned development districts, mixed-use districts and overlay zoning districts.

The Board approved the SGMP in December of 2010. The Sustainable Land Development Code was initiated and the public review process for the SLDC included the establishment of the zoning districts. And a preliminary zoning map draft was released in October of 2013. The Board approved the SLDC in December of 2013 but the SLDC will not be in effect until 30 days after the zoning map is approved by the Board.

The zoning map draft or the framework for the zoning map again was based on the future land use map. To review, this information is provided in your packet material as Exhibit 1: The zoning map background and criteria. So in addition to the future land use map, the existing community districts, existing conditions, hydrologic zones, existing master plans and development plans were considered as part of the zoning map and existing, pre-code development that was identified. Staff included as part of the criteria purpose statements in that report which identified each of the zoning districts and the purpose of those zoning districts as part of the drafting and establishment of the zoning map.

The initial zoning map, in October of 2013 that was established was revised with the adoption draft that you see that you have in front of you now, based on the Board's direction today the adoption draft will be revised based on Board direction and authorization.

In regard to the public review process for the zoning map, we did go through a significant public review process in the draft. Staff initially sent out letters to all property owners in the county based on the County Assessor's database and other information. We held some initial meetings in the county prior to the release of the zoning map. We met with 13 community groups, specifically regarding the community districts. We also held – part of the public review process was held in each area of the county so each growth management area we held a public office hours. We also held 11 full days of open office hours in the County. This was all part of the process that was sent out in the notices. So we sent out notices to each of the property owners which identified the public hearing process, the public meeting process. We also advertised these in each of the newspapers in each area of the county including the *Santa Fe New Mexican*, the *Journal*, the *Journal North*, the *Rio Grande Sun*, the *Edgewood Independent* and the *Mountain View Telegraph* were all advertised as part of the process.

We did get significant public comments. We met with a significant number of people, both calls that we received and individual meetings with property owners. We also met with different groups of individuals and in the report, under Exhibit 2, the public comment report identifies the issues that were identified through the summary of the key issues that were brought forward through those public comments. I'll go through each of those that were identified on the key issues report. In addition, we do have a public comments database which is in your packet and we also have additional comments that we've received since the packet was completed, so we will be distributed that as well to you.

The key issues report included the following major themes: the public was concerned about the specific zoning districts that they were assigned, whether the lot sizes they were assigned might be different than the assigned zoning districts that were out there. Each of the zoning districts identified in the code was assigned a density and the property owners were concerned that their properties did not meet those density requirements. They wanted to have further assurances that their property would be allowed to build residences and it would maintain their ability to build on their properties.

Additional concerns regarded the commercial and mixed-use zoning districts, assigned areas for each of the non-residential districts. There were concerns both regarding the entitlements that were provided and also there were concerns from property owners who did have – who identified that they had a prior approval that was not reflected on the zoning map.

Concerns also regarding whether the zoning would increase their property owner taxes. Other concerns identified were in appropriate or incompatible uses. Basically they were concerned about development occurring around their property that might not be appropriate for the area that they were at. There were specific geographic areas that were identified within that and that information is included in your packet. Summarized, there were some concerns around the southern areas of the county, some of the ranch areas, some of the mixed-use areas in the El Centro area. Also mixed-use designations on State Road 14 north of San Marcos. Also some commercial neighborhood designations for properties in other areas of the county.

Other concerns that were identified were that there were changes in the zoning districts from the initial zoning map that was released in October of 2013 and the adoption draft of the zoning map, specifically community planning districts, planned development districts, public institutional districts and commercial districts.

Additional concerns included water, family transfers. There were concerns that were identified regarding the interactive zoning map and I think the Commissioner raised the issue with the interactive zoning map and the ability for property owners to access that information. Additional concerns were properties that were identified as County interest – properties that the County owned that were not reflected on the zoning map. Scenic qualities, This SGMP identified scenic qualities. These were also not reflected. The property owners felt that protection of these areas was needed to meet the SGMP objectives. And finally, the application of the planned development districts on the initial map. There were concerns regarding the PDDs. One PDD is the Community College District. That PDD is specifically identified in the Sustainable Land Development Code as a PDD. Other PDDs were identified as properties that had a master plan approval on them and there were concerns that these approvals would continue to be regulated by the approved master plan which identified that planned development district. There was language in the text amendments of the SLDC to address the PDD, that they would continue to be regulated by the approved master plan.

Finally, in your packet or in the staff memo, staff has identified some initial recommendations for changes for consideration by the Board. I can go over those briefly again. These are general considerations for the Board. Staff will continue to review the map and continue to review the public comments in accordance with the criteria.

So the general categories are the public institution zoning districts. In the zoning map adoption draft currently County properties, such as fire stations, community centers, senior centers, transfer stations, parks and open space are not identified as public institutional. Staff is recommending that these properties be identified on the zoning map as public institutional. Staff is also recognizing that open space property should be further assigned the environmental and resource protection overlay, which is established in the land development code under the overlays in accordance with Section 8.11.3.11.2 of the SLDC. And then staff has also identified that property assigned the public institution zoning district that is privately owned and is vacant should be assigned a zoning district that is appropriate for that area rather than staff assigning that zoning district as public institutional without having gone through an approval process in front of the Board.

In regard to the community districts, there were concerns that were identified regarding the community district specifically in the initial zoning map, the preliminary zoning map in October. Each of the community districts were identified on the map as community districts and they didn't have base zoning districts. In this version, in the adoption draft that is in front of you today the zoning is identified for each of the community districts based on the criteria that were outlined before. So staff has recognized that there are some concerns that were identified and has provided some options for consideration by the Board. One would be no change to the zoning map adoption draft, that the assigned zoning that staff did provided the closest match to the approved community districts. There are some issues with that. The pro to that would be that the zoning map adoption draft has gone through a review process but again, we will continue to do review. But the con to that is that the existing community districts, those are approved ordinances and are recognized in the land development code under Section 9.3 and it's not clear how the applicability of those zoning districts would be applied to those community districts.

Option B for the community districts would be to create an overlay district for the community.

CHAIR MAYFIELD: Mr. Griego, the Commissioners want to comment really quick. Let me let you catch your breath. Commissioner Anaya, please.

CHAIR MAYFIELD: Mr. Chair, just a few comments that I think might help. Mr. Griego, I think it's going to be important for us as Commissioners and the public, and I appreciate the summary that you just did but as we move forward into what potential recommendations might be, I would prefer as a Commissioner to have a listing of the comments that we had back, which we have and will provide to the public, but also a breakdown of what recommendations are and what are the pros and cons to those recommendations and a listing at the culmination of the input process, so that we can compile all the information, you guys can organize it in a way that's easy for the Commission and the public to grasp and comprehend, and then, at that time, even provide a breakdown with recommendations, pro and con, as to what might be the direction.

I think now, given the fact that we're going to add additional comments maybe is not the time to get into what the recommendations are today but rather post the comments as we get them and then staff compile those comments and feedback and then a breakdown at the end of the process that lays out pros and cons and background associated with potential recommendations. Mr. Chair, that's just a suggestion so that we can advance to the public

hearing aspect or public input aspect and then move through that process in a reasonable fashion. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Vice Chairman. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and thank you, Robert. A couple questions. How many planned development districts are there currently?

MR. GRIEGO: There are approximately –

COMMISSIONER STEFANICS: I mean is it ten or less?

MR. GRIEGO: Yes.

COMMISSIONER STEFANICS: Okay. So could you identify for me and the public what those are?

MR. GRIEGO: Yes, Chairman Mayfield, Commissioner Stefanics, the planned development districts, as I pointed out earlier, the Community College District is identified as a planned development district in the land development code and that is based on the Community College District Ordinance. Additional planned development districts were identified including the La Bajada Ranch, that's the Santa Fe County ranch, the property that the County owns in addition to the remainder of the master plan that was approved. So there's an entire 1,300 acres that is one planned development district. So that is two.

The third one would be the Trenza or Commonweal, is a planned development district. On the zoning map as it is right now it does not include the entire master plan and that's one of the recommendations that we have would be to include the entire master plan in accordance with the other PDDs. In addition, four would be Aldea. Aldea is a planned development district identified. There was both commercial and residential in that planned development district. And then the other one that I can identify would be the Bishop's Lodge as a PDD. And six would be the area of Rabbit Road and South St. Francis.

COMMISSIONER STEFANICS: I'm sorry. South St. Francis as where?

MR. GRIEGO: Rabbit Road. That had come in and it received master plan approval. There are some comments from the property owner regarding that property. Tim, do I have them all?

TIM CANNON (Planner): There's the Santa Fe Downs.

MR. GRIEGO: Oh, yes. The Santa Fe Downs is also a planned development district. They had a prior approval.

COMMISSIONER STEFANICS: So that's seven.

MR. GRIEGO: And Tessera, which is up in – next to Aldea. And that's all of the planned development districts, I believe.

CHAIR MAYFIELD: Santa Fe Opera?

MR. GRIEGO: Yes. Santa Fe Opera. I'm sorry. That is also – that's a PDD too?

MR. CANNON: No. Public institutional and the undeveloped portion is mixed use.

MR. GRIEGO: So I guess there's seven PDDs identified on the map. There may be additional ones that staff will be recommending through this process.

COMMISSIONER STEFANICS: Okay. And I think I saw in either Penny's materials or yours, that – I think it was Penny's – that applications that are in process would remain under the old code if it can be completed within 12 months. Was that in there, Penny?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, yes. That was the first change for development approval for applications in process.

COMMISSIONER STEFANICS: Applications in process would remain under the old code as long as they have completion in 12 months.

MS. ELLIS-GREEN: That is correct.

COMMISSIONER STEFANICS: Thank you. Okay. I'm ready to go on.

Thank you.

CHAIR MAYFIELD: Commissioner Chavez, please.

COMMISSIONER CHAVEZ: So then Penny, so what would that do for projects that have already received extension for a master plan for like a year or two or whatever? Because we done a couple of those master plan extensions.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Chavez, it actually states development of any subsequent phase or further application related to the same development shall be in compliance with the SLDC. So this would be, for example, maybe a subdivision that has already done the first phase, has made a submittal for the second phase. That could continue under the old code, but the third phase would need to come in in accordance with the SLDC.

COMMISSIONER CHAVEZ: So for those that already have their master plans, those would be honored then.

MS. ELLIS-GREEN: Mr. Chair, yes. That's the intention. That's also the intention of identifying some of those areas as planned development districts where the master planned approval doesn't really fit in one of our base zoning districts.

COMMISSIONER CHAVEZ: Okay. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Mr. Griego, if you could just finish up for me on community plans, please.

MR. GRIEGO: Yes, Commissioner. In regard to the options, so the second option would be establishing an overlay for the community districts which would identify them now prior to their coming forward and amending their plans, that it would be basically a combination of the October 2013 map, which identified the areas as community districts, and the base zoning districts. That would be an interim until such time as the communities would come forward and create an overlay district in accordance with the code.

The third option identified would be to remove the community districts from the zoning map and go back to the October of 2013 version which would identify those as in accordance with their approved ordinances as they exist today.

CHAIR MAYFIELD: Thank you. Commissioners, anything? Mr. Griego, how much longer do you need to complete your presentation, hearing what Commissioner Anaya stated?

MR. GRIEGO: Mr. Chair, Commissioners, I have a couple points that I want to bring up and then I will be concluding my presentation. Staff is currently reviewing the multitude of public comments that we have so we have not provided recommendations for all of the comments we have received. In your packet you have a spreadsheet of the public comments database. There are 222 comments in there. In addition, we have another binder of information that we can provide that are additional comments that we've received since the packets were put together. [Exhibit 1]. So we will be reviewing the comments in accordance

with the process, in accordance with the zoning map criteria and in order to address any issues we are also looking at other existing master plans and other considerations, so there may be some additional things that we need to adjust on the zoning map.

And finally, Commissioners, there are a couple of properties that we identified in the recommendations section which was attached at Exhibit 3. Again, the public institutional, we are recommending moving those properties forward. On the planned development districts, we have a couple of suggested changes there. We also reviewed a couple of the major public comments and I think in regard to the mixed-use development, there's a 44-acre tract, and Tim can you zoom to that piece there? That is community La Tierra. It is property owned by Las Campanas Land Holdings. That 44 acres did not previously receive master plan approval so staff is recommending that that revert to a residential estate zoning district, which is the surrounding district that's in there. So that was identified in error and staff would recommend that we adjust that.

And then also on the 330 acres, which is Santa Fe Center, which is on Camino La Tierra and 599. Staff reviewed the approvals on that tract of land. There was a previous master plan that was approved in 1986. However, the last action that was taken by the EZA approving the Highway Corridor Ordinance identified that as being residential, so the zoning that was approved by the EZA was residential at that time, so that would be a recommendation that it would revert or it would continue to be classified as residential in accordance with the approved zoning that was established by the EZA. That concludes the presentation that I have. I would stand for any questions.

CHAIR MAYFIELD: Thank you, Mr. Griego, for that presentation. Commissioners? Seeing none, Mr. Griego, please take note of Commissioner Anaya's request. When do you think we could have that summary and that breakout?

MR. GRIEGO: Summary of the breakout, again, we are still receiving comments as of today. We will continue to review those comments and I think part of the public meeting process that the Board is establishing will identify additional issues.

CHAIR MAYFIELD: Let me just refer to Ms. Ellis-Green. Ms. Ellis-Green

MS. ELLIS-GREEN: Mr. Chair, my understanding that you're asking about our recommendations and when we will get a complete list. We will continue to look at the comments that came in and we will continue to refine that, those recommendations and then add to them, and then we can provide those at each of the public meetings and just keep an ongoing list of what the recommendations are.

CHAIR MAYFIELD: Thank you. So Mr. Chair, we're going to go to public comment right now. Ms. Guerrerortiz, you were kind of up first. So any of those who care to comment, you can honestly stay in your seats for a while because there may be a few and we'll just kind of come up orderly, please.

### **Public Comment**

ORALYNN GUERRERORTIZ: Thank you very kindly, sir. I just want to speak on that last point that Robert brought up. It's just personal opinion but I don't think that the Highway Corridor Ordinance could have rezoned a property and really would recommend

you have Legal look at that very carefully, because I think you're setting yourself up for a lawsuit.

I'm going to speak to the code changes that Penny presented today, which I really greatly appreciate. I have a few questions. One, is it the County's intention to follow their own code? Because I think that if you did you'll still have some questions and concerns about this like I do. I think the sustainable code, one part of it was trying to be wise with our resources and I think that means some of the proposals here increase the cost for maintenance and capital for roads 50 percent, and I think that's unwise. On smaller roads, I don't think it's necessary, and it's going to affect people who live on private roads primarily but it's also going to affect the County. Specifically, on the SDA-1, I hope that you'll reconsider requiring sidewalks on both sides of the road. I don't think – I can't imagine a sidewalk on both sides of the road on State Road 14, for example. I can't visualize it. I can imagine one path on one side.

I also would hope you would consider changing the bike lands and not apply them to collectors and smaller roads. I think arterials and above, definitely. When you look at the City standards, who have very urban standards, they require bike lanes when you hit 1,000 trips a day. Below 1,000 trips a day, they don't require bike lanes, so I hope you'll consider that change. And also I would point out that under local roads, the pavement section should probably be three inches for SDA-2 and 3s, rather than four inches, to be consistent with local roads in the more urban areas. So local roads, three inches of pavement.

And then, I'm an engineer and I have no idea what double penetration means, so I hope that we'll get some explanations on some of the words. But that's on the road code so I don't know what that means. So I'm hoping that – if I can't understand it I think it's going to be harder for other people to understand it.

And then I'll ask again, as I sit in my office and people come in and they're trying to beat this new code, what their concern is and what they're worried about is a requirement for the full-blown environmental impact report for subdivisions as small as six lot. Reality is we're looking at costs of at least \$1,000+ per lot, and that's a real cost that's going to affect housing in our community. I think the intention is good. I think archeological surveys are required. The traffic reports are required. But I'm not sure this full-blown environmental impact report is appropriate for anything other than the DCIs. And I hope you will seriously consider it, because I've been telling clients, no. I cannot finish this project in the next two weeks to meet your deadline to get it approved and get it under the old code. And there are people who are just going to be walking away from doing development in our community, and that's commercial development, because it applies to a 10,000 square foot project, and it also applies to even subdivisions as small as six. So I hope you'll consider those changes too. Thank you.

CHAIR MAYFIELD: Thank you. Please. If you'll all just state your names, please.

KATHY LAIRD: Okay. Will do. Kathy Laird. Thank you for the opportunity to speak. I have challenged my zoning twice coming in and speaking with the staff and also meeting once with Ms. Ellis-Green. I own property, approximately 6.5 acres near the Waldorf School off Old Pecos Trail. It's actually addressed as 40 Puesta del Sol. And I was recently informed that my property is now being considered residential fringe as opposed to

residential estate. And my challenge on this is that the property actually is contiguous with property, approximately 50 acres owned by Brown Development Company. And that company, Mr. Brown's property, is actually contiguous with mine. Not just kind of near it but actually contiguous. Our property lines actually meeting. I have ingress and egress rights with the County recorded that I received when I bought the property, through his property. I have to go through his property to get to mine, and I actually have to maintain the dirt road. He doesn't really care how I get in or out. It's just I have to maintain the road, which I do.

I actually have a PNM power pole that he met me, Mr. Brown met me out there and allowed me to put the pole on his property; that's how close I am to his property. A few years ago Mr. Brown was represented by a realtor who met with me out there one day and actually offered to buy my property so he could go back into the piece of his property as it originally was. I declined because I don't want to sell it.

But I'm being told now that mine is residential fringe, which is one dwelling per 2.5 acres as opposed to Mr. Brown's property, which is right next to me as residential estate, which is one dwelling per 2.5, and mine is one dwelling per five acres. So what I'm just asking is that mine be changed since those properties are contiguous. And I've invited Mr. Amos Melendez from whom I brought the property to speak because he has more history on that.

CHAIR MAYFIELD: Thank you.

AMOS MELENDEZ: Thank you, Kathy. Mr. Chair, members of the Commission, my name is Amos Melendez and as Kathy told you I sold the property to her. I am actually a member of the real estate development here. I am a broker and owner of Amos Realty. The property that is in question here, that Kathy is talking about, was part and parcel of the land that Mr. Brown has now, and that part was purchased by myself over 25 years ago. Now, the access given to that property was through what is now the Brown property. It's a legally recorded access that's really through Puesta del Sol. The Brown property and all of the properties accessing through Puesta del Sol are zoned right now, or are recommended to be zoned, that is on this as residential estate. The properties on Old Agua Fria, which are south of the arroyo where Kathy's property is are all zoned residential fringe. And all of those properties are all accessed through Old Agua Fria.

Now, it seems to me that there was a horrible mistake made here, a mistake, but it may look like a small mistake to some people but to Kathy it's a mistake. It's a whole, large mistake simply because she's like to develop her property eventually in coordination with the Brown property, which makes sense since she has to access – egress and access through the Brown property. As such then, we – I think that's the way it should go, because she has no access through Old Agua Fria which are the ones that are zoned as residential fringe. So that's basically the position that I think I would like to point out on behalf of Mrs. Laird. Thank you very much.

CHAIR MAYFIELD: Thank you. Yes.

KAY SHAEFFER: Good evening, Commissioners. My name is Kay Shaeffer. I live at 35 Raining Sky Drive down in the hinterlands in the southwestern corner of the county. I would love to have access to a map of some sort to show you exactly what I'm talking about. Are you running the – oh, great. Bring the easel too. 472, as I'm sure you're all aware, is Frost Road. 472 is Frost Road and the western boundary of the county here is

Mountain Valley Road. And north of I-40 and north of Frost Road, this is listed, there's a section that's blue which is federal, state and public lands, right here. Do you have these maps in front of you? Okay. This first purple box, right about there is where Entranosa Road runs east and west and it's parallel to Frost Road. It's the next major intersection, and right above that, this yellow portion that has been designated residential fringe, that's actually a group of about seven homes, one of which is my own. All right?

Now, the reason I'm here today is I got this map. I apologize for not knowing the history, because obviously this has been going on for a long time. But I got this map. I called Penny. Talked to her on the phone. She was very courteous and suggested that I come here. I see now from the ordinance as it exists, as was handed out today that this is already designated as residential fringe and there is some misunderstanding because I can tell you that in this area, first of all, immediately south of Entranosa Road, a developer bought this. It was 140 acres, divided it into 10-acre plots. Immediately north of Entranosa Road and at the turnoff from Mountain Valley, that's a 200-acre parcel that was bought by I believe Mr. Richland, also a developer, and he was selling 10-acre lots. He's now given up and he's offering the whole 200 acres as a parcel.

Immediately to the east of this 100-acre parcel that's been divided into 10-acre lots is another parcel that's at least 100 acres. Where you turn, you turn and go up the east side of this little yellow square to go – that's Entranosa Loop. Both Entranosa Road and Entranosa Loop and all the other roads up here, which is about two more, they're all dirt. And everything except Entranosa Road is maintained privately at our expense. All of the seven properties that are up here, they were sold by the Chavez Ranch to raise some money for digging a well and there are ten-acre parcels. I have a 16-acre parcel. There are only three five-acre parcels up here out of the seven and one of those five acres is the South Mountain Dairy, which is goats and a dairy.

The entire area as it is used is agricultural. There are cattle grazing on Richland's land. There are horses across the road. I have horses. The Chavezes have horses and cattle, and they run them on this area. So first of all, the nature of the area is rural residential; it is not residential fringe. It's not even close. If I were to go in any direction from this point from my home to find a home that's on less than five acres I would have to go over a mile in any direction.

Immediately east of my property and abutting the entire length of my property is part of the Horton Ranch. I'm sure you're familiar with that name. They've owned a lot of property down there and I'm sure, on the east side of my fence that plot is well over 200 acres and cattle run on it all the time.

So the first point I'd like to make is that this is truly rural residential property. It's used for grazing cattle and horses. It's also used for the goat dairy. And there's nothing – there's no stores around. There's no streetlights. There's no paved roads; all the roads are dirt, and like I said, we all maintain those. The landowners maintain those except for Entranosa Road. And I'll tell you, everyone who lives up there is under the impression that this is rural residential and it's already got a ten-acre limit. And I'm kind of surprised, because the way I'm reading this map and this ordinance, and tell me if I'm wrong, but I think this Commission has already decided at some other point in time that this should be residential fringe, one dwelling per five acres.

Now, everybody down there is completely unaware of that, including sophisticated developers like Richland who split that 200 acres into ten-acre parcels and the fellow that has the 140 acres immediately south of me, who also improved the property and split it into ten-acre parcels. So there's a misunderstanding there somewhere.

The second point I want to make is that we are right here at the foot of South Mountain, which is a huge watershed for the Entranosa Water District and all of the properties around here, we're on the Entranosa Water District. There are very few private wells there. And that watershed – it doesn't rain very often in New Mexico but when it does, and we've just once again seen a recent example across the 140 acres immediately south of me that borders Entranosa Road that has been divided into 10-acre parcels, there are huge channels where the rainwater runs and I actually did not bring with me but I have an old map that shows the water drainage patterns off of South Mountain as part of the Entranosa Watershed and there is a great deal of that land – if you divide it into smaller parcels you're either not going to be able to get to your property when it's raining or there's going to be danger of property damage if you allow that property to be developed on such smaller parcels, because coming down off the mountain, obviously, there are skirts to the mountain and that's kind of where we are, and the water runs in between it. So even on the 140 acres south of me, there's 40 acres that can't be built on at all because of the flash flooding and the poor drainage, and some of the lots that have been set aside as ten-acre lots, you can't get to them if there's any water running in any of those arroyos or little valleys in the skirts of the mountain.

Because they're all private roads we've put in like a pipe, you know, a metal pipe, and then that gets bent as we drive over it with horse trailers and heavy pickups and things like that. There are berms out there but quite frankly, if Santa Fe County is going to allow a domicile every five acres, you're going to have to put in a lot of infrastructure in this area to take care of the water coming down off of South Mountain when we do get our rains.

My third point is – let's see, I already said all the roads are dirt. Entranosa from Mountain Valley is dirt, going east all the way to Highway 344. All the roads north of Entranosa, they're all dirt, and with the exception of Entranosa, we pay for the maintenance of those roads.

CHAIR MAYFIELD: Ms. Shaeffer, we have a lot of people that need to speak tonight and –

MS. SHAEFFER: I just have a couple more points to make, Commissioner, if you wouldn't mind.

CHAIR MAYFIELD: If you can finish please.

MS. SHAEFFER: I will.

CHAIR MAYFIELD: I'm going to finish, please. We have a lot of people that want to speak. I want to afford them all ample time to speak tonight. I will also afford you the time to speak but I'm just asking everybody please be cognizant, there are many speakers tonight that would like to speak. If you could summarize as many points as you need to.

MS. SHAEFFER: I will. I just have two more. Three more.

CHAIR MAYFIELD: If you could be brief to the same point. Otherwise I will ask – we'll reserve time for you but in a little while after everybody else gets a chance to speak.

MS. SHAEFFER: Can I just say these three sentences?

CHAIR MAYFIELD: Sure.

MS. SHAEFFER: I get passionate and I get carried away and I'm really sorry. Okay. All right. So the other thing is is that when you put – everybody up there has horses or cattle. Some people over – just right across into Bernalillo County, which are 20-acre parcels, there's some llamas, there's some alpacas. These are grazing animals. If you put them on a small acreage where they're in a corral they denude the ground. There's not enough – they eliminate the grass so it's just dirt on that five-acre parcel or the corral that's half of the five-acre parcel. When the wind blows the dust it's gotten worse and worse every year. I've been out there ten years. It interferes with the electronics in your home. It's – I'm allergic to it. But the dust that blows is increasing in that area as more people have too many animals on too small of a plot.

CHAIR MAYFIELD: So Ms. Shaeffer, you've spoken for ten minutes on this.

MS. SHAEFFER: Did I really?

CHAIR MAYFIELD: I will afford some more time after but we're going to let everybody else go first.

MS. SHAEFFER: No, that's enough. Thank you.

CHAIR MAYFIELD: Thank you. Thank you for your comments. You can still speak after everybody, please. Vice Chairman Anaya.

MS. SHAEFFER: Well, I do have a question. What's the process –

COMMISSIONER ANAYA: Mr. Chair, I would add that we're going to continue to have dialogue. We're also going to be in the southern part of the county and give yourself and others more opportunities to speak as well.

MS. SHAEFFER: Can I tell my neighbors we'll be notified?

COMMISSIONER ANAYA: Absolutely. Absolutely. Thank you.

WILLIAM SCRUGGS: Hi. Thank you for this opportunity. My name's William Scruggs and I am the president of Rancho San Marcos Homeowners Association and I think you all have received some information from me already. And lest that sound mostly negative, I want to first applaud the Commissioners and the administrators for inaugurating this attempt to produce an intelligent zoning of the county, because it is important for the future of development. And I understand the need for areas of mixed use in order to provide for community growth. But in looking at the map, if you look at the proposed mixed-use area south on 14, just north of Ranch San Marcos Subdivision and just between it and the prison complex, I note that it seems it's a rather harsh transition from mixed – to put mixed use right next to rural residential, which is one house per ten acres and most of our lots are bigger than ten acres.

And I would suggest, not to disparage mixed use all together but a buffer zone between the mixed-use property and the rural residential, something down in the area of residential fringe or residential estate would be a natural progression of usage into the mixed-use area. But again I applaud you in your endeavors here and I thank you for this time. So good luck in what you're going through. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Scruggs.

JOSEPH ARMIJO: Good evening. My name is Joseph Armijo and this is my son Johnny Ray Armijo. The reason I'm here is asking, to ask you guys if I can have my

zoning changed. I live off of State Road 50 between Glorieta and Pecos and I have a map here, if you could bring one up I could explain it in more detail.

CHAIR MAYFIELD: Just so everybody knows, they're zooming in on the areas you're speaking about on the map, and we have computers up here. You all can't see them but we can see them, just so everybody knows that. Can you just state, Mr. Armijo, the location that you're talking about specifically so they can zoom in on it?

MR. ARMIJO: The location? It's between Glorieta and Pecos, and I'm in the green area, which is the rural area and I would like to have it changed to the orange, and that's the TC, traditional community. And I'm only asking if I could have my property changed, maybe just one acre of it. I could show you a little bit more on this map right here.

CHAIR MAYFIELD: So if you could still go forward with your comments, please, Mr. Armijo, while they're getting the map zoomed in. You just want that changed?

MR. ARMIJO: Yes, I would like to have that changed a little bit, just like an acre of it on my property. Because all of my property is in the green area, which is rural. My neighbors to the east are all in the TC and my neighbors to the west are also in the TC and me and my brothers are in the green. And I can't break up that property unless I have 20 acres or more, according to this map here. But if I was in the TC I'd be able to build another house. My son here needs to build a house. This is what it's all about, right there. And I'm just asking for part of the property to be changed over to TC.

CHAIR MAYFIELD: Thank you. Mr. Armijo, thank you. And staff is taking good notes on all of this also, just so everybody knows.

GLENN SMERAGE: I'm Glenn Smerage, 187 East Chile Line Road. The proposed county zoning map is intended to be implemented by the internet as an interactive document. In it's current draft form it is not well designed as a piece of software. Back in April I submitted several points of criticism about the zoning map as a piece of interactive software. I intended tonight to call your attention t those points, but I have decided not to do that. They are in this letter I just handed to your chair and I want to put my attention, my limited time elsewhere.

It is very unclear and uncertain to me what the intention is of putting forth this current map with its various land designations. t seems to me you may be going down an incorrect procedural path. If you want to have an interactive county zoning map your first step should be to implement a good package of software to do that and utilize in the initial implementation the current designations of all parcels of land in the county. Subsequently, if you want to do new packaging of one or more parcels of land into distinct zones as is being proposed here, that should be by the requisite zoning process. Public scrutiny and public hearings, the consideration of individual pieces of land. You're trying to do too damn much in our full sweep.

Get the interact map with current land designations implemented and implemented well. I checked this morning and my technical criticism of the map as a document, as an interactive document are still there. I don't know how it is intended for you as well as staff to consider these types of criticism and perhaps implement some of them, but I think the more important thing is to get a proper procedure. Use only your current land use designations, get a good interactive map, software in place, and then with appropriate requisite public hearings, deal with superimposing new zoning on the county.

MARK MARTINEAU: Good evening. My name is Mark Martineau. I live in Cañoncito and I'd like to make a few specific comments about the zoning that I see is on this current zoning map, but before I do that I also want to mention that I'm a little late finding out about this. I realize that there's a lot of effort put out as Robert mentioned, to let everybody know and I appreciate that I did get a letter but I didn't get an opportunity previously to make any public comment. And so a quick question. Other than this meeting tonight, and for those of us in the public, is there another – so we could continue – is there some way to send letters or should we contact specific district Commissioners? Or any comment on the best way to give that public comment that you mentioned?

CHAIR MAYFIELD: Public comment can still be sent in to our staff. We have Ms. Penny Ellis-Green with our Land Use Department that can accept any written comment, any electronic comments. If you send it to Commissioner we would ask that you definitely carbon staff and/or we will forward it to our staff's office.

MR. MARTINEAU: Thank you. I appreciate that and I'm glad to find out and I appreciate the opportunity to mention some property specifically tonight.

CHAIR MAYFIELD: Katherine, do you want to add something else?

MS. MILLER: Mr. Chair, to his question, there's another public hearing on June 25<sup>th</sup>.

MR. MARTINEAU: I did get the letter on that.

MS. MILLER: And then we will also be adding at least four additional public hearings throughout the county so I would say -

MR. MARTINEAU: Other than meeting in a public hearing –

CHAIR MAYFIELD: Really quick. We discussed the process and we're going to get a written piece out. We're even going to get in information on the media on this. But right now it's public comment. It's not a lot of Q and A that we're going to have tonight going back and forth. Otherwise we will be here all night.

MR. MARTINEAU: Very good. That wasn't my main thing, but I would like to mention some property then briefly before I stop. Can I use this map here? I don't know if you can see it from there but Cañoncito, as you head north on 25 out of Santa Fe you start to drop down towards Glorieta. Let me see if I can find it. This little area right here, I have 15 acres here. This land was advertised to me as fringe residential based on our current definition of five-acre parcels for a household. We bought it as a family. I have two sons. We planned to divide it into three five-acre parcels. Now it's listed as rural residential, yet it's right adjacent to the freeway. It's just down the street from Eldorado, and the land across the street from it on the – is a 2.5-acre lots and just down the street on County Road 51, this whole area allows five-acre parcels. Our CC&Rs allow five acres. It was advertised as five acres, and we've already started the process of doing some of the infrastructure although we haven't completed the application process.

Now, I'm sure I should start the application process. I've already contracted a surveyor. I have a map with me that shows the three divisions. My sons have helped started clearing. There's a lot of work that's already going on. Yet with the current 1.15, excuse me, #1, it any application for development approval which has been deemed complete by the administrator prior to the effective date, etc. then it talks about they have to move through the process in 12 months So when I talked to the Land Use Office, they were going to need more

information on what that means. Does it mean you have to have a house up? We're not going to get into too much question and answer but there's a lot of – this is very scary and I'm hoping that I can give some public comment both here tonight and later that people will really consider leaving that as fringe residential since it's right adjacent to the freeway and the exit and I know there's a lot of people that need to speak so I appreciate very much your time. Thank you.

CHAIR MAYFIELD: Thank you, sir. And also just for the public you can contact staff any time and staff will discuss your personal piece of property with you.

COMMISSIONER CHAVEZ: Actually, Mr. Chair. If I could chime in for a little bit.

CHAIR MAYFIELD: Sure.

COMMISSIONER CHAVEZ: I don't want to downplay our role or my role as a County Commissioner, but I would say to you, any one of you, if you have comments, don't wait for me and I don't have to be the final for your question to get to staff. Call staff. They're working for the public. I'm working for the public. So I respect your role. I respect our position, but I think it would be faster and quicker for you to get your questions to staff. They're recorded. Staff knows how to do their job. I trust that they're doing their best. So that would be my approach. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya, please.

COMMISSIONER ANAYA: Mr. Chair, I think I would follow Commissioner Chavez' comments and say this. Just in adding the additional input that we did today, we are acknowledging that we are going to get a lot more feedback and a lot more comments that run the gamut and the spectrum. So we're going to make adjustments as we progress, but staff, one thing that I would ask you to consider that will help the public, regardless of any comments they have, is that we figure out a simple structure that anyone can follow to be able to get their comment down on paper to notify us of the tract of land, the type of issue they have a concern on so that there's a simple form, if you will, that they can cut to the chase on, that's standard, that everybody can get. And maybe it's probably two categories. Right? It's maybe a parcel form, or it might be a general comment form that speaks to a whole area. Because we're going to get both. We're going to get people we already know are going to say I'm concerned about this tract of land in this part of a community, and others might say, I'm concerned about the broad range of what's happening in a district or a planned area.

So let's think about that. We won't make any final decisions on what we'll do but let's think about that so that we can help the public to convey to us, in a way that's fair and uniform, what they're concerned about, where their concern lies. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Vice Chairman. Ma'am, please.

YVONNE SHAQUIN: Mr. Chair, members of the Commission, my name is Yvonne Shaquin. I am a 20-year resident of the Tierra de Oro development which overlooks the Santa Fe 330. And I'd like to start by saying please adopt the staff recommendation to revert that land from the current proposed zoning of mixed use back to the residential estate. I would like to add a little personal reason for that and some background and in addition would like to compliment the staff because my husband and I both, we met with the staff, we've spoken with the staff and they have been generally receptive and I think the fact that there is a recommendation at this point speaks well that there has been a receptiveness to input.

We bought our home in 1995. It was built in 1986. So we go back – our land use there goes back about 30 years. That's three decades and a lot has happened in that area in those three decades. Our home was one of the first ones in the Tierra de Oro area. We purchased the land with an idea of spending the rest of our lives there. We anticipated growth in the area. We welcomed growth in the area, and indeed there has been a great deal of growth. The area is changing, which is exciting.

When we moved in there were very few – there were a lot of retirees, which is terrific. We're retiring ourselves. My husband already is retiring. We're getting young children in there. It has become a recreational hub. And it's exiting. There's bike riders and walkers and runners and to have that mixed-use development right at the base of the hill would change all of that and change it substantially. I would like to add as a history that having commercial development in that area is something that has been discussed for two decades, from the time that we have been there. And there has been a great deal of public input about that process. And we were – I the word is stunned, maybe shocked, perhaps a little outraged to see the map show that area as mixed use.

I look back over the 20 years and there are three maps that were there for. One was in 2000. I shouldn't just say maps but governing documents. When the Highway Corridor Plan was adopted and that was done by resolution, adopted by resolution by this Board of County Commissioners in August of 2000, Resolution 2000-111 and it talks about addressing the joint corridor and gateway opportunities along I-25 and 599 to resolve concerns about too many non-residential districts or nodes that were totally unrelated to the neighborhoods. Safety, being an issue along 599.

The plan, that Highway Corridor Plan, designated that corner, which is the Camino La Tierra, Calle Nopal, 599 area as a scenic development route area, where there would be no new non-residential development. That was in 2000. And in 2004 we moved forward to the proposed future land use map that was contained in the regional and future land use and growth management plan. It was a public draft from the Regional Planning Authority. And that showed the area that was designated as mixed use to be rural residential.

And then we get in the sustainable growth plan, the future land use map, not the zoning map, showed it as residential estates. So again, there's this great surprise when after all of these years of watching the process it's like a snap back as though those years of history just didn't exist.

So I would like to again ask you to adopt the staff recommendation with respect to the Santa Fe 330 or whatever name it's going by. It's a sound idea that reflects a lot of public input over a lot of years. Thank you.

CHAIR MAYFIELD: Thank you.

JIM DAVIS: Mr. Chair and Commissioners, my name is Jim Davis. I'm the President of Las Campanas Homeowners Association. We are continuing to evaluate the most appropriate zoning for Las Campanas and generally support the designated residential planned district. However, we continue to have concerns that the PDD designation does not adequately ensure that the continued enforceability of the various approvals that have been granted to date for Las Campanas, including the restrictions on the permitted uses and the continued in these prior approvals. In fact we would be probably a PDD as a previously

planned organization. We are also concerned the PDD designation opens up the door to a myriad of possible uses that are not compatible with our community.

Over the next few weeks we intend to work with the County staff to propose additional language that would address these concerns and we request that you defer any action today, which you've already indicated so we can accomplish that objective. Basically, in a couple of words, we want it to be as it was originally planned and nothing changed. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Davis.

CHERYL BURGER: Mr. Chair, Commissioners, thank you for this opportunity to address you. I'm Cheryl Burger. I live in La Mariposa. It's a development off of 599 and Camino La Tierra, and I'm representing the La Mariposa Homeowners Association. We've provided written input directly to Commissioner Chavez and to Ms. Ellis-Green, so I'm not going to reiterate that but I am going to also support the staff recommendation to revert the proposed mixed-use district at the intersection of 599 and Camino La Tierra to residential.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I just wanted to interrupt for just a minute and state for the record that I did meet with a small group of homeowners from Las Campanas. Their attorney was present and our staff, Robert Griego and attorney were also present. So I just wanted to state that for the record. And all of the records that I did receive I did turn over to our Land Use Administrator.

MS. BURGER: Great. Thank you. Just for clarification, I'm not Las Campanas.

COMMISSIONER CHAVEZ: Well, but you did reference that I had gotten some letters and so I just wanted to state for you and for Las Campanas that I had met with people and all letters that I've received I do forward to our Land Use Administrator.

MS. BURGER: Perfect. Thank you. I myself have been involved in some fairly large planning activities and I know what a huge undertaking it is and I really applaud the County and the Commissioners and everyone who's worked on this document, because it really is a massive undertaking, but it's also massively important and I applaud you for that. As a resident of La Mariposa, we were most concerned about safety issues and pollution issues. It's a Calle Nopal and Camino La Tierra are two-lane roads, barely. Barely two-lane roads and not only would it impact traffic in that area but it was obvious it would also cause or would demand increased infrastructure and access to emergency services in that area.

And so rather than go on to the specific points I again just thank you for this opportunity and iterate that we absolutely support the recommendation from staff. Thank you.

CHAIR MAYFIELD: Thank you. Sir, you have many maps up there. How long do you anticipate your presentation? Okay.

FRANK HERDMAN: Members of the Board, my name is Frank Herdman and I represent the Tierra de Oro Homeowners Association and I'm speaking for all 170 members of that association. And tonight I want to address the 330 acres that's already been addressed previously but I want to add some additional information to make sure that you are armed at this stage of the process that will continue for upcoming months. I want to make

certain that you're armed with the facts and all the facts on this, some of which have been touched upon but not in all the detail that I think is important.

So the 330 acres, there's been reference made to it earlier this evening. My first map indicated the location of the 330 acres in questions. It's also on the screen behind you. These are two parcels of land that are on both sides of Camino la Tierra right after you exit Highway 599. It's on the right and the left. The Tierra de Oro Subdivision is comprised of nearly 100 lots and is located immediately adjacent to and to the northwest of these 330 acres. The current draft of the zoning map as shown here indicates that the proposed zoning for the 330 acres as mixed use. And I just want to state for the record, it's already been said, but I want to speak on behalf of all 170 members of the Tierra de Oro Homeowners Association, that they strongly object to the zoning of the 330 acres as mixed use, and you've heard some of those reasons this evening by some of the individuals who live in that subdivision.

The 330 acres were previously zoned 16 years ago in 2002 [sic] when the EZA adopted the Metro-Highway Corridor plan as a zoning ordinance. Let me show you my next map. This map is the zoning map that was adopted in 2002, pursuant to EZA Ordinance 2002-1. It was a zoning ordinance and that is a zoning map, and as you can see very clearly it zoned the 330 acres as part of the Highway Corridor as residential. Yellow is residential. It also zoned a significant portion of it as part of the required setback from the right-of-way. Oralynn Guerrerortiz stood up before you this evening and said I doubt that the Highway Corridor Plan was adopted as an ordinance and you're looking at a lawsuit. Well, that's incorrect. There is no doubt that this is a zoning ordinance and that is a zoning map. And this was an amendment to the Extraterritorial Zoning Ordinance that expressly and undeniably zoned the 330 acres as residential.

That was the last action that was taken relative to this property. As part of the same ordinance adopted in 2002 – let me show you my second map. The EZA adopted another map that designated areas within the Highway Corridor that it considered eligible for future commercial development. You can see that these are shown as pink circles. My red arrow indicated where the 330 acres is located. It is not a pink circle and they're nowhere close. So by virtue of these two maps the Extraterritorial Zoning Authority designated and zoned the 330 acres as residential and that is presently the current zoning for the property.

The new Sustainable Land Development Code that you're adopting this map for actually mandates that that current zoning of the property, all of the property, be carried forward on the new zoning map. Section 1.11.1 of the new code states, and I quote, "The zoning map adopted in conjunction with the SLDC – that's the code, shall incorporate zoning and rezoning of property actions completed prior to the effective date of the code." End quote. So there's no question that the 330 acres are currently zoned as residential. There's no doubt that the current code mandates that that zoning be carried forward onto the new map.

I also want to point out and this was previously mentioned this evening, that the Sustainable Growth Management Plan that was recently adopted, adopted a future land use map that is also the vision, the long-term vision of how zoning should be reflected in the future. And you can see, my red arrow, it indicates that the 330 acres is indicated as residential estate. So the land use map was adopted as part of that plan and the growth

management plan states, I'll quote, that this map, the future land use map, will guide the establishment of zoning districts, including uses, densities and intensities.

So now we have several maps, all of which clearly indicate, going back to 2002 that this property is and should remain zoned as residential. Your new code also states that the code "shall be consistent with a plan." So that further mandates that the 330 acres need to be zoned as residential estate.

Zoning the 330 acres as mixed use would include a myriad of commercial uses as permitted uses and conditional uses that are entirely incompatible with the surrounding residential neighborhoods. They include, for example, pawn shops, bars, taverns and night clubs, mini-warehouse and mini-storage facilities, commercial parking lots, truck storage and maintenance facilities and heliports. That is entirely inconsistent with the area that is proposed as residential estate that surrounds the area, including the Tierra de Oro Subdivision.

People have relied upon the long-term zoning process that has been adopted and implemented by Santa Fe County for many, many years. That process has determined that this property should be zoned residential. Changing the zoning now would be unfair. It would also be unlawful because it would contravene the express provisions of your current code.

Let me just touch briefly upon something that Robert raised and I expect that over the upcoming months you're going to hear from representatives of the owner of this land who are going to tell you why they think it should be zoned mixed use. I'm going to tell you now why that position is incorrect. And it's already been decided by staff many years ago, why that position is incorrect. I've had an opportunity to review all the County files relative to the history of this land going back to the 1980s. The records confirm the following: in 1999 the owner of the 330 acres submitted an application to amend what they thought was an existing master plan for what was referred to as Santa Fe Center at the time. In response to that application, County staff –

CHAIR MAYFIELD: Sir, I'm going to stop you for one second and defer to our County Attorney. I think we're getting into two cases that have happened in the past or multiple cases that have happened in the past. If you wanted to focus your comments on where you think the zoning map should go, but if we're going to deliberate past cases that have been passed by this Commission, I'm not willing to go there right now, but I am going to defer to our County Attorney.

MR. HERDMAN: Mr. Chair, if I may, this is relevant to this history.

CHAIR MAYFIELD: I'm referring to my County Attorney right now, sir.

MR. SHAFFER: Mr. Chair, I believe that Mr. Herdman is going to speak to what he understands to be the import of past decisions, not to rehash whether those decisions were accurate or not. Whether you want to allow that public input to continue now or allow the process to continue to get more input I'd defer to the chair. But I don't believe that he's suggesting that he's going to go into the propriety of past decisions.

CHAIR MAYFIELD: Vice Chairman Anaya

COMMISSIONER ANAYA: Mr. Chair, I respect his opportunity to provide comment but I would ask you please not speculate on what somebody else may or may not do. If you'll just stick to your perspective and the parties that you're recommending. I'd rather not hear on your speculation on what anybody else in this room or at a future hearing

may or may not do. Let's allow the process of input to take place and not get into speculation on what others may say or do.

MR. HERDMAN: Very well, Mr. Chair. My comments are based on comments that are actually submitted by the owners. They're not based on speculation at all.

CHAIR MAYFIELD: Mr. Herdman, I'm going to do this. You also indicated that you'd be more brief and summary on your points. I will give you ample time to speak tonight, but I'm going to allow everybody else standing up to speak first, because we've already been in this discussion about ten minutes.

MR. HERDMAN: If I may just hand out this letter that confirms. *[Exhibit 2]* It's staff's decision from 1999 explaining that the prior approvals on which the owner of the property intends to rely expired. It's a final decision. It was not appealed and it states it unequivocally. And so I'm just trying to provide you with the information so that you're well educated when you hear those positions in the future.

CHAIR MAYFIELD: Thank you. And I'll also let you speak a little later if you need to, sir.

MR. HERDMAN: Thank you. That concludes my presentation. So we respectfully request that you zone this property as residential estate and we welcome staff's recommendation to that effect. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Herdman.

BILL BARR: I am Bill Barr and with my wife Margo I live at 12 West Wildflower Drive in the Tierra de Oro neighborhood. Just so you know, our neighborhood is split two parts. Part if it is under Commissioner Chavez and part of it is under Commissioner Mayfield. I'm going to abbreviate my comments quite a bit because you've already heard from Mr. Herdman and I just want to thank staff for reviewing the information that the did receive and their conclusion is very important to us. Why is it important? Because many of us made our decisions to purchase property on a basis that the land that abutted us is residential. And when we first received the zoning map we were floored. Just flabbergasted at seeing that as mixed use, because I had attended hearings for three years, the Corridor Plan and issues when the owner thought about rezoning the land. And I knew that a zoning map existed. I knew about the decision that Mr. Herdman just supplied you. And it took me upwards of three weeks going through the County records to actually find the supporting information. That's a long time. Your records are tough to go through.

But I did find it and then we could make it available to staff so that they could do a complete review. What I found that the owner did was give them just the first little piece of information and they didn't tell them the whole story. And the whole story that included the zoning that happened in 2002. That made it very difficult for us.

Let me turn a few pages over because you don't need to hear those. I'd like to focus a little bit on the fact that we're a residential neighborhood and both old and new codes clearly indicate that respect for existing neighborhoods is extremely important. Compatibility is a major concern in all the ordinances I've looked at, and especially the new SLDC and of course the SGMP. You're very conscious that health, safety and environmental issues are extremely importantly it says that when you have zoning that there has to be some transition between zones. And to place a mixed use directly adjacent to a residential-2 just doesn't make sense. It doesn't show any buffering and it doesn't show any transitioning and it could

have a tremendous effect on our property values. It could have a tremendous effect on our enjoyment of life in the rural area that we so value. And I hope that you will consider the staff comments and please endorse them and move ahead with that on the zoning map. I do appreciate your time and I probably will see you at some other hearings. Thank you very much.

RAY SEEGER: My name is Ray Seegers and I'm from the Edgewood area and I have property in Stanley and I'm somewhat concerned about what we think how little attention has been paid to our area in creating this zoning map and there's some specific areas I'd like to point to that are problems to us. First, we talk about looking at surrounding properties and trying to create transitions and this sort of thing. Well, we just happen to be in a corner down there. We're really Moriarty, Edgewood, that's the area we consider we're from.

One of the problems I have is a lot of our zoning here in Santa Fe County seems to ignore the zoning just across the county line and the areas I worry most about, Torrance County has a one-acre minimum. We immediately jump from Torrance County into a 2.5-acre minimum, which might be okay but there are certain places here where it's not okay. There's places where it doesn't make a lot of sense. And I would like staff to spend a little time looking at some of the problems we have done there, and I think the major item that we've overlooked – see, we're sort of growth oriented. I'm with the Economic Development Committee down there and we try to get businesses in. We want more jobs. We're that type of community. And we'd like to see some serious growth. But we got to look to the future. And when we are zoning everything as we perhaps like it today and don't see it changing, I don't think that's going to happen.

What's going to happen is we're going to have a need for more lots. They don't have to be high density. I think Edgewood the Town will take care of any high density needs we have. But they certainly need the ones, the twos, the 2.5-acre tracts, and those areas where that can occur sensibly – I'm talking about the real world as where it will happen. It will happen where we have one of our six paved roads. We only got six paved roads down there. So along Highway 472, 344 and areas like that, that's where it's going to happen. It will happen first. Otherwise you're spending millions of dollars extending new roads and this sort of thing. And we've got areas that seem destined for growth.

So I'd like to look a little to the future and perhaps have the staff think about where that infrastructure exists. Now the area behind you, the area along 472 is a great deal of concern to me; I own property here, and there's this very unusual zoning lapse where you jump from 2.5 acres to 10 acres to 20 acres. But we have infrastructure here. Halfway along this road there's a waterline. It goes to the King Ranch. That waterline currently supplies Paa-Ko way over here in another county. But that's where the waterline is and that's where that paved road is. So we have no idea why this stair-step zoning exists. It affects me. It affects the King family, and it doesn't seem to regard the availability of water till you get about halfway out, then it jumps up to 2.5 acres allowable and this drops all the way down and hits 472 where there's a waterline in front of it. And that's 10-acre minimums.

We don't think that's good planning. We don't think that makes sense. So anyway – and we see this area in Santa Fe County as the area where our Edgewood suburban growth will take place some day, and it already has. Now, I own an 80-acre tract out there. Next to

me are 2.5-acre tracts, coming back toward 344. Yet we've jumped 2.5 to 10. So little things like that make me think maybe we didn't sit down with the folks in the southern part of the county and look at some of the important things like paved roads, existing waterlines. That waterline is a transmission line from a farm turned into adjudicated and domestic use or commercial use. But with very little work that water line can be converted to a water system, because it's delivering water now but it will require, when you go to a water system, treatment. But you can put the treatment out here, on 472, and suddenly we've got an area that has enough infrastructure where some of our suburban growth from Edgewood can take place. It makes sense. It's already happening.

So those are some of the things that worry us. I'd like to see a little more interaction with us down there and know that at least staff is familiar with what we really have in terms of infrastructure.

There's one other thing. The piece down here that puzzles me. I happen to own some property down here too. But all of a sudden we've got 10-acre minimum lot size and next door we've got 2.5s which is actually subdivided into 1.5 up to about two. So why that little corner sits there and why nobody asks puzzles us. The area in Edgewood next door, this area, is a one-acre minimum on a water system. The water system extends down almost to this yellow spot. But this one leads me to believe that we haven't looked at some of the problems we have down there. And I really think that there should be interaction between County staff and the Town of Edgewood. Because we got a vision and places we need to go and you're controlling our suburbia. We're the only other incorporated Town in Santa Fe County. So I think that some of the concepts here are incorrect in view of what exists in terms of what we have in the ground, on the ground, where we have water, where we don't have water, where we got paved roads. And I'd like to see more thought put into that.

CHAIR MAYFIELD: Thank you.

VICTORIA DALTON: Mr. Chair, Commissioners, my name is Victoria Dalton with Siebert and Associates. And I just want to go over quickly a few comments that I have on some of our cases, and I'll be really fast. The first one is Sunrise Springs and I noticed – we've been working with staff and they've been really great. They've added in retreats, which does fit into those uses. However, we need something as far as resorts go and what I would like to request is maybe that a PDD would work better for the Sunrise Springs property. So that's my first comment and I'm just going to go through these really, really quick.

The next one that I have is the Rio Santa Fe Business Park which is on the 599 frontage road. They had master plan approval which allowed for recycling. I notice that in the code recycling in the Sustainable Land Development Code that recycling business has been stricken and I would like to somehow get that back into that industrial use or maybe a PDD would also work for that development for that project. They just got master plan zoning in December of 2010.

The other one, and if I could pass these out [Exhibit 3]. It's for a large property that's – it's about 5,000 acres and it's all located within the Homestead. It's located right now within the Homestead which allows for the adjustable lot size of 40 acres. It's 160 acres, then you can go down to 40 acres with water restrictions. So we are requesting that we are zoned rural instead of agricultural ranch for that property.

The next one that I have is Ten Thousand Waves. I noticed that that is going to be a PDD, so I would like just to keep that moving in that direction. There is a couple others that I have. The I-25 business park, which is in La Cienega, that got a master plan, preliminary and final for commercial uses and it's been zoned in the zoning map as residential estate. So I just want to speak on their behalf to make sure that we get the commercial uses they were approved for prior.

There's the Santa Fe Horse Park, which is on Polo Drive. They also had master plan, preliminary and final, which would allow them to have up to 350 horses. The zoning map has designated this property as mixed use, which would only allow 12 horses, and that would void their approval of the 350 horses. And that's all I have. Thank you.

CHAIR MAYFIELD: Mr. White, come on up.

PAUL WHITE: Hello. My name is Paul White. I'm from Chupadero. Thank you for this opportunity to speak, Chairman Mayfield and Commissioners. Yesterday, a representative of the United Communities, William Mee, spoke on the – we presented a paper. Alter the proposed zoning map to include any actively ranched or farmed property identified on the County tax rolls as ag-ranch, which he submitted and we will be posting it on our United Communities of Santa Fe County website.

I won't read that again today but I want to mention that in 2006 the County passed a resolution to preserve and promote revitalization of the agricultural land. It's a resolution that I worked on and the County passed this. The mixed-use component of the zoning map does not appear to follow that resolution. It was 2006-184. This agricultural land is designated as agricultural exemption classification and pays less property taxes. Changing it to mixed use jeopardizes this tax exemption and the valuations of the agricultural lots next to this parcel. A domino effect is set up whereby adjoining owners are forced to develop their properties because they can no longer maintain the agricultural exemption. Mixed use must pay additional taxes.

My next point is, where is the water coming from for all of this addition development? The waterlines that the County depends on are from the Buckman Direct Diversion, yet the Azotea Tunnel from the San Juan River in Colorado did not run for 18 months after June of 2012. Last year in June of 2013 the northern-most Rio Grande gauge in New Mexico measured only 50 cubic feet per second, while the last one in Colorado measured 1,250 cubic foot per second. Colorado irrigation was taking almost all of the water. There was no formal contingency plan other than to relay on groundwater depletion which impairs well owners and agricultural surface water users.

I think the future of Santa Fe County regarding our diminishing resources should begin to focus on truly sustainable technologies such as 100 percent reuse systems, including reuse of blackwater and graywater in the home. I'd also like to suggest that the County work with the BLM and the State Lands to possibly find areas that might be more suitable for commercial development. I would like to recommend that the County start a program of digitizing the Count records. A gentleman before me said that he spent three weeks trying to sift through the County records to find one or two documents and I think it's very doable. I know that the County Clerk's Office has been doing that and I highly recommend that the County do this to continue to promote transparency and to help with citizens trying to find records and work on projects. Thank you very much.

CHAIR MAYFIELD: Thank you, Mr. White.

COLLEEN GAVIN: Good evening, Chair, Commissioners. I'm Colleen Gavin with JenkinsGavin Design Development, and I'm here on behalf of four different clients this evening and I will be brief as well, because there's a long line. It keeps growing. First of all, I'm here to point out a property that's owned by Vegas Verdes, LLC. It's at the southwest corner of St. Francis and I-25. In 2010 that property got an approval for a master plan for a large-scale mixed-use. The uses that were approved were mainly commercial, light industrial with some minor multi-family housing. And in the current zoning map we were following the zoning map on this and in the previous iterations that had been designated as commercial general, which we were very satisfied with because it met the needs of the approved master plan, which was approved by the BCC. And most recently, in the March zoning map that was changed to a planned development district. And so that puts some limitations on the master plan approval. So we would very respectfully ask that the County staff relook at that and take that into consideration please.

The second property that we are here representing is the Academy for the Love of Learning, and that is located in Seaton Village. The Academy for the Love of Learning, the facility has been in place since 1932. It was previously an educational facility as part of the Seaton Castle and then the Academy for the Love of Learning came in and rebuilt the castle after the fire and built their new facility. In the previous maps it's been designated consistently as a public institutional, which was very appropriate for the use. It's very consistent with Santa Fe Opera, with the Glorieta Baptist Center, with Rancho de las Golondrinas. Consistent with the Randall Davey Audubon Center, and then again, in the March 2014 iteration of the zoning map, somehow that designation changed to residential fringe. And again, because of the historic use, this has been a use for many, many decades and we feel that this might have been done in error and so we respectfully ask that that be reconsidered.

The next property I'm discussing here is a subdivision called Truchas y Zorro. *[Exhibit 4]* It consists of four lots and it's in the Tesuque are just north of Bishop's Lodge off of Bauer Road. That subdivision was created in 2008 and in reviewing of that, and I have a handout for you we discovered some inconsistencies in the recommended zoning. We have some split zoning going on and some inconsistencies in the four lots. Two of the lots had been recommended to be rural residential, which is one dwelling unit per ten acres, and the one of the lots is designated as residential community, which is one dwelling unit per one acre, which is consistent as you can see from the map, with the entire area. That entire area, that entire area of Tesuque. And then, unfortunately, Lot 3 has split zoning going right through it with both designations.

This subdivision was done as a cohesive subdivision. It's very consistent with the other properties in the vicinity. There's a property just adjacent to it, just to the west that has the residential community designation so we are a little bit confused as to why there was a change in the designation why there's some split zoning, which obviously cannot occur and needs to be corrected, and then thirdly, why the subdivision wasn't looked at as a whole as opposed to kind of picked apart and what kind of feels like some spot zoning.

And then the last property that I would like to discuss is at 72-B Bauer Road. And again, this property was created via a family transfer. My client purchased it and again, it is

again in the same neighborhood. It's adjacent to all the properties that are in the – designated as residential community and again, that has split zoning with the residential community and the rural residential. So I respectfully ask that the staff and the Board please take a look at these and reconsider. Thank you very much for your time.

CHAIR MAYFIELD: Thank you.

ANDY ORTIZ: Mr. Chair and County Commissioners, my name is Andy Ortiz. I currently live in the community of Cañoncito at Apache Canyon and it's on Camino Apolonia, off of Calle Gurule. Currently, before these 2.5-acre lots were considered we were able to divide into one-acre lots and currently there are seven one-acre parcels. My understanding is the reason it was going to change to 2.5 acres is because of the water table depletion. I am currently on the board of the Cañoncito at Apache Canyon Water Association and we are currently working with the County to bring in water to the whole community so the depletion of the water table shouldn't be an issue any longer. We wouldn't even be using the water association wells that we have now. So that shouldn't be an issue any longer.

And we would like to have it changed to the residential community rather than the residential estate. Currently, since the acquisition of the properties there, we have 14 generations already that have lived there and being able to divide to the one-acre parcels would allow us to continue supplying the children with a piece of property in that area. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Ortiz.

JUDY LEHMAN: Mr. Chair and Commissioners, my name is Judy Lehman and I thank you for allowing me to come and speak with you. I want to add something a little bit different. I was born in Albuquerque but I grew up in Los Angeles, California. And in Los Angeles we always had problems of light pollution. So living in Tierra de Oro we don't have light pollution. In fact they're very strict on the amount of light that we can put out in our yards. So to have mixed use, I'm concerned that we will lose some of the ability to see the beautiful stars in our backyard up above, and that's why I've come, just to be concerned about that. Thank you.

CHAIR MAYFIELD: Thank you, Ms. Lehman.

BURT LEHMAN: My name is Burt Lehman, and that's the one I listen to most right there. We live at 23 Thistle Lane, along with Judy's sister Sarah. I happen to be on the board of Tierra de Oro and I just want to call your attention to the letter Mr. Herdman gave to you and let you know that all of us in that community are very interested in what he had to say and believe that it is very clear what he's drawn out in there. As Mr. Barr pointed out, he spent many, many weeks sifting through things that weren't readily available to us and it was quite frustrating at some times but I think it's become quite clear, and Mr. Herdman has put that in perspective very well. So that's really all I have to say. I don't want to take a lot of your time tonight. Thank you for listening to me.

CHAIR MAYFIELD: Thank you, sir.

ARVID LUNDY: I'm Arvid Lundy. My wife Mary Jo Lundy is sitting here also. We are residents of Tierra de Oro also. We live at 27 Blue Jay Drive. I want to speak to you – I'm concerned about all the things that have been mentioned about this area prior to this but I want to speak to you about a different aspect of it, and I think it's possible that the County itself might want to acquire part of that land in the future. We're particularly

concerned about the existing trails on that land. There's trails leading from the parking area adjacent to the mailboxes on the east side of Camino La Tierra that are a major access used by county residents through approximately seven miles of existing trails within that area. And that trail network also connects at four points to the City's La Tierra trail network immediately adjacent to the east.

During the last couple weeks during daylight hours we've passed the mailbox parking areas approximately four times a day noting general four to ten cars parked there and as many as 17 cars. Virtually all of these are hikers, dog-walkers or mountain bikers using these trails and it's common for there to be more than one person per car. These trails are probably the main access used by county residents living northwest of 599 to the City's La Tierra trail network. The Arroyo de Frijoles also runs through this parcel and is used by horseback riders. A second arroyo feeds into the Arroyo de Frijoles and runs approximately parallel to the northwest border of the parcel. There's a high rabbit and jackrabbit population, and coyotes are sometimes seen. The topography is relatively complex with significant elevation changes and many relatively hidden lower areas, minor short arroyos, and high points with good views.

A portion of the trail network runs along the historic Chile Line Railroad grade that ran from Santa Fe to Antonito, Colorado until the early forties. Remains of pilings from one of the railroad trestles are still visible. With the City's recent construction of a paved walking road bike path from Camino de los Montoyas under 599 to an area just west of the Unity Church, the possibility now exists of a combined City-County paved walking-hiking-bike path all the way to Camino La Tierra near the four-way stop sign, .8 mile north of the 599-Camino La Tierra exit.

I think loss of public access to the existing seven miles of trails and the arroyos on the subject parcel would be tragic. I would hope the County would explore everything possible to secure easements or ownership of that portion of the tract. I talked to somebody in the trails office and they said they had no direct input and this is a little bit aside from the zoning issue, but they said they expected to be looking at potential land acquisitions for trails, I think they indicated towards fall and they said that area definitely will be on their list. At least one person in the office there mountain bikes on it regularly.

But I just wanted to make sure you're aware of that. Also, well aware that it's private land, but not even aware if the owner is aware of the trail network on it. Thank you.

CHAIR MAYFIELD: Thank you.

JAMES MACCREIGHT: My name is James MacCreight. Good evening, Chairman Mayfield, Commissioners. I'm here on behalf of the Chupadero Water and Sewer Association, Thomas Kelly, and my wife and I. As you know, some months ago the County Commission voted to take over the Chupadero Water Association and everybody's happy about that. It was the first time they ever had a unanimous vote on anything. But what we're trying to do is give the County some land and some easement so that you have a viable system once you take it over and we've had great cooperation with Adam Leigland and Karen Torres. The Planning Division has been very receptive, but we're not getting anywhere with Land Use.

So we hope that you can encourage them to take a look at this because as you know, they're under an emergency situation out there. They have a tank that could break at any point

in time. And Mr. Kelly has offered his land up. He wanted to be able to split it into two lots; it's a five-acre lot. It's right next to the traditional community of Chupadero, and it offers a gravity-fed elevation that would feed into the Chupadero water system. We could give you the easements. We also are offering you a place to put an emergency well with a stipulation that if you want to put a 55,000 gallon tank on that land you can as well. What we're asking for is one, we want to go on record, and two, we're looking for some encouragement so that Land Use could be somewhat more cooperative. Thank you.

CHAIR MAYFIELD: Thank you, Mr. MacCreight.

CARMEN PAYNE: Mr. Chair, members of the Commission. Thank you for the opportunity to speak. I'm going to make it real short because I've got a big letter and I've got a petition going. We've got a petition going for the Village of Cuarteles, which is way up at the very top. And all my life I've thought that Cuarteles was traditional. It's a traditional community. It meets all the criteria of your traditional description. And I was shocked to find out that it is zoned – it has been zoned since 1980 as a residential estate. I was just shocked as are most of the people in our community now that you've sent everything out.

So basically, I'm going to make it short. We're asking that you rezone Cuarteles as a traditional community. It's been in place – it's been around since 1695 – I've been doing some research – and we have historic old structures there from the 1800s, early 1800s and we meet all the criteria. And I am going to submit the letter and the petition to your staff and I ask respectfully that you consider rezoning it back to traditional. Thank you.

CHAIR MAYFIELD: Thank you.

JOSEPH SHERMAN: Good evening County Commissioners and Chairman. I'm Joseph Sherman. I would like to talk a little bit about the Santa Fe County 330 tract and the other possible uses. Mr. Lundy referred to it. I use that area almost daily hiking and I encounter people walking dogs and jogging, all kinds of activity. I would estimate 100 people a day during the week, hundreds on the weekend. So that area is already being used for recreation. I would also like to talk about if the County could find a way to make a natural preserve out of it, it's really quite a beautiful riparian habitat. If you go out there – I've seen hawks, bobcats, foxes, and coyotes. Also if you went there now for hike, which I recommend, you would see whole fields of wildflowers growing. It's just beautiful out there.

So if somehow that could be preserved as a natural area. That of course brings up the present owner needs to be compensated. If you look at the possibility of how many lots that are there, if you consider that not all the land can be built on, I think it's probably within the County's budget. Perhaps. I did a calculation and talked with a guy who had a similar feeling and we were thinking around \$5 million would be the value of that land, for unimproved residential, you could acquire this land. One by-product of that, you'd end this almost continuous decades controversy over mixed-use development.

And then the final thing, the land, nobody has mentioned it, it borders the City's northwest trails. We already know that that's attracting ecotourism, like the Santa Fe Torture Ride. They're attracting people from outside the city. If this land were developed for recreation uses I think it would attract more people to come to Santa Fe. People come to Santa Fe because it's very diverse. We have outdoors activities, we have cultural activities, and this would help that. Thank you very much.

CHAIR MAYFIELD: Thank you, sir.

SHAWN OAKLEY: Mr. Chair, Commissioners, this is the first time I'm speaking so – my name's Shawn Oakley. I'm from Santa Fe, New Mexico, City of Santa Fe. I was born and raised here. Mr. Chair, you probably may remember me around in school. I moved out in the Silverado Community since 1993. I was a little concerned with the stipulations out there in that area. Come to find various information with the lots near me and next to me which are all split up. They range from 2.5 acres to five acres, 6.5 acres. It's just mixed. I'm just hoping that I can express myself in a way that hopefully we can ease up on those stipulations. I think there was a study done and introduced in 1978 and had also been – some additional information had been tagged onto that ever since. I think the latest was the 2007 amendment which was based on the Española Fringe Basin and also various wells and geological studies in that area.

But that affected our area and moved the line up north of that. Now, I'm just hoping that that can be looked at a little bit closer. There was no, from my understanding, saturation studies to that and so if we can maybe look at that a little bit closer that might allow us to ease up on the stipulations out in my area, I would greatly appreciate it. Thank you all.

CHAIR MAYFIELD: Thank you.

SCOTT HOEFT: My name is Scott Hoeft, Santa Fe Planning Group. I represent the owners of the 44-acre tract near Las Campanas that was talked about earlier if you could bring that up on screen. The recommendation from the staff was to change the mixed-use designation to residential estate and I'm here to say that we concur with that assessment. What started off in 2013 was an effort to determine how we can get senior housing, assisted living, continuing care, on that property, and what we attempted to do was to try to get what we call group quarter living. In meetings with staff we never kind of got there and so the site was made mixed use. Mixed use that started off as five DU per acre.

As the code was adopted by the end of December last year that changed to 15 DU per acre and we concur that that is not appropriate for that site, so I wanted just to state that we concur with staff's opinion. The issue, however, that I wanted to bring up again is this group quarter density. What we feel that the code needs yet, and when you look at your chart, and that's in the back of the code, you can see that there's uses for assisted living, continuing care, life care and continuing care facilities. I think we'd all concur that those are necessary in Santa Fe County.

The deal is, just to use an extreme example to illustrate the point, that's a permitted use in agricultural-ranching. So that's one DU per 160 acres. So how do you do, or how do I design a continuing care facility on 160 acres with a density of one DU? So that's essentially the discussion that I would kind of like to open up and again, continue to work with staff on over the next – sounds like six months to continue to define this group quarter density, of how do we determine that kind of – if you've got a permitted use, P, for assisted living, for example, how do you make that work with the residential zoning classification? You can make it work with the commercial, the mixed use, because you've got a 15 DU assigned to that now, but you can't make it work for one of these. And so I just need that clarified and I think that would be helpful.

My second issue that I would like to talk about is the Las Campanas PDD. And you heard earlier from Jim Davis, who's a member of the board of directors at Las Campanas. Just to emphasize, this 44-acre parcel in that red area, the commercial area, those are not part

of Las Campanas. The PDD is an area that the staff has the map of and I wanted just to clarify Mr. Davis' comments because I don't know if it came across clearly, is that Las Campanas is in support of the PDD. And we also noticed the addition to the code, Section 8.10.11, which further clarifies that, and I think what Mr. Davis meant to say was that we would wish to work with staff over the coming months to further clarify that just a little bit more so that we make sure that the PDD will cover Las Campanas, and all of its approvals that it's had over the last 20 years.

And then the last thing I have is as Orallynn stated very early at the beginning of the presentations regarding the costs of road improvements and how that's extremely important to take into account and I just want to say, just as an aside, I've been working on projects in the City of the Santa Fe to try to make them work, to try to give them pencil. And what I'm finding between affordable housing fees, impact fees, water impact fees, then roads, which is when you're doing a project one of the biggest costs, they don't pencil. I mean, largely, you're breaking even at best. And so I'm just hear to state, she kind of sparked that in me, that if you begin to work on these road improvements and make them city standards, to do a small subdivision, five lots, for example, they're just not going to work.

This one that I ran the other day, the numbers on it, the lots needed to be in the area of \$70,000 to \$80,000 to break even. And that means they need to be north of \$100,000 for a profit. We're just not going to get that. And so they passed on the project, this particular developer. And so that's what I'm seeing happening more and more and more. And so if we can just be cognizant of the costs that we're putting onto these projects between the fees and the improvements that are required so that they do pencil in the end. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Hoeft.

VALERIE NYE: Thank you, Chairman, Commissioners, for this opportunity to speak. My name is Valerie Nye and I live at 71 San Marcos Loop in the Rancho San Marcos Subdivision, and I wanted to bring to your attention a petition that you should have in your packet of public documents this evening. It's a petition that's ongoing and online and as of this evening has over 316 signatures on it, and it's opposing the mixed-use zoning on Highway 14 south of the County jail and prison.

I happen to live on 20 acres that are directly adjacent to this mixed use and as residents of this area and the people who have chosen to live off Highway 14 in this part of the county, we've chosen this part of the county because of its rural nature and we really feel that the mixed use does not fit with the rural nature of our community. So we would ask you to please change this zoning to rural residential. Thank you.

CHAIR MAYFIELD: Thank you, Ms. Nye.

DIANNE STRAUSS: Evening, Chairman Mayfield and Commissioners. I'll just be brief. I wanted to point out an inconsistency on the maps. Just an inconsistency. Do we have that up there? So I'll just be brief. This has been a long evening. In 2010 on the – it's just a brief inconsistency we'd like to point out. In 2010 this enclave of land and in the future proposed land use map, right here, this 1,300 acres of land was yellow-green, residential fringe, agricultural. Then in October of 2012, two years later, this 1,300-acre enclave of land was listed as community district plan-based zoning. And then in the Mach 2014 map behind you, that 1,300-acre enclave of land has been zoned hot pink, planned development district. The County conducted a survey regarding this enclave of land. A majority of residents

surveyed called for it to remain open space and preserved. Our question is who authorized this 1,300-acre enclave of land to now become in 2014 zoned planned development district? We are respectfully requested that this is reversed and anticipate further dialogue with the Commissioners and the County planners.

MICHAEL SHOCKRO: Mr. Chair, Commissioners, thank you for your patience on a long evening. My name is Michael Shockro. I live on Lluvia de Oro, about a mile north of the area of great concern by many people here. And I came prepared to talk about the mixed-use district along Camino La Tierra from the perspective of someone who loves the open spaces. The City's La Tierra trail system which we access through the property in question. Santa Fe 330 is the way it's been referred by some people, through a system of trails beginning at the La Tierra mailboxes.

I learned to night that staff is responding to a large numbers of comments and concerns and I applaud that response. It has been the basis for a request for staff that when they next communicate with us about the new schedule of public meetings that they provide a suggestion of where we might find information on the internet about the comments that are being received and the recommendations that staff is making to you all. All that we received was this one-page letter, I guess, a notice plus a map that was really hard to read and it was only neighbors who were aware of the mixed-use designation that got us interested and concerned. A bit of help from staff about how to find our way through the internet and to find current information about the meetings and the information that is publicly available would be very helpful.

I also applaud the suggestion that a couple of the speakers have made that the County consider acquiring the land north of Camino La Tierra. It is widely used by a large number of people for hiking, mountain biking, and it would be nice if that open space contiguous to the City open space could be preserved. Thank you.

ROBERT VIGIL: Chairman Mayfield, fellow Commissioners, my name is Robert Vigil. I live at 130 Fiesta Street here in Santa Fe. I own some property over on 14 and throughout the years, when I purchased the land I subdivided it and had a couple lots there that have been recognized by the San Marcos Association as commercial property. I went through the County Commission one time before and they agreed with me that it should be commercial property, commercial land. And this map that came out now does not reflect it as commercial. It is right next door to the San Marcos Café and feed store and I wanted to know if some of your maps from the previous meetings say through the San Marcos Association which had their own maps and all kinds of stuff, if they were incorporated into the map that you have all put together right now. It shows there on the map from what I see over here, they show the San Marcos Café as being commercial and my lots are right south of there, right – there. He's got it right on the spot there. That's my little, those little three lots there, those are mine.

And I'd like to know how I could get that commercial zoning in there again. Because I am paying commercial taxes on it. So I want to see how we can settle – resolve that problem. I tried to do it through staff. I've been contacting like Vicki Lucero over here and she said I should probably bring it up to your attention as to updating the map you have right now. I used to work with the State Engineer's Office and I used to put hydrographic surveys together, so maps have been one of my major assets that I've acquired. Throughout my life

I've worked with maps and I still do although I've been retired for 26 years now. But the way I used to handle my hydrographic surveys, because that's where I used to work, with the adjudication of water and putting maps together.

What I used to do is I used to take one tract at a time, one water right at a time and identify whatever is there. And that way when I finished the entire project that I had it was all accounted for. And I believe this is what you have to do. You just can't shotgun your map. You have to take one tract at a time because each individual is an individual. And I'd like to see how I can get my little zoning on there, the way I've been having it before. Like I say I've been paying the taxes on it and I've got the proof on there, my tax records. So I sure thank you a lot and I'd like to maybe get together with staff or something and resolve that problem. Thank you and I sure give you guys a lot of credit because I wouldn't have the patience to sit up there myself. Thank you.

[Commissioner Holian signed off from telephonic participation.]

AL LILLY: Good evening, Commissioners. My name is Al Lilly, Santa Fe Planning Group and I'm here tonight representing a subdivision called Longview, which is located on Old Las Vegas Highway. It's about an hour north of the intersection where you turn off to Eldorado. Our request is to change the current designation on the zoning plan for rural residential was a ten-acre lot size, to residential fringe, which would be a five-acre lot size.

We currently have approval – it's 356 acres, first of all – we currently have approval for 23 lots as a phase 1. We'd like to take that to 48 lots. Relatively low density on 356 acres. It's a cluster subdivision. We're proposing more than 50 percent open space. The current approval for the first phase allows for onsite wells. The proposal here for phase 2 would be to eliminate the onsite wells and go with the County water system, which is currently proposing tanks right close to the intersection where you turn off to go to Eldorado, about a mile away.

And we've been working with the County and we've actually proposed – we have two sites for alternate locations for County water tanks on the property. So the choice seems clear to us. We could go forward with onsite wells and have 30 to 35 lots on the entire property if this designation of zoning goes forward. That really doesn't make sense. If we're willing to do the expense of running the water, or cooperating with the County and putting water tanks on this property that would be a benefit to the County, we'd like to see the designation go to a five-acre zoning and I think it just represents good planning. So let me just pass something out to the staff as well as to you and hope you'll consider that request. *[Exhibit 5]*

CHAIR MAYFIELD: [inaudible]

WALTER WAIT: Mr. Chair, members of the Commission, my name is Walter Wait. I represent the San Marcos Association and to a slightly lesser degree, the Rancho San Marcos Homeowners Association, which is in the San Marcos District. We have submitted a detailed argument for our position which you'll find in your packet, and agree with the position presented last night by the United Communities which I believe is also in your packet. The San Marcos Association objects to the proposed inclusion of large blocks of mixed-use and industrial zoning along State Route 14 between the County jail and the Turquoise Trail Elementary School. We believe that it not in the best interest of the County to extend predominantly urban zoning to what is currently a ranching rural residential area.

We also believe that the County should not dictate where such zoning should occur prior to prospective development submittal of a master plan, especially in large ranch holding such as those found south of the penitentiary. We're talking about 10,000-acre areas here. Having the County pre-zone portions of ranch land for either industrial or urban development provides a selected landowner with an unfair commercial advantage, greatly increases the value of the selected property, changes the character of current land use and eliminates a significant part of the application process identified in the code.

Arguments in the letter that we've presented will support these objections and suggest alternative zoning. We believe that the initial zoning of actively used ranch and agricultural land – that's the ag-ranch, those that have cows on them, let's just say, must be shown on the initial zoning map as ag-ranch, irregardless of where it was situated within the county.

County staff has placed several ranches in the vicinity of the City of Santa Fe at risk by proposing what is currently ranch land be zoned as either high density mixed use, or highly disruptive, in our perspective, industrial. The paper that we've give you makes the argument that such pre-zoning is inappropriate and that the County plan and code advocate the preservation of ranches and agricultural properties, and that there are ample processes in the code to permit rezoning in the future. Rezoning ensures that both public and private interests can be aired prior to the actual submission of a master plan and ensures that the continuance of ranching-agricultural activity has a fair hearing.

The paper that we submitted also argues that any rezoning of ranchland be considered under Section 11.2.3, Substantial land alteration, as altering ranchland any other zoning classification is an irreversible action that might have countywide impacts. Therefore, the paper recommends that any property that is currently taxed as ag-ranch be designated on the initial zoning map as ag-ranch and any attempt to make a large ranch into any other zoning be classified as a DCI. Thank you. We urge you to look at our papers. Thank you. [Exhibits 6 & 7] Oh. One other thing, may I say? The gentleman who was up just before mentioned that the area just below the San Marcos feed store had in fact been zoned as mixed use when we came before you to create the San Marcos District Plan. It was the opinion of the BCC at the time that his property should be included in the mixed use as well. Thank you.

CHAIR MAYFIELD: [inaudible] Is there anyone else wishing to provide any public comments? I'll give a couple of seconds if anybody is in that backroom. Commissioners, do you have any final comments?

COMMISSIONER ANAYA: Mr. Chair, I look forward to staff helping us with the organization of comments and maybe working out some forms as I suggested earlier to make things a little more uniform and succinct. But I appreciate everyone's comment and look forward to additional comment that we're going to get throughout the county.

CHAIR MAYFIELD: Thank you. I also want to thank everybody for taking their time tonight and providing this very valuable input to this County, to the staff. I also want to let everybody know that Santa Fe County staff works very hard. They work very hard for all of you and they're in the meat and potatoes of all of this and they're digesting it and they're putting it together very comprehensively for us to look at. So I want to thank all of you. With that, Ms. Ellis-Green, could you just provide a quick little recap to our listening audience and everybody who's here, website address, email address, how they can contact your office if you have that committed to memory.

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MS. ELLIS-GREEN: Mr. Chair, Commissioners, I'm not sure that I've got the website addressed memorized. I guess its santafecountynm.gov, is the new one.

CHAIR MAYFIELD: Thank you, Penny. It's santafecountynm.gov.

MS. ELLIS-GREEN: And so on that we will try to work on a public comment form to get that back up. As Commissioner Mayfield stated, either by individual parcel or general area. That can allow us to put those comments into a spreadsheet to be able to bring back to the Board. We also have a mailing list so anyone can let us know in there if they want to be on the email mailing list. As and when we have additional public meetings scheduled we will go ahead and mail those out. We will also advertise in the paper. We will get that up on our webpage. We will keep the SLDC page and the zoning map page up as hot topics on our webpage. So all of the information as we have that will go out onto the webpage.

CHAIR MAYFIELD: Thank you. And also, just so for our listening audience and those here tonight. I think the majority if not all of the County Commissioners has a newsletter that they send out. We try to keep people aware of certain topics, hot topics that are going on within the County. Our County Manager also has a newsletter that she publishes. We do put it in different areas, such as our senior centers and also our community centers and it also goes out online. So if you care to be on our mailing list just let us know individually or let the County Manager know and we'll make you inclusive of our mailing lists. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Penny, in your list, in your summary, will you also include whatever staff recommendations – because staff had some recommendations that to me made some sense. Could we have that as a list also, just for consideration?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Chavez, yes. We will go ahead and do that each time we come in front of you we will have an ongoing list of staff recommendations.

COMMISSIONER CHAVEZ: Thank you.

CHAIR MAYFIELD: Thank you. And I'm just going to close with this. So we have two satellite offices. Satellite offices have the full size maps at them. So it's just not downtown Santa Fe that has the maps that you can look at if you need to look at a full size map. Penny?

MS. ELLIS-GREEN: Mr. Chair, we'll be putting, if they're not there already, we will put the full size maps at the satellite offices and try and get their – next to their computer so people can actually use the interactive map and look at the full size map while they're doing that.

CHAIR MAYFIELD: And Penny, on that point, and if I could ask you or whoever could answer this. Where do we have interactive computers that the public can access and use if they don't have them at home?

MS. ELLIS-GREEN: Mr. Chair, I believe that all of our satellite offices do have computers. We definitely used the computers they had in Edgewood, in Pojoaque, and in Eldorado.

CHAIR MAYFIELD: Thank you. Again, I just want to thank all of you for being here tonight and I want to thank all my colleagues for their patience of affording public comment. Some times I let it stretch out a little longer for individuals, but I think it's really

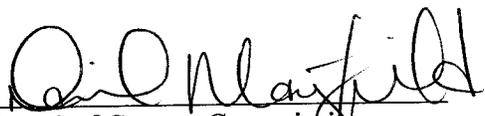
important that you all have a voice to say what you need to say to this Commission. So thank you all for your patience and being here tonight.

**X. Adjourn**

Having completed the agenda and with no further business to come before this body, Chair Holian declared this meeting adjourned at 8:20 p.m.



Approved by:

  
Board of County Commissioners  
Daniel W. Mayfield, Chair

  
GERALDINE SALAZAR  
SANTA FE COUNTY CLERK

6-24-2014

Respectfully submitted:

  
Karen Farrell, Wordswork  
453 Cerrillos Road  
Santa Fe, NM 87501



**SANTA FE COUNTY  
OFFICIAL ZONING MAP ADOPTION DRAFT  
PUBLIC COMMENTS  
BEGINNING MAY 27, 2014**

SFC CLERK RECORDED 06/27/2014

**Chrisann N. Romero**

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**From:** Chrisann N. Romero  
**Sent:** Tuesday, May 27, 2014 8:22 AM  
**To:** Robert Griego  
**Cc:** Maria E. Lohmann  
**Subject:** FW: 308 signers: Santa Fe County Zoning Proposal on Hwy 14 petition

Here's another e-mail that came in from the petitioners. There are now a total of 308 total signers. I will print out the e-mail below and give to Maria. Please let me know if there is anything else I can do.

Thanks,

*Chrisann Romera*

Administrative Assistant  
Santa Fe County/Planning Division  
102 Grant Avenue  
Santa Fe, NM 87501  
Phone: 505-995-2717  
Fax: 505-820-1394  
Email: [cnromero@co.santa-fe.nm.us](mailto:cnromero@co.santa-fe.nm.us)

**From:** William Scruggs [<mailto:petitions@moveon.org>]  
**Sent:** Sunday, May 25, 2014 7:24 PM  
**To:** Chrisann N. Romero  
**Subject:** 308 signers: Santa Fe County Zoning Proposal on Hwy 14 petition

Dear Chrisann Romero,

I started a petition to you titled [Santa Fe County Zoning Proposal on Hwy 14](#). So far, the petition has 308 total signers.

You can post a response for us to pass along to all petition signers by clicking here:  
[http://petitions.moveon.org/target\\_talkback.html?tt=tt-71703-custom-40317-20240525-Rc3jQn](http://petitions.moveon.org/target_talkback.html?tt=tt-71703-custom-40317-20240525-Rc3jQn)

The petition states:

"Stop Santa Fe County from rezoning land along Highway 14 east and north of the Rancho San Marcos subdivision from Rural Residential to Mixed Use which includes high density residential (up to 3 stories) and commercial structures."

To download a PDF file of all your constituents who have signed the petition, including their addresses, click this link: [http://petitions.moveon.org/deliver\\_pdf.html?job\\_id=1228518&target\\_type=custom&target\\_id=40317](http://petitions.moveon.org/deliver_pdf.html?job_id=1228518&target_type=custom&target_id=40317)

To download a CSV file of all of your constituents who have signed the petition, including their addresses, click this link:  
[http://petitions.moveon.org/deliver\\_pdf.html?job\\_id=1228518&target\\_type=custom&target\\_id=40317&csv=1](http://petitions.moveon.org/deliver_pdf.html?job_id=1228518&target_type=custom&target_id=40317&csv=1)

Thank you.

--William Scruggs

SFC CLERK RECORDED 06/27/2014

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*If you have any other questions, please email [petitions@moveon.org](mailto:petitions@moveon.org).*

*The links to download the petition as a PDF and to respond to all of your constituents will remain available for the next 14 days.*

*This email was sent through MoveOn's petition website, a free service that allows anyone to set up their own online petition and share it with friends. MoveOn does not endorse the contents of petitions posted on our public petition website. If you don't want to receive further emails updating you on how many people have signed this petition, click here:*

*[http://petitions.moveon.org/delivery\\_unsub.html?e=MZHH\\_iWTXplShMNzXKYh82Nucm9tZXJvOHNhbnRhZmVjb3VudHlubS5nb3Y-&petition\\_id=71703](http://petitions.moveon.org/delivery_unsub.html?e=MZHH_iWTXplShMNzXKYh82Nucm9tZXJvOHNhbnRhZmVjb3VudHlubS5nb3Y-&petition_id=71703).*

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:31 AM  
**To:** Robert Griego  
**Subject:** FW: 44 Acre Tract Owned by Cienda

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**From:** Michael Eskridge [<mailto:mleskridge@earthlink.net>]  
**Sent:** Saturday, May 24, 2014 2:53 PM  
**To:** Penny Ellis-Green  
**Subject:** Fwd: 44 Acre Tract Owned by Cienda

*Michael Eskridge*  
[mleskridge@earthlink.net](mailto:mleskridge@earthlink.net)

Begin forwarded message:

**From:** Michael Eskridge <[mleskridge@earthlink.net](mailto:mleskridge@earthlink.net)>  
**Subject:** Fwd: 44 Acre Tract Owned by Cienda  
**Date:** May 24, 2014 at 2:50:46 PM MDT  
**To:** [mchavez@santafecountynm.gov](mailto:mchavez@santafecountynm.gov)  
**Cc:** [pengreen@santafecounty.gov](mailto:pengreen@santafecounty.gov)

Please see below

*Michael Eskridge*  
[mleskridge@earthlink.net](mailto:mleskridge@earthlink.net)

Begin forwarded message:

**From:** Michael Eskridge <[mleskridge@earthlink.net](mailto:mleskridge@earthlink.net)>  
**Subject:** 44 Acre Tract Owned by Cienda  
**Date:** May 23, 2014 at 3:55:29 PM MDT  
**To:** [mchavez@santafecounty.org](mailto:mchavez@santafecounty.org)  
**Cc:** [pengreen@santafecounty.org](mailto:pengreen@santafecounty.org)

SFC CLERK RECORDED 06/27/2014

Commissioner Chavez: I currently live at 95 Estates Drive in Las Campanas. The purpose of this email is to oppose the rezoning of the 44 acre tract owned by Cienda on Camino La Tierra in Las Campanas. The property in question is currently zoned residential which is consistent with the rest of Las Campanas as well as with the other neighboring sub-divisions. The proposal to change the zoning to Mixed Use would permit the construction of high density housing which is completely inconsistent with the surrounding neighborhoods as well as with the rest of Las Campanas. Additionally, Camino La Tierra can barely support the traffic load it now experiences. The addition of a high density area would definitely overwhelm the facility causing a dangerous situation for all of the sub-divisions that access the main road. Further, the associated light pollution and disruption caused by prolonged construction would adversely effect all of the area's residents. In short, the rezoning seems like a very bad idea that would create numerous hardships for a great many County residents for very little apparent gain.

Thank you for your consideration.

*Michael Eskridge*  
[mleskridge@earthlink.net](mailto:mleskridge@earthlink.net)



## Further Information Regarding Zoning Change to Mixed Use of 44-Acre Tract in County Zoning Map

Several of you have requested more information to determine exactly where the tract that was the subject to last Friday's notice is located. Below is a blow up of a section of the County's adoption draft of the zoning map. The tract is shown as MU (mixed use) on the map. The tract across Camino La Tierra that is part of the parcel labeled CG (Comercial General) where Arroyo Vino is located.

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May 24, 2014

Ms. Penny Ellis-Green, Director  
Growth Management Department  
Santa Fe County  
102 Grant Avenue  
Santa Fe, New Mexico 87501  
[pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov)

Dear Director Ellis-Green:

My husband and I would like to add our voices to those of our neighbors who oppose the proposed re-zoning of 330 acres at the junction of SR 599 and Camino la Tierra.

Frankly, we cannot imagine what may be the motivation of our representatives in Santa Fe County government to put the plan forward, and to attempt to move it forward so quickly, as if to blindside anyone who may object. The plan in every way offends the interests of the residents who have elected and supported present Santa Fe County officials, and privileges the interests of a single developer who is a non-resident and who appears to have little concern for preserving the quality of life of the residents who live in areas near the SR 599 and Camino la Tierra junction.

Indeed, it seems that Santa Fe County officials are not properly taking into account the demographics of our neighborhood. I do not pretend to have special expertise, but it doesn't take a social scientist to see that most of our neighborhood is inhabited by people who did not select this area because it were conveniently close to a job. We came here because of the natural beauty, the quiet lifestyle, and the pleasing ways in which our sector adheres in terms of planning and architecture to the character of historical New Mexico. Who are the residents in our area? We are educated. We vote. We support local amenities, such as the Santa Fe Opera, Site Santa Fe, The Santa Fe Institute, and other arts, history, literary and research organizations and institutions that are remarkably fine for an area with a relatively small population. If our demographic is disrespected, we may leave and take all that we contribute to the larger Santa Fe area somewhere else. Why would we not? Consequently, whatever economic development might result from adopting the Mixed Use plan for our neighborhood may in fact create a larger economic loss for the greater Santa Fe community.

Further, your proposal would seem to be poorly timed. Recently, scientists involved in the study of global warming have predicted that our region is at risk for more frequent droughts, such as the one we have been experiencing these last three years. Consequently, "buffer" neighborhoods, such as ours, will become increasingly important in helping to sustain endangered creatures that are unable to obtain sustenance in the mountains over the dry winters. Perhaps you noticed this last winter the highly unusual influx from higher elevations of magnificent Steller's Jays into the semi-populated areas Santa Fe, where concerned birders provided food and water to see them through. For many years, birders in semi-rural areas have helped sustain New Mexico's cherished population of beautiful and fragile Western Bluebirds, which, like Steller's Jays, will not nest in densely urban areas. In any case, the dramatic increase in population density that would result from your plan would likely endanger the County's water resources for humans!

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Your proposal also runs counter to the kind of planning that is taking place in other communities throughout the nation, where conscious efforts, and considerable money, is expended to preserve the quality of private areas of a community that contribute to the character or history the community. Despite the fact that our neighborhood is private, it is treated by the larger community almost as a public park. Bicyclists from all parts of the region flock here to take long rides, as singles and in large groups. No doubt, they come here to enjoy the gentle hills, good roads, relative absence of traffic, and the beautiful views, and we are happy to share our area with them.

Unfortunately, the beautiful landscape would likely disappear if your plan were enacted, since it would make our properties less valuable. If urban density develops next door, it would not be long before efforts to change homeowner's rules to allow greater density all over the region were organized. Residents would want to restore the value of their properties through subdivision, and our County Commissioners would hardly be in a position to refuse permission to make that sort of change.

Perhaps the better route would be to find a compromise solution. The 330 acres at the SR 599-Camino la Tierra junction could be developed as a public park, with just a few structural amenities allowed.

My husband and I will be in attendance at the meeting on May 28<sup>th</sup>. We hope that our County representatives will be prepared to explain the advantages of their plan. It is difficult for us to see the benefits of a plan that would hurt many residents only to enrich an individual who does not live in our community and who seems to have no feeling for the qualities that make living in the Santa Fe area so special.

Sincerely,

Libby Lumpkin and Dave Hickey  
44 W. Wildflower Drive  
Santa Fe, NM 87506

Cc: Mr. Robert Griego, Senior Planner; Mr. Tony Flores, Assistant County Manager

May 24, 2014

Miguel Chavez  
County Commissioner  
PO Box 276  
Santa Fe, NM 87504-0276

Dear Mr. Chavez:

I am writing a letter of STRONG objection to the proposed change of zoning for the 44-acre parcel of land (#980001322) abutting Arroyo Calabasas and Camino La Tierra. This change, from residential to mixed use, has been requested by the owners, currently Las Campanas Land Holdings, LLC. The first objection relates to the fact that we are in drought conditions, water is at a premium (if not in dwindling supply) and it is irresponsible to encourage any development particularly that which would increase density. Secondly, this is a semi-rural area, which people value and any increase in density is against the neighborhood values as well as, possibly, land values. Thirdly, that particular location involves the volunteer fire department and a road, which is dirt and a dead end - a dangerous place to increase density and which would adversely affect both the ingress and egress of those living in the area. Las Campanas is a rich and powerful player in Santa Fe politics and I hope the county will not succumb to their enticements of care for the elderly, etc. Thank you for the opportunity to share this view.

Sincerely,

Inez Ingle  
56 Cammino Dos Perros  
Santa Fe, NM 87506

Cc - Penny Ellis-Green  
Director, Growth Management

**Chrisann N. Romero**

---

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:29 AM  
**To:** Robert Griego  
**Subject:** FW: Opposed to rezoning of 44 acre tract and the Camino la Tierra corridor from 599 to Wildflower

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**From:** [ejksantafe@comcast.net](mailto:ejksantafe@comcast.net) [mailto:[ejksantafe@comcast.net](mailto:ejksantafe@comcast.net)]  
**Sent:** Tuesday, May 27, 2014 7:51 AM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** Opposed to rezoning of 44 acre tract and the Camino la Tierra corridor from 599 to Wildflower

**I am writing this letter to you to express my opposition to the proposed rezoning from residential to mixed use of land across from Arroyo Vino on Camino La Tierra and the Camino la Tierra corridor from 599 to Wildflower. I live in this area and I think this is a very bad idea. This rezoning would change the fundamental aesthetic of the area, ruining it for the many people who bought here because of this aesthetic. In addition, the impacts to traffic (especially traffic safety), noise and light pollution would be drastic. These lands should remain residential use. Please do not bow to the pressure of developers, who do not have the best interests of this area and its residents in mind.**

**Thank you,  
Elizabeth Kelly  
11 Deer Circle**

RECORDED 06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:30 AM  
**To:** Robert Griego  
**Subject:** FW: Opposition to Re-zoning Request for Parcel # 980001322

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**From:** COLVIN, Joe [<mailto:jfc@nei.org>]  
**Sent:** Saturday, May 24, 2014 1:27 PM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** FW: Opposition to Re-zoning Request for Parcel # 980001322

Santa Fe County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87594-09276

May 24, 2014

Subj: Opposition to Re-zoning Request for Parcel #980001322

Dear Commissioner Chavez:

The purpose of this letter is to express our strong opposition to the request by Las Campanas Land Holdings, LLC, to re-zone a 44-acre parcel (Parcel #980001322) which is on the South side of Camino la Tierra. We are property owners in Las Campanas Estates II and our property is adjacent to the subject property.

We are very concerned that a change from the current Residential zoning to a Mixed-Use zoning would result in a significant negative impact on the homeowners and neighborhoods and result in a serious degradation of our property values. The Mixed-Use zoning would allow up to 20 residential units per acre as compared to the current residential zoning of 1 residence per 2.5 acres. As importantly, it would allow building heights of up to 48 feet (4 stories) negatively impacting the visual landscape from every direction.

We have engaged an attorney to challenge the proposed zoning change before the commission on behalf of homeowners in Las Campanas Estates I and II, as well as homeowners

SFC CLERK RECORDED 06/25/14

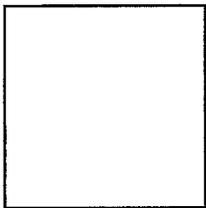
along Arroyo Calabasas who are strongly opposed to this change. According to his review and discussions with County Planning Staff and the assistant County Attorney, this property is currently zoned as Residential and the zoning has not been changed. We understand that there was an attempt to re-zone this to commercial zoning previously but was not changed due to property owner intervention. In addition, the newly proposed County zoning map is required to show the current zoning of the property but in this case; the zoning for the 44-acre parcel is incorrectly shown as Mixed-Use, based solely on the request for re-zoning by the developer.

We request that the Commission reject the re-zoning request and certify that this 44-acre parcel is zoned as Residential in accordance with the existing zoning provisions.

We thank you for your consideration of our request.

Joe F. Colvin  
24 Paintbrush Circle  
Santa Fe, NM 87506

C: Penny Ellis-Green, Director of Growth Management



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Web site address: [www.NEI.org/CongressionalResourceGuide](http://www.NEI.org/CongressionalResourceGuide)

FOLLOW US ON

John L. House

4 Arriba Circle  
Santa Fe, NM 87506  
505-983-0047  
jhouse4@comcast.net

May 24, 2014

Miguel M. Chavez  
Santa Fe County Commissioner  
PO Box 276  
Santa Fe, NM 87504-0276

Dear Commissioner Chavez,

RE: Parcel #980001322 - 44 acre tract on Camino La Tierra Public Hearing on the rezoning request to Mixed Use scheduled for May 28, 2014

We live at 4 Arriba Circle, in Las Campanas, Estates II, which is in very close proximity to the above referenced property.

On May 6, 2014, unfortunately after the original comment period with respect to the zoning map adoption, it was brought to my attention that the above mentioned 44 acre tract on Camino La Tierra owned by Las Campanas Land Holdings, LLC, although it is currently zoned Residential Estate, appears on the March 21, 2014 adoption draft of the proposed Santa Fe County Official Zoning Map Mixed Use. I subsequently learned that the owner of that property, Las Campanas Land Holdings, LLC, had engaged Scott Hoefl of Santa Fe Planning to request this change in June of 2013 on its behalf. Then, from discussions I had with Robert Griego of the Growth Management Office on Monday, May 19, 2014, I learned that, without any notice or due process, the parcel showed up as Mixed Use on the October 2013 Preliminary Zoning Map. How could this evident error have occurred? Mr. Griego had no answer. The history of this property is that it was at one time zoned Commercial but that the zoning had lapsed while the previous owner was in default and the bank took over the property and so the conditional approvals expired and the zoning reverted to Residential Estate. All Mr. Griego could say by way of explanation was to surmise that there had been an error and that perhaps someone at the County had seen an old approval in the file from before the lapse and reversion to RE zoning occurred. Nevertheless, the fact remains that the parcel is currently not Mixed Use and should not be shown as such on the Official Zoning Map without prior notice and due process allowed to all persons affected. To allow it to remain on the Official Zoning Map because the owner has requested it would effectively reverse the burden of proof from that of the applicant for a zoning change to those who wish that the zoning remains the same. That is totally improper if not illegal.

As you are aware, a change from Residential Estate, which establishes a density of 1 ru/2.5 acres to Mixed Use, which permits a density of up to 20 ru/acre would be a substantial change that would allow construction of buildings that would be completely inharmonious with its surroundings. If the 44 acre tract were to be rezoned as Mixed Use, as many as 880 residential units plus commercial space could be built. The structures could also be as high as 48 feet (4 stories) even though there are only a few buildings around for miles above 2 stories. The rest are all one story. Such a development would be totally out of character. Camino La Tierra is only a narrow, divided 2 lane road. Such a dense development would undoubtedly cause a a great strain on traffic movement. Moreover, growth of that magnitude in this area would result in a big demand for water usage while we are in the midst of a drought. Mr. Griego said that in terms of the SLDP, the County does not intend for this area as an area for substantial growth. Thus reclassification to MU would be incompatible with the County's own vision for this area. Moreover, a development such as would be permitted by a change in classification from RE to MU would unavoidably create extraordinary light pollution at night in a rural estate area of the county where it would be completely incompatible. Las Campanas, Tierra Salva, and all the various other communities in the area have strict covenants restricting light use at night for the express purpose of preserving the beautiful night views of rural NW Santa Fe County. A development that could be created if the zoning of this parcel were to be changed to Mixed Use would utterly destroy that.

For all of the above reasons, we respectfully ask you to vote to oppose the change to Mixed Use.

Sincerely yours,

John L. House and Leslie G. House

Cc. Penny Ellis-Green

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:30 AM  
**To:** Robert Griego  
**Subject:** FW: Proposed mixed use zoning change for 44 acre parcel near Las Campanas parcel # 980001322

-----Original Message-----

**From:** Mary Ann Oakley [<mailto:moakley777@aol.com>]  
**Sent:** Tuesday, May 27, 2014 2:41 AM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** Proposed mixed use zoning change for 44 acre parcel near Las Campanas parcel # 980001322

To Whom It May Concern: I am writing to object to the proposed zoning change for the 44 acre parcel near Arroyo Viejo restaurant which is owned by Las Campanas Land Holdings LLC. To change the zoning from residential to mixed use would severely and negatively impact the surrounding area. To allow this change would have a chilling impact on further development of the area. It would also restrict views of many of the homes in the area, including those in the Las Campanas subdivision. To allow a change such as that requested would further impact future growth in the entire county as future prospective property owners would fear further commercial intrusion into residential areas. To allow the mixed use change would be a detriment to the area and the county at large. Just when home values are beginning to rise, to allow this change would frankly ruin much of the area's home growth and land value. Although a four story development as proposed would be detrimental, any subsequent buyer could build an even larger, taller structure.

I object to the change as a property owner in Phase I Las Campanas, but also as a homeowner in the county who cares about the skyline, views and future growth of the area.

Sent from my iPad

RECORDED 06/27/2014

**Chrisann N. Romero**

---

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:30 AM  
**To:** Robert Griego  
**Subject:** FW: Re-Zoning of 44 acre parcel

-----Original Message-----

**From:** George Vogel [<mailto:gnav139@yahoo.com>]  
**Sent:** Saturday, May 24, 2014 5:34 PM  
**To:** Penny Ellis-Green  
**Subject:** Re-Zoning of 44 acre parcel

Dear Director Ellis-Green,

My wife and I own a home at 22 Blazing Star Circle in the Estates 1 area of Las Campanas. We bought the land in 2008 and constructed our home on this site in 2009. In the process of choosing this property we carefully investigated the zoning of raw land within sight of our building and were advised that this 44 acre expanse was zoned residential with a density of 2.5 acres per home. We took it on faith that this zoning would be preserved into the future. Now we find that there is the potential of a drastic change to what we believed was a reasonable plan for that site. Is this fair? Does Santa Fe have such an acute lack of land to warrant this move? The entire nature of our area would be compromised by this draconian step. We strongly object to this re-zoning idea and respectfully enlist your assistance to protect our environment and our way of life. From a practical matter I would think that just the enormous increase in water usage occasioned by a build out of as many as 880 or even 100 densely positioned residences would preclude this from happening. We plan to attend the meeting on May 28th and look forward to meeting with you in person to express our serious concerns.

Sincerely,

June and George Vogel

SECRETED 06/27/2014

**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:32 AM  
**To:** Robert Griego  
**Subject:** FW: Re-zoning request by Cienda Partners to designate 44 acres from R1 to Mixed Use in Las Campanas

---

**From:** [kshjjmj70@comcast.net](mailto:kshjjmj70@comcast.net) [mailto:kshjjmj70@comcast.net]  
**Sent:** Saturday, May 24, 2014 3:26 PM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** Re-zoning request by Cienda Partners to designate 44 acres from R1 to Mixed Use in Las Campanas

Dear Mr. Chavez and Ms. Ellis-Green,

You both have most likely received a mountain of communications regarding the proposed zoning change with regards to Cienda Partners' request to change 44 acres of Residential zoned property to Mixed use. I wish to state for the record my opposition to this.

As far as I know Cienda Partners have not submitted concrete plans, contracts, MOUs, etc. with regards to how property will be developed. Once re-zoned they can simply resell the property to other developers which now would have the right to build almost anything they wanted to. This unknown should be enough to deny a change.

Another reason to deny a change comes from the vast increase in density population, noise pollution and traffic congestion that would vastly change the landscape for which Las Campanas was developed in the first place. Las Campanas is highly sought after, reflecting it's current ambient lifestyle and tranquility. Allowing a zoning change could result in a density far exceeding the current status. Suddenly the Country could also be faced with widening Camino Las Tierra and possibly installing traffic lights at both Wildflower and across from Arroyo Vino. What was a tranquil community much admired is now taking on a look much like new high density developments in Albuquerque. I believe that you share with me that Santa Fe and surrounding communities are unique and we should insure it remains this way far into the future.

Thanks you for your time and consideration. If you would like to discuss or there are any questions please let me know.

Sincerely,

Key Jones  
143 Graythorn Drive  
Las Campanas

S F C  
C L E R K  
R E C O R D E D  
5 / 2 7 / 2 0 1 4

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 3:12 PM  
**To:** Robert Griego  
**Subject:** FW: NO on Las Campanas MIXED USE  
  
**Importance:** High

---

**From:** Joan Zegree [<mailto:zegreej@comcast.net>]  
**Sent:** Tuesday, May 27, 2014 10:04 AM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** NO on Las Campanas MIXED USE  
**Importance:** High

Mr. Miguel Chavez  
Santa Fe County Commissioner  
PO Box 276  
Santa Fe NM 87504-0276

Dear Mr. Chavez:

Please oppose the intense development in the middle of Las Campanas by Cienda Partners or any others who seek to rezone to *mixed-use*. I ask you to use your entire authority to protect the rural, residential character of this area.

As a property owner (as well as hundreds of others) who chose to live in the rural environment of Santa Fe Country, I ask for your strong opposition to the development of this 44-acre parcel which would forever destroy the physical and biological environment.

Respectfully and with thanks,

Joan Zegree

SFC CLERK RECORDED 06/27/2014

JANET SILVERMAN & ANDREAS TOBLER  
6 BLACK MESA  
SANTA FE, NM 87506

May 23, 2014

County Commissioner Miguel Chavez  
Santa Fe County Board of Commissioners  
P.O Box 276  
Santa Fe, NM 87504-0276

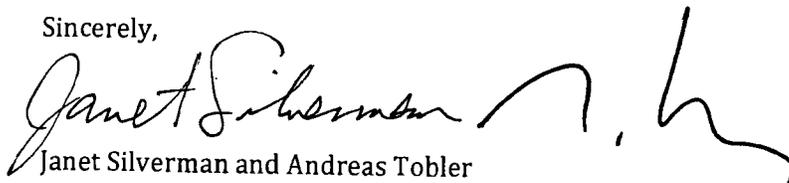
RE: Opposition to proposed re-zoning of Parcel #980001322  
to Mixed Use classification

Dear Mr. Chavez:

We are writing to you to express our strong opposition to the proposed re-zoning of a 44-acre parcel of land adjacent to our neighborhood to Mixed Use (see above description, the "Parcel"). We specifically built our home in our current location because we value a low-density, quiet neighborhood with manageable levels of traffic, noise and light. In our opinion, the proposed re-zoning of the Parcel would eliminate all of these advantages to our property, the Las Campanas development and many surrounding communities, making this area significantly less attractive for all residents of Las Campanas and the surrounding communities. If the proposed re-zoning is approved, we will seriously consider moving from our current location and, in particular, leaving Santa Fe as we feel that an approval of the proposed re-zoning would call into question Santa Fe's overall zoning policies.

The proposed re-zoning is inconsistent with the nature of the surrounding properties/developments and would severely and negatively affect this large residential area - bringing the potential for high-density development, excessive traffic, light and noise pollution, among other negatives. **We urge the Board of County Commissioners to deny the proposed change to Mixed Use classification.**

Sincerely,

  
Janet Silverman and Andreas Tobler

cc: Penny Ellis-Green  
Director of Growth Management, Santa Fe County

**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 3:13 PM  
**To:** Robert Griego  
**Subject:** FW: Regarding Santa Fe County proposed Zoning Map

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**From:** Karl Klessig [<mailto:karl.klessig@sbcglobal.net>]  
**Sent:** Tuesday, May 27, 2014 10:19 AM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Regarding Santa Fe County proposed Zoning Map

Dear Mr. Chavez

As a resident of Sundance Estates in Santa Fe County we received the letter about proposed zoning for Santa Fe County. It is unclear as to the process that has occurred to generate the proposed zoning per the map or the process for finalizing and accepting any comprehensive zoning map for the county.

Nevertheless it appears that zoning changes are being proposed for our area that are different than what the area presently supports and which is different than what the County told us when we purchased our property 1.5 years ago. At that time we specifically asked the assessor's office if there were any changes to our residential area (everything to the northwest of the city) and were told that there were no changes being contemplated.

Looking at the proposed Zoning Plan we are opposed to the 'Mixed Use' designation for the area west of the intersection of 500 and Camino la Tierra and further west on Camino la Tierra because:

1. The designation of 'Mixed Use' for these two areas is completely different in potential population density from the area surrounding both areas.
2. If these designations are allowed in place there appears to be no control by the County as to what is built there or its potential impact on the entire community area.
3. The Zoning Plan appears to be put in place without a plan for the area and there appears to be no consideration given to how the maximum density increase allowed would impact the area if the zoning designation maximum utilization were to occur:
  - a. The impact that full utilization would have for potential traffic increase and what it would take to be mitigated.
  - b. The impact the potential use would have on water usage in an area that already has significant water issues.
  - c. The impact that maximum utilization would have on education resources that appear to already be strained in certain areas
  - d. Adding a significant population to an area that already has significant unemployment would strain all County resources.

We are not opposed to any development but feel that to maintain the proper balance a comprehensive Development Plan should first be done that establishes the boundaries of what can properly supported given the social and physical environment. After this is in place the public taxpayers would be far better served if each potential development area was properly vetted and considered for approval rather than starting out with in effect blanket approval and removing any further review process.

Sincerely  
Karl Klessig

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**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 3:13 PM  
**To:** Robert Griego  
**Subject:** FW: Re-zoning 44-acre tract on Camino La Tierra

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**From:** [Sbwp1111@aol.com](mailto:Sbwp1111@aol.com) [mailto:[Sbwp1111@aol.com](mailto:Sbwp1111@aol.com)]  
**Sent:** Tuesday, May 27, 2014 10:14 AM  
**To:** [chavez@santafecounty.org](mailto:chavez@santafecounty.org); Penny Ellis-Green  
**Subject:** Re-zoning 44-acre tract on Camino La Tierra

nMy husband and I have been residents of Las Campanas for over 15 years. It is a remarkable development that is sensitive to the natural state of this part of New Mexico—limiting colors and heights of buildings and maintaining landscaping that “suits” New Mexico. I realize the 44-acre tract on the south side of Camino La Tierra that is the subject of the proposed new draft Zoning Map dated March 24, 2014, is not part of Las Campanas; however from the exit to Camino La Tierra from Relief Route 599, the development of the land all the way to Las Campanas and beyond is discreet, understated, and nothing more than single family homes (except for Arroyo Vino and the Las Campanas Sales Office, both of which are in keeping with their surroundings)

To allow development of the 44-acre tract under zoning as a Mixed Use Development, with allowance of building heights up to 48 feet, density of up to 20 residential units per acre, and no limitations on building square footage, is not in keeping with the surrounding areas for miles, and would be a scar on the beautiful scenery we all enjoy in Santa Fe. Santa Fe is a unique city in its restraint in building, enabling the city's ability to maintain its special flavor and feeling. To zone the 44-acre tract as a Mixed Use Development would ignore all of that tradition and preservation; it's a slippery slope, and we are convinced the county will regret taking this precipitous step. Please do not re-zone the 44-acre tract.

Sara Beth and Dexter Peacock

RECORDED  
06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 3:20 PM  
**To:** Robert Griego  
**Subject:** FW: 599 Zoning Impact

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**From:** Charles Iarrobino [<mailto:ciarrobino@sisna.com>]  
**Sent:** Thursday, May 22, 2014 5:33 PM  
**To:** Penny Ellis-Green; Tony T. Flores; Robert Griego  
**Subject:** 599 Zoning Impact

From: Charles Iarrobino  
4 Thistle Lane  
Santa Fe, NM 87506  
(505) 992-864

Penny Ellis-Green, Growth Management Administrator  
Mr. Tony Flores, Assistant County Manager  
Robert Griego, Planning Division Manager  
Santa Fe County Growth Management Department  
102 Grant Avenue  
Santa Fe, NM 87504

Dear Ms. Ellis-Green, Mr. Flores and Mr. Griego:

I feel the need to write to you regarding my opposition to the proposed zoning change to the area of the intersection of SR 599 and Camino La Tierra; a change that would benefit one wealthy landowner at the expense of the many property owners in the vicinity of the proposed change. Also impacted would be people from many parts of the county and the city who regularly come to the area for hiking, biking – a quality of life resource within reach of everyone in the area.

I've been a member of the Santa Fe community for 33 years and when, in 2006 Melissa Zriny and I were looking for a home, we knew we need look no further when we entered the house that is now our home in Tierra de Oro – overlooking Camino La Tierra. The area charmed us immediately with its mix of rural feel and landscape and the easy access to the city.

This area is a place of quiet refuge for everyone who lives here and we take pride in our surroundings, our nighttime skies free of light pollution, and the simple pleasures of living an indoor/outdoor daily life. Almost daily my main form of exercise begins by walking along the remains of the old Chile Line, which runs through our property and leads me to the network of walking/biking trails that criss-cross the adjacent open land. As full-time, working residents, we garden, we tend our land and we treasure this piece of the countryside that we have worked to make our own.

It has come as such a shock to hear that a zoning change is being considered that would bring a mixed-use district to our doorstep. Financially, the calamitous hit to local property values would, in a very real way, doom our hopes

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and dreams for the future. On a daily basis, the quality of our lives – the very reasons we had for making our home here – would be assaulted by eyesores, trash, unwanted noise, traffic congestion and nighttime light pollution, all of which would be permanently detrimental to the area.

Quite simply, there is no need for a mixed-use district here. There are no *good* reasons to do it, and only *bad* things would come from it. Where will the water come from for retail businesses and zoning that promotes greater population density?

From what I understand, the proponent for the MUD designation is Scottsdale Arizona's Lyle Anderson, on behalf of his "SF 330 Investments, LLC. Undoubtedly, Mr. Anderson wields some influence – anyone with riches and connections has that ability. A change that benefits one person in Arizona, while harming, directly or indirectly, hundreds if not thousands of city and county residents, including Mr. Anderson's own Las Campanas homeowners is not a change for the better.

Thank your time and consideration,

Charles A. Iarrobino

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 3:18 PM  
**To:** Robert Griego  
**Subject:** FW: Proposed Rezoning of Parcel #980001322 to Mixed Use

**From:** Allison Marks [<mailto:armarczak@gmail.com>]  
**Sent:** Thursday, May 22, 2014 10:40 PM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** Proposed Rezoning of Parcel #980001322 to Mixed Use

Dear Commissioner Chavez,

I am a resident of Las Campanas and object to Las Campanas Land Holdings, LLC's proposed rezoning of the above-referenced parcel to mixed use which appears to be proposed for adoption by the County in the draft Zoning Map dated March 21, 2014. Currently, the area allows one residential unit per 2.5 acres. Under the proposed zoning map, up to **880 residential units** could be built in this area, and the housing structure could have a building height of **four** stories. As you are likely aware, this area has larger, single story homes on larger lots of land.

Such a monumental change would 1) significantly alter the Las Campanas and surrounding area landscape; 2) cause significant traffic flow disruption (both from Caja del Rio and Camino la Tierra) which the area is not equipped to handle; 3) interfere with recreational activities in the area, as many recreational enthusiasts regularly bicycle and walk along the less traveled roads in the area, and the roads would have a tremendous increase in activity; 4) the noise levels would increase significantly; and 5) such a structure of this magnitude (or anything more than current zoning permits) and resulting population density change would greatly change the entire area.

While I understand the current owner states it plans to have no more than five residential units in this area, the current zoning does not provide any restrictions for future use of the land. A change in ownership or increase in land value can certainly alter the proposed plans for the land. Thus, I believe it would be irresponsible for the County to allow such a zoning change without considering the constituents who live in the area--many who moved away from the City for a certain lifestyle (e.g. larger lots, noise level expectations, low lights, etc.).

Las Campanas has numerous covenants, codes, and restrictions which make certain no noises are heard at night, no lights illuminate the night sky, and the area is maintained in pristine condition. (Truthfully, with a young child, these restrictions can be tedious as they prevent us from erecting a play structure, but we chose live here anyway for the lifestyle.) Moreover, I believe, the association maintains much of the roadways that would be heavily travelled as a result of the monstrosity the rezoning would allow.

Please carefully consider this request to rezone an area that should require one residential unit per 2.5 acres. While I am receptive to exploring land development and encourage business development, such development and benefit of one cannot be to the detriment of the masses. Any development must be carefully considered and, I suggest, heavily restricted in this area (e.g. perhaps require a special exception for a specified purpose and require the use to revert back if it is no longer used for the approved purpose).

Thank you for your time.

The Marks family (David, Allison, and Riley)

**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 5:54 PM  
**To:** Robert Griego  
**Subject:** FW: Stopping the Anderson rezoning of Camino la Tierra & 599

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**From:** Cathy Vachez [<mailto:cat@xposureadvertising.com>]  
**Sent:** Tuesday, May 27, 2014 3:23 PM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** Stopping the Anderson rezoning of Camino la Tierra & 599

Dear Commissioner Chavez.

My husband and I recently bought our home in Las Dos (less than 2 years ago) and we already spent a great deal of money re-furbishing it.

We were absolutely shocked to learn that a company run by Lyle Anderson, (the man most responsible for all the problems that arose from the development of Las Campanas), is pushing to have acreage at the intersection of Camino la Tierra and State Road 599 rezoned as a mixed use district - a MUD.

My husband and I bought in our area specifically in order to avoid the congestion, the noise, the crime, the clutter, the compacting of homes that usually come along with any MUD. This man Anderson doesn't live in our area; so of course, he could hardly care less. But we do!!

We do care a lot about preserving our life styles and the wonderful nature around us!! We do care about the devastation that would terribly impact the wildlife and of course the values of our properties.

And what about water? Should this plan you're considering somehow be passed, (and we're told by our attorney that it's legality is in serious question) there would be a significant increase in population density and hence, an enormous amount of additional water use. More and more wells would certainly dry out and the homes belonging to those of us who already live there, who purchased with legally clear expectations, would lose a fortune in property value.

Please sir, I urge you to do everything possible to make sure this rezoning proposal is immediately stopped.

Lyle Anderson has already put a financial blight on our area. He must not be permitted to harm us again.

Sincerely.

**CATHY & GERARD VACHEZ**  
[cat@xposureadvertising.com](mailto:cat@xposureadvertising.com)  
[www.xposureadvertising.com](http://www.xposureadvertising.com)  
Tel 505 820 0291.

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**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 11:04 PM  
**To:** Robert Griego  
**Subject:** Fwd: Letter of Objection

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** Letter of Objection  
**From:** L T <ltorobin@msn.com>  
**To:** Miguel Chavez <mchavez@co.santa-fe.nm.us>  
**CC:** Penny Ellis-Green <pengreen@co.santa-fe.nm.us>

**LETTER OF OBJECTION**

Dear Mr. Miguel Chaves, County Commissioner:

I am a homeowner of a property on 60 Sunflower Drive which property is a constituent of the Las Companas complex of the County of Santa Fe New Mexico.

On the 16th of this month, i.e. seven business days ago, I received an informal notification from John House, Chairman of the Las Campanas Community Relations Committee, that in connection with the newly adopted Sustainable Land Development Code (SLDC), the County has proposed for adoption a new draft Zoning Map dated March 21, 2014. The 44-acre parcel is depicted as MU (Mixed Use) on the proposed Zoning Map. When adopted, the Zoning Map will establish zoning classification for all parcels of land in Santa Fe County. Mixed Use allows the construction of a development with a density of up to 20 residential units per acre (for this parcel, up to 880 residential units) and with a building height of up to 48 feet (4 stories). There are no limitations on building square footage other than those imposed

At the same time as the above, Mr. House wrote me to inform that two public hearings on the adoption of the zoning map are scheduled for May 28 and June 25, 2014, starting around 5 pm at the Bureau of County Commissioners Chambers at 102 Grant Street. Mr. Timothy Cannon of the County Growth Department advises that persons who don't want to see a project of the magnitude that Mixed Use classification would allow built on that parcel should write a letter of objection to County Commissioner Miguel Chavez, PO Box 276, Santa Fe, NM 87504-0276, with a copy to Penny Ellis-Green, Director, Growth Management, County of Santa Fe (same address) before the May 28th hearing, and attend the hearings to voice their concerns to the Commissioners.

Apparently some who had attempted to read the associated Zoning Map found it to be illegible, and in answer to the difficulties expressed, a representative of the Las Companas Owners Association sent me an informal notice dated May 21, 2014, i.e. three business days ago, stating:

"Further information Regarding Zoning Change to Mixed Use of 44-Acre Tract in County Zoning Map several of you have requested more information to determine exactly where the tract that was the subject to last Friday's notice is located. Below is a blow up of a section of the County's adoption draft of the zoning map. The tract is shown as MU (mixed use) on the map. The tract across Camino La Tierra that is part of the parcel labeled CG (Commercial General) where Arroyo Vino is located."

Given the potential economic, health, and environmental impact of the proposed changes, I find that the allotted comment time of several business days is totally inadequate. Obviously, the petitioner has had the benefit of legal counsel as well as the advice of appropriate professionals. The procedures afforded the Las Companas homeowners do not appear to allow those in opposition to have similar benefits, and I therefore record my objections.

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In the absence of such professional reviews, and therefor from my layman's perspective only, the following are presented in a random listing, bearing in mind the examples provided in the above of a program potential 880 residential units with a building height of up to four stories:

1. What are the projected consequential financial losses for current Las Companas property owners due to a proposed setting aside of the existing home owner's regulations to allow "Mixed" usage for a potential 880 residential units each with a building height of up to four stories?
2. What is the legal definition of the term "Mixed" ? By way of example, would it allow the citing of a pig farm on this property?
3. Has the petitioner filed the appropriate environmental impact statements mandated by state and federal laws?
4. What program of infrastructure modification has the County planned to accommodate the needs of the "Mixed" very large potential increase population levels which can possibly approach 2000 individuals ? What are the associated projected costs, and how does the County propose to pay for this. Are the current homeowners expected to bear some of the burden for these increased costs through assessments, etc.?
5. Has the County an increased water sourcing / sewage plan?
6. What are the traffic revisions that are planned by the County to maintain safety and functionality.
7. What is the County's estimates of the time scales associated with the major tasks resulting from the proposed activity?

Other questions will no doubt arise as a result of reviews by professionals, but your answer to some of the items I referred to will be very helpful.

Respectfully yours,  
Leonard B. Torobin, PhD

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:30 PM  
**To:** Robert Griego  
**Subject:** Fwd: Proposed County Wide Zoning Map - No Spot Zoning

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** Proposed County Wide Zoning Map - No Spot Zoning  
**From:** Thomas <[blogth@live.com](mailto:blogth@live.com)>  
**To:** Miguel Chavez <[mchavez@co.santa-fe.nm.us](mailto:mchavez@co.santa-fe.nm.us)>, Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>, burrgibbons@q.com  
**CC:**

Dear Commissioner Chavez,

While the proposed new county zoning map and regulations in general appear to be well reasoned and balanced, I am writing to express my strong opposition to what appears to be the spot rezoning of Tax Parcel #980001322, owned by LAS CAMPANAS LAND HOLDINGS LLC (source: Interactive County Zoning map), from **Residential to Mixed use**. This parcel is located on Camino La Tierra, in the general area of Las Companas.

This appears to be a back door attempt to significantly intensify the land use of a particular piece of property under the guise of adopting a new County wide zoning map. This will have a significant negative impact on the adjacent property owners, and if done under the color of bulk rezoning would deprive them of administrative due process.

I ask that the land remains zoned as residential based on existing use and adjacent zoning, and that the owners of the parcel avail themselves of the well-reasoned administrative process to rezone / special use a particular piece of property, including notice and comment. To expect Commissioners to deal with this particular parcel's spot zoning while considering county wide rezoning is unreasonable and deprives the neighborhood of administrative protections and procedures.

Thank you for your time,

Thomas Blog  
43 Vuelta Maria  
"Las Dos", Santa Fe County  
Cell: (505) 920-8785

SFC CLERK RECORDS 56 / 27 2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:30 PM  
**To:** Robert Griego  
**Subject:** Fwd: We are opposed to the proposed re zoning in the Las Campanas area

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** We are opposed to the proposed re zoning in the Las Campanas area  
**From:** [Seitzwb@aol.com](mailto:Seitzwb@aol.com)  
**To:** Miguel Chavez <[mchavez@co.santa-fe.nm.us](mailto:mchavez@co.santa-fe.nm.us)>  
**CC:** Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>

Dear Mr. Chavez,

We have been residents of Las Dos, number 50 Vueta Maria in Santa Fe County for over twenty years. We are opposed to the re-zoning from Residential to Mixed Use in the Las Campanas area and feel that any increased housing and commercial establishments will be a detriment and increase the water shortage problems and traffic pollution we already encounter in this region. It is not a prudent move to open this area up to such massive development. We vehemently oppose such action. We are not able to attend the May 28th hearing as we are traveling but will try to be at the second hearing on June 25th.

Respectfully,  
Joanna and Bill Seitz

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**SANTA FE PLANNING GROUP, INC.**

**P.O. BOX 2482  
SANTA FE, NM 87504  
www.sfpgi.com  
(505) 988-1129, FAX 983-6785**

May 27, 2014

Ms. Penny Ellis-Green  
Land Use Administrator  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87504

Re: 44-acre Site on Camino la Tierra and Tierra del Oro

Dear Ms. Ellis-Green:

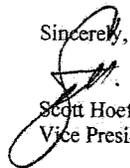
We concur with the opinion of Santa Fe County staff to "change the 44-acre property owned by Las Campanas Land Holdings, LCC on Camino la Tierra and Tierra del Oro from Mixed Use Zoning to Residential Estate Zoning (2.5-acres)." Due to the density increase that occurred in the Mixed Use (MU) zoning classification (from 5du/ac to 15du/ac) in 2013, this classification has served to only cause concern and anxiety among abutting property owners and residents in the area. This was not intention of the landowner.

It was the hope of the landowner in year 2013 was to work with County staff to establish a methodology for group quarter density for assisted living facilities, life care or continuing care, or skilled nursing facilities. These are all group quarter facilities and conditional uses (C) in Residential Estate as well as several other Residential zoning classifications. To our knowledge, there is no mechanism to determine the number of units (i.e., group quarters) for these stated uses in the SDLC.

We request that a methodology is established in the SDLC for "group quarter living" for all residential zoning classifications.

Thank you for considering our request. If you have further questions, do not hesitate to contact me at 505.412.0309.

Sincerely,



Scott Hoeft  
Vice President

SFC CLERK RECORDED 06/27/2014

**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Wednesday, May 28, 2014 8:37 AM  
**To:** Robert Griego  
**Subject:** FW: Proposed Zoning Change Near 599 and LCamino Las Campanas

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**From:** Burr Gibbons [mailto:burr gibbons@q.com]  
**Sent:** Wednesday, May 28, 2014 6:46 AM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Proposed Zoning Change Near 599 and LCamino Las Campanas

County Commissioner Miguel Chavez  
P.O. Box 276  
Santa Fe, NM 87504-0276

Dear Commissioner Chavez:

I have only just learned of the part of the County rezoning map process which involves the re-zoning of Tax Parcel #980001322, owned by LAS CAMPANAS LAND HOLDINGS LLC (source: Interactive County Zoning map), from **Residential to Mixed use**. As the hearing is tonight, this e-mail is my only opportunity to express my strong opposition to this zoning change before the hearing.

My wife and I are full-time Santa Fe County residents, and owners of a home in Las Dos, which is north of the subject property. Our daily access to Santa Fe is via Camino La Tierra where this property is located and where any future development on it will occur. I object strenuously to this proposal for several reasons:

**Traffic:** Camino Las Tierra is a two lane, divided road which is already at capacity for traffic capacity. The road is tight, twisty, and has multiple poorly controlled access points and very limited visibility. There have already been several accidents, some quit serious, on Camino La Tierra. I am very concerned both about the capacity of this street to accommodate more traffic and of the expense and environmental disruption which would be involved in any attempt to improve its traffic-carrying capacity.

In addition, highway 599 is also a very poorly designed and dangerous highway. It is narrow, contains very sharp curves, is accessed by grade-level, uncontrolled crossings and is very poorly marked and lighted for night driving. It is already hazardous. The addition of additional high-density development along this section of 599 would be very ill advised.

**Water Usage:** All of us in Northern New Mexico are worried about our region's water resources and water infrastructure for our future. Water has been a constant issue of contention in and around Las Campanas since the sub-division was built. Adding additional high-density residential and/or commercial development in this area, where water and sanitary infrastructure is already so limited, is impossible to justify, as would be the expense to the County involved in trying to remediate these problems in times of such assured future water scarcity.

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**Inappropriateness:** This is a residential area, for miles around, and a low-density residential area, at that. There is no development even close to the subject property that has any commercial or high-density building at all. To drop a 44 acre commercial development of any kind into this location would drastically change the nature of this community and significantly diminish the residential character of the adjoining neighborhoods.

**Property Values:** Not only the residences adjacent to this parcel, but all the hundreds of homes which lie beyond it along the Camino La Tierra access road would find their property values, already seriously deteriorated by the recent economic downturn, further impacted by the noise, disruption, traffic increases and inappropriate nature of the consequences of this proposed zoning change, with obvious and significant further impact to Santa Fe County tax revenues.

**Transparency:** I am accustomed to seeing public notice posted or distributed for zoning changes such as this which could have a significant impact on local residents. I understand that this rezoning proposal is part of an overall County-wide plan, but the information I have seen published in the New Mexican has been at a very high level and lacking in sufficient detail to give me any hint that this change was being considered. There has been nothing posted on the subject property to alert its neighbors that such a change is being considered. I am alarmed that I learned, through community action, only the evening before a scheduled hearing of a proposal that could have such a significant impact on my own and my neighbor's lives. Such details should have been much more widely and effectively communicated to those who are affected by it.

I am a member of the Board of the Las Dos Homeowners' Association. We are not a big neighborhood, with only 35 lots and about 25 full-time residents in a beautiful, quiet and unspoiled part of Santa Fe that we dearly love. We are residents, not visitors, and we are community-minded, ecologically sophisticated and perfectly willing to accept reasonable changes to allow for the managed growth of Santa Fe City and County. But within an hour of my having notified our HOA membership of this proposed zoning change, which I sent last night at 9 pm, I had heard from a quarter of our residents expressing their concern. I expect you will hear from most of them directly. This change is being viewed with alarm by our neighborhood, and the several other similar communities which surround us. Please do not allow this part of the proposed Santa Fe County zoning map changes to be approved.

Thank you,

Burr Gibbons  
22 Vuelta Maria  
Santa Fe, NM 87506  
505-984-1964

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Wednesday, May 28, 2014 8:35 AM  
**To:** Robert Griego  
**Subject:** FW: We are opposed to the proposed re zoning in the Las Campanas area

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**From:** [Seitzwb@aol.com](mailto:Seitzwb@aol.com) [mailto:Seitzwb@aol.com]  
**Sent:** Tuesday, May 27, 2014 7:06 PM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** We are opposed to the proposed re zoning in the Las Campanas area

Dear Mr. Chavez,

We have been residents of Las Dos, number 50 Vueta Maria in Santa Fe County for over twenty years. We are opposed to the re-zoning from Residential to Mixed Use in the Las Campanas area and feel that any increased housing and commercial establishments will be a detriment and increase the water shortage problems and traffic pollution we already encounter in this region. It is not a prudent move to open this area up to such massive development. We vehemently oppose such action. We are not able to attend the May 28th hearing as we are traveling but will try to be at the second hearing on June 25th.

Respectfully,  
Joanna and Bill Seitz

SEARCHED  
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06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 3:09 PM  
**To:** Robert Griego  
**Subject:** FW:

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**From:** Wolfgang Schmidt-Nowara [<mailto:wolfnell@sbcglobal.net>]  
**Sent:** Tuesday, May 27, 2014 9:40 AM  
**To:** Penny Ellis-Green  
**Subject:**

Ms Green

We oppose the re-zoning of the 44-acre Las Campanas tract as it is proposed. The mixed use guidelines in the proposal would allow high density multistory residences and commercial development that would strain the natural resources of the area and alter the character in a very negative way. They are unacceptable to those of us who chose this area to avoid exactly what you propose.

Ellen Marder and Wolfgang Schmidt-Nowara  
8 Paintbrush Ct  
Santa Fe

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**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 2:52 PM  
**To:** Robert Griego  
**Subject:** FW: Concern over changes to zoning in/near Las Campanas

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**From:** Jan Chavez Wilcynski [<mailto:wilcynski@hotmail.com>]  
**Sent:** Tuesday, May 27, 2014 1:10 PM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** Concern over changes to zoning in/near Las Campanas

Dear Mr. Chavez and Ms. Ellis Green:

I wanted to express my dismay and concern about the re-zoning of the 44 acre tract of land to the south of Camino la Tierra. This proposed action would change the current "residential" status to "mixed use" status. I am afraid that the new mixed use zoning will allow a massive number of new residence and businesses to be built, I understand up to 880 on the 44 acres. That would have a detrimental impact on the quality of life for those of us living in and near this area, with traffic, crowded residential areas (similar to Aldea, which appears like a large metropolitan area with homes on top of one another). The current residential zoning allows one residence for every 2.5 acres; I strongly support leaving the zoning as is.

Thank you for your consideration,

Sincerely,

Jan

Jan M. Chavez Wilcynski  
3 Bishop's Dome Road  
Santa Fe, NM 87506

REC'D BY FAX RECORDED 06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 3:09 PM  
**To:** Robert Griego  
**Subject:** FW: Opposing the Rezoning the 44 acre tract land to the south of Camino la Tierra

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**From:** Ellen Walton [<mailto:ellenwalton25@yahoo.com>]  
**Sent:** Tuesday, May 27, 2014 3:06 PM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Opposing the Rezoning the 44 acre tract land to the south of Camino la Tierra

135 Chisholm Trail  
Santa Fe, NM 87506  
May 25, 2024

Michael Chavez  
P.O. Box 276  
Santa Fe, NM 87506-0276

Dear Mr. Chavez,

This letter is in **opposition** of the proposal to rezone the 44 acre tract land to the south of Camino la Tierra from its current "residential status" to "mixed use" status.

My husband and I bought out in this surrounding area (La Tierra Nueva) because we like the feel of country life. We didn't want the feel the "city" life, congested traffic, more use of water thus draining our well water, more lights and noise pollution and all the problems surrounding new construction and development.

It's completely unfair to change the zoning laws when we have already built our house and built counting on the current zoning laws to be used and enforced. If we wanted to life in the "mixed use" zoning we would have located our house accordingly.

**KEEP THE CURRENT RESIDENTIAL STATUS!!!!!!**

Thank you!

Sincerely,

Ellen Walton

(505) 820-7900  
[ellenwalton25@yahoo.com](mailto:ellenwalton25@yahoo.com)

SFC CLERK RECORDED 06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 2:52 PM  
**To:** Robert Griego  
**Subject:** FW: rezoning 44 acres in Las Campanas

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**From:** [jeanne.m.jones@comcast.net](mailto:jeanne.m.jones@comcast.net) [mailto:[jeanne.m.jones@comcast.net](mailto:jeanne.m.jones@comcast.net)]  
**Sent:** Tuesday, May 27, 2014 12:01 PM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** rezoning 44 acres in Las Campanas

Dear Mr. Chavez and Ms. Ellis-Green,

I heard from the Las Campanas HOA that there is a proposed change of zoning from R1 to Multi Use of 44 acres across from Arroyo Vino in Las Campanas. I think that this is a very bad idea.

We moved into Las Campanas in 2010 for many reasons but the primary reason was that it offers a lifestyle that is tranquil and unrushed. By allowing a zoning change that could see a density as high as 880 residences in such a small area would drastically change the look and feel of the community. It is even possible that such an allowance would also depress home values, thus depriving tax revenues at a time which the county needs all the revenue it can get. Traffic would increase significantly thus requiring the county to spend precious tax dollars on infrastructure to accommodate the explosion in growth. In other words this is a bad idea from the start.

I would hope that the county is wise in this manner and votes no to the rezone request.

Thank you

Jeanne Jones

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**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 2:52 PM  
**To:** Robert Griego  
**Subject:** FW: Re-zoning at Las Campanas

**From:** Ginger Casey [<mailto:gingrcasey@aol.com>]  
**Sent:** Tuesday, May 27, 2014 11:59 AM  
**To:** Penny Ellis-Green  
**Subject:** Re-zoning at Las Campanas

Ginger Casey and Don McGrath  
10 Blazing Star cir  
Santa Fe, Nm 87502

May 27, 2014

Penny Ellis-Green, Director of Growth Management  
Santa Fe County  
P.O. Box 276, Santa Fe, NM 87504-0276

Dear Ms. Ellis-Green,

My name is Ginger Casey and my husband and I own a home at 10 Blazing Star cir, lot 120, in Estates I of Las Campanas.

We are writing to voice our opposition to the proposed change of use for the 44-acre parcel of land to the south of Camino la Tierra which is seeking re-zoning from its current "residential" status to "mixed use" status. This tract of land (**Parcel #980001322**) is owned by Cienda Partners (officially its affiliate, Las Campanas Land Holdings, LLC. The parcel sits less than a quarter mile from us.

What is most concerning to us is how vague the development plans are. Although the developer says he *hopes* to build assisted living or a skilled nursing facility on the parcel - all of which come with extremely bright lighting, noise and traffic - there is no guarantee this will be the end result. Once the parcel is re-zoned, then it can be anything that falls under "Mixed Use."

Here is what Las Campanas wrote us in correspondence sent to all home owners on May 16th regarding this proposed change:

**"Mixed Use allows the construction of a development with a density of up to 20 residential units per acre (for this parcel, up to 880 residential units) and with a building height of up to 48 feet (4 stories). There are no limitations on building square footage."**

We oppose this. In the strongest possible terms. Right now the zoning is one residential house per 2.5 acres. The idea of a four story building of any kind or 880 units of housing in this area is simply ludicrous. It is in direct opposition to the spirit of our community and will require water that we do not have. We will be bombarded with more than a thousand new residents, hundreds of cars, shopping center development, noise, traffic and bright lights.

Already the lights from the **Arroyo Vino** restaurant blaze into our home all night long. We have asked, several times, that they turn off the lights after the restaurant is closed, but they have refused, citing insurance requirements for their restaurant. Combined with the lighting from the remodeled Fire Station on Camino la Tierra, our night skies on the southeast side of our house have already been greatly reduced and we have had to install shades to block the glare. You are welcome to come out at any time to verify this for yourself. Increasing development density and commercial expansion across the street from where we live will only make things worse.

SFC CLERK RECORDED 5/27/2014

Here at Las Campanas, we have some of the strictest lighting guidelines in the state, rules that go far beyond the New Mexico Night Sky Protection Act. I am including links as well as copy from both agencies.

The lighting regulations in the **Las Campanas Lighting Guidelines** begin with the statement **"...The goal is to allow for the minimum lighting necessary to provide safety, security and the enjoyment of outdoor living, while not impairing views of dramatic nighttime panorama."** You can read the entire set of rules here:  
[http://lascampanasowners.com/lascampanasowners/page.html?page\\_id=38#PA1](http://lascampanasowners.com/lascampanasowners/page.html?page_id=38#PA1)

**For the New Mexico Night Skies Act, see here:**

[http://delapp.com/codes/nm\\_night\\_sky\\_protection\\_act\\_nmsa74-12-1.php#74-12-8](http://delapp.com/codes/nm_night_sky_protection_act_nmsa74-12-1.php#74-12-8)

Here is the final line from the Las Campanas lighting guidelines. I respectfully urge you to read this and recommend that our county commissioners vote to abide by the spirit of our beautiful development and deny this proposed re-zoning.

**"The developer desires to preserve the night and night sky (and also does so at Desert Mountain and other developments) as do the State of New Mexico and the City and County of Santa Fe who also have night preservation regulations."**

Ms. Ellis-Green, please help us. This would not be responsible growth. Any change to the current use will be extremely detrimental to not only to our quality of life but also to our neighbors in Estates I and the surrounding areas. We built our home specifically because of the quiet area, the beautiful view and the gorgeous night skies. All of this will be gone if this parcel is re-zoned.

Please help us in rejecting this re-zoning so we can enjoy what is left of our night skies and the quiet beauty of our area.

Sincerely,

Ginger Casey and Don McGrath

505-995-9815

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 2:52 PM  
**To:** Robert Griego  
**Subject:** FW: Rezoning of 44 acre parcel - Cienda Partners

-----Original Message-----

**From:** Ronald Lushing [<mailto:rlushing@me.com>]  
**Sent:** Tuesday, May 27, 2014 12:30 PM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Rezoning of 44 acre parcel - Cienda Partners

Gentlemen

I am a resident of La Tierra Nueva adjacent to the property being considered for a rezoning and have lived there since 1990.

I strongly object to a change of zone as it would greatly increase the density of our mostly rural area. It is my understanding that up to 880 new residences could be built should the parcel be rezoned and/or some mixed use development and I don't believe that that would be in accordance with the character of our area.

I would urge you to vote no on any change of zone.

Thank you for your consideration.

Ronald S. Lushing  
168 Headquarters Trail  
Santa Fe, NM 87506

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06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 2:52 PM  
**To:** Robert Griego  
**Subject:** FW: Santa Fe County Public Comment Form

-----Original Message-----

**From:** Jennifer LaBar-Jaramillo  
**Sent:** Tuesday, May 27, 2014 1:01 PM  
**To:** Walter and Anne Waldie  
**Subject:** RE: Santa Fe County Public Comment Form

Mr. & Mrs. Waldie,  
Thank you for taking the time to contact us. I have forwarded your comments to our Growth Management Department so your comments can be included in the case file.  
Jennifer

Jennifer LaBar  
Santa Fe County Manager's Office  
Office Manager  
(505) 986-6293  
[www.santafecountynm.gov](http://www.santafecountynm.gov)

-----Original Message-----

**From:** Walter and Anne Waldie [<mailto:waltwaldie@sbcglobal.net>]  
**Sent:** Saturday, May 24, 2014 8:54 AM  
**To:** Kristine Mihelcic; Jennifer LaBar-Jaramillo  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Walter and Anne Waldie  
20 East Wildflower Drive  
Santa Fe, NM 87506  
Email: [waltwaldie@sbcglobal.net](mailto:waltwaldie@sbcglobal.net)  
Phone: 505 988-7211

Comments:  
proposed zoning of the land at the intersection of Camino la Tierra and State Road 599. We would ask that the proposed rezoning not be allowed since this is a residential area. The new zoning would impact this area environmentally and take away some of the benefits that the whole community of Santa Fe now enjoy, such as nature walks, biking, etc.  
We join the many other residents of Tierra de Oro in wanting to keep this a residential area that benefits the whole community.

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**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 9:10 AM  
**To:** Robert Griego  
**Subject:** FW: Las Campanas Rezoning

-----Original Message-----

**From:** spidermantribal [<mailto:spidermantribal@comcast.net>]  
**Sent:** Tuesday, May 27, 2014 8:58 AM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Las Campanas Rezoning

Miguel Chavez  
Santa Fe County Commissioner

Dear Mr. Chavez:

I write to ask you to oppose any plans to rezone the 44-acre parcel of land in the middle of Las Campanas owned by Cienda Partners from its current residential designation.

This land should remain residentially zoned and not be rezoned as "mixed-use." If rezoned to the latter the possibility would then exist to build in a manner that would destroy a way of life for hundreds of current residents, and pose unacceptable risks to the land and physical environment.

As our representative I trust that you will act to deny any change in zoning from residential to mixed use.

With thanks,

Spider Kedelsky  
273 Headquarters Trail  
Santa Fe, NM 87506

SFC CLERK RECORDED 06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:26 AM  
**To:** Robert Griego  
**Subject:** FW: Re-Zoning 44 acres in Las Campanas in Santa Fe County

-----Original Message-----

**From:** Janice Tucker [<mailto:janicetucker@me.com>]  
**Sent:** Monday, May 26, 2014 8:08 PM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Re: Re-Zoning 44 acres in Las Campanas in Santa Fe County

Dear Commissioner Chavez

I am opposed to the re-zoning of the 44 acre parcel in the Las Campanas subdivision. Such re-zoning will negatively impact the quality of life not only in Las Campanas but in the surrounding neighborhoods as well. We urge the County to deny this re-zoning request.

Thank you.

Janice W. Tucker  
La Tierra Nueva Resident

SFC CLERK RECORDED 06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:26 AM  
**To:** Robert Griego  
**Subject:** FW: Camino La Tierra 44 Tract Rezoning

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**From:** CCJTGON@aol.com [mailto:CCJTGON@aol.com]  
**Sent:** Monday, May 26, 2014 10:16 AM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Camino La Tierra 44 Tract Rezoning

Mr. Chavez,  
We are both natives of Santa Fe and have watched the many changes the City and County has endured with both positive and negative effects. We returned to Santa Fe after completing college and began our careers here and have also raised our children here. We have lived on the Northwest side for 20 years and chose to live here based on the density of homes and privacy we could obtain when we purchased our land and built our home. We are now faced with the possibility of a re-zoning for a 44 acre plot from a current residential zoning to a mixed use zoning as a result of a developer purchasing a piece of land clearly knowing what the zoning was and then working to change the zoning to benefit themselves. ***We adamantly oppose this rezoning and ask your support in the opposition of this request.***

Thank you,  
Carolyn and John Gonzales  
33 Violet Circle  
Santa Fe, NM 87506  
505-983-7363

S F C O R D E R  
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# ROBERT M. CURTIS

May 26, 2014

Penny Ellis-Green  
Director, Growth Management Administration  
Santa Fe County  
P.O. Box 276  
Santa Fe, NM 87504-0276

Duplicate sent on May 26, 2014 via email to: [pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov)

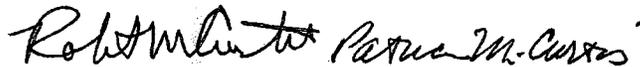
Dear Director Ellis-Green:

I am writing you to express the strong opposition of my wife and myself to the proposed rezoning of the 44-acre tract owned by Las Campanas Land Holdings, LLC to be discussed on May 28, 2014. The proposed rezoning from residential to mixed use would increase traffic, cause light and noise pollution, and very negatively impact the surrounding residential areas, where we reside.

The housing density increase from the current 2.5-acre per residence (17.5/44 acres) to 880/44 acres and expansion of the building height allowance to 4 stories is simply unacceptable in the midst of a residential community.

The proposed rezoning and any potential development on that land is completely out of context with the communities surrounding it. It will become an obvious eyesore and blight on the local landscape that is incompatible with the artistic sensibility and sustainable philosophy of Santa Fe.

Sincerely,



Robert M. and Patricia M. Curtis

**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:28 AM  
**To:** Robert Griego  
**Subject:** FW: Objection to mixed use classification on property owned by Las Campanas Land Holdings, LLC - second email

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**From:** Mickey Baird [<mailto:sfbairds@gmail.com>]  
**Sent:** Saturday, May 24, 2014 8:53 PM  
**To:** Miguel Chavez; Penny Ellis-Green  
**Subject:** Fwd: Objection to mixed use classification on property owned by Las Campanas Land Holdings, LLC - second email

Begin forwarded message:

**From:** Mickey Baird <[sfbairds@gmail.com](mailto:sfbairds@gmail.com)>  
**Subject:** **Objection to mixed use classification on property owned by Las Campanas Land Holdings, LLC**  
**Date:** May 21, 2014 at 12:37:28 PM MST  
**To:** [mchavez@santafecounty.org](mailto:mchavez@santafecounty.org), [pengreen@santafecounty.org](mailto:pengreen@santafecounty.org)

Commissioner Chavez and Ms. Ellis-Green:

My name is Mickey Baird. I live in Las Campanas Estates II near the fire station and the property proposed to be re-classified as mixed use development. I have lived here since 1995. My understanding of the history of this property is as follows - In the early 1980's Lyle Anderson purchased it from Bob Weil and Zannie Garcia, who developed La Tierra. Mr. Anderson purchased it for what would become Las Campanas. While Bob and Zannie had some proposed uses for this property, I don't believe they ever tried to change the default zoning, which is one unit per 2.5 acres. While the zoning for the eight acres where the Las Campanas sales office was located may have been changed, the larger area kept the original zoning.

When the present owner, believed to be a Texas entity, or one of its predecessors, took over that property out of foreclosure, it acquired it from Lyle Anderson's lender for what is generally believed to be a very cheap price - pennies on the dollar.

While some people in the community have objected to the Las Campanas development for various reasons, one thing is true - Lyle Anderson worked very hard to integrate the development into the community. This included contributing \$2,000,000 to the County's affordable housing fund, contributing the land where the fire station is located, making improvements to Caja del Rio and Camino la Tierra, and countless smaller charitable contributions, such as making the golf courses and equestrian center available for charity events. Since Lyle Anderson's departure, the members of Las Campanas have continued giving thru charity events, auctions, and other individual and group donations.

My objections to the proposed mixed use development are two-fold. One, this whole area, including Las Campanas, the La Tierra developments and the adjoining residential areas, have developed based on the

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existing zoning for that property. To change that zoning now to a potentially much more intensive use would be unfair to the residents because it would seriously impact their quiet enjoyment of this area and, ultimately, the surrounding land values.

Two, while Zannie Garcia, Bob Weil and then Lyle Anderson worked to make this area into a first class residential development, I am not aware the new owner has made any such commitment. In fact, when the first stories appeared in the local press regarding the new owner's acquisition of the Lyle Anderson property, the person quoted on behalf of the owner distanced the owner from making any commitments regarding its intentions or projected use of the property. The entity apparently purchased it at a very good price with the sole intention of holding it until economic conditions improved and then turning it for a profit. While I have not followed any of its activities since its acquisition, I am not aware of any notable contributions it has made to this project, this area, or the greater Santa Fe community.

If the new owner entity doesn't intend to develop the property itself, it will have nothing vested in the property other than its severely discounted purchase price; it will have no investment in the community, no community conscience involving the property, and will be free to sell it, still at a substantial discount, for whatever purpose an end user might want, then take its profit, dissolve its entity, and leave.

The residents in this area deserve better. To keep the existing zoning will help prevent this kind of abuse.

**Chrisann N. Romero**

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:28 AM  
**To:** Robert Griego  
**Subject:** FW: Objection Zoning Map on Agenda May 28, 2014 Meeting

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**From:** Dick [<mailto:ctlrw@attglobal.net>]  
**Sent:** Sunday, May 25, 2014 3:16 PM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green; CATW  
**Subject:** Objection Zoning Map on Agenda May 28, 2014 Meeting

County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87504-0276

Dear Mr. Commissioner,

As owners in Estates II of the Las Campanas development, we **strongly object** to the 44 acre parcel being rezoned to multiple use from residential use, as part of the Zoning Map proposed and on the agenda for the Commissioner's meeting on May 28, 2014. Other than a small area which is zoned commercial and has existing structures which are one story, the land between 599 to the BLM land is zoned residential, or is part of the Las Campanas Club.

All of the exiting property owners will be disadvantaged by the zoning change while only the existing owner of the 44 acre parcel will benefit by increasing the flexibility of the property's use. The parcel was purchased with the residential zoning and such zoning should remain as surrounding parcels are residential one residence per 2.5 acres.

The current zoning allows all residence and visitors a view of natural toned homes, on expansive properties, and flow with the topography. Nothing obstructs the long views since there is a 1 1/2 story height limitation. Under the proposed zoning, views will be disrupted, height of structures will be more than double the exiting zoning, traffic will increase on Camino la Tierra, and structures which are foreign to the topography will be allowed at 4 stories.

Our understanding is that in the past a Master Plan change was submitted to rezone this parcel to commercial. The County denied this and left this parcel as residential.

Again, we **strongly object** to zoning the parcel as multiple use and feel it should remain residential zoned as it has been.

Sincerely,

Carol Thoele-Williams  
12 Paintbrush Court  
Santa Fe, NM 87506

cc  
Penny Ellis-Green  
Director Growth Management  
County of Santa Fe  
PO Box 276  
Santa Fe, NM 87504-0276

RECORDED  
06/27/2014

**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:26 AM  
**To:** Robert Griego  
**Subject:** FW: Rezoning meeting on May28th re:land south of Camino la Tierra

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**From:** philipvasta@comcast.net [mailto:philipvasta@comcast.net]  
**Sent:** Monday, May 26, 2014 9:45 AM  
**To:** chavez@santafecountynm.gov; Penny Ellis-Green  
**Subject:** Rezoning meeting on May28th re:land south of Camino la Tierra

To whom it may concern:

We respectfully oppose the proposal to change the 44 acre tract of land south of Camino la Tierra from "residential" status to "mixed use" status. The proposed massive increase from 2.5 to 20 residences per acre would, in our opinion, totally destroy the character of this parcel of land and adjoining properties. My understanding is that there is no "in-between" status, and so we request that the status quo be maintained. The many negative consequences in terms of traffic, density, light and noise pollution far outweigh any benefits from the change.

Thank you for your consideration.

Joan Wilson and Philip Vasta  
9 Luz Del Dia, Santa Fe, NM

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**Chrisann N. Romero**

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**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:28 AM  
**To:** Robert Griego  
**Subject:** FW: rezoning

**From:** Linda Morsman [mailto:[linmorsaf@gmail.com](mailto:linmorsaf@gmail.com)]  
**Sent:** Saturday, May 24, 2014 10:55 AM  
**To:** Penny Ellis-Green  
**Subject:** Fwd: rezoning

----- Forwarded message -----  
**From:** Linda Morsman <[linmorsaf@gmail.com](mailto:linmorsaf@gmail.com)>  
**Date:** Sat, May 24, 2014 at 11:52 AM  
**Subject:** rezoning  
**To:** [mchavez@santafecounty.org](mailto:mchavez@santafecounty.org)

I am strongly opposed to the 44 acre rezoning issue at Las Campanas and cannot attend the meeting on May 28th as I am out of town at that time. I feel that this proposal would be an invasion of privacy for all residences, noise level, heavy traffic and would depreciate all of our land and home values. Linda Morsman, 8 Tamaris Trail, Lot 531 Las Campanas 87506

SFC CLERK RECORDED 06/27/2014

**Chrisann N. Romero**

---

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:28 AM  
**To:** Robert Griego  
**Subject:** FW: Santa Fe County Land Parcel #980001322

-----Original Message-----

**From:** Dana Greeves [<mailto:danagreeves@att.net>]  
**Sent:** Sunday, May 25, 2014 8:30 AM  
**To:** Miguel Chavez  
**Cc:** Penny Ellis-Green  
**Subject:** Santa Fe County Land Parcel #980001322

This letter is to convey our concerns regarding the proposed change in zoning for the 44 acre tract of land owned by Las Campanas Land Holdings, LLC, on Camino La Tierra, specifically the potential for high-density housing. We would like to see development in this area that is more supportive of the Las Campanas community as a whole. This could include a local grocery store, restaurant, and other community centered and supporting establishments. We are concerned about incremental traffic on this road, and the total number of residences allowed under this scenario (880) represents over a 50% increase in the total original planned residences in all of the Las Campanas Community. We would question whether the entrance roads could reasonably support that. Under the mixed use zoning, the four-story building height would also fundamentally change the face of the landscape and building height regulations originally put in place and imposed on all other owners to protect Las Campanas resident's views. In closing, we feel that to jeopardize and negatively affect the investments and interests of so many who in good faith purchased land in this area under one set of rules/zoning, for the benefit of a single commercial interest which cannot guarantee how it will be used is fundamentally wrong.

Sincerely,  
John and Dana Greeves

RECEIVED 06/27/2014

**Chrisann N. Romero**

---

**From:** Penny Ellis-Green  
**Sent:** Tuesday, May 27, 2014 8:26 AM  
**To:** Robert Griego  
**Subject:** FW: Zoning

-----Original Message-----

**From:** C. R. Tucker [<mailto:sonnytucker@me.com>]  
**Sent:** Monday, May 26, 2014 6:27 PM  
**To:** [Mmchavez@santafecounty.org](mailto:Mmchavez@santafecounty.org)  
**Cc:** Penny Ellis-Green  
**Subject:** Zoning

We oppose the 44-acre tract of land in Las Companas to the south of Camino la Tierra being re-zoned from its current "residential" status to "mixed use" status.

C. R. Tucker  
20 Goodnight Trail West, Santa Fe, NM 87506

SFC CLERK RECORDED 06/27/2014

**Chrisann N. Romero**

**From:** William Mee <williamhenrymee@aol.com>  
**Sent:** Monday, May 26, 2014 4:58 PM  
**To:** Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; MANAGERS OFFICE; Katherine Miller  
**Cc:** Penny Ellis-Green; Robin Gurule; Robert Griego; Tony T. Flores; Melissa S. Holmes; Lisa Katonak; Jennifer LaBar-Jaramillo; Julia Valdez; Juan R. Rios; Tina Salazar; clearskynm@gmail.com; EFHirsch@gmail.com; cedickens2@yahoo.com; White@grappawireless.com; vicente.roybal@gmail.com; WaltWait@q.com; murlock@raintreecounty.com; r.n.olson@att.net; hamonyank@cybermesa.com; tocino8@cnsf.com; tortuga@cnsf.com; LynneNambe@cybermesa.com; spontasue@gmail.com; ellen@newmexico.com; drillingsantafe@earthlink.net; AmeliaJacona@aol.com; bill.baker@prodigy.net; duncancam@comcast.net; julieg2001@gmail.com  
**Subject:** United Communities comment on Zoning Map Ordinance  
**Attachments:** Letter\_to\_CommissionAgRanchZoning.doc; 2014\_Zoning\_Issues (2).pdf

United Communities of Santa Fe County  
2073 Camino Samuel Montoya  
Santa Fe, N.M. 87507

Honorable County Manager Katherine Miller  
On behalf of the County Commission  
P.O. Box 276  
Santa Fe, N.M. 87504-0276

May 26, 2014

Honorable Commissioners and Ms. Miller:

The United Communities of Santa Fe County (UCSFC) wish to voice our concern with the "Ordinance Adopting the Zoning Map of All Land in the Unincorporated Area of Santa Fe County to which the Santa Fe County Sustainable Land Development Code Applies."

We had had a number of issues with various parcels that had been "up-zoned" without a public hearing, but met with County staff to resolve them and staff was most helpful.

We believe that the Zoning of actively utilized ranch and agricultural land (Ag/Ranch) must be shown on the official zoning map as "Ag/Ranch", regardless of where it is situated within the County. County Staff has placed several ranches in the vicinity of the City of Santa Fe (on Highway 14 near the Santa Fe Studios, for example) at risk by proposing that what is currently ranch-land be zoned as either high density "mixed use" or the highly disruptive "industrial" use. Such "pre-zoning" is inappropriate and violates the County Sustainable Growth Management Plan (SGMP) and Sustainable Land Development Code which advocate the preservation of Ranches and Agricultural properties, and that there are ample processes in the Code to permit re-zoning in the future. Re-zoning insures that both public and private interests can be aired prior to the actual submission of application (formerly a "master-plan") - and insures that the continuance of ranching/agricultural activity has a fair hearing.

The re-zoning of such large tracts of ranch land should be considered under Section 11.2.3 "substantial Land Alteration", as altering ranch-land to any other zoning classification is an irreversible action that might have County-wide Impacts that can only be discovered by going through the normal SRA process (Studies, Reports and Assessments). We believe that any property that is currently taxed as Ag/Ranch be designated on the Initial Zoning Map as "Ag/Ranch."

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It would appear that most of the zoning map designations designed by the County Planners follow existing land use. It is only large ranching properties in close proximity to the City of Santa Fe that are targeted for urban or industrial zoning changes permitted under section 8. This is so, even though they are currently being utilized as ranches. Both the SGMP and the Code advocate the protection of ranch and farm land.

We appreciate this opportunity to give our input on the proposed Ordinance and urge that it be changed to reflect our concern as outlined in this letter. Thank you.

Sincerely,

A rectangular box with a thin black border, containing a small square icon with an 'x' in the top-left corner, indicating a redacted signature.

William H. Mee for the Steering Committee  
United Communities of Santa Fe County  
(505) 473-3160

UCSFC Steering Committee:

William H. Mee, Agua Fria Village, WilliamHenryMee@aol.com, 473-3160  
Frank Hirsch, Galisteo, EFHirsch@gmail.com, 466-0109  
Carl Dickens, La Cienega Valley, cedickens2@yahoo.com, 577-3708  
Paul White, Las Tres Villas/Chupadero, White@grappawireless.com, 988-1082  
Vicente Roybal, Pojoaque Valley, vicente.roybal@gmail.com, 455-7848, 501-4504  
Walt Wait, San Marcos District, WaltWait@q.com, 471-0645  
Ann Murray, Cerrillos, murlock@raintreecounty.com, 471-9182  
Toni Olson, (South) San Pedro, r.n.olson@att.net, 281-0751  
Karen Yank, Golden and Turquoise Trail, hamonyank@cybermesa.com, 281-0243

UCSFC Leadership Team:

Is the UCSFC Steering Committee

**Plus**

Water Committee Chairperson, Santa Fe Basin Water Association

Energy Committee Chairperson:

David Bacon, San Marcos District, tocino8@cnsf.com,

Sustainability Committee Chairperson:

Eduardo Krasilovsky, El Dorado Energy Co-Op, tortuga@cnsf.com,

County Review Committee Chairperson:

Lynne Velasco, Nambe, LynneNambe@cybermesa.com,

Local Sustainable Food Committee Chairperson:

Sue Barnum, Tesuque, spontasue@gmail.com

Leadership Team members-at-large:

Ellen Collins, Tano Road Association, ellen@newmexico.com,

Ross Lockridge, Cerrillos, murlock@raintreecounty.com,

Johnny Micou, San Marcos District, drillingsantafe@earthlink.net,

Amelia Garcia, Jacona, AmeliaJacona@aol.com,

Bill Baker, San Pedro, bill.baker@prodigy.net,

Cam Duncan, Tesuque, duncancam@comcast.net,

Julie Glassmoyer, San Pedro, julieg2001@gmail.com,

*The UCSFC is comprised of representatives of many of the area's community groups, and is dedicated to the advancement of, and protection of the current residents of Santa Fe County.*

Email distribution:

County of Santa Fe

Honorable Danny Mayfield, County Com., Chairperson, District 1 dmayfield@santafecountynm.gov,  
Honorable Miguel Chavez, County Com., District 2 mchavez@santafecountynm.gov,  
Honorable Robert Anaya, County Commissioner, D3 ranaya@santafecountynm.gov,  
Honorable Kathy Holian, County Commissioner, D4 kholian@santafecountynm.gov,  
Honorable Liz Stefanics, County Commissioner, D5 lstefanics@co.santa-fe.nm.us,  
Katherine Miller, County Manager, kmiller@santafecountynm.gov,  
managersoffice@santafecounty.org,

CC:

Penny Ellis-Green, Land Use Administrator, pengreen@co.santa-fe.nm.us,  
Gregory Shaffer, County Attorney, rgurule@santafecountynm.gov,  
Robert Griego, Planning, rgriego@co.santa-fe.nm.us,  
Tony Flores, Assistant County Manager, tflores@santafecountynm.gov

Administrative Assistants:

Juan Rios, jrios@co.santa-fe.nm.us, jrios@santafecountynm.gov,  
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Tina Salazar tsalazar@santafecounty.org,  
Jennifer Jaramillo@co.santa-fe.nm.us, jjaramillo@santafecountynm.gov,



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2073 Camino Samuel Montoya  
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On behalf of the County Commission  
P.O. Box 276  
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May 26, 2014

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We appreciate this opportunity to give our input on the proposed Ordinance and urge that it be changed to reflect our concern as outlined in this letter. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "William H. Mee".

William H. Mee for the Steering Committee  
United Communities of Santa Fe County  
(505) 473-3160

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tortuga@cnsf.com, LynneNambe@cybermesa.com, spontasue@gmail.com, ellen@newmexico.com,  
drillingsantafe@earthlink.net, AmeliaJacona@aol.com, bill.baker@prodigy.net, duncancam@comcast.net,  
julieg2001@gmail.com,

## **Alter the Proposed Code Zoning Map to include any actively ranched or farmed property identified on the County Tax roles as Ag/Ranch**

### **Summary:**

We believe that initial Zoning of actively utilized ranch and agricultural land (Ag/Ranch) must be shown on the official zoning map as "Ag/Ranch", irregardless of where it is situated within the County. County Staff has placed several ranches in the vicinity of the City of Santa Fe at risk by proposing that what is currently ranch-land be zoned as either high density "mixed use" or "highly disruptive "industrial". This paper makes the argument that such "pre-zoning" is inappropriate, that the County Plan and code advocate the preservation of Ranches and Agricultural properties, and that there are ample processes in the code to permit re-zoning in the future. Re-zoning insures that both public and private interests can be aired prior to the actual submission of a master-plan - and insures that the continuance of ranching/ agricultural activity has a fair hearing.

The paper also argues that any re-zoning of ranch land be considered under Section 11.2.3 "substantial Land Alteration", as altering ranch-land to any other zoning classification is an irreversible action that might have County-wide Impacts.

The paper recommends that any property that is currently taxed as Ag/Ranch be designated on the Initial Zoning Map as "Ag/Ranch".

### **The "Initial" zoning Issue**

The Santa Fe Land Development Code states the following:

Chapter 8.1 permits the County to divide the County into "base zoning" districts. The ten specific purposes to be achieved by zoning are enumerated in this chapter. The County designation of industrial, and mixed use zoning areas within the County, especially within SDA-1 and SDA-2 areas, appear to meet these ten criteria.

8.1.4. states as follows: "promote and incentivise infill into SDA-1 and SDA-2 areas where adequate public facilities and services presently exist"

8.1.5. Balance residential development with economic development where appropriate to assure County fiscal integrity;

8.1.6. Promote and incentivise flexible planned mixed use buildings, centers, and neighborhoods.

Section 1.15.6.2.1. likewise reflects the Public Policy utilized to generate these criteria.

The question is not whether the County can create industrial and mixed use zoning in properties currently utilized for ranching, but SHOULD it do so within the context of an initial County-wide zoning initiative.

It would appear that most of the zoning map designations designed by the County Planners follow existing land use. it is only large ranching properties in close proximity to the City of Santa Fe that are targeted for urban or industrial zoning changes permitted under section 8. This is so, even though they are currently being utilized as ranches. Both the SMP and the Code advocate the protection of ranch and farm land.

It is our view that properties that are currently being actively ranched or farmed should not be manipulated by the County Planners to meet Section 1.15 Policy or Section 8 goals, but should be zoned as agricultural/Ranching land.

Section 8.6.1.1. (as it appears below) seems to meet the underlying requirements for zoning of these large tracts of ranch-land.

#### 8.6.1 Agricultural/Ranching (A/R)

8.6.1.1. Purpose. The purpose of the Agricultural/Ranching district is to designate areas suitable for agricultural, ranching and residential uses, and to **prevent encroachment of incompatible use and the premature conversion of agricultural and ranch lands to nonagricultural uses.** Uses in the A/R district are limited to agricultural, ranch, residential and other compatible uses. This designation reflects areas whose present use is agricultural, such as grazing or dry land farming. Density transfers and clustered development shall be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas."

The fact that they are partially situated within the SDA-1 area does not mean that they should be targeted for urban or industrial growth or that the County should encourage such growth. It is immediately apparent that changing the zoning of critically important portions of these ranches would, in fact decrease the viability of the ranches as a whole.

By zoning portions of these ranches as anything but ranch-land, the county is rising a thorny issue of how to assess the properties for tax purposes. If the properties are zoned "mixed use", commercial," or "industrial" , does that mean that they would lose their agricultural standing for tax purposes? It is clear that the only way that a ranch can be preserved as open space important to the character of a community, is for it to maintain its tax status as ranch-land. Once broken up for other uses, the remaining large sections cannot maintain this standing and they become to expensive to keep.

Once these properties are no longer ranched, the owners should request a re-zoning amendment as specified in Section 1.15 of the code, or apply for an overlay zoning change (section 8.11).

#### **Ranch Development as "DCI"**

Chapter 11 discusses "Developments of Countywide Impacts". DCIs have the potential for far-reaching effects on a community, would place major demands on public facilities, the County's capital improvement plan and budget, and have the potential to affect the environment, public health, safety, and welfare beyond the impacts on immediately neighboring properties. DCIs have the potential to create serious adverse noise, light, odor, vibration, explosive hazard, traffic congestion, and burdens to County emergency response services.

We would argue that any proposed development of ranch-land is implicitly a "DCI", as development carries with it the probable change to the visual character a a wide area. Development of portions of ranch-land also must be evaluated against the continued viability of ranching activities often miles away from the proposed development. The designation of DCI calls for a yet-to-be written section 11.2.3 "substantial land alteration". It is under this section that re-zoning" of current ranch land to other commercial uses ( including industrial,overlay zoning and high density "mixed use") must be placed.

Once a ranch is broken up, it' like Humpty Dumpty. You can never put it back together again

Therefore, Ranch and farm properties that are currently taxed as ranch/farm -property, should be initially zoned as Ag/Ranches. Attempts to rezone ranches should be treated as DCIs and the proposed zoning changes should be evaluated against possible impact criteria such as "impacts to tourism", impacts to visual sight-lines, impacts to environment, impact to agriculture as a whole, potential disruption of the larger community's life style, and affects on overall patterns of growth. These criteria would be identified in section 11.2.3. and evaluated by the Code's process.

**Why the County should not "pre-zone" large privately owned tracts for "for-profit" development.**

From our perspective, the County views the large properties to the South of the City of Santa Fe, as their "natural" growth corridor. The planners have very little interest in preserving these ranches and sees them as inevitably linked to urban expansion. They apparently do not wish to see that the gradual extension of urban zoning to existing roadways and infrastructure only serves to further fragment these ranches and erodes their vital scenic beauty. By "pre-zoning" large privately owned tracts for future "for-profit" development, they are knowledgeably destroying the ranching viability of these parcels. Nowhere else in the proposed zoning map do you find portions of an existing ranch split into high density or industrial portions.

By preserving the zoning of these ranches as Ag/Ranches, future developers must apply for changes to the underlying zoning. An application to change zoning requires considerable review. Section 1.15.6.2. lays out the approval process for applications requesting amendments to the zoning map and lists the arguments that must be made both for and against re-zoning. It is mirrored in Section 8.

While Section 1 makes clear that such provisions do not apply to changes instituted by the County itself, for all other applicants, Section 1.15.6.2.2 states "... Tracts, Parcels or lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive."

Section 1.15.6.2.3 states as follows:

"The Board shall consider the suitability or unsuitability of the tract, parcel, or lot for its use as presently zoned. This factor shall, however, be weighted in relation to proof of a clerical mistake in the text or map dimensions and uses of the zoning district, substantially changed conditions in the area surrounding the property, or to effectuate the important findings of section 1.15.7.2, and is supported by the goals, policies, and strategies of the SDLC, the SGMP, Area, District, and Community Plan."

Section 2.1.5. states as follows:

2.1.5.2. No amendment to the future land use maps of the SGMP, Area, District, or Community Plan, or the zoning map, involving a majority of the land within a single tract or parcel of land in the same ownership shall be adopted unless it is demonstrated that there has been a substantial change in the condition of the area surrounding the owner's property, or there was an error or mistake made in the adoption of the future land use or zoning map. An application to amend any plan described in this chapter shall be processed according to the procedures set forth in Chapter 4".

Re-zoning application, as directed in Table 4-1 of the Code, requires the applicant to conduct a TAC meeting, a pre-application meeting, and to provide studies and reports as directed. All of these requirements are designed to insure that proposed development of large ranch properties are not done out of context - a nibble here, a nibble there - until there isn't any ranch left. It is also designed to allow far greater public input and study. None of these safeguards are in place when County Planners "pre-zone" an area for development. While it is true that a developer would still have to submit a development plan, the location of the development within the context of the ranch has been pre-ordained by the County. This is why we suggested that re-zoning ranch-land be included as a DCI and made subject to broader evaluations, and why the sections of ranch-land that have been proposed as either "industrial" or "mixed use", be re-evaluated and placed in their more appropriate classification as "Ag/ranch".

We believe that It is far more valuable to the County to have a large property owner submit a preliminary development plan and a request for re-zoning for an entire Ranch property - not just a piece that has been placed out of context and "pre-zoned" by the County.

### **Community Plans and "for-profit" development**

We believe that High Density, Commercial, and Industrial Development applications that require a change in base zoning must be accompanied by either changes in an existing community plan overlay or the submission of a community plan in accordance with Section 1,8 and 9 of the Code. Incorporating such changes in base zoning defined within a community plan insures that the public interest as well as the developer's "interests" are served.

**Chrisann N. Romero**

---

**From:** Stephen Kirschenbaum <hacienda@rt66.com>  
**Sent:** Monday, May 26, 2014 2:15 PM  
**To:** Robert Griego  
**Subject:** Hacienda del Cerezo -- Proposed Zoning Map  
**Attachments:** BCC Approval 91493.pdf

Dear Mr. Griego;

I was told that you may have missed the Master Plan for this tract of land (app.336 acres). There were various other resolutions, etc., etc., but I believe you may be looking for the attached.

Vincente Archuleta is familiar with this.

Thank you,

Stephen Kirchenbaum

SFC CLERK RECORDED 06/27/2014

May 24, 2014

Ms. Penny Ellis-Green, Director  
Growth Management Department  
Santa Fe County  
102 Grant Avenue  
Santa Fe, New Mexico 87501  
[pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov)

Dear Director Ellis-Green:

My husband and I would like to add our voices to those of our neighbors who oppose the proposed re-zoning of 330 acres at the junction of SR 599 and Camino la Tierra.

Frankly, we cannot imagine what may be the motivation of our representatives in Santa Fe County government to put the plan forward, and to attempt to move it forward so quickly, as if to blindside anyone who may object. The plan in every way offends the interests of the residents who have elected and supported present Santa Fe County officials, and privileges the interests of a single developer who is a non-resident and who appears to have little concern for preserving the quality of life of the residents who live in areas near the SR 599 and Camino la Tierra junction.

Indeed, it seems that Santa Fe County officials are not properly taking into account the demographics of our neighborhood. I do not pretend to have special expertise, but it doesn't take a social scientist to see that most of our neighborhood is inhabited by people who did not select this area because it were conveniently close to a job. We came here because of the natural beauty, the quiet lifestyle, and the pleasing ways in which our sector adheres in terms of planning and architecture to the character of historical New Mexico. Who are the residents in our area? We are educated. We vote. We support local amenities, such as the Santa Fe Opera, Site Santa Fe, The Santa Fe Institute, and other arts, history, literary and research organizations and institutions that are remarkably fine for an area with a relatively small population. If our demographic is disrespected, we may leave and take all that we contribute to the larger Santa Fe area somewhere else. Why would we not? Consequently, whatever economic development might result from adopting the Mixed Use plan for our neighborhood may in fact create a larger economic loss for the greater Santa Fe community.

Further, your proposal would seem to be poorly timed. Recently, scientists involved in the study of global warming have predicted that our region is at risk for more frequent droughts, such as the one we have been experiencing these last three years. Consequently, "buffer" neighborhoods, such as ours, will become increasingly important in helping to sustain endangered creatures that are unable to obtain sustenance in the mountains over the dry winters. Perhaps you noticed this last winter the highly unusual influx from higher elevations of magnificent Steller's Jays into the semi-populated areas Santa Fe, where concerned birders provided food and water to see them through. For many years, birders in semi-rural areas have helped sustain New Mexico's cherished population of beautiful and fragile Western Bluebirds, which, like Steller's Jays, will not nest in densely urban areas. In any case, the dramatic increase in population density that would result from your plan would likely endanger the County's water resources for humans!

SFC CLERK RECORDED 06/27/2014

Your proposal also runs counter to the kind of planning that is taking place in other communities throughout the nation, where conscious efforts, and considerable money, is expended to preserve the quality of private areas of a community that contribute to the character or history the community. Despite the fact that our neighborhood is private, it is treated by the larger community almost as a public park. Bicyclists from all parts of the region flock here to take long rides, as singles and in large groups. No doubt, they come here to enjoy the gentle hills, good roads, relative absence of traffic, and the beautiful views, and we are happy to share our area with them.

Unfortunately, the beautiful landscape would likely disappear if your plan were enacted, since it would make our properties less valuable. If urban density develops next door, it would not be long before efforts to change homeowner's rules to allow greater density all over the region were organized. Residents would want to restore the value of their properties through subdivision, and our County Commissioners would hardly be in a position to refuse permission to make that sort of change.

Perhaps the better route would be to find a compromise solution. The 330 acres at the SR 599-Camino la Tierra junction could be developed as a public park, with just a few structural amenities allowed.

My husband and I will be in attendance at the meeting on May 28<sup>th</sup>. We hope that our County representatives will be prepared to explain the advantages of their plan. It is difficult for us to see the benefits of a plan that would hurt many residents only to enrich an individual who does not live in our community and who seems to have no feeling for the qualities that make living in the Santa Fe area so special.

Sincerely,

Libby Lumpkin and Dave Hickey  
44 W. Wildflower Drive  
Santa Fe, NM 87506

Cc: Mr. Robert Griego, Senior Planner; Mr. Tony Flores, Assistant County Manager



LEAGUE OF WOMEN VOTERS®  
OF SANTA FE COUNTY

May 27, 2014

Board of County Commissioners  
Santa Fe County Administration Building  
P.O. Box 126  
Santa Fe, NM 87504-2706

Dear Commissioners:

The League supported adoption of both the Sustainable Growth Management Plan and the Sustainable Land Development Plan. We advocated for a strong code and opposed numerous proposed changes that would have weakened it.

We now urge you to finalize approval of the zoning map so that the code will go into effect. We understand that a vote is tentatively scheduled for June 25; we ask that the zoning map approval process not be extended beyond that date. Until the map is approved and the code takes effect, residents, business owners, and developers will continue to be uncertain as to the governing rules and regulations.

The zoning map is of course a complex document; it is highly doubtful that such a map could ever satisfy every county resident. However, the county has followed and is following an open and democratic process, taking into account public opinion, in drawing the map. At this point, we believe it is time to put the map and code in place, knowing that both may need to be modified over time.

We understand that technical changes to the SLDC are also under consideration. We urge you to finalize these changes, without weakening the code, within the same time frame as the zoning map.

Until the code is adopted and the zoning map approved, residents of Santa Fe County will not benefit from a consistent, up-to-date package of land development procedures and standards that support the sustainable growth management plan.

We again want to express our thanks to the board and to all county staff members who have been involved in development of the plan, code and map over the last few years. This has been a lengthy process that you have conducted professionally and with careful attention to the views of the public.

Sincerely,

A handwritten signature in cursive script that reads "Christine Furlanetto".

Christine Furlanetto, LWVSFCAction & Advocacy Chair

cc: Katherine Miller, County Manager  
Penny Ellis-Green, Director, Growth Management / Land Use  
Robert Griego, Planning Manager

**Robert Griego**

**From:** Penny Ellis-Green  
**Sent:** Thursday, May 22, 2014 2:04 PM  
**To:** Robert Griego  
**Subject:** Fwd: SANTA FE COUNTY HORSE COALITION

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** Fwd: SANTA FE COUNTY HORSE COALITION  
**From:** "Tony T. Flores" <[tflores@co.santa-fe.nm.us](mailto:tflores@co.santa-fe.nm.us)>  
**To:** Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>, Robert Griego <[rgriego@co.santa-fe.nm.us](mailto:rgriego@co.santa-fe.nm.us)>  
**CC:** "Erik H. Aaboe" <[eaaboe@co.santa-fe.nm.us](mailto:eaaboe@co.santa-fe.nm.us)>, Katherine Miller <[kmiller@co.santa-fe.nm.us](mailto:kmiller@co.santa-fe.nm.us)>, "Christopher M. Barela" <[cmbarela@co.santa-fe.nm.us](mailto:cmbarela@co.santa-fe.nm.us)>

FYI..

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** FW: SANTA FE COUNTY HORSE COALITION  
**From:** "Christopher M. Barela" <[cmbarela@co.santa-fe.nm.us](mailto:cmbarela@co.santa-fe.nm.us)>  
**To:** "Tony T. Flores" <[tflores@co.santa-fe.nm.us](mailto:tflores@co.santa-fe.nm.us)>  
**CC:**

T., FYI

---

**From:** Cyndi Bishop [<mailto:cyndi@lapuertaoriginals.com>]  
**Sent:** Thursday, May 22, 2014 10:04 AM  
**To:** Daniel Mayfield; Miguel Chavez; Robert A. Anaya; Kathy S. Holian; Liz Stefanics; Melissa S. Holmes; Christopher M. Barela; Tina Salazar; [santafecountyhorsecoalition@gmail.com](mailto:santafecountyhorsecoalition@gmail.com)  
**Subject:** SANTA FE COUNTY HORSE COALITION

Dear Commissioners,

My name is Cyndi Bishop. I have owned horses/lived in Santa Fe County for 14 years. Horses are important to me. It also generates a lot of revenue not only for Santa Fe County but for the entire state.

- I support the SANTA FE COUNTY HORSE COALITION.
- I support the changes to the SLDC use table as presented on December 3rd.

· Imposing greater restrictions on Commercial horse operations HURTS individual horse owners. Commercial horse operations are an ASSET to our community.

- If an Amendment Vote on the horse issue is planned after the vote on the Code December 10, I would urge you to keep the Code as presented at the public meeting on December 3.

I URGE YOU TO PRESERVE AND PROTECT THE RURAL TRADITION IN THIS COUNTY. HORSES ARE AN IMPORTANT PART OF THE TRADITION.

REC  
CLERK  
RECORDED  
06/27/2014

Thank you for your consideration,

Cyndi Bishop

*Cyndi Bishop*

*Purchasing / Hardware Manager/  
and OSHA Safety Coordinator*

La Puerta Originals, Inc.

Ph. 505-984-8164

Fax 505-986-5049 OR 986-5838

[cyndi@lapuertaoriginals.com](mailto:cyndi@lapuertaoriginals.com)

**Robert Griego**

**From:** Penny Ellis-Green  
**Sent:** Thursday, May 22, 2014 2:04 PM  
**To:** Robert Griego  
**Subject:** Fwd: Proposed changes in zoning from residential to mixed use of parcels off of 599 and south side of Camino la Tierra.

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** Proposed changes in zoning from residential to mixed use of parcels off of 599 and south side of Camino la Tierra.

**From:** Roberta Isgreen <[risgreen@vom.com](mailto:risgreen@vom.com)>  
**To:** Miguel Chavez <[mchavez@co.santa-fe.nm.us](mailto:mchavez@co.santa-fe.nm.us)>  
**CC:** Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>

Dear County Commissioner Chavez:

It has come to our attention the proposed changes from residential to mixed use for the above parcels of land. The residents of Camino de la Tierra strongly oppose these changes as it would increase traffic and congestion, GREATLY IMPACT shortages in water available and destroy natural habitat and green space. These areas are zoned residential and should stay that way.

There are many areas within the county that are already zoned for mixed use and have less water issues. These areas should be used if it is necessary to develop housing and commercial development.

We are hopeful that the commission will agree with us and keep the residential zoning in place.

Thank you for your consideration.

Roberta Isgreen  
Cammino de la Tierra resident

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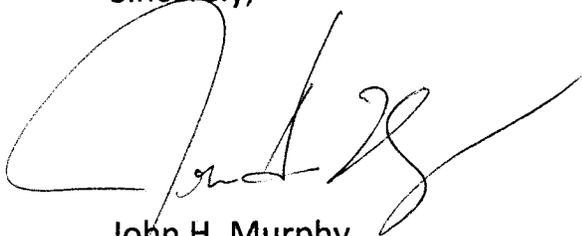
*13 Rising Moon*  
*Santa Fe, NM 87506*

Mr. Miguel Chavez  
Santa Fe County Commissioner  
P.O. Box 276  
Santa Fe, NM 87504-0276

Dear Commissioner:

We support "Mixed Use" zoning for the 44 acre parcel in Las Campanas.

Sincerely,



John H. Murphy



Marte M. Murphy

Cc: Penny Ellis-Green, Director of Growth Management

JANET SILVERMAN & ANDREAS TOBLER  
6 BLACK MESA  
SANTA FE, NM 87506

May 23, 2014

County Commissioner Miguel Chavez  
Santa Fe County Board of Commissioners  
P.O Box 276  
Santa Fe, NM 87504-0276

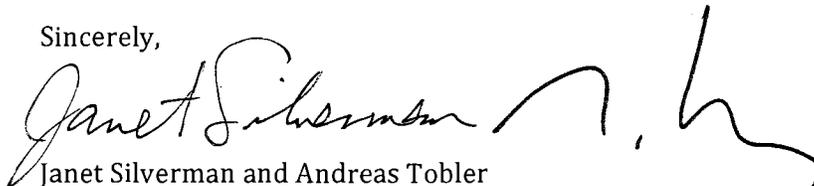
RE: Opposition to proposed re-zoning of Parcel #980001322  
to Mixed Use classification

Dear Mr. Chavez:

We are writing to you to express our strong opposition to the proposed re-zoning of a 44-acre parcel of land adjacent to our neighborhood to Mixed Use (see above description, the "Parcel"). We specifically built our home in our current location because we value a low-density, quiet neighborhood with manageable levels of traffic, noise and light. In our opinion, the proposed re-zoning of the Parcel would eliminate all of these advantages to our property, the Las Campanas development and many surrounding communities, making this area significantly less attractive for all residents of Las Campanas and the surrounding communities. If the proposed re-zoning is approved, we will seriously consider moving from our current location and, in particular, leaving Santa Fe as we feel that an approval of the proposed re-zoning would call into question Santa Fe's overall zoning policies.

The proposed re-zoning is inconsistent with the nature of the surrounding properties/developments and would severely and negatively affect this large residential area - bringing the potential for high-density development, excessive traffic, light and noise pollution, among other negatives. **We urge the Board of County Commissioners to deny the proposed change to Mixed Use classification.**

Sincerely,

  
Janet Silverman and Andreas Tobler

cc: Penny Ellis-Green  
Director of Growth Management, Santa Fe County

SFC CLERK RECORDED 06/27/2014

May 27, 2014

Miguel Chavez  
Santa Fe County Commissioner  
PO Box 276  
Santa Fe NM 87504-0276

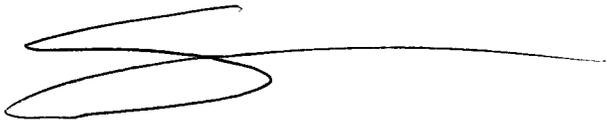
Dear Mr. Chavez:

I write to ask you to **oppose** any plans to rezone the 44-acre parcel of land in the middle of Las Campanas owned by Cienda Partners from its current residential designation.

This land should remain residentially zoned and not be rezoned as "mixed-use." If rezoned to the latter the possibility would then exist to build in a manner that would destroy a way of life for hundreds of current residents, and pose unacceptable risks to the land and physical environment.

As our representative I trust that you will act to deny any change in zoning from residential to mixed use.

With thanks,



Spider Kedelsky  
273 Headquarters Trail  
Santa Fe, NM 87506

Joan Zegree  
273 Headquarters Trail  
Santa Fe, NM 87506

Mr. Miguel Chavez  
Santa Fe County Commissioner  
PO Box 276  
Santa Fe NM 87504-0276

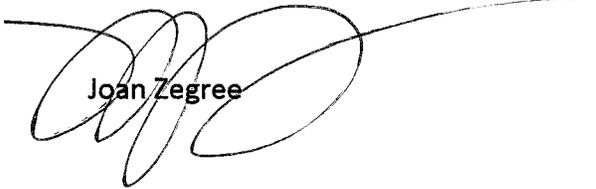
Dear Mr. Chavez:

May 27, 2014

Please oppose the intense development in the middle of Las Companas by Cienda Partners or any others who seek to rezone to *mixed-use*. I ask you to use your entire authority to protect the rural, residential character of this area.

As a property owner (as well as hundreds of others) who chose to live in the rural environment of Santa Fe Country, I ask for your strong opposition to the development of this 44-acre parcel which would forever destroy the physical and biological environment.

Respectfully and with thanks,

  
Joan Zegree

cc Penny Ellis-Green

Santa Fe County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87504-0276

May 24, 2014

Subj: Opposition to Re-zoning Request for Parcel #980001322

Dear Commissioner Chavez:

The purpose of this letter is to express our strong opposition to the request by Las Campanas Land Holdings, LLC, to re-zone a 44-acre parcel (Parcel #980001322) which is on the South side of Camino la Tierra. We are property owners in Las Campanas Estates II and our property is adjacent to the subject property.

We are very concerned that a change from the current Residential zoning to a Mixed-Use zoning would result in a significant negative impact on the homeowners and neighborhoods and result in a serious degradation of our property values. The Mixed-Use zoning would allow up to 20 residential units per acre as compared to the current residential zoning of 1 residence per 2.5 acres. As importantly, it would allow building heights of up to 48 feet (4 stories) negatively impacting the visual landscape from every direction.

We have engaged an attorney to challenge the proposed zoning change on behalf of homeowners in Las Campanas Estates I and II, as well as homeowners along Arroyo Calabasas who are strongly opposed to this change. According to his review and discussions with County Planning Staff and the assistant County Attorney, this property is currently zoned as Residential and the zoning has not been changed. We understand that there was an attempt to re-zone this to commercial zoning previously but was not changed due to property owner intervention. In addition, the newly proposed County zoning map is required to show the current zoning of the property but in this case; the zoning for the 44-acre parcel is incorrectly shown as Mixed-Use, based solely on the request for re-zoning by the developer.

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We request that the Commission reject the re-zoning request and certify that this 44-acre parcel is zoned as Residential in accordance with the existing zoning provisions.

We thank you for your consideration of our request.



Joe F. Colvin

24 Paintbrush Circle

Santa Fe, NM 87506

C: Penny Ellis-Green, Director of Growth Management

Raffaèle & Mariella Alfidi

From Mariella Boller-Alfidi

81 Celle Ventoso W.

I live at Les Campans  
lot 858 Estate 7  
since y. 2006.

I am opposed to a project  
of these magnitude with  
mixed use classification  
that would significant alter  
Les Campans -

Best regards

Mariella Alfidi-Boller

May 22, 2014

Miguel Chavez  
Count Commissioner  
P.O. Box 276  
Santa Fe NM 87504-0276

Sir:

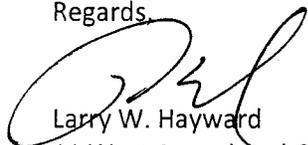
This is to inform you of my objection to rezoning parcel #980001322 to Mixed Use classification.

Not only would this destroy the very nature of the area, it would create traffic congestion in an area (Camino La Tierra) not equipped to handle such a change.

Building height allowances of four stories would be, quite honestly, a travesty for the pristine beauty of the area, as well as population density issues with the current ingress and egress for the parcel.

Although the current owner has specified a building plan, he cannot assure anyone with certainty that he will develop the site as such or that he will not sell it to a third party, after the zoning has been changed.

Regards,

  
Larry W. Hayward  
11 West Arrowhead Circle  
Santa Fe NM 87506  
505-466-2140

Cc: Penny Ellis-Green

SFC CLERK RECORDED 06/27/2014

May 24, 2014

Miguel Chavez  
County Commissioner  
PO Box 276  
Santa Fe, NM 87504-0276

Dear Mr. Chavez:

I am writing a letter of STRONG objection to the proposed change of zoning for the 44-acre parcel of land (#980001322) abutting Arroyo Calabasas and Camino La Tierra. This change, from residential to mixed use, has been requested by the owners, currently Las Campanas Land Holdings, LLC. The first objection relates to the fact that we are in drought conditions, water is at a premium (if not in dwindling supply) and it is irresponsible to encourage any development particularly that which would increase density. Secondly, this is a semi-rural area, which people value and any increase in density is against the neighborhood values as well as, possibly, land values. Thirdly, that particular location involves the volunteer fire department and a road, which is dirt and a dead end - a dangerous place to increase density and which would adversely affect both the ingress and egress of those living in the area. Las Campanas is a rich and powerful player in Santa Fe politics and I hope the county will not succumb to their enticements of care for the elderly, etc. Thank you for the opportunity to share this view.

Sincerely,



Inez Ingle  
56 Cammino Dos Perros  
Santa Fe, NM 87506

Cc - Penny Ellis-Green  
Director, Growth Management

Kathleen Wise  
114 Thundercloud Road  
Santa Fe, NM 87506  
505.780.8927  
May 21, 2014

County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87504-0276

RE: Parcel #980001322

Dear Commissioner,

I am writing to voice my objection to the potential rezoning of Parcel #980001322 to a mixed use classification.

That zoning classification is not compatible with the surrounding single story residential neighborhoods.

I don't object to the commercial uses already in the neighborhood but multi-story commercial buildings in this semi-rural residential neighborhood would not be appropriate.

Thank you.



Kathleen Wise

SFC CLERK RECORDED 06/27/2014

Tom Wise  
114 Thundercloud Road  
Santa Fe, NM 87506  
505.780.8927  
May 21, 2014

County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87504-0276

RE: Parcel #980001322

Dear Commissioner,

I am writing to voice my objection to the potential rezoning of Parcel #980001322 to a mixed use classification.

That zoning classification is entirely inconsistent with the single story residential neighborhoods that surround this parcel.

The fact that there are commercial uses already in the neighborhood is pushing the acceptable uses as it is but to allow the possibility of multi-story commercial buildings is simply unacceptable in this semi-rural residential neighborhood.

Thank you for your attention to this matter.



Tom Wise

S F C C L E R K R E C O R D E D 0 6 / 2 7 / 2 0 1 4

*Joseph A. & Leta L. Regezi  
5 Arriba Circle  
Santa Fe, New Mexico  
505-983-6374  
Regezi@comcast.net*

May 17, 2014

Miguel Chavez, County Commissioner  
PO Box 276  
Santa Fe, NM 87504-0276

Penny Ellis-Green, Director, Growth Management County of Santa Fe  
PO Box 276  
Santa Fe, NM 87504-0276

Dear Mr. Chavez and Ms. Ellis-Green:

It has come to our attention that the current owner of a 44 acre parcel of land on Camino La Tierra, owned by Las Campanas Land Holdings, LLC, requested the County of Santa Fe to change the zoning for this parcel (Parcel #980001322) to Mixed Use classification. It is our understanding that Mixed Use allows for compact dense development of residential homes (up to 20 residential units per acre and for this parcel, up to 880 residential units) and some commercial uses with a building height of up to 4 stories.

It is our hope that you would consider denying this request for a number of reasons, the most important of which follow.

1. The housing density of the Mixed Use is in conflict with the surrounding area, making the possibilities particularly incongruous and unaesthetic.
2. Any commercial building of greater than one story would also be out of place in this location.
3. Most importantly, there are no assurances that the current owners would construct buildings that fit with the local environment. Also, there are no assurances that the current owners would not sell the parcel to another group who would be free to develop as they saw fit.

Please give this due consideration as the surrounding neighborhood could be adversely affected. Thank you.

Sincerely,


Joseph & Leta Regezi

Mark and Jennifer Withrow  
38 Blue Jay Drive  
Santa Fe, NM 87506

May 19, 2014

Penny Ellis-Green, Growth Management Administrator  
Robert Griego, Planning Division Manager  
Santa Fe County Growth Management Department  
102 Grant Avenue  
Santa Fe, NM 87504

RE: Proposed zoning of 330 acres of land at the intersection of Camino La Tierra and SR 599 as a mixed use district ("MUD").

Ms. Ellis-Green and Mr. Griego:

We are homeowners in the Tierro Del Oro subdivision immediately adjacent to the newly proposed MUD. A MUD represents a significant increase in population density and a substantial decrease in open space. We object to the currently proposed zoning changes and would like to share our concerns with you.

Having taken the time to review the materials provided by the City of Santa Fe ("City") and conferring with my fellow neighbors, my understanding is that the county is proposing to zone 330 acres of land ("Property") at the intersection of Camino La Tierra and SR 599 as a MUD. Specifically:

- North of SR 599, the proposed MUD bridges Camino La Tierra and runs up to the arroyo at the bottom of the hill immediately below Tierra Del Oro. East to west, it stretches from the city/county line and continues along the on-ramp to SR 599-South. The entire eastern boundary is part of the western boundary of the City's La Tierra trails area.
- South of SR 599, the MUD would include the finger of land falling between the on-ramp to SR 599-North and Buckman Road.

A MUD requires "residential uses and allows commercial, retail, recreational, community and employment uses". MUD's also require lighted walkways, lighted streets and lighted parking lots.

There are several reasons we believe a MUD located at the intersection of Camino La Tierra and SR 599 is incompatible with Tierra Del Oro and the surrounding area:

Incompatible with Surrounding Area

Most apparent, the MUD is incompatible with the rural (non-urban) life style we chose when we invested in our home. Moreover, it is incompatible with the proposed zoning (and existing use) of the Property, namely residential homes on 2.5 acres.

While we support the right of landowners to develop their property the way they believe will most enhance the value of that property, we believe it is the responsibility of government to ensure one

SFC CLERK RECORDED 06/27/2014

landowner's right to develop his property does not come at the expense of the owners of surrounding properties.

In sum, the proposed zoning of the intersection of Camino La Tierra and SR 599 appears to be incompatible with existing uses and solely for the benefit of a single non-resident investment entity, Santa Fe 330 Investments, LLC.

Incompatible with Existing Growth Management Plan

The proposed MUD is incompatible with previous written planning documents developed by Santa Fe County ("County"). For example, under the 2010 Santa Fe Sustainable Growth Management Plan ("SGMP"), the County expressed a goal of "ensuring compatibility" by providing "predictability and security by protecting property values and public and private investments in property values." According to the SGMP, "Ensuring compatibility" requires consideration of the availability of adequate facilities to serve the proposed use, such as studies, reports and assessments on environmental impact, traffic, adequate public facilities, fiscal impact, water availability and quality, plan consistency and protection of residential areas through open space and buffering site design.

To our knowledge, no such consideration has been given in connection with the proposed MUD. If such an analysis had been undertaken it would have noted, in particular, the area around the proposed MUD is rural with minimal artificial lighting. If it is zoned a MUD, the dark skies will be obliterated by required lighting for walkways, streets, parking lots and security. We are, likewise, unaware of any studies examining water use, sewage and waste disposal.

Had such analysis been undertaken, we believe the proposed zoning changes would have included requirements for any development to minimize its light and other types of pollution. For example, in the area of light pollution, mandating the use low-sodium lights in the MUD, much as Hawaii has done could address such an issue. Likewise, the zoning requirements would include provisions to protect against excessive water use and minimize the environmental damage of development by imposing energy efficiency requirements. The absence of any such meaningful limitations in connection with the proposed re-zoning of the Property owned by a single commercial land owner is indicative of a failure to follow the SGMP.

Similarly, had the analysis under the SGMP been undertaken, we believe it would have revealed the proposed zoning does not protect property values, but leaves the County one step closer to a senseless patchwork of residential and commercial developments, causing property values to decline.

Incompatible with Existing Recreational Area

The proposed zoning changes also interfere with use of the Property as a developing recreational area, and the community's ability to capitalize on outdoor activities such as mountain biking as a way to attract economic development to the City. Old, well-used trails provide popular access for all County residents using La Tierra Trails because they link the area behind the mailboxes at the base of the hill below Wildflower Drive to trail markers 16 and 18 on the La Tierra Trails.

In addition, a fragile habitat of Arroyo Frijoles will suffer, as will the remnants of the historic "Chili Line" railroad.

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This is yet another objection that might have been addressed had the proper analysis been performed under the SGMP. By way of example, zoning requirements could limit development within the MUD to avoid impacting or distracting from the natural resources of the area by limiting density through parking restrictions and the like.

Incompatible with Resident Safety

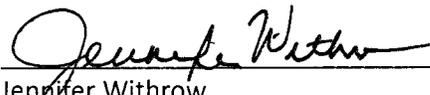
The proposed zoning would transform the Camino La Tierra/SR 599 interchange from an intersection, designed to ensure the safety of those living near it and to its north and west to a commercial destination. Calle Nopal will become an access road to SR 599 and the new commercial hub the MUD will create. This poses a direct safety hazard to countless members of the community.

At a minimum, the zoning requirements should force the developer to bear the cost of a multitude of road and signal improvements needed to address resident safety as opposed to pressing those costs on taxpayers.

For these reasons, and countless others, we are urging the County to strongly reconsider the efforts to rezone the Property. At a minimum, the County needs to meaningfully overhaul the proposed changes in a way that minimizes the impact of the development of a MUD within a presently rural area consistent with the SGMP, the existing recreational uses and resident safety.

Sincerely,

  
\_\_\_\_\_  
Mark Withrow

  
\_\_\_\_\_  
Jennifer Withrow

SEC CLERK RECORDED 06/27/2014

May 22, 2014

To: Penny Ellis- Green, Director, Growth Management Dept, Santa Fe County

Subject: Proposed Rezoning of Parcels #990003348 and #990003350 to Mixed Use Zoning

Dear Ms. Green:

This is to protest the proposal to rezone from Residential Estates zoning to Mixed Use zoning, the parcels of land on either side of Camino la Tierra, (#990003348 and #990003350), between Santa Fe Relief Route 599 and the Tierra de Oro community.

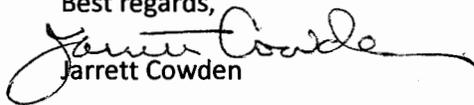
My wife and I are full time residents at 28 Thistle Lane in Tierra de Oro where we have resided since 2007. Our property is immediately adjacent to the property under consideration for rezoning. Prior to purchasing our property at 28 Thistle Lane our realtor informed us that the 330 acres now being considered for rezoning was zoned for Residential Estates, the same zoning as the property we were considering buying. With this understanding we purchased the property where we now reside in retirement.

The proposed Mixed Use zoning of the subject property and its potential high density residential and commercial use is not at all compatible with the adjacent Tierra de Oro community. The proposed rezoning would result in significant loss of value in the property of ours and our neighbors, and would seriously impact the low density semi-rural environment we enjoy. We purchased our property based on the knowledge that the adjacent property would someday have residential development similar to ours. A significant part of our life savings were spent on our property and the proposed rezoning would damage us severely as well as change the nature of the area where we reside.

Ms. Green, on April 22, 2014, I met with you at the public comment meeting at the Nancy Rodriguez Community Center. Your comments led me to believe the rezoning proposal was based on information that was incomplete at that time. This was concerning.

As full time voting residents of Santa Fe County we ask that this rezoning proposal be cancelled and that the zoning of the subject property remain Residential Estates, in keeping with and compatible with the existing zoning of surrounding property. Thank you for your help on this matter.

Best regards,

  
Jarrett Cowden

SFC CLERK RECORDED 06/27/2014

**Noreen J. Quan**

7 North Sparrow Lane . Santa Fe, NM 87506 . 505-820-0817  
noreen.quan@gmail.com

May 22, 2014

Ms. Penny Ellis-Green, Director  
Growth Management Department  
Santa Fe County  
102 Grant Avenue  
Santa Fe, New Mexico 87501

Re: Proposed Zoning for 330 Acres, aka Santa Fe Center

Dear Ms. Ellis-Green:

My letter is very personal, as this is a very personal matter to me.

I moved here ten years ago and have been a resident of Tierra de Oro, a community northwest of the proposed zoning map (Ordinance 2013-6). I am writing to oppose the **Mixed Use** rezoning from **Residential Estate** currently under consideration.

My late husband and I purchased this property because it is quiet, has low-density population, open space, virtually no light pollution, and minimal traffic. Changing the zoning to Mixed Use is inappropriate to the adjacent communities, particularly Tierra de Oro, as we are nearest the 330 acres.

Also its historical value should be considered:

**Chili Line** (from Wikipedia):

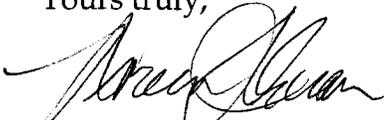
Just north of Santa Fe's Union Station the line began street running Guadalupe Street<sup>[4]</sup><sup>50,110</sup> before crossing a trestle over the Santa Fe River and entering the line's servicing facilities near the original depot. The railroad then crossed another trestle as it meandered through Santa Fe.<sup>[4]</sup><sup>112,113</sup> The tracks then followed the right-of-way of Rio Grande Boulevard to a crest above the northwestern part of the city.<sup>[7]</sup> A 22-mile (35 km) two percent grade to a townsite at Buckman along the edge of the Caja del Rio where a bridge crossed the Rio Grande, providing access to the Jemez Mountains.<sup>[4]</sup><sup>116</sup> Today's Old Buckman Road roughly traces this part of the Chili Line and remnants of its grade are still visible.<sup>[7]</sup> From Buckman, the line closely follows the easy grades of the Rio Grande north towards Embudo, crossing the river at Otowi and passing through Santa Clara and Española.<sup>[1]</sup><sup>[4]</sup><sup>118</sup> From Embudo the line began its most steep (4%) and twisting climb through the Rio Grande Gorge to Barranca where alternating but

steady 1% grades led the line away from the Rio Grande towards Antonito and Alamosa.[4] :117-118. "

I am a retiree and rearranged for refinancing only last year. Market conditions depreciated my property, and the appraisal was 85% of the value compared to 2009. A huge shock! I cannot withstand another depreciation due to this proposed rezoning. Also, how it affects our water resources has not been addressed.

I appreciate your consideration of my comments in opposition to the proposed rezoning.

Yours truly,



Noreen J. Quan

c: Ms. Katherine Miller, County Manager  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87501

Mr. Tony Flores, Assistant County Manager  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87501

Mr. Robert Griego, Senior Planner  
Planning Department  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87501

SFC CLERK RECORDED 06/27/2014

Charles Iarrobino  
4 Thistle Lane  
Santa Fe, NM 87506  
(505) 992-864  
May 20, 2014

— Penny Ellis-Green, Growth Management Administrator  
Robert Griego, Planning Division Manager  
Santa Fe County Growth Management Department  
102 Grant Avenue  
Santa Fe, NM 87504

Dear Ms. Ellis-Green and Mr. Griego:

I feel the need to write to you regarding my opposition to the proposed zoning change to the area of the intersection of SR 599 and Camino La Tierra; a change that would benefit one wealthy landowner at the expense of the many property owners in the vicinity of the proposed change. Also impacted would be people from many parts of the county and the city who regularly come to the area for hiking, biking – a quality of life resource within reach of everyone in the area.

I've been a member of the Santa Fe community for 33 years and when, in 2006 Melissa Zriny and I were looking for a home, we knew we need look no further when we entered the house that is now our home in Tierra de Oro – overlooking Camino La Tierra. The area charmed us immediately with its mix of rural feel and landscape and the easy access to the city.

This area is a place of quiet refuge for everyone who lives here and we take pride in our surroundings, our nighttime skies free of light pollution, and the simple pleasures of living an indoor/outdoor daily life. Almost daily my main form of exercise begins by walking along the remains of the old Chile Line, which runs through our property and leads me to the network of walking/biking trails that criss-cross the adjacent open land. As full-time, working residents, we garden, we tend our land and we treasure this piece of the countryside that we have worked to make our own.

It has come as such a shock to hear that a zoning change is being considered that would bring a mixed-use district to our doorstep. Financially, the calamitous hit to local property values would, in a very real way, doom our hopes and dreams for the future. On a daily basis, the quality of our lives – the

very reasons we had for making our home here – would be assaulted by eyesores, trash, unwanted noise, traffic congestion and nighttime light pollution, all of which would be permanently detrimental to the area.

Quite simply, there is no need for a mixed-use district here. There are no *good* reasons to do it, and only *bad* things would come from it. Where will the water come from for retail businesses and zoning that promotes greater population density?

From what I understand, the proponent for the MUD designation is Scottsdale Arizona's Lyle Anderson, on behalf of his "SF 330 Investments, LLC. Undoubtedly, Mr. Anderson wields some influence – anyone with riches and connections has that ability. A change that benefits one person in Arizona, while harming, directly or indirectly, hundreds if not thousands of city and county residents, including Mr. Anderson's own Las Campanas homeowners is not a change for the better.

Thank your time and consideration,



Charles A. Iarrobino

SFC CLERK RECORDED 06/27/2014



**RANCHO SAN MARCOS**  
**HOMEOWNERS ASSOCIATION, INC.**  
**SANTA FE, NEW MEXICO**



William Scruggs, President (505-424-3127)  
 Daniel Lopez, Vice President (505) 500-5155)  
 Stefan Kosicki, Secretary (505-474-5395)  
 Jerry Rogers, Member (505-955-1727)  
 Wendy Jacobs, Member (505-424-9155)  
 Patricia Phylfe, Treasurer (505)438-3114)

**TO:** Santa Fe County Growth Management Department  
 102 Grant Avenue  
 Santa Fe, New Mexico, 87501

**Attn:** Director; Penny Ellis Green

**From:** William M. Scruggs, Ph.D.  
 President, Rancho San Marcos Homeowners Association  
 214 Calle Galisteo, Santa, NM 87508

**Subject: Comment on the Proposed Zoning Map:  
 Ordinance 2013-6 Sustainable Land Development Code**

Homeowners Association overview of the proposed changes: Rancho San Marcos is a gated community composed of over 90 lots, all of which have been sold by the developer and the majority of which have homes already built on them. The area is zoned Rural-Residential with lot sizes in the 12 to 20 acre range but some lots are over 40 acres. Many of the owners keep horses on their properties. Our subdivision also has protective covenants which preserve the scenic nature and culture of the area. The rural tranquil and pastoral nature of the neighborhood is what has drawn all of our landowners to own and live here. This also seems to be true of most of the families that live along the Turquoise Trail Highway south of the prison complex. At present the land surrounding our subdivision is zoned Rural-Fringe which has added greatly to the ambiance and appeal of the area south of the prison complex and attracted families to our area and those areas further south.

The proposed zoning change from Rural-Fringe to Mixed Use for the large block of land stretching south from the prisons to the north edge of Rancho San Marcos and the Turquoise Trail Charter School would forever alter the residential atmosphere which so many families have found appealing. Mixed Use zoning would allow for high density housing as well as businesses and light industrial all of which would bring noise and congestion as well as light and other forms of pollution to the area and destroy much of the scenic view along the Turquoise Trail and from the residential properties of the current landowners. All of these conditions are incompatible with the current use and such a change would certainly have a detrimental effect on the current property values and a depressing effect on future property sales of parcels adjacent to the proposed rezone area.

Further, the proposed Mixed Use zoning of such a large block of land could open the door for indiscriminate, unplanned and uncontrolled building on any part of the property further

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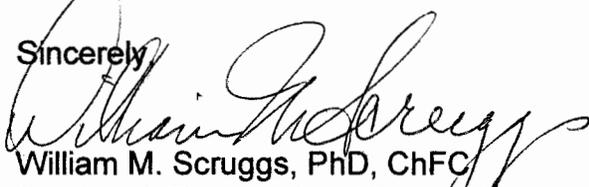
devaluing other parts of this rezoned property to the detriment of further development of the rezoned area.

It seems only natural that the county would wish to preserve the present nature of the area to encourage continued rural residential growth compatible with what is present in the area now. If the county feels that Rural Fringe and all of the associated benefits to current area landowners have to be destroyed, better options might be for Residential Estate or Planned Development zoning.

In short, there seems to be very little incentive for the proposed Mixed Use zoning except possibly to enrich a few select developers at the expense of all the hundreds of landowners currently enjoying the rural nature of the area.

Thank you in advance for giving your consideration to our thoughts and our investment in this area

Sincerely,



William M. Scruggs, PhD, ChFC  
President, Rancho San Marcos Homeowners Association, Inc.  
On behalf of all of its owners

SFC CLERK RECORDED 06/27/2014

May 27, 2014

County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87504-0276

RE: Mixed Use Classification of Parcel #980001322

Dear Mr. Chavez,

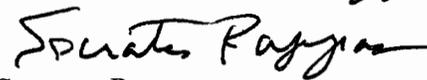
We are writing a letter of objection to the use of Mixed Use Classification for the Parcel #980001322. It is our opinion that the development of these 44 acres for the use stated by Las Campanas Land Holding, LLC will severely and negatively impact the surrounding area.

To allow a change such as that requested would further impact future growth in the entire county as future prospective property owners would fear further commercial intrusion into residential areas. To allow the mixed use change would be a detriment to the area and the county at large. Just when home values are beginning to rise, to allow this change would frankly ruin much of the area's home growth and land value. A four-story development as proposed would be detrimental and any subsequent buyer could build an even larger, taller structure.

Of particular concern is the statement that, "The current owner cannot, however, assure anyone with certainty that it will develop the site as such or that it will not sell it to a third party who might have other plans." To allow this Mixed Usage classification to proceed would essentially remove any limits to large site development. Large site development and Mixed Usage classifications do not meet the expectations of homeowners in Las Campanas or the surrounding residential areas.

Sincerely,

  
Retha Rae Hoffacker

  
Socrates Pappas

9 Calle Ojitos  
Santa Fe, NM 87506

CC: Penny Ellis-Green, Director, Growth Management, County of Santa Fe

SFC CLERK RECORDED 06/27/2014

Penny Ellis-Green  
Growth Management Department Director  
Santa Fe County  
102 Grant Avenue  
P.O. Box 276  
Santa Fe, NM 87504-0276

May 24, 2014

Dear Ms. Ellis-Green:

I live in Tierra de Oro. I have lived here for 30 plus years. Many of my friends asked me, Why would I move so far away from town? The answer then and still is:

- \_\_\_\_\_ Open Space
- \_\_\_\_\_ View of the mountains
- \_\_\_\_\_ Walking Trails
- \_\_\_\_\_ Low Levels of light and vehicle pollution

I wish for this kind of environment for all residents who desire these things. Changing the zoning of this area will impact all of the things that I moved here to enjoy. There are very few places around Santa Fe that people in my income bracket could afford to live and enjoy all of the things that I mentioned.

Please do not change this area to a Mixed Use District which would destroy a very beautiful and peaceful residential community.

Thank you for your consideration.

  
Carolyn Bleakley  
6 Blue Jay Drive  
Santa Fe, NM 87506

SFC CLERK RECORDED 06/27/2014

J. NICOLL DURRIE  
SANDRA G. DURRIE  
6 Clove Court  
Santa Fe, NM 87506

May 26, 2014

Mr. Miguel Chavez  
Santa Fe County Commissioner

✓ Ms. Penny Ellis-Green  
Director for Growth Management for Santa Fe County

Dear Commissioner Chavez and Ms. Ellis-Green

We are writing to you to state our strong opposition to the proposed re-zoning of a 44-acre tract of land owned by Las Campanas Land Holdings, LLC. (a unit of Cienda Partners) on the south side of Camino la Tierra just to the West of the Arroyo Vino restaurant. We believe that the parcel number is 980001322.

Currently this parcel of land is zoned Residential for one residence per 2.5 acres, which means that 20 residences could be built on these 44 acres, in keeping with most of the other residential lots in the nearby communities (Las Campanas, Salva Tierra, Los Suenos, La Tierra, Tierra de Oro, Vallecito de la Tierra, et al.). The proposal for re-zoning is that this parcel be zoned Mixed Use, which could potentially mean up to 20 residential units per acre with a maximum height of 4 stories if the developer so desired. Any development that even remotely approaches 880 4-story units in this location would be a complete travesty and would destroy the decades-old developments and communities in this area West of Santa Fe: light and noise pollution, traffic congestion, inadequate water and sewer services for so many new residents, highway construction, in short, the end of the tranquility all of us residents have sought.

Please vote with your constituents and deny the proposal to re-zone this parcel of land to Mixed Use.

Sincerely,

  
J. Nicoll Durrie

  
Sandra G. Durrie

SFC CLERK RECORDED 06/27/2014

# ROBERT M. CURTIS

May 26, 2014

Penny Ellis-Green  
Director, Growth Management Administration  
Santa Fe County  
P.O. Box 276  
Santa Fe, NM 87504-0276

Duplicate sent on May 26, 2014 via email to: [pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov)

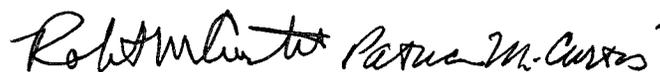
Dear Director Ellis-Green:

I am writing you to express the strong opposition of my wife and myself to the proposed rezoning of the 44-acre tract owned by Las Campanas Land Holdings, LLC to be discussed on May 28, 2014. The proposed rezoning from residential to mixed use would increase traffic, cause light and noise pollution, and very negatively impact the surrounding residential areas, where we reside.

The housing density increase from the current 2.5-acre per residence (17.5/44 acres) to 880/44 acres and expansion of the building height allowance to 4 stories is simply unacceptable in the midst of a residential community.

The proposed rezoning and any potential development on that land is completely out of context with the communities surrounding it. It will become an obvious eyesore and blight on the local landscape that is incompatible with the artistic sensibility and sustainable philosophy of Santa Fe.

Sincerely,



Robert M. and Patricia M. Curtis

SFC CLERK RECORDED 06/27/2014

County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87504-0276

Cc: Ms. Penny Ellis-Green, Director, Growth Management, County of Santa Fe

Subject: Zoning for 44 acre parcel near Camino La Tierra, (Parcel 980001322)

May 26, 2014

Dear Commissioner Chavez,

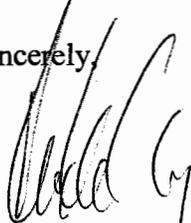
I would like to state my opposition to rezoning parcel 980001322 from Residential (with 1 residential unit per 2.5 acres) to Mixed Use, which would allow high density development in the area.

One of the main reasons why my wife and I moved to the Las Campanas area is because of the semi-rural, low-density nature of the area. By allowing mixed use, the developer can come in and develop high density, multi-story units, as well as commercial buildings, without regard to the surrounding area. This will increase noise pollution, visual pollution, light pollution, and air pollution. Wildlife will be disrupted and displaced, and natural habitat will be destroyed by high density structures and parking lots. Traffic on La Tierra will undoubtedly increase significantly, which will require expensive road changes and improvements.

While the developer has some local participation, the developer is primarily a Texas-based developer with a profit motive, and so will care little at all about the wellbeing of the residents in the area. I urge you to deny this zoning change request and let the parcel remain low density residential.

Thank you for your consideration.

Sincerely,



Robert L Kiely  
10 Bluesky Circle  
Santa Fe, NM 87506

SEC CLERK RECORDED 06/27/2014

May 25, 2014

County Commissioner Miguel Chavez  
PO Box 276  
Santa Fe, NM 87504-0276

Dear Mr. Commissioner,

As owners in Estates II of the Las Campanas development, we **strongly object** to the 44 acre parcel being rezoned to multiple use from residential use, as part of the Zoning Map proposed and on the agenda for the Commissioner's meeting on May 28, 2014. Other than a small area which is zoned commercial and has existing structures which are one story, the land between 599 to the BLM land is zoned residential, or is part of the Las Campanas Club.

All of the exiting property owners will be disadvantaged by the zoning change while only the existing owner of the 44 acre parcel will benefit by increasing the flexibility of the property's use. The parcel was purchased with the residential zoning and such zoning should remain as surrounding parcels are residential one residence per 2.5 acres.

The current zoning allows all residence and visitors a view of natural toned homes, on expansive properties, and flow with the topography. Nothing obstructs the long views since there is a 1 1/2 story height limitation. Under the proposed zoning, views will be disrupted, height of structures will be more than double the exiting zoning, traffic will increase on Camino la Tierra, and structures which are foreign to the topography will be allowed at 4 stories.

Our understanding is that in the past a Master Plan change was submitted to rezone this parcel to commercial. The County denied this and left this parcel as residential.

Again, we **strongly object** to zoning the parcel as multiple use and feel it should remain residential zoned as it has been.

Sincerely,



Carol Thoele-Williams  
12 Paintbrush Court  
Santa Fe, NM 87506

cc  
Penny Ellis-Green  
Director Growth Management  
County of Santa Fe  
PO Box 276  
Santa Fe, NM 87504-0276

SFC CLERK RECORDED 06/27/2014

**Gail Johns  
96 Estates Drive  
Santa Fe, New Mexico 87506**

**5-24-2014**

**Mr. Miguel Chavez  
County Commissioner  
P.O. Box 276  
Santa Fe, NM 87504-0276**

**Dear Mr. Chavez:**

**I am writing to you regarding the issue of the proposal to R-Zone 44 acres of land south of Comino La Tierra in Las Companas from existing residential to Mixed Use for development. I am strongly opposed to altering or changing the existing Zoning designation.**

**Sincerely yours,**

  
**Gail Johns**

**CC: Penny Ellis-Green**

**Berry Allen  
96 Estates Drive  
Santa Fe, New Mexico 87506**

**5-24-2014**

**Mr. Miguel Chavez  
County Commissioner  
P.O. Box 276  
Santa Fe, NM 87504-0276**

**Dear Mr. Chavez:**

**I am writing to you regarding the issue of the proposal to R-Zone 44 acres of land south of Comino La Tierra in Las Companas from existing residential to Mixed Use for development. I am strongly opposed to altering or changing the existing Zoning designation.**

**Sincerely yours,**

*Berry Allen*  
**Berry Allen**

**CC: Penny Ellis-Green**

**RIVERSIDE B, LLC**  
**John A. Davis, Managing Member**  
**P.O. Box 4455**  
**Santa Fe, NM 87502-4455**

May 25, 2014

✓ Ms. Penny Ellis-Green  
Director  
Santa Fe County Growth Management Dept.  
102 Grant Avenue  
Santa Fe, New Mexico 87504-0276

**Re: 5 La Huerta Lane, Tesuque, New Mexico, Parcel ID1-054-104-290-450**

Dear Ms. Ellis-Green:

I am the managing member of Riverside B, LLC, which owns the property known as 5 La Huerta Lane, Tesuque, New Mexico. Riverside B, LLC believes that property is improperly classified as "Residential Community" on the County's SLDC draft zoning map. The property is, and has been for many years, a residential rental community of eleven mobile homes and two site-built structures on 2.95 acres. The property has been used in that manner since before my parents purchased the property in 1971. Riverside B, LLC, has held a Santa Fe County business license for the mobile home park operated at 5 La Huerta Lane for many years.

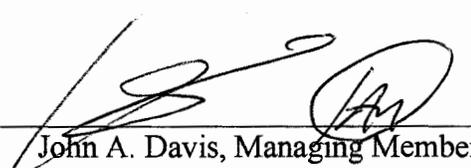
Classifying this property as Residential Community, with a maximum of one dwelling per acre, is not consistent with the uninterrupted use of the property as a mobile home park for the last forty-three + years. It is also inconsistent with the location of the property, which is on State Road 22, directly opposite the Tesuque post office. This is a high traffic area not well suited to one residence per acre.

We believe that the proper zoning for this property is Mixed Use and request that the draft zoning map be amended accordingly before it is submitted to the Board of County Commissioners.

If you have any questions or would like to discuss this matter you may contact me at (505) 690-5000 or by e-mail at [Jad@AdvantageAlarm.net](mailto:Jad@AdvantageAlarm.net). Thank you for your consideration.

Riverside B, LLC

By

  
John A. Davis, Managing Member

cc: [pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov)

SEC CLERK RECORDED 06/27/2014

Ms. Penny Ellis-Green  
May 25, 2014

Page two

cc: Commissioner Kathy Holian  
Commissioner Liz Stefanics  
Commissioner Daniel Mayfield  
Commissioner Miguel M. Chavez  
Commissioner Robert A. Anaya

SFC CLERK RECORDED 06/27/2014

05/25/14  
*(Signature)*

**RIVERSIDE A, LLC**  
**Audrey N. Hays, Managing Member**  
**PO Box 126**  
**Tesuque, New Mexico 87574**

May 25, 2014

✓ Ms. Penny Ellis-Green  
Director  
Santa Fe County Growth Management Dept.  
102 Grant Avenue  
Santa Fe, New Mexico 87504-0276

**Re: 9 La Huerta Lane, Tesuque, New Mexico, Parcel ID 1-054-104-280-460**

Dear Ms. Ellis-Green:

I am the member of Riverside A, LLC, which owns the property known as 9 La Huerta Lane, Tesuque, New Mexico. Riverside A, LLC believes that property is improperly classified as "Residential Community" on the County's draft SLDC zoning map. The property is, and has been for many years, a residential rental community of five residences on .9268 acres. It has been used in that manner since before 1971, when it was purchased by my late husband.

Classifying this property as Residential Community, which permits only one residence per acre, is not consistent with its uninterrupted use for the last forty-three + years.

I believe that the proper zoning for this property is Mixed Use and request that the draft SLDC zoning map be amended accordingly.

If you have any questions or would like to discuss this matter you may contact me at (505) 984-1040 or by e-mail at [audreyhays@aol.com](mailto:audreyhays@aol.com). Thank you for your consideration.

Riverside A, LLC

By   
Audrey N. Hays, Member

cc: [pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov)  
Commissioner Kathy Holian  
Commissioner Liz Stefanics  
Commissioner Daniel Mayfield  
Commissioner Miguel M. Chavez  
Commissioner Robert A. Anaya

SFC CLERK RECORDED 06/27/2014

May 20, 2014

Penny Ellis-Green  
Growth Management Department Director  
102 Grant Avenue  
Santa Fe, NM 87504

Sent via e-mail and hand delivered

Dear Ms. Ellis-Green:

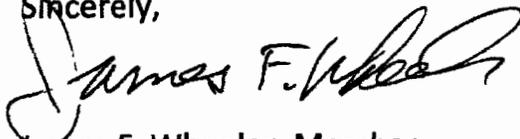
I am writing to register my concerns in regard to the proposed Sustainable Land Development Code and the proposed zoning map which will be considered by the Board of County Commissioners on May 28 and June 25, 2014.

Under the proposed SLDC, the County has been designated my property (Lot 4B of the Avanti Business Park) as Commercial General. My Concern is that it does not allow all the uses previously allowed in a Major Commercial District, which our property is zoned.

I respectfully request that the uses previously allowed in a Major Commercial District continued to be allowed in a Commercial General District. See attached list.

I will be attending the May 28 and June 25, 2014 hearings to express my concerns to the Board of County Commissioners at that time. Thank you for your consideration in this regard.

Sincerely,



James F. Wheeler, Member  
Dos Angels, LLC

flood plains, land ownership patterns, existing land uses, spacing or sizes of other existing districts, right-of-way configurations, utility corridors, other natural or man-made barriers, or other constraints, prevent its assignment to four quadrants.

- d. Amendments to the list of uses assigned as permitted in a district or an amendment to the boundary of a district, must be approved by the County Development Review Committee and the Board, as per the requirements of Subsection 4.2, for the establishment of districts.

History. 1980 Comp. 1980-6. Section 4.2.5 was revised by County Ordinance 1990-11.

#### 4.3 Guidelines for Permitted Uses and Structures

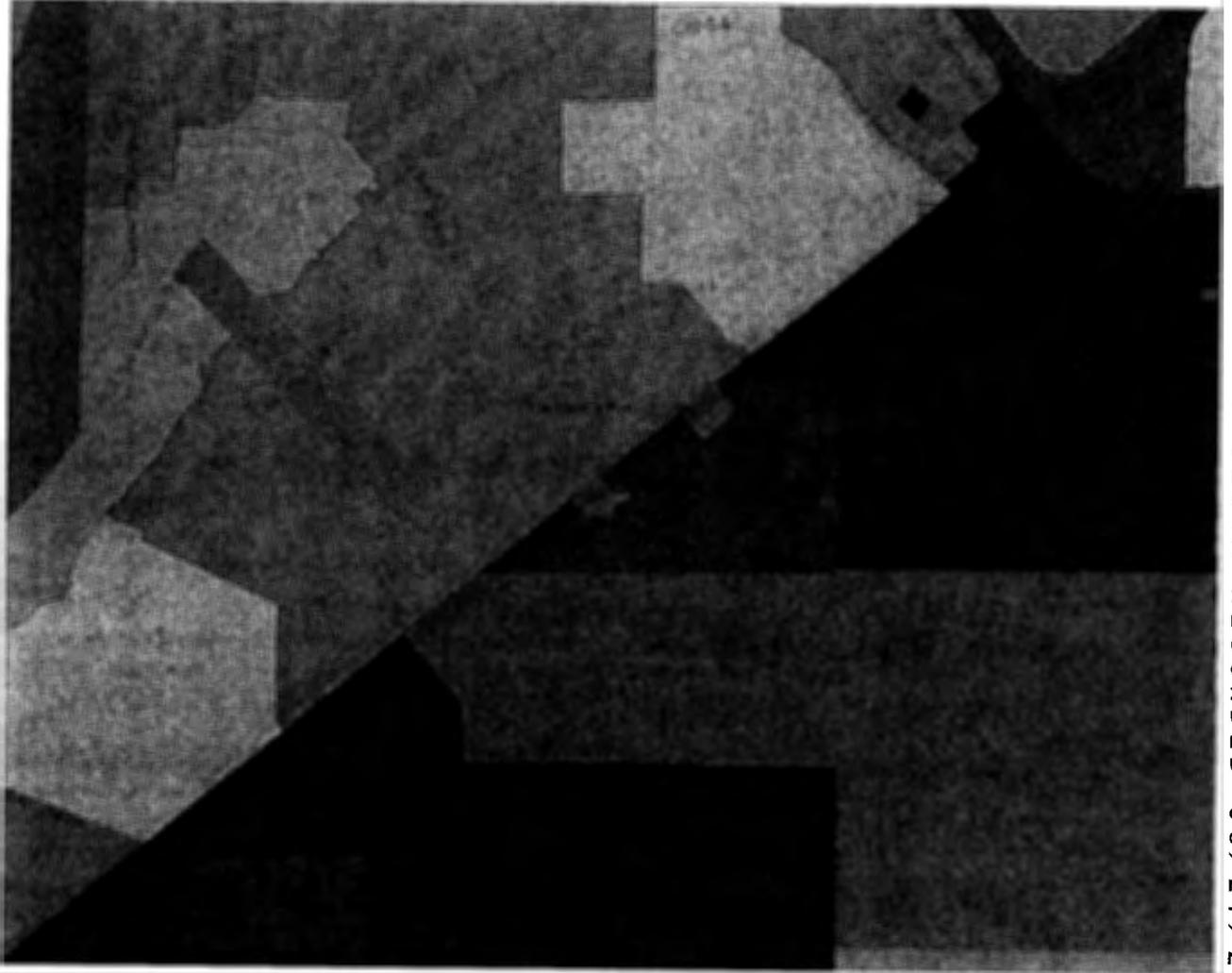
The following lists represent suggestions only. Uses assigned to a district are not necessarily limited by the list. The Standard Industrial Classification (SIC) may also be used to compare categories not listed herein.

##### 4.3.1 Guidelines for Types of Permitted Uses and Structures in Major or Community, Commercial or Industrial Non-residential Districts

- a. Professional, business or governmental offices;
- b. Business services;
- c. Research and development businesses and laboratories;
- d. Retail establishments;
- e. Restaurants and bars;
- f. Gas or service stations, tire recapping or retreading and repair garage establishments and related uses;
- g. personal service establishments;
- h. Hotels, motels, bed and breakfast inns;
- i. Commercial indoor recreational uses and structures, such as theaters (but not drive-in theaters), bowling alleys, poolrooms, game rooms, skating rinks;
- j. Commercial parking lots and garages;
- k. Offices, studios, clinics and laboratories;
- l. Banks or other financial institutions;
- m. Private clubs and lodges;
- n. Public or private utilities;
- o. Veterinary hospitals or establishments;
- p. Public buildings and grounds other than elementary or high schools;
- q. Churches and other religious institutions;
- r. Business and vocational schools;
- s. Greenhouses and plant nurseries;
- t. Auto, truck or RV dealerships;
- u. Mobile home sales and service;
- v. Art galleries or dealers;
- w. Planned unit or master planned developments for mixed uses;
- x. Clubs or other not-for-profit uses, lodges or museums;
- y. Office parks or other theme developments;
- z. Shopping centers;
- aa. Colleges or universities;
- bb. Hospitals, medical or dental clinics;
- cc. Light industry and manufacturing;
- dd. Wholesale, warehouse, distribution and general industry.

History. 1980 Comp. 1980-6. Sub-section dd. was added to Section 4.3.1 by County Ordinance 1990-11.

S E C R E T A R Y R E C O R D E D 0 6 / 2 7 / 2 0 1 4

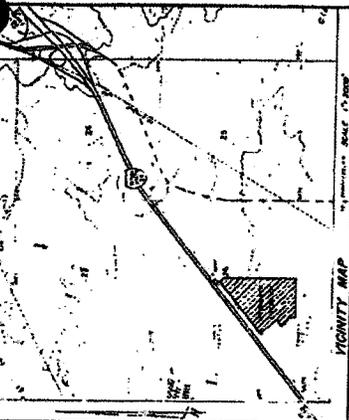


SFC CLERK RECORDED 06/27/2014

SFC CLERK RECORDED 06/27/2014

SHEET NO. 3/8

SURVEY PLAT - PLANE 1-A  
AVANTI BUSINESS PARK  
SANTA FE COUNTY, NEW MEXICO



**DEDICATION**  
THE UNDERSIGNED, EDWARD J. ZIMMERMANN, SURVEYOR, HEREBY DEDICATES TO THE PEOPLE OF THE COUNTY OF SANTA FE, NEW MEXICO, THE TRACT OF LAND HEREIN DESCRIBED, TOGETHER WITH THE RIGHT OF EASE AND ACCESS THEREON, FOR THE PURPOSES OF A BUSINESS PARK, TO BE KNOWN AS AVANTI BUSINESS PARK, TO BE LOCATED IN THE EAST PART OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 18 WEST, COUNTY OF SANTA FE, NEW MEXICO.

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
I, EDWARD J. ZIMMERMANN, Surveyor, do hereby certify that the foregoing plat was acknowledged before me this 15th day of June, 2014, by the following persons:  
MORTON DRUKTENNIS  
PAUL PARKER  
WHEELER HORACE ZIMMERMANN

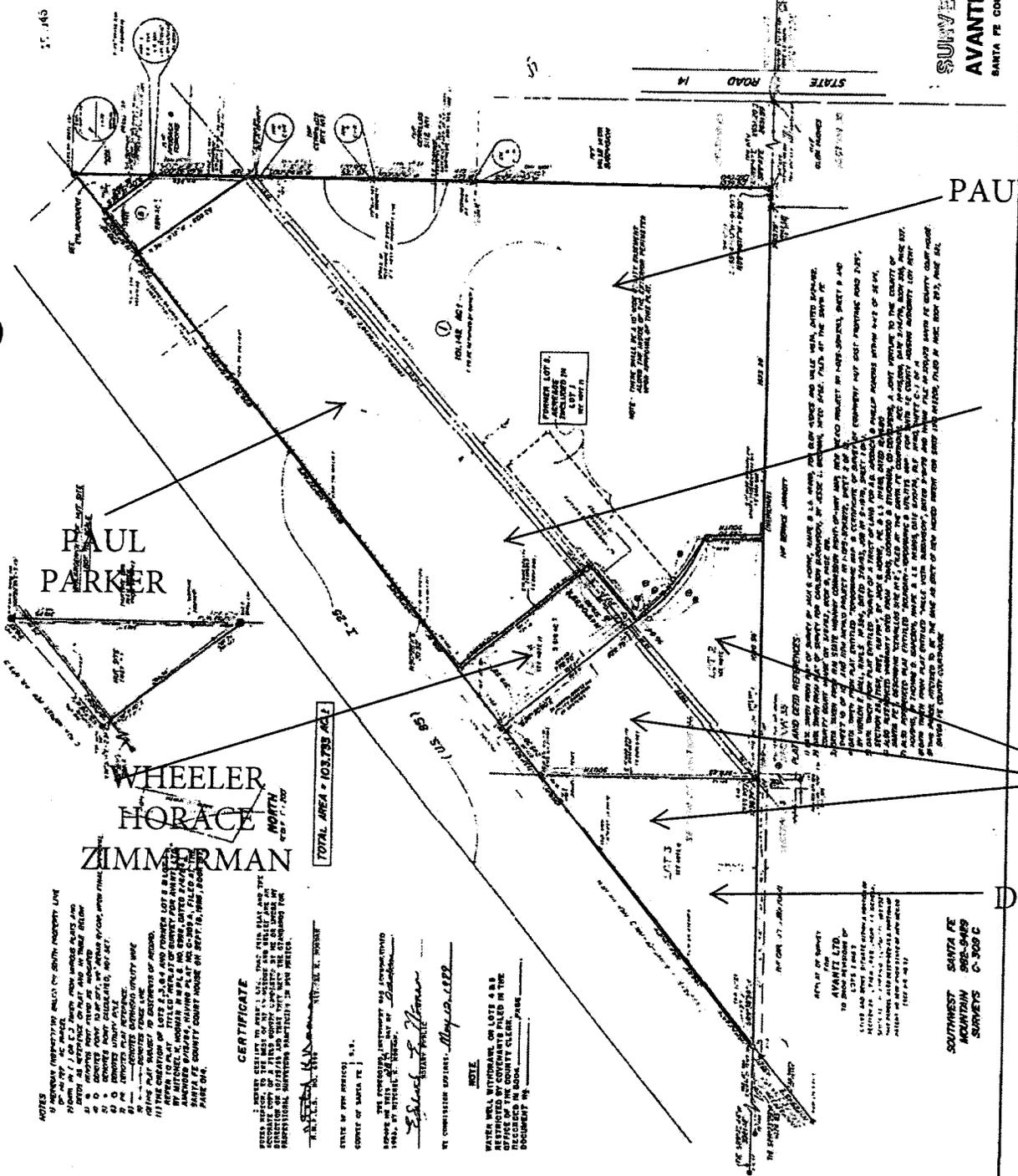
WE, THE COMMISSIONERS OF THE COUNTY OF SANTA FE, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF JUNE, 2014, BY THE FOLLOWING PERSONS:  
MORTON DRUKTENNIS  
PAUL PARKER  
WHEELER HORACE ZIMMERMANN

**CURVE DATA**

| STATION | CHORD BEARING   | CHORD DIST. | ARC BEARING     | ARC DIST. |
|---------|-----------------|-------------|-----------------|-----------|
| 1+00.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+10.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+20.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+30.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+40.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+50.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+60.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+70.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+80.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |
| 1+90.00 | S 89° 58' 00" W | 100.00      | S 89° 58' 00" W | 100.00    |

**APPROVALS**  
MORTON DRUKTENNIS  
PAUL PARKER  
WHEELER HORACE ZIMMERMANN

NOTARY PUBLIC  
SANTA FE COUNTY, NEW MEXICO  
I, \_\_\_\_\_, Notary Public, do hereby certify that the foregoing plat was acknowledged before me this 15th day of June, 2014, by the following persons:  
MORTON DRUKTENNIS  
PAUL PARKER  
WHEELER HORACE ZIMMERMANN



**CERTIFICATE**  
I, EDWARD J. ZIMMERMANN, Surveyor, do hereby certify that the foregoing plat was acknowledged before me this 15th day of June, 2014, by the following persons:  
MORTON DRUKTENNIS  
PAUL PARKER  
WHEELER HORACE ZIMMERMANN

WE, THE COMMISSIONERS OF THE COUNTY OF SANTA FE, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF JUNE, 2014, BY THE FOLLOWING PERSONS:  
MORTON DRUKTENNIS  
PAUL PARKER  
WHEELER HORACE ZIMMERMANN

NOTE  
WATER WELLS WITHIN THE LOTS ARE RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO, DOCUMENT NO. \_\_\_\_\_

EDWARD J. ZIMMERMANN  
Surveyor

NOTARY PUBLIC  
SANTA FE COUNTY, NEW MEXICO  
I, \_\_\_\_\_, Notary Public, do hereby certify that the foregoing plat was acknowledged before me this 15th day of June, 2014, by the following persons:  
MORTON DRUKTENNIS  
PAUL PARKER  
WHEELER HORACE ZIMMERMANN

SOUTHWEST MOUNTAIN SURVEYS  
992-9499  
C-309 C

PAUL PARKER  
AVANTI BUSINESS PARK  
MORTON DRUKTENNIS





# City of Santa Fe, New Mexico

# memo

Date: March 1, 2005

To: Extraterritorial Zoning Commission

Via: Anne McLaughlin, Planning and Land Use Department Director *Am*  
Jim Salazar, Development Review Division Director  
Ellery Biathrow, Engineering Supervisor *EB*

From: Reyes Aragon, Land Management Specialist *ra*

Re: Extraterritorial Zoning Commission Meeting of March 10, 2005

## ITEM & ISSUE

EZ CASE #DL 05-4120. Dietz Land Division and Lot Line Adjustment. Cornerstone Land Surveying (Jeffery Ludwig), agent for Al Dietz, requests plat approval to divide the new adjusted Lot 4A (5.82 acres) into two lots. The property is located on the East Frontage Road across from the Santa Fe Downs Race Track, within Section 26, Township 16 North, Range 8 East (5-Mile EZ District).

## RECOMMENDATION

Should the Commission grant approval of this request, approval shall be subject to the following conditions:

1. Prior to filing the final plat, the plat and this subdivision of land shall meet all provisions of the Extraterritorial Subdivision Regulations. Some areas of concern are as follows:
  - a) Provide easements for all natural drainages (Section 3.6.6, of the ESR) if applicable.
  - b) Access roads, whether public or private, shall be developed in compliance with Section 3.5.3 of the ESR.
  - c) The surveyor shall be provided a copy of the county approval letter so that the city's conditions can be addressed on the plat.
  - d) Surveyor shall address all other issues on redline comments and return said comments with mylar. Redline drawings and/or comments shall be obtained from Reyes Aragon in the city's Development Review Division of the Planning Department.

SFC CLERK RECORDED 06/27/2014

EZC  
Al Dietz Lot Line Adjustment/Land Division  
April 14, 2005  
Page three

**RECOMMENDATION:**

It is Staff's review that this application conforms to applicable provisions of the Extraterritorial Subdivision Regulations, Section 3.3.6. Therefore staff recommends approval of this request with the following conditions:

1. The applicant must record water restrictive covenants simultaneously with the plat of survey imposing 0.25-acre feet per year per lot. Water meters must be installed to each lot at the time of development and meter readings must be submitted to the Land Use Administrator annually by January 31<sup>st</sup> of each year.
2. The applicant shall comply with the La Cienega Watershed conditions and the conditions shall be placed on the plat of survey (depth and design of shared well and future connection to public utility).
3. The applicant is required to contact Rural Addressing for assignment of addresses for the 2 proposed lots, which must be shown on the plat.
4. As per ESR regulation require a solid waste fee be assessed for all newly created parcels. The fee for this subdivision is \$78.04.
5. Approval from the New Mexico Environment Department for the proposed liquid waste disposal system must be obtained prior to building permit.
6. Compliance with County Fire Marshall review.
7. Submit a disclosure statement as per County code.
8. Submit a school impact report per County Code.
9. The private access and utility easement shall be a minimum of 38 feet, and must be developed meeting SFC Common Roadway Standards, prior to recording the plat of survey or the applicant must provide Santa Fe County with a certified engineers' cost estimate to develop the access. A financial guarantee acceptable to the County in the amount of the approved cost estimate must be included.
10. Both lots are subject to a 30% open space requirement. No development may occur within the designated open space.

SFC CLERK RECORDED 06/27/2014

CC 4-3

**EZC**  
**AI Dietz Lot Line Adjustment/Land Division**  
**April 14, 2005**  
**Page four**

11. Compliance with County Fire Marshall review, off-site and turn-around shall be adequate for use by emergency vehicles.
12. 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 with the Land Use Dept. These plans must be resubmitted with the Mylar prior to recordation.

**EXHIBITIS**

- "A" –Letter of Intent**
- "B" – Vicinity Map**
- "C" – Proposed Plat**

SFC CLERK RECORDED 06/27/2014

cc 4-4

**AVANTI BUSINESS PARK, LTD.  
SANTA FE**

December 30, 2003

Roman Abeyta  
Land Use Administrator  
Santa Fe County  
P.O. Box 276  
Santa Fe, NM 87504-0276

**Re: Avanti Business Park Master Plan  
Request for Time Extension**

Dear Roman:

This letter is submitted in application for a two year time extension of the referenced Master Plan. An extension was granted by the Board of County Commissioners in January 2002, which expires on January 8, 2004. Pursuant to your letter of December 18<sup>th</sup> (attached hereto), I am submitting this request prior to the expiration date to be heard by the Board of County Commissioners on February 10, 2004.

We have diligently been marketing the property with our Realtor, James Wheeler. In fact, during this past summer and early fall, at least four different potential buyers were prepared to purchase lots 4-A and 4-B of the Business Park. However, when they were told by County representatives that they would have to adhere to setback and building size requirements established in the Highway Corridor Ordinance, they each elected not to proceed with the transaction. Our Realtor has the details and can confirm that the buyers had their money, but did not go forward because of the problems described to them.

I greatly appreciate your offer to review a conceptual site plan and consider alternative setbacks for the property. This will undoubtedly facilitate the successful sale and timely development of the remaining parcels in the Avanti Master Plan.

Thank you for your assistance.

Sincerely,

Albert Dietz

A New Mexico Corporation, opposite SF Downs, E Frontage Road, I-25  
Mail: 10032 Wright Road, Gueydan, LA 70542  
Phone: (337) 536-9863  
Fax: (425) 962-7141

SFC CLERK RECORDED 06/27/2014

**MEMORANDUM**

**DATE:** February 10, 2004  
**TO:** Board of County Commissioners  
**FROM:** Dominic T. Gonzales, Development Review Specialist II  
**VIA:** Roman Abeyta, Land Use Administrator  
Joe Catanach, Development Review Director  
**FILE REF.:** BCC CASE # MIS 04-6000 Avanti Business Park Master Plan Extension

**ISSUE:**

Dietz Creditors Committee LLC (Albert Dietz), applicant, Jennifer Jenkins, agent, request a Master Plan Extension of two years which allows for commercial uses on a 10.3 acre tract.

The property is located at the intersection of I-25 and RT 599, within Section 26, Township 16 North, Range E East, (Commission District 3).

**SUMMARY:**

In 1983 the Avanti Business Park was granted zoning approval for a Major Center Commercial District use on 140 acres. The code at that time required a zoning, but there was no Master Plan process and no location criteria.

On October 25, 2001, the CDRC granted the property owners appeal, and overturned the Land Use Administrator's decision that the Avanti Master Plan had expired. On January 8, 2002, the BCC upheld the CDRC's decision to deny the Land Use Administrator's decision that the Avanti Master Plan had expired and granted a two-year extension. The ordinance in non-retroactive.

**REQUIRED ACTION:**

The BCC should review the attached material and consider the recommendation of staff; take action to approve, deny, approve with conditions or table for further analysis of this request.

**RECOMMENDATION:**

Staff reviewed the Highway Corridor Plan, and it designates this property as non-residential. Therefore staff recommends approval of the requested two-year extension with the following conditions:

1. The Master Plan is subject to all the conditions of approval imposed by the BCC on January 8, 2002. (Exhibit "C")
2. The Development plan shall meet the Highway Corridor design standards. A required setback of 50 FEET shall be complied with.

**ATTACHMENTS:**

- Exhibit "A"- Letter of Request for Master Plan Extension
- Exhibit "B"- Article V, Section 5.2.7 (Expiration of Master Plan) of the Code
- Exhibit "C"- BCC Minutes from January 8, 2002
- Exhibit "D"- 1992 plat
- Exhibit "E"- Vicinity Map

**SANTA FE COUNTY - DEVELOPMENT REVIEW DIVISION  
DEVELOPMENT PERMIT APPLICATION**

DP # \_\_\_\_\_ APPLICANT PLEASE FILL OUT FRONT PAGE ONLY APPLICATION DATE 12/30/03

**APPLICANT INFORMATION**

OWNER NAME: Dietz Creditors Committee LLC & Interstate Investments, LTD.  
(LAST) (FIRST) (SUFFIX)

MAILING ADDRESS: 10032 Wright Rd. Greysden, LA 70542  
STREET OR P.O. NUMBER CITY STATE ZIP

HOME PHONE (970) 247-0553 WORK PHONE (337) 536-5863

AGENT / CONTRACTOR NAME: Albert Dietz

AGENT / CONTRACTOR ADDRESS: Same as above  
STREET OR P.O. NUMBER CITY STATE

AGENT HOME PHONE ( ) \_\_\_\_\_ AGENT WORK PHONE ( ) \_\_\_\_\_

**PROJECT INFORMATION**

DESCRIPTION: Request for 2 year time extension on the  
Avanti Business Park Master Plan

**PROPERTY INFORMATION**

NAME OF PREVIOUS OWNER: \_\_\_\_\_

PREVIOUS DEED RECORDED AS - Deed Book \_\_\_\_\_ Page: \_\_\_\_\_  
 PREVIOUS PLAT RECORDED AS - Plat Book 1816 Page: 715

COUNTY RURAL ADDRESS: \_\_\_\_\_  
This address is available from the Santa Fe County Rural Addressing Dept. 966-2310

LEGAL DESCRIPTION - Township: 16 N Range: 8 E Section: 21 01 02 03

ACREAGE 10.27 NUMBER OF PROPOSED LOTS \_\_\_\_\_ NUMBER OF EXISTING DWELLING UNITS 0

SUBDIVISION Avanti Master Plan

Grant/Claim \_\_\_\_\_ UNIT: \_\_\_\_\_ TRACT: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: 4A & 4B

\*\*\*\*\* All of the above information is true and accurate to the best of my knowledge \*\*\*\*\*

Applicant signature: For Albert Dietz: [Signature]

Date: 12/30/03

**COUNTY ASSESSOR CERTIFICATION**

PROPERTY LOCATION ID: \_\_\_\_\_

UPC: \_\_\_\_\_ HENCEFORTH LAND WILL CONTINUE TO BE ASSESSED UNDER THE ABOVE LOCATION ID WITH ADDITIONAL NEW LOCATION ID NUMBERS IF/AS NEEDED.

ASSESSED PRIOR TO 19 \_\_\_\_\_ CERTIFIED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19 \_\_\_\_\_

DATE: \_\_\_\_\_

ASSESSOR APPOINTED BY BOARD OF TAX. E.

**COUNTY TREASURER CERTIFICATION**

SFC CLERK RECORDED 06/27/2014



JENKINS CONSULTING, INC.

## FACSIMILE TRANSMITTAL

**DATE:** January 21, 2004

**TO:** James Wheeler

**FROM:** Jennifer Jenkins 

**RE:** Dietz Property

**NO. OF PAGES, INCL. COVER:** 2

---

Earlier today I dropped by my invoice and a copy of the extension request application for the Dietz property. However, I neglected to include a copy of the application letter, which is attached hereto.

Please let me know if you have any questions or need additional information.

Thank you.

A1 337-652 3580

1202 VITALIA STREET  
SANTA FE, NM 87505  
PH 505.438.0218  
FX 505.424.9186  
[jenkinsconsulting@earthlink.net](mailto:jenkinsconsulting@earthlink.net)

SEC CLERK RECORDED 06/27/2014

**James Wheeler**

---

**From:** Victoria Reyes [vreyes@co.santa-fe.nm.us]  
**Sent:** Tuesday, December 06, 2005 11:30 AM  
**To:** James Wheeler  
**Subject:** Re: RE AVANTI BUS PARK AND EXTENSION OF ZONING

James:

I left a message on your mobile phone. I spoke to Joe Catanach regarding the issue of the master plan extension, and the feedback I got from him is that if the subdivision for Dietz has been recorded the extension would no longer be needed. If you have any more questions regarding this matter please do not hesitate to reach me by e-mail or telephone.

Sincerely,

Victoria Reyes

James Wheeler wrote:

- > Hi Victoria:
- >
- > We have bonded for the road with the county into Avanti Business Park. Also, one of the lot owners has received approval to have his business there and a development plan. Paul Zimmerman, Frontier Woods.
- >
- > What is the position of the county regarding zoning, does this mean we now continue developing. This is a situation very similar to Turquoise Trail Business Park, and I do not remember the Thornburgs ever having to get zoning extension after they put in the roads and cut up the lots.
- >
- > Please let me know ASAP or lets meet.
- >
- > Thanks.
- >
- > JAMES F. WHEELER
- > COMMERCIAL PROPERTIES INC.
- > 2019 GALISTEO ST., L-1
- > SANTA FE, NM 87505
- > 505 988 8081 WORK
- > 505 470 8081 MOBILE
- >
- > Juanita: Please forward a copy to Joe Horace and Arthur Valdez via
- > Fax and give me a copy for my file

SFC CLERK RECORDED 06/27/2014

**James Wheeler**

---

**From:** Wayne Dalton [wdalton@co.santa-fe.nm.us]  
**Sent:** Wednesday, May 12, 2010 8:44 AM  
**To:** cpi@newmexico.com  
**Subject:** RE: Avanti Business Park Bond  
**Attachments:** Frontier Wood Inc Pre-final.doc

James,

Here is the punch list..

Wayne

---

**From:** James F. Wheeler [mailto:cpi@newmexico.com]  
**Sent:** Tuesday, May 11, 2010 12:12 PM  
**To:** 'Joe Horace'; 'James F. Wheeler'; 'Paul Zimmerman'; Paul Kavanaugh; Wayne Dalton  
**Subject:** Avanti Business Park Bond

Hello Wayne and Paul:

Paul Zimmerman, Dos Angels and Joe Horace are the three owners of lots 4A-1, 4A-2 and 4B.

I was contacted this past week by Los Alamos National Bank in regards to extending our bond for the road work.

We completed the road work over 2 years ago, and I thought that we were finished and the bond was released.

Would you please contact me so that we may complete what ever paper or work gets completed.

Thanks.

James

James F. Wheeler, CCIM  
Commercial Properties Inc.  
2019 Galisteo St., Suite L-1  
Santa Fe, NM 87505  
work 505 988 8081  
mobile 505 470 8081  
direct 505 216 1500  
WEB [www.cpi-nm.com](http://www.cpi-nm.com)

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SFC CLERK RECORDED 06/27/2014

**James Wheeler**

---

**From:** James F. Wheeler [cpi@newmexico.com]  
**Sent:** Tuesday, May 11, 2010 12:12 PM  
**To:** 'Joe Horace'; 'James F. Wheeler'; 'Paul Zimmerman'; 'Paul Kavanaugh'; 'Wayne Dalton'  
**Subject:** Avanti Business Park Bond  
**Attachments:** PLAT AVANTI.pdf

Hello Wayne and Paul:

Paul Zimmerman, Dos Angels and Joe Horace are the three owners of lots 4A-1, 4A-2 and 4B.

I was contacted this past week by Los Alamos National Bank in regards to extending our bond for the road work.

We completed the road work over 2 years ago, and I thought that we were finished and the bond was released.

Would you please contact me so that we may complete what ever paper or work gets completed.

Thanks.

James

James F. Wheeler, CCIM  
Commercial Properties Inc.  
2019 Galisteo St., Suite L-1  
Santa Fe, NM 87505  
work 505 988 8081  
mobile 505 470 8081  
direct 505 216 1500  
WEB [www.cpi-nm.com](http://www.cpi-nm.com)

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SFC CLERK RECORDED 06/27/2014

March 07, 2008

Frontier Wood, Inc  
Attn: Paul Zimmerman  
P. O. Box 691  
Santa Fe, NM 87504

Re: Frontier Wood Inc, Pre-Final Road Inspection

Dear Mr. Zimmerman:

On March 07, 2008, a pre-final inspection was conducted on the above-mentioned road. The following is a punch list of deficiencies and repairs to be corrected before a final inspection can be conducted;

- 1) Please submit the following information for further evaluation:
  - a. Daily inspection reports.
  - b. All testing reports, material gradations and certifications.
- 2) All cut slopes shall be at 2:1 or stabilized as approved by staff.
- 3) All fill slopes shall be at 3:1 or stabilized as approved by staff.
- 4) All disturbed areas are to be re-vegetated.
- 5) Install delineator over all culverts.
- 6) Provide street and speed limit signs that meet current standards.
- 7) A minimum of one foot (1") of cover is required on all CMP's.
- 8) Base course within the Cul-De-Sac appears to be short in depth, will need a bore sample to show a six inch (6") minimum depth.
- 9) A Type III barricade with a nine button delineator will be required at the end of the road.

Frontier Wood Inc  
Page Two  
3-07-08

Thirty (30) days from receipt of this letter should be sufficient time to correct the deficiencies. If thirty days pass and a final inspection is not requested, Santa Fe County reserves the right to conduct another pre-final inspection.

Please do not hesitate to call 986 - 6219 should you have any questions or comments.

Sincerely,

Paul Kavanaugh  
Senior Engineer Technician

cc: File

SFC CLERK RECORDED 06/27/2014



NOTES:

- (1) See building setbacks on plan & typical site plan on this sheet.
- (2) Includes 150 room hotel/retail, 170 seat restaurant, neighborhood commercial in considered as optional use.
- (3) To be determined at final development plan.
- (4) Setback of buildings adjacent to Valle Vista and County Public Housing are limited to 30'.
- (5) Excludes 2 acre site reserved for sewage treatment plant.

THE SANTA FE METRO CENTER MASTER PLAN HAS BEEN PASSED & APPROVED BY THE SANTA FE BOARD OF COUNTY COMMISSIONERS ON THIS 11th DAY OF June, 1988.

AS RECOMMENDED BY THE SANTA FE COUNTY DEVELOPMENT REVIEW COMMITTEE ON December 1, 1987

*John Alejandro*  
JOHN ALEJANDRO, CHAIRMAN

*Antonio Ortega*  
SANTA FE BOARD OF COUNTY COMMISSIONERS  
ANTONIO ORTEGA, CHAIRMAN

*John Armijo*  
ATTEST:  
JOHN ARMILIO, COUNTY CLERK

*June 6, 1988*  
DATE

*June 8, 1988*  
DATE

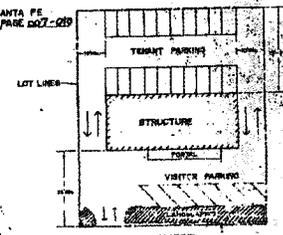
APPROVED AS TO THE LEGAL FORM & SUFFICIENCY  
COMPOSED & SANONET, P.A.  
*David Sandoz*  
COUNTY ATTORNEY  
DATE *6-3-88*

THIS MASTER PLAN WAS RECORDED BY THE SANTA FE COUNTY CLERK ON June 3, 1988 IN BOOK 105 PAGE 027-029

TABLE 1  
Development Standards

| ZONING   | GROSS   |     | MAX. BUILDABLE AREA (Sq. Ft.) | MIN. LOT AREA (Sq. Ft.) | MAX. HEIGHT (Feet) |
|--|---------|-----|-------------------------------|-------------------------|--------------------|
|  | Area    | Lot |                               |                         |                    |
| Hotel/Commercial                                 | 378,000 | .30 | 132,700                       | (1)                     | 25'                |
| Travelers' (R) Services/ Restaurants/ Commercial | 350,000 | .30 | 78,900                        | (2)                     | 35'                |
| Professional Office                              | 871,000 | .15 | 342,700                       | (3)                     | (3)                |
| Research & Development                           | 370,000 | .15 | 81,700                        | (3)                     | (3)                |
| Wholesale/ Retail Contract Comm.                 | 400,000 | .30 | 100,000                       | 1-(2)                   | (4)                |
| Light Manufacturing                              | 444,000 | .30 | 132,000                       | (3)                     | (3)                |
| Warehouse/ Distribution Contract Comm.           | 928,000 | .30 | 289,000                       | (3)                     | (3)                |
|  |         |     | 2,071,000                     | (3)                     | (3)                |

TYPICAL SITE PLAN  
SCALE: 1" = 40'



NOTE:  
THIS STANDARD IS SUPERSEDED BY THE SETBACKS ON THE PRELIMINARY DEVELOPMENT PLAN, APPROVED BY THE COUNTY DEVELOPMENT REVIEW COMMITTEE ON MARCH 31, RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

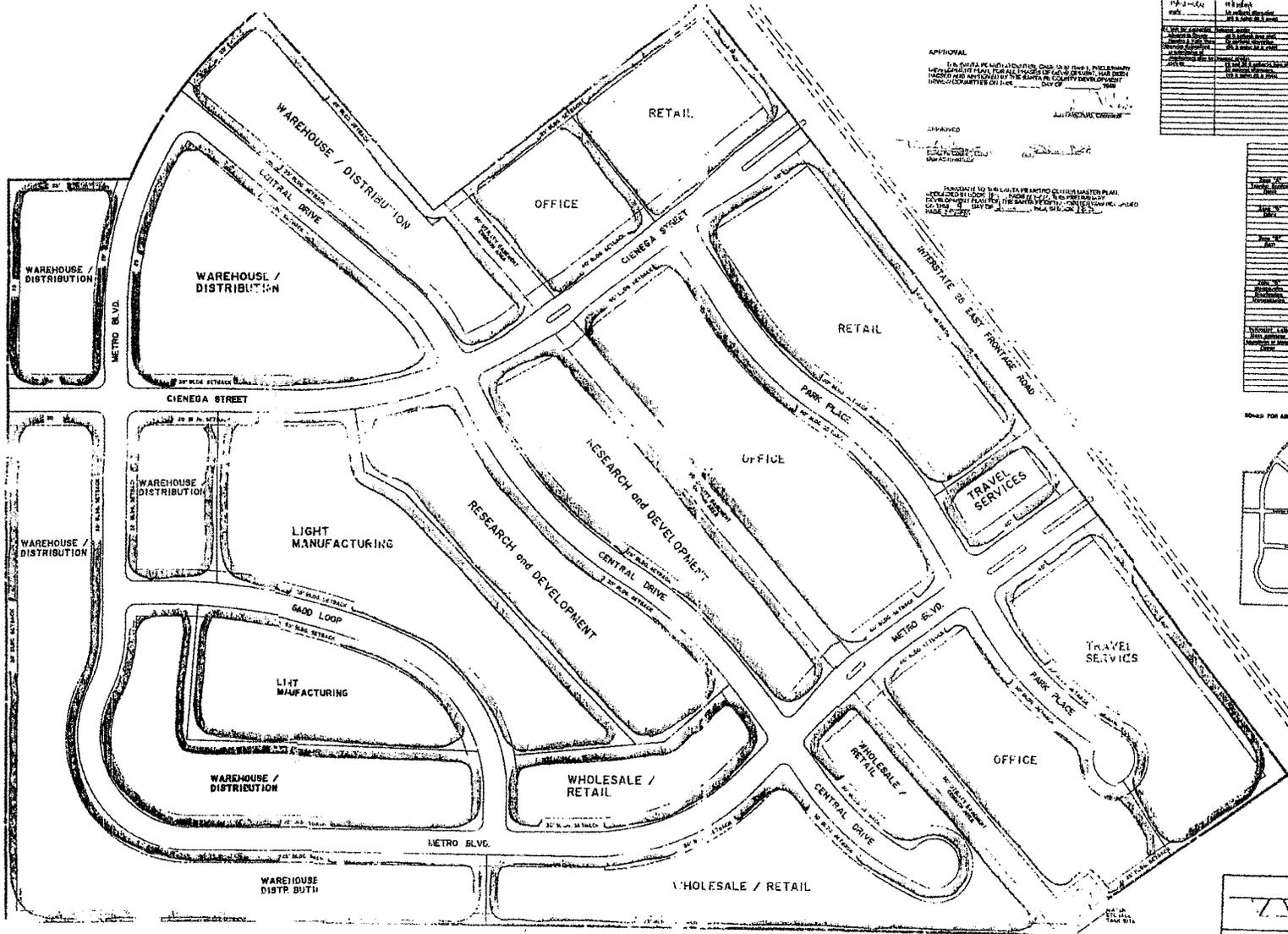
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STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
JAMES W. SIEBERT  
COUNTY CLERK

SANTA FE METRO CENTER

MASTER PLAN

SHEET 11 OF 11

JAMES W. SIEBERT  
COUNTY CLERK



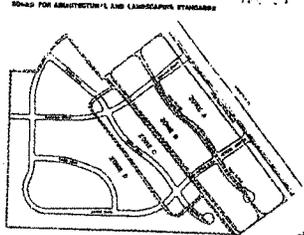
APPROVAL  
 IN SANTA FE METRO CENTER, COLORADO, THE PRELIMINARY  
 PLANNING AND DESIGN FOR THE SANTA FE METRO CENTER HAS BEEN  
 REVIEWED AND APPROVED BY THE SANTA FE COUNTY DEVELOPMENT  
 BOARD ON JANUARY 14, 1988.

EXHIBIT  
 SANTA FE METRO CENTER  
 MANUFACTURING

CONSENT TO THE SANTA FE METRO CENTER MASTER PLAN  
 DEVELOPMENT PLAN FOR THE SANTA FE METRO CENTER, COLORADO, HAS BEEN  
 GRANTED BY THE SANTA FE COUNTY DEVELOPMENT BOARD ON JANUARY 14, 1988.  
 MADE TO DATE.

| Number | Section | Notes | Remarks | Notes |
|--------|---------|-------|---------|-------|
| 1      | 1       | 1     | 1       | 1     |
| 2      | 2       | 2     | 2       | 2     |
| 3      | 3       | 3     | 3       | 3     |
| 4      | 4       | 4     | 4       | 4     |
| 5      | 5       | 5     | 5       | 5     |
| 6      | 6       | 6     | 6       | 6     |
| 7      | 7       | 7     | 7       | 7     |
| 8      | 8       | 8     | 8       | 8     |
| 9      | 9       | 9     | 9       | 9     |
| 10     | 10      | 10    | 10      | 10    |

| Item | Description | Quantity | Unit | Total |
|------|-------------|----------|------|-------|
| 1    | 1           | 1        | 1    | 1     |
| 2    | 2           | 2        | 2    | 2     |
| 3    | 3           | 3        | 3    | 3     |
| 4    | 4           | 4        | 4    | 4     |
| 5    | 5           | 5        | 5    | 5     |
| 6    | 6           | 6        | 6    | 6     |
| 7    | 7           | 7        | 7    | 7     |
| 8    | 8           | 8        | 8    | 8     |
| 9    | 9           | 9        | 9    | 9     |
| 10   | 10          | 10       | 10   | 10    |



88 2-04  
 687-36  
 June 188  
 Elan 1108

MARCH, 1988  
 JAMES W. SEIBERT  
 AND ASSOCIATES-PLANNERS  
 1101 S. FRANCIS DRIVE SANTA FE, N.M. 87501  
 (505) 988-8588

ELPUBNTE, INC.  
 CONSULTING ENGINEERS  
 1411 2ND STREET - SANTA FE, N.M. 87501  
 (505) 597-1742  
 SANTA FE METRO CENTER

SCALE: 1" = 100'



Marcos P. Trujillo  
Commissioner, District 1

Paul Duran  
Commissioner, District 2

Javier M. Gonzales  
Commissioner, District 3



David D. Anaya  
Commissioner, District 4

Joe S. Griñe, Jr.  
Commissioner, District 5

David Wolf  
County Manager

July 30, 1999

Las Campanas Limited Partnership  
c/o Mr. Al Lilly  
Lilly Planning Associates  
PO Box 1761  
Santa Fe, NM 87504

Re: Santa Fe Center (amended master plan)

Dear Mr. Lilly:

Based upon discussion of your submittal with the County Attorney, it has been determined that your request cannot be accepted in its present form as an amended master plan.

Your submittal references the approval granted by the Extraterritorial Zoning Authority (EZA) in 1986 and the subsequent design changes that occurred for State Road 599, which caused a modification to the original development layout. Therefore your submittal indicates that you are relying on the 1986 approval as being legally binding after 13 years.

The decision that your submittal cannot be accepted as an amended master plan is based on the Extraterritorial Zoning Ordinance regarding time limits for master plan approvals. Section 3.5-D(7) of the Zoning Ordinance stipulates that a master plan approval shall be valid for a period of 5 years from the date of approval by the EZA. Master plan approvals may be extended or renewed for additional two year periods by the EZA at the request of the developer.

It is staff's evaluation that the approval granted by the EZA on January 27, 1986 for a special exception was the equivalent of a master plan. The zoning ordinance stipulating the expiration of master plans became effective on November 28, 1991. The interpretation that has been made with support of the County Attorney, is that old zoning approvals do not exist indefinitely, but would be subject to the same 5 year time limit as master plan approvals granted after November 28, 1991. Therefore, the zoning approval for the Santa Fe Center "sunsetted" in November of 1996. This decision is consistent with the position taken on other properties with old zoning approvals.

The alternative option that is available to you is to restructure your request as a new master plan subject to the current zoning criteria and standards for a large scale mixed use development, or you have the right to appeal this administrative decision to the Extraterritorial Zoning Commission. Petitions for appeal which allege an error in any requirement, decision or determination by an administrative official in the application of the ordinance must be submitted to the Administrator within five days from the date of this letter. A petition to appeal an administrative decision shall be submitted in writing stating the grounds for the appeal. The petition shall consist of specific statements of facts, specifying the sections of the ordinance which the appeal is based, and cause for appeal.

If you have any questions, contact Joe Catanach at 986-6227.

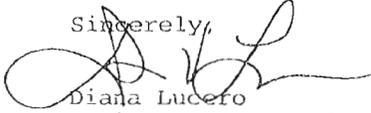


SFC CLERK RECORDED 06/27/2014

SFC CLERK RECORDED 06/27/2014

July 30, 1999  
Santa Fe Center  
Page Two

Sincerely,



Diana Lucero  
Acting Land Use Administrator

xc: Denice Brown  
County Attorney

Oralynn Guerrerortiz  
Development Review Division Director

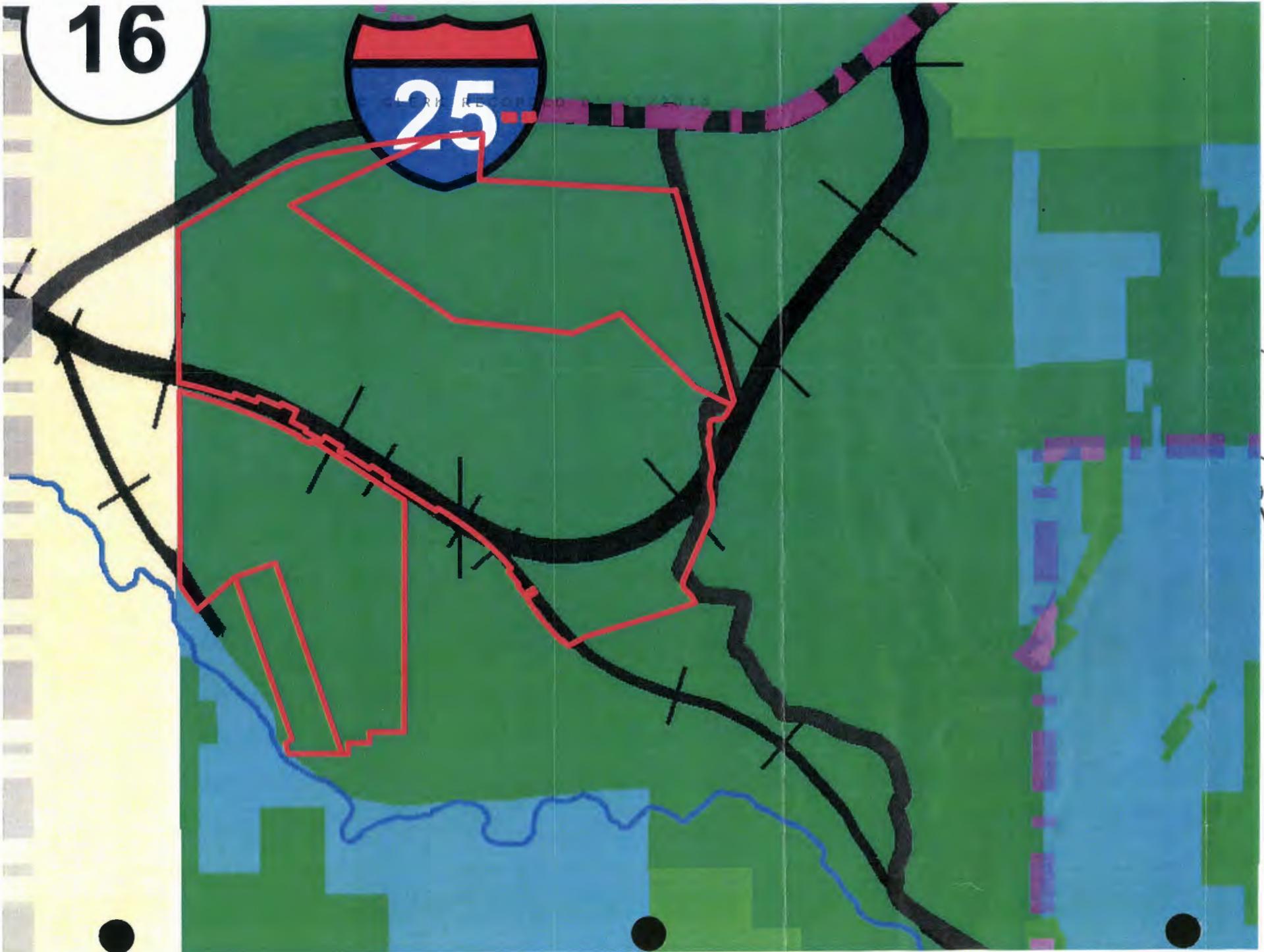
Joe Catanach  
Development Review Specialist III

Greg Smith  
City Planner

Ann Condon  
City Planning Director

CLERK RECORDED 08-27-1999

16



**Legend**

**Santa Fe County**

- Municipality
- Municipal Annexation Area
- Tribal Lands
- Federal and State Public Lands

**Community Districts**



**Proposed 3/21/2014 SLDC Official Zoning Map**

- Ag / Ranch (1 dwelling per 160 acres)
- Rural (1 dwelling per 40 acres)
- Rural Fringe (1 dwelling per 20 acres)
- Rural Residential (1 dwelling per 10 acres)
- Residential Fringe (1 dwelling per 5 acres)
- Residential Estate (1 dwelling per 2.5 acres)
- Residential Community (1 dwelling per acre)
- Traditional Community (1 dwelling per 0.75 acres, to 3 dwellings per acre - on central water and sewer)
- Commercial Neighborhood
- Commercial
- Industrial
- Public/Institutional
- Mixed Use
- Planned Development District

**Rural Commercial Overlay Zone**



**Airport Noise Overlay Zone**

- 55 DNL
- 60 DNL
- 65 DNL

Any land or which is subject to Santa Fe County's zoning jurisdiction, but is not depicted on this map within a County zoning district and is not depicted within a zoning district in a community district ordinance referenced on this map, shall be construed by default to be located in the Ag / Ranch zoning district, unless otherwise specifically provided for in the Santa Fe County Land Development Code.

|  |                                 |                              |
|--|---------------------------------|------------------------------|
| <p><b>JAMES W. SIEBERT</b><br/>AND ASSOCIATES, INC.</p>                                      | <p>BUENA VISTA</p>              | <p>SCALE<br/>1" = 3,000'</p> |
| <p>215 WHEELER STREET • SANTA FE, NEW MEXICO 87501<br/>(505) 983-5588 FAX (505) 983-7212</p> | <p>PROPOSED SLDC ZONING MAP</p> | <p>NORTH</p>                 |

Santa Fe County  
Sustainable Land Development Code  
Official Zoning Map  
Adoption Draft, March 21, 2014



**Legend**

**Santa Fe County**



S E C  
L E G  
E N D

**Not Under Santa Fe County Zoning Jurisdiction**

- Municipality
- Municipal Annexation Area
- Tribal Lands
- Federal and State Public Lands

**Community Districts**



**Proposed 3/21/2014 SLDC Official Zoning Map**

- Ag / Ranch (1 dwelling per 100 acres)
- Rural (1 dwelling per 40 acres)
- Rural Fringe (1 dwelling per 20 acres)
- Rural Residential (1 dwelling per 10 acres)
- Residential Fringe (1 dwelling per 5 acres)
- Residential Estate (1 dwelling per 2.5 acres)
- Residential Community (1 dwelling per acre)
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Santa Fe County  
Growth Management  
Department  
Planning Division

March 21, 2014  
preliminary\_slcdc\_zoning\_map\_  
p\_3\_21\_2104\_poster.mxd

CONSERVATION EASEMENT AREA

| CONSERVATION EASEMENT AREA | ACREAGE   |
|----------------------------|-----------|
| 1                          | 31.42 AC± |
| 2                          | 2.74 AC±  |
| 3                          | 8.63 AC±  |

N/F TBL LAND CO. LLC  
PLAT REFERENCE #2

CENTERLINE UNDRD. ESMT.  
BK. 371, PG. 276

| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L1   | 408.35 | S88°03'00"E |
| L2   | 107.30 | S84°12'00"E |
| L3   | 76.00  | N58°08'00"E |
| L4   | 156.56 | N17°42'00"E |
| L5   | 185.15 | N32°42'00"E |
| L6   | 85.40  | N58°37'00"E |
| L7   | 53.50  | N54°27'00"E |
| L8   | 87.85  | N48°37'00"E |

NORTH  
SCALE 1"=200'

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES HERON ARE AN ACCURATE DELINEATION OF A FIELD SURVEY COMPLETED BY ME OR UNDER MY DIRECTION ON JUNE 21ST, 2007, AND ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEET THE MINIMUM STANDARDS FOR PROFESSIONAL LAND SURVEYORS PRACTICING IN NEW MEXICO.

RICHARD A. CHATROOP N.M.L.S.#11011

CONSERVATION EASEMENT DATA

| LINE | LENGTH  | BEARING     |
|------|---------|-------------|
| L9   | 61.71   | N48°37'55"W |
| L10  | 258.01  | N52°50'09"E |
| L11  | 341.71  | N42°20'48"W |
| L12  | 195.82  | N64°23'58"E |
| L13  | 454.26  | N71°07'21"W |
| L14  | 441.11  | N78°58'58"E |
| L15  | 668.68  | S38°53'00"E |
| L16  | 98.57   | S88°38'42"E |
| L17  | 228.58  | S38°17'12"E |
| L18  | 867.29  | S34°00'54"W |
| L19  | 204.45  | N82°44'13"W |
| L20  | 695.72  | S87°32'07"W |
| L21  | 801.15  | N00°00'00"E |
| L22  | 848.10  | N48°50'13"E |
| L23  | 1097.92 | S88°38'42"E |
| L24  | 238.11  | N58°27'11"W |
| L25  | 185.87  | N68°14'38"W |
| L26  | 67.22   | S72°08'07"W |
| L27  | 78.47   | S87°12'22"E |
| L28  | 130.75  | S87°12'22"E |
| L29  | 378.73  | S89°27'41"E |
| L30  | 240.00  | S37°50'08"W |

LOT LINE & ROAD CENTER LINE DATA

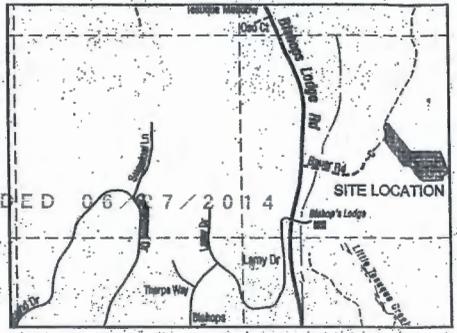
| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L31  | 27.18  | N66°30'37"E |
| L32  | 74.49  | N03°06'12"E |

CURVE TABLE

| CURVE | LENGTH | RADIUS | CHORD BRG   | CHORD DIST | DELTA     |
|-------|--------|--------|-------------|------------|-----------|
| C1    | 28.48  | 183.80 | N62°31'59"E | 36.35      | 177°24"   |
| C2    | 61.62  | 288.80 | N41°09'17"E | 61.38      | 120°25"   |
| C3    | 48.72  | 70.00  | N16°25'28"E | 46.15      | 37°16"    |
| C4    | 48.72  | 70.00  | N18°54'18"W | 46.15      | 37°19'46" |
| C5    | 178.41 | 572.80 | S27°58'58"E | 171.83     | 110°38"   |
| C6    | 48.29  | 118.68 | S10°46'11"E | 47.85      | 23°18'45" |

SPECIAL NOTES AND BUILDING PERMIT CONDITIONS:

- DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS (MAX. 1 1/2% GRADE) FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.
- ANY LOT WITHIN THE TRUCHAS Y ZORRO SUBDIVISION WHERE THE BUILDABLE PORTION OF SUCH LOT IS FARTHER THAN ONE THOUSAND FEET (1000') FROM THE EXISTING FIRE HYDRANT LOCATED AT THE NORTHWEST CORNER OF LOCOTE TRAIL AND JUAN DE GABALDON TRAIL SHALL BE REQUIRED TO PROVIDE AN AUTOMATIC FIRE SUPPRESSION SYSTEM MEETING NFPA 13D REQUIREMENTS FOR ANY FUTURE RESIDENCE, OR SHALL BE REQUIRED TO EXTEND THE EXISTING MAIN WATER LINE FROM THE EXISTING HYDRANT AND PROVIDE A HYDRANT MEETING THE REQUIREMENTS OF SANTA FE COUNTY FIRE MARSHAL. SUCH HYDRANT SHALL BE LOCATED WITHIN ONE THOUSAND FEET (1000') OF THE PROPOSED BUILDING SITE.
- AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEMS MAY BE RECOMMENDED AS PER 1997 UNIFORM FIRE CODE, ARTICLE 10, SECTION 1003.2 IN ACCORDANCE WITH THE BUILDING CODE AS ADOPTED BY THE STATE OF NEW MEXICO AND/OR THE COUNTY OF SANTA FE.



VICINITY MAP

TRACT T-2A  
30.03 AC±  
#36 BAUER RD.

TRACT T-2B  
59.56 AC±  
#12 JUAN DE GABALDON TRAIL  
N/F COHEN  
PLAT OF NOTE #1

LEGEND AND NOTES

- DENOTES POINT FOUND AS NOTED
- DENOTES 11011 CAPPED REBAR SET THIS SURVEY
- DENOTES POINT CALCULATED
- DENOTES USGLOS MONUMENT SOUTH BOUNDARY JUAN DE GABALDON GRANT
- DENOTES EDGE OF EASEMENT
- X-X- DENOTES FENCE LINE

- BASIS OF BEARING IS FROM PLAT ENTITLED "LOT LINE ADJUSTMENT, FOR FULLERTON OF TRACT T-2" BY RICHARD A. CHATROOP N.M.L.S.#11011, AND FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 652, PAGE 042.
- THIS PLAT IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

DEDICATION AND AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS HAVE CAUSED TO BE SUBDIVIDED THOSE LANDS SHOWN HEREON. THIS SUBDIVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNERS. UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES. OTHER EASEMENTS ARE GRANTED AS SHOWN.

THIS SUBDIVISION CONTAINS 59.56 AC± AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE.

*Reese Fullerton*  
TRUCHAS Y ZORRO, LLC  
REESE FULLERTON, MEMBER-MANAGER TRUCHAS Y ZORRO, LLC

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY TRUCHAS Y ZORRO, LLC REESE FULLERTON, MEMBER-MANAGER TRUCHAS Y ZORRO, LLC

THIS 4th day of March 2007  
*Ramon A. Velasco*  
MY COMMISSION EXPIRES 7/31/09 NOTARY PUBLIC

SANTA FE NATIONAL FOREST

DENOTES APPROXIMATE LOCATION OF PRIVATE TRAIL. ACTUAL LOCATION OF 25' WIDE TRAIL EASEMENTS TO BE CENTERED ON EXISTING TRAILS. TRAIL IS SUBJECT TO RESTRICTIONS OF USE NOTED ON THE GRANT OF EASEMENT RECORDED AS INSTRUMENT NO. IN THE OFFICE OF THE SANTA FE COUNTY CLERK OFFICE.

PLAT & DEED REFERENCES

- BOUNDARY INFORMATION BASED ON PLAT OF SURVEY BY GUY D. HAYDEN, DATED JUNE 20, 1978, DRAWING NO. 534/73.
- ALSO REFERENCED PLAT ENTITLED "BARBARA BOYD SUBDIVISION" BY JAMES J. MEDRANO N.M.L.S.#5217 AND FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BK. 161, PG. 011.
- BOUNDARY INFORMATION ALSO BASED ON PLAT OF SURVEY ENTITLED "PLAT OF SURVEY FOR REESE AND ANNE FULLERTON" BY JOE D. TRULLIO N.M.L.S.#3958, DATED OCT. 12, 1978.
- WARRANTY DEED TO TRUCHAS Y ZORRO, LLC FILED AS INSTRUMENT NO. 150599056.

SANTA FE COUNTY APPROVAL NOTES AND CONDITIONS

*Mark Boland* 3-10-2008  
COUNTY LAND USE ADMINISTRATOR DATE  
07-3207  
DEVELOPMENT PERMIT NO.  
*Mark Boland* 2-28-08  
COUNTY RURAL ADDRESSING DATE  
*Mark Boland* 3-3-08  
COUNTY FIRE DEPT. DATE

- MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNERS/USERS, UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.
- THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 100 YR. FLOOD PLAIN AS SHOWN ON F.L.R.M. PANEL #350059-0175B.
- THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING DEVELOPMENT PERMITS.
- THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ARTICLE VI, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.
- WATER USE/WELL WITHDRAWAL ON THESE TRACTS IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK AND RECORDED AS DOCUMENT NO. 150113.
- THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR DEVELOPMENT PERMITS.
- EXISTING NATURAL DRAINAGEWAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW PATTERNS OR PATTERNS TO OR FROM THESE LOTS.
- THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE TRACTS IS FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK AND RECORDED AS INSTRUMENT NO. 150113.
- SOILS RATING PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING SEVERE DUE TO GRADES IN EXCESS OF 15%. ADVANCED WASTEWATER TREATMENT SYSTEMS MAY BE NECESSARY. BUYERS/USERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT.
- SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS OR ROADS AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
- AN ARCHAEOLOGICAL NON-DISTURBANCE EASEMENT HAS BEEN CREATED WITHIN THE LIMITS OF SITE L64743 AS DEFINED BY STEPHEN S. POST, CONSULTING ARCHAEOLOGIST, AND DESCRIBED IN REPORT NO. NMCRS 107525. ALL GROUND DISTURBING ACTIVITIES ARE PROHIBITED WITHIN THE LIMITS OF THE ARCHAEOLOGICAL NON-DISTURBANCE EASEMENT(S) AS DEFINED IN THE REPORT CITED ABOVE, EXCEPT IN COMPLIANCE WITH SECTION 3.4.30 OF THE SANTA FE COUNTY LAND DEVELOPMENT CODE.
- LOTS 1, 2, 3 AND 4 BUILDABLE AREAS OR ROADWAYS HAVE NATURAL SLOPES OF 15% OR GREATER. ALL DEVELOPMENT ON THESE LOTS MUST BE IN CONFORMANCE WITH THE APPROVED TERRAIN MANAGEMENT PLAN FOR THESE LOTS. DEPENDING ON THE PROPOSED DEVELOPMENT PLANS, LANDSCAPING PLANS AND FURTHER SITE PLANS MAY BE NECESSARY TO MEET TERRAIN MANAGEMENT AND LANDSCAPING REQUIREMENTS OF THE SANTA FE COUNTY DEVELOPMENT CODE.

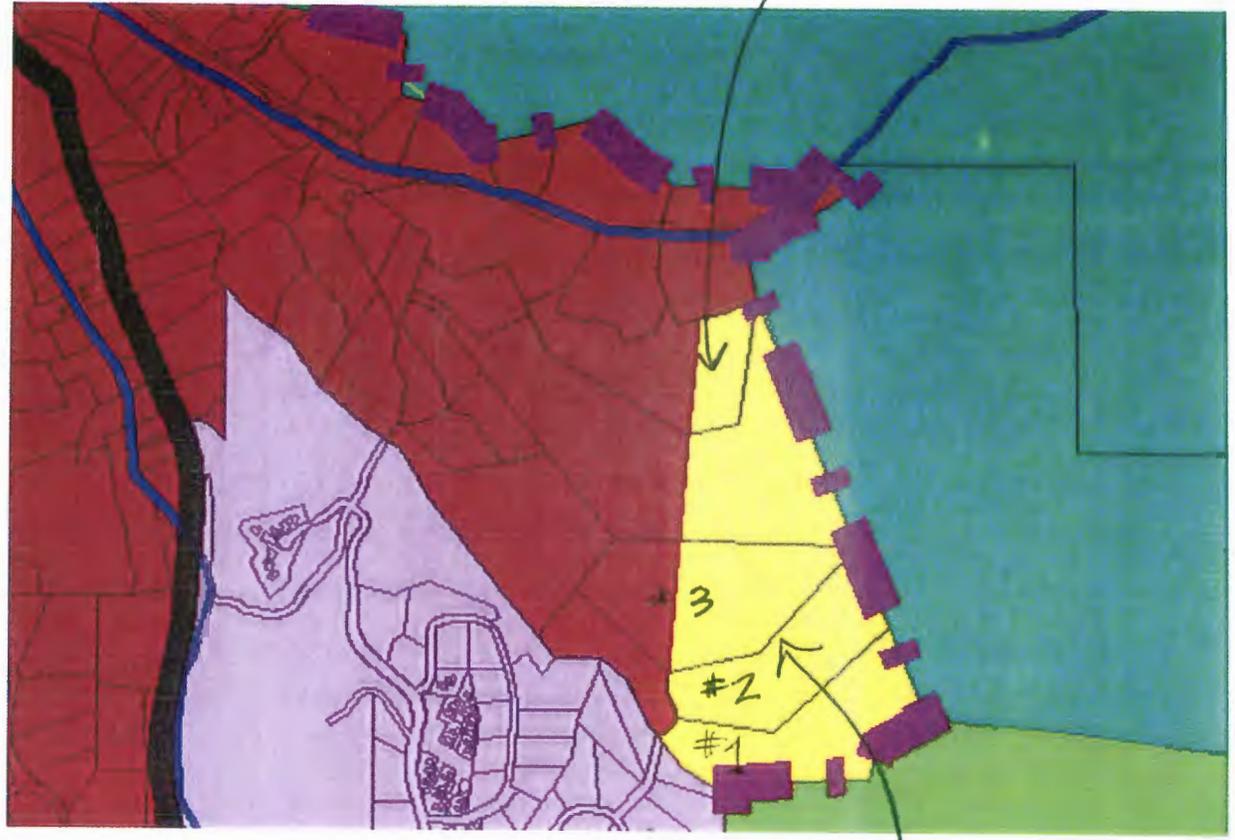
SUBDIVISION PLAT OF  
TRACT T-2B  
FOR  
TRUCHAS Y ZORRO, LLC

PURPOSE: TO CREATE FOUR RESIDENTIAL LOTS

LYING WITHIN THE JUAN DE GABALDON GRANT, WITHIN PROJ. SEC. 5, T17N, R10E, M3PN, SANTA FE COUNTY, NEW MEXICO.  
U.P.C.# 1-056-102-287-282

**RICK CHATROOP**  
PROFESSIONAL LAND SURVEYOR  
NEW MEXICO REGISTRATION NO. 11011  
(505) 470-0057 110 WAGON TRAIL ROAD CERRILLO, NEW MEXICO  
INDEXING INFORMATION FOR THE COUNTY CLERK: MAR 8 2008  
OWNER: TRUCHAS Y ZORRO, LLC  
LOCATION: LYING WITHIN THE JUAN DE GABALDON GRANT, WITHIN PROJ. SEC. 5, T17N, R10E, M3PN, SANTA FE COUNTY, NEW MEXICO.

TRACT 4-C-2



Lots 1, 2 & 3  
TRACTS 4 & 2000  
SUB DIVISION

SANTA FE PLANNING GROUP,  
LAND PLANNING AND LANDSCAPE ARCHITECTURE

EXHIBIT

tabbiter

5

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MEMORANDUM

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DATE: May 28, 2014  
TO: Board of County Commissioners  
Santa Fe County, NM  
FROM: Al Lilly  
RE: Longview Subdivision (formerly Tres Colinas)

Dear Commissioners:

I met on several occasions with County staff to discuss the Sustainable Land Use Plan and the proposed zoning designation for the Longview Subdivision (formerly called Tres Colinas). The property involves 358.37 acres located on the east side Old Las Vegas Highway. For reference, please see the attached location map, which illustrates the location of "Longview" (labeled as "B"), relative to the new Santa Fe County water tank.

Santa Fe Planning Group, Inc. represents Capital VI, LLC, the owner of Longview, and hereby respectfully objects to the proposed zoning designation for this property as Rural Residential with a density of one unit per 10 acres. This objection is based on the following:

1. The subject property currently has a recorded subdivision in place for Phase I, which involves 23- 2.5 acre lots on 60.9 acres.
2. Phase II anticipates 25 more lots on 94.5 acres, for a total project density of 48 lots on 155.4 acres. This would also provide for a total of approximately 203 acres of Open Space. This is a gross density of 1 dwelling unit per 7.46 acres.
3. Based on the current Land Development Code, minimum lot sizes of 2.5 acres are permitted with proof of water, vs. the proposed zoning of 1 unit per 10 acres. With the new zoning map, properties located both north and south of the subject property are proposed to be Residential Fringe zoning (1 DU/5 acres). The proposed zoning change would represent a down zoning for the subject property.
4. The County Water Department has plans to construct a new County water tank near the intersection of RT 285 and Old Las Vegas Highway, within one mile of the subject property. At a minimum, the property owner proposes to extend County water to the Longview Subdivision, and makes the argument that the proposed density should be permitted with the use of municipal water.

P.O. BOX 2482, SANTA FE, NEW MEXICO 87504  
TEL. 505-983.1134, FAX 505-983-4884

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SFC CLERK RECORDED 06/27/2014

The second attachment is a plan illustrating Phases I & II (48 lots) and the proposed County water tank sites on the northeast side of the property. We currently have approval for 24 lots in Phase I to be served by on site wells. It is the developer's goal to provide County water to the property to serve both Phases I and II for a total of 48 lots, which has to be preferable from the County's perspective regarding good planning practices. We have been actively working with the County Water Co. regarding a service agreement and have been exploring with them the possibility of locating the County storage tank on the subject property. For this to be feasible, this would require a zoning designation of 1 DU/5 AC.

Unfortunately the current Sustainable Land Development Code does not make any provisions for a density bonus for projects providing for municipal utilities or for open space and clustering. For this particular property, the choice is either 48 lots serviced by the County Water system or 30 lots served by on site wells. Furthermore, this subdivision would involve clustering and would be providing for more than 50% open space.

We respectfully request that the proposed zoning designation for Longview Subdivision be changed to Residential Fringe, thereby permitting a gross density of 1 unit per 5 acres.

Best Regards,

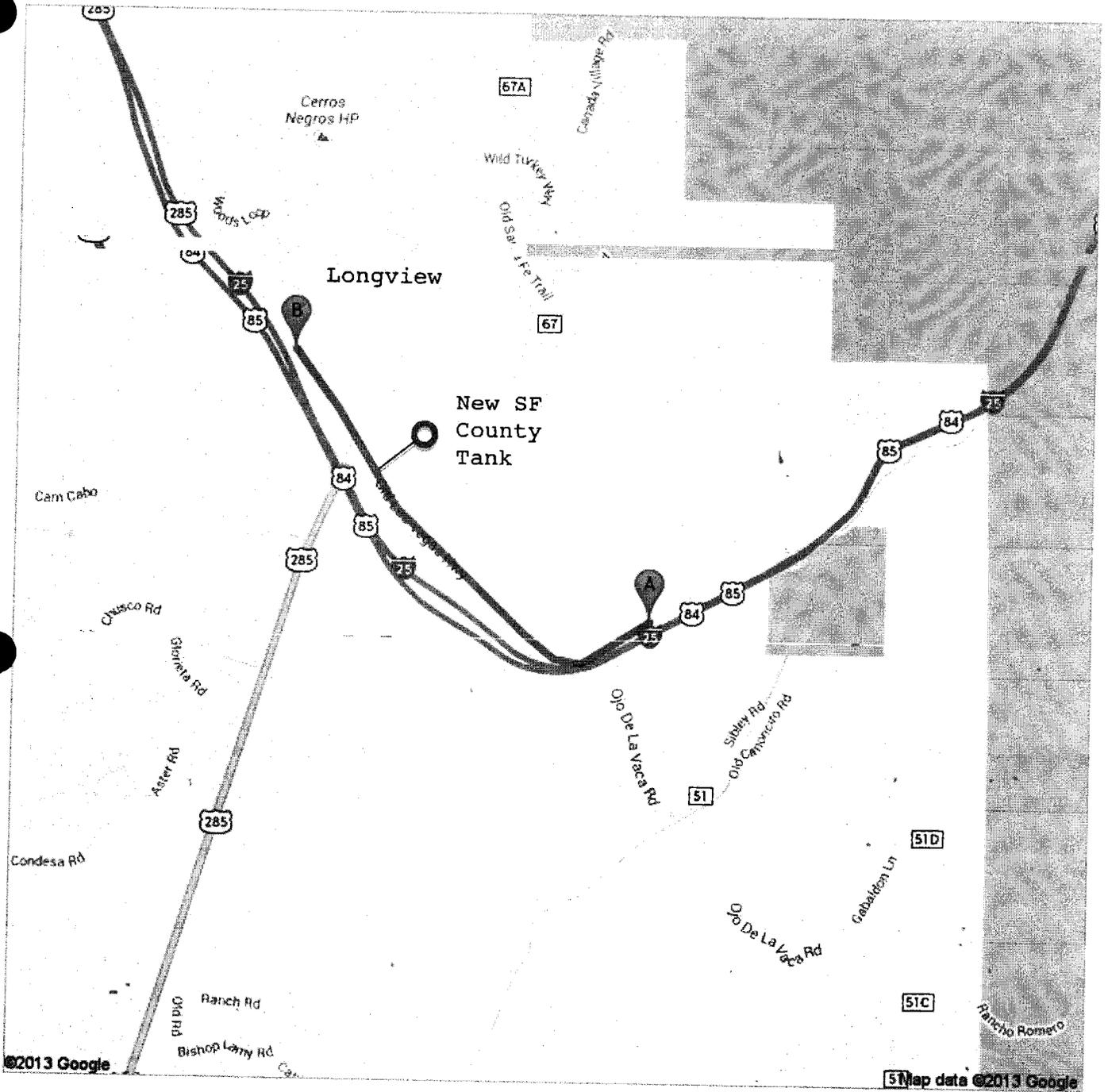
Al Lilly



SFC CLERK RECORDED 06/27/2014

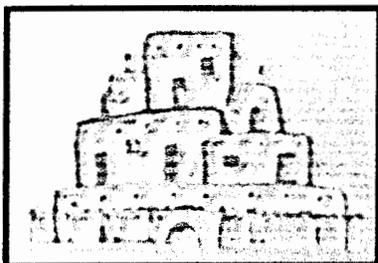


Directions to Old Las Vegas Hwy & Calle Colinas, Santa Fe, NM 87505  
3.3 mi - about 5 mins



SFC CLERK RECORDED 06/27/2014





## THE SAN MARCOS ASSOCIATION

---

To:  
Santa Fe County  
Growth Management Department  
102 Grant Avenue  
Santa Fe, New Mexico, 87501

Attn: Director; Penny Ellis Green

From:  
Walter Wait  
President, San Marcos Association  
P.O. Box 722, Cerrillos, New Mexico

Subject:  
**Comment on the Proposed Zoning Map: Ordinance 2013-6 Sustainable Land Development Code**

### Executive Summary

The San Marcos Association objects to the proposed inclusion of large blocks of "mixed use" and "Industrial" zoning along State Route 14 between the County Jail and the Turquoise Trail Elementary School. We believe that it is not in the best interest of the County to extend predominantly urban zoning to what is currently a ranching and rural residential area. We also believe that the County should not dictate where such zoning should occur prior to prospective developer's submittal of a master plan - especially in large ranch holdings such as those found south of the State Penitentiary. Having the County pre-zone portions of ranch-land for either industrial or urban development provides the selected land owner with an unfair commercial advantage, greatly increases the value of the selected property, changes the character of current land use, and eliminates a significant part of the application process identified in the code. Arguments are put forward in support of these objections and suggested alternative zoning, better suited to the character of the area, are advanced.

### The Facts

The proposed "mixed Use" area south of the State Pen and on either side of Route 14 totals approximately 1,920 acres. Mixed use permits 2 to 5 dwellings per acre or 2 to 12 dwellings with commercial. At full build out, and assuming that (a) 40 % of the available

acreage would be set aside for houses and (b) the average houses per acre would be 4, then the property would support 3,072 houses. The maximum dwelling count could reach toward 9,000 when all incentives are applied.

If you look closely at the proposed zoning map-this mixed use acreage surrounds a proposed 320 acre industrial area that would be situated directly south of the State Penitentiary.

The joint industrial and mixed use acreage is almost surrounded by "rural fringe" zoning ( 1 house per twenty acres).

An existing subdivision within the San Marcos District's ten acre zoning plan is immediately adjacent to the southern edge of the proposed southern edge of the "mixed use" area

The code "official map" calls for a "future" road linking the La Cienega exit to the interstate with State Route 14 at the Southern Side of the proposed Industrially zoned acreage.

### **The Potential Effects**

Placing over three thousand new residences and the infrastructure necessary to support it between the County Jail and the elementary school would dramatically alter the rural residential nature of the surrounding area, and would have a profound effect on the nature of the San Marcos District.

The proposed mixed use zone lies adjacent to "rural Fringe" and "rural zoning". There does not appear to be any attempt to transition between what would be an essentially urban environment to the rural residential environment and ranching environment that surrounds the acreage on two sides.

The proposed zoning, once built out, would cause an impossible strain on Highway 14 traffic patterns. It would almost certainly cause the State into a decision to expand the road to four lanes - thereby destroying the road's rural character.

Placing a high density "mixed use zone immediately adjacent to an existing "rural fringe" community would completely depress the current subdivision homeowners real estate values.

Placing a high density "mixed use" area next to ranch land would virtually destroy the ranch land for agricultural use.

By identifying a portion of an undeveloped Ranch as industrial and high density urban housing, the county is essentially directing development to this 2000 acre area and reducing the viability of the ranch operation for the remaining 8,000 acres on the west side of Highway 14.

The County Code gives ample opportunity for a developer to request changes in zoning without having the County Planners point a finger at a specific location. A developer who wishes to exploit these specific sections, for example, can always apply for the creation of a "planned Development Zoning District as defined in Chapter 8 of the Code. There is no reason therefore to "give away" the County and its citizens' right to negotiate limits to high density development within rural areas by granting developers "future" industrial or high density housing code "rights" to a property.

According to section 8.7.2 of the code, industrial districts must be "located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses". Placing ranching with industrial use and adjacent high density housing do not seem compatible with the intent of the code.

Visual sight lines. The Turquoise Trail, a nationally designated Scenic By-way Has sight lines that have already been corrupted by development from the State penitentiary and points north. If the county is to preserve its vistas to the South, then it must consider moving future high impact development as far away as possible from scenic sight lines. Designating high density housing and industrial zoning directly along side Highway 14 for an additional two miles would destroy the highway's Santa Fe "Entrada" look and feel. County "pre-zoning" in these areas could be thought of as creating a Development of County Wide Impact (DCI) without benefit of any process calculated to decrease adverse impacts to surrounding communities and to the County as a whole.

Street lighting is a requirement for any development in a "mixed use" development. This is entirely incompatible with "rural Residential" night sky sensibilities.

The properties identified for "mixed Use" and "Industrial" are both currently part of large ranch properties. County planners have stated that they would rather not zone across existing property boundaries. If that is true, then each of the two ranches should be zoned as entities. It would then be up to the property owners in the future to identify portions of their property that they may wish to rezone and develop.

By building a high density mixed use into the zoning map for a single developer or two, the county is providing that developer with an unfair competitive advantage over other property owners who may wish to build similar subdivisions. One would have to assume that all other developers would have to go through the re-zoning process as part of an application for master planning.

Adding between 3,000 and 9,000 homes would require the construction of at least three new schools. The placement of schools would more than likely not occur within the boundaries of the mixed use sections, but land sales to the County for their construction would further benefit the current land-owners.

### **Recommended Actions**

The San Marcos Association believes that it is inappropriate to encourage the creation of a satellite city in a semi rural environment and that such zoning encouragement will only foster results that will be detrimental to the citizens and well being of the County in the future.

SMA believes that the following changes need to be made to the zoning map in order to preserve the rural residential character of the San Marcos District, and the Highway 14 scenic byway.

Consolidate "urban" growth development to properties North of the State Pen and East of the County Jail.

Specify an open space "buffer" between high density growth area zoning and rural area zoning. The "limits to urban growth" so-to-speak must be well defined.

Eliminate the southern two sections of "mixed use" and replace them with a rural fringe (1 dwelling for ten acres) zoning, or zone them as twenty acre "rural fringe" (which identifies surrounding current range land).

Change the Northern section to "residential fringe" or continue the rural fringe designation for base zoning.

Zone the current proposed industrial 320 acres as either residential fringe or rural fringe.

Either eliminate the proposed industrial zone or move the proposed "industrial zone" either north (closer to the 599 interchange) to what is identified as "mixed uses" or west, closer to the La Cienega I-25 interchange (also identified as "mixed Use").

Direct new development traffic to the I-25 frontage road rather than directly pouring new development onto state route 14.

If the County planners believe that it is essential for future growth to identify a high density "mixed use" corridor South along Highway 14, , then rather than extending the urban growth path further and further South, they should perhaps create a band of "mixed use" that is no more than 320 acres by 140 acres per section stretching from the County jail east to Eldorado.

That would at least create the opportunity to develop a second entrance to Santa Fe, rather than funneling all traffic to Highway 14.

It would also create a defining line between urban and rural.

The SMA does not consider this to be a "preferred" option.

The 360 acre "industrial" zone might have been designed to attract a large single "intel" type business to our area. However, it is more likely to attract such "heavy" industry as junk yards, demolition business, and processing plants (metals, chemicals, asphalt.

concrete, etc., all concentrated in industrial "business parks". Picture, if you will, Siler Road and environs in the City. "Hey" says the developer... "you are the folks that zoned the ranch for these businesses. We're just following your lead."

SMA does not believe that a large industrial zone south of the State Penitentiary is in the County's best interest as it interferes with the areas tourist based economy. We believe that "industrial zoning should be left to an applicant to apply for. Once the application for re-zoning is made, the County Commission can decide if the zoning application is a compatible use.

No development in the proposed Mixed use zone, irregardless of where it is placed, should be permitted until such time as a connector to the La Cienega Interchange is built, and a link through the Community College District is developed ( as an alternative to the increased use of Highway 14. This caveat should be included in the Land Use Code.

### **Transitions between Zones**

Much of the problems with the proposed zoning map appear to be found in transitions between one zone and another. The SMA would suggest that new development that radically alter a property owner's enjoyment of their existing residence must follow the following formula: new development in zone "A", where "A" is located in a zone permitting smaller parcels than in an adjacent property "B" in a different zone, be required to subdivide only to one half the property "B" zoning.

For example, if property "B" is ten acres and within a ten acre zone, then property "A" subdivider may only subdivide the adjacent property "A" to five acre parcels even though it is in a "mixed use" zone permitting 5 houses per acre.

Respectfully Submitted

Walter Wait  
President  
San Marcos Association

SEC CLERK RECORDED 06/27/2014

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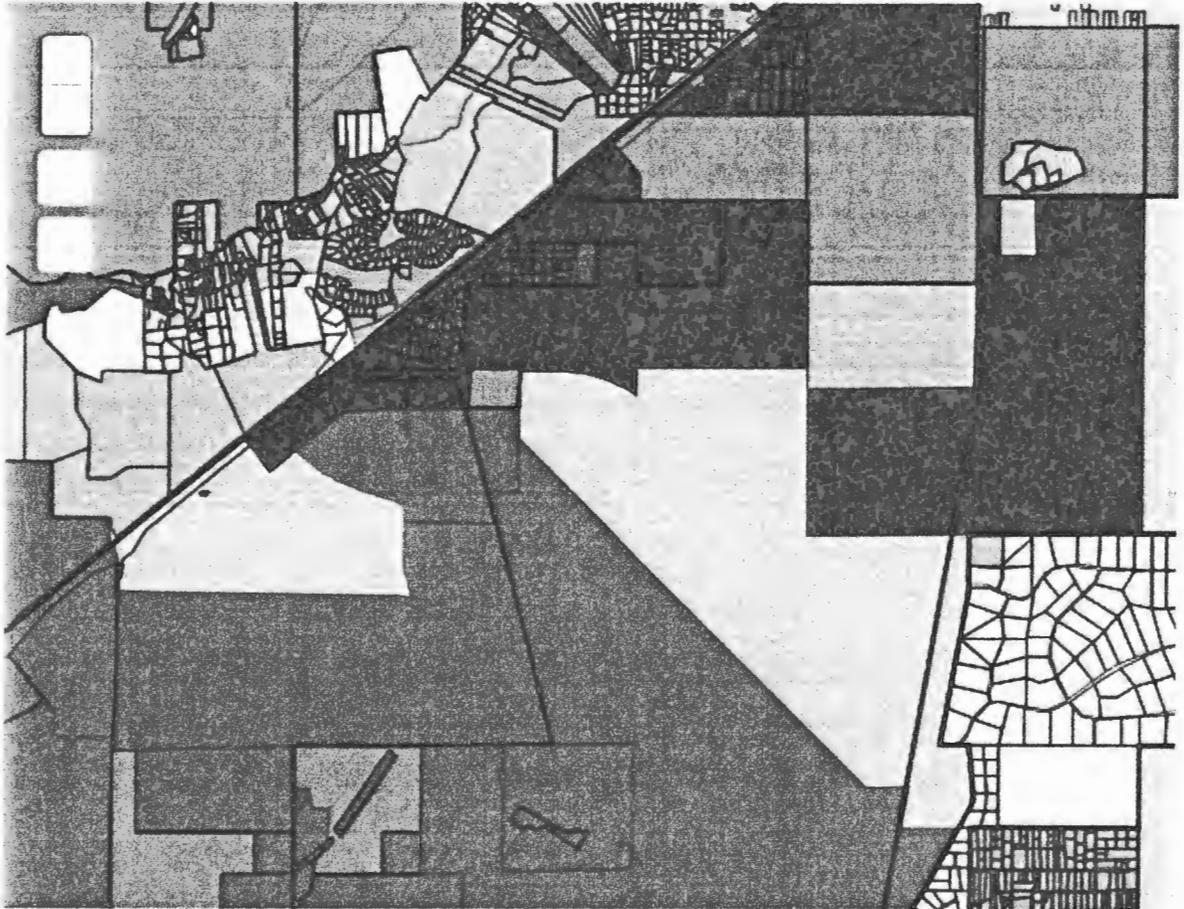
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SFC CLERK RECORDED 06/27/2014

Santa Fe County Proposed Zoning Districts 5/19/14, 11:01 AM



**Alter the Proposed Code Zoning Map to include any actively ranched or property identified on the County Tax roles as Ag/Ranch**

**Summary:**

We believe that initial Zoning of actively utilized ranch and agricultural land (Ag/Ranch) must be shown on the official zoning map as "Ag/Ranch", irregardless of where it is situated within the County. County Staff has placed several ranches in the vicinity of the City of Santa Fe at risk by proposing that what is currently ranch-land be zoned as either high density "mixed use" or "highly disruptive "industrial". This paper makes the argument that such "pre-zoning" is inappropriate, that the County Plan and code advocate the preservation of Ranches and Agricultural properties, and that there are ample processes in the code to permit re-zoning in the future. Re-zoning insures that both public and private interests can be aired prior to the actual submission of a master-plan - and insures that the continuance of ranching/ agricultural activity has a fair hearing.

The paper also argues that any re-zoning of ranch land be considered under Section 11.2.3 "substantial Land Alteration", as altering ranch-land to any other zoning classification is an irreversible action that might have County-wide Impacts.

The paper recommends that any property that is currently taxed as Ag/Ranch be designated on the Initial Zoning Map as "Ag/Ranch".

**The "Initial" zoning Issue**

The Santa Fe Land Development Code states the following:

Chapter 8.1 permits the County to divide the County into "base zoning" districts. The ten specific purposes to be achieved by zoning are enumerated in this chapter. The County designation of industrial, and mixed use zoning areas within the County, especially within SDA-1 and SDA-2 areas, appear to meet these ten criteria.

8.1.4. states as follows: "promote and incentivise infill into SDA-1 and SDA-2 areas where adequate public facilities and services presently exist"

8.1.5. Balance residential development with economic development where appropriate to assure County fiscal integrity;

8.1.6. Promote and incentivise flexible planned mixed use buildings, centers, and neighborhoods.

Section 1.15.6.2.1. likewise reflects the Public Policy utilized to generate these criteria.

The question is not whether the County can create industrial and mixed use zoning in properties currently utilized for ranching, but SHOULD it do so within the context of an initial County-wide zoning initiative.

It would appear that most of the zoning map designations designed by the County Planners follow existing land use. it is only large ranching properties in close proximity to the City of Santa Fe that are targeted for urban or industrial zoning changes permitted under section 8. This is so, even though they are currently being utilized as ranches. Both the SMP and the Code advocate the protection of ranch and farm land.

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It is our view that properties that are currently being actively ranched or farmed should not be manipulated by the County Planners to meet Section 1.15 Policy or Section 8 goals, but should be zoned as agricultural/Ranching land.

Section 8.6.1.1. (as it appears below) seems to meet the underlying requirements for zoning of these large tracts of ranch-land.

#### 8.6.1 Agricultural/Ranching (A/R)

8.6.1.1. Purpose. The purpose of the Agricultural/Ranching district is to designate areas suitable for agricultural, ranching and residential uses, and to **prevent encroachment of incompatible use and the premature conversion of agricultural and ranch lands to nonagricultural uses.** Uses in the A/R district are limited to agricultural, ranch, residential and other compatible uses. This designation reflects areas whose present use is agricultural, such as grazing or dry land farming. Density transfers and clustered development shall be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas."

The fact that they are partially situated within the SDA-1 area does not mean that they should be targeted for urban or industrial growth or that the County should encourage such growth. It is immediately apparent that changing the zoning of critically important portions of these ranches would, in fact decrease the viability of the ranches as a whole.

By zoning portions of these ranches as anything but ranch-land, the county is rising a thorny issue of how to assess the properties for tax purposes. If the properties are zoned "mixed use", commercial," or "industrial" , does that mean that they would lose their agricultural standing for tax purposes? It is clear that the only way that a ranch can be preserved as open space important to the character of a community, is for it to maintain its tax status as ranch-land. Once broken up for other uses, the remaining large sections cannot maintain this standing and they become to expensive to keep.

Once these properties are no longer ranched, the owners should request a re-zoning amendment as specified in Section 1.15 of the code, or apply for an overlay zoning change (section 8.11).

#### **Ranch Development as "DCI"**

Chapter 11 discusses "Developments of Countywide Impacts". DCIs have the potential for far-reaching effects on a community, would place major demands on public facilities, the County's capital improvement plan and budget, and have the potential to affect the environment, public health, safety, and welfare beyond the impacts on immediately neighboring properties. DCIs have the potential to create serious adverse noise, light, odor, vibration, explosive hazard, traffic congestion, and burdens to County emergency response services.

We would argue that any proposed development of ranch-land is implicitly a "DCI", as development carries with it the probable change to the visual character a wide area. Development of portions of ranch-land also must be evaluated against the continued viability of ranching activities often miles away from the proposed development. The designation of DCI calls for a yet-to-be written section 11.2.3 "substantial land alteration". It is under this section that re-zoning" of current ranch land to other commercial uses ( including industrial,overlay zoning and high density "mixed use") must be placed.

Once a ranch is broken up, it' like Humpty Dumpty. You can never put it back together again

Therefore, Ranch and farm properties that are currently taxed as ranch/farm -property, should be initially zoned as Ag/Ranches. Attempts to rezone ranches should be treated as DCIs and the proposed zoning changes should be evaluated against possible impact criteria such as "impacts to tourism", impacts to visual sight-lines, impacts to environment, impact to agriculture as a whole, potential disruption of the larger community's life style, and affects on overall patterns of growth. These criteria would be identified in section 11.2.3. and evaluated by the Code's process.

**Why the County should not "pre-zone" large privately owned tracts for "for-profit" development.**

From our perspective, the County views the large properties to the South of the City of Santa Fe, as their "natural" growth corridor. The planners have very little interest in preserving these ranches and sees them as inevitably linked to urban expansion. They apparently do not wish to see that the gradual extension of urban zoning to existing roadways and infrastructure only serves to further fragment these ranches and erodes their vital scenic beauty. By "pre-zoning" large privately owned tracts for future "for-profit" development, they are knowledgeably destroying the ranching viability of these parcels. Nowhere else in the proposed zoning map do you find portions of an existing ranch split into high density or industrial portions.

By preserving the zoning of these ranches as Ag/Ranches, future developers must apply for changes to the underlying zoning. An application to change zoning requires considerable review. Section 1.15.6.2. lays out the approval process for applications requesting amendments to the zoning map and lists the arguments that must be made both for and against re-zoning. It is mirrored in Section 8.

While Section 1 makes clear that such provisions do not apply to changes instituted by the County itself, for all other applicants, Section 1.15.6.2.2 states "... Tracts, Parcels or lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive."

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Section 1.15.6.2.3 states as follows:

"The Board shall consider the suitability or unsuitability of the tract, parcel, or lot for its use as presently zoned. This factor shall, however, be weighted in relation to proof of a clerical mistake in the text or map dimensions and uses of the zoning district, substantially changed conditions in the area surrounding the property, or to effectuate the important findings of section 1.15.7.2, and is supported by the goals, policies, and strategies of the SDLC, the SGMP, Area, District, and Community Plan."

Section 2.1.5. states as follows:

2.1.5.2. No amendment to the future land use maps of the SGMP, Area, District, or Community Plan, or the zoning map, involving a majority of the land within a single tract or parcel of land in the same ownership shall be adopted unless it is demonstrated that there has been a substantial change in the condition of the area surrounding the owner's property, or there was an error or mistake made in the adoption of the future land use or zoning map. An application to amend any plan described in this chapter shall be processed according to the procedures set forth in Chapter 4".

Re-zoning application, as directed in Table 4-1 of the Code, requires the applicant to conduct a TAC meeting, a pre-application meeting, and to provide studies and reports as directed. All of these requirements are designed to insure that proposed development of large ranch properties are not done out of context - a nibble here, a nibble there - until there isn't any ranch left. It is also designed to allow far greater public input and study. None of these safeguards are in place when County Planners "pre-zone" an area for development. While it is true that a developer would still have to submit a development plan, the location of the development within the context of the ranch has been pre-ordained by the County. This is why we suggested that re-zoning ranch-land be included as a DCI and made subject to broader evaluations, and why the sections of ranch-land that have been proposed as either "industrial" or "mixed use", be re-evaluated and placed in their more appropriate classification as "Ag/ranch".

We believe that It is far more valuable to the County to have a large property owner submit a preliminary development plan and a request for re-zoning for an entire Ranch property - not just a piece that has been placed out of context and "pre-zoned" by the County.

### **Community Plans and "for-profit" development**

We believe that High Density, Commercial, and Industrial Development applications that require a change in base zoning must be accompanied by either changes in an existing community plan overlay or the submission of a community plan in accordance with Section 1,8 and 9 of the Code. Incorporating such changes in base zoning defined within a community plan insures that the public interest as well as the developer's "interests" are served.