



**SANTA FE COUNTY**

**REGULAR MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**October 25, 2022**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:17 p.m. by Chair Anna Hamilton in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

**B. Roll Call**

Roll was called by Deputy County Clerk Evonne Gantz and indicated the presence of a quorum as follows:

**Members Present:**

Commissioner Anna Hamilton, Chair  
Commissioner Rudy Garcia, Vice Chair  
Commissioner Anna Hansen  
Commissioner Hank Hughes  
Commissioner Henry Roybal

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Chair Hamilton and the Moment of Reflection by Evonne Gantz of the Clerk's Office.

The Commissioners requested a moment of silence in recognition of the passing of Carl Peter Cordova who was involved in the National Heritage Area as well as National Parks Service.

**F. Approval of Agenda**

CHAIR HAMILTON: Manager Shaffer, do you have things to read us in on?

GREG SHAFFER (County Manager): Thank you, Madam Chair, Commissioners. Our initial agenda for today's meeting was posted on Tuesday, the 18<sup>th</sup> and the amended and final agenda was posted on Friday, October 21<sup>st</sup> at approximately 5:00 pm. The first Consent Agenda item, 4. F, was added to the agenda. In addition,

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updated packet material and packet material itself was added for Miscellaneous Action item 6. A and 6. C, and finally, a new Miscellaneous Action item 6. F was added to the final agenda for today's meeting.

CHAIR HAMILTON: Excellent. So with those changes, what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I move to approve the agenda with the changes presented by Manager Shaffer.

CHAIR HAMILTON: Thank you. I have a motion. Can I have a second?

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

**1. G. Years of Service and New Hire Recognitions**

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. We're pleased both to recognize County employees who are marking significant milestones in their tenure with the County, specifically five, ten and fifteen years of service with the County, as well as new hires joining our team. With regard to years of service, the following employees will be recognizing their fifth year anniversary with Santa Fe County: Daniel Martinez in Fleet Service, Toby Gallegos in Public Works, Tori Gallegos in Human Resources, Reyes Lujan in Open Space. Marking their ten-year anniversary with the County is Jerome Tafoya in the Fire Department, Amanda Archuleta in the Corrections Department, Patricia Boies in Health and Human Services Department, and Valentino Baca in the Sheriff's Department.

In terms of 15 years, we have Lawrence Ortega in the County Assessor's Department, Maria Elena Montoya in our Corrections Department, Audrey Equibel in Human Resources, George Gurule in the County Assessor's Office and Daniel N. Fresquez in the Information Technology Division. So we congratulate them on those significant milestones.

Looking at our new hires, during the month of September, we had Brittani Bolleter in the Assessor's Office, Edwina Ortiz in Projects and Facilities Management Division of Public Works, James Walker in the Public Works Department, Robert Lucero in the RECC, Ramon Sedillo in the Sheriff's Department, Iysha Acuna in the Utilities Department, Sean Muir in Corrections, Thomas Rael in the Assessor's Department, Carrie Gaston in HR, Jessica Lucero-Muniz in our Finance Division, Jennifer O'Brien in the Health and Human Services Department, and Boleslo Romero in our Public Works Department.

So again, we welcome our new team members and congratulate existing team members who are reaching significant milestones with the County.

CHAIR HAMILTON: Excellent. Thank you so much. We always love doing these, recognizing the people who make the County what it is and welcoming new people who are going to start contributing. It's such a great thing to do. Anybody else

wish to comment?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: I just want to say thank you to all our employees that are celebrating anniversaries and thank you for being here and working with Santa Fe County and our constituents. And also welcome to all our new employees. I'm very excited to work with you and I hope that we can build those relationships in the future.

CHAIR HAMILTON: Thank you so much.

**2. APPROVAL OF MEETING MINUTES: September 27, 2022**

CHAIR HAMILTON: I assume Commissioner Hansen has some changes, maybe.

COMMISSIONER HANSEN: I do not have any changes but I'll move to approve.

CHAIR HAMILTON: Excellent. Thank you.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

**3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS**

**A. (1) Presentation on Alcohol in New Mexico and Santa Fe County and (2) Request for Approval of Resolution No. 2022-082, a Resolution Urging the New Mexico Legislature to Research and Implement Evidence-Based Strategies to Reduce Alcohol-Related Harms in Our Communities**

CHAIR HAMILTON: I see we have our Community Services Director, but before we go there I'll go to the Commissioners. So Commissioner Garcia, then Commissioner Hansen.

COMMISSIONER GARCIA: Madam Chair, I'd actually like Ms. O'Connor to actually proceed forward with her presentation.

CHAIR HAMILTON: Okay. Great. Thank you so much. Thanks, Director O'Connor for being here. Really glad to have you.

RACHEL O'CONNOR (Community Services Director): Thank you for having me here today. I want to start by thanking all of you for your interest in this topic and in public health in Santa Fe County, and to thank specifically the Commissioners, Commissioner Garcia, Commissioner Hansen, who brought this forward.

I want to speak specifically to what I term the good news about alcohol in New Mexico and the bad news about alcohol in New Mexico. And I want to start by some facts that I pulled from the New Mexico Department of Health and the CDC, and they were referenced in *Albuquerque Journal* article recently that was done by New Mexico in

Depth, which I think really provided some good context for policymakers for consideration in reducing alcohol-related harms, both in New Mexico and in Santa Fe County.

And so some of the more salient points that were made, one, alcohol kills New Mexicans at a far greater rate than anywhere else in the nation, by far. In 2020 we were twice the national average. New Mexicans are dying of alcohol-related harms at nearly three times the national average. Alcohol liver disease, cirrhosis and other illnesses related to alcohol abuse killed 963 people in New Mexico in 2020 and excessive alcohol cost about \$2.2 billion in 2010. There are a whole bunch of statistics that make up those cost figures including lost productivity, medical expenses and such, but I think the bit take-home is that New Mexico in general has an issue with alcohol and it has led to the death at a far greater rate than people in other states experience.

The good news, and there is some good news, is New Mexico has made huge strides in reducing alcohol-related fatalities due to motor vehicle crashes. So we've seen a massive reduction in DWI really over the past probably 30 years. When I first started working in DWI we lost about 450 people a year, which was at that point in time the highest in the country. We now are losing about 145 – still unacceptable but not close to being in the top ten.

And as you'll see from the next slide, that also holds true in Santa Fe County. I see the past year there may be an anomaly in our data as it's coming in but Santa Fe County by and large has seen a reduction in terms of drunk driving and therefore has had a generally downward slope as people have learned that it's less accessible and the enforcement and the laws have been appropriate.

And I think this slide is probably the most difficult slide to look at. And this is what's called alcohol-related harms. Alcohol-related deaths in New Mexico have risen significantly above the national average. As you can see as evidenced in the graph above, the top turquoise being New Mexico, a dramatic increase starting probably ten years ago and it continues. And this would include things such as alcohol-related cirrhosis of the liver, chronic liver disease related to alcohol consumption, motor vehicle crashes that are alcohol-related, and then many other directly – diseases strictly impacted by alcohol use and in this case, excessive alcohol use.

Just as I showed the figures for drunk driving as well, the not so good news also extends to Santa Fe County. As you can see there is a significant increase in terms of the number of deaths from chronic liver disease and cirrhosis that have been experienced in Santa Fe County.

The good news about some of this data is that the CDC and many other entities do have very good research on evidence-based strategies to reduce alcohol consumption, and I just want to briefly go over what some of the more strongly recommended measures are and how they could impact this in New Mexico. Some of these have been moved forward. The alcohol excise tax was last increased frankly in I believe 1994. New Mexico has an alcohol problem that so exceeds other states but the alcohol excise tax does not particularly reflect that. There have been efforts that have come forward. I expect there will be efforts of varying different kinds in the upcoming legislative session. The evidence around increasing alcohol excise tax in order to reduce consumption is significant. Particularly in other states that have some similar characteristics to New

Mexico. For example, Alaska saw a huge drop in consumption with only a small increase in taxes.

Alcohol outlet density – I grew up in Gallup, New Mexico. Gallup had a really significant density issue because when the liquor laws were put into place in New Mexico a lot of the different entities were grandfathered in to the Liquor Control Act. And that was so in many places in New Mexico. Our DWI team historically has worked on alcohol outlet density. Sales to people intoxicated – again, another issue related to liquor control that is very dear to me. Often people are sold alcohol at .16 BACs and above, and that can become an issue.

Screening and brief intervention, this is a program that we implemented in our DWI program, very evidence-based. Short-term treatment that frankly is often delivered on line. Another evidence-based strategy to reduce consumption. alcohol ads and marketing, and I have education and reform of the New Mexico Liquor Control Act. In general, it's the Liquor Control Act that deals with density issues and the availability of alcohol within the state of New Mexico.

And in closing I just wanted to recognize some of the efforts that have been made here, in particular, the Community Services Department, certainly within the Sheriff's Department, and across the County. We do have a DWI team that's funded through the alcohol excise tax. We do public awareness. We fund enforcements, and have a really great compliance monitoring team that ensures that people who are convicted of DWI offenses are also meeting the terms of their sentencing. We at Santa Fe County do and continue to spend money on issues relative to alcohol consumption and health, and that includes things like detox services, treatment services, our La Sala often gets people with chronic alcohol or substance abuse issues that we provide behavioral health services to, as well as a lot of the funding that is for youth behavioral health issues, and that often touches on youth substance abuse.

So in closing I think that New Mexico and Santa Fe County will be focusing intently on this issue over the next couple of years. It's been a longstanding public health issue that we have here but there are measures that can be taken to reduce the harms related to alcohol in New Mexico. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much, Director O'Connor. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Rachel for an excellent, detailed presentation, and thank you for working with Brittny on this as well as our Legal Department. As you are aware of, under Governor Bill Richardson, you actually had a major role in what I feel that the state of New Mexico started many years ago. You were actually the individual, the staff, probably one of the only staff that worked with the different agencies as to how we can combat this challenge that we have in the state of New Mexico as well as our communities out there.

Sometimes a lot of people don't realize how it affects individual people, families, friends, or accidents as you saw in the paper today, that unfortunate accident that happened in Taos. It's almost something similar to a cancer. Until it actually affects you some way, somehow, then it really crosses your mind and you think about it.

As you mentioned earlier, the legislative session several years ago passed the liquor excise tax. The last session they actually got rid of the little individual bottles that

you purchase at gas stations. Whether that's helped or not, I think that's a topic for discussion. This year the state legislature has a 60-day session. It has come up. The challenge of the state of New Mexico as well as our communities, it's needed out there and how do we handle it? How does the legislature handle it? I think that's something that myself as well as Commissioner Hansen bringing forward this resolution will assist us in going to the state legislature and asking what are they going to do if they do raise the liquor excise tax. And hopefully when they do raise that tax, if they do raise that tax, it goes to treatment programs and health for this community. The liquor industry is very strong and powerful out there, as you know.

The state legislature has had some sub-committees. We've had the New Mexico treatment courts in September of this, actually had a presentation in regards to what do we need to do. It's on the radar screen for the state legislature. The Legislative Finance Committee, it's also been brought to their attention. So how we navigate or how the state of New Mexico or individuals or people or the communities that are actually being challenged through this it's going to be interesting as into how we move through the state legislature.

Your department, Santa Fe County, the efforts that we do here on your last page of your presentation is – it's great. And seeing how it works and different things that Santa Fe County does for the entire community, whether you live in the city or whether you live in the county is great. I thank the efforts of my colleagues, I encourage you all to please in the next years to come when it comes to that crafting of the budget next year that we continue to move forward in helping these different providers under our programs that help out the community for this need.

With that, I would just thank you once again. Rachel you're probably one of the individuals that knows how bills, legislation works for this type of legislation that's going to be brought forward. And with that, I'd like to turn it over to Commissioner Hansen if she has any comments and then her and I will actually go through the resolution that we're proposing.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, Commissioner Garcia. Alcoholism is a terrible disease and it needs to be treated as a disease and there is treatment for it and that is one of the great things that people can actually recover with their own determination, but it takes real determination to want to recover from that. I think it's great that the Recovery Center is working on building another facility, because one of the things that we're very short of is treatment facilities in this state, and I think that that is a really important part of helping people with alcoholism.

I always remember Governor Richardson's slogan: you drink, you drive, you lose. I thought that was very effective messaging. One of the things that I've asked for in the past and I think this was before the pandemic is maybe we should have our DWI bus that has the wrapping on it in the Fiesta Parade to help people know that Santa Fe County is really trying to help people and make sure that they know about our CONNECT program, and La Sala, and the detox center. Recovering from alcoholism or detoxing is one of the most severe forms of detox and really people are incredibly fragile at that time and when we lose people, whether it be in a hospital or a jail or anywhere, it is because detoxing from alcohol is so severe on your body and needs so much care and support.

So I just wanted to share those few words and thank Commissioner Garcia and the whole Commission because I think that by Santa Fe County bringing this resolution forward we can share it with New Mexico Counties, we can share it with the other counties to really help lobby for the legislature to make a difference in people's lives. So thank you.

CHAIR HAMILTON: Excellent. Thank you so much. Are there questions or comments?

COMMISSIONER HANSEN: Madam Chair, I think that we want to read the resolution into the record.

CHAIR HAMILTON: Oh, I thought you were giving time for any discussion first but that would be fabulous. Go ahead and read the resolution.

COMMISSIONER GARCIA: Thank you, Madam Chair. A resolution urging the New Mexico Legislature to research and implement evidence-based strategies to reduce alcohol-related harms in our communities.

Whereas, alcohol kills New Mexicans at a far higher rate than anywhere else in the Nation; and

COMMISSIONER HANSEN: Whereas, New Mexicans are dying of alcohol-related harms at nearly three times the national average; and

COMMISSIONER GARCIA: Whereas, in 2020 there were 1,878 deaths attributable to alcohol in New Mexico; and

COMMISSIONER HANSEN: Whereas, one in five deaths of working age New Mexicans is attributable to alcohol; and

COMMISSIONER GARCIA: Whereas, alcoholic liver disease, cirrhosis and other illnesses related to alcohol abuse killed 963 people in New Mexico in 2020; and

COMMISSIONER HANSEN: Whereas, excessive alcohol use cost New Mexico \$2.2 billion in 2010. This is equivalent to more than \$1,000 per New Mexican per year; and

COMMISSIONER GARCIA: Whereas, in 2019 28.4% of Santa Fe County youth at Santa Fe High School reported using alcohol; and

COMMISSIONER HANSEN: Whereas, in 2019, 20% of those youth reported they took their first drink prior to the age of 13; and

COMMISSIONER GARCIA: Whereas, in Santa Fe County in 2020 there were 119 deaths attributable to alcohol, and 38 deaths due to alcohol-related liver disease or cirrhosis; and

COMMISSIONER HANSEN: Whereas, Santa Fe County has a vested interest in the health and well-being of its citizenry; and

COMMISSIONER GARCIA: Whereas, we support the New Mexico Legislature to increase alcohol tax in the 2023 session of legislation as a mechanism to reduce the impact on our community.

COMMISSIONER HANSEN: Now, therefore, be it resolved that the Board of County Commissioners of Santa Fe County urges the New Mexico Legislature to research and implement evidence-based strategies to reduce the number of deaths and injuries due to alcohol-related harms. Considered efforts should be guided by the recommendation of the Centers for Disease Control (CDC), including but not limited to

consideration of the following:

COMMISSIONER GARCIA: Number one, increase alcohol taxes. Increasing alcohol tax has been shown to decrease drinking, including underage drinkers, and decrease many alcohol-related harms.

COMMISSIONER HANSEN: Regulate alcohol outlet density, limiting the number of businesses selling and distributing alcohol in neighborhoods is one of the most effective strategies for reducing alcohol-related harm.

COMMISSIONER GARCIA: Alcohol screening and brief intervention, screening and brief intervention services provided in clinical, community, or fully online settings have been shown to reduce excessive alcohol consumption.

COMMISSIONER HANSEN: Four, limit the days and hours alcohol sales occur. Maintain or decrease days and hours that alcohol is sold.

COMMISSIONER GARCIA: Be it further resolved that the County Manager is directed to forward this resolution to Governor Michelle Lujan Grisham, the leadership of the New Mexico Senate and House, Senators and Representatives in the New Mexico Legislature representing Santa Fe County, and New Mexico Counties' Board of Directors and Executive Director.

COMMISSIONER HANSEN: And with that I'm going to make a motion to approve this resolution on this 25<sup>th</sup> day of October.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Excellent. So I have a motion and a second. Are there any other comments or questions? Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I want to thank Commissioners Hansen and Garcia for bringing this forward. It's a very important issue. I think all of the things that are being suggested to the state legislature are excellent ideas that would make a big difference. And I would just add, and I know we're already working on this, that reducing childhood poverty and adverse childhood experiences, which are some of the things that predispose people to being vulnerable to alcoholism is another thing that we can work on together, not only at the state legislature but here in the County as well. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thank you very much. Anybody else? I have a motion and a second.

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

COMMISSIONER HANSEN: Madam Chair, I want to thank Rachel also. It's good to see you, Rachel, and also thank you for your presentation.

CHAIR HAMILTON: Definitely. Thank you so much.

**4. CONSENT AGENDA**

- A. Pursuant to NMSA 1978, Section 47-6-7, Request for Approval of Landowner Statement Declaring Partial Vacation of a Lot Line Adjustment/Summary Review Subdivision Plat, Prepared for the Estate of Frutoso Herrera, Sr. and the Estate of Trinidad Herrera, Filed on April 11, 2014, in the Records of the County Clerk as Document No. 1734367 (Growth Management Department/Vicki Lucero and Jessica Gonzales)**
- B. Resolution No. 2022-\_\_\_, a Resolution Authorizing Holidays, Closing of County Offices, and the 2023 Santa Fe County Employee Calendar (Human Resources Division/Sonya Quintana) ISOLATED FOR DISCUSSION**
- C. Resolution No. 2022-083, a Resolution Adopting the Amendment for Local Governments Road Improvement Fund Project No. SP-L500481 for Pavement Rehabilitation/Improvements of Calle Gurule, Moya Place, and Moya Road (Public Works Department/Gary L.J. Girón)**
- D. Resolution No. 2022-084, a Resolution Adopting the Amendment for Local Governments Road Improvement Fund Project No. SB-L500505 for Pavement Rehabilitation/Improvements of La Puebla Road (CR 88) and West Alameda (CR 70) (Public Works Department/Gary L.J. Girón)**
- E. Resolution No. 2022-085, a Resolution Adopting the Amendment for Local Governments Road Improvement Fund Project No. CAP-L500512 for Pavement Rehabilitation/Improvements of Quiet Valley Loop and Quiet Valley Circle (Public Works Department/Gary L.J. Girón)**
- F. Request Signature Authorization for the County Manager to Negotiate and Execute on Behalf of the County the Amendments to Agreement No. 2021-0075-PW/AG, County Utility Line Extension and Development Agreement Between RMGA Resources LLC and Santa Fe County, Including all Purchase Orders (Purchasing Division/Bill Taylor and Public Works Department/Michelle Hunter) (Item Added)**

CHAIR HAMILTON: Are there any items anybody needs pulled for further discussion? Or what's the pleasure of the Board?

COMMISSIONER GARCIA: Madam Chair, I have just a brief question on item 4. A.

COMMISSIONER HUGHES: I'd like to remove item B.

CHAIR HAMILTON: Okay. So we're going to remove B for further discussion, and what's your question on A?

COMMISSIONER GARCIA: Thank you, Madam Chair. In regards to item A, the partial vacation of a lot line adjustment, what part of the county is this property located at?

VICKI LUCERO (Building and Development Services): Madam Chair,

Commissioner Garcia, this property is located up north off of – I can't find the road name, Commissioner Garcia, but it's in the northern part of the county in District 1.

COMMISSIONER GARCIA: Thank you.

COMMISSIONER ROYBAL: It's in Nambe.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Commissioner. The exhibit in the yellow portion, that's actually the portion that's going to be vacated?

MS. LUCERO: Madam Chair, Commissioner Garcia, that is correct. The area highlighted in yellow is the existing easement. So that's the portion that's going to be vacated, and then the portion that's highlighted in pink is going to be what they're going to dedicate at the new easement.

COMMISSIONER GARCIA: Thank you. And then the property owners to the east, they're okay with this?

MS. LUCERO: Madam Chair, Commissioner Garcia, the property owners to the east have a different point of access. So this particular access only serves tracts one, two and three that's shown on this plat.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Ms. Lucero.

CHAIR HAMILTON: Thank you. So that's clarified. We would be voting on the Consent Agenda excluding item B.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I so move to approve the Consent Agenda excluding item B.

CHAIR HAMILTON: Thank you. I have a motion. Do I have a second?

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Okay, so I have a motion and a second.

**The motion to approve the Consent Agenda with the exception of item B passed by unanimous [5-0] voice vote.**

[Deputy Clerk Gantz provided the resolution and ordinance numbers throughout the meeting.]

**4. B. Resolution No. 2022-\_\_\_, a Resolution Authorizing Holidays, Closing of County Offices, and the 2023 Santa Fe County Employee Calendar (Human Resources Division/Sonya Quintana)**

CHAIR HAMILTON: Commissioner Hughes, what were your questions on that?

COMMISSIONER HUGHES: Well, thank you, Madam Chair. When I look at the list I see that Juneteenth is not listed as a holiday and I'm just a little concerned about that because I think it's a very important holiday. It marks the end of slavery, or when the end of slavery was brought to the people of Texas and they realized that they were free. I think it marks a very important point in our history that I think we

need to recognize somehow. I think my first choice would be to actually make it a holiday or at least an administrative leave day like the other 11 holidays. I'm also open to the idea of doing something different if that's not feasible. But I would like to, somehow note that we recognize Juneteenth. I think it's important not just for the African-American community who are the ones who first told me about this but also I think for all of us, because in the past, if you go far enough back all of us suffered from slavery at some point in the past and abolishing slavery is one of the important things of our modern civilization.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: The first thing I want to note is on the resolution it does not have your name. Somehow it didn't get changed. It says Henry P. Roybal, Chair, and I believe you are the Chair. So just a minor thing. We can handle that. So since the City gives 10.5 days and the state gives 11 days, and I recognize the importance of Juneteenth as an important day. I think possibly we could switch it out with Presidents Day and let Presidents Day be some kind of administrative – it does have an asterisk by it. I don't know.

MANAGER SHAFFER: Madam Chair, Commissioners, if I could, maybe just to add some context to the discussion. What we tried to put forth in the memo is just to understand a little bit of differences between the state and federal government, which I'll unpack a bit more here. At the state level, Presidents Day is ostensibly recognized the day after Thanksgiving, which is how state employees come to have a four-day weekend for Thanksgiving, but Presidents Day itself is not a day off. Again, it's recognized the day after Thanksgiving.

At the federal level there's only one day for Thanksgiving and Presidents Day or Washington's Birthday I think as it's known under federal law is recognized in February. So an option would be to model the practice of the state and recognize Presidents Day the day after Thanksgiving and instead recognize Juneteenth as an administrative leave day.

And so that would preserve, I think, our competitive balance vis-à-vis surrounding governmental entities and not get too far out of step of the paid leave that our constituents enjoy in the private sectors while also continuing to recognize both dates in some way. So that would be one suggestion to potentially consider and that would avoid further drain on the bandwidth of the County workforce in terms of hours that are actually available for output. That would be a suggestion to consider, and again, some additional context relative to the competing holiday landscape at the state and federal government level. Thank you.

COMMISSIONER HANSEN: Madam Chair, are you suggesting we opt out of giving Thursday and Friday as holidays?

CHAIR HAMILTON: No. Opting out of Presidents Day, essentially and switching that to Juneteenth instead.

COMMISSIONER HANSEN: I'm good with that, but then on the resolution, I don't see Presidents Day. Am I missing it?

CHAIR HAMILTON: No, it's discussed under Now, therefore be it resolved. I'm not sure why.

MANAGER SHAFFER: Madam Chair, Commissioners, there's a

technical difference in our handbook and in the CVAs between a day that's recognized as a holiday versus one for which administrative leave is paid. So there's a technical difference in terms of how it's treated vis-à-vis holiday premium pay. So that's why one is an administrative leave day and the others are recognized as paid holidays.

CHAIR HAMILTON: So we would essentially switch out the administrative leave day.

MANAGER SHAFFER: I believe that is correct but I'd want to confer with our HR and Legal Department just to make sure we get the accurate designation right. But I think for the purposes of the Board, I think I would focus on the number of days that you want and where you would want them and then we can take a few days to refine that analysis to make sure we've got it technically right. Then we could come back to this order of business later in the meeting, if that makes sense to you, Madam Chair.

CHAIR HAMILTON: I got it. Great. Commissioner Hughes.

COMMISSIONER HUGHES: Before we do that, Manager Shaffer sent me an email not too long ago saying that the state provides Juneteenth Freedom Day shall be commemorated on the third Saturday in June of each year. Does that provide us a different option to recognize the holiday on the Saturday. It doesn't give many people a day off, but I'm wondering – since the state seems to recognize it on the other day I'm not sure what this means.

MANAGER SHAFFER: If I could, Madam Chair, Commissioners, Juneteenth Freedom Day has been commemorated by the state since 2006 on the third Saturday in June of each year. So state law hasn't changed with regard to the commemoration of Juneteenth Freedom Day. What transpired last year is that the state and federal government opted to provide a paid holiday to state and federal employees to commemorate Juneteenth. So if you are endeavoring to provide a paid day off for the majority of the County workforce, or maybe not quite a majority but close to it, along with some commensurate benefit for unionized workforce, you would want to target a normal work day rather than a Saturday. So I'd have to double-check and I think Jeff may have provided it to me, which day the state recognizes. I think it's either a Monday or a Friday. Jeff's letting me know it's the Friday closest to this date. Monday? I'm sorry. Monday. Excuse me.

CHAIR HAMILTON: Fifty-fifty chance. So Commissioner Hughes or other Commissioners, is our target to go ahead and keep it at 11 days but replace Presidents Day with Juneteenth?

COMMISSIONER HUGHES: Madam Chair, I'm fine with either. I think I have a slight preference for giving people a 12<sup>th</sup> day because I always think we should do better than the City and federal government. But if the other Commissioners, like my fellow Commissioner Hansen prefer to keep it at 11 then I would go with the option of switching out Presidents Day.

CHAIR HAMILTON: And I wonder if we might bring it up as a discussion starting in the January/February budget cycle and see if there could be a budget assessment of that and have it considered next year, but this year at least just replace it out. So we're discussing the calendar, and the issue is Commissioner Hughes is concerned that we're not formally recognizing Juneteenth but we recognize Presidents Day and Veterans Day and all these other holidays. And Juneteenth is very important. So

the two ways forward are to – we give 11 holidays. So we keep it at 11 and just replace – do a swap out so that we’re more formally recognizing Juneteenth, even acknowledging that everybody recognizes the importance of it and we have a state day commemorates it that much, but we would go the next step of formally recognizing it, which certainly sounds like a good thing.

Or we could give a 12<sup>th</sup> holiday, but there are certainly budget impacts to that and this is an awfully off-the-cuff action to take for that kind of impact. So I was just suggesting that we could ask that it be brought up and evaluated in the budget cycle. If you’re good with that.

COMMISSIONER HUGHES: And you’re suggesting we switch out Presidents Day and then in the budget cycle we bring up –

CHAIR HAMILTON: Yes. That’s what I was suggesting. That’s the day everybody landed on to switch out. We could switch out New Year’s Eve, New Year’s Day, but that doesn’t seem like such a great idea.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: Could we see – I know we have a lot of elected officials that actually operate offices and ask them how this affects them and if there’s any input from elected officials on us making this decision?

CHAIR HAMILTON: And that would be even now, like how we would impact their offices to not have a holiday in February but instead have it in June? Is that what you’re suggesting, Commissioner Roybal?

COMMISSIONER ROYBAL: I know that there’s been times when we’ve made some changes that affected some of our elected offices, especially I think our County Clerk had some issues with constituents with one of the holidays and the closures. So I don’t know if the County Clerk or any other elected officials have any input as to how we proceed with the day. I don’t know if you want to ask that question.

CHAIR HAMILTON: It’s a very good idea but Juneteenth is going to be consistently after primaries and way before regular national elections, so that’s one important consideration. The departments that have public safety response, some of their shifts never get holidays. They get them deferred and changed because it’s a 24/7 service.

COMMISSIONER HANSEN: So Madam Chair, at the moment I’m moving toward keeping it at 11 days but figuring out how to work with the schedule and if we can switch out Presidents Day I would be good with that.

CHAIR HAMILTON: Okay. And Manager Shaffer, you were suggesting that we come to this sort of consensus and then bring this up again slightly later in the agenda till after you’ve gathered some information?

MANAGER SHAFFER: That would be correct, Madam Chair. That would be one way to approach it. Another would be to table the item until the next meeting. I don’t think there’s any particular urgency to doing this today. So either would work.

CHAIR HAMILTON: Okay.

COMMISSIONER HUGHES: Madam Chair, I suggest we table it to the next meeting, just in case the other elected officials want to have input.

CHAIR HAMILTON: Great idea.

COMMISSIONER HUGHES: Or there's something we didn't think of.  
CHAIR HAMILTON: Great idea.  
COMMISSIONER HANSEN: Second.  
CHAIR HAMILTON: Okay. So I have a motion to table and a second.

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

**5. APPOINTMENTS/REAPPOINTMENTS**

None were presented.

**6. MISCELLANEOUS ACTION ITEMS**

**A. Resolution No. 2022-086, a Resolution Amending the Santa Fe County Human Resources Handbook (Adopted by Resolution No. 2012-164) to Implement the 2022 Compensation Study and Approve Salary Increases for Employees in Step Eligible Positions that Are Not Part of Any Bargaining Units**

CHAIR HAMILTON: I'm going to go right to Manager Shaffer who's moving to the podium.

MANAGER SHAFFER: Thank you, Madam Chair. Daniel, could you bring up the presentation, please? Madam Chair, while we're waiting for the power point presentation to be broadcast on Webex and on your screens, you have a hard copy of it, I believe, that was handed out to you as the meeting began. I did want to note the fact that an updated Exhibit D was also handed out to the Board of County Commissioners. In it, as we did some final due diligence we did strike through a few positions that we believe would properly be recognized as part of the AFSCME 1782 bargaining unit and thus would be unaffected by the Board's action if you approve of the resolution as presented. So those are literally shown, those positions, with strikethroughs. I believe there were three in total, if I'm not mistaken, and moving beyond that I'm going to go into our power point presentation, rather than simply go through in great detail what's already in your packet in terms of a memo and supporting documentations.

Thank you, Madam Chair and Commissioners. We're going to begin with what County management was endeavoring to fix in terms of weaknesses in our existing compensation and classification system. First, there was no defined salary growth for the majority of AFSCME 1782 and non-union employees. Second, I think management has recognized as have various County employees that our merit raise system has proven to be ineffective. Job specific performance is not clearly defined or measures under existing performance appraisals. The handbook standard for merit increases reserves merit increases for our highest performers only, and no money is specifically allocated historically to merit increases.

This has had a tendency to skew or potentially skew hiring decisions so as to create salary savings to use with existing staff. Without a dedicated pot of money it's hard to also make uniform and systematic changes based upon performance. Historically, our existing pay ranges have not been adjusted for inflation or cost of living adjustments.

This has resulted in many employees moving through ranges without experiencing real salary growth and has also eroded our external competitiveness over time, due to the cost of inflation, in essence, the value of our range has decreased as costs have increased.

We've not undertaken systematic market analysis in order to determine how we're doing amongst our major competitors in the market in which we compete on a holistic basis, and we've had a proliferation of pay ranges – 69 as it currently stands, that provide for little differentiation between the pay ranges themselves.

So what we've looked to do and what we're calling Phase I of our re-imagination of the compensation and classification plan is to come up with competitive ranges, provide for defined growth for most of our non-union workforce positions, and also undertake and commit to regularly updating our work to make sure that we are systematically apprising ourselves of what the market is doing. So the first part of that was to do a comprehensive market analysis that we believe generally produce competitive ranges, the midpoints of which generally represent full market pay, reduce the number of pay ranges from 69 to 20, and then divide the ranges generally into what we call step eligible positions and non-step eligible positions.

Step eligible positions would generally be those in ranges 1 to 13. The minimum to midpoint of the range would be divided into steps and the step placement would be determined by relevant qualifications, compared to the minimum qualifications for the position, and each step up to midpoint would correspond to one year of experience and/or education above the minimum qualification.

Non-step eligible positions would be those in ranges 14 to 20, which includes, I believe, approximately 17 positions out of the total non-union positions in the County. Nothing that the Board does relative to this proposed resolution would affect those positions. We're not proposing any pay increases for those higher level management positions. And then finally, the proposed resolution recognizes that there have been from time to time and currently are certain positions that have set salaries that fall within a proposed range, but again, that the salaries are primarily set based upon the specific market in which those positions exist. And these would primarily be non-union positions that sit atop, if you will, of the bargaining units in the Public Safety union. So as those salaries have increased over time we want to see salaries of the non-union positions also increase to avoid that compaction. And again, that's been taken care of largely outside of this process.

Going forward, ranges and steps within them would be adjusted for any COLAs that the Board would provide, and finally, the resolution would commit the County to doing a comprehensive market analysis a minimum of every two years, and County management has tentatively targeted the following winter of 2023 as the first refresh, and then that would presumptively be the cycle going forward so that we're getting that data as you're building the next fiscal year budget and have the opportunity to include fresh market information in your budgetary decision.

The next thing I wanted to highlight a few issues relative to what Phase 1 is by the numbers, if you will. Approximately 47 percent of County employees are in non-union positions. For those who would fall within step eligible positions County management's proposal would provide immediate raises to approximately 63 percent of non-union employees in step eligible positions and the raises vary based upon where the employees'

salaries currently are as well as what the proposed recommended ranges for the positions and range from a cent up to \$9.28 per hour with an average of approximately \$2.13 an hour or 17.4 percent.

We estimate with our Finance Division using the last time we updated the numbers around June or July that the initial cost of implementing this in our non-union workforce would be about \$1.67 million on an annualized basis. That includes both initial raises for eligible current employees as well as the cost of filling vacant positions at midpoint. Future step increases, as we emphasized in our packet material, if funded by the Board and the Board retains discretion in that regard in the document as presented, would put upward pressure on future budgets as you plan for future step increases. The exact amount would depend upon what our vacancy rates are as well as what steps our employees fall into in the compensation and classification system.

What we would call Phase 2 would consist of a variety of different elements. It really represents that this is again a redesign and re-imagination of how we think we need to approach compensation and classification as well as helping our employees prepare for positions in higher pay ranges. The first would be to redesign the merit system for implementation during fiscal year 2024. We need to work with all involved to clearly define and outline measurable performance goals that are job specific. Our expectation, because of the way that the system is designed is that payment beyond the midpoint would be the exception rather than the rule, but we'd also need to implement any merit system as a specific appropriation of money, an amount to be developed so that there's money available to fund merit increases.

In terms of continuing to invest and develop our workforce so that they have the skills needed to advance to positions in higher pay ranges, this would begin in calendar year 2023 and be ongoing. First is to define a clear pathway for employees to obtain certifications that would allow them to be eligible for supervisory positions and so this would be to further the initiative of allowing for New Mexico EDGE certified public supervisor designation to substitute for supervisory experience. HR and Risk Management Division Director Sonya Quintana is working on developing a specific curriculum so that both of those designations and the courses needed to obtain them would be provided to County employees only, beginning in calendar year 2023 so that we would have a designated time when employees would be able to take the necessary courses over a recurring course of – I believe we've identified Fridays as the most likely date. But you would in essence condense what oftentimes takes a more extended period into a matter of months so that employees do have the opportunity to obtain those New Mexico EDGE certifications.

We'd also be working with departments and elected officials to identify and develop other needed skills. This may take various forms but this could be non-degree continuing education courses in such basic skills as Excel, Word, other things that are an integral part and necessary building block for a lot of the modern workforce.

In addition, we want to look at our I think underutilized tuition assistance program to see what barriers to utilization exist and what changes may need to be made so that we have more employees who are availing themselves of that opportunity to have their tuition toward degree-granting programs paid for by the County.

So at this point, before I turn it over to Ms. Quintana to explain a little bit about

the process that was undertaken I would just highlight the fact that the compensation and classification system is flexible and by approving the subject resolution the system is not cast in stone and the resolution specifically preserves the Human Resource Director's existing authority to approve changes to job descriptions including minimum qualifications and duties as well as assign pay ranges or set salaries in positions within available resources. So again, there's that continuing opportunity for elected officials as well as department directors to work with the HR Director on an ongoing basis.

And then finally I would note that the Board of County Commissioners, even if the resolution is passed, would have a continuing role to play. Specifically the resolution calls out comprehensive changes because of the budgetary impact would be brought to the Board for approval. If we were moving all of the ranges by, say, ten percent, something like that, based upon a market analysis refresh.

And then finally to the extent that there are proposed changes within an elected office or within a department or division that are beyond existing budgetary resources, that budgetary action would need to be approved by the Board as other budget increases are in the ordinary course. So at this point I'm going to turn over the presentation to Ms. Quintana to go through the process that was actually utilized to come up with the pay ranges and step structure proposed to the Board.

SONYA QUINTANA (HR Director): Chair Hamilton, Commissioners, thank you so much for your time and for allowing me to present to you today. I want to just go through the process we utilized to solicit and get the results, our final product for the class and comp study. Of course we started with a solicitation through the procurement process for a vendor. That solicitation narrowed us down to the selection of Valiant Consulting Group and Keystone International. And I would like to note that this was a team of individuals and they were very dynamic and very responsive with the County, so I did appreciate that.

We started the process by sending out position description questionnaires to all County employees to fill out. We did send the vendor a copy of their job description but they sent out an actual questionnaire to each and every employee that was going to be covered by this study. The employees were given a timeline to fill those out and return them to the consultant. Once the consultant received and reviewed those they were then sent out to department directors, supervisors and managers for additional input into the job description. Again, those were returned to the vendor for review. They were then forwarded onto me and I scheduled meetings with each of the department directors and elected officials to go through the finalized and update job descriptions to seek input about any of the recommended changes that were made to the job descriptions.

Once that process was done, Keystone, while we were meeting with the departments, started their work on market analysis. And they used a market-based approach to determine our pay ranges. And what I mean by that is they looked at other comparable entities, comparable in a budget size, staff size, the type of organization that we are, and the services that we provide. So comparing IT positions to IT positions, finance positions to finance positions, and then the location in which we recruit.

We gathered salary rates from multiple compensation surveys to include Bernalillo County, the Bureau of Labor Statistics and ONET, the City of Santa Fe, City of Albuquerque, Doña Ana County, Los Alamos County, non-profit organizations' salary

and benefits report, the State of New Mexico and the US Department of Labor. So again, we have a lot of jobs in the County. We offer a lot of services and they did survey many entities to get comparables.

They matched our job descriptions to the identified benchmark job in each survey using our specific job duties that were listed, the responsibilities, essential functions, knowledge, skills and abilities, and the qualifications within each of the finalized job descriptions. They vetted the surveyed job matches to ensure that they best represented Santa Fe County job classifications. So it wasn't just a match of title to title, it was also a match of specific job duties and essential functions and what are we requiring for each position. So it was a really extensive review.

I wanted to make sure that we were aligning pay ranges typically offered by like employers to employees performing comparable work. Like employers – like us in size, both budgetary size and the number of employees, offering similar services and inter-geographic region, and again, looking at the benchmark positions to make sure that it was similar in job duties, scope, functions and what was required for that particular role.

They identified midpoints as full market pay. So when I talk about midpoint it is a fully functioning employee, somebody who can fully perform the duties of the position, as opposed to somebody who is maybe just starting in the role and learning the position. When I talk about midpoint it is a fully functioning employee. So that step six does represent a fully functioning employee.

MANAGER SHAFFER: Madam Chair, Commissioners, if the resolution is approved in terms of next steps, employees within non-bargaining unit employees, would be notified either of their new salary or the fact that there is no change. Changes would be implemented in the pay period that begins November 5, 2022, which is a pretty tight turnaround but one that we think we can meet. As I alluded to earlier, approval of this action doesn't cast the compensation and classification system in stone. There will be ongoing and continued maintenance between now and even the next market refresh next year, and then we'll proceed with Phase 2 development and implementation.

I'll just note that again, this resolution does not impact the AFSCME 1782 bargaining unit employees. We are in ongoing negotiations with the exclusive representative of that union. I'll just note that I made it clear to Ms. Quintana and Deputy County Attorney Brown and other members of our team that it certainly is a management priority to move those negotiations forward as quickly as we call and they know to adjust their schedules and make themselves available accordingly. So with that, we'd be pleased to answer any questions. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much, Manager Shaffer and Director Quintana. I know I have a question from Commissioner Garcia so why don't you start off.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Manager Shaffer, Attorney Brown, Director Sonya Quintana. We appreciate you all brining this compensation plan forward. It took many, many years. Sonya, your institutional knowledge that you have in this place – glad you're standing there as well as the other two up there, because without your institutional knowledge – where you have been the last seven, ten years, nobody probably realizes that. It took a little while for you and your team and the new individuals that have some forward, Elias, Leandro, to work

out this compensation plan.

And I was very happy to see that the individual firm that we hired went out to all the managers – thank you all managers, for working in regards to this plan as well as all the employees. Every single employee out there got the opportunity to fill out the survey, to look at their job description, to look at additional job descriptions, and I think that actually shows that your team went out and actually asked employees' opinions on what their job descriptions are, so I thank you all for that.

So in regards to the union, Manager Shaffer, so the union is still negotiating their contract with their union representatives. Is that what they're still doing? Did I hear that correct?

MANAGER SHAFFER: Madam Chair, Commissioner Garcia, that is correct. Management is in active negotiations with the exclusive representative of the AFSCME 1782 bargaining unit for a replacement collective bargaining agreement for the one that's due to expire at the end of this calendar year, if I'm not mistaken.

COMMISSIONER GARCIA: Thank you, Madam Chair. So once again, it's up to the union representatives to work with their union representative to create their contract so they can negotiate with upper management. Correct? We're waiting for the union because –

MANAGER SHAFFER: Madam Chair, Commissioner Garcia, it is a process, and so we're required under state law to negotiate with the exclusive representative, and so that process is ongoing. I hope that answers your question.

COMMISSIONER GARCIA: Thank you, Madam Chair. In regards to the competitive ranges – we've talked about this as a Commission as a whole in that back room there as into where staff was going and what we're doing in recommendations. In regards to the competitive ranges, as Director Quintana brought up the difference, whether they're governmental entities of what we compare our salaries to, Commissioner Hughes and myself and a few of the Commissioners brought up for an example, why does a backhoe operator doesn't get paid for a private firm? We realized how that works because I get a lot of questions out there, how come we don't get paid what the private sector is paying out there? And these individuals need to realize the private sector doesn't pay for insurance. Doesn't pay for healthcare. Doesn't pay for retirement. The holidays that we just actually approved.

So just want them to know, the individuals out there that we have been briefed on what's going on throughout this process.

One of the things – I don't know if this is appropriate to ask but Rudy's going to ask it, so does this actually prohibit what we've done in the past as into hiring middle management higher than the existing director of that department? Somebody new comes in here, director's getting paid and all of a sudden a new assistant manager for a department gets paid the higher wages, higher than the director?

MANAGER SHAFFER: Madam Chair, Commissioner Garcia, if we're talking about step eligible positions, both existing employees as well as new hires would be consistently treated. Now, there certainly do exist certain current employees whose existing salary is above what the new proposed system would recommend. No change in their salary is recommended, so I do want to note there are those outliers in terms of what we're proposing as a system and where their salaries exist. But in terms of leaving them

to the side, both existing employees and new hires would be judged by the same criteria and their salary would be set by the same criteria in those ranges 1 through 13 positions that are determined to be step eligible. That's a long answer to your question but I hope I answered it.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Manager Shaffer. That's – I just want to have an understanding that in the past it's been all over the place. And I get calls from employees as into people who have been here for ten, fifteen, twenty years and somebody else comes in and all of a sudden they jump to the high pay range. And so I hope that you or Director Quintana with our new compensation plan, if the Commission chooses to approve it that that's looked into, because I just feel it needs to be equal for everybody. Thank you.

With that, thank you all again for working hard on this. Appreciate that. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Are there other questions?

COMMISSIONER HUGHES: Madam Chair.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: Yes. I think we should move ahead with this. I was just wondering how you would see perhaps developing the merit system to go beyond this. Because I think that – I'm not sure I have this right but it seems that once someone reaches sort of the middle point of their pay range then we would need a merit system for people to be able to keep moving forward in their salaries, etc.

MANAGER SHAFFER: Madam Chair, Commissioner Hughes, I think, from the management perspective, we envision the primary growth pattern to be through advancement in the pay ranges, as opposed to within a single job classification. As Ms. Quintana pointed out, midpoint isn't a C grade. It's supposed to approximate full market pay for a fully functional individual. And so pay beyond that within an existing job, we would propose to be reserved as is the case under the existing handbook for a truly exemplary performance. So I think in terms of what that looks like, it's working with elected officials, department directors, to really define what that truly exceptional performance is with measurable data that we can apply consistently amongst all employees within the classification. So I hope that answers your question.

COMMISSIONER HUGHES: Yes, thank you. I guess I'm just encouraging you to work on that because I think we do have some exceptional employees and we want to make sure we keep them and have a process to do so and for them to realize that they are recognized as exceptional when that's appropriate. But yes, you answered my question. Thank you.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, Manager Shaffer, Rachel and Sonya, I think this is something we've been talking about for a while and I feel very strongly that we're moving in the right direction here, because we want the employees to feel that they're valued and not arbitrarily valued. So this is a way for them to have the ability to have their salaries raised in a stepped manner, which a lot of people seem to be concerned about. I think the merit compensation needs to be really something set aside so that we're really working at supporting people who are part of the process as they make the steps up the ladder. And yes, of course when we have exceptional individuals that we

do not want to lose, then there is a way that we can recognize them through this merit pay but I think it should be the exception and not the regular manner of doing things, because I think that is one of the things that has gotten us in trouble or gotten employees unhappy and feeling not recognized, when maybe they have really worked hard but they didn't get recognized for that, because it wasn't a process involved.

So I think that we should move forward with this. I hope that the unions will move forward with this and that we can continue to talk to them and negotiate, but for the non-union, I think this is the right move. So with that, thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thank you. Are there other questions or comments, and if not, what's the pleasure of the Board?

COMMISSIONER GARCIA: Madam Chair, move for approval

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Excellent. I have a motion and a second, and I just, under discussion want to agree that this was a fabulous effort that you guys brought forward and I'm very, very grateful to see the developmental approach that's being taken. That is, it's not fixed in stone, that you guys took great care to do that and I really respect that and think that's an essential part. So I have a motion and a second.

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

**6. B. Consideration and Tentative Approval of Basic Deal Points for Potential Local Economic Development Act Project for Bishop's Lodge Wastewater Treatment Plant**

CHAIR HAMILTON: We have Paul Olafson and Leandro Cordova and thanks to both of you for seeing us through this.

PAUL OLAFSON (Community Development): I am pinch-hitting today for Joseph as he is out and Chris Hyer is out as well. The item before you is a LEDA project to provide a loan pass through from the State Environment Department to the Bishop's Lodge Resort for the construction of a new wastewater treatment plant that will replace the existing wastewater treatment plant.

Staff has worked very closely with representatives from Bishop's Lodge and staff from the Manager's Office, Public Works, Community Development, and Legal have all worked together to bring forth this list of conditions and terms, and our point today is to present them to you and also have a discussion on direction moving forward before too much more resources are put into it on anyone's side.

I think the recommendations before you were put together in a consensus basis with staff and with consultation with the resort. I'm going to step aside and let Leandro present more specifics. Thank you.

LEANDRO CORDOVA (Deputy County Manager): Thank you, Madam Chair, Commissioners. I'm going to first start with a change that was in the memo that was in your packet. In the background portion of that memo that was in the packet we mentioned that County staff is currently working with NMED to clarify loan requirements. We did have a meeting on Friday of last week and the results of that meeting are captured in the memo that was given to you today. So I'm going to go ahead

and go through that real quick just so we can clarify a point that was in the original memo.

As I mentioned, our County staff met with New Mexico Environment Department staff including Legal Department on both sides to clarify that the clean water state revolving fund loan requirements and the ownership requirements for the proposed replacement wastewater treatment plant – to get some clarity on that. And so basically we did find out that Santa Fe County can apply for this loan as a pass-through, maintaining ownership of the plant with Bishop's Lodge. We would have some responsibility for operations throughout the term of the useful life of the plant. However, we can use a third party or Bishop's Lodge itself so we can enter into an agreement to have Bishop's Lodge as a third party operate and maintain the plant, but we will have some responsibility on that.

So just to clarify the point in the original memo, we would not need to own the plant. We would be able to apply as a pass-through, which I believe both parties prefer both Bishop's Lodge and the County prefer to move forward with no ownership exchange and allowing Bishop's Lodge to continue to operate and maintain the new wastewater treatment plant. So that's one thing I wanted to get out of the way to clarify in the memo.

I'm not going to go through every point of the memo. For the most part I'm very grateful for our team here at the County as well as the representatives of Bishop's Lodge. We've been working together for the last few weeks pretty consistently. We've had weekly meetings to discuss most of the points or all of the points that are before you in the LEDA agreement portion of the memo. The one point though that I'm going to focus on today is the one thing that we don't quite have agreement on today, and we're asking the Board for some guidance so that we can go forward, and that's specifically on the loan term.

Staff and resort representatives have not agreed upon a loan term. Ultimately it is what we are asking the Board today to help us decide. Our Santa Fe County staff does suggest a ten-year loan term maximum. This is primarily due to being able to make our bonding capacity and pledged revenue available for other LEDA projects much quicker. This is also to minimize the County's risk exposure, and it's also to be consistent with the County's recent LEDA projects which have not had an extended term.

We also realize regardless of the term, County staff recommends that the resort's annual payments to the County equal or exceed the County's annual payments to NMED. We want to have a balance of what's coming in versus what's going out. And so this would prevent an imbalance between the County and NMED. This likely would preclude any balloon payments proposed by the resort based on that so that we could be able to maintain the balance if we choose to go forward with a ten-year term.

The resort has requested a longer term, up to 30 years. This is to maximize the value of the below market rate loan and because the wastewater treatment plant current does not generate enough revenue to service a shorter term. The County staff, however, considers the beneficiary of the loan to be the resort and not the special entity created to own the wastewater treatment plant, so accordingly, County staff believes it is appropriate to consider the debt service capability of the resort as well as just the entity that's created to run and operate the plant.

So one point I'll make before I open it up for some questions on this is the reason we're concerned about balloon payments, we could potentially structure a 30-year amortization with a ten-year balloon payment as suggested by the Bishop's Lodge representatives. However, I just want to point out at the end of the ten years, based on a 30-year amort, the balloon payment would still be over \$3.6 million. So that's still quite a bit of risk for the County at that point and we would then also need to capture that in our collateral requirements of the applicant going forward. I think I'll pause right now and open it up for any questions if there are any specific to the loan terms and see if I can answer those.

CHAIR HAMILTON: Okay. Thank you. Commissioner Roybal, do you have questions to start with since this is in your district?

COMMISSIONER ROYBAL: I'll go ahead and defer to other Commissioners, and then I'll come back.

CHAIR HAMILTON: So Commissioner Hansen, then Commissioner Garcia.

COMMISSIONER HANSEN: Thank you, Madam Chair. So what is the collateral?

MR. CORDOVA: So we've given a list of different options. Basically the exact same list that NMED has for financial assurance. There's options of either cash, trust, surety bonds, letters of credit, collateral bonds, a third party guarantee from an acceptable entity other than the qualifying entity or the special purpose entity, insurance, or a combination of any of the above. So we haven't completely decided on the collateral terms as of yet, because the term is a big factor as to how we want to make sure that we're covered at either the ten-year mark or anywhere along the line.

COMMISSIONER HANSEN: I support the ten-year term definitely. I already think that this is putting the County at way too much risk. This company – Bishop's Lodge has already gone bankrupt a number of times in the past and as I was reading over the ROI I saw that not only do they plan to build a wastewater plant but at the same time they're building a spa and fitness center. How can they – why should be the ones supporting the wastewater plan and then they're going out to get a loan for a spa and fitness center? And so why aren't they getting the loan for everything at one time? And then also, why aren't they just going directly to NMED? Because NMED can give them this loan and then we don't have to go through all the collateral and everything that's going on. I think this is a really bad deal for the County. I think that we are supporting the one percent and it's a misuse of taxpayer money. I feel very strongly about that.

I know that – so what you're asking is – the only thing, I don't even really support it, but the ten-year is the only thing I would do. I don't see any other process in any other way, but I don't support this project at all. And I want to know how much staff time we have already spent on this. I feel like there's a tremendous amount of staff resources that have been spent on this, that we have other projects that need to be taken care of. There are the sewers in Agua Fria. There is the Cañoncito water system. There are projects in District 3 of La Cienega and the wells. Why are we giving money to an entity that can get money somewhere else and that has gone bankrupt over the years a number of times? What kind of real, real collateral do we have? Does NMED accept corporate quality –

corporation for mines and financial assurance permitting for like the San Juan generating station? There's just so many things about this that make me uncomfortable.

I'll stop there because I would like some answers to some of those questions.

MR. CORDOVA: Madam Chair, Commissioner Hansen, you're right. There is an option for Bishop's Lodge to go directly to NMED. It would be a higher interest rate, so we do get a preferable interest rate and that is one of the major advantages. In terms of staff time, we have been committed to this. We have a great team here at the County. We've been working really hard and we have dedicated a fair amount of time to keep moving this forward as directed, so we're certainly taking it seriously and putting in the effort that's required to be able to give you as many answers as possible.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I was just wondering, what is the difference in interest rates between what we get and what they would get?

MR. CORDOVA: Madam Chair, Commissioner Hughes, I understand it to be about 2 to 2.5 points. Right now, our rate, the market rate for the County to be able to get this loan is about .25 percent, and I understand that the private entity alone would have about a 2.25 to 2.5 percent rate.

COMMISSIONER HUGHES: Thank you. I mean 2.25 is still below inflation. I think that's a pretty favorable rate. I think that as far as I can tell I don't think – I don't think the work we would have to put into this is worth just a two percent discount on their rate, since they can go and get the loan themselves from NMED at a very – that's much below a market rate, I assume. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Deputy Manager. As the Commissioners mentioned, the staff time, thank you all staff that actually worked on this but three months, four months, how long have you guys been at this?

MR. CORDOVA: Well, we've been meeting weekly for the last month or so at least, and then I know prior to that, our Economic Development Department has been working on this. We've had discussions with the applicant, so yes, about three or four months.

COMMISSIONER GARCIA: So what capacity does the bonding come out of for this type of project?

MR. CORDOVA: So Madam Chair, Commissioner Garcia, we would be pledging a subordinate lien on our .4375 percent of unpledged gross receipts tax revenue.

COMMISSIONER GARCIA: So how does this affect the County's bonding capacity if we were to go out to borrow some additional money for County projects?

MR. CORDOVA: Madam Chair, Commissioner Garcia, basically it does take that away from our overall capacity. So we would be pledging for the \$5.1 million out of that .4375 percent, so we'd basically taking away about \$5.1 million of any bonding capacity in the short term. Of course as the loan gets paid off that gets greater over time. So initially, about \$5.1 million.

COMMISSIONER GARCIA: Thank you, Madam Chair. So is there other

examples of a project or projects that we've done similar to this?

MR. CORDOVA: Madam Chair, Commissioner Garcia, we've done other LEDA projects, nothing like this. This is a unique one for us. This – I think this is the first time Santa Fe County has approached NMED to look at the clean water revolving fund that we would be approaching it for. And this is a bit of a different project in regards to the collateral. We don't really have a piece of property or something yet though. We don't want ownership of the plant, so we're not accepting the plant itself as collateral. So that makes it unique in terms of other LEDA projects we've done.

COMMISSIONER GARCIA: Thank you, Madam Chair. Can somebody explain to me how the Santa Fe Brewing Company utilized the LEDA funds? Or Santa Fe Studios? Or if we did use LEDA funds for either of those projects?

MANAGER SHAFFER: Madam Chair, Commissioner Garcia, Santa Fe Brewing Company, the majority of economic development assistance provided was a pass-through from the state, so the State Economic Development Department provided virtually all of the assistance if memory serves for Santa Fe Brewing Company. Relative to the Santa Fe Studios project, it was a mixture of local and state resources. The state through various capital outlay appropriations provided ball park figures around \$10 million in economic development assistance, and the County guaranteed a loan from what was then Los Alamos National Bank. I see to recall, and again, don't hold me to the precise dollar figures, but roughly these are accurate. It was in excess of \$6 million that the County guaranteed in terms of a loan from LANB to Santa Fe Studios. So again, that was funded through a mixture of state appropriation and County funds, and in that particular case the County funds used to guarantee the principal repayment of the private loan were put on deposit and remain on deposit with Los Alamos National Bank, or more accurately, its successor in interest. I hope that answers your question.

COMMISSIONER GARCIA: Madam Chair, yes, Manager Shaffer. In the re-payback of the loan, if it is approved, who could explain to me how much lodgers' tax Bishop's Lodge brings in? Do we know that? Estimated?

MR. CORDOVA: Madam Chair, Commissioner Garcia, I don't have an exact number. Our lodgers' tax countywide is up tremendously. I do know Bishop's Lodge is – I think they're our number 2 contributor overall, with the Four Seasons I think being the number one. In the past it's been between \$25,000 and \$40,000 a month. So that gives us about \$300,000 to \$400,000 this year. This year is the high water mark. I don't know if we could really compare it going further back because they weren't really operating. They also weren't operating at 100 percent capacity throughout most of this year, so I hope that answers your question but we don't have a solid number on it but they are definitely a substantial contributor to lodgers' tax.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Deputy Manager. Just thinking of the two percent difference, if the entity was to go out there and get a loan, it's basically two percent as Commissioner Hughes brought forward. The other thing is in regards to the spa, so is anybody from Land Use here? Do we actually have application in regards to the resort coming forward for additional approvals on that property?

MR. CORDOVA: I believe there's an application. I'm not sure of the details.

MICHELLE HUNTER (Water Resources Manager): Madam Chair, Commissioner Garcia, right now, in house, we have an application for an amendment to their site development plan to add the spa and the additional rooms.

COMMISSIONER GARCIA: Thank you, Ms. Hunter. You may be able to answer this question also. Is there current plant in violation with the New Mexico Environment Department?

MS. HUNTER: Madam Chair, Commissioner Garcia, that's a complicated answer. There are certain elements of their permit that they are in violation of with respect to groundwater impacts and daily effluent requirement standards. Those are occasionally out of compliance and there are groundwater impacts – nitrate, chloride, sulfate – from the current discharge.

COMMISSIONER GARCIA: Thank you. Madam Chair, in regards to the larger picture of groundwater, does anyone out there envision a larger plan, as into not just Bishop's Lodge? What's the surrounding area? Has anybody thought about that? Everything downhill from that. The casino. All that stuff there that comes from those beautiful mountains, the Sangre de Cristo Mountains. Everything comes down and goes down that way. It doesn't come to Santa Fe. Is somebody thinking about a larger plan out in that area?

MS. HUNTER: Madam Chair, Commissioner Garcia, that would be the ideal situation, is if we were going to do this, to have a regional plant would be certainly a better option for the county, for everyone in that valley. Right now, we do have time constraints associated with what the Lodge wants to do. It's extremely difficult to contemplate an expansion right now when they don't have a functioning wastewater treatment plant. And so a regional solution would be a far better one. But right now, they need to solve their problem and so a regional plant would not be possible in the timeframe that they need to do something.

COMMISSIONER GARCIA: Thank you. So what is the resort doing right now with their waste?

MS. HUNTER: Madam Chair, Commissioner Garcia, currently they are hauling the majority of their liquid waste offsite to the City's wastewater treatment plant.

COMMISSIONER GARCIA: I don't know if anybody can answer this. We received some capital outlay money for the Santa Fe Opera probably seven to eight, nine years ago. Manager Shaffer, do you remember – how did we funnel money from the state legislature to a non-profit which is the Santa Fe Opera? Do we run that plant? Do we own that plant? Does anybody know?

JOHN DUPUIS (Utilities Director): Madam Chair, Commissioner Garcia, we have an agreement with the Opera that we own the plant and that the funding as well as the implementation of the facility and subsequent operation was completed by the Opera and they currently handle all responsibilities relative to that. It's largely a pass-through of all responsibility.

COMMISSIONER GARCIA: This is one of the questions I had last year whenever this Opera plant came forward, before all of my projects that had been there for a little while. So the County does own the Opera plant. We have a memorandum of understanding or some sort of an agreement that we let the Opera operate and look at their environment permits, etc.

MR. DUPUIS: That's correct, Commissioner.

COMMISSIONER GARCIA: I have no further questions, Madam Chair.

CHAIR HAMILTON: I think I'm going to go ahead and go next to let Commissioner Roybal go last since it's his district. I think there are a number of things noteworthy here. First of all, I would support a ten-year term because it's more in line with the timing that we try to do in terms of the way the County manages debt service to be able to support large numbers of projects and have our debt service commitment roll on a multi-year basis. It fits in with that.

This project is in the ballpark of sizes of the kinds of projects we have to deal with on a regular basis. With respect to details such as whether we can do a ten-year term but a 30-year amortization, I would suggest that that issue is a fairly objective one if we can get sufficient surety for the County that that payment can be made by having money put aside or whatever. I know proposals have been made. I think that is just fine. I think it's a little gratuitous to say, well, but this business has gone out of business before. This is a different owner and the whole principle of what governments try to do in terms of economic development does give support. We do an awful lot of things for all of our individual constituents. We take private firms where, yes, private firms make profits, but the idea of doing economic development, a LEDA grant in the first place is because there's the potential economic improvements to the governmental entity and all of the constituents.

This is one of those kinds of economic developments that every constituent in the county – that's an extreme – most of the constituents in the county that speak to me are most interested in. It's not a big manufacturing plant. It's not a call center. It supports the tourism industry. And as we just heard it's in the county the second biggest contributor. That's a big piece of economic development potential for Santa Fe County. Not only that, our past LEDA grants have in the years I've been a Commissioner, have been in the ballpark, some of them of maybe eight to 12 jobs. This is more than a couple hundred jobs.

Third of all, this is dealing with, in my mind, a private entity. That sewage treatment plant services also a large community. So you get a double good deal. You help a whole bunch of constituents in that area and you get some economic development of the exact kind of economic development that this County looks to promote. That's why governments do promotion of business.

I recognize – why did we not say to other economic development things, well, you can go get a loan. Loans are really cheap now. They're not right now. Interest rates are going up. But in the time I've been a Commissioner, the last five, almost six years, interest rates have been incredibly low. And we didn't tell other business entities, well, you're a business entity. If you're worth keeping in business, you can go out and get the loan yourself. This is an opportunity for a pass-through, a very low interest loan, that is supportive of a public-private partnership which is one way around the country that's promoted as being able to do economic development.

So if we can assure strongly that the County doesn't end up owning the plant, which is something that has been worked on and my full understanding is that the applicants have worked very hard on this to assure that. Everything the County has asked for they're working on meeting. So I do not – I think it is not misuse of taxpayer money.

It is exactly the kind of service that is our obligation to try to develop. We do both things. We help constituents directly and we're in the position to help and promote economic development.

And so I know this is difficult. Doing anything for the first time is difficult and with all apologies to Michelle, I recognize that dealing with NMED can be difficult because there are things that they legally can do with this directly, which they haven't bothered to figure out and I'm sure it's partly because of staffing concerns and other priorities but they're not making it easy for us. And so we are taking the burden, the staff time and the effort of trying to forge new ground. Frankly, I think in comparison to all the other kinds of projects we do, it's new ground worth forging. So now I'm going to go to Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I guess my first question, at our meeting on August 30<sup>th</sup> staff requested or received direction to utilize the County's GRT bond capacity, not the County's GOB capacity, which is on the 11/8 ballot and includes the projects such as Agua Fria sewer line and the Santa Fe River project or a greenway trail project, and that was something that Commissioner Hansen alluded to or made mention of earlier. Has this pledging source changed?

MR. CORDOVA: Madam Chair, Commissioner Roybal, the pledge source for this particular would be GRT, our unpledged GRT that's available to us, as opposed to the GO bond. This isn't a GO bond pledge.

COMMISSIONER ROYBAL: So we're still using the GO bond capacity for those projects. Is that correct?

MR. CORDOVA: Madam Chair, Commissioner Roybal, for the projects you mentioned, yes. We're asking the voters to approve GO bond capacity for those particular projects.

COMMISSIONER ROYBAL: Okay. I just wanted to clarify because Commissioner Hansen brought that up and I just wanted to make sure that we were taking care of those projects as well. And just out of curiosity, do we know the potential increase for jobs and GRT? Has that been analyzed or that we can understand the potential positive impact on this project?

MR. CORDOVA: Madam Chair, Commissioner Roybal, we did receive the economic impact study and just for clarity, we have to look at what's specific to the wastewater treatment plant project. So the jobs being created would have to be specific to that, because that's what we're lending them money to do. So when we look at that I think that's not many jobs specific to the wastewater treatment plant, but once the wastewater treatment plant is on line, they can then expand their operations, open up the spa, and therefore then hire additional FTE based on the completion of the wastewater treatment plant. But there isn't amount of jobs tied to the specific project. I think it's two to five over the course of that. I believe.

COMMISSIONER ROYBAL: So it does have a potential once the project is complete to actually open up more jobs. Is that right?

MR. CORDOVA: Madam Chair, Commissioner Roybal, yes, it does, and that's just part of what's made this kind of nuanced is we do have to look at the wastewater treatment plant specifically, but we do recognize and appreciate that there's a residual effect and that there will be an opportunity to expand their operations by doing

this project.

COMMISSIONER ROYBAL: Okay. This project involves a loan from NMED to the County and then a sub-loan to the applicant. Is that correct?

MR. CORDOVA: Madam Chair, Commissioner Roybal, yes, that's correct.

COMMISSIONER ROYBAL: Can you tell me why it's considered a LEDA project?

MR. CORDOVA: Madam Chair, Commissioner Roybal, because of anti-donation purposes we couldn't just give them the loan directly, them being a private entity. The mechanism of which we are able to do this is through the LEDA process, so that's how we're able to qualify and be able to help this private entity.

COMMISSIONER ROYBAL: Okay. And has the LEDA application been submitted and reviewed?

MR. CORDOVA: Madam Chair, Commissioner Roybal, yes. And I'll just mention, yes, the applicants have been providing us everything we've asked for. They have been really good about helping us through this process, so I just wanted to acknowledge that.

COMMISSIONER ROYBAL: Okay. And that isn't in this packet, is it?

MR. CORDOVA: No. We did not provide the entire LEDA application at this time. That will come further on down the line as we move this project forward if we're directed to.

COMMISSIONER ROYBAL: Okay. So what are some of the LEDA points such as the documents to support the application, the third party project management and also the terms of the NMED loans, would it be reflected in the LEDA agreement?

MR. CORDOVA: Madam Chair, Commissioner Roybal, yes. We would intend to incorporate all of that into the LEDA agreement. We would also, as you mentioned with the LEDA process there's an ordinance. There's also an ordinance that would need to be passed on the loan application process to NMED. So you guys would see, if we go forward, the Commission would see two different ordinances and we would use those to help capture a lot of the important points that need to be capture.

COMMISSIONER ROYBAL: Okay. And as far as the community outreach, have we ever required that from any other LEDA projects?

MR. CORDOVA: Madam Chair, Commissioner Roybal, I don't know for sure. I don't think so, but I could follow up and get you a definitive answer on that. But I don't know.

COMMISSIONER ROYBAL: Okay. Why does staff feel that it's necessary on this project?

MR. CORDOVA: Madam Chair, Commissioner Roybal, I think it has to do with the permitting process of such a wastewater treatment plant, the type of plant that it is. The more public outreach the better we feel that the project would move forward. Just giving them all the facts and information would help the community accept the validity of the project, but I'll let Michelle answer.

MS. HUNTER: Madam Chair, Commissioner Roybal, all it takes is one request for a hearing for a permitting action to be derailed by probably about a year. And

so without a robust community involvement plan this project will likely be derailed right out of the gate with respect to its NMED groundwater quality discharge permit, because we're already getting interested people in the area and I will just say that all it takes is one person to request a hearing and a hearing will be granted. And generally speaking, staff, as you know, staffing levels are low at the Environment Department and a hearing can take anywhere from 12 months to 18 months to get. So that's why that requirement is there.

COMMISSIONER ROYBAL: Okay. And probably you could answer this question as far as the water budget. Why do you feel that that's necessary? I've only been here I think for one LEDA project and I don't remember having that on the previous LEDA project. So I was just wondering why we felt that was necessary.

MS. HUNTER: Madam Chair, Commissioner Roybal, I do believe that the Santa Fe Studios was required to submit a water budget as are all developments in the county. This one in particular, they have a very set number of water rights and permitting under the Office of the State Engineer, and without an understanding of what 55,000 gallons a day, that wastewater treatment plant, plus irrigation would require, they may be using in excess of their water budget moving forward. So we need to have a detailed water budget before we can move forward.

COMMISSIONER ROYBAL: Okay. And as far as regulatory documents, I understand the WWTP will require an amendment including a couple of public meetings to its discharge permit at NMED, and the EPA will have legal, statutory oversight agencies. Why is the County requiring approval of regulatory documents?

MS. HUNTER: Madam Chair, Commissioner Roybal, it's – this was written prior to the understanding that we would be owning the plant. At that point, we thought that we would. We may still be regulatorily responsible for what goes on out there, and if that is the case I think it's really important for the County to have knowledge of what they're responsible for with respect to regulatory submissions, so that there is no regulatory issue with the NMED through the process.

COMMISSIONER ROYBAL: Okay. Do we have regulatory, or does the County have approval ability in that statute?

MS. HUNTER: Madam Chair, Commissioner Roybal, a contract can create that, and if we are truly the responsible entity in the eyes of the Environment Department I think it's really important for us to understand what is happening out there and what the regulatory agency is getting from the resort. because I will tell you that in the past things have not gone very well out there and I think it's important, if we are responsible for this, to have a handle on what's going on in the regulatory realm, because the resort will have both a federal permit and a state permit to adhere to and sometimes those requirements can be arduous. And I think that it's important for the County to understand completely what is going on out there. We need to see those monitoring reports potentially before the Environment Department does, just so that we know when things aren't maybe going as well as they should.

COMMISSIONER ROYBAL: Okay. Does this won't create any regulatory issue, right? For the County?

MS. HUNTER: Madam Chair, Commissioner, I don't know the answer to that. I think that if things went awry, and the entity that borrowed the money from us

ends up walking away in some way, that we would be responsible for this in a regulatory way as well as a monetary and financial – all of it. I think it's ours if things don't work out.

COMMISSIONER ROYBAL: And we don't do this now, right?

CHAIR HAMILTON: Point of clarification, before you finish. I'm not sure that's true. First of all, I think that hinges entirely on whether we actually get the plant ownership. Since we're refusing it as collateral, that's never going to happen. It's up to the County to make sure that doesn't happen. You can't have a contract that makes an entity like the municipality or the County in a regulatory sense responsible for sewage treatment discharge or permit applications, we don't have that statutory authority. That's lies with EPA and any delegated authority to the state. So NMED has clarified, in my understanding, that it is the entity that is doing all permitting, not the County.

And so the only way, unless that is not true, and I'll defer to Manager Shaffer, but unless that is not true, there is no way the County becomes liable for the discharge of that sewage treatment plant unless we own it. And that's what we've all agreed is not going to happen. Commissioner Roybal, you still have the floor

COMMISSIONER ROYBAL: Thank you. We don't do that now, though, was my question, my last question. We don't do that.

MS. HUNTER: No.

COMMISSIONER ROYBAL: And then I did – I thought there was a – possibly, I guess a letter that we had received relative to the issue with Juniper and a prior loan process with Bernalillo County

CHAIR HAMILTON: Sandoval County?

COMMISSIONER ROYBAL: Yes, I don't know if it's Sandoval County. I don't think we received that letter but I was under the impression we would be receiving that memo at some point. I don't know why we didn't. Unless – did the Commissioners receive that letter?

CHAIR HAMILTON: Manager Shaffer, I think we did, or at least we got some inputs on it.

MANAGER SHAFFER: Thank you, Madam Chair, Commissioners. We did as part of a due diligence process follow up with the suggestion on a connection between some principals and the Sandoval County project that was answered to the satisfaction of County staff and so we didn't think that it was a consideration moving forward. We'd be pleased to share it with all Commissioners, but that's not factoring into the staff's recommendations one way or another, other than we did look into them and we're comfortable with the information that was received.

COMMISSIONER ROYBAL: Okay. I don't think I have any other questions but I want to make a motion that the County enter into a LEDA project agreement with Bishop's Lodge Facilities, LLC, in the amount of \$5,184,457 to develop a wastewater treatment project with the following terms: interest – the loan to Bishop's Lodge Facilities, LLC will be no more than .25 percent interest above the NMED loan; the County administrative costs to Bishop's Lodge Facilities will provide \$12,000 annually to the County above the loan payment amount; the loan term, I would like to see at ten years amortization over a 30-year with a balloon payment due at the end of the ten-year term; security for the repayment, Juniper, the Bishop's Lodge hold CEO will

provide the guarantee of the loan from Bishop's Lodge Facilities will hold three months of loan payments to reserve terms and conditions the loan agreement between the County and the Bishop's Lodge Facilities will include all terms and conditions contained in the loan agreement between the County and NMED; third party project management – Bishop's Lodge Facilities will provide a third party project management to be procured in accordance with the state and federal procurement standards; site access – the County will have full access to the project site and all documentation, permits, reporting, etc. during all phases of the project, requiring the permitting of Bishop's Lodge Facilities will be responsible for all permitting requirements; ownership and operations of Bishop's Lodge Facilities will maintain ownership and operate requirements of the wastewater treatment plant. And that will be my motion, Madam Chair.

CHAIR HAMILTON: I have a motion. Do I have a second? I'll second it. I have a motion and a second. Under discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Manager Shaffer, thank you, Madam Chair, Manager Shaffer. Can you help me out, or Leandro. This is basically saying – not basically, this is actually giving staff direction to go still negotiate, still moving forward? This does not guarantee approval?

MANAGER SHAFFER: Madam Chair, Commissioner Garcia, absolutely it doesn't guarantee approval, as has been explained throughout the process. LEDA processes have to be approved by ordinance and the loan agreement with NMED likewise has to be approved by ordinance, so there would be a public hearing process attendant to both that and until those final deal documents are approved by the Board there is no final approval. This is not dissimilar to a process that we utilize when we're seeking parameters approval in the context of industrial revenue bonds, where there you use an inducement resolution, but it's to basically make sure that we're operating within a pitch that the Board of County Commissioners thinks will be acceptable. So that's why we're bringing this forward to the Board now as to get some direction relative to what you anticipate to be acceptable deal points. Because the next stage to develop the actual deal documents is going to be significant lift and before we invested those resources, and frankly before the applicant invested its resources to develop those deal documents we wanted to make sure what parameters were accepted to the Board. I hope that answers your question.

COMMISSIONER GARCIA: Manager Shaffer, yes it does. I just find it – I think this is good that we're being creative and thinking outside the parameters of what the County can do. Under the previous administration it was just kind of no. If I knew somebody that actually owned a collision center or they wanted to get some money for jobs, basically, it was no, we cannot do it. No, we cannot do it. It's a different tone these days which I appreciate. I have a lot of questions in regards – not right now. I understand what we're here for and what – regarding ownership, discharge, assets. I'm interested in what are we getting for it?

I know that doesn't need to be answered right now, but during the – depending on what this Board does, depending on how we move forward, if the Board majority decides to go down that route, all of those things will be answered, correct?

MANAGER SHAFFER: Madam Chair, Commissioner Garcia, yes. A qualifying entity under LEDA is required to make a substantive contribution to the

expansion of the economy, so ultimately the LEDA documents would spell out what those contributions are and what the remedies are in the event that they're not met. In addition to what the remedies are in the event that the loan is defaulted upon.

COMMISSIONER GARCIA: Thank you, Madam Chair, and it just kind of perplexes me as into we're applying for future development out there and we're still talking about wastewater. I'm trying to think where the developer actually is – where he's going and what they're thinking about this. I understand their jobs. I get it. I know how all that works and it's all about jobs, jobs, jobs, and my ex-co-workers know, economic development to me is jobs to a certain degree. These days it's hard to find people to work jobs. And so I'm trying to weigh out all this, use my wise mind as into we can create all the jobs you want. We can create the Space Port and whatever else we want to create and are people going to come? I don't know.

I understand. I don't have any further questions, Madam Chair. Thank you.

COMMISSIONER ROYBAL: In my motion I'd also like to add that I'd want staff to have the LEDA project participation agreement and ordinance on the November 8, 2022 meeting, and the second and final public hearing at the December 13, 2022 BCC meeting.

CHAIR HAMILTON: That's just part of the –

COMMISSIONER ROYBAL: The motion. Yes.

CHAIR HAMILTON: And the second. Okay. And further discussion.  
Commissioner Hughes, then Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. One quick question. What percentage would we be adding on to the .25 percent in order to cover our costs? Do we have an idea?

MR. CORDOVA: Madam Chair, Commissioner Hughes, I think we contemplated just the .25 on top of it.

COMMISSIONER HUGHES: An additional .25.

MR. CORDOVA: Yes. No more than .25 above whatever the rate we actually end up getting locked in at.

COMMISSIONER HUGHES: Oh, okay. I think I misheard something Commissioner Roybal said, and so that's why I got confused. But that makes sense. No, I still have a lot of concerns about this project and I would hate to move it forward and then vote it down later because there's a lot more work coming. I think if we're going to vote it forward now we should see it the whole way through. And so I think – and I also, I think that it's perfectly fine to help Bishop's Lodge. I'm not sure this is the best way to do it but I certainly have nothing against Bishop's Lodge. I appreciate all that they do in the community and the jobs they create, and I guess I'm still feeling that we would be doing them a better favor to have them just work with NMED and not have to go through us. But that's just my opinion. Thank you.

CHAIR HAMILTON: Thank you, Commissioner. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So I'm still concerned that we are not following staff's recommendation to do a ten-year loan and amortize it over ten years with no balloon payment. That is why I believe is why we hire staff is to do what they recommend. I think it's incredibly dangerous to have a balloon payment with this company that has a bankruptcy history. Juniper has a history. The CEO

went bankrupt in 2020 with the other company that he was the CEO of, and so those are concerning things to me.

I do not support this project what is very clear. I have stated that before but I am really concerned about going against staff and their recommendation. And their recommendation is that we do ten years and it's a ten-year amortization and that was not in the packet. There was only ten years with 30-year amortization and so that concerns me. I do not want – I think we need to slow down. I don't think we need to be moving so quickly on this project. It's like why are we rushing it? That is something I completely do not understand. We have already spent a lot of staff time trying to analyze this and then we're not listening to them. So that really concerns me.

I think that if we wanted to go forward with this we have to do more research and more work. I do not support the motion that Commissioner Roybal brought forward because I do not feel like it is protecting the County. And also, if we were going to have this ten-year, Juniper is the kind of company that buys companies and then sells them off, so if Juniper buys this – has bought this company as a distressed asset and then in five years decides it's going to sell it off, we need to be paid all the money right then that we are owed. That's another reason why I do not agree with Commissioner Roybal's motion, because it is not protecting the County.

I think there are other ways to be protecting the County. I know the public is here and there are a few people who would like to speak, and I would like to know, Madam Chair, if there would be an opportunity for people to speak, because we're not going through a bonding process where the public gets to vote on this. We are right here the ones making the decision and not allowing the public to have part of this process. And it is their money. It is taxpayer money that we are using to do this.

There's numerous things that concern me about this project but the fact that we're not even listening to staff is really concerning to me. The permitting process for the NPDES, how are they paying to build a spa and why are they only asking us for the cheap money? I just don't get it. I don't understand why we're in such a rush. There doesn't seem to be that many jobs that is being actually benefited. Are we being paid for staff time to do all this research? There is a tremendous amount of time that staff has already put into this and how are we making anything back from that? How are we being compensated?

And so, Madam Chair, would you allow some public comment?

CHAIR HAMILTON: So I have given some thought to your public comment request, and the problem with opening this up to public comment is that you've requested certain people to come. Other people were completely unaware that there would be any opportunity to speak. Anybody here in the audience is invited and welcome to speak during Matters of Public Concern. But it would be a very unfair process that I think people could take substantial issue with for us to have this public comment.

Second of all, this is a decision to move forward, but any deal that is – any process that is determined moving forward will have at least two public hearings as there are a couple of ordinances. So there will be ample time for public comment at that point. And I think that's really – there are rules in place for a reason and I think that is the fairer thing to do.

The other thing is that County staff is here to work for the public. We didn't ask

the Glorieta water system whether they would compensate the staff for doing CDBG loans to get them contributions toward their water system. Neither do we ask Agua Fria if they would compensate County staff for developing and giving the money for the sewage projects. There's a point at which this applicant in the LEDA process is providing payment for County's time doing it. I think that's a little bit above and beyond. And yes, I do agree; Commissioner Hughes makes a really good point that there's no point in wasting time if we think we're going to vote this down.

This vote will show that. If people are favor, if Commissioners are in favor of it, great. If not, fine. That's what the five person membership is meant to do. But you could make that argument for almost any economic development package. Why on earth would Bernalillo County use taxpayer money to give tax breaks to Intel, one of the biggest corporations in the country, to build a plant in Bernalillo County? Obviously they do it as an enticement. Here we have the second largest contributing lodgers' tax and job creators in Santa Fe County and no, it doesn't create that many jobs for the sewage treatment plant but as Deputy Manager Cordova pointed out, it allows the corporation to go forward and develop Bishop's Lodge so that it is an economic engine for the County.

I do have a question. If – from my point of view I made it clear that it was ten years. If the County considers – if in further negotiations the balloon payment and the County feels it is not adequately secured, there's still the option to do it ten years straight. The County still has the full – despite this resolution or if you think that's not the case I would ask to modify the resolution to assure that we're not hamstringing the County from doing what it needs to get the appropriate protections on our investment. So does Mr. Young or Mr. Cordova, do either of you think that the resolution precludes the County from securing appropriate collateralization for either the ten-year term or the potential for doing a balloon payment?

MR. CORDOVA: Madam Chair, from my perspective, the financial perspective of it like I mentioned earlier, the balloon would still be about \$3.65 million at the end of ten years. I think that definitely would influence what we would request or require for collateral.

CHAIR HAMILTON: Absolutely.

MR. CORDOVA: So I don't know if it precludes us but it would certainly change what we're going to need to be able to secure that large amount of money ten years from now.

CHAIR HAMILTON: What I'm asking is the questions about – any concerns about the corporation selling in five years, and we're not protected, or having ten-year with 30-year amortization, is it working out and doing a straight ten-year with ten-year amortization is pursued? Do you feel precluded from pursuing all of those kinds of terms with the applicant so that we come to an agreement that's good for them and good for the County?

MR. CORDOVA: Madam Chair, I'll phrase it a different way. I guess I see it as our options are the ten-year straight is what we recommend. So definitely that's what we would prefer, the ten-year straight. That's how we recommend going forward. There's also – if we're doing a ten-year with a 30-year amort we need to make a decision as the County if we want to enter into a 30-year loan with NMED or do a ten-year loan with NMED. Then that creates an imbalance, and we're going to have to price out the

imbalance and cover the imbalance with probably additional collateral from the borrower.

So I don't know if I answered your question, but to get to the end it will take a little more time and it will probably cost more to the applicant to do the balloon.

CHAIR HAMILTON: The applicant has to be walking into this eyes wide open and so does the County. The point is that there's an opportunity for "cheap money" that helps the county economically and helps an entire community in need of sewage treatment. We don't have to do it by putting the County at unacceptable risk, but we take risks all the time. So when I was talking about it and Commissioner Roybal made the motion, so unless he totally disagrees, my point of view and the reason I seconded it is because the County still has the opportunity to assure that it takes the deal that protects the County from the liability of owning this plant or being left holding the bag, as they say, if Juniper sells in five months, which is unacceptable. Manager Shaffer.

MANAGER SHAFFER: Thank you, Madam Chair. The only thing I would add to your description is I did not understand the motion as precluding County staff from negotiating for financial guarantees over and above the unsecured promise of the specific corporate entity that was named. I did not understand the motion as precluding that, and I think that's what you were saying.

CHAIR HAMILTON: Correct.

MANAGER SHAFFER: As the seconder of the motion.

CHAIR HAMILTON: Correct.

MANAGER SHAFFER: And then secondly, just as a point of clarification, the meeting of the Board of County Commissioners was moved to the 15<sup>th</sup>. The motion was for November 8<sup>th</sup>. That's election day. So our next meeting is the 15<sup>th</sup> and that would be bringing back authorization to publish title and general summary and by making that motion then the Board is prioritizing this work to get it done, then that's what we'll do.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Is this developer going to pay this off in ten years?

MR. CORDOVA: Madam Chair, Commissioner Garcia, obviously we don't know that and that's part of why we would have to probably increase the request for collateral. We're not – I'll just state this – we're not trying to be prohibitive in this but at some point we wonder if the requirements of the cost for things to collateralize this might end up costing more than the applicant is willing to pay on the low interest. There's a trade-off. So at some point I guess it would be a business decision from the applicant as to whether or not the collateral we require is more expensive than a different option or if this option is still the best for them, knowing that it may cost more.

COMMISSIONER GARCIA: [inaudible] while we're dealing with taxpayers' dollars. And so Manager Shaffer, can you help me out with this? So if this decision moves forward tonight we still have time to figure out the understanding on how that works. And if I'm not happy with it, I don't have a problem not voting for it if I don't get what I feel needs to be in that agreement. So are we going to get paid, as the motion is, within ten years? Paid back within ten years?

CHAIR HAMILTON: I think you have to ask for a modification of the motion to be a ten-year loan with ten-year amortization. Maybe you could ask

Commissioner Roybal if that's acceptable to him. Manager Shaffer, why don't you go ahead and speak to this.

MANAGER SHAFFER: Madam Chair, Commissioner Garcia, I understood the motion as made to be for a ten-year term with monthly payments based upon a 30-year amortization schedule with a balloon payment at the end of year ten. So if the question is would the applicant be contractually obligated to repay in ten years? The answer is yes.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Manager Shaffer.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: And just for a point of clarity, even if the County had a ten-year with a 30-year amortization the County would still get paid back in ten years. So that is still the same. And so I do want to of course accept the modification of the date that Manager Shaffer presented a while ago and if your second is okay with that, I'd like to just call for the question.

COMMISSIONER HANSEN: Could you read the motion, please? Would you restate the motion?

COMMISSIONER ROYBAL: The motion has been stated already before. I'm just accepting the change. I could restate the motion of course with the dates that Manager Shaffer brought forward. I move that the County enter into a LEDA project agreement with the Bishop's Lodge – and I'm just going to say Facilities BL for short – LLC, in the amount of \$5,184, 457 to develop a wastewater treatment project with the following terms: interest – the loan to Bishop's Lodge Facilities, LLC, will be no more than .25 percent interest above the NMED loan to the County; administrative costs for Bishop's Lodge Facilities will provide a \$12,000 annually to the County above the loan payment amount; loan term – ten-year term, amortization over a 30-year with a balloon payment due at the end of the ten-year term; security for repayment – Juniper Bishop's Lodge Holding Company will provide the guarantee for the loan, BL Facilities will hold the three months of the loan payments in reserves; terms and conditions – the loan agreement between the County and Bishop's Lodge Facilities will include all the terms and conditions contained in the loan agreement between the County and NMED; third party project management – Bishop's Lodge Facilities will provide a third party project management to be procured in accordance with the state and federal procurement standards; site access – the County will have a full access to the project site and all documentation, permits, reporting, etc. during all phases of the project; required permitting from Bishop's Lodge Facilities will be responsible for all permitting requirements, ownership and operations of Bishop's Lodge Facilities will maintain ownership and operation requirements of the wastewater treatment plant; and then of course the dates that we asked for were the November 15, 2022 for participation agreement and ordinance on that date meeting, and the second and final public hearing at the December 13, 2022 BCC meeting. And that's the motion.

CHAIR HAMILTON: Okay. So I have a motion and a second.

**Commissioner Roybal and Chair Hamilton voted in favor; Commissioner Hansen and Commissioner Hughes voted against.**

CHAIR HAMILTON: I'm not sure – Commissioner Garcia, did you vote?

COMMISSIONER GARCIA: No, I have not voted. I'm a little perplexed on this project. I understand – I have a question for Manager Shaffer, if I may, Madam Chair.

CHAIR HAMILTON: That's fine with me, but I'm not sure Robert's Rules of Order allows that in the middle of a vote. Mr. Young, do you have a reading on that?

JEFF YOUNG (County Attorney): Madam Chair, Commissioners, because we have already had discussion on this point and through vote, I would recommend completing the vote and then if it fails, we need another motion.

CHAIR HAMILTON: Thank you, so much. I apologize, Commissioner Garcia.

COMMISSIONER GARCIA: Fine. So just to let the developer know, I would have a lot of questions whenever you guys come back in this short period of time. So I'll vote for it. Thank you.

**The motion carried by majority [3-2] voice vote with Commissioners Roybal, Garcia and Hamilton voting in favor and Commissioners Hansen and Hughes voting against.**

6. C. **Request Approval of a Memorandum of Understanding (MOU) Between Santa Fe County, the United States Department of the Interior and Bureau of Land Management Taos Field Office as a Cooperating Agency for Recreational Shooting Range Project Resource Management Plan and Environmental ~~Impact Statement~~ Assessment**

CHAIR HAMILTON: This is being brought forward by Commissioner Hansen and Commissioner Garcia. I'll go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. This memorandum of understanding establishes a cooperating agency relationship between the Bureau of Land Management/Taos Field Office and Santa Fe County for the purpose of preparing a recreational shooting range project on public land in Santa Fe County. Environmental Assessment and Taos resource management plan amendment. The recreational shooting range project on public land in Santa Fe County is necessary to resolve conflicts and impacts associated with unmanaged target shooting in existing undeveloped locations in the Buckman-Alamo Creek, Camel Tracks and San Pedro Mountain area of Santa Fe County.

The purpose of this MOU are to: designate Santa Fe County as a cooperating agency in the EA/RMPA process; provide a framework for cooperation and coordination between the BLM and Santa Fe County that will ensure successful completion of the EA/RMPA in a timely, efficient, and thorough manner; and three, recognize BLM as the

lead agency with responsibility for the completion of the EA/RMPA and the decision of record; and describe the respective responsibilities, jurisdictional authority, and expertise of each of the parties in the planning process.

Commissioner Garcia, do you have anything other?

COMMISSIONER GARCIA: Yes. Madam Chair. Thank you, Commissioner, for bringing this forward. As we know, you, as well as my District 3, District 2, we have some shooting ranges in our district in the La Tierra area, off of Caja del Rio Road, and then we have one in your district which is right across the street from my district. It's called the Camel Tracks, which is a shooting range that's been there for many, many years. I also have one in my district in the southern part of the county, which is the San Pedro area.

These shooting ranges were actually adopted by the Bureau of Land Management, which is actually governed by the federal government. And we've tried, the Commissioner and I have tried for many years over the previous presidential administration to get with BLM as into working with us as into what do we do with these shooting ranges? In my district, in the San Pedro area, literally there are individuals out there that are shooting and there's houses from about here to across the street. There are some bullet holes in some of those houses. So we did talk with BLM, worked with BLM and they created some shooting lanes, shooting areas.

Now, under the new administration we actually have a project manager who actually – she's based out of the Taos Office and her correspondence with us is excellent. And I feel very comfortable that we need to work with the Bureau of Land Management in order to come together as into what we need to do with these public shooting areas, because it's needed, it needs to be controlled and the individuals need to be executed as into what happens. I can be in house in La Cienega and you can hear shooting.

One of the interesting things in the San Pedro area, we had a planner that worked for us and she said, Rudy, you know what? I went out there at 8:00 in the morning when the sun was coming up, 8:00. These individuals down there shoot from 8:00 to 8:00 at night. We're not talking 22's; we're talking high powered rifles. So I think this is actually a good step and the County Commission in moving forward with the Bureau of Land Management to come to the table. Let's figure out what we're going to do. This is actually first initial steps to work with BLM to see how we're going to restructure those shooting ranges. What's going to happen then? And my question always is the funding. Where's the funding going to come from and how does it work? Because those shooting ranges are not only utilized by the police departments they're utilized by the National Guard. They're utilized by Game and Fish. They're utilized by the general public out there.

There's a lot of entities that actually utilize these ranges. But thank you, Commissioner for working with myself and working with the community out there in bringing this forward. Thank you, Madam Chair.

COMMISSIONER HANSEN: Madam Chair. So I just want to clarify that the areas that we are trying to control are actually where wildcat shooting is going on and there are not shooting ranges there. What we're trying to create is a shooting range with BLM, and with that I move approval.

CHAIR HAMILTON: Can I ask a clarification for something that – it's

not a controversy. I think this is great. But the title actually says development of an EIS and everything you read said development of an EA. And I assume you want to have that clarified.

COMMISSIONER HANSEN: Where do you see EIS?

CHAIR HAMILTON: On BoardDocs.

COMMISSIONER HANSEN: Oh, on the agenda.

CHAIR HAMILTON: I just assume that's the title of it, so if it's not an issue, then that's great. I just wanted to –

COMMISSIONER HANSEN: It's not an EIS; it's an EA.

CHAIR HAMILTON: Okay, but it says it in the title, an EIS, environmental impact statement, so just a note that that should be clarified, that it's an EA.

COMMISSIONER HANSEN: Okay. I actually don't see it printed –

CHAIR HAMILTON: It's right here on the subject – when you click on the agenda and it's in the agenda title, which I assume is what's published.

COMMISSIONER HANSEN: Oh. I see. Okay. So somebody made a mistake here. So that needs to be changed, but it says environmental assessment on the –

CHAIR HAMILTON: It definitely does, so as long as it's correct.

COMMISSIONER HANSEN: Just noted that that we'll make that correction. This is an EA and so I ask for this to be moved forward.

CHAIR HAMILTON: I have a motion.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: I have a motion and a second. Is there any further discussion?

COMMISSIONER GARCIA: Madam Chair, an EA, because we all talk in these acronyms, an EA is an environmental assessment, and whenever you deal with BLM lands throughout the country, they have to hire somebody to go out there and do an environmental assessment which looks at drainage, looks at historic sites, looks at different types of species that are out there. So that's what an environmental assessment is. So this actually is allowing the County to work with BLM for an environmental assessment. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Is there any further discussion? Great. So I have a motion and a second.

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

**6. D. Request (1) Approval to Utilize the CES Purchase Agreement Pursuant to Ordinance No. 2012-5, Section 1, Outside Contracts, to Purchase Two (2) 2023 Ford F-250 4x4 Animal Control Trucks; Five (5) F-150 Responder Patrol Units, and Thirteen (13) Ford Explorer AWD SUV Patrol Units, Totaling \$918,439; and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s)**

CHAIR HAMILTON: I'm going to ask Bill Taylor to read us into this. Welcome, Bill.

BILL TAYLOR (Procurement Director): Thank you, Madam Chair, Commissioners. This afternoon we're here requesting the use of an outside contract pursuant to our regulation Ordinance 2012-5, outside contracts that require Board approval to utilize a contract. CES is a cooperative procurement unit that the County is a participating entity.

So the Sheriff's Office received funding for FY 23 for the purchase of these vehicles – animal control units, patrol units, and a couple of other units for the Sheriff's office. And with that I'll stand for any questions.

CHAIR HAMILTON: Thank you, Bill.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much, Madam Chair. As you know my concern is the environment and climate change, and so is it possible to buy any of these trucks as an EV?

MR. TAYLOR: Madam Chair, Commissioner, I'm not sure if that option is available for these type units, but I will certainly convey that to the Sheriff's Office.

COMMISSIONER HANSEN: So is it following our fleet policy?

MR. TAYLOR: It went through the process during the capital improvement, Madam Chair, Commissioners, as far as I'm aware.

COMMISSIONER HANSEN: Okay. I know that they do have trucks now that are EV and have a tremendous amount of power and are capable of providing the same ability, so I would want to make sure that that is looked at.

MR. TAYLOR: Madam Chair, Commissioner, the CES contract does offer that opportunity for us to look at that and shop for those type vehicles if they're available.

COMMISSIONER HANSEN: Okay, with that understanding I'll move to approve.

COMMISSIONER HUGHES: Second.

COMMISSIONER GARCIA: Third.

CHAIR HAMILTON: So I have a first, second, and third.

COMMISSIONER GARCIA: Madam Chair, discussion. So this is actually great. Thank you to the Sheriff's Department for bringing this forward and all the staff that worked on this, which actually shows that taxpayer dollars are actually getting utilized in our Public Safety section of Santa Fe County. This is almost an entire brand new fleet for the Sheriff's Department, which is great. One of the other things is

whenever we purchase a unit it already comes equipped with logos, cage, radios. It's a fully operable unit when it's delivered?

MR. TAYLOR: Madam Chair, Commissioner, it does go to another – this includes all of those special options to these vehicles. There are logos that we go through another third party that's part of the procurement of the cost. It's not the Phil Long vendor that they provide the vehicle and build the vehicle, and then it's shipped to WAC units to put on the emblems for the Sheriff's Office.

COMMISSIONER GARCIA: Thank you, Madam Chair. So, Mr. Taylor, will you be coming back and asking the County Commission for additional monies to equip those units?

MR. TAYLOR: Madam Chair, Commissioner, I will not.

COMMISSIONER GARCIA: Thank you, Madam Chair.

MANAGER SHAFFER: If I could, just as a point of clarification, Madam Chair. I want to make sure that we're acting within the authority given to us by the Board. We will explore with the Sheriff's Office whether or not there are electric vehicles that will meet their specifications. If the answer to that question is no, then we will be authorized to proceed forward with the purchase as presented. If the answer is yes, we will proceed, if it's within available budget. But I want to make sure that we're clear on the point because the electric vehicle idea was introduced at the meeting, which is not inappropriate but I want to make sure that as we move forward we're again acting within the parameters of the authority you're giving us. I hope that was an intelligible restatement of what the issue is. But that's what I think I heard.

CHAIR HAMILTON: That's what I heard.

COMMISSIONER HANSEN: I accept that as a comment.

CHAIR HAMILTON: Good. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I was just going to say I think it would be worthwhile to also investigate hybrid vehicles, because the EVs may not be readily available, but there may be hybrid versions of these trucks that are more fuel-efficient and environmentally friendly and be more likely to meet the needs of the Sheriff's Department. But the same thing. Whatever you find that you need to buy, you still have the authorization to buy it.

CHAIR HAMILTON: Excellent. That works. So there's a motion and a second. Is there any further discussion? Seeing none.

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

6. E. **Request (1) Approval to Purchase the Elgin Bear Broom Sweeper Utilizing an Outside Sourcewell Contract #093021-ELG for a Total Sum of \$384,338.41, Inclusive of NM GRT; and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s)**

CHAIR HAMILTON: We'll go again to Bill Taylor.

MR. TAYLOR: Thank you, Madam Chair, Commissioners. Again, we're

expressing our request approval by the Board to utilize an outside contract pursuant to the ordinance. Using the Sourcewell contract, the department did a really good job, I must say, in finding the best price for the sweeper through this vendor, Elgin Bear Broom, and again, this was an approved capital outlay budget for FY 23 for a sweeper for the County Roads Department. With that I'll stand for any questions or I have Ivan Trujillo from Public Works to answer any questions by the Board.

CHAIR HAMILTON: That's excellent. So, Board, are there questions?

COMMISSIONER GARCIA: Madam Chair, I have a question.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. So your memo here says Public Works/Road Division is requesting utilization for the provider of this. It says you received a quote on September 20, 2022 and it's valid through October 20, 2022. Is that quote still good?

MR. TAYLOR: Madam Chair, Commissioner, the vendor has provided us written authorization that the quote is still good. Madam Chair, Commissioners, as long as we have that in writing and documented, they have that opportunity to change that quote and they have not changed the quote. So it is not an outdated quote if I'm answering your question correctly.

COMMISSIONER GARCIA: Yes. Thank you, Mr. Taylor. Move for approval.

COMMISSIONER HUGHES: Second. And I assume there's not an EV version of this.

IVAN TRUJILLO (Public Works): Madam Chair, Commissioner, actually there is. There's not an EV model but it is a compressed natural gas option, which is not quoted. But that's their low emission alternative for this equipment.

COMMISSIONER HUGHES: But nonetheless, that's not electric, so we'll go with what you wanted to buy.

MR. TRUJILLO: Thank you.

CHAIR HAMILTON: Is there any further discussion? If not, there's a motion and a second.

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

**6. F. Resolution No. 2022-087, a Resolution in Support of the Volunteer Component of the Santa Fe County Fire Department to Ensure a Sustainable Combination Fire Department**

CHAIR HAMILTON: And I'm listed on this, although honestly, this was also supported, brought forward by Commissioner Roybal as well. Most of the information on this is in the resolution, which perhaps, if I need help, but I would like to read it into the record. The Volunteer Fire Department as many people know, is incredibly important to me. Our Fire Department, our combination Fire Department does an outstanding job of providing service to the County. Part of our ability to do that is predicated on having a strong and in fact larger volunteer component compared to paid

staff. This was just based strictly on the size of the county and its distribution. We have developed areas in close to the city and then some towns and concentrated communities scattered throughout, and then a lot of very rural areas.

And as a matter of fact, provision of emergency services – fire, EMS, response to motor vehicle accidents – was started as a volunteer service. So moving forward as we added paid staff and a County Fire Chief we’ve had struggles, as everybody does, in having harmony between volunteers and paid staff to the extent that volunteers are well supported and maintained as a real contributing and recognized part of the Fire Department. I’ve watched this issue grow and it has had consequences which if left unaddressed, there’s no will to address this kind of issue, I think would lead to the demise of the volunteer component and leave the County unable to provide the high level of service which we do.

So while I was hoping to wait for Commissioner Roybal and read this in, I think I’m going to just go ahead and read the resolution. A resolution in support of the volunteer component of the Santa Fe County Fire Department to ensure a sustainable combination Fire Department.

Whereas, the first fire district to be created by the Board of County Commissioners, the Board, of Santa Fe County, the County, was the Pojoaque Fire District in 1959; and

Whereas, by 1982, there were 11 fire districts officially recognized in the County and a 12<sup>th</sup> was in the process of forming; and

Whereas, by 1997, there were 15 fire districts officially recognized and regionally distributed throughout the County; and

Whereas, for more than three decades, all fire protection and emergency medical services in Santa Fe County were provided by the regionally distributed volunteer districts; and

Whereas, Santa Fe County Fire Department was formed in 1997 by combining the 15 volunteer fire districts and the former Office of the County Fire Marshal; and

Whereas, in February of 1997, the Santa Fe County Fire Department was officially organized under the administration of a single fire chief with service areas further defined by region and district; and

Whereas, the County’s 14 fire districts were brought under the Santa Fe County Fire Department for administrative oversight and paid firefighters were added to the County and divided into four geographic regions (northern, southern, eastern, western); and

Whereas, the combined Santa Fe County Fire Department has functioned well with more than 300 volunteers and up to 100 paid staff, or an approximately 3-to-1 ratio of volunteer to paid firefighters; and

Whereas, the Santa Fe County Fire Department has been served through the combined efforts of fire district volunteers and paid firefighters to deliver quality emergency services to the citizens of the County, including fire, EMS, rescue, and other emergencies 24 hours a day, 365 days per year; and

Whereas, currently, the number of volunteers responding to at least one call has declined to nearly 70, presenting staffing issues across the 14 districts; and

Whereas, the quality of life of the citizens of the County is enhanced by the

invaluable knowledge and contribution to fire and medical services provided by volunteers; and

Whereas, Santa Fe County volunteers are trained to many of the same standards as paid members in firefighting, EMS, and other emergency response skills, such as extrication) and must successfully complete the Santa Fe County Volunteer Civil Service Exam, the Physical Agility Test, and the Santa Fe County Volunteer Fire Academy; and

Whereas, Santa Fe County Fire Department protects approximately 1,900 square miles of unincorporated area, making it difficult for the County to service the area with purely paid staff, and therefore essential that the Santa Fe County Fire Department remain a combined service with a dynamic, well-supported volunteer component; and

Whereas, the 14 existing districts, which are run and maintained by the district volunteers in concert with the Fire Chief of the Santa Fe County Fire Department, County Fire Chief, and command staff, service their defined regions such that the Fire Department's service can conform to the needs of each district and is enhanced by the local knowledge of the volunteers; and

Whereas, the County Fire Chief has important, recognized roles in overview and management of Santa Fe County Fire Department funds; and

Whereas, by Ordinance 1997-11, all revenue sources characterized as public funds require Board approval prior to expenditure, and the County Fire Chief, as representative of the Board, is responsible for reviewing and approving any expenditure requested by a District Chief, as well as reviewing such requests for compliance with all applicable statutes, ordinances, and rules and regulations; and

Whereas, the Fire District Bylaws, Article I, Section 6, Resolution 2002-147, provide that the County Fire Chief acts in the capacity of fiscal administrator for all funds credited to the Fire Department and its Fire Districts; and

Whereas, impact fees that support fire operations are currently collected within and must be spent within each district; and

Whereas, by Ordinance 1997-11, each District Chief is responsible for the expenditure of funds allocated to the Fire District; and

Whereas, the Bylaws, Article I, Section 6, Resolution 2002-147, require the District Chief of each Fire District to be accountable and responsible for the day-to-day operational management of the Fire District, and to be responsible for the expenditure of public funds allocated to the Fire District, in accordance with Santa Fe County Ordinance 1997-11; and

Whereas, the defined roles of the volunteer District Chiefs are recognized, so that the County Fire Chief and the volunteer District Chiefs can work appropriately and in concert for the benefit of the Fire Department and service to County residents.

Now, therefore, be it resolved that the Santa Fe County Board of County Commissioners reaffirms the requirement in Ordinance 1997-11, that no changes can be made to the 14 volunteer districts from their current configuration, their service areas, or how impact fees are collected and allocated) without justification presented directly to the Board and specific authorization by the Board.

Be it further resolved that the Board of County Commissioners reaffirms the requirement in Ordinance 1997-11, that each of the 14 volunteer districts must be run by a volunteer District Chief.

Be it further resolved that the Board of County Commissioners of Santa Fe County, hereby directs the County Manager and the County Fire Chief to implement the following, including proposing amendments to ordinances and resolutions as may be necessary:

1. While the County Fire Chief has authority to appoint volunteers as well as paid members to positions necessary to assure the successful operations of the Santa Fe County Fire Department, Ordinance 1997-11 requires that the 14 volunteer districts be run by volunteer District Chiefs. Only where it is necessary for the protection of the health, welfare, and safety of the residents of the County, and for enforcement of codes and ordinances, such as the loss of a volunteer District Chief with no immediate volunteer replacement, should the County Fire Chief appoint paid staff to temporarily fill a District Chief position, and then only for as short a time period as possible, in accordance with Ordinance 1997-11. Should a paid acting District Chief need to serve in that position for more than two months, the County Fire Chief shall report this to the Board at the next regularly scheduled Board meeting.

2. In recognition of the fact that the service needs of the County cannot be met exclusively with paid staff, within six months of the next County Fire Chief's hire date, he or she shall present to the Board of County Commissioners a volunteer staffing plan by District with milestones for the recruitment of volunteer firefighters. It is the expectation of the Board of County Commissioners that a minimum of 300 volunteers will be necessary to meet the service needs of the County. The performance of the County Fire Chief, paid Santa Fe County Fire Department officer in charge of volunteer recruitment and retention, and the Deputy County Manager overseeing the Santa Fe County Fire Department should be explicitly judged on progress in achieving the established goals, as documented in performance evaluations.

3. Consistent with Ordinance 1997-11, the County Fire Chief shall be responsible for cooperation with the District Chiefs and ensuring that paid fire department staff work collaboratively and cooperatively with the volunteer component of the Santa Fe County Fire Department. The job performance review of the County Fire Chief should account for this aspect of the job.

4. In selection of the County Fire Chief, Deputy County Fire Chief, and any paid Santa Fe County Fire Department officers with direct responsibility for volunteers other than solely incident command, two or more volunteer District Chiefs shall be included in the selection processes, including participation in interviews, development of interview questions, and recommendations concerning the final selection decisions.

5. Two or more volunteer District Chiefs shall likewise be involved in Santa Fe County Fire Department strategic and tactical planning and development, including but not limited to periodic strategic planning, budget development, standard operating guidelines or procedures, SOGs or SOPs development, periodic command staff meetings, limited, of course, by volunteer staff availability, as would be the case with any paid staff, training planning, and other Fire Department decisions as appropriate.

6. Nothing herein shall be construed as precluding the County Fire Chief or County Manager from making further or different recommendations to the Board of County Commissioners concerning the structure or staffing of the Santa Fe County Fire Department.

7. The County Manager shall distribute a copy of this Resolution to the Deputy County Manager overseeing Public Safety, current Santa Fe County Fire Chief and/or Acting Fire Chief, all Assistant Chiefs, and each District Chief.

And shall we pass this, passed and approved on this day, blah, blah, blah.

I just want to say I think this is frankly incredibly important. Most of what is in here, as you can tell from everything I read is codified, but has not been effectively applied for at least the last decade and the time that I have been involved as a volunteer firefighter to what I see as the increasing detriment of the combined service. I can't emphasize enough how important our Fire Department is, how well it was established and the incredible service that is provided by the Fire Department to constituents.

More and more, as those emergency services are going to become more and more important, but I think it's high time that we actually tried to do something what is kind of a burgeoning problem. And now I'll go to Commissioner Roybal who – I have to offer you an apology. You're not listed as co-sponsoring this though you definitely were and we worked together on this.

COMMISSIONER ROYBAL: Thank you, Madam Chair, and I appreciate that. And no worries. I just want to state for the record my gratitude to our Fire Department and all our Public Safety for that matter, but our Fire Department does a – they're a huge presence and just local heroes to our community. In the last probably 20 years I've been a coach for youth sports and just to see their presence at all the sports events and them coming to our homes and actually providing service, we've had a lot of situations where I've had my in-laws actually that have had medical emergencies and they've always been respectful and done a great job.

Our volunteers have been the basis of our Fire Department and it's just – at one point all of our Santa Fe County firefighters were all volunteers and then we went to paid staff and we have paid staff now and the service has become even better. But still the foundation still started with volunteer firefighters and I just wanted – it's one of those things where it's one thing for you to volunteer for different – to participate in youth sports and other volunteer work in your community but actually to go out on scenes where there's a car accident and you have the potential to see loved ones that may have been in a car accident or relatives, friends, and it's just a huge demand. I can't say enough about our volunteer firefighters.

So I just want to thank you for bringing this resolution forward and it's my honor to co-sponsor it with you, so I do appreciate that Commissioner and Madam Chair, and thank you.

CHAIR HAMILTON: Thank you. With that, I'd like to make a motion to approve this resolution.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: So I have a motion and a second, and under further discussion, we have Commissioner Hughes and then Commissioner Garcia.

COMMISSIONER HUGHES: Yes, thank you, Madam Chair and I know we're getting late and we want to get into the public hearing but I just wanted to say that I really appreciate bringing this forward, both of you, and I have many friends in our volunteer Fire Department in Eldorado. Some of them have switched back and forth between search and rescue, which I have participated in, and the Fire Department and I

like to think that they switch to the Fire Department because it's easier than search and rescue but that's actually not true. You get a lot more calls in the Fire Department than we do in search and rescue, and actually a friend of mine on search and rescue, his wife had a heart attack recently and because the Fire Department was there within minutes, she survived and he just told me he was so thankful that our County Fire Department both volunteer and professional, were able to respond so quickly to that, what could have been a life-ending emergency. And so thank you again for bringing this forward.

CHAIR HAMILTON: Thank you, and in all fairness, the Fire Department gets more calls but search and rescue does some crazy, difficult and stressful things and are invaluable. And yes, I've worked on – although you and I have never met doing this on the same scene. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. I'll be brief. This is in regards to our volunteer Fire Department, not our paid staff. Our paid staff does an excellent job. To you chiefs out there, my aunt can attest to that. In the last year and half, how fast you guys were there, what your team did, excellent. The volunteer base for Santa Fe County, in 1995, Chief Stan Holden actually became the Fire Chief for Santa Fe County. We didn't have a Fire Chief. We didn't have a paid staff. Chief Holden had this vision to create a gross receipts tax to have our Fire Department where we are today, very well staffed – we can use a lot more staff.

Volunteers – Chief Holden taught me and told me a long time ago back in 1997, 1998, you know what, Rudy? Some of the most important people, some of the most important individuals to that department are the volunteers. And he said as long as he's Fire Chief he will never, ever disregard or get rid of our volunteers.

As you all may know, we're in the process of hiring a new Fire Chief for Santa Fe County and I heard some rumors out there that we're trying to consolidate volunteer departments, we're trying to hopefully not go down the route that I'm thinking our ex-Fire Chiefs are wanting to do, but as long as I'm sitting up here we will not – I will fight for our volunteer Fire Department, our volunteer individuals.

A good example of what they do, in the La Cienega area off of I-25 we all drive up and down that corridor. I was talking to the Major about a year or two ago from the Sheriff's Department, in one year, the calls in that La Cienega area off of I-25, there were 1,500 to 1,600 calls for traffic accidents. Yes, our paid staff was there, our Public Safety as well as our volunteers. Our volunteers get up in the middle of the night when there's an unfortunate accident on that interstate or an unfortunate accident within a community or a County road.

So I just want to – the importance of volunteer work, what we all do up here and whatever anybody else does volunteer work, our public safety. It's not easy volunteering. I have a lot of individuals that come talk to me about, saying, well, let's volunteer. No. They turn their head; they don't want to volunteer. But for individuals that volunteer thinking, Madam Chair, they get out here actually gets out there 3:00, 4:00 in the morning when there's head-on collisions in the Glorieta area. A sight I probably wouldn't want to see but thank you for what you do. But as long as I'm sitting up here we will not – I won't say get rid, I don't know what the word is, but our volunteer Fire Department will still be there.

We have volunteers in my district and my district is actually all the way down to

I-40, in Stanley, Galisteo, Cerrillos, Madrid, La Cienega. Volunteers that have been there for many years. The Anayas, ex-Commissioners. There have been volunteers in their family, the Moyas, have been volunteers for – ever since I can remember. We have volunteers in Madrid. We have ex-Commissioner Linda Grill, volunteer in La Cienega. The Gonzaleses. I could go on and on and on. But thank you for everybody that volunteers for our volunteer Fire Department once again. Madam Chair, thank you for bringing this forward.

CHAIR HAMILTON: Thank you very much. Is there further discussion? If not, I have a motion and a second.

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

## **7. PRESENTATIONS**

None were brought forward.

## **8. MATTERS OF PUBLIC CONCERN**

CHAIR HAMILTON: Is there anybody here present to speak in general under Matters of Public Concern. We do have a public hearing that's coming later. I saw one hand go up. Please come forward. And then I'll also go to anybody who might be on Webex. If you could state your name and give us your comment.

ROXANNE LUJAN: Good afternoon, Madam Chair, Commissioners, Manager Shaffer. My name is Roxanne Lujan. I am the president of Local AFSCME 1782 and I am here on behalf of the blue collar and the white collar workers today.

MATTHEW HERNANDEZ: And I'm Matthew Hernandez, the Vice President for Local 1782.

MS. LUJAN: We are here on behalf of AFSCME Local 1782. We're the blue and white collar workers here at Santa Fe County. We would like to comment on Resolution No. 2022-086 passed earlier, amending the Human Resources Handbook to implement the 2022 compensation study and approved salary increases for employees in step eligible positions that are not part of any bargaining units. We are here only to clarify for those that are part of the bargaining unit that we have been in active negotiations and are continuing to work for you.

For those of you that are not aware, our contract is set to expire December 31, 2022. Our bargaining unit members will receive the salary increases from the compensation study once both sides come to a contractual agreement. Due to the terms and conditions of these negotiations I am not at liberty to discuss any details of negotiations at this time. We ask that the members of Local 1782 continue to be patient and understanding during this process. And I thank you for your time.

CHAIR HAMILTON: Excellent. Thank you. Thank you very much. Is there anybody else here present in the auditorium who wishes to make a public comment? STR is coming in the public hearing, so other than the STRs.

DANIEL FRESQUEZ (Media Coordinator): Madam Chair, we do have somebody in the audience today that signed up for public comment. His name is Bill

Mueller.

CHAIR HAMILTON: Are you in the audience or is this somebody on Webex?

MANAGER SHAFFER: Madam Chair, Commissioners and Daniel, I believe that Mr. Mueller's concern had been addressed by staff. So I believe he was here present and I believe it's been addressed.

CHAIR HAMILTON: Okay. Great. And Daniel, is there anybody else on Webex who wants to make a comment other than the STR public hearing.

MR. FRESQUEZ: Madam Chair, we have Andrea Sutton.

CHAIR HAMILTON: Andrea, do you want to unmute yourself and give us your comment? Is Andrea on?

ANDREA SUTTON: I'm on. I'm here to listen in on the hearing on short-term rentals.

CHAIR HAMILTON: Okay. So we'll come to the public –

MS. SUTTON: I apologize. It's my first time and I probably just selected that I wanted to say something. I really don't have anything to say. Thank you.

CHAIR HAMILTON: Thank you. No worries. We'll come back to that shortly. Is there anybody else on Webex who wants to make a public comment other than STRs? Hearing none I'll go ahead and close public comment.

## **9. MATTERS FROM THE COUNTY MANAGER**

### **A. Miscellaneous and COVID-19 Updates**

MANAGER SHAFFER: Thank you, Madam Chair. I'll be exceedingly brief. As you all know, the Governor did extend the statewide COVID-19 public health emergency through November 11<sup>th</sup>. We'll continue to monitor the statewide public health emergency and we'll be poised to declare the end of the County COVID-19 emergency when the Governor makes a decision to end the statewide public health emergency for everyone that the Governor did decide to extend that through November 11<sup>th</sup>.

Secondly, I did want to acknowledge that our roads crew has been able to catch up on multiple past years local government road fund projects, so similar to the grants that the Board approved this evening we did have a backlog of sorts. Of those LGRF projects and over the two past construction seasons our road crew has gotten caught up. That included 29 road rehabilitation projects consisting of single layer chip seal and cold mill inlay projects, 25.26 miles of resurfacing of existing roads, for a total sum of almost \$1.1 million in construction and rehabilitation funding. Approximately \$373,000 of that was from the state with \$350,000 from the County. So I did want to give a shout-out to our Public Works Department for moving those efforts forward. Thanks.

CHAIR HAMILTON: Excellent. Thank you so much.

**10. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS**

**A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations**

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, thank you. Just a couple of problems from presentations from Manager Shaffer, your team. This weekend was the film festival in the City Different here and I'd like a presentation from our Film Office as into what's happening with our Film Office. Where are we going? What films are coming in? In regards to this year's legislation, what tax incentives are going to be proposed this year? Just a presentation from our Film Office would be great.

Now we have had some challenges or some questions in regards to what's happening in our correctional facility out there and I don't know if it's appropriate or not but I would like to have our warden or our team actually come and give us a presentation of what we're doing at our jail and how we're handling different possible situations that people have concerns about out there. That's it, Madam Chair. I had one but I can't think about it. Thank you, Madam Chair.

CHAIR HAMILTON: Okay. Thank you. Who wants to go next, Commissioners? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. The first thing I want to announce is that on November 10<sup>th</sup> the Board has supported a listening session of living with wildfire. It will be on Zoom on November 10<sup>th</sup> at 5:30. The Santa Fe National Forest Leadership also will be on the call listening to people's comments along with myself and I'm hoping some of my other County Commissioners will be there. Also, Dr. Dominique Salas, a conservation scientist will be speaking. It will be moderated by Beth Beloff with Adam Rissien of Wild Earth Guardians and Sarah Hayden. And so what we will be doing is we will have short three-minute presentations on living with wildfire in the forest and this is in response to the Hermit's Peak fire that devastated the east side of the Sangre de Cristos. And then we will be listening to people's concerns and hearing your input. What we want is a robust discussion with the Forest Service leadership who will be there in attendance. I confirmed that today. So that they can hear alternatives to how we want to approach the forest.

So I also want to report that last night there was another WIPP meeting. I have spent, after the last WIPP meeting in July I called Washington, DC to the Environmental Management Office and complained about the way the meeting was held because it was basically a fiasco. I have since spent hours talking to the WIPP leadership team explaining to them how they do a public hearing. And so then last night they did a public hearing at Buffalo Thunder and they listened to people for over two hours. Everyone had three minutes. They did a very short presentation. There was plenty of room. There was 100 people on line, over 100 people listening on line. There was 50 people in the room with plenty of room and space, and they really made an effort to hear people's concerns about the extension and keeping WIPP open until 2028 and the amount of waste getting off of the hill.

So that was rewarding to see that somebody was actually listening. So I think that the same thing can be true with the Forest Service and it really takes the entire community to participate. And so that will be on my website and the County will be sending out the flier and it will be sent to, of course, all the Commissioners so that everybody can participate.

The other very wonderful thing, I had the opportunity to participate in this, that I have been the president of the Northern Rio Grande National Heritage for the last year. I was just re-elected for a second term as the president, and I have been very active with the Alliance of National Heritage Areas which is 55 national heritage areas across the United States, and we're working to get re-authorization done and we have made tremendous progress. We have gotten it out of the National Resource Committee. We got Joe Manchin to support it. We got a number of Republicans to support it because national heritage areas are not a Democrat or Republican thing. They are something to benefit all of our community.

And so at our annual meeting on October 22<sup>nd</sup>, the Secretary of Cultural Affairs, Debra Garcia y Griego also joined our board along with the Mayor or Española, so the board is really growing and I am very honored to be able to represent this board and I had the honor to go to Alamosa where we went to the Great Sand Dunes. We went to many of the churches. We got to see some of the national heritage area in the Sangre de Cristo National Heritage Area which is our sister heritage area in the next state. As many people know, I certainly believe this and I don't doubt that some of my colleagues here, the San Luis Valley was actually taken from New Mexico in the 1800s because it really belongs in New Mexico. It's in the same bio ecological system and many of its descendents are from New Mexico.

With that also I want to support what Commissioner Garcia said about the film festival. I attended a number of films when I could. There was a great film on Stuart Udall, who is one of my long-time heroes since I was 16 years old. I have been aware of Stuart Udall. He was Secretary of Interior under Kennedy and Johnson and it's a beautiful film about his life and how he is really one of the conservation heroes of our lifetime.

Also we had proclaimed *Once Within a Time* Day for the film by Godfrey Reggio and it was a sold out audience and crowd to see this surreal movie of our time and I highly recommend that anybody who has a chance to get to see it, it is about the effects that we are having on our children and the climate and Godfrey Reggio's unique vision of this world.

So Madam Chair, thank you very much for the opportunity to say a few words and I will defer to the next person. Thank you.

CHAIR HAMILTON: Excellent. Thanks very much, and congratulations on getting a better public meeting. That was no small feat. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Just two things real quick. I'm having a townhall for District 5 next Thursday, November 3<sup>rd</sup> at 5:30. It will be a Webex meeting. And then I just wanted to let you all know that I did go to the meeting of COLTPAC, which is our volunteer committee that makes recommendations on our open space and they will be bringing forward, I think, some recommendations on transfer of development rights being taken off of open space once they consider that. And

I wanted to recommend that if we do consider that at a BCC meeting in the future we make sure they're invited to come because I think the communication between the COLTPAC Committee and the Board has been a little confusing to them and lacking and I want to make sure that they feel like they're being heard and that they are being heard and that we include them in our decisions. Thank you.

CHAIR HAMILTON: Absolutely. I think that's a great point. I did have some discussions with them. I brought some of that stuff up. I'm so grateful you went to the meeting. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, it's really short. Greg, could you actually have Growth Management bring us a presentation in regards to the transfer of development rights? I don't even know what happened to that. I know there was a COLTPAC meeting, but if you could have Growth Management bring a presentation for that. Congratulations on going to the San Luis Valley. My best friend is from La Jara and Antonita but do you see the crocodile farm?

COMMISSIONER HANSEN: No, we did not make it to the crocodile farm, but we did make it to – they have a beautiful farm up there on the corner when you're going up to the Great Sand Dunes and we went – oh, I meant to tell Commissioner Hughes this. We went to the Great Sand Dunes in the evening. We got there at sunset and the Great Sand Dunes is a night sky preserve, and they are working on making the entire area around the Great Sand Dunes as a night sky preserve and I wholeheartedly supported that. And I think the more night sky areas we can have the better.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair, and I'm going to be brief in my comments. I did have a meeting with HECHO at the petroglyphs here at Caja del Rio and it was a good meeting. We talked about the shooting ranges. I don't want to go into too much detail because that's something that we've been talking about for a while. I sit on many boards and I know they do a great job on bringing out the intricacies of what they're working on so I won't go into detail on that.

I did get a lot of calls from constituents with concerns with the STR item that we have coming up later. And so I'll bring those concerns up later. I did want to also recommend if there's a possibility of moving that item up before Matters from the County Attorney or for executive session, if that's a possibility. It might be fruitful for us to do that, being that I think we have a lot of people here for that concern. So those are my comments for now. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thank you. Actually, executive session is anticipated to be very short, so for the efficiency of time we're going to go ahead and do that and then go to public hearing.

**10. B. Elected Officials' Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations**

CHAIR HAMILTON: Deputy Clerk, do you have something. I don't see the Clerk on.

EVONNE GANTZ (Deputy Clerk): I believe she's dealing with some

election issues. Go figure. Madam Chair, we are thrilled to announce that so far we have had 10,191 show up for early voting. We have had 2,753 absentee ballots returned. So far our total is 12,944 votes. So we are thrilled with the turnout so far. We encourage people to go early vote or return their absentee ballots. As we know, the postal service can be a little slow so we are encouraging people to drop off their absentee ballot at either a drop box or a polling site. So I will leave it at that. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Madam Clerk. Are there any other elected officials – I don't see any in the audience. Is there anybody on line? Our Treasurer? Our Sheriff? Our Assessor? Probate Judge? If any elected officials care to make a comment please unmute yourself. Daniel, I assume nobody's on that you see.

MR. FRESQUEZ: Madam Chair, I do not see any other elected officials on Webex.

CHAIR HAMILTON: Thanks so much, Daniel.

**11. MATTERS FROM THE COUNTY ATTORNEY**

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**

- 1. Breach of Settlement Agreement and Related Agreements Related to Annexation**

CHAIR HAMILTON: Attorney, if you could read us in to what we have in store for us.

MR. YOUNG: Thank you, Madam Chair, Commissioners. You are correct. It should be a brief executive session tonight. But first, one matter of business. At its October 11, 2022 meeting the Board of County Commissioners went into executive session at the end of the meeting and did not reconvene in open session. I would therefore respectfully request the minutes of this meeting reflect that the matters discussed during the October 11, 2022 executive session were limited only to those specified in the motion for closure. When the Board approves the minutes for this meeting they will be approving the substance of this statement.

CHAIR HAMILTON: Definitely. Let it show that.

MR. YOUNG: So I would ask that we go into closed session to discuss

threatened or pending litigation in which Santa Fe County is or may become a participant as allowed by Section 10-15-1(H)(7) NMSA 1978, specifically including a potential breach of settlement agreements related to annexation.

COMMISSIONER ROYBAL: Okay, so I'd like to make a motion to go into executive session for the items that have been summarized by our County Attorney.

COMMISSIONER GARCIA: Thank you. So I have a motion and a second. Can I have a roll call?

**The motion to go into executive session passed by unanimous roll call vote as follows:**

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Roybal	Aye

**14. INFORMATIONAL ITEMS/REPORTS**

- A. Community Development Department September 2022 Monthly Report**
- B. Community Services Department September 2022 Monthly Report**
- C. Finance Division September 2022 Monthly Report (Item Added)**
- D. Growth Management Department September 2022 Monthly Report**
- E. Human Resources Division September 2022 Monthly Report**
- F. Public Safety Department September 2022 Monthly Report**
- G. Public Works Department September 2022 Monthly Report**
- H. HB364 Restrictive Housing Third Quarter 2022 Report (Public Safety Department/Deputy Warden Robert Page and Captain Vanessa Rios)**

MANAGER SHAFFER: Madam Chair, before we go into executive session, again, I think this will be exceedingly short. If there are no questions concerning any of the informational reports or items from staff I would just ask if we could dismiss them.

CHAIR HAMILTON: Yes.

MANAGER SHAFFER: Thank you.

CHAIR HAMILTON: I was actually going to ask if any Commissioners had that and I should have done it before this motion. If there are any questions for staff? Thank you so much, staff, for doing those reports and for attending the meeting and being present for any questions.

[The Commission met in executive session from 6:01 to 6:35.]

CHAIR HAMILTON: I would entertain a motion to come out of executive session.

COMMISSIONER HUGHES: I'll make a motion to come out of

executive session and noting was discussed except that which was on the agenda from the Attorney and no decisions were made.

CHAIR HAMILTON: Thank you. Can I have a second?

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

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

**11. B. Potential Action on Items Discussed in Executive Session**

None required.

**12. PUBLIC HEARING ON PROPOSED ORDINANCE**

- A. Ordinance No. 2022-07, an Ordinance Amending Ordinance No. 1992-3, The Business Registration And Licensing Ordinance, And Ordinance No. 1999-10, the Lodgers' Occupancy Tax Ordinance, To License And Regulate Short-Term Rentals In Santa Fe County** All Exhibits were submitted to the record by Land Use Department: *Exhibit 1: Public Comments [49 pages] on proposed STR Ordinance as of 10/25/22 Corey Mansfield email to staff; Exhibit 2: Four public comments received on 10/25/2022; Exhibit 3: Draft Ordinance dated 9/22/2022; Exhibit 4: Draft Ordinance dated 8/22/2022; Exhibit 5: Santa Fe County Ordinance 1992-3 – Business Registration and Licensing Ordinance; Exhibit 6: Santa Fe County Ordinance 2009-3, Amending Ordinance 1992-03; Exhibit 7: Short Term Rental Fire Department Requirements; Exhibit 8: Penny Ellis-Green memo, dated 8/17/2022 re: Backup data memo for STR; Exhibit 9: Public Comment [26 pages] on the Proposed STR Ordinance as of 10/14/2022; Exhibit 10: Joint Resolution Affirming the Partnership of Santa Fe County and the City of Santa Fe to Develop Strategies and Take Actions to End Homelessness – 2022-066; Exhibit 11: Homewise report dated February 2022 “Who Can’t Afford to Live in Santa in 2022”; Exhibit 12: 2021 Santa Fe Housing Report; Exhibit 13: UNM Bureau of Business & Economic Research 2020 report on Santa Fe County Housing Data, dated July 2021; Study by Homewise funded by Thornburg Foundation re: Short Term Rentals and Access to Housing in Santa Fe, dated Jun 2019*

CHAIR HAMILTON: We will go to Penny Ellis-Green to start with the presentation.

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Madam Chair, Commissioners. We were given authorization to publish title and general summary of this ordinance on August 9<sup>th</sup> of this year. We held public hearings on September 13<sup>th</sup> and September 27<sup>th</sup>. At the September 13<sup>th</sup> BCC meeting staff heard a number of issues raised by the public and the Commissioners. Much of this related to the feeling that owner-occupied short-term rentals should be treated differently from non-owner-occupied or investor-type short-term rentals. In those situations the owner is generally onsite when a short-term rental is rented, which may lessen the likelihood of regulatory non-compliance and negative community impacts.

At that meeting staff proposed a draft which distinguished between the owner-occupied and non-owner-occupied short-term rentals so I'll just summarize that. An owner-occupied STR, whether it's in the same house as the primary residence or an

accessory dwelling on the same property would apply for a business registration that has a yearly fee of \$35. Renewal is automatic through payment of the registration fee. There would not be a requirement to come back to the County for review unless there's a change in the application. This greatly simplifies the process for owner-occupied STRs. An owner-occupied STR would be reviewed administratively. Appeals would be heard by the Board. Only one business registration would be approved per owner. Notice would be provided to adjacent property owners.

A non-owner-occupied STR would apply for a business license. That has a fee of \$375, a renewal of \$300, and renewal requests would be submitted for review and approval. A non-owner-occupied STR would be reviewed administratively. Appeals heard by the Board. Notice provided to adjacent property owners. Yearly current water meter readings would be submitted if the property is subject to Santa Fe County water restrictions.

STRs would be permitted within all zoning districts where a residential use is allowed as a primary use. Applicants for both registration and licenses would have until March 15, 2023 to come into compliance. All short-term rentals would need to meet the following requirements: display the registration or license and a notice providing additional information to guests, including number of allowed vehicles, quiet hours, owner's contact number and solid waste disposal requirements. All listings would include the business registration or license number. All short-term rentals need to pay applicable taxes. All short-term rentals would comply with occupancy limits of two per bedroom, and there's daytime occupancy limits as well. Comply with existing water restrictions. Provide on street parking or designated off street parking. Certify the short-term rental meets the fire protection requirements listed by the Fire Marshal. Provide for solid waste storage and removal. Provide a rural address on the property. And comply with quiet hours which as 10:00 pm to 7:00 am.

At the September 27<sup>th</sup> BCC meeting staff heard a number of issues raised by the public and the Commissioners. We went back to the Commission on October 11<sup>th</sup> to ask for clarification. At that time the Board asked staff to address the following in a new draft ordinance. The first was to amend the noticing requirements to just require notice to adjacent property owners. That's in Section 5.2.4 of this draft, and 6.2.3, and require that property or a dwelling used as a non-owner-occupied STR be acquired by the owner by the effective date of this ordinance, which is 30 days after recordation. This would include a one-year moratorium on non-owner-occupied STRs that were purchased after the effective date of the ordinance to allow time for the Board to study and analyze relevant issues related to non-owner-occupied STRS including but not limited to the impact of STRs on affordable housing supply, areas where STRs conflict with primary residential uses established in traditional historic communities, and non-compliance and enforcement issues, and develop any appropriate regulations hereto.

So just to clarify, because I think that this was misinterpreted by many people, the new draft states that any property owned before the effective date – so if you own property now or before the ordinance goes into effect you can still apply for a non-owner-occupied short-term rental. The language has been amended in the new draft ordinance along with findings as to the reason to impose the moratorium, and in drafting those findings staff reviewed and referenced public testimony from hearings on the proposed

STR ordinance, statements from Resolution 2022-66, where the Board recognized the lack of affordable housing, the February 2022 Homewise support on who can't afford to live in Santa Fe in 2022, the 2021 Santa Fe Housing report prepared by the Santa Fe Association of Realtors, the 2020 Santa Fe County housing data study prepared by UNM, and the June 2019 Homewise study of short-term rentals and access to housing in Santa Fe. They're all included in your packet.

Public comments also received so far are attached as Exhibit I to your packet, and I did hand out additional comments that have been received up to about 4:00 this afternoon.

The recommendation: this is the third public hearing of this ordinance. The required legal noticing has been completed for action to be taken by the Board. Staff recommends approval of the ordinance, and Madam Chair, if I could enter all of the packet material into the record. And I stand for questions. Thank you.

CHAIR HAMILTON: Yes, please do, and thank you. Are there particular questions before we do public hearing, or is everybody wanting to wait? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I just want to make it extraordinarily clear that we are not outlawing any person who has a non-owner-occupied Airbnb. That is a misconception that was spread and sent out by the Realtors Association and it is not true. What we are doing is trying to get everyone registered under this new ordinance. I want to just also emphasize to a number of people here, the City of Santa Fe limits you to one Airbnb per person. You have to notify anybody 50 feet away from your property. You have to pay \$425 every year for an Airbnb license. Okay? The County is way more reasonable. You can only rent one time – I'm talking about the city – one time per week in the city. You can't – like if you have somebody who rents your house on Monday and Tuesday, you can't rent to them on Thursday and Friday. Okay? That's in the city.

We're not putting those kinds of restrictions on you. So to me, it is really disingenuous for the Realtors Association to send out an email telling people that we are telling you you cannot have a non-owner Airbnb, because that is not the truth. What we are asking is trying to get everybody registered, once we put this ordinance in place, put a moratorium on the non-owner-occupieds so that we can get everyone registered and then after the March 15<sup>th</sup> date, which is the deadline to be registered, we will know how many people are non-owner-occupied in the county. And then we can repeal and rewrite this ordinance so that if we need to create a limit – the City of Santa Fe has a limit of 1,000 Airbnbs in the entire city. Okay?

So I'm just giving you some parameters, because I feel like there has been a lot of misinformation put out there and it is unfair to you and it is unfair to us to be accused of doing something that is not true. So I just wanted to state that for the record, Madam Chair. Commissioner Hughes, was I clear enough? Thank you.

CHAIR HAMILTON: Thank you very much. Are there other questions or comments?

COMMISSIONER ROYBAL: Madam Chair, if I could ask a few clarifying questions that if Penny could answer?

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: In my district the majority of it falls within the NPT Basin, and I think in prior meetings that we've discussed is the state has already adjudicated those wells and I know in this ordinance we were looking at putting meters on some of the wells. First of all, I don't think that we should even have meters on these wells because of the fact that these STRs are even less used than a full-time rental, a long-term rental. And so I don't really see the reason to have these meters but I did want to clarify that in the NPT Basin that OSE is already regulating how much water can be used and that they do have meters.

It's my understanding that unless you've been adjudicated a water right already by the state that they will not need to put meters on their wells. Is that correct?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, the metering was only if you have an existing Santa Fe County water restriction on your property. And I'm trying to look at 6.3 to see if we have any exceptions. So it would only be the non-owner-occupied that would provide their yearly water meter restrictions. So if they had a restriction they would report it. I don't know if Legal has any other points related to Aamodt.

COMMISSIONER ROYBAL: So they do not have to put in a meter report to the County if they're already in the NPT Basin and already are required by the OSE to have a meter. Is that correct?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, the way that this reads I believe says that you do need to report if you have a Santa Fe County restriction. So only those with a Santa Fe County restriction would have to do that.

COMMISSIONER ROYBAL: Okay. So in this NPT Basin I know that our accessory dwellings do come with a restriction from the County as .25 acre-feet for an accessory dwelling. Is that what we're talking about here?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, not really. We only impose water restrictions on property when they're platting. And so if a property has been platted and took water restrictions, there used to be total property water restrictions. The new ones under the code are per dwelling unit. But you don't sign water restrictions unless you're doing platting.

COMMISSIONER ROYBAL: Okay, so the answer would be no? Yes?

MS. ELLIS-GREEN: If you're property has an existing water restriction from when you platted your property that said you're restricted to a certain amount, you must meter and you must send in water meter readings. Then you would still have to send in those water meter readings.

COMMISSIONER ROYBAL: So it wouldn't change for having an STR.

MS. ELLIS-GREEN: Nothing changes with the STR.

COMMISSIONER GARCIA: So, Madam Chair, on that note, [inaudible] for a couple years, that's a traditional community, which is one house for  $\frac{3}{4}$  of an acre. I've never, ever seen a water restriction on a  $\frac{3}{4}$ -acre lot. So if I have a  $\frac{3}{4}$ -acre lot and I have one house on there and I came into Land Use and I got an accessory dwelling, is Land Use going to put a water restriction on that accessory dwelling?

MS. ELLIS-GREEN: Madam Chair, Commissioner Garcia, we don't put water restrictions on if you're asking for a permit. If you're dividing it, traditional communities usually had a one acre-foot water restriction. So whereas if you were in the

basin and you were down to 2.5 acres you would have a quarter acre-foot water restriction for the whole property. But since in my time here, when I've seen plats go through, even in traditional communities they sign water restrictions but it's been for one acre-foot of water.

COMMISSIONER GARCIA: Who enforces that?

MS. ELLIS-GREEN: The water restrictions are signed by the property owner, they run with the land and the Land Use Administrator signs it, but we don't have active enforcement. So what we do is whenever you come in to get a permit, whether you're getting a permit for a garage, a new house, a short-term rental, whatever it is. If your property has water restrictions at that point we ask for proof that you've got a water meter. And that's something that we've been doing for years.

CHAIR HAMILTON: Okay. Are there more questions, because –

COMMISSIONER ROYBAL: I did have one other question in regard to somebody that has a casita at their primary residence, where they live, and they're renting that as an STR. I know that that would be owner-occupied. Now, if they have a room that they're renting as well, or even two rooms in their house, that's just one permit for that residence. Is that right?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, yes, I would say that's one permit. It's owner-occupied, so that's what's on their primary property.

CHAIR HAMILTON: Okay. Great.

COMMISSIONER GARCIA: Madam Chair, so let's take my district for an example. Because traditional communities are a little different because that's a  $\frac{3}{4}$  acre minimum. Let's assume we're not in the traditional community of Cerrillos, Madrid or La Cienega. A lot of people don't realize that if you're outside of the limits of Madrid, you have a 160-acre minimum. You could have gone down to a 40-acre tract with a quarter-acre-foot water restriction. So if that individual has a quarter-acre-foot of water restriction for their 40-acre tract, can they do Airbnb?

MS. ELLIS-GREEN: Yes, they can. We're not restricting anyone from doing short-term rentals. If they are non-owner-occupied, so they don't live on the property, then they will have to submit each year their water meter readings.

COMMISSIONER GARCIA: If they don't live there.

MS. ELLIS-GREEN: Yes. If they do live there we just state you need to comply with your water restrictions, but we're not taking water meter readings.

COMMISSIONER GARCIA: Thank you, Madam Chair. What if they have two homes on there? What if they have a house and then they actually have a studio or a casita. Can they still have Airbnb in that casita?

MS. ELLIS-GREEN: If it was permitted as a dwelling unit, yes. Because all short-term rentals have to be within dwelling units.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Okay. So we'll have time for additional discussion after the public hearing. So I'm going to go ahead and open public hearing. I assume everybody who's here – everybody here who's to speak, as opposed to just listen, raise your hand. Okay, great. And I think we might have some people on line as well. We traditionally have a three-minute limit. The timer is going to be projected up on the screen. I hope everybody will respect that. I also want to emphasize that this is our third

hearing and we have done our very best to hear and try to respond to everybody's comments and we have not forgotten those. So there are some new things here. I really want everybody to respect the idea of not repeating testimony that's presented before or that has been dealt with effectively in previous meetings. If we can keep this to really new inputs we'll all get out of here earlier and be more effective. And so I just ask everybody to respect the time limit from that regard as well.

If everybody who wants – does everybody need to be sworn in? Yes. So if everybody who wants to speak if you could stand up and the County Clerk will swear you all in.

[Those wishing to speak were placed under oath.]

CHAIR HAMILTON: So unless we're unable to achieve this, if somebody can just come forward and be first and everybody can self-organize and everybody else can sit down and relax and when they're finished we can go to the next one.

[Duly sworn, Sasi Zemach testified as follows:]

SASI ZEMACH: My name is Sasi Zemach. 211 Rosario Boulevard, Santa Fe.

CHAIR HAMILTON: And you're under oath?

MR. ZEMACH: Okay. My name is Sasi and I'm a board member of the Short-Term Rental Alliance in Santa Fe. And I follow my dream and my passion to host people and bring them the experience of Santa Fe neighborhood five. I do love to host people. Last year I realized there are so many people like me, some artists, some retired, young couples, and people that follow their mission in life. We are different from each other, as you see, and we offer different vacation homes. But we all care about the welfare of our neighborhood and the climate changing. Because we are part of this neighborhood.

If your arm is hurting your solution is not to cut it off. Santa Fe is not New York or LA, with the many alternative sources they offer. We depend on tourism. I wonder who will benefit if someone will eliminate u. I don't want to shout the king is naked but if we are not here mega-hotels, chains, will monopolize the hospitality industry. This will drive the prices up and limit the tourism to a specific demographic only. No diversity. This is the welfare that we vote for? By the way, it will affect everyone around us because around this community, because the next time you or everyone here around us when you will have a guest out of town and you have to explain to them why you don't have other choices for them that they even maybe cannot afford to stay in those expensive hotels around us.

As part of this community every penny we make stays here. Not only that, we also share our guests with other local businesses. Can you say the same about the hotels that have restaurant, gallery and store all to feed their hungry headquarters located outside of our county. A big part of us choosing to open our houses as a mission and to make our guests feel at home, because when you feel at home you don't waste electricity or water, and we give them only set of towels and explain to them nicely that we are in the desert and this is part of the experience.

People love to complain but how many complaints did you receive in the last two years against STRs? What is the percentage compared to regular neighborhood complaints. Most of our guests are 65 years old and above and I can complain about

everything, about the hotel in front of us. What I want to say, dear Commissioners and Madam Chair, is we proved in COVID-19 that we helped some people, the local people to have jobs here when COVID happened, and the problem was that we were very, very quiet, and I think in politics you need to be loud so people understand that we are part of this community and we are important like everyone else and then everyone acknowledges us. Thank you.

CHAIR HAMILTON: Thank you so much. Can I have the next person up?

[Previously sworn, Jack Shelburn testified as follows:]

JACK SHELburn: I'm sorry. I have problems adjusting to life.

CHAIR HAMILTON: No worries.

MR. SHELburn: I'd like to make a comment before I start. My name is Jack Shelburn. My address is 58-A Evergreen Lane in the Pojoaque Valley and I realize that I am under oath. First of all, the changes that were made to the ordinance I applaud all of you who were involved in that. They addressed many of the problems that I had in the beginning of the ordinance, However, not quite all of them. The other comment I'd like to make is I was very disappointed that some of the Commissioners absolutely refused to receive any calls from us. I understand that Commissioner Roybal, my particular Commissioner, was the one who instigated a lot of these changes to the ordinance and I applaud him for doing that and I thank him for listening to his constituents.

The next thing is where we live, the rules about neighbors and everything simply just don't apply. And I know I repeat myself from the last time and I'm trying not to. I will relate one thing that I did not mention the last time. I think this ordinance needs a lot more work, and I applaud the work that was done by all of you staff and everything to write it up. For me, my Airbnb is – it's only a year old. My ability to do things as I used to is only about 2 ½ years old, maybe three. The Airbnb is something that's on my property and I've memorized where the trees are, where the roads are, where everything is so that I'm able to do it. I'm able to go help. I'm able to be useful. I'm able to function as a man and as member of the community.

I'll be real honest. Our community is old and Mr. Roybal can tell you that. All of our community is old. We have several, many people in our community who are over 100 years old and we're not a very wealthy community as well. We all need the extra income that is generated from our Airbnbs. We wouldn't have done what we did to make it happen if we didn't need the income. My mother and father-in-law's house is over 100 years old. We remodeled it. We refurbished everything in it and it wasn't cheap. We're barely getting any return on it right now, and then to be slapped with this ordinance in its original form is kind of a slap in the face.

The other thing, like I said, we need this income to help us out. We need it to make ourselves feel better. We need it to feel useful. We also think that this ordinance needs more work. It doesn't apply to a lot of the situations that we have out in the county. And I appreciate your listening to me and thank you for considering it and I really appreciate all of the changes that were made. Thank you.

CHAIR HAMILTON: Thank you. Thank you very much. Welcome.

[Previously sworn, Andrea Dobyms testified as follows:]

ANDREA DOBYNS: My name is Andrea Dobyms and my address is 2278 Calle Cuesta, and I am under oath during this. Good evening, Chair Hamilton and County Commission members. My name is Andrea Dobyms and I serve as the president of the Santa Fe Association of Realtors. On behalf of the Association, a trade organization representing over 900 realtors along with nearly 100 affiliated organizations, I'm here this evening to share the Association's opposition to the proposed short-term rental ordinance. The ordinance in its current form is inherently unfair. The regulation will protect existing property owner's rights to rent short term while eliminating that right for new property owners.

The regulation will permit existing property owners to construct and expand their short-term rental business at the same time new property owners cannot legally rent on a short-term basis. The regulation will create a market advantage for existing property owners for the foreseeable future. Future controls to limit the density or location of units and restrictions on the number of allowable total units would further exacerbate this market advantage over time. The ordinance is unclear. Property acquisitions can include existing contractual obligations such as rental agreements. How will acquired properties with existing short-term rental contracts convey under a moratorium? There is no definition of an acquired property. Does it include a property exchange? Inter-family property transfer in the case of death or inheritance? Will the moratorium simply expire, be acted upon by the governing body through further imposition or release, or will it be released by early adoption of the governing body?

The ordinance is onerous. The regulation establishes a new, unenforceable 275 day primary residence requirement, a residency requirement far more stringent than the Internal Revenue Service. It should be removed. The ordinance will negatively impact the value of Santa Fe homes. Current market conditions are rapidly changing in response to rising mortgage rates and inflationary factors. Is it the responsibility of the governing body to add further uncertainty to the home buying and selling process by making a valuable property right illegal?

The Santa Fe Association of Realtors respectfully urges its leaders to remove the moratorium language this evening, or at a minimum extend the thoughtful analysis and review of the current ordinance to ensure that any final governing body action provides a fair and equitable regulatory framework that effectively and efficiently delivers the valuable public safety and health measures for property owners, neighborhoods, and short-term rental clientele. Thank you for the opportunity to provide comments and your serious consideration. Thank you.

CHAIR HAMILTON: Thank you very much.

[Previously sworn, Daniel Gibson testified as follows:]

DANIEL GIBSON: Good evening. My name is Daniel Gibson. I'm at 518 Juniper Drive in Santa Fe and I'm under oath. I'd like to thank the Commissioner for undertaking this look at a tough issue and a very important issue for New Mexicans, Santa Feans, and county residents. It's something I feel very strongly about that we're pricing our younger people out of the housing market. My own kids that have grown up here can't afford to live in Santa Fe anymore, and it's becoming a similar situation in the county. And partly that's being driven by the short-term rental issue, the lack of available housing. And I hate to see more and more of our private properties being turned into

commercial properties, essentially.

Many hotels, I think we have to do everything we can to hold down real estate prices and to keep the pool of available housing open for long-term rentals or sales properties. So if anything, I would have loved to see this Commission adopt the proposed regulations. Now we're talking about putting them off for perhaps a year, but I think this is a better position than not moving forward with the consideration of these ideas, so I am for the moratorium, and I urge you to keep in the back of your mind how tough it is for housing for locals anymore and I see the rise of this commercialization of real estate as cutting into that. So that's my suggestion going forward. I would like to see the moratorium passed and the regulations strengthened and toughened. Thank you.

CHAIR HAMILTON: Thank you.

[Previously sworn, Joshua Gannon testified as follows:]

JOSHUA GANNON: My name is Joshua Gannon. My address is 2863 Highway 14, Madrid, New Mexico. I am aware I'm under oath. Madam Chair and Commissioners, thank you. Again, my name is Joshua Gannon. I moved to New Mexico 25 years ago in October of 1997. My first home was rented in Madrid that month. I paid \$650 a month while making \$5.50 an hour. My girlfriend at the time also landed a lucrative job much the same, making \$5.50 an hour. We often joked at the absurdity of \$11 combined with two college degrees and several times discussed whether staying in New Mexico was worth all of the fuss. I mention this to share that expensive housing at low wages have been an issue in these parts for some time.

In today's dollars I made the equivalent of about \$10.20 an hour and paid a touch over \$1,200 in rent. Based on what I see in the Village of Madrid, now, versus my own experience, it was worse when I landed here. It's still a pressing issue in our area and I am hopeful that monies collected from STRs can find its way toward affordable housing solutions.

Our two STRs have become an important, relatively stable source of income, especially post-COVID and both are in commercial locations. We have one residential home in Madrid that is long-term rented by a local for \$850 a month including two utilities. The rent I have charged for that property has always been well below market value. I also have a tiny house that we built out for my mother and she pays utilities only. We've owned a gallery in the village for 22 ½ years. We pay our taxes and work hard to make and present our own works and those of local artists and a few from the greater Santa Fe area. We employ nine people, both full and part time, two of which are directly from our short-term rentals. All of our employees make a damn good wage.

We have been very active participants in our community for over 20 years. We labor for our community and I believe the people here this evening are much the same. All of us are not the villains, not the cause of the housing crisis in Santa Fe County, nor are we investors, which I am against as well. We are neighbors, friends, business owners, artists, teachers, single parents and more. This is simply a way to supplement our incomes through our own hard work on our own private property. Still, we are being vilified.

One of the more exciting stories, and this plays into your misinformation mentioned, Commissioner. One of the more exciting stories was shared by Caitlin Lord, under oath, here before you. It was published in the Santa Fe New Mexican on September

28<sup>th</sup>. It was about the eviction of a veteran in Madrid so that a landowner could “pursue their dream of an Airbnb oasis.” It was pretty cheeky. They reportedly did this with an eviction letter on the doorstep. On October 19<sup>th</sup> the Santa Fe Reporter repeated a similar story, also told them by Caitlin Lord. Pretty terrible, but it was a lie.

I have that letter that I left on that veteran’s doorstep with me right here. If anybody would like to read it you’re more than welcome to. He rented from me for eight years. The letter is a personal one, essentially pushing back on his judgment of us and informing him that our friendship of 15 years was over. I left this letter then day after he told me he would not be coming back after we completed the remodel of his space. I had met with him leading into the start of the remodel. He does suffer from PTSD so I tried to go at him softly. No one can produce an eviction notice because it does not exist and it is a legal process.

I made the newspapers twice now based on a story that was false, told under oath. I myself am an honorably discharged veteran of the US infantry. I would never do what I was committed of. I’m just trying to make a living.

CHAIR HAMILTON: Thank you very much.

[Previously sworn, Sherilee Vogt-Speer testified as follows:]

SHERILEE VOGT-SPEER: My name is Sherilee Vogt-Speer. I live at 100 Pine West and I understand that I am under oath. Our rental property was the original home on our land, a very, very small casita. The previous owner lived there until he married and he built the home that we now live in. Both houses were on the same lot. He also joined an adjoining lot. When he decided to sell he had a lot line adjustment done so he could sell the homes independently. We purchased both properties because the casita is only 150 feet from the home that we were going to live in. Would we need to now ask for another lot line adjustment to reverse what he had done in order to be considered an owner-occupied? That seems a little onerous.

Please don’t saddle us with burdensome permitting requirements. That includes notification of adjacent properties which seems like short-term rentals are being treated as a nuisance business, which they’re not. Noise and parties are something we more than anything else do not want. We felt short-term guests would create less wear and tear and that we could have more control over what was going on in our casita. Hosts can set rules prohibiting parties. Generally short-term guests stay a weekend or up to a week. Hosts who get loud or unruly guests can turn to the rental platforms for recourse and in dire cases guests may be asked to leave the property, and there’s ample motivation for guests to be on their best behavior because they know hosts will rate them following their stay.

Conversely, living next to a loud long-term rental can be a big problem and it can more than a year to evict an unneighborly tenant. If the ordinance is onerous we’ll opt to reserve our casita for exclusive use of our family and friends. We’re not going to deal with the problems connected to long-term rentals. I urge you to support locals, not lodging owned by out of town corporations. Help locals flourish within the county and benefit the City of Santa Fe, please. Thank you.

CHAIR HAMILTON: Thank you very much.

[Previously sworn, Marie Lindberg testified as follows:]

MARIE LINDBERG: Hi. My name is Marie Lindberg, and I am a long-term renter in the Agua Fria Village at 3020 Jemez Road in Santa Fe, 87505, and I

understand I am under oath. With the high concentration of STRs in Santa Fe City, many of which are still not registered, we know there is spillover to the rest of Santa Fe County. But without proper registration and enforcement we don't even know what the full impact for residents might be. Short-term rentals must be regulated to ensure that the benefits for owners doesn't outweigh the cost for everyone else. That includes costs like increased traffic, wear and tear on the roads and sewage systems, contributions to the water crisis, taking away from long-standing and locally owned hotels and B&Bs, harm to our local environment, the breaking of fire, water, and other safety regulations, honest advertising to users, and noise pollution.

After the Hermit's Peak-Calf Canyon fire erupted last April, Las Vegas discovered that it didn't have anywhere to home evacuees within the city limits. After further inspection, they found out that there were 20 properties that were listed on Airbnb without approval of the city. Only four of the owners had proper business licenses and one had paid some of their lodgers' tax over the last two years. In 2019, 40 percent of Airbnbs in Santa Fe City were not registered. You can assume maybe that number has improved a bit.

Collecting the tax and registering Airbnbs is not necessarily straightforward, especially if we create a multi-tiered system. I've stayed in at least two Airbnbs, including one in Santa Fe City where the host listed the location as a shared home but in fact upon arrival I learned that the host's primary residence was elsewhere. This is the County's responsibility to regulate. The taxes, regulations, and business license fees also much take into account the diminishing returns that short-term rentals have for people seeking housing in the county. According the Santa Fe Association of Realtors, there was an estimated shortage of 7,343 rental units across Santa Fe City and County in 2021. I'm sure you're familiar with this number. It's also a well established research fact pattern across the country of an increase in Airbnb listing correlating with a rise of affordable long-term rental units shifting to short-term rental units, especially in tourist heavy cities in regions just like Santa Fe. That means fewer affordable options for families.

I understand folks feel attacked today. I use Airbnb frequently. I'm not advocating to get rid of it. It offers cool benefits for tourists including getting out of the tourist areas and into the community. And especially when it first started it was pretty cheap. But I came to learn that the communities where I was staying were the ones that were paying the difference. When I chose Airbnb now I pay the higher taxes and fees knowing that it helps to offset the true cost to the people of the community. I hope that STR owners will see this too. They shouldn't get to increase their bottom line on the backs of the rest of the community. It is the job of the County Commissioners to look out for all of us and not just for a few. I hope that you all vote a strong ordinance, continue to do research after the ordinance has been implemented to see if it goes far enough, and if we have been able to effectively enforce this law. Thank you.

CHAIR HAMILTON: Thank you.

[Previously sworn, Buck McKinney testified as follows:]

BUCK MCKINNEY: Madam Chair, Commissioners, my name is Buck McKinney. My address is 66 Paseo Encantado and I'm under oath. I'm from Austin, Texas and our family has a second home near Chupadero that we make available for short-term rentals when we can't be there, that we hope to make our first home in the

next few years. Commissioners' proposed STR ordinance is something that we've followed very closely and I want to thank you for the opportunity to speak to you about it.

At the outset, I understand the Commissioners' desire to study the effects of short-term rentals and to take appropriate action if needed. My problem with the proposed ordinance is that it puts the cart before the horse by enacting significant restrictions on property owners before any substantive study has been conducted. To put it simply the ordinance seems to be solution looking for a problem. The proposed ordinance also paints with a broad brush, including across the board restrictions without regard for the very different settings in which STRs may be operating across the 1,911 square miles encompassed by Santa Fe County.

I respectfully submit that the operation of STRs in, for instance, Madrid, face very different challenges than STRs in rural areas of the county, such as the area in which our second homes sits on over five acres near Chupadero. The one size fits all ordinance that applies countywide is bound to be too much in some places and not enough in others. And again, the biggest problem with the proposed ordinance is that it has been enacted with no understanding of whether or not there is a countywide STR problem. As Commissioner Hansen acknowledged during the last meeting, the Board of Commissioners has collected no data whatsoever on that issue. That being the case, my question is why the rush? Why not collect the data first and then target actual documented problems later rather than addressing hypothetical problems.

And I mentioned this isn't just a practical issue. As the County Attorney explained during the last meeting, other ordinances such as the ordinance in Austin, Texas have been struck down as unconstitutional where the city was unable to provide sufficient data demonstrating that its restrictions were narrowly tailored to address actual documented problems. Respectfully, by enacting an ordinance before any data at all has been collected the Commissioners may very well be acting in an unconstitutional manner.

I suggest a better course of action would be to strip the ordinance down to its registration and licensure requirements and jettison at least for now the restrictions and burdens. By doing so the Commissioners can capture the data necessary to determine whether there even is an STR problem, and if so, how best to address it before restricting fundamental constitutional rights of property ownership, equal protection and so forth. Thank you for your time.

CHAIR HAMILTON: Thank you very much.

[Previously sworn, Heather Nordquist testified as follows:]

HEATHER NORDQUIST: Hello, my name is Heather Nordquist. I'm at 40 County Road 84-B, 87506, and I understand I am under oath. I'm going to piggyback on this idea of putting something in place for a problem that may or may not exist and may or may not correlate to short-term rentals. I think we're all aware of the affordable housing issues, both in the city and outside the county and there's an idea that if you could just force private property owners to do something different than they're currently doing that that's going to add to alleviating this problem.

I've recently had my home, which is a four-bedroom, two-bath home with a two-bedroom, one-bath guesthouse appraised and it appraised at \$737,000. It cannot be split

into two lots, and so I'm asking you what do you think me putting this on the market would do to help with affordable housing. I think we need more data instead of throwing something out at the wall for a problem that we cannot correlate.

I have no problem with permitting. I have long claimed my Airbnb income, even prior to the GRT tax requirements and all that money goes back into the neighborhood, and we get very few services out in the county. So I ask you, and I've put this in a couple emails to Commissioners, why is it our responsibility to fix the affordable housing problem? And what are you going to do to fix the affordable housing problem and how will you effectively use the taxes that you collect from us every single month to fix that problem? Because I firmly believe that is not the responsibility of private property owners. Thank you.

CHAIR HAMILTON: Thank you very much,

[Previously sworn, Kutlu Gulamber testified as follows:]

KUTLU GULAMBER: Good evening. My name is Kutlu Gulamber. My address is 211 Rosario Boulevard, #16, and I understand that I am under oath. While I came here originally to talk about the moratorium, and thank you so much, Commissioner, for clarifying that, and I have something else to say. What I want to say is I was reading the document that is the ordinance draft and I see that there's a section here and there's a heading that's called findings. I want to scrutinize those findings just a little bit. I'm a business owner and I have to make decisions that impact the welfare of my community, my employees and everyone and I have to use real data to make these decisions.

So when I read these concerns or findings I wanted to understand what qualifies them as findings. A couple of people before me talked about data and not rushing to make notes, and I'm just asking, I wonder if there's any research to substantiate some of these concerns of short-term rentals on our water, our septic tanks and all that. And if it is just done, it makes sense, it's just a no-brainer, then I have a no-brainer another idea that I wanted to share with you, and that is that I think it's our excellent food in this county that causes all these problems, not the short-term rentals.

See, what happens is our restaurants serve extremely delicious food. It is way too much for a person to eat, and also it is full of green chile. So what that does is when you eat the chile, you're going to want more water, so you're drinking water that is scarce resource. Well, then, we know that you have to go to the bathroom twice or three times that same night. You understand what it does to our septic tanks, right? Well, this is not the worst thing about. The worst thing is when you eat good food then you get into a good mood, and you start engaging with your companions and before you know it you're laughing out loud and somebody turns the music on and you're dancing barefoot with your spouse of 25 years, on the grass, having a good time. Oops, it's 10:05, and then the County police is on its way to stop this nonsense.

I personally believe that just a little bit of human joy and that noise of happiness is a little necessary in our community. We are too much accustomed to our neighborhoods that are soulless because they are owned by people that live out of state, and if they come and utilize that home for once or twice a year that is a great deal. So the septic tanks that they are not using, the water they are not using, maybe we can take that into consideration for measuring the impact of short-term rentals. Also, I think that we need to

do some research. I mean, this stuff that we're talking about, the concerns, yes, these are concerns and I agree with them, but I think we just need to measure. We need to quantify, we need to substantiate some of these concerns.

And the other thing that I want to say is that the housing market, it is a global problem. It is not just a Santa Fe problem, and one of the reasons why we're having that problem very acutely in this community is the second, third, fourth home owners in our community that are not living in these homes and they're just sitting there. Poor homes sitting there, beautiful properties, and creating soulless landscapes for our – this is what I think, anyhow. So thank you so much for listening to me.

CHAIR HAMILTON: Thank you.

[Previously sworn, Pat Lillis testified as follows:]

PAT LILLIS: Hi. My name is Pat Lillis and I live at 2119 Conejo Drive, District 4, and I understand I am under oath. I'm asking you to please support the proposed ordinance and the one-year moratorium on investor's short-term rentals. A moratorium is a good idea. As I understand it, a moratorium will still allow existing and new primary resident owners to operate a short-term rental as well as existing short-term rental operators. The moratorium will temporarily limit the expansion of new investor rentals while allowing time to assess their impact on housing in the county.

Places with housing challenges such as Santa Fe are left vulnerable to speculation without a short-term rental ordinance. The loss of affordable housing from investor-related short-term rentals is the reason ordinances have become the way of the world. Housing right now is scarce and anything affordable is hard to find in Santa Fe and in the county. And from all indications contributes to staff shortages. I have nothing against short-term rentals other than every short-term rental that is not the owner's primary or permanent residence removes housing opportunities from our local workforce and residents.

A primary resident requirement where the host is the owner of the property is now the most common requirement in tourist communities where short-term rentals have caused housing challenges among working people. A primary resident requirement is the ideal. It is fair because it allows owners who live in their homes to make income, but short-term rentals do not have that requirement take a home away from a potential homeowner or long-term renter. Thank you very much.

CHAIR HAMILTON: Thank you very much.

[Previously sworn, Meghan Waltimire testified as follows:]

MEGHAN WALTIMIRE: Hello. My name is Meghan Waltimire. I'm at 16 Stoneridge Road, and I understand that I am under oath. Commissioners, thank you for hearing me out today. Thank you for the changes that you've made to the ordinance as we've proposed them. I have a couple points that I'd like to request from you as far as changes go to the current proposed ordinance.

For both owner-occupied and non-owner-occupied properties, occupancy limits for the county should not be the same as the city. According to the US Census of 2020, the city had a populace of 85,000 people and a land mass of 52 square miles, whereas the County had a population of 155,000 and a land mass of 1,900 square miles. That's 1,675 people per square mile in the city versus just 81 persons per square mile in the county. Since the density of the county is significantly less the occupancy restrictions should not

be the same.

Since the room count isn't representative of property size and the density is much less, I propose a nightly occupancy limit of one person per 200 square feet. That's a very large bedroom space, as opposed to the two per bedroom, which does not take into account the size of the property nor the acreage.

Secondly, for both owner-occupied and non-owner-occupied occupied properties, please remove the need to inform neighbors that an STR is being operated. According to multiple sources and studies, New Mexico is the state in the US with the highest burglary rate and 65 percent of burglars are well acquainted with the people they rob. If neighbors are aware that an owner is operating an STR this could open up opportunities for theft.

Lastly, besides the public testimony and assumptions, what evidence does the County have to support that non-owner-occupied STRs are more damaging to the local community than those that are owner occupied. According to a reporting expert in the hospitality industry, non-owner-occupied STRs have a 70 percent occupancy rate. This means non-owner-occupied units use less water, produce less waste, and create less carbon footprint since they are operated much less compared to owner-occupied STRs that are 100 percent occupied, debunking the claim that non-owner-occupied properties are harsher on the environment.

I appreciate that the BCC wants to learn the impact of non-owner-occupied STRs versus owner-occupied STRs in the community, and I support the moratorium for properties purchased after this ordinance is enacted. But I urge the County to refrain from enacting such a harsh ordinance prior to obtaining empirical evidence on the differences, especially when considering tax revenue and the decreased contribution from non-owner-occupied STRs if many aren't approved due to the harsher requirements.

Lastly, I request that the restrictions for non-owner-occupied STRs be the same as owner-occupied STRS requiring solely a business registration and not a business license. Thank you very much for hearing me.

CHAIR HAMILTON: Thank you.

[Previously sworn, Sandy Duran testified as follows:]

SANDY DURAN: Good evening. My name is Sandy Duran. I am under oath and my address is 247 New Mexico 503 in Nambe. Thank you all for the opportunity to speak with you today. Really appreciate having your ear in listening to our concerns. I can see both sides of the issue on STRs. I actually have an STR located across the street from me, a neighbor of mine that rents out their property as an STR, and I have never had one problem or issue or concern or anything arise that caused me one moment's problem at all with their rental being right across the street from me, and I think they've been doing it for a long time, longer than I have, about four or five years.

Personally, my story is that I lived for 20 years in Nambe in the house that I now rent out as a short-term rental. I was able to buy a family property in the other end of the county, so I have two properties in Santa Fe County. We live in one and I short-term rent the other one. I go every week. I stay there quite often over night. I clean it myself and doing the STR has allowed me to keep my property. I didn't have to sell it. I'm able to retain ownership of it. I don't really make money off of it because I pay my income from my STR pays my mortgage, my taxes, my insurance, and it lets me hold on to the property instead of selling it to somebody from out of state or whoever. Somebody else,

basically. I like the option to be able to own that property and keep it and the STR enables me to do that. I believe that the County can register STRs. The licensing I think is a bit much. For me it would be exorbitant to pay \$375 every year. Even though I still live in Santa Fe County I would be considered a non-owner-occupied, although I am seriously there every week, and like I said, sometimes I stay there several nights out of the week.

What considerations have been made for the various scenarios? Is it possible, as others have suggested, to start with the registration process, learn about your constituents and their use, try and support us and not villainize us. I personally don't feel comfortable with a long-term rental. I have seen many, many problems with those. I'm not going to put my house up as a long-term rental unit and I don't feel responsible for solving the problem of affordable housing. I worked hard for my properties. I feel like I should be able to use them in a way that benefits my family, and I hope that someday my son and his family will live in that property if I'm allowed to continue renting it out. Thank you very much for your time.

CHAIR HAMILTON: Thank you.

[Previously sworn, Elizabeth West testified as follows:]

ELIZABETH WEST: Good afternoon. Good evening. My name is Elizabeth West. I live at 318 Sena Street in Santa Fe. I also own property south of town near where my family lives and so I've been going back and forth thinking about all this, and the more I hear about the variety of comments that are being made, and most of them really heartfelt I am very much in support of this moratorium. There's a part of me that says, well, I want to go forward with this. But I think we do need a moratorium and I appreciate all of you and the two elect people that are coming on, the work that you're doing.

I appreciate what the real estate person said. I think she was heartfelt and she probably felt that she understood things and was not representing things, but I just want to salute you all for reminding us that not everybody is aware of all the same information. I think that's a polite way of putting it. And I'm not accusing real estate people on purpose. I don't think they mean to get things confused but I do think that does happen. So I appreciate your clarification, and the moratorium definitely would serve a purpose so thank you very much for the work you're doing. I appreciate it.

CHAIR HAMILTON: Thank you very much.

[Previously sworn, Adam Johnson testified as follows:]

ADAM JOHNSON: My name is Adam Johnson. I live at 121 Arroyo Hondo Trail and I understand that I am under oath. Madam Chair, members of the Commission, I am the director of the Old Santa Fe Association and I speak on its behalf this evening. We would like to lend support to your efforts to write an ordinance regulating short-term rentals. While we strongly recommend the inclusion of a primary residence requirement we understand the need to study the effects of STRs in the county. We believe the moratorium proposed in the current ordinance draft will enable the County to do just that.

The moratorium will not significantly affect any current short-term rental owner in the immediate term. For those who have invested savings in STRs you are not about to lose your investment. The County should be applauded for wanting to study the issue.

The arguments you hear in favor of short-term rentals very often conjure up

anecdotal evidence. Many people here tonight have spoken of their own experience of a successful B&B host. Many people you've heard tonight are proud of their hosting, but their own experience and perceptions about Airbnbs are just that – their own, not representative of their neighbors or of the community of which they're apart, nor of the greater county. Those with multiple STRs, even the most well meaning are removing housing stock and turning viable residences into mini-hotels. In fact the County's own study has shown, using population data from a decade ago and the limiting hosting that was available at the time that traditional villages like Madrid, Tesuque and Cerrillos are approaching close to ten percent housing stock run as STRs, and that's a decade ago.

The issue clearly needs to be studied in a serious, deliberate way. Anecdotal stories about a host's single experience provided by the hosts themselves do not constitute adequate evidence. The County's proposal to study short-term rentals over the course of the next year with a moratorium in place is very welcome and staff is well poised to make a positive contribution on this matter. Thank you for your consideration.

CHAIR HAMILTON: Thank you very much. I don't see anybody else coming up. Is there anybody else in the auditorium who had wanted to speak to this matter? Okay, if not, Daniel, are there people still on line on Webex who wish to speak to this matter?

MR. FRESQUEZ: Madam Chair, yes. There are people on Webex that would like to speak to this matter. The first person that raised their hand was Jeff Gruger.

CHAIR HAMILTON: Jeff, can you unmute yourself and get sworn in?

[Duly sworn, Jeff Gruger testified as follows:]

JEFF GRUGER (via Webex): My name is Jeff Gruber. I live at 7 Paseo del Oso a good part of the year. And I understand I am under oath. So good evening, Madam Chair and County Commissioners. Thank you for letting me speak. My home is located within District 2 of Santa Fe County, and I am speaking tonight because my County Commissioner, Anna Hansen, refused to take my phone calls or respond to emails. Her assistant, Laura Jagles, told me Anna has listened to her constituents and knows her stance. Period. When I pressed that I was a constituent of Commissioner Hansen's and had not received a response, Laura Jagles replied, you may make comments at the next BCC meeting. So here I am.

The simplified description of the proposed STR ordinance from Commissioner Hansen that we just heard ignores several problems in that ordinance. It goes far beyond the simple registration and collection of taxes. Since three minutes is not enough time to review all the flaws I'll keep this brief and just ask two basic questions of the Board of County Commissioners. So the first question: Suppose my dog barks the evening after the ordinance takes effect. In that case I will violate Section 7.9.2 when I disturb the quiet, comfort or repose of persons or animals by causing my neighbor's dog to bark in return. My question is, will this be grounds for the County to revoke my business license? The ordinance does not say.

Second question: The only enforcement provision I find in the ordinance is Section 6.3.2, failure to submit a complete application constitutes good cause for denial of the application. There are no other provisions for penalties in this ordinance that I can find. However, the terms in this application are not restricted, so capricious or onerous rules can be added per the ordinance. What will be the process to review the STR

business application terminology with the public? And more generally, when will the BCC define penalties and enforcement provisions.

So those are my two questions. If you can respond to them I hope they are not taken as rhetorical. So thank you very much.

CHAIR HAMILTON: Thank you. Daniel, can you introduce the next person?

MR. FRESQUEZ: Madam Chair, the next speaker is Daniel Werwath.

CHAIR HAMILTON: Daniel, can you unmute yourself and get sworn in?

[Duly sworn, Daniel Werwath testified as follows:]

DANIEL WERWATH (via Webex): Thank you. My name is Daniel Werwath, and I am speaking under oath tonight. I'm speaking on behalf of the Santa Fe Housing Action Coalition which is a group of over 20 housing non-profits, local employers and business groups who support systemic change in affordable housing in Santa Fe.

First, I want to speak in favor of regulation of short-term rentals. I think we all know that there are clear impacts from removing long-term housing stock from the market on housing affordability. I do encourage anyone who doesn't think this data exists to visit Homewise's website and look at their 2020 report on this issue. That should settle any issues about whether or not data supports regulation of short-term rentals in relation to housing affordability.

We'd also like to say out loud that we also understand that short-term rentals are an important way that many Santa Fe homeowners pay their mortgages. It's also an important way to shift wealth from corporations to individuals in the local community, and for those reasons support owner-occupied short-term rentals in its current form in the ordinance. One thing I would update in data that was referenced earlier this evening. The Santa Fe County housing report that's about to be released indicates that there's over 11,000 units of housing needed in Santa Fe County now, not 9,000, as previous data suggested, and I think one thing that we would like to recommend is –we don't agree with the Realtors Association, not often, but we're also against the moratorium, but we would rather see a two-year waiting period on non-owner-occupied short-term rentals after purchase.

The reason for this is that the potential income of a short-term rental is used in speculation for the purchase price of a home. You can look at the income you can get from a short-term rental and that drives how much you're willing to pay for a house. It artificially inflates the cost of housing and it out-competes local workers when they go to buy a house. We believe a two-year waiting period between the time of purchase of a property and the issuance of the first short-term rental permit would disincentivize the speculative purchasing of single-family housing or ownership housing for the purpose of short-term rental.

The other thing we'd like to recommend is looking at earmarking a portion of tax revenue from short-term rentals to support affordable housing and the affordable housing trust fund structure that the County is developing. Thank you for your time tonight and we appreciate the County's efforts to bring in regulation around short-term rentals.

CHAIR HAMILTON: Excellent. Thank you so much. Daniel Fresquez, can you introduce the next speaker?"

MR. FRESQUEZ: Madam Chair, the next speaker is Scott Bennett.

CHAIR HAMILTON: Scott, can you unmute.

[Duly sworn, Julie Bennett testified as follows:]

JULIE BENNETT (via Webex): My name is Julie Bennett. I live at 5 Rancho Valle, Española, or locally La Puebla, and I understand that I am under oath. Thank you for your patience with my computer illiteracy. I have testified two previous times on this ordinance. I'm really appreciative of all the efforts and applaud everyone including the Commissioners and staff. I want to say that the only affordable housing problem that I feel the short-term rental would have on our property solving is ours. We cannot afford to pay our mortgage as retired people without our short-term rental. And our sons, who will inherit this property, will be able to live here because of the short-term rental that we've developed here. They're currently living out of state for reasons of education and also job opportunities that they would not have here.

I've spoken for on the positive impact that our short-term rental and others have had on our community. I feel like those positive aspects should be included in the findings along with the negatives – the economic benefit for area restaurants outside of the city, the income potential that we create for our housekeepers and our groundskeepers and our other employees that help us develop and maintain our property. We also support the community because we support and house Los Alamos Lab employees and travel nurses. So I really think those positives should be listed in the findings.

I also feel that I would like to see a concurrent commitment by the County to develop significant numbers of affordable housing. It is not the job of short-term rental owners to do that. There's been two percent of the housing stock is in short-term rentals or just now ten percent was issued. What is it and what is the County doing to make up the other 98 percent or 90 percent. We're committed to a good quality of life in the community and we are upstanding and serious business owners in regard to our STR. Please let us continue to earn our small amount of living from this pursuit. It is gratifying and we are good stewards of our community and ambassadors. Thank you so much.

CHAIR HAMILTON: Thank you very much. Daniel, can you introduce the next – are there more speakers?

MR. FRESQUEZ: Madam Chair, yes, there are more speakers. The next speaker doesn't have a name; they are a call-in user. I'm sending a request to unmute right now. So unmute if you're the call-in user. Press star 6 on your phone.

KATHLEEN CASEY (via Webex): Hello. My name is Kathleen Casey and I live in Madrid, 1 Harvey Road.

[Duly sworn, Kathleen Casey testified as follows:]

MS. CASEY: I would like to say first that I did receive a response from Commissioner Hughes, Commissioner Garcia, and Commissioner Roybal. Anna Hansen and Anna Hamilton did not respond in any way, including me making a phone call to an assistant and never got a return phone call nor a response to my emails. That can be pretty frustrating.

So it's just been said that it's not STR owners' responsibility for affordable housing. Particularly in Madrid this is the case. We're a tourist economy. We have less than 300 people that live in our town. We have increased jobs with STRs. We have four STRs within this year that are going to be retracted out of the market for various reasons.

I assume you don't want to hear about them. So now the moratorium is going to prevent more from coming into the market.

Now, we hear organization after organization saying NOOs are not a good thing, non-owner-occupied. In our town, it's very specifically a good thing. They buy more coffee. They buy more merchandise. They buy more beer. They buy more restaurant food and it's seriously in need here. Now, as my husband said, affordable housing has been a problem here since I moved here 22 years ago. This is not because of STRs, especially in our village. The 10 to 12 STRs do not cause the affordable housing crisis. It is extremely frustrating for me to sit here and hear people say that.

If you want to help with affordable housing give all of the registrations out to NOOs as well. Prevent out of state investors from coming in. We are not out of state investors and neither are other NOO operators. Vilifying someone who's doing it outside of their home is a mistake. Thank you.

CHAIR HAMILTON: Thank you very much. Daniel, can you introduce the next speaker?

MR. FRESQUEZ: Madam Chair, the next speaker's initials are C. G.

CHAIR HAMILTON: C. G., can you unmute yourself and get sworn in?

[Duly sworn, Caroline Gorden testified as follows:]

CAROLINE GORDEN (via Webex): Caroline Gorden, 16 Calle Vereda, 87507, and I know I'm under oath. I have two points. One is this issue of informing your neighbors. I find that extremely offensive. I live on 2 ½ acres. My neighbors live on 2 ½+. They can have as many guests as they like for as many nights as they like, whenever they choose, and they are under no obligation to inform me that they will be doing this. I do not understand why I should inform them that I have people staying in my property who are very quiet, two people at a time, non-offensive. It's my personal life. They have no reason to know what I am doing on my property.

My second point is that the question of affordable housing, within five miles of me there are multiple, multiple apartment units going up and I don't consider a one-bedroom or studio apartment being rented for a minimum of \$1400 a month affordable. That is a problem that the County and the City need to broach because we're not taking away – owner-occupied, obviously is different, but non-owner-occupied is not taking away from the affordable housing. The affordable housing is being taken away because all of these apartment blocks are going up that no one can afford. As far as I can see. And that's it. Thank you.

CHAIR HAMILTON: Thank you very much. Daniel, can you go to the next speaker?

MR. FRESQUEZ: Madam Chair, our next speaker is Ethan Stone. I do not see Ethan on Webex but there are a few call-in users. Ethan, if you are a call-in user please dial star 6 to unmute.

CHAIR HAMILTON: Daniel, we could try to come back to Ethan. Could we go to another speaker?

MR. FRESQUEZ: Madam Chair, yes. Our next speaker is Teresa Cummings-Rogers.

TERESA CUMMINGS-ROGERS (via Webex): Hi, this is Teresa Cummings. I don't really have any new points to make that have not been made already

so I will pass.

CHAIR HAMILTON: Okay. Thank you very much. Daniel, who's next?

MR. FRESQUEZ: Madam Chair, that would be the last speaker that signed up to speak.

CHAIR HAMILTON: Okay. So just to be comprehensive, is there anybody else on line who wishes to speak to this short-term rental matter? If there is please unmute and make yourself known.

MR. FRESQUEZ: Madam Chair, L. Garcia is raising their hand.

CHAIR HAMILTON: Okay, unmute and get sworn in please.

LISA GARCIA (via Webex): Sure. My name's Lisa Garcia.

[Duly sworn, Lisa Garcia testified as follows:]

MS. GARCIA: Lisa Garcia and 11 Paseo de Rincon, Santa Fe, New Mexico, and I realize and accept that I'm under oath. I have just three things I want to talk about real quick. One is I live in a home that was built by my father 20 years ago and the only way that I could afford to live in Santa Fe is he said buy a piece of land and I'll come when I'm retired and build a home. And so it's a home that I'll eventually pass on to my son. So in doing Airbnb it's helped to do things to better my life like education and as a single parent, help pay tuition for my son's high school and help my son's college. Not only personally for me but also for – I had some students from Denver come, middle school students and they could afford to visit Santa Fe and all the art and Meow Wolf without a discounted place to stay. So I'm able to network with some of those groups.

So I see the money flow in and I see the money flow out. Also, you have to just stop for a second. Airbnb is worth \$28 billion and we're getting – speaking specifically of Airbnb and I do Airbnb and nothing else. I don't Vrbo, Home Away, any of that. And \$28 billion is what they're valued at, right? So we're getting this miniscule amount to help us have a better life.

I clean my own home. I'll go to family if I rent the whole home. There's a lot of sacrifice that goes behind that. I also am on a 2 ½ acre lot so I'm not in favor of having to notify, which I've never had a problem with my neighbors. But one of my concerns is what about the Mi Casas of the world. Mi Casa is the group that you pay 25 percent to people who don't live in their homes, which of course I live in my home, but they just say, well, it's just the money, right? They take 25 percent for – Mi Casa takes 25 percent of the rental to do everything from go buy the coffee to clean your house and so forth.

The second thing is they are already collecting occupancy tax, and even though I'm in the county, where is that occupancy tax going? And I asked Randy Randall that once, because he's with the City, and he said, well, they'll have to figure that out. So from an IT systems perspective and accountability, shouldn't that money be going to the County? Why is the occupancy tax going to the City?

And then the third thing I want to say is how are you going to really monitor compliance, right? Are you going to actually – compliance for people who are using a third party service like for Casa. I have no idea. I'm just speaking generationally from a native New Mexican's perspective because I think you need to rethink this and collect data and analyze data, because the data does not lie. Thanks.

CHAIR HAMILTON: Thank you very much. Is there anybody else on line who wants to speak to this matter? Daniel, do you see anybody else raising their hand?

MR. FRESQUEZ: Madam Chair, I do not see anybody else indicating they'd like to speak to this matter.

CHAIR HAMILTON: Okay. Great. I'm going to go ahead and close public comment then, and I really appreciate everybody who came and had something to say. So I think I'm going to go to the Commissioners and ask for comments and questions. Are there any?

COMMISSIONER HUGHES: Madam Chair.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: I'll start but I'm sure I won't be the last. Thank you everyone for commenting. I think we really benefited from all the public input that we've had. I did not know much about short-term rentals before we started on this, except that I stayed in them on occasion when I was out of town. I think we've done a lot to improve this ordinance to make it easier for people who are short-term rental owners to use the money to help stay in Santa Fe. I think that is one of the benefits of short-term rentals. I do not personally feel the need to make the ordinance even less strict, although I'm open to it if other Commissioners are.

I heard people talk about the number of days you have to live here, the notification of neighbors, the bedroom limit and the \$375 fee as being things that people were concerned about. I don't think those are unreasonable personally but I'm willing to listen to the other Commissioners.

I would like to point out that if we do the moratorium, that is directly aimed at out of town corporations and not at anybody who's doing a short-term rental now, or anyone who already owns property in Santa Fe. I think that it is a reasonable way to give us the time to gather data without allowing a run on housing from people out of town who would be worried about what restrictions we're going to put in place in a year. I would be fine putting restrictions in place now but I think we don't have data and I think I've been convinced that we don't have the data for that. I would also be willing, instead of the moratorium, to do the two-year waiting period where you have to own the home for two years before you can rent it out, if that would be more acceptable to the other Commissioners. I think that that is a little more strict than the moratorium because that would be something that would be in place going forward from now. It would certainly prevent speculation as the moratorium would as well. So those are my comments and I'll look to hear what other people have to say.

CHAIR HAMILTON: Thank you very much. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. So I think we've had three public hearings. Is that correct?

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: And I think we have refined this ordinance and I want to thank Penny for her hard work on it and getting it to the place where it is where we have – all you have to do is send a letter to your neighbor and let them know you have a short-term rental. They don't have any control. They can't say no, you can't do it. You're simply notifying your neighbor which if my neighbor was doing a short-term rental I would want to know, just because of the amount of cars and different cars that would be coming all the time, like one car coming in and another car leaving – somebody spoke about robberies. How do I know that that's not a robbery if I don't know

that they're doing short-term rental?

So I think it is very reasonable. I think our fees are very reasonable compared to the City. The City is \$425 for everybody, whether it is owner-occupied, or whether it is non-owner-occupied. And that's what it says in their ordinance. And you can only have one person. There's a \$1,000 limit. One person can only own one house in the city. So I think that this is a liberal ordinance in many ways compared to the City and I think that the – I like the idea of a two-year waiting period also but I also think that a moratorium is basically the same kind of thing, because we're not – it's really literally only – it might be for a year but it's only six months, because everyone has to register by March 15<sup>th</sup>, and then we have to work on the ones we have the data of everybody who is registered throughout the county, then we only have another six months or so to get all the information and decide how we want to upgrade the ordinance or change it, and the moratorium will be over.

So I think we've done a reasonable job and I just once again want to thank Penny for her hard work, so thank you, Penny.

CHAIR HAMILTON: Thank you. Commissioner Garcia. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I do have some concerns with notifying neighbors, and Penny, maybe you can clarify. The letter – is this going to be a generic letter that is produced by the County that they will send out, or is the STR owner, do they have to provide their phone number, or their address, or anything like that? Because I have some issues with health and safety and harassment as far as a neighbor that may be upset with an STR being next to their home and I think that if any numbers are provided it should be the County's phone number and we should filter through those calls and address any concerns and relay them back to the STR owner.

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, yes, it would be a letter generated by the County, and it would include a telephone number for 24 hours that somebody would be able to answer that is associated with a short-term rental. It could have a County number on it as well, but there's nothing I can do at 10:00 at night on a Friday. So if there's an issue and you have the owner's or management company's telephone number you can call them and tell them there's a problem and something can be solved from it, rather than leaving a voice message for someone at the County, who, three, four days later will get the voice message and return a call to the owner and say, next time can you be quiet.

So this is all about –

COMMISSIONER ROYBAL: Penny, if I can intervene. If you had an issue with your neighbor at 10:00 on a Friday, Saturday, or Sunday, what would be the appropriate response that you would do for a situation like that? I believe it would be to call emergency responders. So I would imagine that if there is a situation that needs to be addressed that it would probably be they could notify authorities or the Fire Department or any appropriate safety response personnel to go and address the situation. Is that correct?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, yes, and hours later, maybe a Sheriff's officer would be available. But the intention here is a good neighbor policy. Be good neighbors if you're party that's renting is very loud, you allow

your neighbors to call you and you can ask the party to be quiet. Especially – I don't think this is something we're really going to hear on owner-occupied properties.

COMMISSIONER ROYBAL: So if it's a non-owner-occupied, then it would be the same situation where they would have to drive across town. If there's a disturbance though I think that law enforcement could be dispatched to that residence.

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, neighbors may well do both. Commissioner Roybal, I did want to address one of your previous comments regarding the adjudicated rights. Just as I finished I realized that there is a Section 7.5 in the ordinance that says STRs much comply with water restrictions, if any that are applicable to the property. The applicability of which may depend on the source of water for the property, e.g., domestic wells versus adjudicated water rights. So we did address the adjudicated water rights in that section.

COMMISSIONER ROYBAL: Okay. I thought you had mentioned that previously. Okay, so I still feel that I don't think that STR owners should be subject to getting calls that could be harassing or even possibly of a violent nature. We need to protect our constituents. So that's just something.

I also wanted to ask you, so non-owner-occupied short-term rentals – what is the process once they've been given their permit in one year? The following year do they have to go through the process of evaluation once again, or is this just a renewal?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, are you talking about non-owner-occupied or owner-occupied?

COMMISSIONER ROYBAL: Non-owner-occupied, or you can address both of them if they're different. Let me know what the process is if it's different, or just getting a renewal every year. I would think that they shouldn't have to go through the whole tedious process once again. It should just be a renewal whether it's non-owner-occupied or owner-occupied.

MS. ELLIS-GREEN: Owner-occupied would apply for a business registration the first year. That registration is automatically continued to the following year when you pay your \$35 business registration fee. So you would get a letter from the Treasurer's Office saying that you need to pay for the following year and you would pay that. And that's due by March 15<sup>th</sup> of each year.

A non-owner-occupied submits for a business license, not a registration, and that's where you come back each year to verify that the situation is still the same, and you resubmit your application. And you get your business license issued individually each year.

COMMISSIONER ROYBAL: Is that going to be – can they do it through the internet or do they have to come into the office every year?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, as we get our online permitting up and running, people will be able to apply for permits on line.

COMMISSIONER ROYBAL: Okay, and then what is the process? Is it as long as they say it's the same STR, and I would just want to renew for the following year. Is that it, or are they going to have to bring back documentation or –

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, we would do several other reviews. We would be looking to make sure it is the same, and we would also be getting your new water restriction reading – water meter reading, if you have a

water meter. And we would also be looking at whether or not there were any complaints, issues, things like that that need to be addressed.

COMMISSIONER ROYBAL: So the complaints that the County would receive as far as loud parties or anything like that? Is that what you're talking about?

MS. ELLIS-GREEN: Madam Chair, Commissioners, the type of complaints that we've heard over the years are people parking all over roads so no one can remove snow, over-use of a septic system because a three-bedroom house is being rented out for an occupancy of 20 adults, noise – those are all the complaints that we've had so far. We haven't acted upon them because we don't have a short-term rental ordinance.

COMMISSIONER ROYBAL: How are you going to make sure that those complaints are valid?

MS. ELLIS-GREEN: An example would be if you're renting for – if you're listing on Airbnb for sleeps 20 and you've got an approval for six, obviously that's an issue. So we will be using Host Compliance to make sure that they are looking at how people are renting on line and what they've been approved for.

COMMISSIONER ROYBAL: So how they're listing the properties, that would determine that. But as far as complaints of somebody makes a complaint that says they have an STR and they're only supposed to have six occupants and there was ten people there, there's no way to really certify that claim unless the County goes out there to check, is that correct?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, it would be like all of our other enforcement. Yes, we or the Sheriff's Office would have to go out and enforce.

COMMISSIONER ROYBAL: Okay. And as far as grandfathering, we did talk about that at one point. I think that people that have STRs at this point, if they can prove that they have an STR and meet the requirements of the County as far as a residence, I think that these individuals should be grandfathered in under STRs, but I don't know if that's something that we're not considering at this point.

CHAIR HAMILTON: Commissioner Roybal, could you repeat? I didn't catch that.

COMMISSIONER ROYBAL: As far as grandfathering in as far as STRs that exist in the country right now.

COMMISSIONER HANSEN: They're all going to be included.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: Okay.

COMMISSIONER HANSEN: Nobody's going to be excluded who already has an STR. They just have to register them.

CHAIR HAMILTON: That point needs clarification. My understanding is that what we put in is that anybody who currently owns a home, even if they haven't done STRs yet, will have the ability to do an STR.

MS. ELLIS-GREEN: Madam Chair, that's correct.

CHAIR HAMILTON: Okay.

COMMISSIONER ROYBAL: Okay. Those were my questions. That clarifies my question. As far as – I had a constituent that called and it was actually not

one of my constituents but they have a coffee shop that on the second floor, they created that into an STR. They still will be able to utilize that as an STR and that would be a non-owner-occupied STR but we would still be giving them their permit for that, right?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, if it was permitted as a dwelling unit, yes.

COMMISSIONER ROYBAL: So this may be on a commercial piece of land, so would that still qualify if they are already using it as an STR? They have been.

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, the only area where dwelling units are not allowed as a primary use is industrial zones and I believe PI, which would be the county units. So they are allowed in commercial areas and if it was approved for a coffee shop with a dwelling above, then yes, the dwelling could be used as a short-term rental.

COMMISSIONER ROYBAL: And if it wasn't approved as a dwelling unit above, what would they need to do through the County to get that?

MS. ELLIS-GREEN: Permit it as a dwelling.

COMMISSIONER ROYBAL: And what is the process? How long does that take?

MS. ELLIS-GREEN: Once we get a complete submittal it should be done within three weeks.

COMMISSIONER ROYBAL: Within three weeks?

MS. ELLIS-GREEN: Yes. If all you're doing is remodeling or permitting a structure, a new structure, you come in and get a permit through the County.

COMMISSIONER ROYBAL: I don't know what the situation on that one is but I know that they do have an STR above a coffee shop. And how long are we looking at doing the three weeks that they have to get this permit? Are they going to have to stop using it as an STR or can they continue using it until they get their permit?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, people need to have their short-term rental license or registration by March 15<sup>th</sup> of next year. So there's a long leeway and a lead-up for people to do that. So if people haven't got permitted dwelling units it allows them plenty of time to get those permitted and then apply for a short-term rental, providing they meet the density requirements and the requirements under the code for a dwelling unit.

COMMISSIONER ROYBAL: Okay. And then an individual that asked a question about a barking dog, would they have an issue with losing their short-term rental due to some complaint like that?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, I imagine we will get complaints about noise. If there's a telephone number for people to call, they can call and ask the manager of the short-term rental to stop the noise. Otherwise, the following week or day or if we get a call we will – or the neighbor will call the police.

COMMISSIONER ROYBAL: Okay. The other question I had or I guess just a comment at this point, I believe that a lot of the comments that were made tonight is that we need to gather data before we put this in place, and I do agree that we do need to get data and that we need to compile that data. So I don't really see the value of putting a moratorium or a two-year waiting period in place until we gather that data. I think the County can work on gathering that data without that moratorium or the two-year waiting

period in place. I think that's something that I wish we would have thought about doing prior to even bringing this forward. But that's where I stand right now on the two-year waiting period and the moratorium. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Garcia, do you have anything? Okay. I'll go back around, but it's really interesting because the moratorium issue, we've had so much input and I've gotten a lot of email from people and they've really come down on both sides. I was at first really bothered by the concept of the moratorium because of limitations before we know what the data tells us. I understand the moratorium's intention is to give us time to gather data. I would emphasize is first of all the moratorium is temporary, and second of all, the idea is to be able to get data, even if there are none. That's always the potential or any restrictions going forward would be tailored to targeted regions where restrictions, if they're necessary, can be considered.

Interestingly, I have the most problem with the notification issue as well. I totally get valid argument for providing an additional number to call. I do get that. But it is true that what do we do with everybody else now if somebody has a giant party, you call the cops on them. That's kind of what's done. Is that the singular reason for having the notification? Because if somebody applies for any other in-home business license, do they have to notify their neighbors?

MS. ELLIS-GREEN: Madam Chair, if you're doing a home occupation you put a yellow poster board up on your property for 15 days so your neighbors would be able to see that you're doing that. They also would be able to object and appeal the decision.

CHAIR HAMILTON: Okay. That's fair. Let's keep decorum here; the public comment is over. Are there other comments? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair, and I'm not married to the idea of adjoining the adjoining property owners. I would like to point out that we did reduce that down from 500 feet, I think, which would have been a lot more people you had to notify. But I did want to point out, and this is a case where I was renting – my wife rented a short-term rental on the coast of Massachusetts for a family reunion. There were 15 of us. This is my in-laws; they're very loud. And the owner of the property did call us on the phone and say you guys are too loud. You're bothering my neighbors. And we quieted down. So there's an example. We were at least an hour from the nearest police station and so if the police had had to come out to tell us to be quiet we would have all been asleep by the time they got there and the neighbors would have been totally pissed off.

But on the other hand, if that's the sticking point I'm not married to that. Thank you.

CHAIR HAMILTON: Thank you. Sometimes things just swing on – it's almost impossible to regulate perfectly to get to an intent without unintended consequences. Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I'd like to make a motion. I would like to make a motion to pass the ordinance amending Ordinance 1992-3, the Business Registration and Licensing Ordinance, and Ordinance No. 1999-10, the Lodgers' Occupancy Tax Ordinance to license and regulate short-term rentals in Santa Fe County.

COMMISSIONER HUGHES: Second.

COMMISSIONER ROYBAL: So just so I understand, that's as it's currently written with a moratorium?

COMMISSIONER HANSEN: Yes.

CHAIR HAMILTON: So I have a motion and a second. Is there further discussion? Seeing none, may I please have a roll call?

**The motion to approve Ordinance No. 2022-07 passed by majority roll call vote as follows:**

Commissioner Garcia	Abstained
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Roybal	No

CHAIR HAMILTON: I'm actually going to vote yes in spite of my concerns with the moratorium. Sorry.

COMMISSIONER GARCIA: Madam Chair, I passed but let me explain to you –

CHAIR HAMILTON: You're allowed to abstain.

COMMISSIONER GARCIA: Let me just make a couple of comments. In regards to there were three people sitting in this room in the year 2000. There goes my institutional knowledge as well. That was myself, Penny and Karen that were sitting in here whenever we passed the moratorium for the Eldorado water system for their growth in Eldorado. And our staff was to do – the County Commission at that created a moratorium to do some data to see what the wells were producing in the Eldorado area. Thirteen, fifteen years later we still had a moratorium out there because nobody could make some sort of a decision or nobody could get with whatever agency it was in regards to look at the moratorium in detail.

Whenever we're requiring – I understand. I get it. We're going to require data for this or that or what not. When we do receive the data, what are we going to do with it? Are we going to say you can have 20 people in a five-bedroom or this is what's going on out there? When the data comes in I won't be sitting up here, but I just wanted to – moratorium is a big word when it comes down to whether it's building, Airbnbs, pets, and what not, and data – I just want to see what staff and what the Commission is going to do when they get that data. These are things that we should have already looked at prior to rushing this ordinance down. And those are the comments that I have. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. I think it's actually really critical what we do with the data, which is why I made my comment about looking at things on a fairly region-specific basis. I think that's both the Commission's and the staff's intent and I don't think anybody has forgotten that the staff proposed moving this forward in the phased concept so that we could have data to know what we were doing without putting restrictions on prematurely. Moratorium is a little bit of different twist on that but it's really toward that goal. So I think just as one would say for the record that is the intent of

both the Commission and the staff is to look at the data and make more informed decisions for any further changes and has been mentioned with the possibility of refining the ordinance as it exists based on those data.

COMMISSIONER ROYBAL: Madam Chair, if I could say something else. And that's some of my concern as Commissioner Garcia stated is we never got that data. It didn't come forward, and even with the Sustainable Land Development Code we committed as a Commission to revisit that every six months when we made that and made it a living document and we've only revisited it once, and there was very minor changes. So that was some of my concern and why I said why don't we not put a moratorium and why don't we go ahead and collect the data and then look at it afterwards. So that was some of my reason.

CHAIR HAMILTON: That makes sense except that in my term I think I remember at least two major changes to the SLDC, which was put in before I was around. But it is difficult to keep up with things. I recognize that.

CHAIR HAMILTON: So I want to thank everyone for being here and for participating in this public hearing.

**13. PUBLIC HEARINGS ON ADMINISTRATIVE ADJUDICATORY MATTERS**

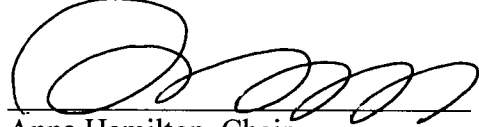
None were presented.

**15. CONCLUDING BUSINESS**

- A. Announcements**
- B. Adjournment**

Upon motion by Commissioner Roybal and second by Commissioner Hughes, and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 8:37 pm.

Approved by:



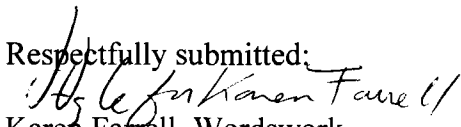
Anna Hamilton, Chair  
Board of County Commissioners

ATTEST TO:



KATHARINE E. CLARK  
SANTA FE COUNTY CLERK

Respectfully submitted:

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



SFC CLERK RECORDED 12/13/2022



**Public Comments**  
on the Proposed STR Ordinance

(as of 25 October 2022)

SFC CLERK RECORDED 12/13/2022

## Public Comment 1:

**Nathaniel Crail**

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**From:** Kenny Mann <ikimann@earthlink.net>  
**Sent:** Friday, October 21, 2022 11:38 PM  
**To:** Nathaniel Crail  
**Subject:** I AM A STR HOST IN ELDORADO

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Nate,

I hope you won't mind sending another email from me to the STR committee.

TO WHOM IT MAY CONCERN

Please see the email below that was forwarded to you by Nate Crail. I would like to add this point:

When we first moved to Santa Fe/Eldorado in 2019, we immediately rented out our spare bedroom and bathroom for a long-term rental of 9 months, and continued to seek long-term rentals through 2020. However, although our spare room is ideally set up for short-term rentals it has no kitchen, which means that people who stay longer need to use our kitchen, which is not a separate room but part of our living room. Thus the "rental" actually becomes a "house share" and is extremely awkward for everyone. It inevitably leads to conflict. With short-term rentals we do not have this issue as they do not expect a kitchen.

This is a very important point as I am certain that it applies to many other STR hosts. Most of us cannot afford to install another kitchen, nor would it be permitted by our HOA. So we have no option but to continue with short-term rentals.

Sincerely,

Kenny Mann  
646 479-5884

----- Original message -----

**From:** ikimann <ikimann@earthlink.net>  
**Date:** 10/18/22 1:04 PM (GMT-07:00)  
**To:** [ncrail@santafecountynm.gov](mailto:ncrail@santafecountynm.gov)  
**Subject:** Ignore previous email..use this one I AM A STR HOST IN ELDORADO

Please use this email...the other had errors.

Dear Nate,  
I just spoke to you on the phone re the tax situation for STR hosts.

As one of many elderly hosts in Eldorado and elsewhere, I would like to state my circumstances and ensure that the relevant decision-makers receive this information.

1. My partner and I moved to Santa Fe in 2019 because we were financially squeezed out of Sag Harbor, NY, where I lived for 35 years. We scraped money together for a downpayment on our house in Eldorado because it was far cheaper than anything on Long Island.

2. I am 76 years old. My partner is 69. Our combined social security income is \$1400 a month. We both still have to work to generate income. I sub frequently at the Del Monte Charter school for \$140 a day. My partner does some property management for \$25/ an hour. In 2020, at the age of 73, I was an Instacart shopper, delivering groceries all over Santa Fe.

3. We do STR on 1 bedroom with bath and private entrance and make around \$1700 a month. We are preparing a second bedroom and bath for STR.

4. Airbnb hosts bring an entirely different level of tourism to Santa Fe that is not in competition with local hotels. Our guests are almost exclusively young and could not afford hotel rooms. However, they eat in local restaurants and spend money in shops. In addition, after spending time here, if they are remote workers, they often decide to stay longer and either return to us for longer periods or find rentals in town. They introduce a very much needed younger, professional element to SF, which would otherwise be a geriatric ward. They go to movies, concerts, museums etc. thus contributing to the local economy. Some start small businesses...another addition to our economy.

5. Our house is 500 feet or more away from our two neighbors. There has never been any incident of disturbance, loud noise or partying. My partner and I are always around to keep an eye on things. Airbnb guests are almost always respectful of the home and the neighborhood.

6. Airbnb automatically collects 7% occupancy taxes on every reservation. The County is now demanding 7% of gross receipts AND we report the income on our tax return and must pay taxes on that. So we are taxed THREE TIMES. NM collects 14% on every reservation as well as income tax. I suggest that this is a CONSIDERABLE contribution to the local and state economy.

7. There is no way that my partner and I can survive financially without the STR income. We are struggling very hard to survive financially.

I therefore beg that you take our situation into consideration. I am certain many other hosts have similar stories. We are eager to comply and to obtain the necessary permit ( please put us on the list!), which is another source of income for the County.

With respect,

(Maya) Kenny Mann and Ulrich ( Uli) Koch  
646c479-5884

SFC CLERK RECORDED 12/13/2022

## Public Comment 2:

**From:** Kris Leslie Curtis [mailto:kcurtis@leslieinvestments.com]

**Sent:** Friday, October 21, 2022 10:48 AM

**To:** Anna C. Hansen <ahansen@santafecountynm.gov>; Hank Hughes <hhughes@santafecountynm.gov>; Rudy Garcia <RGarcia@santafecountynm.gov>; Anna T. Hamilton <athamilton@santafecountynm.gov>; Henry P. Roybal <hproybal@santafecountynm.gov>

**Cc:** Penny Ellis-Green <pengreen@santafecountynm.gov>

**Subject:** Letter to our elected County Commissioners

### **Warning:**

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8-21-22

Dear County Commissioners,

Thank you for your work on the newly proposed County Short Term Rental Ordinance. As President of the Santa Fe Short Term Rental Alliance (SFSTRA) I gave public testimony on September 13, September 27, and comments during issues of Public Concern on October 11, 2022. I am a second-generation New Mexican businesswoman living in the county of Santa Fe and my family has a long history of supporting the growth and development of our beautiful community. I own long and short-term rentals in Santa Fe and my primary residence is in the County. Real estate management is my small business and I depend on the income to support my family just as many STR owners do.

I was encouraged after the public hearing on the 13<sup>th</sup> of September that you listened to your constituents and made many positive changes in the Ordinance. However, after the testimony on the 27<sup>th</sup> of September you have singled out non-owner occupied STR Hosts as a different division of Owners which is being wrongly characterized as "out-of-staters" and "speculators". The language used in the ordinance and in the staff notes indicate that you are caving to the rhetoric of non-supporters of STR's such as the hotel and hospitality lobbyist, and the Old Santa Fe Group who are overlooking people like myself whom ironically are old Santa Fe locals whose families have done business here for decades. Now, people like me who invest in housing for both short and long rental are being singled out and misrepresented as part of the big (fictitious) corporations positioning themselves to buy all the housing available for long term rental and use it as short-term rentals. This is a false characterization and there is no data to show this is happening in the County. The most disappointing aspect of all is you had an ordinance drafted that would have been considered reasonable and mostly acceptable to all parties but have now come along and thrown in this Moratorium on non-owner occupied STR's.

We stand strongly against the proposed moratorium on non-owner-occupied short-term rentals. While allowing existing STR owners to continue their business but disallowing licensure to anyone who buys a property for a non-owner occupied STR after the effective date of this ordinance is a stand against small business, a stand against property rights, and a stand against allowing the prosperity of county residents who so desperately rely on this income. The people who showed up in mass to voice their opinions to you, our elected officials, were people who own both owner-occupied and non-owner occupied STR's. I ask you to represent us all equally and fairly. Even the city of Santa Fe does not discriminate against non-owner-occupied short-term rentals. They accept the tax dollars from both as should the County. By putting in place a moratorium you are prematurely eroding what could be a broader tax base. The movement to limit the development of non-owner-occupied short-term rentals through a Moratorium is a direct bias against this division of owners and if you do not study the market as it evolves, and as people register to do business, you will not have data on the rate at which people are seeking licensure for non-owner occupied STR's.

Specifically, I ask you to remove the moratorium on non-owner occupied STR's in the newly revised Ordinance. I encourage you to pass a reasonable ordinance with base registration and licensure, then look at your data and make informed decisions.

Respectfully Submitted,

Kris Leslie-Curtis

142 Vaquero Rd.

Santa Fe, NM 87508

## Public Comment 3:

### **Nathaniel Crail**

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**From:** Buck McKinney <buck@aminiconant.com>  
**Sent:** Friday, October 21, 2022 12:10 PM  
**To:** Nathaniel Crail; Henry P. Roybal; Anna C. Hansen; Anna T. Hamilton; Hank Hughes  
**Cc:** Francine M. Lobato  
**Subject:** Public Comment on STRs  
**Attachments:** New STR Ordinance is an Unconstitutional Solution Looking for a Problem.pdf; ATT00001.htm

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Gentlepersons - Please see the attached in connection with the upcoming Board Meeting on STR's. This was submitted as a proposed editorial to the Santa Fe New Mexican - I have not yet been advised if it will be printed.

For background, I primarily reside and work in Austin, Texas, but own a second home near Chupadero.

Thank you.

SFC CLERK RECORDED 12/13/2022

## **New STR Ordinance is an Unconstitutional Solution Looking for a Problem**

Without conducting a single study regarding the effects of short term rentals—good or bad—the Santa Fe County Board of County Commissioners resolved last week to forge ahead with an STR Ordinance that imposes significant burdens on property owners—including disclosure of private information that may expose them to harassment, arbitrary and unreasonable restrictions on occupancy limits, and unequal access to permitting based solely on a property owner’s date of purchase and whether he or she lives on-site.

The BCC’s proposed ordinance is governmental interference of the worst kind and is almost certainly unconstitutional. Indeed, the County Attorney explained during last week’s meeting that similar STR ordinances have been stricken down by appellate courts in Austin and New Orleans because they lacked sufficient supporting data.

*Zaatari v. City of Austin* is particularly instructive. In striking down the Austin STR ordinance, the court of appeals noted that the City’s data utterly failed to support the existence of problems specific to STR’s, and in fact demonstrated the opposite. In the four years preceding the ordinance, the City issued no citations to licensed STR owners or their guests for violating noise, trash, or parking ordinances; and short-term rentals exhibited significantly fewer 311 and 911 calls than other single-family properties. As the court noted, the “focus [should be] on real and serious burdens to neighboring properties when determining whether a compelling interest is at issue” rather than vague generalizations about public welfare.

In this case, the county’s proposed Ordinance contains restrictions on occupancy, noise and activities that are in many respects almost identical to the Austin ordinance, and yet the case for a compelling interest is even weaker because, as Commissioner Anna Hansen conceded during the recent hearing, the BCC has no data at all. So why the rush to enact it?

Tacitly addressing that issue, Commissioner Hank Hughes conceded that lawsuits would likely ensue but seemed unconcerned—stating “we can’t always be afraid of being taken to court.” Other commissioners echoed that sentiment—urging immediate passage, with data collection to follow. Only Commissioner Henry Roybal expressed any concern about fundamental property rights, but his comments fell on deaf ears.

Shortly after the meeting, the County released a revised ordinance containing all of the prior restrictions (found here [https://www.santafecountynm.gov/news\\_detail/county-releases-revised-short-term-rental-ordinance](https://www.santafecountynm.gov/news_detail/county-releases-revised-short-term-rental-ordinance)), along with a remarkable ban on non-owner-occupied STR permits for anyone purchasing property after enactment. And while the Commissioners may argue that limiting the ban to new property owners avoids the constitutional prohibition against “retroactive laws” addressed in *Zaatari v. City of Austin* (just one of several issues addressed in that case), it would still ignore the central defect. The proposed Ordinance cannot possibly be “rationally based” or “narrowly tailored to serve a compelling state interest” if the BCC has “no data” to support it.

In order to address that constitutional infirmity, it is respectfully suggested that the BCC strip the proposed Ordinance down to its registration and licensure requirements, and jettison the other restrictions and burdens. By doing so, the Commissioners can capture data necessary to determine whether there even is an STR “problem;” and if so, how best to address it—before restricting fundamental constitutional rights of property ownership, equal protection and so forth.

To those who argue that such an approach would leave STR’s unregulated, that is a red herring. Health and safety laws, fire codes, nuisance laws and noise ordinances can be used to crack down on any STR owner that causes problems. And how many would that be? As Commissioner Hansen acknowledged, the BCC doesn’t know because it has “no data.”

## Public Comment 4:

### **Nathaniel Crail**

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**From:** Yvette Laurent <laurentyvette@yahoo.com>  
**Sent:** Monday, October 24, 2022 11:17 AM  
**To:** Nathaniel Crail  
**Subject:** STR Public Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

#### **Warning:**

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I am against any new changes to our actual STR

Yvette Laurent-Clavier  
Mahana Properties  
Santa Fe NM,

### **Nathaniel Crail**

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**From:** Yvette Laurent <laurentyvette@yahoo.com>  
**Sent:** Friday, October 21, 2022 12:29 PM  
**To:** Nathaniel Crail  
**Subject:** Public Comment on STRs  
**Attachments:** Short Term RentalYvette Laurent.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

#### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Thank you  
I support Short Term Rentals

Yvette Laurent-Clavier  
Mahana Properties  
Santa Fe NM,

Yvette Laurent

342 Via Brisa

Santa Fe 87507

Hello, my name is \_Yvette Laurent\_\_\_\_\_. Thank you for taking the time to hear from me today. I am speaking in support of short-term rentals in Santa Fe.

I have lived in Santa Fe for 14 \_\_\_ years. I (own/manage) \_own a \_\_\_ short-term rental(s).

I employ a total of \_\_\_2\_ local full-time and part-time contractors to help maintain my short-term rental property(s).

The income earned from my short-term rental property is essential to the economic livelihood of my family. The money that is not used to pay contractors or reinvested in maintenance helps me \_live as I do not have a retirement fund nor social security\_\_\_\_\_ (College fund, medical expenses, supplemental income, etc.)

Santa Fe is highly dependent on tourism and I believe that eliminating a popular family-friendly lodging option is not in our best interest.

Santa Fe needs to be able to offer a scope/range of lodging options for visitors. Many short-term rentals offer a more accessible option for visitors.

## Public Comment 5:

**Nathaniel Crail**

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**From:** Jamey McCabe <jamemcc@gmail.com>  
**Sent:** Friday, October 21, 2022 3:58 PM  
**To:** Nathaniel Crail; Anna C. Hansen  
**Cc:** marymcc190@gmail.com  
**Subject:** Public Comment on STRs

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello Nate Crail and Anna Hansen. Thank you for your public service. We own 3552 Via Brisa and rent it out for about 7 months out of the year in STR definition occupying it ourselves for the rest. We have a second home in Texas for a previous job I had though the Santa Fe home was our first.

The October draft of the proposed STR regulation specifically 8.2.1 will put us out of business. 3552 is a 4 bedroom 3500+ sq foot house in an HOA with individual septic though maintained by the HOA. Our house rents at high seasons to multi generational families typically grandparents, parents and kids. If we reduce occupancy from 8 to 5 people it will not rent to these types and only rent for half the amount. Our house was planned and septic sized for 8 occupants and is not occupied by any people about 1/3 of the time in between rentals or when not rented and just my wife and I and right now one adult kid the rest of the time. Trying to reduce our septic load seems a mistake directed goal.

We propose that the occupancy limit should be 2 per bedroom. If the 8.2.1 is accomplishing a greater good than we are aware perhaps some exception process is needed for existing businesses in situation like ours.

Thanks again for your service.

Jamey and Mary McCabe

**Public Comment 6:**

**Nathaniel Crail**

**From:** Liz <greenlifeeasy@gmail.com>  
**Sent:** Friday, October 21, 2022 5:09 PM  
**To:** Nathaniel Crail  
**Subject:** SF County STR Public Hearing Comments for 10/25/2022

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

**Warning:**

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Santa Fe Board of County Commissioners:

I am sharing the following letter I have sent to Santa Fe and Albuquerque newspapers regarding the approach all of you have been taking with the short term rentals ordinance development. I am deeply concerned with comments made by Commissioner Hansen at the meeting on 10/11/2022. I heard her comments as well as 10 other STR owners in the room.

You have listened on some aspects yet you continue to spread falsehoods regarding the impact STRs have on our community and refuse to contemplate the immediate and long term ramifications of the ordinance as proposed. All based upon your own admissions that you have no data to support your positions.

Have any of your ever stayed in a short term rental?

You exposure our community members to unnecessary suffering with this proposed ordinance. You have heard testimony after testimony, fact based reason after fact based reason, yet you persist. Case law is building against the actions that you are taking. Austin, TX and New Orleans both had recent rulings against their municipalities for trying to limit property and privacy rights such as you are attempting, as well as violating commerce laws. Yet you persist.

The proposed ordinance STILL does not address the tax collection issue. Your failure to understand STR hosting platform tax collection and remittance has cost the county MILLIONS for years. We elected you to perform at an acceptable level. This is not acceptable. Yet your persist.

You don't understand what you are regulating. You've hired Host Compliance to address "compliance issues" - a company whose business model is to sell STR control services to municipalities. This is an absolute conflict of interest. Further they have no way of demonstrating their data is accurate and verifiable. STR hosting platforms DO NOT RELEASE PERSONAL HOST DATA and propriety business information to third parties.

So how are you going to obtain valid data?

There is no loss in standing to stop before you cause more harm. Do you know that your actions are keeping people up at night worrying what you will do a year or two from now to limit their rights further?

The County Attorney has advised you against it. Is litigation necessary in order to stop you? People will lose their homes and livelihoods.

What is wrong with simply registering all STRs and addressing the tax collection and remittance issue now? Afterwards, form an STR committee including STR owners from all districts, owner and non-owner occupied to develop a well constructed, fact based ordinance?

What you are doing is wrong and you know it.

Elizabeth Emmens  
43 B Lavadero Road  
Santa Fe, NM

October 21, 2022

Dear Editor and Fellow Santa Feans:

What the heck is going on with Short Term Rentals (STRs) in Santa Fe County and the Board of County of Commissioners?

SFC CLERK RECORDED 12/13/2022

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Have you watched or attended the recent meetings on short term rental regulation in the county? I have. I heard story after story of county residents from all ethnic and economic backgrounds, from all areas of the county testify about how much Short Term Rentals have saved their lives - literally. From paying for major healthcare needs, saving their homes while unemployed during the pandemic, being able to keep a family home after the loss of a spouse, being able to send their child to college, to young people being able to stay near their families and raise their own families here in Santa Fe County. I gotta tell you, some of those stories had me in tears. The desperation I heard in people's voices. The sense of loss of control over their own lives and prosperity was visceral.

Then I heard what the county commissioners and staff were saying about STRs in Santa Fe County. Their main claim is that STRs take affordable housing from the county and all our resources and therefore must be heavily regulated. Now this may hold true for urban areas, maybe even the City of Santa Fe, but it is not supported by any data for rural communities through-out the country. So why spread this lie? Is it to deflect from the truth? The truth being that the County has failed, just like the City of Santa Fe and the state of New Mexico for that matter, to address and ensure affordable housing exists for those living and working in Santa Fe County, including the City?

Or is it something else. Something ugly. Subconscious or engrained in the fabric of our society? If you've been paying attention to the BCC hearings on County STRs you may have seen it or felt it. Full disclosure: I'm white and "privileged" as a result being born white in a world that discriminates against people of color. I'm a woman. Which means I know discrimination all too well. Mine is no where near as difficult as what women of color experience, but I can empathize to a degree. I have what I have in this life because I had to scrape and claw for it. No one gave me anything. And I have a deep-rooted awareness when I encounter others who have major blocks placed in their paths to making a better life, a more prosperous life, a life of security simply because of who they are. What I heard during the Board of County Commissioners' meeting on October 11th, appalled me. It appalled many of us there. Commissioner Hansen leaned over to Commissioner Hughes amplified by her microphone and said with absolute disgust: "These people make an average of \$30,000 a year! That's a lot of money!"

Now, I'm going to pick apart her statement. Where did she get that number from? An individual's personal earnings are not public information. So that's a stupid thing to state as fact. Or is she stating \$30,000 is a lot of money...to people who are used to making \$15-\$20.00 an hour working two jobs just to house and feed their families? Or that \$30,000 is a lot of money for a single mom to use to help send her kids to college so they have more opportunities in life. Or is she addressing the statement towards "rich people" in the county?

What stopped me in my tracks was the contempt in her voice and the way she said "*these* people". It's no secret that white people make more money in Santa Fe County than people of color or lesser means. White people of Hansen's ethnicity, generation and background have gentrified the City of Santa Fe and parts of the County. So here is a white woman in an elected position of influence making a statement with blatant disgust in her voice..."these people". Does Commissioner Hansen believe all community members she was hired to represent don't deserve every opportunity to make a better life for themselves? Is she prejudice against our hispanic community, our poorer community members and younger residents who benefit greatly from STR income? Or prejudice against those who are not like her? Or people who live in rural communities while she lives in the City of Santa Fe? Or people who are more prosperous than she is? Or all of the above? Look to high-end building going on in the Las Companas area, which is part of her district. Or to her approval of the convention center for the Santa Fe Institute right smack in a residential area. What does Ms. Hansen really value and represent?

Owner and Non-Owner Occupied STRs bring much needed resources to our community without the negatives that urban areas experience. Short term rentals provide Santa Fe County residents with a once in several generations opportunity to raise their quality of life. Outside of government and hospitality jobs, there is little available for the people of Santa Fe County to earn a decent income. Name another, if I'm wrong. Let's not forget to mention what those millions in STR tax dollars, generated annually could do for our county. Perhaps build actual affordable housing? \$13 million of tax revenue was generated by STRs in 2019 alone. That's a lot of homes, not apartments, that could be built. Other communities are doing it. Why not Santa Fe County? Why hasn't Ms. Hansen been focused on that? But making affordable housing a reality would be life changing for our under-employed, disadvantaged or just the average Santa Fe County resident, wouldn't it? Perhaps that's the goal. Keep *those* people in their place.

Elizabeth Emmens  
Santa Fe County resident

## Public Comment 7:

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**From:** John La Farge <penname@cybermesa.com>

**Sent:** Friday, October 21, 2022 6:40:59 PM

**To:** ahansen@santafecountynm.gov <ahansen@santafecountynm.gov>

**Subject:** Short term rentals

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Commissioner Hansen,

Please vote for the ordinance regulating short term rentals and for the one-year moratorium for the county. "STR's" are a bane to any neighborhood, creating, as they do, a hole in the fabric of the neighborhood and limiting the availability of much-needed long term rentals.

Thank you.

Sincerely,

John Pen La Farge

SFC CLERK RECORDED 12/13/2022

## Public Comment 8:

**Nathaniel Crail**

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**From:** Cynthia Carter <cyntafe@gmail.com>  
**Sent:** Saturday, October 22, 2022 11:14 PM  
**To:** Nathaniel Crail  
**Subject:** My comments on proposed STR ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Santa Fe County Commissioners,

My name is Cynthia Carter and I own a STR in the county and have been running my STR business for 5 years now. Many people renting out their homes including myself are not wealthy people. We are trying to make a living and support ourselves, which in turn helps support the tourist economy of Santa Fe. A perception that STR owners are becoming wealthy in this business is not true and for me personally, most of my income has gone back into my property and helped pay my mortgages. I probably wouldn't be running a vacation rental if I were wealthy as it is a lot of work, responsibility and stress at times when repairs need to be made quickly, as I strive to make my guests happy. However my survival here in Santa Fe depends on the income I have earned over the years and I have also employed numerous contractors over the years in the maintenance of my rental.

Please consider my comments regarding the proposed STR ordinance:

- I feel it is a more equitable approach that the public be given **HARD DATA** on the negative impacts of vacation rentals in the county **before** implementing any kind of moratorium on STRs. Implementing a moratorium prohibiting the purchase of a home for use as any type of rental makes the cost impossible for most middle class individuals, and will favor only those wealthy enough to buy homes outright. This prevents people from purchasing a home here who may choose or need to live elsewhere part time. Please consider doing the research first, then establish restrictions.
- I disagree with the label and restrictions associated with “non owner occupied STRs”. I believe controls need to be put into place to keep corporations or out of state individuals from buying up a large number of homes in our city/county and turning them into STRs. This is where the focus should be, not New Mexicans who own homes in town who are renting them out. Please consider removing the restrictions for “non-owner occupied STRs”, and instead consider labeling restrictions for “out of state or corporate owned STRs”. People who live here part time or full time who want to invest in and create a business in order to survive here are not the ones who will make a negative impact on long term housing.
- We live in a tourist town with many art markets and draw guests from all over who support our local economy who much prefer to stay in a home rather than a hotel. I am guessing

most of us feel the same when we go on vacation. Do we really want to limit the options for families coming to our city?

Here are two actual scenarios I ask you to consider for those “non-owner occupied STRs”:

- I’ve known some New Mexicans who are forced to temporarily live out of state for a period of time to help aging parents, but plan to come back home and rented out their home to support themselves while they were away.
- Others purchased a home here because of low interest rates at the time, but were living elsewhere until they could retire and had to rent out the home until they could move here.

Questions regarding the various considerations:

- **Regarding 1.1:** I wonder how this is an issue in the county. Most properties are on larger parcels of land, and all the patrons in the 5 years I’ve been renting have had no issues with trash, traffic, noise, parking etc, and seems to be a concern in more densely populated areas.
- **Regarding 1.3:** I feel that water and septic use is not an issue. People on vacation do not stay at the home and do excessive laundry, they are out enjoying Santa Fe. Since they are typically gone for the day, toilets are not being run, and many meals are enjoyed outside of the home. In my experience homes with families use much more water than guests.
- **Regarding 1.8:** Instead of generating revenue for use in regulating the rentals, why not put taxes collected and license fees to good constructive use such as providing long term affordable housing with the funds collected.
- **Regarding 1.9:** Renting a place out part time can help create affordable housing for those who must also live elsewhere part of the year and cannot afford Santa Fe housing prices.
- **Regarding 6.3:** I feel this is similar to asking all people who work out of home to inform their neighbors of their business which is obviously not a reasonable request. I’ve never had any issues with guests disturbing neighbors in five years. Homes containing families are at the same level of risk for the concerns outlined and neighbors know to call the authorities or the owner if there are problems regardless. I have nothing to hide from my neighbors, they know I am running a rental and have been supportive. I imagine there are some STR owners who may have neighbors who could possibly sabotage their business if they don’t like the idea which could cause financial ruin for them. Please consider this request carefully and whether it is necessary and the potential cost of their livelihood. As you probably imagine, many people do not take kindly to STR owners.

SFC CLERK RECORDED 12/13/2022

If ordinance is passed, would everyone be required to resubmit letters to neighbors and generate all new paperwork or would they submit original application for renewal?

Thank you for your time and consideration.

Warmest regards,

Cynthia Carter

~~~~~  
cynthia carter  
phone 505.670.5838  
1000 Cordova Place #424 | Santa Fe, NM 87505

## Public Comment 9:

**Nathaniel Crail**

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**From:** jamey ice <jameyice@gmail.com>  
**Sent:** Sunday, October 23, 2022 8:29 AM  
**Subject:** Proposed STR Ordinance - Additional Perspective for you consideration - Public Comment  
**Attachments:** STR Public Comment - 10\_25 Meeting (3).pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

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Commissioners-

Thank you for all that you do for Santa Fe County. I know your job is not easy. I am thankful for your leadership and commitment to serve the community and citizens of the county.

I am submitting the attached letter in the hopes that you would consider amending the proposed ordinance on STR's. My hope is that my letter would provide some additional perspective, specifically from the point of view of someone with a Non-Owner Occupied.

Non-Owner Occupied home owners make up 16% of the home owning population in the city. The current proposed ordinance is both punitive in tone and nature and discriminatory towards a large demographic. This has a profound impact on my family, other families like mine, and future families who would desire to have a 2nd home in your wonderful county. My hope is to simply share a point of view that I do not believe is currently being considered.

I humbly request that you read the attached letter, submit it for public comment, and consider amending the ordinance. The decisions made on 10/25 will have huge ramifications and impact hundreds of lives. Please take the time to consider all perspectives and do not rush into hasty decisions.

If you could confirm receipt and that the letter has been read, I would be incredibly grateful.

For your consideration.

Jamey Ice  
817.239.1896

### ***Ventures:***

*6th Ave Homes* || *6th Ave Storytelling* || *Green River Ordinance*  
*The NET* || *Casa De Ice* || *BREWED* || *Stories with Soul Podcast*

SFC CLERK RECORDED 12/13/2022

Dear Commissioners-

I am writing to formally petition you to reconsider and amend the proposed ordinance on Short Term Rentals.

I own a property in the Sunlit Hills of Santa Fe County and would like to formally submit my opposition to the proposed ordinance on Short Term Rentals. The ordinance would unduly punish and hurt property owners, hinder tourism, stifle home ownership sustainability and viability, and have a detrimental economic impact to the citizens of the county. Our family, employees, and our guests contribute much to the economy of Santa Fe County and this ordinance would make owning our home difficult and burdensome.

At any given time, my property financially supports (as independent contractors) 5-7 local Santa Fe natives. Their livelihoods are made by managing the property, cleaning it, landscaping, maintenance, and construction.

I fall under the category of "Non-Owner Occupied". My permanent residence is in TX and I purchased my home as a vacation home for my family.

That said, my family has lived in and or owned property in Santa Fe for the past 30 years. My grandparents moved to Santa Fe in the 1980's and lived there until my grandfather died in 2016. A deep love for the Santa Fe people and culture has been a part of my life for as long as I can remember. Because of that history, it has long been a dream of mine to own a property in Santa Fe, so that I could share my experiences with my children. My hope is that they would love the city as much as I have.

In 2021, after years and years of saving, my brother, father, and I all pitched in our life savings to buy a home for our family. Since then we have spent our summers in Santa Fe and travel here collectively and with our individual families multiple times per year. On average, someone from our family is in the house at least once per month.

The only way we are able to maintain, own, and sustain the house is because we rent it out on Airbnb when we are not using it. If that usage was no longer permitted, we would no longer be able to afford the home and it would no longer be viable for our families. We would also no longer be able to one day pass it on to our children. If a moratorium existed like the one you proposed, we would have been crushed financially.

According to the latest data, 16% of all homeowners in Santa Fe are 2nd home owners and live out of state. How many people like myself (who love the city and have invested their savings to buy a home) will not be able to sustain it without the ability to produce short term rental income?

The proposed ordinance is punitive in tone and nature towards Non-Owner Occupied property owners. The assumption appears to be that we are greedy and are shipping money across the state. I can assure you, that is not true. In our case, 100% of the proceeds are put back into the

Santa Fe economy. 100% (yes, 100%) of the money generated is used to pay our team, sustain and maintain the property, travel to the city, and then spend anything left in the local economy when we visit (restaurants, museums, retail, nightlife).

In short, it has allowed me to finally realize the lifelong dream of sharing Santa Fe with my children.

The ordinance is discriminatory. It treats my home ownership interests as less valid and less valuable than others. The economic impact to a massive group of homeowners (16% of all homeowners are 2nd home owners and live out of state) is huge and detrimental.

To discriminate between owner-occupied and non-owner occupied with different requirements is not only unfair, it also violates the U.S. Constitution's prohibition on discriminating against interstate commerce.

Just recently on August 22, 2022, the Fifth Circuit U.S. Court of Appeals in New Orleans held that a city cannot ban or discriminate in policy against non-resident owners from renting out their homes for short terms. See *Hignell-Stark v. City of New Orleans*, 46 F.4th 317 (5th Cir. 2022). Why? Because this is a plain violation of the Commerce Clause of the U.S. Constitution. So the Fifth Circuit ruled the New Orleans ordinance void. If STR's are allowed, the court concluded, a city must not discriminate between the two.

I request that the following immediate action be taken :

1. Table the ordinance until January when new commissioners are in office.
  - a. There is no need to rush this and citizens should be able to vote and contribute as to who is making this decision.
2. Set up a separate committee with community stakeholders from the three main sections of the County.
3. Require the ordinance be re-drafted based upon verifiable independent data
4. Require community transparency and feedback throughout the re-drafting process
5. Require the County fix the tax collection remittance issue with the City and send directives to Host Platforms such as Airbnb, VRBO requiring they separate county host tax payments from the city, and provide documentation of payment to the STR owner.
6. Remove the moratorium on Non-Owner Occupied Properties
7. Remove any discriminatory language and regulation that discriminates against Non-Owner Occupied properties. My home ownership interests are not any less valid or valuable than any one else's.
8. Remove any requirement to disclose private personal information to neighbors,
9. Revisit the occupancy requirements to account for square footage, bedrooms, and acreage. Most of the homes in the county are in rural settings and should not be limited in occupancy as high density areas would.
10. If there is an age difference in the occupancy, this needs to be increased from 5 to 17.

In addition to the above requests, I would like to speak in opposition to the ordinance's "Findings".

*1.3 - Excessive occupancy in STRs poses the risk of unduly straining scarce water resources and negatively impacting the environment by overburdening septic systems.*

This is historically and factually not true.

Most STR properties are by nature and definition not fully occupied. At best a property is occupied 50-65% of the time, thereby using 50-35% *less* water than a long term rental. Additionally most guests are tourists and are consuming their meals off premises (investing in local restaurant economy) and using less water than someone who is at home. Even though I have a large property, my water usage is far less than my neighbors.

*1.7 - Public testimony at hearings on the proposed STR Ordinance stated that housing in certain areas of the County have been turned into Non-Owner Occupied STRs, thereby negatively impacting affordable housing and long-term rental opportunities within the County.*

This is a Post Hoc Fallacy. Housing prices rose in 2020, 2021, and 2022, but this had absolutely nothing to do with STR's.

According to the White House's Website, housing prices rose across *the entire United States* by 18.6% in the past year and the cause had *nothing to do with Short Term Rentals*. If you would like an in depth understanding of what actually causes and caused soaring real estate prices in the city of Santa Fe and *everywhere in the US*, please read the article here, or do a quick google search on "why housing prices rose in the US". STR's are nowhere on the list. There have been far bigger economic levers (low interest rates, high building costs, etc) at play.

To place blame on Short Term Rentals for price increase is unfounded and fallacious. Further, the city of Santa Fe City instituted their short term rental ordinance in December of 2020, but housing prices still rose 13.3% within the city in the past year. Why? Because the ordinance has no impact on overall housing prices.

Additionally, if you want affordable housing, you need to work with developers *to create affordable housing*. Stopping one thing, does not cause or create another.

A million dollar home will never become "affordable housing". In turn, a million dollar neighborhood will never become a place with affordable housing.

To assume that parts of Tesuque, Old Santa Fe Trail, or even Las Campanas will magically have "affordable housing" because of a Moratorium or regulation on Non-Owner Occupied house owners is ludicrous. Affordable housing is an important endeavor, but this ordinance will have zero effect on it. Affordable housing *must be created*. It will not magically appear by removing

STR's. If affordable housing is truly the end and goal, I challenge you to create a master plan that incentivizes developers to create it.

*1.10 - The imposition of a moratorium on the submission, acceptance, processing, and approval of applications for Business Licenses for Non-Owner Occupied STRs in Dwellings or on property acquired after the effective date of this Ordinance will avoid growth impact and temporarily stabilize local housing while.*

For the same reasons as mentioned above, this will have literally no impact on the price of homes, the access to homes, or the affordability of homes. All this does is punish second home owners, hurt the economy, hinder tourism, and discriminate.

Finally I would like to state that this ordinance is impeding SF County residents from having (for the first time ever) unparalleled access to self determining income. Other than hospitality and government jobs, SF County has very little employment income opportunities for the people who live there full time. To remove this access is by nature class discrimination. Many people will have to continue to move out of Santa Fe County in order to make a basic living. My ability to own and rent out my property as a non-owner occupied STR does far more economic good to the county than this proposed ordinance ever could.

As someone who takes great care of my property, has strict *reasonable* occupancy limits, does not allow parties, holds fast to quiet hours (I use noise monitors and video cameras for accountability), has a property manager who lives nearby and is available 24/7, keeps a safe environment, loves Santa Fe County greatly, employs residents, pays taxes, reinvests in the local economy, I can not support the ordinance as is.

Please consider amending or rejecting this ordinance.

-Jamey Ice

SFC CLERK RECORDED 12/13/2022

**Public Comment 9: (in support of letter)**

**Nathaniel Crail**

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**From:** Marie Ice <marie.h.ice@gmail.com>  
**Sent:** Sunday, October 23, 2022 7:49 PM  
**To:** Marie Ice  
**Cc:** Anna T. Hamilton; Tina Salazar; Laura K. Jagles; Anna C. Hansen; Ambra Baca; Henry P. Roybal; Rudy Garcia; Brittney Montoya; Olivia R. Romo; Hank Hughes; Nathaniel Crail  
**Subject:** Re: Proposed STR Ordinance - Additional Perspective for you consideration - Public Comment  
**Attachments:** STR Public Comment - 10\_25 Meeting (3).pdf; ATT00001.htm  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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I sent it with a nice preface  
Sent from my iPhone.

On Oct 23, 2022, at 8:48 PM, Marie Ice <marie.h.ice@gmail.com> wrote:

Please take the time to read my son's attached letter. He is much more eloquent than me. We have been coming to Santa Fe since the early 1980's. I love that my children also have a love for New Mexico and Santa Fe and we are teaching our grandchildren about the beauty of your state too.

**Public Comment 9: (same letter)**

**Nathaniel Crail**

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**From:** rgeoffice@gmail.com  
**Sent:** Sunday, October 23, 2022 7:57 PM  
**To:** Anna T. Hamilton; Tina Salazar; Laura K. Jagles; Anna C. Hansen; Ambra Baca; Henry P. Roybal; Rudy Garcia; Brittney Montoya; Olivia R. Romo; Hank Hughes; Nathaniel Crail  
**Subject:** Proposed STR Ordinance - Additional Perspective for your consideration - Public Comment  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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## Public Comment 10:

### **Nathaniel Crail**

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**From:** Laura Maechtlen <maechtlen@gmail.com>  
**Sent:** Sunday, October 23, 2022 4:55 PM  
**To:** Nathaniel Crail  
**Cc:** morose34@gmail.com  
**Subject:** STR ordinance - comments from home owners

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hello -

We are writing to provide comment to the short term rental ordinance.

We are new home owners in Santa Fe County, but I am a native New Mexican who grew up in Albuquerque. We recently purchased our home at 9 Camino del Alba as a second home because it is closer to family for us. Living full time in Santa Fe is a long term goal - we hope to retire in the same home, but due to professional obligations, we cannot yet be there full time.

We also bought the property in the County (not within the City of Santa Fe) specifically because it would allow for shorter term rentals when the City of Santa Fe did not so allow. The ability to rent when we are not using the home is something we needed to do in order to purchase a home in the area - financially, we could not otherwise afford it. We purchased the home to be close to family (elderly parents, and a sibling with a disability). We would not have purchased the house if we could not have rented it for part of the time, and as a short term rental.

Our ability to use the home as a short term rental is important because we want to spend a lot of time at the property, but work obligations sometimes do not allow us to be full time (and would likely dictate less than the 275 days per year). We also need and want the flexibility to come and use the house more frequently than waiting a month or more for renters to vacate it, due to care for elderly, disabled or ill family members. The flexibility is something we specifically need for family care. This new ordinance would impede our flexibility and reduce our ability to offset the cost - this may lead us to have to sell the property. The income is important to our economic livelihood, and to help with the family care for my parents and brother.

Unfortunately, our jobs don't offer full time remote work, nor is there industry in Santa Fe to allow us to transition to a new job in Santa Fe to use the house full time. So, we opted for the best option - a second home that a we can invest in, and slowly transition to as we move toward retirement.

We have already invested a lot in the home. We bought it from an owner who used it as a second property, and it was clear that he did not use it frequently. There was a lot of deferred maintenance and the house was in some disrepair — the neighbors have already commented that it was “unfortunate” that the property was not kept up by the prior owner. We have employed local house cleaners, a contractor, painters, plumbers, a local garden company, hot tub maintenance company. We have spent money at local furniture and art stores to furnish the home. We have already poured a significant amount of money into the local economy to do necessary repairs (a six figure investment), as well as in many

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small businesses. On an ongoing basis, we would use regular services from the gardening/landscaping company, cleaners and property manager, among other professionals.

Having grown up in NM, I know that Santa Fe is highly dependent on tourism. Tourism benefits from various lodging options that are both affordable and accessible. We hope to provide housing that is affordable for larger groups, and allows families and pets. Eliminating a popular family-friendly lodging option is not in our collective best interest. We also offer an option that allows for certain traveler accommodations, from easy parking, accessibility for disabled guests, and choice over how guests spend time, eat/cook, without extra costs often imposed by hotels, resorts, etc. Santa Fe needs to be able to offer a scope/range of lodging options for visitors. Many short-term rentals offer a more accessible option for visitors, especially for families and groups that require more space, number of beds, parking etc. To house a family of 6-8 in a hotel is a significant cost in lodging/food, and often impossible for many families without a STR option.

We ask that the County rescind the revised ordinance recently issued and go back to earlier versions. Or, that the county consider adopting aspects of the proposed ordinance in steps - the recent addition putting a moratorium on all non-owner occupied short term rentals is harmful economically to owners who are already investing in the community and consider it to be a home, even if they don't live there 275 days a year. Thus, you could adopt other aspects of the ordinance to see first whether those help you manage the issues the ordinance is intended to address. Finally, you could allow short term rentals but with more strict oversight - certainly, we plan to put strict limits on the use of our property when we are not there, including reducing noise, banning all parties, etc. This is our home too, and we don't want any negative consequence to the community or neighborhood by allowing short term rentals.

We simply request the ability to make it economically viable to allow us to be members of the community.

Thank you for your consideration.

## Nathaniel Crail

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**From:** Laura Maechtlen <maechtlen@gmail.com>  
**Sent:** Sunday, October 23, 2022 5:04 PM  
**To:** Nathaniel Crail  
**Cc:** morose34@gmail.com  
**Subject:** Re: STR ordinance - comments from home owners

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WARNING:

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I forgot to include an important point. Santa Fe is one of the most expensive communities in NM to buy a home. And, the economy doesn't offer many options for professionals like us, outside of state government, retail, hospitality and a few other industries. An inability for home owners to supplement income using a short term rental is very difficult given the economy and price of housing. This ordinance would allow only the top 1% of people in our economy to buy homes of a certain size, because they have the cash flow to afford a house, not live in it full time, and not use renters to offset the cost. This means that Santa Fe would become more exclusive, and more focused on wealthy residents alone — those are the only people who could afford to buy second homes without rental income. I am certain Santa Fe does not want a result where only the most wealthy benefit from this ordinance.

## Public Comment 11:

Dear Mr. Crail,

Having recently received a draft copy of Ordinance No.2022 regarding short-term rentals I would like to register a few comments.

My wife and I have run an AirBnB out of our house for several years and we have a 5 star rating on their website. We decided to do the rental to stabilize our income. As workers in the arts where jobs can come and go at irregular intervals we found it necessary to pursue other job opportunities but nothing has really replaced the steady flow of tourists who have come here to visit the Santa Fe area.

If we were to lose that income we would probably have to consider leaving the state. The rental income is that essential for us.

Our space was added by a previous owner to accommodate various parts of his family, and we have found the layout works very well for us. The space is attached to the house which makes it very easy for cleaning and maintenance and we also like to interact with our various guests who enjoy the personal touch with information about the area, shopping, sight seeing etc.

If the visitors have kids, they enjoy the spacious patio and yard where they can run around and explore. Something not really possible in the parking lot of a Motel 6.

We tend to see ourselves as ambassadors for the Santa Fe area. We have had guests from Paris and Limoges France, London England, Montreal Canada, Tokyo Japan, Taiwan, Mexico, as well as from all over the US.

We have many repeat customers and many have become friends. Some have enjoyed their visit to the area so much that they have considered moving here.

What I found disturbing in the very first page of the ordinance document is the negative tone, suggesting that Short Term Rentals create undue noise traffic congestion and trash. We have never had such problems with our renters. We have all read stories in the media about problems with renters but it seems to me from our position having rented to literally hundreds of guests, that it is mostly the media looking for a story.

There are many issues in the Ordinance document that point out problems that really can't be addressed with the licensing of Short Term rentals. Our renters are indeed short term. The norm is between 2-5 days. We are just not set up for long-term rentals and we tell our guests that. So what we are doing has no effect on the long-term rental market.

Finally I would just mention the issue of tax remittance. When we first set up the rental we had to remit the taxes for GRT on a personal basis. Very time consuming and onerous. Eventually AirBnB set up an automatic remittance system within the bookings . That is definitely the way to go.

Thanks for your time,

William Pura

William and Talia Pura  
3A Blue Raven Road Santa FE, NM 87508

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## **Public Comment 12:**

**From:** Rachel Preston [mailto:intentiondesign@gmail.com]

**Sent:** Monday, October 24, 2022 9:58 AM

**To:** Henry P. Roybal <hproybal@santafecountynm.gov>; Anna C. Hansen <ahansen@santafecountynm.gov>; Rudy Garcia <RGarcia@santafecountynm.gov>; Anna T. Hamilton <athamilton@santafecountynm.gov>; Hank Hughes <hhughes@santafecountynm.gov>; Penny Ellis-Green <pengreen@santafecountynm.gov>; Ambra Baca <aabaca@santafecountynm.gov>; Laura K. Jagles <ljagles@santafecountynm.gov>; Brittney Montoya <blovato@santafecountynm.gov>; Tina Salazar <tsalazar@santafecountynm.gov>; Olivia R. Romo <orromo@santafecountynm.gov>

**Subject:**

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Commissioner Roybal, County Commissioners, and Staff,

I support the proposed ordinance regulating Short Term Rentals in Santa Fe County, and the 1-year moratorium on new ones until the County can realize that STRs impose impossible odds on those of us without oodles of money who ALREADY live and work here and are being forced out every day. Please vote in favor of the ordinance as written. Please add my comments to the public record.

Sincerely,

Rachel Preston Prinz, District 1  
**Director, The Ministry of Architecture**

Architectural Historian. Writer. Curator. Filmmaker. Photographer. Speaker / Coach. Creative.  
[www.theministryofarchitecture.com](http://www.theministryofarchitecture.com) | FB / IG / Pin / Etsy : @archiministry | 505-204-8177

## Public Comment 13:

**Nathaniel Crail**

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**From:** Jon Tucker <jtucker@tuckerime.com>  
**Sent:** Monday, October 24, 2022 10:59 AM  
**To:** Nathaniel Crail  
**Cc:** Richard Woodruff  
**Subject:** Comments to proposed STR Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

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Mr. Crail:

I previously commented upon the prior proposed ordinance. I have reviewed the most recent draft.

I own two single family homes that have been staged, professionally managed by Adobe Casitas Villas, and offered as STR's for the past six years. One is within the city limits and subject to their permitting process, and the other would be subject to the proposed county ordinance.

Here is my comment:

" I applaud the County commissioner's attention and efforts to organize and regulate the STR marketplace. In reviewing the efforts to do so, I see a fundamental problem in the addressing of the issues (affordable housing; tax and tourism revenue; water usage; nuisance from renters) by differentiating owner occupied from non-owner occupied properties.

While I could give innumerable examples of unintended consequences, suffice it to say that there are kaleidoscopic ramifications by doing so, none of which would appear to be good public policy nor pave the way toward reaching the stated objectives. I think the big one, affordable housing, is only addressable by limiting the number of STR's that have real estate market values that fall into the affordable housing market range. This would best be done the way hotels do it, by setting a threshold of market value (or assessed value) per bedroom (\$50,000 for example), and properties that fall under the threshold be regulated by quota that follows good public policy, with historically current STR properties grandfathered. This would appear easy to manage, inasmuch as property tax records have all that information. **New Mexico state residents should be exempt from this requirement.** The threshold could be updated periodically.

Higher priced properties contribute mightily to tourism, tax revenue, and have no impact upon affordable housing. They are also much more likely to be professionally managed and do not cause any harm or nuisance to surrounding properties. The owners just have too much invested in the property to do so."

Jon B. Tucker, M.D.

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Chief Medical Officer/Interim CEO

## MedicoLegal, Inc.

Mailing address:

**128 Beechwood LN  
Pittsburgh, PA 15206**

Phone: 412-276-6241

Cell: 412-310-6177

Fax: 412-265-6530

[www.medicolegalgroup.com](http://www.medicolegalgroup.com)

[jtucker@medicolegalgroup.com](mailto:jtucker@medicolegalgroup.com)

<http://www.medicolegalgroup.com>

Personal email: [jbtuckermd@comcast.net](mailto:jbtuckermd@comcast.net)

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## Public Comment 14:

**Nathaniel Crail**

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**From:** Richard A Woodruff <richardwoodruff@yahoo.com>  
**Sent:** Saturday, October 22, 2022 9:36 AM  
**To:** Nathaniel Crail  
**Subject:** Re: Public Comment on STRs for the Meeting of October 25th 2022  
**Attachments:** Comments & Suggestions on STR Ordinance.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

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Dear Nate,

I have completed my review of Exhibit 1 (Draft #3) of the Santa Fe County STR ordinance (attached).

I would appreciate you submitting my comments (attached) to the appropriate parties before the meeting of October 25<sup>th</sup>, 2022. I have attended two meetings so far and I also plan to attend this coming meeting, unfortunately due to scheduling, by Webex.

I would appreciate you acknowledging receipt of my comments and thanks for all your assistance. I really don't envy your position.

Best2u,  
Richard

**From:** Richard A Woodruff <richardwoodruff@yahoo.com>  
**Date:** Friday, October 21, 2022 at 16:20  
**To:** Nate Crail <ncrail@santafecountynm.gov>  
**Cc:** Santa Fe STRA <sfstra@rentresponsibly.org>, Jon Tucker <jtucker@tuckerime.com>, <hproybal@santafecountynm.gov>, <ahansen@santafecountynm.gov>, <rgarcia@santafecountynm.gov>, <athamilton@santafecountynm.gov>, <hhughes@santafecountynm.gov>  
**Subject:** Re: Public Comment on STRs for the Meeting of October 25th 2022

Hi Nate,

Thanks so much, it must have been my error. The last ordinance that I received was the one I attached. Thank you for sending me the new one. I'll will review it but on a cursory look – it is even more onerous on a property owner.

### **Point in the new ordinance (not in the prior drafts): An Example:**

3.8 "Primary Residence" means the Dwelling in which the Owner resides for a cumulative minimum 275 days during a 12-month period. Primary residence is demonstrated by showing that, as of the application date for registration of the Dwelling as a Short-term Rental, the Owner has resided in the Dwelling for 275 days during the past 12 months, or that the Owner intends to reside in the Dwelling for 275 days of the next 12 months.

**The above will cause significant problems to many property owners.** What does an owner do when he lives on the property and **rents a separate dwelling** on the property as a short-term rental? Or, if the owner lives in the home and rents a portion of the home as a short-term rental? Is the owner considered a resident or not? The number of 275 days appears random – why that number of days? In many cases, a resident may leave for a period of time (e.g., 6 months) to a winter destination and then live in the home for the other 6 months. Go to Florida, for example. **This really must be clarified in the ordinance.** I manage properties where the owners either have summer/winter home or leaves Santa Fe for work assignments and appreciates earning revenue while they are gone (e.g. nurse practitioner working on a contract basis).

Regarding taxes, it would be best for the County to implement the same process as the City of Santa Fe and NM State. The taxes are automatically collected by the listing sites (Airbnb, VRBO) and remitted directly to the respective tax departments. As the process is working fine, it would be best for the County to consider implementing the same method. Therefore, not putting a burden on the property owner to collect the taxes directly and then remit them through a separate reporting process to the County.

Thanks Nate and I appreciate you including the above comments.

All the best,  
Richard

**Adobe Casitas Vacation Rentals, Inc.**  
**Real Estate Qualifying Broker**  
**License #19824**  
**+1 505-397-1119**  
**[www.adobecasitas.com](http://www.adobecasitas.com)**

## Comments & Suggestions on STR Ordinance

**3.8** “Primary Residence” means the **Dwelling** in which the Owner resides for a cumulative minimum 275 days during a 12-month period. Primary residence is demonstrated by showing that, as of the application date for registration of the **Dwelling** as a Short-term Rental, the Owner has resided in the **Dwelling** for 275 days during the past 12 months, or that the Owner intends to reside in the **Dwelling** for 275 days of the next 12 months.

Comment: The primary residence of an individual is generally determined by the tax code whether it be Federal or State. It also permits where you are voting, it’s the address on all forms of identification (e.g., passport, drivers license). Why are we developing a ‘NEW’ definition of a primary residence in an STR ordinance?

Also, some owners will rent their home as an STR and with the income take the opportunity to travel and perhaps rent elsewhere. Additionally, some owners may travel for work while renting their home as an STR (e.g., contract workers). **This point (3.8) should be removed, and we should accept the Federal and State governments’ definition of a primary residence.**

**One further point: There are many NM residents that own more than one property in the State or in Santa Fe County. The ordinance is going to be a major penalty to those NM residents owning more than one property.**

**5.2.4** The Owner of a STR receiving a Business Registration shall provide notice by first class mail to the owners of all adjacent properties. The notice shall be mailed no later than fifteen (15) days after approval of the Business Registration and the Applicant shall provide an affidavit of mailing.

Why is email not considered appropriate? With 1<sup>st</sup> class mail, there is no proof of receipt. Additionally, some neighbors may be PO Boxes, out of state property owners, etc. This seems an unnecessary burden to the Owner of the STR without accomplishing anything that email does not.

**5.3.1** The application and submittal requirements for a Business Registration for an Owner-Occupied STR shall be developed by the **Land Use Administrator** and shall include, at a minimum, the following:

**5.3.1.1** An affidavit or other proof that the STR is Owner-Occupied.

If the STR is the property owner’s primary residence as considered by the Federal and State governments, that should be enough proof. (e.g. driver’s license).

**6.2.3** The Owner of a STR receiving a Business License shall provide notice by first class mail to the owners of all adjacent properties. The notice shall be mailed no later than 15 days after approval of the Business License and the **Applicant** shall provide an affidavit of mailing.

Why is email not considered appropriate? With 1<sup>st</sup> class mail, there is no proof of receipt. Additionally, some neighbors may be PO Boxes, out of state property owners, etc. This seems an unnecessary burden to the Owner of the STR without accomplishing anything that email does not.

**6.3.1** The application and submittal requirements for a Business License for a Non-Owner-Occupied STR shall be developed by the **Land Use Administrator** and shall include, at a minimum, the following:

**6.3.1.1** A description of how the STR was used prior to being converted to an STR (e.g., owner-occupied housing, long-term rental, second home) and how it is utilized when not available for short-term rental; and

What is the relevancy of this?

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**6.3.1.2** The name and contact information of the **Homeowner's Association** (if any) governing the STR or condominium association of which the STR is a part. The **Applicant** shall mail a letter, first class mail, to the applicable **Homeowner's Association** and provide an affidavit of mailing with the application.

As stated in previous comments, why is email not also a means of communication.

**6.3.1.3** If the property on which the STR is located is subject to Santa Fe County imposed water restrictions and water use is required to be metered, the applicant for a Business License for a Non-Owner-Occupied STR must submit current water meter readings upon initial application and for each renewal.

A significant portion of homes are on shared-well agreements where water is not metered by the individual homeowners on the shared well. This will create an undue burden to install a water meter when there are no statistics demonstrating that an STR uses more water than normal owner-occupied residential use. Also, STRs are not continuously occupied dwellings, and the home will thus sit unoccupied for a large portion of the year with subsequently no water use.

**7.1** STRs shall comply with all applicable requirements in other Santa Fe County ordinances, including, but not limited to, the **SLDC**, the Santa Fe County Fire Code (Ordinance No. 2018-8); the Anti-Litter Ordinance (Ordinance No. 1993-11); the Santa Fe County Noise Control and Public Nuisance Ordinance (Ordinance No. 2009-11), and the Junked and Hazardous Vehicle Ordinance (Ordinance No. 1993-6).

This is true for any residence and any resident. Why is it necessary to state it in an STR ordinance?

#### **7.5 Water**

**7.5.1** A STR must comply with all Santa Fe County water restrictions (if any) applicable to the property on which the STR is located, the applicability of which may depend upon the source of water for the property (e.g., domestic wells versus adjudicated water rights).

This is true for any residence and any resident. Why is it necessary to state it in an STR ordinance?

#### **7.7 Solid Waste**

**7.7.1** Each STR shall comply with the applicable sections of the Solid Waste and Recycling Management Ordinance (Ordinance No. 2014-10) concerning the storage and disposal of solid waste, as well as the **Development Permit** or other approval applicable to the property. At a minimum all STRs shall store all solid waste within a structure or in enclosed containers and shall remove all solid waste on a regular basis, at least monthly.

This is true for any residence and any resident. Why is it necessary to state it in an STR ordinance?

### **Richard Woodruff (Santa Fe County Resident)**

**Adobe Casitas Vacation Rentals, Inc.**  
**Real Estate Qualifying Broker**  
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## Public Comment 15:

### **Nathaniel Crail**

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**From:** Carey Carnahan <carey.carnahan@vacasa.com>  
**Sent:** Monday, October 24, 2022 11:47 AM  
**To:** Nathaniel Crail  
**Subject:** Santa Fe Short-Term Rentals

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

#### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

- Hello, my name is Carey Carnahan. Thank you for taking the time to hear from me today. I am speaking in support of short-term rentals in Santa Fe.
- My Mother has lived in Santa Fe for over 20 years and it's been my second home for several years. I now work full-time for Vacasa, and my company employs over twenty local full-time and part-time contractors to help maintain our short-term rental homes. We do our best to be good neighbor stewards, screen the guests in advance, and even have decibel noise monitors in our homes.
- The income earned from my business is essential to the economic livelihood of my family.
- Santa Fe is highly dependent on tourism and I believe that eliminating a popular family-friendly lodging option is not in our best interest. We are a poor state and rely on lodging and sales tax which my company collects and remits on behalf of our homeowners. We do everything above board and follow all of the legislation.
- Santa Fe needs to be able to offer a scope/range of lodging options for visitors. Many short-term rentals offer a more accessible option for visitors with families traveling with children. It allows them to safely stay under one roof.

--

[Schedule a Meeting with Me](#)



**Carey Carnahan | Sales Executive**

c: 505.317.3969

o: 575.339.6351

[vacasa.com](http://vacasa.com)

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## Public Comment 16:

**Nathaniel Crail**

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**From:** snowfver@aol.com  
**Sent:** Monday, October 24, 2022 3:46 PM  
**To:** Nathaniel Crail  
**Subject:** STR Public Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Santa Fe Board of Commissioners,

Hello, my name is Catharine Ferguson. My husband and I are 2018 Camp Fire survivors from Paradise, Ca. We lost everything, including our home and two long term income producing properties. Rio Rancho is our new home and after doing much research, we replaced one of the lost rentals with a house in Eldorado. We decided to rent short term and put my college degree in tourism to work. A L.L.C. was started and Casierra Vacations was born. We renovated the property, investing over 100K, and then COVID hit. The newly remodeled home sat till New Mexico opened back up and could be listed on a short term rental platform.

I employ four local workers to help maintain the property. The income earned is the only source of income we have at the moment as we are still waiting on compensation from the class action lawsuit with PG&E who caused the fire. The other income property that burned has not been replaced due to an ongoing lawsuit with an crooked insurance company and a corrupt lawyer.

My guests as well as other STR guests, frequent Santa Fe shops, restaurants and increase revenue for commercial recreation businesses. Most of my guests in the winter come to ski Santa Fe. Many STR guests are looking for privacy and room to breath, something a hotel cannot provide. A rental with the host on site is not what most guests are looking for and your regulations regarding non-owner occupied STR's is hurting the host as well as the guest who doesn't want the property owner watching every move they make. Eliminating and/or restricting the popular, family friendly STR's in not in the best interest of Santa Fe tourism.

Thank you for taking the time to hear my story tonight and I hope you take all of my fellow hosts comments and suggestions to heart and make the right decision to not regulate county STR's.

Kindly,

Catharine Ferguson

## Public Comment 17:

**Nathaniel Crail**

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**From:** Greg <nam87501@aol.com>  
**Sent:** Monday, October 24, 2022 4:09 PM  
**To:** Nathaniel Crail  
**Subject:** statement for tomorrow's meeting

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Nate,

Below is the statement I would like to be submitted at tomorrow's meeting.

Thanks,  
Greg

There are any number of short-term rentals going on in Sunlit Hills. Casitas or spare bedrooms are rented out to couples and in some cases perhaps one or two guests more than that. The point is, it's a small number of people that are renting these properties and because of that, they are barely noticeable to other homeowners in the neighborhood. For the most part, these owners are living on the property while renting their casitas or spare rooms. They obviously don't want renters to become loud and disturb their peace and quiet. This naturally helps in keeping any noise level problems from getting out of hand.

However, what has transpired in the property next to me is a completely different situation. A couple of years ago the property adjacent to me, (84 Sunlit Drive West) was sold to a partnership out of Fort Worth Texas. A year ago last summer, they began extensive renovations on the property taking several months to complete. They completely gutted the interior and redesigned the house so it would have more bedrooms. They essentially created a hotel that would house up to thirteen guests. This has created a nuisance, to say the least. First off, there are as many as seven or eight vehicles driving onto the property, but more importantly, there are as many as thirteen people or more partying outside during the summer months and even the colder months. The developers built a fire ring with a large banco encircling the fire pit with room for twelve or more people. When you have this many people partying, having a few drinks, things are going to get loud and they do.

I have lived in Sunlit Hills for over thirty years enjoying the peace and quiet this area has to offer. I've never had a problem like

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this. Through the years, everyone has been quite respectful of others. I used to tell people that the loudest thing to be heard in the neighborhood was the coyotes howling. That has all changed now. The tranquility that I've enjoyed for over the past thirty years has been shattered by a bunch of out-of-staters trying to make a buck. We live on a hillside in a valley with this "hotel" directly below us. There are no trees or bushes between us and the house and fire ring to dampen the sound. This means sound carries exceptionally well. It means we cannot sit out in our own outside space and enjoy the sunset when there are a dozen people partying right below us. They even woke us up at night several times during the summer.

In the Sunlit Hills Covenants, it states, "No offensive activity shall be carried on any lot, nor shall anything be done which may become an annoyance or nuisance to the neighborhood." It also states "No commercial activity shall be carried on." The fact that this enterprise obviously is violating these covenants should in itself be enough for the county to shut this business down.

Another thing that also should be obvious, is that the county needs to limit the number of guests staying at vacation rentals to no more than four people, (perhaps five to accommodate large families). This will quickly solve the problem that I and others are facing and keep large short-term rentals from becoming a nuisance to a neighborhood.

In the time I lived here, I have paid the county upwards of \$100,000 dollars in taxes. I expect the county to do the right thing and protect homeowners such as myself from nuisances that destroy the quality of life. Anything short of that would be a slap in the face, a betrayal to me and those who find themselves in the same situation. There is a simple solution to this problem. It would protect homeowners such as myself by preventing virtual "hotels" from being indiscriminately created next to one's property while allowing homeowners the opportunity to make a little extra money renting out their casitas and spare rooms. Just limit the number of guests in a short-term rental to no more than four individuals.

Below is the web page address for "Casa De Ice". It will give you an idea of what I'm up against. It shows that this is being run by a bunch of outsiders who want to make a lot of money not caring if they are ruining the quality of life of those who live here.

**CASA DE ICE : Stunning 5 Bedroom, 6 Acre Retreat!**

[https://www.airbnb.com/rooms/53806962?adults=2&children=0&infants=0&location=Santa%20Fe%2C%20NM&check\\_in=2022-11-02&check\\_out=2022-11-07&federated\\_search\\_id=827b556b-2218-47b7-bf9b-a361a361b2fc&source\\_impression\\_id=p3\\_1665962525\\_SjLbUytJbbFmdvOA](https://www.airbnb.com/rooms/53806962?adults=2&children=0&infants=0&location=Santa%20Fe%2C%20NM&check_in=2022-11-02&check_out=2022-11-07&federated_search_id=827b556b-2218-47b7-bf9b-a361a361b2fc&source_impression_id=p3_1665962525_SjLbUytJbbFmdvOA)

## Public Comment 18:

**Nathaniel Crail**

---

**From:** Leslie Drobbin <lesliedrobbin@gmail.com>  
**Sent:** Monday, October 24, 2022 4:47 PM  
**To:** Nathaniel Crail  
**Subject:** Re: County STR Ordinance Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Nate,

Please know that I also support the SF Association of Realtors in their opposition to this ordinance!!!!!! Where is all this coming from?

A home that is renting as a STR and appraised at \$1million is not affordable housing!!! This ordinance is non-specific and confusing!

- ***Making non owner-occupied short term rentals illegal will negatively impact property owners by making their current small businesses illegal and void any bookings they have secured by such units after March 15, 2023 with any associated business repercussions;***
- ***Limiting short term rentals to only owner-occupied residents is a serious restriction on property rights and one of the most stringent actions a local government can take to regulate short term rentals;***
- ***Making non owner-occupied STRS illegal is inappropriate and in sharp contrast to the basic steps the county is taking to regulate owner-occupied units within this small business industry;***
- ***At a minimum, County Commissioners need to postpone any action and solicit more public engagement before moving forward with this onerous regulatory step, allowing more input from short term rental industry.***

On Mon, Oct 24, 2022 at 1:46 PM Leslie Drobbin <lesliedrobbin@gmail.com> wrote:

Dear Nate,

Please see the attached document on my perspective concerning the upcoming meeting on the SF County Ordinance.

Thank you!

Best Regards,  
Leslie Drobbin  
505-690-2564

**Public Comment 19:**

**Nathaniel Crail**

**From:** Lorenzo Dominguez <lorenzodom1@gmail.com>  
**Sent:** Monday, October 24, 2022 9:19 PM  
**To:** Nathaniel Crail; Paco Arguello; Santa Fe STRA  
**Cc:** Richard A Woodruff  
**Subject:** Re: Santa Fe County STR Ordinance Comments to the October 25th meeting

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

As a resident of Santa Fe County and home owner, I would also like to go on record as supporting the Santa Fe Association of Realtors observations, as well Mr. Woodruff's previously submitted comments.

Thank you,  
Lorenzo Domínguez



**LORENZO DOMINGUEZ**  
El Patron 646.320.6553  
chelenzofarms.com  
haciendadominguez.com  
lorenzo@haciendadominguez.com



On Oct 24, 2022, at 4:51 PM, Richard A Woodruff <richardwoodruff@yahoo.com> wrote:

Hi Nate,  
I just received the below note from the Santa Fe Association of Realtors, and I want to go on record as supporting their observations. They are in line with what I already submitted so I won't resubmit my comments. I'm just registering my support of their review of the Draft #3 ordinance. **It is the most onerous ordinance that has ever been proposed.** It should hopefully be clear to the council, \$1 million - \$multi-million plus homes, that are currently rented as STRs, will never be 'affordable housing'!!

I just don't understand where these conditions in the ordinance are arising!  
Thanks for taking note of my additional comments  
All the best,  
Richard

**Adobe Casitas Vacation Rentals, Inc.**  
**Real Estate Qualifying Broker**  
License #19824  
+1 505-397-1119  
[www.adobecasitas.com](http://www.adobecasitas.com)

SFC CLERK RECORDED 12/13/2022

**From:** Paco Arguello <paco@sfar.com>

**Reply-To:** Paco Arguello <paco@sfar.com>

**Date:** Monday, October 24, 2022 at 15:57

**To:** <richardwoodruff@yahoo.com>

**Subject:** TAKE ACTION NOW: County of Santa Short Term Rental Ordinance Update - NEW DRAFT makes Non-Owner Occupied STRs ILLEGAL - Public Hearing Tomorrow No Earlier than 5:00 p.m.



## ***ACTION ALERT***

### **Santa Fe County Commission Short Term Rental Update – New Ordinance Draft Makes Non Owner-Occupied STRs ILLEGAL**

County Commissioners adopted an ordinance on August 9, 2022, to regulate short term rentals. Santa Fe County has held two public hearings to garner input from county residents and short term rental owners.

A new draft will be debated on **Tuesday – October 25, 2022 at 5:00 p.m.** by County Commissioners. If passed in its current form, the new draft will make existing non-owner occupied short term rentals illegal beginning March 15, 2023. A moratorium of one year after that date is being proposed to permit the County of Santa Fe to investigate the negative impact of non-owner occupied short term rentals on affordable housing with no guarantee such STRs will be made legal moving forward. This action would negatively impact existing non-owner occupied short term rentals for the foreseeable future and void any bookings that have been secured by such units in 2023. **It is one of the most stringent controls that can be enacted regarding short term rentals.** Only owner-occupied short term rentals will be permitted to legally operate. An owner-occupied short term rental is defined as a dwelling that is the owner's primary residence or an accessory dwelling unit

that is located on the same legal lot of record as the owner's *primary residence*. *Primary residence* is defined as one where the owner resides for a cumulative minimum 275 days. Additionally, notice requirements for short rentals has been relaxed to only include adjacent properties rather than a footage requirement. **A copy of the amended ordinance with red-lined changes is attached.** The proposed county ordinance will require property owners who want to rent their properties on a short term basis to generally meet existing land use regulations; obtain a business license; maintain adequate parking; and ensure tenants honor daily quiet hours; **fire and carbon monoxide protections**; and meet any existing water restrictions. In response to the county's actions to regulate short term rentals, the Santa Fe Association of REALTORS® Board of Directors adopted a **position statement**. SFAR staff and elected official liaisons have engaged county commissioners on the proposed ordinances.

## TAKE ACTION NOW!

***In response to the County of Santa Fe's Proposed STR Ordinance Change, SFAR urges members to engage Santa Fe County Commissioners by letting them know that:***

- 1. Making non owner-occupied short term rentals illegal will negatively impact property owners by making their current small businesses illegal and void any bookings they have secured by such units after March 15, 2023 with any associated business repercussions;***
- 2. Limiting short term rentals to only owner-occupied residents is a serious restriction on property rights and one of the most stringent actions a local government can take to regulate short term rentals;***
- 3. Making non owner-occupied STRS illegal is inappropriate and in sharp contrast to the basic steps the county is taking to regulate owner-occupied units within this small business industry;***
- 4. At a minimum, County Commissioners need to postpone any action and solicit more public engagement before moving forward with this onerous regulatory step, allowing more input from short term rental industry.***

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**Please contact your County Commissioner before 5:00 p.m. TOMORROW and/or consider attending the County Commission meeting in person or via Webex – see details below.**

**District 1**

**Henry P. Roybal**

**[hproybal@santafecountynm.gov](mailto:hproybal@santafecountynm.gov)**

**(505) 986-6377**

**District 2**

**Anna Hansen**

**[ahansen@santafecountynm.gov](mailto:ahansen@santafecountynm.gov)**

**(505) 986-6263**

**District 3**

**Rudy N. Garcia**

**[rgarcia@santafecountynm.gov](mailto:rgarcia@santafecountynm.gov)**

**(505) 986-6328**

**District 4**

**Anna T. Hamilton**

**[athamilton@santafecountynm.gov](mailto:athamilton@santafecountynm.gov)**

**(505) 986-6319**

**District 5**

Hank Hughes  
[hhughes@santafecountynm.gov](mailto:hhughes@santafecountynm.gov)

(505) 986-6202

**General County Commission Phone Number**

(505) 986-6200

Members of the public can listen and participate in the meeting via Webex, using meeting number (access code) 2489 751 3703 and password YPmutACM692. To participate by phone, call 1-408-418-9388. To participate via the internet, go to <https://sfco.webex.com/sfco/>. In addition, people may watch the meeting at <https://www.youtube.com/channel/UCKGV2GEBC1Qv38Pn61083xg> and <https://www.facebook.com/Santa-Fe-County-Board-of-County-Commissioners-101109334955454/>.

SFC CLERK RECORDED 12/13/2022

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Santa Fe Association of Realtors | 510 N. Guadalupe Suite E | Santa Fe NM 87501

505-982-8385 Office 505-982-3764 Fax

[www.sfar.com](http://www.sfar.com)



Helping you realize your real estate needs for over 60 years.

SFAR | 510 N. Guadalupe, Suite E, Santa Fe, NM 87501

[Unsubscribe richardwoodruff@yahoo.com](mailto:richardwoodruff@yahoo.com)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by [paco@sfar.com](mailto:paco@sfar.com) in collaboration with

## Public Comment 20:

**Nathaniel Crail**

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**From:** Mark Bremer <markdb\_2001@yahoo.com>  
**Sent:** Monday, October 24, 2022 11:59 PM  
**To:** Nathaniel Crail  
**Subject:** Short-Term Rental Ordinance Suggestions - The Danger of Offering the Use of Antiquated Wood Stoves and Chimneys by Guests

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

### **Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

After reviewing the Santa Fe County Fire Code Ordinance No. 2018-8 nothing could be found related to dangerous antiquated inefficient wood stoves advocated by owners for use in short-term rentals by vendees (guests). Please consider the following suggestions:

Suggestion No. 1: Replacement/removal of non-certified wood heaters required prior to receiving a Business License.

Suggestion No. 2: Installation of spark arresters on all wood stove chimneys prior to receiving a Business License.

Suggestion No. 3: Information on-site posting on proper operation and cleaning of wood stoves prior to receiving a Business License, including prohibition of the burning of certain materials including garbage, treated wood, plastic, rubber petroleum products, paints, solvents and high-sulfur coal.

Suggestion No. 4. Determination of the proper size of the wood stove before purchase and professional installation prior to receiving a Business License.

Suggestion No. 5. Professional chimney cleaning certification performed annually prior to receiving a Business License.

Suggestion No. 6. Fire Department Inspection required prior to receiving a Business License to ensure certified, spark arrested, proper operation instructed, properly sized, professionally installed and professionally cleaned wood stoves are safe for operation by guests.

Thank You,

Mark Bremer  
Madrid, New Mexico

## Public Comment 21:

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**From:** Sasi <sasiz1976@gmail.com>  
**Sent:** Monday, October 24, 2022 7:35:51 PM  
**To:** Amy Bobrick <bobrick.amy@gmail.com>  
**Cc:** Amy Bobrick <Amy.bobrick@kw.com>; ahansen@santafecountynm.gov <ahansen@santafecountynm.gov>; hhughes@santafecountynm.gov <hhughes@santafecountynm.gov>; rgarcia@santafecountynm.gov <rgarcia@santafecountynm.gov>; athamilton@santafecountynm.gov <athamilton@santafecountynm.gov>; hproybal@santafecountynm.gov <hproybal@santafecountynm.gov>; Cc: 'pengreen@santafecountynm.gov' <pengreen@santafecountynm.gov>  
**Subject:** Re: Letter to our elected County Commissioners

WARNING:

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Amazing

Sent from my iPhone

> On Oct 24, 2022, at 3:09 PM, Amy Bobrick <bobrick.amy@gmail.com> wrote:  
>  
> Dear County Commissioners,  
>  
> Thank you for your work on the newly proposed county short term rental ordinance. As secretary of the Santa Fe Short term rental alliance (SFSTRA) I want to show my objection on this moratorium on non- owner occupied STR's. I believe this infringes on a person's property rights. I own two short term licensed rentals in the City of Santa Fe and also owned and operated the Bobcat Inn in the county for over 14 years. I am also an associate broker at Keller Williams and I see both sides when someone is wanting to buy an investment property to enjoy part time and most likely move here eventually. They need the income from the STR to pay their mortgage. Most of the time it is an individual person or couple, I have never observed a corporation coming in and buying up multiple properties in my 20 +years of being involved in the Real Estate Industry. I moved here in 1985 and opened a restaurant on Guadalupe street and then went on to own a successful catering company. I see this as a biased unfair proposal and will not help to improve our already hurting economy after the pandemic and now signs of a recession. We hire housekeepers, gardeners, appliance repair people, handy men and women. We send our guests to locally owned restaurants, shops and galleries, hair salons, etc. We encourage them to visit the museums and share our beautiful New Mexico culture with our guests. When a property is bought as an investment property they also hire our locally owned property management companies to do the same.  
> I ask you to remove the moratorium on non- owner occupied STR's in the newly revised ordinance. I encourage you to  
  
pass a reasonable ordinance with base registration and licensure.  
>  
> Respectfully Submitted ,  
> Amy Bobrick  
> 628 1/2 Camino De La Luz  
> Santa Fe, NM 87505  
>

SFC CLERK RECORDED 12/13/2022

## Public Comment 22:

**Nathaniel Crail**

---

**From:** Megh Waltimire <walt.meghan@gmail.com>  
**Sent:** Tuesday, October 25, 2022 7:12 AM  
**To:** Nathaniel Crail  
**Cc:** Anna T. Hamilton; Tina Salazar; Laura K. Jagles; Anna C. Hansen; Ambra Baca; Henry P. Roybal; Rudy Garcia; Brittney Montoya; Olivia R. Romo; Hank Hughes  
**Subject:** Proposed Ordinance on STRs  
**Attachments:** Response to STR Ordinance Proposal.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello,

I am submitting the following letter in hopes you will consider my proposals in regards to the proposed ordinance on STRs.

Please also see [the petition](#) requesting that currently operating STRs be grandfathered in without regulation requirements.

Respectfully,  
Meghan Waltimire  
727.580.1281

To the Board of County Commissioners,

I'm writing to you with concerns and proposals I have in relation to the proposed STR ordinance.

1. For both Owner Occupied (OO) and Non Owner Occupied (NOO) properties, occupancy limits for the county should not be the same as the city.
  - A. According to the US Census of 2020, the city had a population of 85,000 people and a land mass of 52 square miles whereas the county had a population of 155,000 and a land mass of 1,900 square miles. That's 1,675 people per square mile in the city versus 81 persons per square mile in the county. Since the density of the county is significantly less, the occupancy restrictions should not be the same.
  - B. Since room count isn't representative of property size and the density is much less, I propose a nightly occupancy limit of 1 person/200 sq ft (a very large bedroom space) as opposed to 2/bedroom which does not take into account the size of a property.
2. For both Owner Occupied (OO) and Non Owner Occupied (NOO) properties, remove the need to inform neighbors that an STR is being operated. According to multiple sources and studies, New Mexico is the state in the US with the highest burglary rate and 65% of burglars are well acquainted with the people they rob. If neighbors are aware that an owner is operating an STR this could open up opportunities for theft.
3. Besides public testimony and assumptions, what evidence does the county have to support that NOO STRs are more damaging to the local community than those that are OO?
  - A. According to a reporting expert in the hospitality industry, NOO STRs have a 70% occupancy rate. This means NOO units use less water, produce less waste, and create less carbon footprint since they are occupied much less than compared to OO STRs that are 100% occupied, debunking the claim that NOOs are harsher on the environment.
  - B. I appreciate that the BCC wants to learn the impact of NOO STRs vs OO STRs on the community and I support the moratorium for properties purchased after this ordinance is enacted but I urge the county to refrain from enacting such a harsh ordinance prior to obtaining empirical evidence on the differences. Especially when considering tax revenue and the decreased contribution from NOO STRs if many aren't approved due to harsher requirements. I also request that once they do that they share their findings as an act of transparency to the public.
  - C. If the requirements must be enacted with disregard for what I've outlined, I request to loosen requirements on NOO STRs to be the same as OO STRs, only requiring a business registration, until further evidence can be derived that NOO STRs impact the community more negatively.

Respectfully,  
Meghan Waltimire

Sources:

1. [2020 Census](#)
2. [Burglary Statistics](#)
3. [STR Occupancy Rates](#)

SFC CLERK RECORDED 12/13/2022

## Public Comment 23:

**Nathaniel Crail**

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**From:** Victor Ngo <vic.ngo@gmail.com>  
**Sent:** Tuesday, October 25, 2022 10:35 AM  
**To:** Nathaniel Crail  
**Subject:** Public Written Comment in Support of Santa Fe Short Term Rentals for Today's Meeting

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good morning,

I hope you are having a great week so far. Thank you for taking the time to read and see my email comment.

My name is Victor, and I am writing in support of Santa Fe short term rentals. I recently purchased a home for short term rental, and manage the unit with care and respect for our neighbors and community. I have a clearly stated quiet time after 9pm, and have only had respectful guests and families staying on my property. Every guest receives a guide book that contains all the rules of the house, including my direct phone number, and is expected to treat the house, neighbors, and community with sincere regard.

With my one rental, I employ a total of no less than 10 local full-time and part-time contractors, including small family business, and mom and pop stores. Part of my local team includes house cleaners, handymen, plumbers, locksmiths, pest service and more. In my guest book, I also refer guests to many local and surrounding restaurants, retail shops, and tourism attractions to help drive community business income and traffic.

Currently, I am reinvesting all proceeds of the rental back into the community and local economy, with repairs and updates, including increasing wages for cleaners and handymen. The income generated is essential to not only my team's well-being, but is necessary for me to be able to pay the costs of maintaining the home. In addition, my rental contains artwork from local artists that, in the upcoming year, I hope to begin earning income for said artists from sales in my unit. Proceeds from this venture will be donated to local community and neighborhood non-profits.

In my time in the short term rental market, I have had the pleasure of hosting the most thoughtful and caring guests and families. Many of these guests make their visit to Santa Fe multiple times a year, and have already developed a lasting relationship with our rental unit, encouraging and helping to maintain a thriving tourism economy for Santa Fe.

Many of my guests would have otherwise not been able to afford other housing options, as a group of five senior friends recently told me after they enjoyed a visit to Santa Fe and a stay in my rental unit. The accommodations my rental unit was able to provide for this group made their trip to Santa Fe possible, as they participated in local fall festivals and shopping/dining experiences.

I am writing in support of short-term rentals in Santa Fe, and in hopes of no more restrictions on this very popular and essential, family-friendly lodging option as a way to boost and help maintain a thriving future tourism economy in Santa Fe.

Thank you again for your time.

--  
Thank you,  
Victor



**Penny Ellis-Green**

**From:** John Bemis <johnbemis@earthlink.net>  
**Sent:** Tuesday, October 25, 2022 11:12 AM  
**To:** Henry P. Roybal; Anna C. Hansen; Rudy Garcia; Anna T. Hamilton; Hank Hughes; Penny Ellis-Green; Ambra Baca; Laura K. Jagles; Brittney Montoya; Tina Salazar; Olivia R. Romo  
**Subject:** Short-term Rental Ordinance

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear County Commissioners and Staff,

I support the proposed ordinance regulating short-term rentals in Santa Fe County and the one year moratorium so that the County may better understand the impact of STRs on traditional communities and affordable/workforce housing.

Please vote in favor of the ordinance as written.

I respectfully request that my comment be added to the public record.

Sincerely,  
John Bemis

District 4  
Santa Fe

SFC CLERK RECORDED 12/13/2022

10/28

**Penny Ellis-Green**

---

**From:** Anna C. Hansen  
**Sent:** Tuesday, October 25, 2022 1:18 PM  
**To:** Penny Ellis-Green; Greg Shaffer  
**Subject:** Fw: Proposed Short term rental ordinance

Santa Fe County Commissioner Anna Hansen  
District 2  
505.986-6329 • office  
ahansen@santafecountynm.gov

---

**From:** Pat Lillis <patsmail@sprynet.com>  
**Sent:** Tuesday, October 25, 2022 10:55 AM  
**To:** Henry P. Roybal; Anna C. Hansen; Rudy Garcia; Anna T. Hamilton; Hank Hughes; Penny Ellis-Green; Ambra Baca; Laura K. Jagles; Brittney Montoya; Tina Salazar; Olivia R. Romo  
**Subject:** Proposed Short term rental ordinance

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**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear County Commissioners and Staff,

**Please support the proposed ordinance** regulating STRs in Santa Fe County and the one year moratorium.

Supporting a moratorium will provide time to assess the impact short-term rentals have on communities such as ours that affect the availability of local workforce housing and the resulting shortages.

As you know, allowing a Primary Residence to run a STR is very different from allowing a Non-Owner Occupied to run one or more STRs as an investment property. Every short-term rental that is not the owner's primary/permanent residence removes housing opportunities from our local workforce and residents.

Please vote in favor of the ordinance as written.

I respectfully request that my comment be added to the public record.

Thank you for your consideration,

Pat Lillis  
District 4, Santa Fe

10/25

**Penny Ellis-Green**

---

**From:** Daniel Gibson <danielgibsonnm@gmail.com>  
**Sent:** Tuesday, October 25, 2022 3:50 PM  
**To:** Nathaniel Crail  
**Cc:** Daniel Gibson  
**Subject:** STR Regulation

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Oct. 25, 2022

Dear County Commissioners and Staff:

I **support** the proposed ordinance regulating STRs in Santa Fe County and the 1-year moratorium. This will allow time for county residents and Commission staff to better understand the negative impact of STRs, as they now are regulated, on traditional communities and affordable/workforce housing.

Please vote in favor of the ordinance as written.

I respectfully request that my comment be added to the public record.

Sincerely,

Daniel Gibson

District 1

518 Juniper Drive

Santa Fe 87501

President of the Historic St. Catherine Neighborhood Association

SFC CLERK RECORDED 12/13/2022

10/25

**Nathaniel Crail**

**From:** SE Duran <dearsandyd@gmail.com>  
**Sent:** Tuesday, October 25, 2022 3:12 PM  
**To:** Nathaniel Crail  
**Subject:** STR Public Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Afternoon County Commissioners and County Clerk.

I am hoping that you will listen to my concerns as a citizen of Santa Fe County. I am deeply concerned about the proposed ordinance for Short Term Rentals. I feel that the ordinance as it stands now does not take into account all situations of ownership and responsibility. While I agree that out of state corporations buying up homes here, then renting them out is a problem, that is not the case with most owners, including myself.

I am a Santa Fe native and have lived here all my life (52 years). I worked hard to purchase my first home in Nambe 25 years ago. My husband and I raised our family there. When the opportunity to purchase a family property in another part of Santa Fe county came up in 2007, we were fortunate enough to buy it back into the family. It took several years of fixing up and we were able to move in eventually. This left the house in Nambe empty. We have not sold it because we are hopeful that one day it will provide housing for family members. We do not want to see it sold to outsiders as so many of our traditional properties have been. In order to keep it, pay the mortgage and taxes, we decided to try short term rental, and by and large, it has worked out better than long term rental would for us.

We are able to get in there every few days to clean, make sure all is well, fix any issues, etc. We are not stuck in a bad situation with tenants destroying our house as many long term landlords have to deal with. We are not making lots of money when you consider the cost of the mortgage, taxes, utilities, supplies, maintenance, etc. But we are able to pay those expenses and keep our home rather than selling it. I live in Santa Fe County though not in the STR.

I often stay overnight at the STR and I am there every week. Under the proposed ordinance I would be considered a non-owner occupied renter, the same as a corporation from out of state. Why would I be treated in the same category as they are, and made to pay an exorbitant fee annually? I don't believe it's fair to New Mexico residents that are honestly working hard using resources that we have paid for ourselves, at a high cost. I hope that you will please consider making the ordinance more inclusive and supportive of locals, instead of treating us the same as out of state investors with no history, value, and love for our old homes, neighborhoods, and traditional values. I believe that STRs are a better option than LTRs for many of us that are willing to put in the time and work that is required to operate one. I would love to have more of an opportunity to partner with the county in drafting the ordinance with equal input and outcomes that do not punish locals.

Many thanks,  
SE Duran  
Santa Fe, NM

SFC CLERK RECORDED 12/13/2022



THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

ORDINANCE NO. 2022-\_\_\_\_\_

AN ORDINANCE

AMENDING ORDINANCE NO. 1992-3, THE BUSINESS REGISTRATION AND  
LICENSING ORDINANCE, AND ORDINANCE NO. 1999-10, THE LODGERS'  
OCCUPANCY TAX ORDINANCE, TO LICENSE AND REGULATE SHORT-TERM  
RENTALS IN SANTA FE COUNTY

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE  
COUNTY:

**Section 1. Short Title**

This ordinance may be cited as the "Short-Term Rental Regulation, Registration and  
Licensing Ordinance".

**Section 2.** Section 2(G) of Ordinance No. 1992-3 is hereby amended by (1) deleting  
"and" from subsection 8; (2) replacing the "." in subsection 9 with "; and"; and (3) adding the  
following new subsection 10: "10. Non-Owner Occupied Short-term rentals, as defined in  
Section 9(H)."

**Section 3.** The last sentence of Section 7 of Ordinance No. 1992-3 is hereby amended to  
read as follows: "The decision of the Board of County Commissioners can then be appealed to  
the First Judicial District Court within thirty (30) days of the date of filing of the final decision."

**Section 4.** Section 9 of Ordinance No. 1992-3 is hereby amended by adding the  
following new subsection H:

"H. Short-Term Rentals.

**1. Findings.** The Board of County Commissioners finds and declares that the  
regulation of all STRs and licensing of Non-Owner-Occupied of STRs is conducive to the  
promotion of the health and general welfare of the County because:

**1.1** STRs can negatively impact neighboring properties due to noise, traffic,  
trash, and offsite parking associated with the STR.

**1.2** STRs are businesses available to rent to the general public, many of whom  
reside outside of the County and may not be familiar with local law.

SFC CLERK RECORDED 12/13/2022

**1.3** Excessive occupancy in STRs poses the risk of unduly straining scarce water resources and negatively impacting the environment by overburdening septic systems.

**1.4** Because STRs often consist of residential housing used as commercial lodging made available to rent to the general public, the chance of non-compliance with the Santa Fe County Fire Code is increased as is the risk posed by such non-compliance to vendees.

**1.5** Owner-Occupied STRs carry a lower risk of regulatory non-compliance and negative externalities because the Owner is generally onsite when the STR is rented and the Owner can be presumed to have a vested interest in maintaining the quality of life of the community in which they live.

**2. Purpose and Intent.** The purpose of this section is to establish regulations, registration and licensing standards, and registration and licensing procedures for STRs to:

**2.1** ensure the safety and welfare of vendees to whom STRs are rented;

**2.2** protect the peace and enjoyment of surrounding communities and neighborhoods;

**2.3** protect water resources and the environment; and

**2.4** otherwise promote the health and general welfare of the County.

**3. Definitions.** For the purposes of this Section:

**3.1** Capitalized and bolded terms not defined herein shall have the same meaning as in the **SLDC**.

**3.2** “Accessory Dwelling Unit” (ADU) is a Dwelling unit that is located on the same legal lot of record as, but incidental to, the Owner’s primary residence. The ADU may share at least one wall with the primary residence or be a stand-alone structure (detached) from the primary residence.

**3.3** “Daytime Occupancy Limit” means the maximum number of people who can gather at the STR during the day, including people not staying overnight.

**3.4** “Occupancy Limit” means the maximum number of people allowed to stay overnight at the STR, not including children aged five (5) and under.

**3.5** “Owner” means the person who is the record title owner of the property for which an STR Registration or STR License is sought or held.

**3.6** “Owner-Occupied” is a Dwelling that is the Owner’s primary residence or an ADU that is located on the same legal lot of record as the Owner’s primary residence.

**3.7** “Non-Owner Occupied” means a **Dwelling** that is not Owner-Occupied.

**3.8** “Primary Residence” means the **Dwelling** in which the Owner resides for a cumulative minimum 275 days during a 12-month period. Primary residence is demonstrated by showing that, as of the application date for registration of the **Dwelling**

as a Short term Rental, the Owner has resided in the **Dwelling** for 275 days during the past 12 months, or that the Owner intends to reside in the **Dwelling** for 275 days of the next 12 months.

**3.9** “Quiet Hours” means designated hours during which noise from a STR is more highly regulated.

**3.10** “Short-term rental” or “STR” means a **Dwelling** or portion thereof that is rented for periods of less than thirty (30) consecutive days.

**3.11** “SLDC” means the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9, as amended.

**3.12** “Vendee” means a natural person to whom a STR is rented.

**3.13** “Vendor” means the proprietor of any **Dwelling**, lodging, or sleeping accommodation offered or used as a STR, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee, or any other possessory capacity.

#### **4. Permissible Locations.**

**4.1** STRs are permitted in all zoning districts within the County where residential uses are allowed as a primary use under the SLDC.

**4.2** STRs are only allowed (a) on property that is a Legal Lot of Record and (b) within a Dwelling legally recognized under the SLDC.

**4.3** STRs are not allowed where prohibited by private covenants.

#### **5. Owner-Occupied Short Term Rentals.**

##### **5.1 Registration Required; Term.**

**5.1.1** Beginning on March 15, 2023, no person may operate an Owner-Occupied STR without a Business Registration issued and renewed pursuant to Section 3(A) and Section 5.

**5.1.2** Only one Owner-Occupied STR Business Registration shall be approved per Owner.

##### **5.2 Registration Contents, Display, and Notice.**

**5.2.1** The Business Registration for an Owner-Occupied STR shall specify the name of the Owner, address of the STR, the Business Registration number, and the expiration date.

**5.2.2** The Business Registration shall be displayed in a prominent and visible location within the STR, along with the following information on a form prepared by the Land Use Administrator:

**5.2.2.1** the Occupancy Limit and the Daytime Occupancy Limit;

**5.2.2.2** a notice of the maximum number of vehicles to be parked at the STR;

**5.2.2.3** a summary of the regulations contained in this section;

5.2.2.4 the name and contact information of the Owner or Owner's agent who can be reached 24/7 to meet emergencies;

5.2.2.5 the physical address of the STR;

5.2.2.6 solid waste storage and disposal requirements; and

5.2.2.7 Quiet Hours applicable to the STR.

The information listed in 5.2.2.1 through 5.2.2.7 shall be provided to vendees at least 48 hours prior to the beginning of the rental period.

5.2.3 All listings and advertisements for an Owner-Occupied STR shall include the Business Registration Number for the STR and its expiration date.

5.2.4 The Owner of a STR receiving a Business Registration shall provide notice by first class mail to the owners of property located within 500 ft. of the **Dwelling** used as the STR, at a minimum this must include all adjacent lots. The notice shall be mailed no later than fifteen (15) days after approval of the Business Registration and the Applicant shall provide an affidavit of mailing. The notice shall be on a form provided by the **Land Use Administrator** and, at a minimum, shall include contact information for the Owner or person responsible for managing the STR who can be contacted 24/7 to report violations of the regulations contained in this section or other County ordinance, a summary of STR regulations, information on how to report a violation to the Owner or person responsible for managing the STR and the County, and a copy of the Business Registration.

### 5.3 Procedure

5.3.1 The application and submittal requirements for a Business Registration for an Owner-Occupied STR shall be developed by the **Land Use Administrator** and shall include, at a minimum, the following:

5.3.1.1 An affidavit or other proof that the STR is Owner-Occupied.

5.3.1.2 Failure to submit a complete application, including the applicable fee and all required submittals, constitutes good cause for denial of the application.

5.3.1.3 The **Land Use Administrator** shall review the application for completeness. If an application is deemed incomplete, the **Land Use Administrator** shall inform the **Applicant** in writing and provide the **Applicant** with a reasonable amount of time to submit a complete application before the application is denied and a new fee is required.

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**5.3.1.4** As it relates to Business Registrations for Owner-Occupied STRs, the **Land Use Administrator** rather than the County Treasurer shall have the authority provided in Section 3, Section 5, and Section 7 of the Business Registration and Licensing Ordinance, provided that the County Treasurer may, based upon the **Land Use Administrator's** decision, physically issue a Business Registration for a STR.

## **6. Non-Owner Occupied Short Term Rentals**

### **6.1 License Required; Term**

**6.1.1** Beginning on March 15, 2023, no person may operate a Non-Owner Occupied STR without a Business License.

**6.1.2** Each **Dwelling** used as a Non-Owner-Occupied STR shall require a separate Business License.

**6.1.3** Business Licenses for STRs shall be good for one year after issuance unless earlier revoked in accordance with this Ordinance.

### **6.2 License, Contents, Display and Notice.**

**6.2.1** The Business License for a STR shall specify the name of the Owner, address of the STR, the Occupancy Limit, the Daytime Occupancy Limit, the Business License number, and the expiration date.

**6.2.2** The Business License shall be displayed in a prominent and visible location within the STR, along with the following information on a form prepared by the **Land Use Administrator**:

**6.2.2.1** a notice of the maximum number of vehicles to be parked at the STR;

**6.2.2.2** a summary of the regulations contained in this section;

**6.2.2.3** the name and contact information of the Owner or Owner's agent who can be reached 24/7 to meet emergencies;

**6.2.2.4** the physical address of the STR;

**6.2.2.5** solid waste storage and disposal requirements; and

**6.2.2.6** Quiet Hours applicable to the STR.

The information listed in 6.2.2.1 through 6.2.2.6 shall be provided to vendees at least 48 hours prior to the beginning of the rental period.

**6.2.3** The Owner of a STR receiving a Business License shall provide notice by first class mail to the owners of property located within 500 ft. of the property on which the STR is located, measured from the property lines of the

property on which the STR is located. The notice shall be mailed no later than 15 days after approval of the Business License and the **Applicant** shall provide an affidavit of mailing. The notice shall be on a form provided by the **Land Use Administrator** and, at a minimum, shall include contact information for the Owner or person responsible for managing the STR who can be contacted 24/7 to report violations of the regulations contained in this section or other County ordinance, a summary of STR regulations, information on how to report a violation to the Owner or person responsible for managing the STR and the County, and a copy of the Business License.

**6.2.4** All listings and advertisements for a Non Owner-Occupied STR shall include the Business License Number for the STR and its expiration date.

### **6.3 Procedure**

**6.3.1** The application and submittal requirements for a Business License for a Non-Owner-Occupied STR shall be developed by the **Land Use Administrator** and shall include, at a minimum, the following:

**6.3.1.1** A description of how the STR was used prior to being converted to an STR (e.g., owner-occupied housing, long-term rental, second home) and how it is utilized when not available for short-term rental; and

**6.3.1.2** The name and contact information of the **Homeowner's Association** (if any) governing the STR or condominium association of which the STR is a part. The **Applicant** shall mail a letter, first class mail, to the applicable **Homeowner's Association** and provide an affidavit of mailing with the application.

**6.3.1.3** If the property on which the STR is located is subject to Santa Fe County imposed water restrictions and water use is required to be metered, the applicant for a Business License for a Non-Owner-Occupied STR must submit current water meter readings upon initial application and for each renewal.

**6.3.1.4** If the water usage is in excess of applicable Santa Fe County imposed water restrictions, the application must include a water conservation plan to reduce water usage so as to comply with such applicable restrictions going forward.

**6.3.1.5** Failure to comply with applicable Santa Fe County imposed water restrictions is grounds to deny the renewal of a Business License for a Non-Owner Occupied STR.

**6.3.2** Failure to submit a complete application, including the applicable fee and all required submittals, constitutes good cause for denial of the application.

**6.3.3** The **Land Use Administrator** shall review the application for completeness. If an application is deemed incomplete, the **Land Use Administrator** shall inform the **Applicant** in writing and provide the **Applicant** with a reasonable amount of time to submit a complete application before the application is denied and a new fee is required.

**6.3.4** As it relates to Business Licenses for STRs, the **Land Use Administrator** rather than the County Treasurer shall have the authority provided in Section 3, Section 5, and Section 7 of the Business Registration and Licensing Ordinance, provided that the County Treasurer may, based upon the Land Use Administrator's decision, physically issue a Business License for a STR.

**6.3.5** Renewal of a Business License for a STR is not automatic and shall require the submission of a complete application.

## **7. Regulation/Requirements for All STRs**

**7.1** STRs shall comply with all applicable requirements in other Santa Fe County ordinances, including, but not limited to, the **SLDC**, the Santa Fe County Fire Code (Ordinance No. 2018-8); the Anti-Litter Ordinance (Ordinance No. 1993-11); the Santa Fe County Noise Control and Public Nuisance Ordinance (Ordinance No. 2009-11), and the Junked and Hazardous Vehicle Ordinance (Ordinance No. 1993-6).

**7.2** Any STR shall be responsible to pay all applicable taxes.

### **7.3 Occupancy.**

**7.3.1** The Occupancy Limit for a STR shall be two (2) people per approved bedroom .

**7.3.2** The Daytime Occupancy Limit for a STR shall be the Occupancy Limit plus the greater of 100% of the Occupancy Limit or ten (10).

**7.3.3** Children aged five (5) and under shall not count against the Occupancy Limit or Daytime Occupancy Limit.

**7.2.4.** Nothing herein shall preclude an Owner from establishing more stringent Occupancy Limits or Daytime Occupancy Limits.

### **7.4 Parking**

**7.4.1**All parking for a STR shall be located onsite or in a designated off street space for the **Dwelling**.

**7.4.2**Vendees and their guests may not bring more cars to the STR than the number of onsite parking spaces.

## **7.5 Water**

**7.5.1** A STR must comply with all Santa Fe County water restrictions (if any) applicable to the property on which the STR is located, the applicability of which may depend upon the source of water for the property (e.g., domestic wells versus adjudicated water rights).

## **7.6 Fire protection**

**7.6.1** All STRs shall comply with the Santa Fe County Fire Code (Ordinance No. 2018-8) as required by the Fire Marshall. To assist Owners with compliance and streamline the processing of applications, the Fire Marshall shall establish for submittal with the STR Business License application a Fire Code compliance certification form in which the Owner shall certify, under penalty of perjury, compliance with Fire Code requirements of most significance to STRs. The STR is subject to Fire Department inspection.

## **7.7 Solid Waste**

**7.7.1** Each STR shall comply with the applicable sections of the Solid Waste and Recycling Management Ordinance (Ordinance No. 2014-10) concerning the storage and disposal of solid waste, as well as the **Development Permit** or other approval applicable to the property. At a minimum all STRs shall store all solid waste within a structure or in enclosed containers and shall remove all solid waste on a regular basis, at least monthly.

## **7.8 Address and Signage**

**7.8.1** Each STR shall clearly display the assigned Rural Address

**7.8.2** Any signage shall comply with residential signage restrictions of the **SLDC**.

## **7.9 Noise and Quiet Hours**

**7.9.1** Vendees and their guests shall observe Quiet Hours between 10:00 p.m. and 7:00 a.m. each day; provided, however, that nothing herein shall preclude an Owner from establishing Quiet Hours that begin earlier and/or end later.

**7.9.2** During Quiet Hours, it shall be unlawful for vendees or their guests to create any unreasonably loud, disturbing or unnecessary noise, or noise of such character, intensity or duration as to be detrimental to the repose, life or health of others. This includes, but is not limited to, the playing or performing of music, watching of television, or talking in such manner or with such volume as to disturb the quiet, comfort or repose of persons or animals.

## **7.10 Other Commercial Activities Require Separate Authorization**

7.11 The granting of a Business License or Business Registration for a STR does not authorize the Owner or anyone else to engage in other business or licensed activity at the STR.”

**Section 5.** Section 3(B)(4) of Ordinance No. 1992-3 is hereby amended by adding the following new subsections:

“o. Non-Owner Occupied STRs, \$375 for the initial Business License and \$300 for each renewal, both of which are payable at the time of application and are not refundable.”

**Section 6.** The Whereas clause in Ordinance No. 1992-3 is amended by replacing “NMSA Sec. 4-37-1 and Sec. 3-38-3 (1978, as amended)” with “NMSA 1978, Section 4-37-1 and Sections 3-38-1 through 3-38-6, as such may be amended or recompiled,”.

**Section 7.** Section 4(A) of Ordinance No. 1999-10 is hereby amended to read as follows:

“A. Business Registration and Business Licenses: All vendors, other than Short-Term Rentals, as defined in the Business Registration and Licensing Ordinance (Ordinance No. 1992-3), must obtain a County Business Registration pursuant to Section 4 of the Lodgers’ Occupancy Tax Ordinance. Short-Term Rentals must obtain a business registration (Owner-Occupied Short-Term Rentals) or business license (Non-Owner-Occupied Short-Term Rentals) pursuant to Ordinance No. 1992-3, as amended by the Short-Term Rental Regulation, Registration, and Licensing Ordinance.”

**Section 8. Effective Date.** The effective date of this Ordinance shall be 30 days after this Ordinance is recorded with the County Clerk.

**PASSED, APPROVED AND ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, 2022.**

**THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

By: \_\_\_\_\_

**Anna T. Hamilton, Chairperson**

**ATTEST:**

\_\_\_\_\_  
**Katharine E. Clark**

**Santa Fe County Clerk**

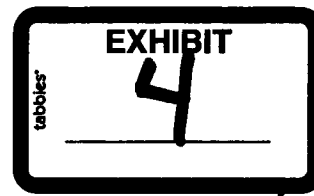
**APPROVED AS TO FORM:**

Repa Precino for

**Jeff Young**

**Santa Fe County Attorney**

**SFC CLERK RECORDED 12/13/2022**



12/22/22  
Draft.

THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

ORDINANCE NO. 2022-\_\_\_\_\_

AN ORDINANCE  
AMENDING ORDINANCE NO. 1992-3, THE BUSINESS REGISTRATION AND  
LICENSING ORDINANCE, AND ORDINANCE NO. 1999-10, THE LODGERS'  
OCCUPANCY TAX ORDINANCE, TO LICENSE AND REGULATE SHORT-  
TERM RENTALS IN SANTA FE COUNTY

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY:

**Section 1. Short Title**

This ordinance may be cited as the "Short-Term Rental Regulation and Licensing Ordinance".

**Section 2.** Section 2(G) of Ordinance No. 1992-3 is hereby amended by (1) deleting "and" from subsection 8; (2) replacing the "." in subsection 9 with "; and"; and (3) adding the following new subsection 10: "10. Short-term rentals, as defined in Section 9(H)."

**Section 3.** The last sentence of Section 7 of Ordinance No. 1992-3 is hereby amended to read as follows: "The decision of the Board of County Commissioners can then be appealed to the First Judicial District Court within thirty (30) days of the date of filing of the final decision."

**Section 4.** Section 9 of Ordinance No. 1992-3 is hereby amended by adding the following new subsection H:

"H. Short-Term Rentals.

**1. Findings.** The Board of County Commissioners finds and declares that the licensing and regulation of STRs is conducive to the promotion of the health and general welfare of the County because:

**1.1** STRs can negatively impact neighboring properties due to noise, traffic, trash, and offsite parking associated with the STR.

**1.2** STRs are businesses available to rent to the general public, many of whom reside outside of the County and may not be familiar with local law.

**1.3** Excessive occupancy in STRs poses the risk of unduly straining scarce water resources and negatively impacting the environment by overburdening septic systems.

**1.4** Because STRs often consist of residential housing used as commercial lodging made available to rent to the general public, the chance of non-compliance with the Santa Fe County Fire Code is increased as is the risk posed by such non-compliance to renters.

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**2. Purpose and Intent.** The purpose of this section is to establish regulations, licensing standards, and licensing procedures for STRs to:

2.1 ensure the safety and welfare of vendees to whom STRs are rented;

2.2 protect the peace and enjoyment of surrounding communities and neighborhoods;

2.3 protect water resources and the environment; and

2.4 otherwise promote the health and general welfare of the County.

**3. Definitions.** For the purposes of this Section:

3.1 Capitalized and bolded terms not defined herein shall have the same meaning as in the SLDC.

3.2 “Daytime Occupancy Limit” means the maximum number of people who can gather at the STR during the day, including people not staying overnight.

3.3. “Occupancy Limit” means the maximum number of people allowed to stay overnight at the STR, not including children aged five (5) and under.

3.4 “Owner” means the person who is the record title owner of the property for which the STR License is sought or held.

3.5 “Quiet Hours” means designated hours during which noise from a STR is more highly regulated.

3.6 “Short-term rental” or “STR” means a **Dwelling Unit** that is not the vendee’s household or primary residence and that is used, in whole or in part, for the transaction of furnishing rooms or other accommodations to a vendee who for rent uses, possesses or has the right to use or possess the rooms or other units of accommodations in the dwelling for periods of less than thirty (30) days.

3.7 “SLDC” means the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9, as amended.

3.8 “Vendee” means a natural person to whom a STR is rented.

**4. Permissible Locations.**

4.1 STRs are permitted in all zoning districts within the County where residential uses are allowed as a primary use under the SLDC.

4.2 STRs are only allowed (a) on property that is a legal lot of record and (b) within a **Dwellings** for which a **Development Permit** was issued and

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which was constructed in accordance with the **Development Permit** or which qualifies as a **Nonconforming Structure** under the SLDC.

4.3 STRs are not allowed where prohibited by private covenants.

## 5. License Required; Term.

5.1 Beginning on [insert date that is 120 days after effective date of ordinance], no person may operate a STR without a Business License.

5.2 Each Dwelling Unit used as an STR shall require a separate Business License.

5.3 Business Licenses for STRs shall be good for one year after issuance unless earlier revoked in accordance with this Ordinance.

## 6. License Contents, Display, and Notice.

6.1 The Business License for a STR shall specify the name of the Owner, address of the STR, the Occupancy Limit, the Daytime Occupancy Limit, the Business License number, and the expiration date.

6.2 The Business License shall be displayed in a prominent and visible location within the STR, along with the following information on a form prepared by the Land Use Administrator:

6.2.1 a notice of the maximum number of vehicles to be parked at the STR;

6.2.2 a summary of the regulations contained in this section;

6.2.3 the name and contact information of the Owner or Owner's agent who can be reached 24/7 to meet emergencies;

6.2.4 the physical address of the STR;

6.2.5 solid waste storage and disposal requirements; and

6.2.6 Quiet Hours applicable to the STR.

The information listed in 6.2.1 through 6.2.6 shall be provided to vendees at least 48 hours prior to the beginning of the rental period.

6.3 The Owner of a STR receiving a Business License shall provide notice by first class mail to the owners of property located within 500 ft. of the property on which the STR is located measured from the property lines of the property on which the STR is located. The notice shall be on a form provided by the **Land Use Administrator** and, at a minimum, shall include contact information for the Owner or person responsible for managing the STR who can be contacted 24/7 to report violations of the regulations contained in this section or other County ordinance, a summary of STR regulations, information on how to report a violation to the Owner or person responsible for managing the STR and the County, and a copy of the Business License.

## 7. Procedure

7.1 The application and submittal requirements for a Business License for a STR shall be developed by the Land Use Administrator and shall include, at a minimum, the following:

7.1.1 For the year immediately preceding the application, the gross rental income from the STR and proof that applicable gross receipts taxes and lodgers' occupancy taxes have been paid through the most recent reporting period;

7.1.2 For the year immediately preceding the application, the dates on which the STR was available for rent, the dates on which the STR was actually rented, and the total amount of rent charged per night of actual rental;

7.1.3 A description of how the STR was used prior to being converted to an STR (e.g., owner-occupied housing, long-term rental, second home) and how it is utilized when not available for short-term rental; and

7.1.4 The name and contact information of the homeowner association (if any) governing the STR or condominium association of which the STR is a part and, if applicable, letters from such associations confirming that the STR is permitted under the association's governing documents or private covenants applicable to the STR.

7.2 Failure to submit a complete application, including the applicable fee and all required submittals, constitutes good cause for denial of the application.

7.3 The Land Use Administrator shall review the application for completeness. If an application is deemed incomplete, the Land Use Administrator shall inform the Applicant in writing and provide the Applicant with a reasonable amount of time to submit a complete application before the application is denied and a new fee is required.

7.4 As it relates to Business Licenses for STRs, the Land Use Administrator rather than the County Treasurer shall have the authority provided in Section 3, Section 5, and Section 7 of the Business Registration and Licensing Ordinance, provided that the County Treasurer may, based upon the Land Use Administrator's decision, physically issue a Business License for a STR.

7.5 Renewal of a Business License for a STR is not automatic and shall require the submission of a complete application.

## **8. Regulations/Requirements for STRs**

8.1 STRs shall comply with all applicable requirements in other Santa Fe County ordinances, including, but not limited to, the SLDC, the Santa Fe County Fire Code (Ordinance No. 2018-8); the Anti-Litter Ordinance (Ordinance No. 1993-11); the Santa Fe County Noise Control and Public Nuisance Ordinance (Ordinance No. 2009-11), and the Junked and Hazardous Vehicle Ordinance (Ordinance No. 1993-6).

8.2 Occupancy.

**8.2.1** The Occupancy Limit for a STR served by a septic system shall be two (2) people for the first two (2) bedrooms and one (1) person per bedroom thereafter.

**8.2.2** The Occupancy Limit for a STR served by a community sewer system shall be two (2) persons per bedroom.

**8.2.3** The Daytime Occupancy Limit for a STR shall be the Occupancy Limit plus the greater of 100% of the Occupancy Limit or ten (10).

**8.2.4** Children aged five (5) and under shall not count against the Occupancy Limit or Daytime Occupancy Limit.

### **8.3 Parking**

**8.3.1** All parking for a STR shall be located onsite.

**8.3.2** Vendees and their guests may not bring more cars to the STR than the number of onsite parking spaces.

### **8.4 Water**

**8.4.1** A STR must comply with all water restrictions applicable to the property on which the STR is located.

**8.4.2** Applicants for a Business License for a STR must submit (1) utility bills or other utility information showing water consumption over the prior two (2) years, in the case of a property served by a utility; (2) meter readings from a well for the previous two years, in the case of a property served by a well; or (3) other evidence satisfactory to the Land Use Administrator demonstrating actual water usage during the previous two years.

**8.4.3** If the water usage is in excess of applicable restrictions, the application must include a water conservation plan to reduce water usage so as to comply with applicable restrictions going forward.

**8.4.4** If the Dwelling Unit for which a Business License for a STR is sought does not have a water meter and is unable otherwise to establish actual water usage during the previous two years, the applicant shall provide proof that a meter has been installed at the time of application for the Business License and shall provide a beginning reading.

**8.4.5** Failure to comply with applicable water restrictions while having a Business License constitutes good cause to revoke or deny the renewal of a Business License for a STR.

### **8.5 Fire protection**

**8.5.1** All STRs shall comply with the Santa Fe County Fire Code (Ordinance No. 2018-8) as required by the Fire Marshall. To assist Owners with compliance and streamline the processing of applications, the Fire Marshall shall establish for submittal with the STR Business License application a Fire Code compliance certification form in which the Owner shall certify, under penalty of perjury, compliance with Fire Code requirements of most significance to STRs.

## 8.6 Solid Waste

**8.6.1** Each STR shall comply with the applicable sections of the Anti-Litter Ordinance (Ordinance No. 1993-11), SLDC, and the Solid Waste and Recycling Management Ordinance (Ordinance No. 2014-10) concerning the storage and disposal of solid waste, as well as the Development Permit or other approval applicable to the property.

## 8.7 Address and Signage

**8.7.1** Each STR shall clearly display the number assigned to it in accordance with Ordinance No. 1990-05.

**8.7.2** Any signage shall comply with residential signage restrictions of the SLDC.

## 8.8 Quiet Hours

**8.8.1** Vendees and their guests shall observe Quiet Hours between 10:00 p.m. and 7:00 a.m. each day; provided, however, that nothing herein shall preclude an Owner from establishing Quiet Hours that begin earlier and/or end later.

**8.8.2** During Quiet Hours, it shall be unlawful for persons at an STR to create any unreasonably loud, disturbing or unnecessary noise, or noise of such character, intensity or duration as to be detrimental to the repose, life or health of others. This includes, but is not limited to, the playing or performing of music, watching of television, or talking in such manner or with such volume as to disturb the quiet, comfort or repose of persons in any dwelling, hotel, hospital or sanatorium.

## 8.9 Other Commercial Activities Require Separate Authorization

**8.9.1** The granting of a Business License for a STR does not authorize the Owner or anyone else to engage in other business or licensed activity at the STR.”

**Section 4.** Section 3(B)(4) of Ordinance No. 1992-3 is hereby amended by adding the following new subsection o:

“o. STRs, \$375 for the initial Business License and \$300 for each renewal, both of which are payable at the time of application and are not refundable.”

**Section 5.** The Whereas clause in Ordinance No. 1992-3 is amended by replacing “NMSA Sec. 4-37-1 and Sec. 3-38-3 (1978, as amended)” with “NMSA 1978, Section 4-37-1 and Sections 3-38-1 through 3-38-6, as such may be amended or recompiled.”.

**Section 6.** Section 4(A) of Ordinance No. 1999-10 is hereby amended to read as follows:

“**A.** Business Registration and Business Licenses: The procedures for obtaining a Business License or Business Registration and for refusing a Business License or Business Registration are set forth in the Business Registration and Licensing Ordinance, Ordinance No. 1992-4, as amended. Short-term rentals, as defined in the Business Registration and Licensing Ordinance, Ordinance No. 1992-4, must obtain a

Business License pursuant to that ordinance. All other vendors engaging in business in Santa Fe County must obtain a County Business Registration pursuant to that ordinance.”


**Section 7. Effective Date.** The effective date of this Ordinance shall be 30 days after this Ordinance is recorded with the County Clerk.

**PASSED, APPROVED AND ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, 2022.  
THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

By: \_\_\_\_\_  
Anna T. Hamilton, Chairperson

ATTEST:

\_\_\_\_\_  
Katharine E. Clark  
County Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Jeff S. Young  
County Attorney

SFC CLERK RECORDED 12/13/2022

# SANTA FE COUNTY

*Ordinance No.* 1992-3

BUSINESS REGISTRATION AND LICENSING ORDINANCE

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AN ORDINANCE WHICH REQUIRES PERSONS ENGAGING IN BUSINESS IN SANTA FE COUNTY, TO REGISTER OR LICENSE SUCH BUSINESS ACTIVITIES WITH THE COUNTY CLERK; SETS FEES, PENALTIES AND FORMS; LISTS LICENSE ACTIVITIES WITH REGULATIONS; ALLOWS LICENSE AND BUSINESS REVOCATION; AND REPEALS SANTA FE COUNTY ORDINANCES 1982-9 AND 1989-11.

Be it ordained and deemed by the Board of County Commissioners of the County of Santa Fe, New Mexico:

WHEREAS, the Board of County Commissions of Santa Fe County, acting through the powers vested in it by NMSA Sec. 4-37-1 and Sec. 3-38-3 (1978, as amended), and acting through its police powers deems it to be in the public interest and in the interest of the health, safety, welfare and morals of the residents of Santa Fe County that this Ordinance be enacted in order to regulate Business Registrations and Licenses within the County of Santa Fe.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Santa Fe County, New Mexico:

**SECTIONS**

- 1. Short Title
- 2. Definitions
- 3. Application to Engage in Business
- 4. Land Use Administrator
- 5. Renewal
- 6. Late Fee
- 7. Business Registration or License Revocation
- 8. Engaging in Business Without Registration and/or License
- 9. Licensed Activities
- 10. Enforcement
- 11. Penalty Clause
- 12. Severability
- 13. Repeal
- 14. Effective Date

**SECTION 1. SHORT TITLE.**

This Ordinance may be cited as the Business Registration and Licensing Ordinance.

**SECTION 2. DEFINITIONS.**

For the purpose of this Ordinance, the following phrases and words, and their derivations all have the following mean-

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ings. Where appropriate, the masculine includes the feminine; the singular includes the plural. The word "shall" is always mandatory and not merely directory.

- A. "Business License" or "Business License Permit" means the authority granted by the County to a person, authorizing said person to:
1. engage in business in a temporary business activity, or
  2. engage in business in a listed licensed activity.
- B. "Business Registration" means the authority granted by the County to a person to engage in business, after such person completes a County Business Registration Form and pays the required Business Registration fees. Business registration is required for any person who engages in any permanent business activity in the County.
- C. "Clerk" is the County Clerk for the County of Santa Fe, New Mexico.
- D. "County" includes the area within the boundaries of Santa Fe County, including privately owned land and land owned by the United States, except the area within the limits of any incorporated municipality or Indian Reservation.
- E. "Engaging in business" means the activity of persons operating, conducting, doing, carrying on, causing to be carried on, or pursuing any business, profession, occupation, trade, pursuit or activity for the purpose of profit or support, when such work or activity occupies a

person's time or attention on a regular basis, including the keeping of books and accounts, maintaining an office mailing address or telephone line inside the County.

"Engaging in business" does not include a minimum connection between the County, including its residents, and the person or the business transaction, and does not include incidentals contacts within the County, such as conducting a meeting or placing a phone call, when such contacts are not part of a common or routine business or profit-making activity, or do not result in more than a nominal profit to a person.

- F. "Good Cause" means any activity or inaction by a person engaging in business in the County, and includes but is not limited to failure to pay all required registration and license fees, plus late fees; failure to file required County Forms; failure to perform the terms, conditions, or requirements as set forth on the license; or other actions of the applicant that violates state or county laws.
- G. "Licensed activity" means the engaging in business in the County which requires a County Business License and includes the following activities:
1. junk yard dealers; salvage yard dealers;
  2. traveling or itinerant theater productions;
  3. persons who regularly deal in second hand goods of any kind, excluding automobiles, but including pawnbrokers;
  4. fireworks vendors;
  5. circuses and carnivals;
  6. amusement rides;
  7. kennels;

8. commercial motion picture, photographing or filming activities; and
  9. any other business to which the public at large is invited which is not specifically enumerated above, including but not limited to, flea markets, festivals, athletic events, motor vehicle races, musical events, concerts, contests, rodeos and animal shows, but not including single family garage sales.
- H. "Permanent business" means the engaging in business in the County for sixty (60) days or more in any twelve (12) month period.
- I. "Person" means any individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, joint venture, syndicate, or other entity engaging in a business, profession, occupation, trade, pursuit or activity.
- J. "Place of business" means any tract, lot, premises, or other location, whether it be a personal residence, main business location, office, or an outlet, branch or other location thereof, temporary or otherwise:
1. to which the public is expressly or impliedly invited for the purpose of engaging in business, or
  2. at which a person engages in business.

In the event there is no such location, but the business is transacted at the location of the buyer, then the general sales area shall be considered a "place of business." Unless a construction contractor has at least one permanent location within the County, "place of business" includes a construction site, located therein.

- K. "Temporary business" means the engaging in business in the County, which business is conducted for less than sixty (60) days in any twelve (12) month period.

SECTION 3. APPLICATION TO ENGAGE IN BUSINESS.

Any person proposing to engage in business within the County shall apply for a Business Registration Permit and/or a Business License, on a form provided by the County Clerk, and shall pay the appropriate fee, all as set forth below:

- A. Business Registration and Fee. Any person engaging in a permanent business must complete a County Business Registration Form prior to March 15 of each year. For a person commencing such business after March 15 of any year the Business Registration Form and fee are due thirty (30) days after the day such person commences engaging in business in the County.

The Business Registration fee is \$35 per calendar year, is chargeable for each place of business, may not be prorated for business conducted for a portion of a year, and is due and payable on March 15 of each year to the County Clerk.

- B. Business License and Fee. Any person engaging in a temporary business or in a licensed activity must complete a County Business License Form before a license will be issued and must comply with any license requirements set forth in this Ordinance.
1. Person subject to license. Whenever in this Ordinance a license is required for engaging in busi-

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ness, any person shall be subject to the requirement if by himself or through an agent, employee or partner, he holds himself forth as being engaged in such business or occupation; or solicits patronage therefor, actively or passively; or performs or attempts to perform any part of such business or occupation in the County.

2. Investigation. Before issuing a Business License Permit, the County may make inspections and investigations of the person applying for the license and the properties on which the licensed activities will take place, and will make its findings available to the applicant within ten (10) business days of the applicant's license application submittal to the County. The purpose for the inspection may include but is not limited to the prevention of nuisance conditions and protection of health, safety and welfare of County residents and patrons to the proposed licensed business. The Clerk may refuse to issue a License to an applicant when the investigation reports conditions which are unfavorable to such issuance. The decision of the Clerk may be appealed by an interested party to the Board of County Commissioners. The Clerk may impose a reasonable fee on the applicant to cover the cost of the investigation.

3. **Issuance.** The Clerk may issue a license to an applicant with certain terms, conditions and/or requirements, and may require that any or all of the requirements be satisfied before the license is issued.
4. **Fees.** The following fees shall be imposed on persons applying for a Business License:
  - a. Auctions, one hundred (\$100.00) dollars per day;
  - b. Carnivals, one hundred fifty (\$150.00) dollars per day;
  - c. Circuses, one hundred fifty (\$150.00) dollars per day;
  - d. Itinerant vendors who bring into the County stocks or samples of any goods, wares or other merchandise and offers the same for sale, fifty (\$50.00) dollars per year or any portion of a year;
  - e. Itinerant vendors who offer services to the public, fifty (\$50.00) dollars per year or any portion of a year;
  - f. Salvage yard dealers, fifty (\$50.00) dollars per year;
  - g. Itinerant musical or theatrical exhibitions, twenty five (\$25.00) dollars per day;
  - h. Mobile home parks as defined in the Santa Fe Land Development Code, being Ordinance No. (1992-1), two (\$2.00) dollars per space with a minimum charge of fifty (\$50.00) dollars per park per year;
  - i. Itinerant salespersons, magazine and newspaper solicitors or individuals soliciting business of any kind, fifty (\$50.00) dollars per year, excluding newspaper carriers.
  - j. Dealers in secondhand goods of any kind, including flea-markets, and pawnbrokers, fifty (\$50.00) dollars per year;
  - k. Firework stands, which sell contrivances of flammable and explosive material combined in various proportions for purposes of producing combustion, light, or noise, three hundred (\$300.00) dollars per day; also, applicants must comply with the Santa Fe County Ordinance 1988-3, as amended, and 1989-8, as amended and/or replaced from time to time;

1. Kennel fees and additional requirements are set forth in the Santa Fe County Ordinance 1991-7, as amended.
  - m. any other temporary business: up to ten (\$10.00) dollars per month.
- C. Any person who had validly engaged in business in the County and who is not engaging in business in the County for one or more calendar years must reapply for business registration and/or business license, pursuant to Section 3 of this Ordinance.

SECTION 4. LAND USE ADMINISTRATOR.

Before a business license is granted, the County Land Use Administrator may review the license application and shall inform the applicant of any further requirements pursuant to life, health, welfare, and safety considerations. If after review of the business registration or license application, it is determined that a development permit, as defined in the Santa Fe County Land Development Code (1992-1, as amended from time to time), is also required, the registration or license shall not be issued until the development permit is obtained. If the Land Use Administrator determines that restrictions or limitations should be placed on the licensed activity in order to protect the health, safety or welfare of the citizens, he may impose requirements or conditions on the issuance of the registration or license, which shall reasonably be related to the concerns for the health, safety or welfare of the citizens of the County. An applicant aggrieved by the decision of the Land Use Administrator

may seek review pursuant to Section 7 of this Ordinance.

SECTION 5. RENEWAL.

Prior to March 15 of each year, a person engaging in business in the County and subject to this Ordinance shall submit the Business Registration Form and shall pay the fee for renewal of Business Registration and/or Business License with the County Clerk.

SECTION 6. LATE FEE.

Any person who does not pay the registration fee prior to March 15 of each year, or the license fee and any renewal fees thereto within seven (7) days of the due date will be assessed a late fee in the amount of ten (\$10.00) dollars, which must be paid before the Business Registration or Business License will be reissued.

SECTION 7. BUSINESS REGISTRATION OR LICENSE REVOCATION.

The Clerk may refuse to grant or renew a Business Registration or License to a person, based upon good cause. Upon request from such person whose registration or license has been or has been threatened to be denied, the reasons for such denial shall be written and given to such person within seven (7) days of such denial or revocation. The written decision shall state that such person shall be given the opportunity to appeal the denial or revocation at a hearing held before the Board of County Commissioners of Santa Fe County. Such hearing shall be held at a regularly scheduled meeting of the Board of County Commissioners, if the person denied a Business Registration or a License requests such a

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hearing, in writing, delivered to the County Manager, fourteen (14) calendar days before such meeting of the Board of County Commissioners. The request for hearing must be made within thirty (30) calendar days of the denial or revocation decision of the County Clerk. The decision of the Board of County Commissioners can then be appealed to the First Judicial District Court within fifteen (15) calendar days of such decision.

**SECTION 8. ENGAGING IN BUSINESS WITHOUT REGISTRATION AND/OR LICENSE.**

Any person engaging in business in Santa Fe County without a Business Registration and/or without a Business License, when required to have such by Ordinance, is in violation of this Ordinance. Any person who does not cease engaging in business in Santa Fe County when a letter is delivered to the place of business of such person, or to a person who owns, manages, or otherwise directs operation of such business, ordering that all business operating without the required County license and/or registration shall cease within three (3) business days of the receipt of such letter, unless the person operating such business corrects all violations of County Ordinances within three (3) business days of such receipt of said letter, and obtains a valid registration and/or license from the County of Santa Fe, shall be in further violation of this Ordinance with penalties as set forth below.

SECTION 9. LICENSED ACTIVITIES.A. Exhibitions and carnivals.

1. License required. It shall be unlawful for any person to conduct or operate within the County any exhibitions or carnivals which are open to the public without first securing a license therefor; provided that this Section shall not apply to those amusements or exhibitions which are specifically licensed in other sections of this Ordinance.
2. Definitions. The term "exhibitions" as used in this article shall be held to mean and include circuses, menageries, carnivals, side shows and other similar amusement enterprises which are open to the public and to which a fee for admission is charged.

The term "carnival" as used herein shall mean and include amusement activities, rides, merry-go-rounds, booths for the conduct of games of skill, food dispensing facilities and side shows. A carnival shall not include gambling devices, games of chance, lotteries, punch boards or such other activities.

3. Condition of license. In addition to other requirements set forth herein, the applicant shall furnish suitable evidence of his intention and ability to comply with the following conditions: the operator

and sponsor of the carnival or exhibition shall each be wholly responsible for maintaining order, and for keeping the site clean, free of trash, papers and other debris; and trash containers in adequate number shall be placed in convenient locations for the use of the public, and the contents shall be properly disposed.

No ride shall be placed in operation for public use until the applicant has certified that the same has been inspected for mechanical, structural, electrical and other hazards, by a licensed electrical or mechanical engineer. The licensed engineer shall also set forth adequate safeguards which the applicant shall install to protect both operators and the general public from inadvertently coming into contact with moving parts, belts, motor gears, electrical switches and other possible or potential hazards.

4. Insurance. No license shall be issued for conducting an exhibition or carnival until the applicant has placed on file with the County Clerk a certificate or certificates of insurance indicating that there is in effect public liability insurance covering any damages arising out of the use and operation of any and all devices and facilities operated in connection with such carnival or exhibition. Such insurance shall be in the minimum amount of

one million (\$1,000,000.00) dollars for each ~~person~~ <sup>808466</sup>  
son, and three million (\$3,000,000.00) dollars for  
each accident.

B. Races; Athletic Exhibitions. It shall be unlawful to conduct, operate or exhibit any race between persons, animals or vehicles, including bog races, boxing or wrestling matches, or any other athletic contest or exhibition for admittance to which a fee is charged, without having first secured a license therefor; provided that the applicant shall furnish substantial evidence of this intention and ability to conduct such event to assure the health, safety and welfare of the residents of the County, and in particular, shall furnish proof of his ability to maintain traffic and crowd control, and to maintain the site clean and free of trash, papers and other debris. No license shall be required for baseball, soccer, or football games, or for any exhibition given under the auspices or for the benefit of any religious, educational, charitable, social or fraternal organization.

C. Auctioneers.

1. License required. It shall be unlawful for any person to conduct an auction in the County or to be engaging in business as an auctioneer, whether the goods sold are owned by the auctioneer or not, without having first obtained a license as is herein provided.

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2. **Applications.** Applications for auctioneers' licenses, or for a single auction, shall state thereon the place of business intended to be occupied, if any, or the place of such auction; and such application shall give the names of any employees, not to exceed two (2) who are to be authorized to conduct auctions under the authority of the license.
  3. **Character of applicant.** No license shall be issued to any but a person of good character; the County Sheriff may investigate the character of each applicant before the license is issued.
  4. **Employees.** Every person licensed as an auctioneer may designate not to exceed two (2) employees who may be authorized by him to conduct auctions. The employer shall be liable for any violation of the County Ordinances committed by such employee in conducting an auction.
  5. **Exemptions.** Nothing in this Section shall be held to apply to any public auction or sale made or conducted by a public officer or person by virtue of any judicial order or process or by virtue of any power or authority contained in a mortgage or trust deed.
- D. **Flea markets.**
1. **Definitions.** As used in this Section, the following terms shall have the following meanings, unless

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the context clearly indicates that a different meaning is intended:

- a. Flea market: a market, indoors or out-of-doors, where new or used items are sold from individual locations, with each location being operated independently from the other locations. Items sold include but are not limited to household items, antiques, rare items, decorations, used books and used magazines.
  - b. Flea market seller: a person, selling items or offering items for sale at a flea market.
  - c. Market: a place where goods are sold to the public.
2. License required. No person shall operate the business of a flea market or of renting space or allocating space to flea market sellers without first obtaining a license. Applications for licenses shall be made to the Clerk, on forms provided by the Clerk. Only one license shall be required for each flea market, and the individual flea market sellers shall not be required to obtain a license under this section.
3. Records to be kept by licenses. Each person required by this Ordinance to obtain a license shall keep accurate records of the names and addresses of each flea market seller together with a brief de-

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scription of the type or types of merchandise offered for sale by that seller.

4. **Secondhand stores excepted.** No person having a license as a secondhand store shall be required to obtain a license under this Ordinance for the same business location.
5. **More than one market.** Any person renting or allocating space to flea market sellers in more than one market or place of business shall be required to obtain a license for each place of business, provided that one license shall be adequate for locations that are on the same lot, adjacent lots or lots separated only by an alley.
6. **Unlawful transactions.** No person shall sell or offer for sale at any flea market any goods known to such person to be stolen.
7. **Purchases from children.** No flea market seller shall purchase any used household item, antique or used article whatsoever from any person under the age of eighteen (18) years, unless such person is accompanied by the person's parent or guardian.

E. Automobile salvage yards.

1. **Definition.** As used in this Ordinance, the term "automobile salvage yard" shall mean any lot or place which is exposed to the weather, upon which more than five (5) motor vehicles of any kind,

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incapable of being operated on the roads of the County, are placed.

2. **Fences required.** An automobile salvage yard shall be entirely enclosed by a fence eight (8) feet in height, which shall be kept neatly painted and in good repair at all times, and which shall be constructed of plank, board, or coyote fence, so as to exclude such yard from public view. A period of sixty (60) days from the date of the passage of this Ordinance is allowed the operators of such yards to construct the fence or fences required by this Ordinance.
3. **Advertisements on fences.** The fence enclosing an automobile salvage yard shall not be used for bill postings or other advertising purposes, except that a space not larger than six (6) feet by twelve (12) feet may be used for the advertisement of the business of the owner thereof. Where such yard fronts on more than one street, the use of space for advertisement herein permitted shall extend to each street on which the yard abuts.
4. **Contents not to extend above height of fences.** The contents of an automobile salvage yard shall not be placed or deposited to a height greater than the height of the fence surrounding it.
5. **Time for demolishing and wrecking cars.** Work in connection with the demolishing or wrecking of cars

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is permitted only on weekdays between the hours of seven a.m. and six p.m.

6. **Open fire.** No open fire for the burning of rubbish, trash, automobiles, or any parts thereof, or other waste matters, is permitted.
7. **Rubbish and waste matter.** An automobile salvage yard shall, as far as practicable, be kept clear and clean of all rubbish or waste matter.
8. **Gasoline to be drained from vehicles.** All tanks and engines shall be kept thoroughly drained of gasoline.
9. **Police officers to have access for inspection.** All automobile salvage yards, together with the books required by this Section shall be at all times open for inspection to all officers of the County having police power, and the County Land Use Administrator or his designee.
10. **Time when purchases by operator permitted.** No purchaser operating or maintaining an automobile salvage yard shall purchase any vehicles, or parts or accessories thereof, except between the hours of sunrise and ten p.m.
11. **Records.** Any person maintaining or operating an automobile salvage yard shall keep at his place of business a book in which a record shall be kept of the day and time of day of each purchase, the name, residence, and description of the person selling

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and actually delivering the vehicle, parts, or accessories purchased, the amount of the purchase price, the make, state license number, motor number, body number, style, seating capacity of the vehicle purchase; the make and identifying number of the radiator, speedometer, and magnetos purchased, together with any other information concerning said property as may be necessary to prove ownership or identity of such vehicles or of such automobile parts or accessories purchased.

12. **Buying, selling vehicles or parts from which identification marks have been removed; notice to Sheriff.** No automobile salvage yard operator shall knowingly buy, sell, receive, dispose of, conceal or have in his possession any motor vehicle, part or accessory from which the manufacturer's serial number or any other number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealing or misrepresenting the identity of the vehicle, part or accessory. Every person to whom is offered for sale any motor vehicle, part, or accessory from which has been removed, defaced, covered, altered or destroyed the manufacture's serial number or any number or identification mark shall immediately notify the County Sheriff.

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13. **Sales to minors.** No automobile salvage yard operator shall purchase any automobile or automobile part or any article whatsoever from any minor without the written consent of the minor's parent or guardian.
  14. **License required.** No person shall maintain or operate an automobile salvage yard without first having obtained a license.
  15. **Fire extinguishers.** Each automobile salvage yard shall have on hand at least one fire extinguisher of any type recommended by the manufacturer to put out gasoline fires and fires in automobiles. Such fire extinguisher shall be in plain sight in an easily accessible location, and shall be kept charged. Each employee shall be informed of the location of the fire extinguisher and of the manufacturer's instructions for using it.
  16. **Grace period.** All owners or operators of automobile salvage yards are hereby given a one hundred and twenty (120) day grace period to perform all construction and improvements, including the construction of fences as required by this Ordinance.
- F. Motion Picture/Television Production/Photography Activities.
1. **Permit Required.** It is unlawful for any person to film or photograph any commercial, motion picture, or advertisement in the County of Santa Fe without

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having first obtained a permit as is herein provided.

2. **Applications.** Applicants for Motion Pictures/Television/Photography Permits shall complete the required permit form, as provided by the Land Use Administrator, and shall abide by any conditions, as well as the policies and procedures, which are promulgated by County Land Use Administrator.
3. **Exemptions.** The provisions of this Ordinance shall not apply to:
  - (a) the filming of news events concerning those persons, scenes, or occurrences which are in the news and of general public interest; and
  - (b) a motion picture or television production studio operating at an established or fixed place of business in the County of Santa Fe.
4. **Rules.** The County Manager is hereby authorized and directed to promulgate rules, policies, procedures, and conditions which govern the form, time, and location of any activity described in this Section of this Ordinance. The County Manager may also set a permit fee pursuant to this Section. Bonds and insurances may be required pursuant to the policies, procedures, and conditions promulgated by the County Manager.

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G. Kennels. Kennel requirements are contained in the County Animal Control Ordinance (1991-6), as amended or replaced from time to time, and is incorporated herein by reference.

SECTION 10. ENFORCEMENT.

This Ordinance may be enforced by misdemeanor citations to or through the institution of a criminal action brought in the First Judicial District Court or Magistrate Court, and appropriate legal or administrative action brought to prevent the conduct of business; to restrain, correct, or abate the violation of the Ordinance; to prevent the occupancy of a building, structure, or land on which the business is located; to withhold the issuance of permits; or to require inspections. The County may institute any appropriate action or proceeding as provided for herein any time up to four (4) years after the violation.

SECTION 11. PENALTY CLAUSE.

Any person convicted of a violation of any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not more than three hundred (\$300.00) dollars or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 12. SEVERABILITY.

If any of these sections, subsections, sentences, clauses, or phases of this Ordinance are for any reason found to

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be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not thereby be affected since it is the express intent of the Board of County Commissioners to pass each section, phrase, paragraph, and word separately.

SECTION 13. REPEAL.

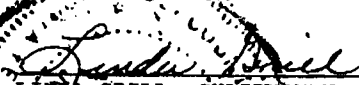
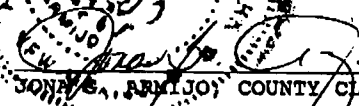
Santa Fe County Ordinances 1982-9 and 1989-11 are hereby repealed.

SECTION 14. EFFECTIVE DATE.

This Ordinance shall become effective May 13, 1992.

PASSED, APPROVED AND ADOPTED, THIS 14<sup>th</sup> DAY OF April, 1992.

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS

  
LINDA GRILL, CHAIRWOMAN  
  
JOHN G. ARMILLO, COUNTY CLERK

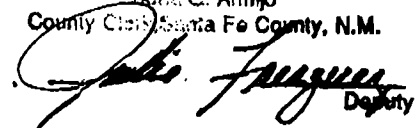


APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
TERRENCE P. BRENNAN,

  
TERRENCE P. BRENNAN  
SANTA FE COUNTY ATTORNEY

COUNTY OF SANTA FE  
STATE OF NEW MEXICO 770 210  
I hereby certify that this instrument was filed  
for record on the 16 day of April A.D.  
19 92 at 1:50 o'clock P.M.  
and was duly recorded in book 808  
page 454-476 of the records of  
Santa Fe County.

Witness my Hand and Seal of Office  
John G. Armijo  
County Clerk, Santa Fe County, N.M.

  
Deputy

SFC CLERK RECORDED 12/13/2022



SFC CLERK RECORDED 05/14/2009 SFC CLERK RECORDED 13/12/2022

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

ORDINANCE NO. 2009- 3

AN ORDINANCE AMENDING ORDINANCE 1992-03 TO TRANSFER AUTHORITY FROM THE COUNTY CLERK TO THE COUNTY TREASURER FOR PURPOSES OF BUSINESS LICENSE AND REGISTRATION

WHEREAS, Ordinance 1992-03 ("Business License and Registration Ordinance") assigned to the County Clerk responsibility for administration of that ordinance; and

WHEREAS, subsequent review indicates that the responsibility for administration of that ordinance should be transferred from the County Clerk to the County Treasurer.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY:

All references to "County Clerk" in Ordinance 1992-03 are replaced with "County Treasurer."

PASSED, APPROVED AND ADOPTED this 12 day of May, 2009.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

Signature of Mike D. Anaya, Chair

Mike D. Anaya, Chair

ATTEST:

Signature of Valerie Espinoza, Santa Fe County Clerk

Valerie Espinoza, Santa Fe County Clerk



APPROVED AS TO FORM:

Signature of Stephen C. Ross, Santa Fe County Attorney

Stephen C. Ross, Santa Fe County Attorney

COUNTY OF SANTA FE ) BCC ORDINANCE
STATE OF NEW MEXICO ) ss PAGES: 1
I Hereby Certify That This Instrument Was Filed for
Record On The 14TH Day Of May, 2009 at 04:40:51 PM
And Was Duly Recorded as Instrument # 1562909
Of The Records Of Santa Fe County

Witness by Hand And Seal Of Office
Deputy [Signature] Valerie Espinoza
County Clerk, Santa Fe, NM



## Short Term Rental Fire Department Requirements

- **Emergency escape and rescue openings.** Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency escape and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a public way or to a yard or court that opens to a public way.

### Exceptions:

- Emergency escape and rescue openings are not required from basements or sleeping rooms that have an exit door or exit access door that opens directly into a public way or to a yard, court or exterior exit balcony that opens to a public way.
- Basements without habitable spaces and having not more than 200 square feet (18.6 m<sup>2</sup>) in floor area shall not be required to have emergency escape and rescue openings.

**Minimum size.** Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.53 m<sup>2</sup>).

**Minimum dimensions.** The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm). The net clear opening dimensions shall be the result of normal operation of the opening.

**Maximum height from floor.** Emergency escape and rescue openings shall have the bottom of the clear opening not greater than 44 inches (1118 mm) measured from the floor.

**Operational constraints.** Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape rescue openings provided they shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the emergency escape and rescue opening.

- **Single or multiple-station smoke alarms** shall be installed and maintained in short term rentals at all of the following locations:
  - On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
  - In each room used for sleeping purposes.
  - In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
- **Carbon monoxide detection** shall be installed and maintained in short term rentals at all of the following locations:
  - **Dwelling units.** Carbon monoxide detection shall be installed in dwelling units outside of each separate sleeping area in the immediate vicinity of the bedrooms. Where a fuel burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom.
  - **Sleeping units.** Carbon monoxide detection shall be installed in sleeping units.
    - **Exception:** Carbon monoxide detection shall be allowed to be installed outside of each separate sleeping area in the immediate vicinity of the sleeping unit where the sleeping unit or its attached bathroom does not contain a fuel-burning appliance and is not served by a forced air furnace.

- **Portable fire extinguishers (PFEs)** are required to give the occupants the means to suppress a fire in its incipient stage.

**General requirements.**

- Portable fire extinguishers shall be selected, installed and maintained in accordance with NFPA 10.
  - Potable fire extinguisher shall be rated no less than 2A10BC.
  - Maximum distance of travel to extinguisher must not exceed 75 feet.
- **Means of egress continuity.** The path of egress travel along a means of egress in all short term rentals shall not be interrupted by a building element other than a means of egress component. Obstructions shall not be placed in the minimum width or required capacity of a means of egress component. The minimum width or required capacity of a means of egress system shall not be diminished along the path of egress travel.ro

**Defensible Space.** This provision is intended to modify the fuel load in areas adjacent to structures to create a defensible space. Defensible space requirements shall meet the Santa Fe County Vegetation Management Plan as referenced in Ordinance 2018-8 Exhibit B.

- **Spark arresters.** Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel is used, shall be provided with a spark arrester. Spark arresters shall be constructed of woven or welded wire screening of 12 USA standard gage wire (0.1046 inch) (2.66mm) having openings not exceeding ½ inch (12.7 mm).
- **Storage of firewood and combustible materials.** Firewood and combustible material shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. When required by the code official, storage of firewood and combustible material stored in the defensible space shall be located a minimum of 20 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).



**Henry P. Roybal**  
*Commissioner, District 1*

**Anna Hansen**  
*Commissioner, District 2*

**Rudy N. Garcia**  
*Commissioner, District 3*



**SANTA FE COUNTY**

**Anna T. Hamilton**  
*Commissioner, District 4*

**Hank Hughes**  
*Commissioner, District 5*

**Gregory S. Shaffer**  
*County Manager*

**Date:** August 17, 2022  
**To:** Board of County Commissioners  
**From:** Penny Ellis-Green, Growth Management Director  
**Via:** Gregory S. Shaffer, County Manager  
**RE:** Backup Data Memo for Ordinance No. 2022-\_\_\_\_, An Ordinance Amending Ordinance No. 1992-3, the Business Registration and Licensing Ordinance, and Ordinance No. 1999-10, The Lodgers' Occupancy Tax Ordinance, to License and Regulate Short-Term Rentals in Santa Fe County

**ISSUE:**

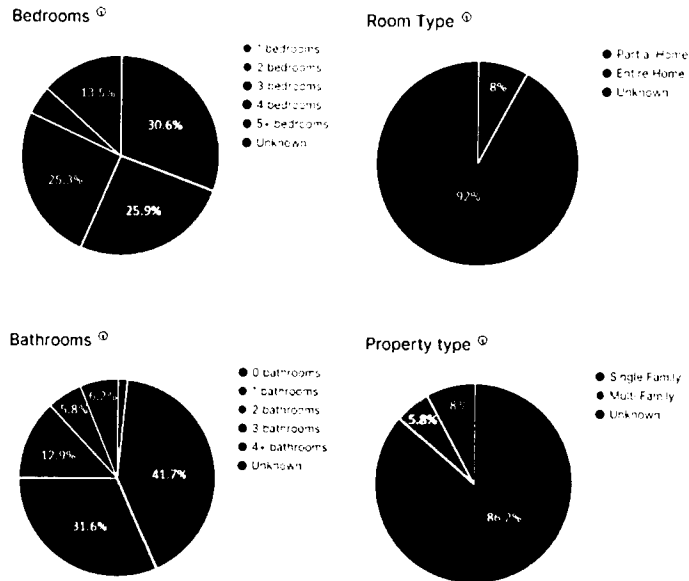
The Board requested staff to present existing data on short-term rentals for the proposed Short Term Rental Regulation and Licensing Ordinance.

**SUMMARY:**

Staff has aggregated relevant STR data from Host Compliance and U.S. Census data which is presented here. In this memo, there are four graphs, three tables, and four maps. Additionally, staff found that for STR property owners only 5 owners had 2 separate listings and 2 owners had 3 separate listings – every other STR owner only had one listing.

*Note:* While the exact number of STR fluctuates throughout the year, the STRs count for this data is from July 14, 2022.

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**Graphs. STRs by (1) # of Bedrooms, (2) Room Type, (3) # of Bathrooms, and (4) Property Type**

All four graphs are from the Address Identification Dashboard on the Host Compliance website (7.14.22).

**Table 1. Nights Occupied for STR Listings**

Using Host Compliance’s mid-estimate for how many nights each STR was occupied, staff calculated how many nights STRs were occupied at various time intervals. For example, 60 of the 386 STR listings were occupied 30 days or less during the past year while 322 of the 386 STR listings were occupied 180 days or less. Note: Data was only available for 386 listings on 7.26.22.

| Nights Occupied       | Listings (out of 386 total*) |
|-----------------------|------------------------------|
| 30 days/year or less  | 60                           |
| 60 days/year or less  | 118                          |
| 90 days/year or less  | 174                          |
| 180 days/year or less | 322                          |
| 9 months/year or less | 376                          |

**Table 2. Percentage of STRs of the Total Housing Units by Overlay District**

Using Total Housing Units counts from each Overlay District’s current plan and Host Compliance data (from 7.14.22), staff calculated the percentage of total housing units that are STRs for each Overlay District. Four Overlay District plans did not have total housing unit data.

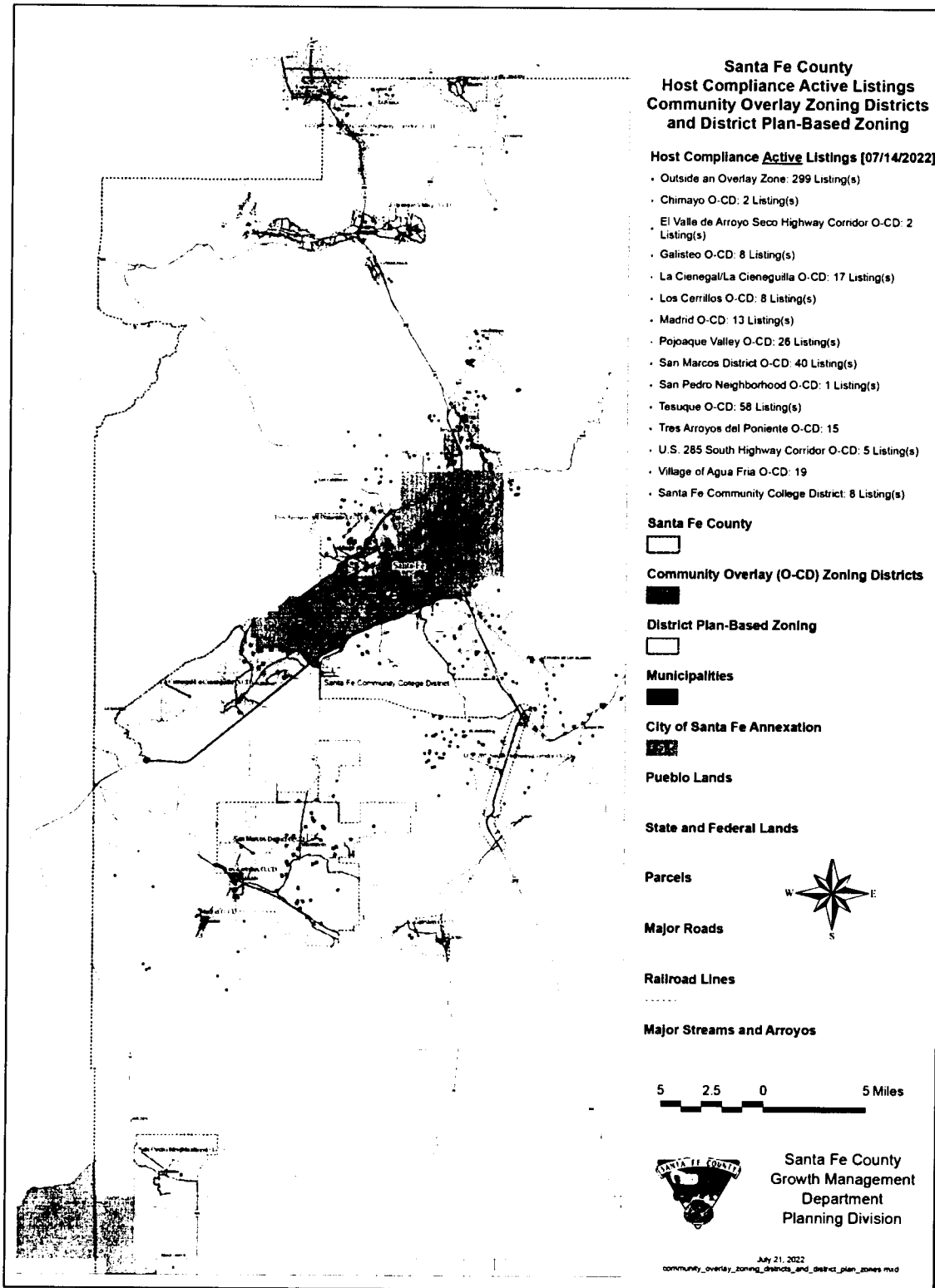
| Overlay District                | Total Housing Units | STRs | %   | Total Housing Units' Data Source                                                        |
|---------------------------------|---------------------|------|-----|-----------------------------------------------------------------------------------------|
| Tesuque                         | 718                 | 58   | 8.1 | 2010 Census                                                                             |
| San Marcos                      | 876                 | 40   | 4.6 | 2010 Census via 2019 District Plan Estimate Calculations                                |
| Chimayo                         | 1575                | 2    | 0.1 | 2010 Census                                                                             |
| La Cienega/La Cieneguilla       | 1340                | 17   | 1.3 | 2010 Census                                                                             |
| Los Cerrillos                   | 188                 | 8    | 4.3 | 2010 Census                                                                             |
| Madrid                          | 167                 | 13   | 7.8 | 2010 Census                                                                             |
| Pojoaque Valley                 | 2826                | 26   | 0.9 | 2010 Census                                                                             |
| San Pedro                       | 128                 | 1    | 0.8 | 2010 Census                                                                             |
| Tres Arroyos del Poniente       | 2060                | 15   | 0.7 | 2010 County GIS Structure Data                                                          |
| Village of Agua Fria            | 1391                | 19   | 1.4 | 2010 County GIS Structure Data (CDP boundaries do align with County Community District) |
| Community College District      | no data (nd)        | 8    | ~   |                                                                                         |
| El Valle de Arroyo Seco         | nd                  | 2    | ~   |                                                                                         |
| Galisteo                        | nd                  | 8    | ~   |                                                                                         |
| U.S. 285 South Highway Corridor | nd                  | 5    | ~   |                                                                                         |

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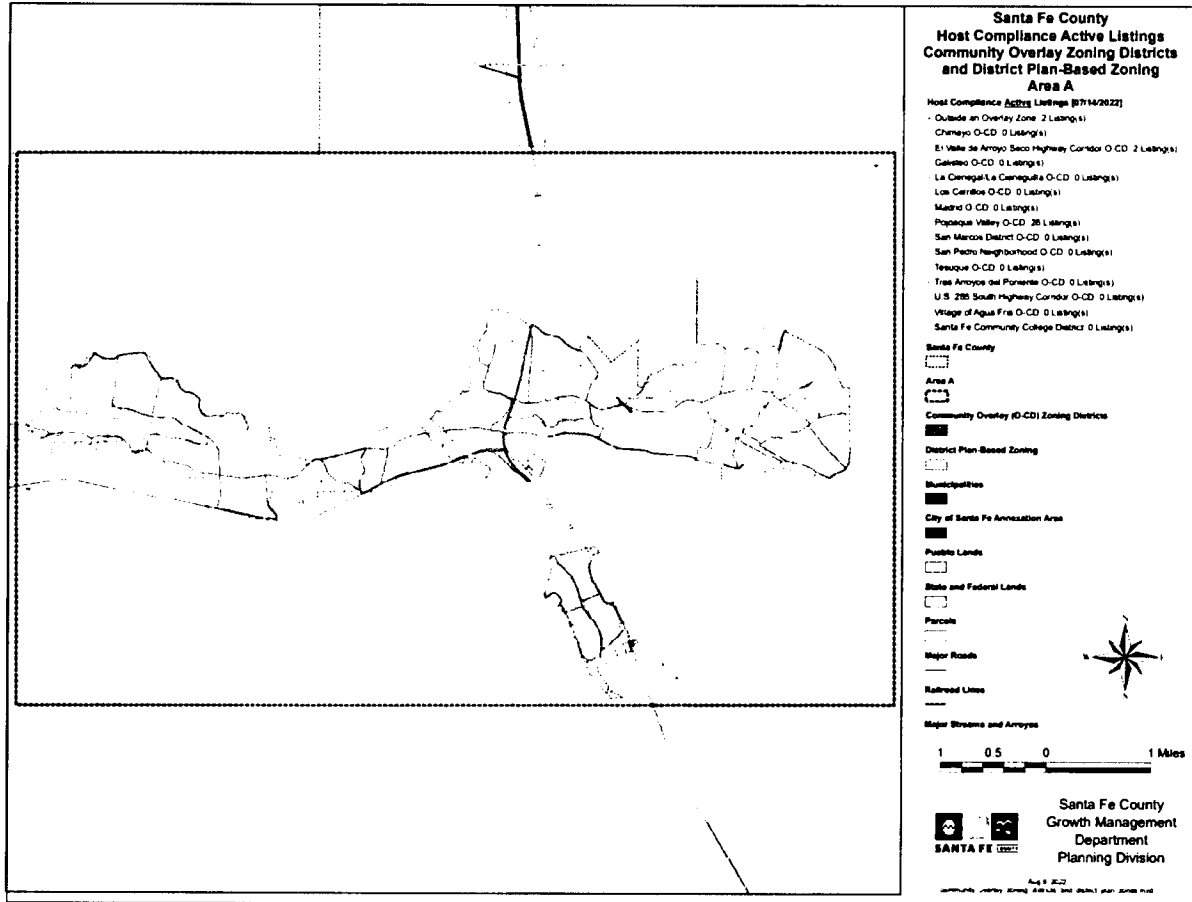
**Table 3. Percentage of STRs of the Total Housing Units in Unincorporated Santa Fe County**

Using U.S. Census Bureau’s 2020 DEC Redistricting Data and Host Compliance data (from 7.14.22), staff calculated the percentage of total housing units that are STRs in the County.

| Total Housing Units (2020 DEC Redistricting Data) |       |          |        |                    |
|---------------------------------------------------|-------|----------|--------|--------------------|
| JURISDICTION                                      | TOTAL | OCCUPIED | VACANT |                    |
| Santa Fe County *                                 | 25072 | 21841    | 3231   | * = unincorporated |
| 521 STRs % of Total Units                         | 2.08% |          |        |                    |



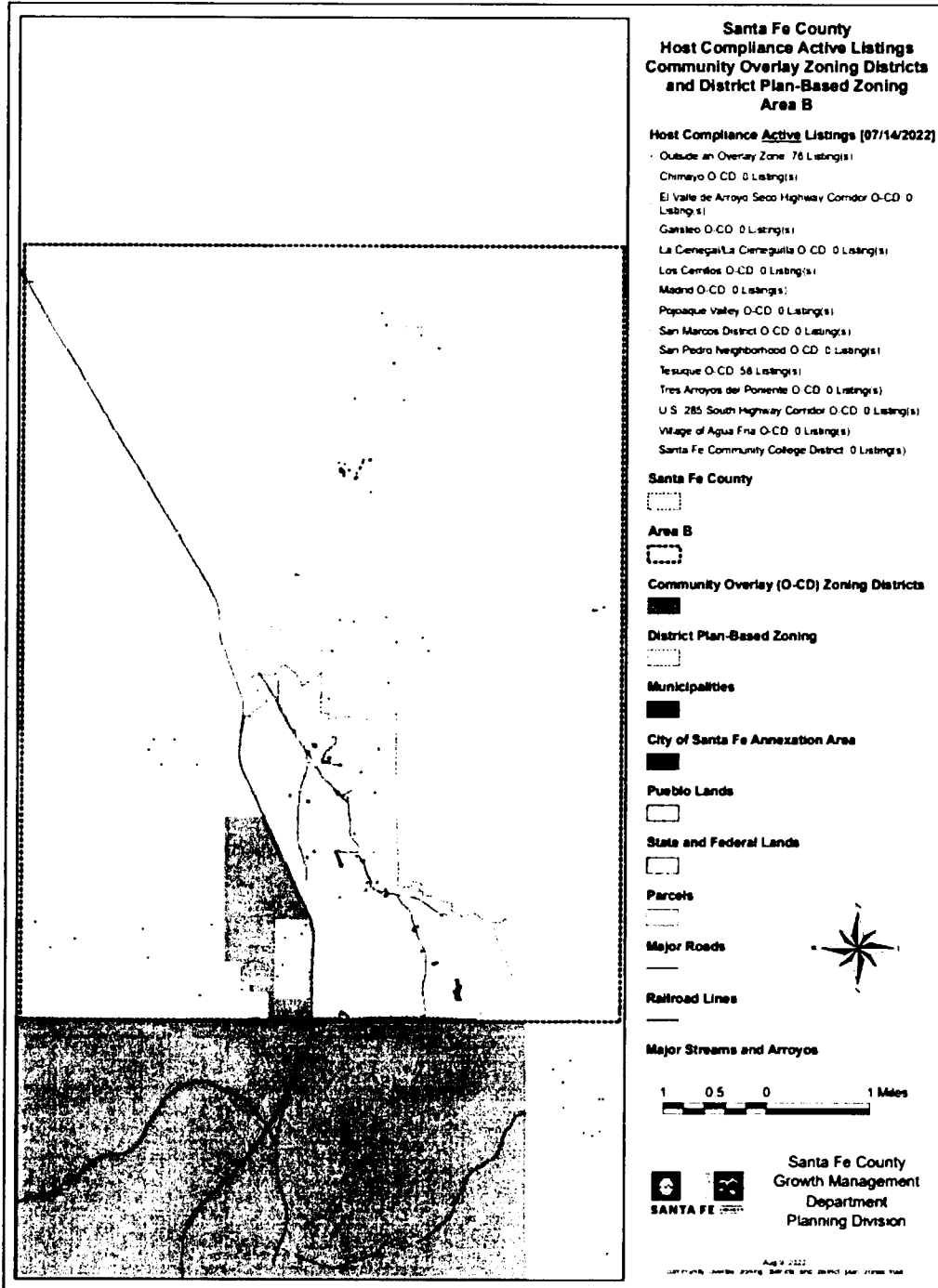
**Map 1. Community Overlay Zoning Districts and District Plan-Based Zoning – Countywide**



**Map 2. Community Overlay Zoning Districts and District Plan-Based Zoning – Area A**

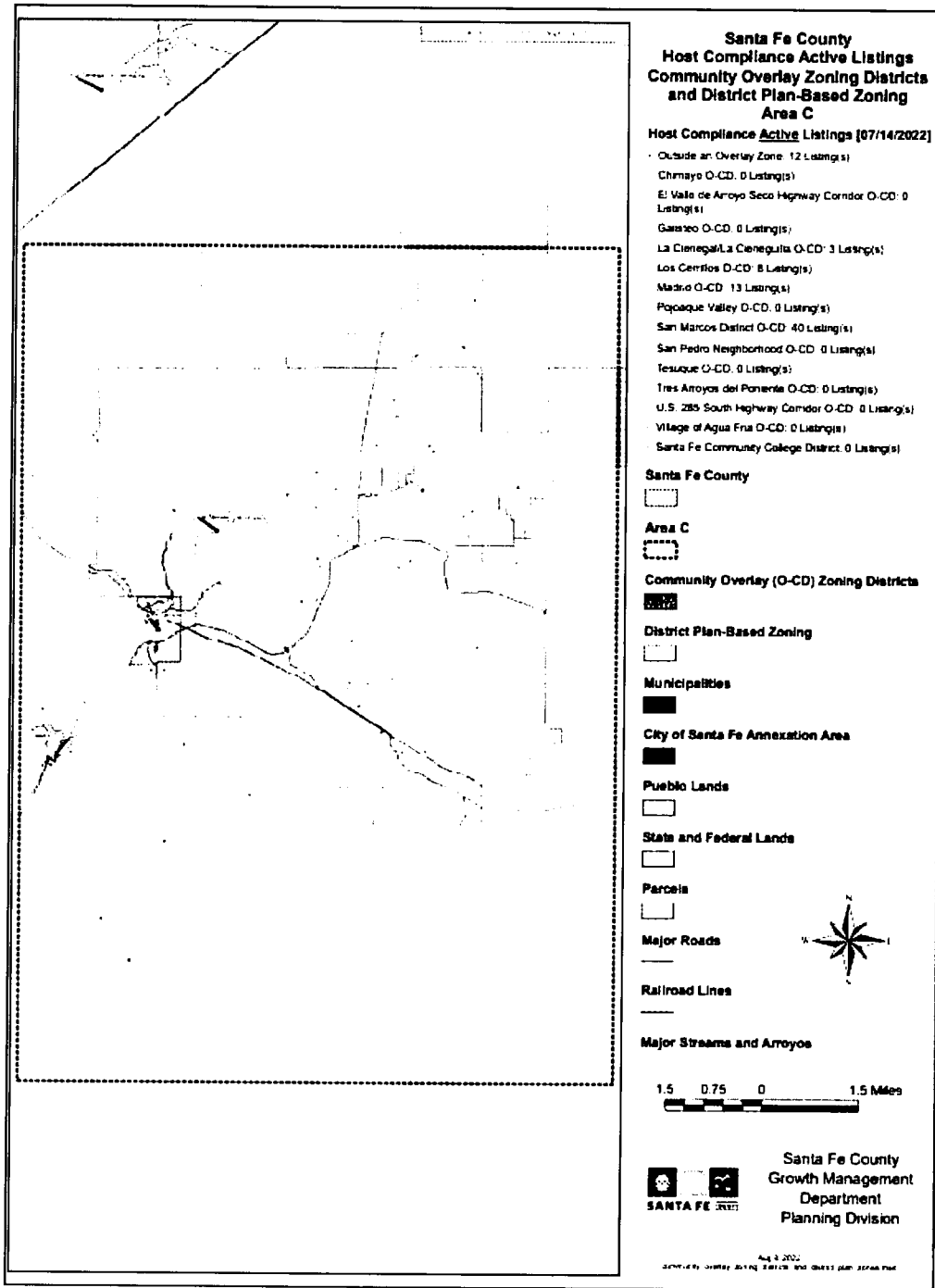
Area A focuses on the Pojoaque Valley Community District.

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**Map 3. Community Overlay Zoning Districts and District Plan-Based Zoning – Area B**

Area B focuses on the Tesuque Community District and surrounding areas.



**Map 4. Community Overlay Zoning Districts and District Plan-Based Zoning – Area C**

Area C focuses on the Madrid, Los Cerrillos, and San Marcos Community Districts.



**Public Comment**  
on the Proposed STR Ordinance

(as of 14 October 2022)

SFC CLERK RECORDED 12/13/2022

**Public Comment 1:**

**From:** Corey Mansfield  
**To:** Nathaniel Crail  
**Subject:** Re: Petition in FAVOR of Short Term Rental Regulations in Santa Fe County  
**Date:** Tuesday, September 27, 2022 3:54:19 PM

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**Warning:**

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Thank you!

Some more items for consideration in case I do not make it in time for public statements:

At the last hearing, some Short Term Rental (STR) operators seemed to think these regulations were strict or unfair however when compared to the recent ordinance passed in Taos (link below) it is actually fairly lax.

<https://www.taosgov.com/427/Short-Term-Rentals>

Some STR operators referred to themselves as "county ambassadors" (link below) at the last hearing and I would like to point out that all service, hospitality, gallery, retail, public maintenance, healthcare workers, and more are also county ambassadors and have arguably more interactions with those visiting our county than STR hosts. The STR industry would not exist without the aforementioned industries and the people working in those areas deserve access to affordable housing in the communities they serve.

[https://www.santafenewmexican.com/news/local\\_news/proposed-county-short-term-rental-rules-draw-outcry/article\\_4cf05fd6-337e-11ed-8c9b-db79e5ce65f5.html?fbclid=IwAR0P5nZykUhFbVAgxJetrxo8X9fcXBKVRc9TLDJGwa8UWUHihGIhcLhD0](https://www.santafenewmexican.com/news/local_news/proposed-county-short-term-rental-rules-draw-outcry/article_4cf05fd6-337e-11ed-8c9b-db79e5ce65f5.html?fbclid=IwAR0P5nZykUhFbVAgxJetrxo8X9fcXBKVRc9TLDJGwa8UWUHihGIhcLhD0)

Lastly, the lodgers tax being disputed directly funds promotion of art based and cultural events within Santa Fe County with the intention of drawing more tourism to the area. It would seem that it is in the better interest of STR operators to pay this tax.

Thank you again!

Corey Mansfield  
505 469 0877

Registered Voter 87010

(I don't know if you need that info, I've never submitted to the county before. Thanks!)

On Tue, Sep 27, 2022 at 2:52 PM Nathaniel Crail <[ncrail@santafecountynm.gov](mailto:ncrail@santafecountynm.gov)> wrote:

Thank you Corey. This will be shared with the Commissioners.

Yes, there will be a time for public statements.

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-nate

**From:** Corey Mansfield [mailto:nmfourteen@gmail.com]  
**Sent:** Tuesday, September 27, 2022 12:28 PM  
**To:** Nathaniel Crail <ncrail@santafecountynm.gov>  
**Subject:** Petition in FAVOR of Short Term Rental Regulations in Santa Fe County

**Warning:**

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Santa Fe County Commissioners:

The petition below was started a week ago in response to the first hearing on the proposed ordinance to regulate Short Term Rentals in Santa Fe County. These signatures represent those in FAVOR of the proposed changes.

The majority of signatures have come from Santa Fe County residents (please see attached spreadsheet). Please consider your constituent's input on this matter.

<https://www.change.org/p/santa-fe-county-residents-in-favor-of-short-term-rental-regulation?redirect=false>

I plan on being at the public hearing portion of today's meeting. Will there be time for public statements?

Thank you,

Corey Mansfield

505 469 0877

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**Public Comment :**

**From:** [Mari Rubens](#)  
**To:** [Nathaniel Crail](#)  
**Subject:** Re: STR  
**Date:** Wednesday, September 28, 2022 12:01:10 AM

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**Warning:**

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Hi Nate,

I will be unable to attend the meeting this evening. After having a chance to read thru the proposed ordinance, I would appreciate you sharing my perspective with the board considering this ordinance.

It seems the purpose of the ordinance is attempting to offer quality to ST renters, existing communities/ neighborhoods and the environment.

Given this, I would suggest that from my perspective there is much the county could do within existing neighborhoods to engender the qualities it is seeking to gain by imposing ordinances on STR.

As an example, in my own neighborhood I have to warn my str guests that:

- they will hear multitudes of dogs barking thru the night.
- vehicles will race up and down the road at all hours of the night
- neighbors blast music when and where at will

Things I don't mention to my STR guests:

- I have a neighbor who is attempting to grow an orchard off her well water.
- I have a neighbor who's abandoned trash and vehicles line the boundary between our properties.

-my road is littered with trash from neighbors and their families/friends/ employees

In my humble perspective, my STR guests are not the issue.

My STR story is :

I am a RN that has been providing home care in rural New Mexico for the past five years to home bound patients. In November 2021 I was attacked by a patients German Shepherd. I spent five days in a trauma unit in Tucson Arizona. They were able to save my left arm. I am currently off work through Workmen's Compensation with no idea Of when or if I will be able to return to work.

I am 69 years old and was intending to work until I was 75 years old. I was able to purchase my home in Santa Fe County 2019. believe me when I say that the meager compensation I get from Workmen's Compensation is not enough to live on. Being able to rent out a bedroom in my house has been a lifesaver for me over the past year in face of the debilitating and traumatic attack I lived thru.

My accident and disability aside, I'd like to think the county would be seeking ways to support seniors to be able to stay in their homes. Being able to gain a small bit of income from sharing an otherwise empty room in my home has been a part of my retirement plan.

What difference does it make if a tourist or a traveler is sleeping in my spare room than if I rent it out on a long term basis?

I live in my home with my STR guests. I monitor their behavior and actions.

If I owned multiple properties in Santa Fe county and was maximizing financial gain from STR and preventing local residents from having the opportunity for a Rental residence, then I could see appropriateness of this proposal. However at this time I feel you are making a blanket statement for STR, when in fact there are many differences/ variations in STR

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situation.

Thank you for hearing my voice,  
Mari Rubens

On Wed, Sep 14, 2022 at 3:18 PM Mari Rubens <[marirbns@gmail.com](mailto:marirbns@gmail.com)> wrote:

Thank you Nate. My apologies if I provided confusion!

I will do my best to continue to follow this and if possible attend the next meeting.

Best,

Mari

Sent from my iPhone

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**Public Comment :**

Wed 9/23/2022 8:33 PM

**RACHEL MCMATH** <rachelmcmath@kw.com>  
Re: STR Question

To: Nathaniel Crai

Follow up. Completed on Friday, October 14, 2022.  
Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

 Short Term Rental- Is it...  
60 KB

Action Items + Get more apps

**Warning:**  
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Good morning Nate,

**The existing data about STRs in the County that you sent was exactly what I was looking for. Thank you!**  
Would you mind adding this to the public comments?

Thank you!  
Rachel

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With all the time, effort, and hard work that goes into drafting and passing an ordinance, it is logical to assume there is definitely a purpose behind the proposing of these regulations.

Here are a few questions we would like to ask:

1. Is safety or negative impact really your concern behind drafting this ordinance?
  - a. As brought up multiple times, safety regulations have been built into short term rental platforms.
  - b. And your data is extremely inconclusive on negative impact concerns.
  
2. Is environmental health the concern?
  - a. Your data shows that short term rentals are occupied less than other housing options and therefore put a SMALLER strain on the environment.
  
3. Is money the concern? Specifically...
  - a. Community money?

As you have already conceded, short term rentals bring money into our communities through

    - Obviously, the short term rental itself
    - Restaurants
    - Stores
    - Galleries
    - Shops
    - Street vendors
    - On and on and on!
  - b. More money for the local government?
    - i. STR owners are one of few housing providers that pay gross receipts and lodgers tax. And the money tourists spend gets taxed again because EVERYTHING gets taxed. STRs bring money but fees you're asking for don't...
    - ii. Because licensing fees will go to pay salaries for the increased staff and materials needed for the licensing process. This doesn't even take into consideration the additional monies that will be spent trying to enforce the new regulations.
  
4. Is the short supply and high prices of housing the issue?
  - a. I have to laugh every time I think that we are talking about ONLY 2% of all housing in this county!!!

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- b. Further, you have admitted that the same 2% fills a much needed hole for firefighters, traveling nurses, LANL workers, etc

5. Is this about big corporations?

This could go two ways:

- a. Do you Want to Keep Out large corporations? Creating regulations that mainly affect individuals and small businesses, Totally defeats this purpose.
- b. Do you Want to Help large companies who would be the only ones able to comply with the new regulations?

6. Are there special interest groups pushing you?

I thought it was very interesting that you included these two points as negatives. I quote

- STRs may impact traditional lodging partners (e.g. hotels and B&Bs).
- Although STRs bring substantial economic benefits to communities, when unregulated, STR platforms can put pressure on communities and the lodging industry.

7. The only other thing I can think... Is the true purpose to regulate people's private property?

We are coming to ask, "Would you be opposed to spending your time and energy instead on something more needful to our community such as finding ways to help the HUGE addiction problems, or helping businesses find much needed workers, or helping willing workers find a business that will actually give them a full time job and not just part time as many companies are offering because they don't want to lose government benefits, or stopping DWIs, or keeping out the large stream of poison infested drugs coming in, or making sure that criminals are not able to become repeat offenders by being let out the next day?"

If your data can't prove the need for this ordinance, is it really too much to ask that you focus on something that data does prove a need for?

**Public Comment :**

**From:** [Frontz, Stephanie](#)  
**To:** [Nathaniel Crail](#)  
**Subject:** Santa Fe County STR Licensing  
**Date:** Thursday, September 29, 2022 8:27:10 AM

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**Warning:**

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I attended the Tuesday night meeting, but because I didn't understand what time our topic would be on the agenda, I'd previously arranged to meet with someone at 7 and had to leave before I could speak.

My home is at 68 Winding Rd., off the Old Las Vegas highway but I live in Rochester, NY. We purchased the house in 2006 to be able to visit my step-daughter who lives in Santa Fe with her 5 children. My husband was retired so he spent from March-Oct. in the house and I'd come visit as I was still working. My husband died in 2008 and I was left with the Winding Rd. home and its mortgage. I didn't start renting it until after it was broken into while it sat empty. Neighbors suggested that I might be able to rent it and therefore have some activity there and make some \$\$ to help me keep the house. I started by renting via word-of-mouth and had some locals rent for months at a time. It worked out well and eventually I signed up with Turnkey and now Vacasa manages the property for me. I have been able to pay the more than \$3000 monthly mortgage as well as maintain the house—new roof, trimming trees, oiling wood, maintaining garden, etc. I would not have been able to do these things without the income from rentals. I assume that all taxes that need to be paid have been paid.

Santa Fe County does not maintain my private dirt road. The county does not pick up my trash, it has to be taken to the Transfer station by me or housekeeping staff. I'm not sure what benefit I receive from Santa Fe County. I don't have a well, I use water from my neighbor's well and that's been the arrangement since buying the house. He knows I rent and he doesn't have a meter on either line in his well and does not want to install a meter on his well. He charges me an agreed amount for using his water. I'm not sure how I would be able to meet that part of the requirements. I'd appreciate more time and consideration before needing to meet the requirements the proposed ordinance would demand. I will be required to sell the property if I can't continue renting it.

Please contact me at your earliest convenience to discuss this.

Thank You!

Stephanie Frontz  
585-315-7700  
sfrontz@library.rochester.edu

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**Public Comment :**

**From:** Michael Koster  
**To:** Hank Hughes; Anna C. Hansen; Henry P. Roybal; Rudy Garcia; Anna T. Hamilton; Nathaniel Crail  
**Subject:** comment on Regulation of STRs in Santa Fe County  
**Date:** Wednesday, September 28, 2022 3:27:30 PM

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**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Santa Fe County Commissioners,

As a Short Term Rental owner using AirBnB, I had a continual sinking feeling at the 9/27/22 public hearing on the issue. I was happy to see that owner-occupied STRs were better treated in the redraft of the proposed ordinance. However, it pains me that, simply because I live onsite part-time and therefore cannot claim permanent residence on the property, I have been lumped into a catch-all category with corporations and speculators, subject to higher fees, excessive neighbor notification requirements, etc.

There is no similarity between a sole proprietor renting out a house to make ends meet, and the types of speculators about which you have legitimate concerns. Economic realities forced my family out of state, but we are committed to keeping our Santa Fe house, which is where we will retire. AirBnB makes that possible. It is the only house we own, we raised our kids there, and I live there about 3 months of the year. In fact, I live there for more days than it is rented.

Please, please reword your tiered approach, basing it not just on whether a STR is owner-occupied, but rather on how many properties are owned and run as STRs. Whether it is a situation like ours in which we own just a single 3-bedroom property in this world, or a scenario in which someone living in the city of Santa Fe or Albuquerque rents out a single STR in the county, imposing additional burdens is both harsh and unnecessary.

Please consider a very small change to the title of section 5 to:

**5. “Owner-Occupied and Sole Proprietors Renting a Single (one) Short Term Rental.”**

I’m sure your intent is not to penalize sole proprietors with a single home for rent. Thank you for taking the time to consider these concerns and suggestions, and I very much hope you will alter the ordinance language in fairness to those of us who seem to be falling between the cracks.

Best,  
Michael Koster  
12 Triple Spur, Santa Fe, NM 87508  
505-670-0755

SFC CLERK RECORDED 12/13/2022

**Public Comment :**

From: Bob Clancy [mailto:bob@southmtpages.com]

Sent: Saturday, October 1, 2022 10:18 AM

To: Nathaniel Crail <ncrail@santafecountynm.gov>

Cc: Penny Ellis-Green <pengreen@santafecountynm.gov>; Rudy Garcia <RGarcia@santafecountynm.gov>; bob@southmtpages.com

Subject: Re: Comments on the proposed STR ordinance

**Warning:**

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Nate,

After watching the second STR hearing online, and finding out the proposed ordinance had been amended and reviewing it, I have one question and one more comment.

The question is... it looks like the requirement for a well meter has been removed. Is that correct? I do see the section that says STR's must comply with water restrictions (if any). Ours is an old well, no meter, the STR is xeriscaped AND the previous owners put a covenant on the property saying (basically) no lawns, no gardens. That's fine with us. Coupled with the fact that the place is empty part of the time, adding a meter (estimated at about \$1,000) is completely unnecessary. I just want to check if I'm reading the revised ordinance right.

The comment is, I think, a very important one, so it's in the attached Word doc, hopefully to make it easier to pass around. It involves having only two categories of STR, owner-occupied and non-owner-occupied.

Thanks,  
Bob Clancy  
San Pedro

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10/1/2022

### **Comment on the (Revised) Proposed STR Ordinance**

This comment regards having only two categories of STR, owner-occupied and non-owner-occupied.

We have one STR, which we mostly let out through AirBnB. According to the revised ordinance, we would be in the non-owner-occupied category, and be lumped in with businesses and outside corporations whose sole goal is profit.

Our story.... We have 20 acres, and the adjacent 20 has been divided into (4) five-acre plots, and the house on one was built by a couple about 40 years ago (now our STR), and the next 5 acre plot is where their son lives. We've been neighbors for about 30 years.

The parents are elderly, and moved to town (Albuquerque) about 5 years ago. After a couple years, the family decided to sell the house, and it went on the market. It's a unique place, adobe, and has an 8-foot cactus growing in the sunroom. We really liked it, and the family wanted us to buy it, so they'd know the place was being taken care of and they wouldn't end up with who-knows-who for an immediate neighbor. To make buying it feasible, we turned it into a STR, and the family is completely fine with that.

After literally spending a full year restoring the place, we've been renting it for almost two years with zero problems. However, it's on a separate parcel of land, immediately adjacent to our home, and that throws us into the non-owner-occupied category. If there are no guests, we're over there every day, cleaning, tending the place, or improving it. It's no different than if it were a granny cottage on our 20 acres (which would put us into the owner-occupied category).

We keep the rates low, in the words of my wife, "I don't want just the rich folks to be able to enjoy the place". We're not into it for profit, just enough to help pay the bills.

I think it's very important to have a middle category which would cover us, and a number of other people that spoke at the last hearing. Perhaps limit the number

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of STR's owned, and make a distinction between individuals and corporations/companies. Proximity to the STR could also be figured in, and whether or not the owner is actively engaged in maintaining the property, or if they're an absentee landlord.

As it is, we're in completely the wrong (expensive) category.

Thank you,  
Bob and Jane Clancy  
11 B Blue Crow  
Sandia Park, NM 87047  
(San Pedro)

SFC CLERK RECORDED 12/13/2022

**Public Comment 7:**

**From:** Penny Ellis-Green  
**To:** Nathaniel Crail  
**Subject:** FW: Old Santa Fe Association Recommendations on STR Ordinance in SF County  
**Date:** Monday, October 10, 2022 7:36:38 PM  
**Attachments:** Recommendations on Santa Fe County STR Ordinance.pdf

For the next packet material. Thanks

**From:** Adam Fulton Johnson, PhD • OSFA Executive Director [mailto:director@oldsantafe.org]  
**Sent:** Monday, October 10, 2022 11:29 AM  
**To:** Henry P. Roybal <hproybal@santafecountynm.gov>; Anna C. Hansen <ahansen@santafecountynm.gov>; Rudy Garcia <RGarcia@santafecountynm.gov>; Anna T. Hamilton <athamilton@santafecountynm.gov>; Hank Hughes <hhughes@santafecountynm.gov>; Penny Ellis-Green <pengreen@santafecountynm.gov>  
**Cc:** Ambra Baca <aabaca@santafecountynm.gov>; Laura K. Jagles <ljagles@santafecountynm.gov>; Brittney Montoya <blovato@santafecountynm.gov>; Tina Salazar <tsalazar@santafecountynm.gov>; Olivia R. Romo <orromo@santafecountynm.gov>  
**Subject:** Old Santa Fe Association Recommendations on STR Ordinance in SF County

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

**To Santa Fe County Commissioners**

- Henry Roybal (D1)
- Anna Hansen (D2)
- Rudy Garcia (D3)
- Anna Hamilton (D4)
- Hank Hughes (D5)

**And to Growth Management Director, Penny Ellis-Green,**

Dear Commissioners & and Ms. Ellis-Green,

The Old Santa Fe Association requests consideration of our recommendations for a forthcoming Short Term Rental Ordinance in Santa Fe County. We applaud your efforts to regulate this complicated issue. In this email, I attach our recommendations as a pdf. I also copy as text the recommendations below.

My team and I would be more than happy to speak with any of you on these matters. We have a database of research that justifies our recommendations and may be useful in drafting your ordinance.

Thank you very much for your consideration.

**Old Santa Fe Association Recommendations for Santa Fe County STR Ordinance – 10**

SFC CLERK RECORDED 12/13/2022

October 2022

- **Enact primary residence requirement:** A primary residence requirement means that people can have STRs on the property that is their primary residence (“owner-occupied” or principal residence). Only one residence can be a primary residence.
- **Grandfather existing STRs:** To accommodate individuals who committed to an STR-focused model of investment before necessary changes to STR regulations, OSFA supports grandfathering-in all current “non-owner occupied” STRs.
- **Prevent speculation through primary residence regulation:** A primary residence requirement would prevent additional out-of-county, out-of-state and out-of-country speculators from buying up housing stock and turning them into STRs. At the same time, a primary residence requirement would allow Santa Fe County residents to engage in STR investment on their own property.
  - **STRs inflate housing prices and diminish workforce housing stock:** “Non-owner occupied” short term rentals can inflate housing prices and impact local home ownership and availability of long-term rentals (not everyone can afford to buy homes).
  - **Non-owner occupied STRs disrupt local fabric:** Unregulated STRs, especially those managed remotely or by proxy, disrupt and degrade community quality of life. Short term renters by definition change constantly, adding unpredictable elements. Because they are “short-term,” their contributions to community life are at best negligible, at worst extractive
  - **Long- and medium-term rentals (above 30 days) are viable income generators that can replace the STR model:** longer term renters are often part of the workforce (or retired), they contribute to the local economy in significant ways through labor and purchasing power; and, because they stay longer, they contribute to and are more harmonious with local communities.
  - **Proof of primary residence (such as IRS documents) should be necessary to qualify for a short-term rental license.** This policy has been adopted by most all tourist areas like ours that have a shortage of housing stock for their workforce.
    - Ulrik Binzer, the founder and former CEO of Host Compliance, when asked via email in March 2020 for a list of the cities that require a primary residence requirement, has said: "Pretty much any major city that is experiencing affordable housing challenges have a primary residency requirement at this time."

Sincerely,  
Adam Johnson  
(District 4 resident)

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SFC CLERK RECORDED 12/13/2022

Adam Fulton Johnson, PhD  
Executive Director  
Old Santa Fe Association  
director@oldsantafe.org • 505-603-6468

SFC CLERK RECORDED 12/13/2022

**Public Comment 8:**

**From:** Penny Ellis-Green  
**To:** Nathaniel Crail  
**Subject:** FW: County Short-Term Rental Ordinance  
**Date:** Tuesday, October 11, 2022 11:57:38 AM  
**Attachments:** [Marc Howard Custom Jeweler moving to Brothers Road Business santafenewmexican.com.pdf](#)  
[Developers aim to turn hidden gem near Plaza into short-term rental-style hotel Business santafenewmexican.com\[2\]\[1\].pdf](#)

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**From:** Pat Lillis [mailto:patsmail@sprynet.com]  
**Sent:** Tuesday, October 11, 2022 11:53 AM  
**To:** Anna T. Hamilton <athamilton@santafecountynm.gov>  
**Cc:** Henry P. Roybal <hproybal@santafecountynm.gov>; Rudy Garcia <RGarcia@santafecountynm.gov>; Hank Hughes <hhughes@santafecountynm.gov>; Anna C. Hansen <ahansen@santafecountynm.gov>; Penny Ellis-Green <pengreen@santafecountynm.gov>  
**Subject:** County Short-Term Rental Ordinance

**Warning:**

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Commissioner Hamilton,

I live in District 4 and am writing to ask you to include a Primary Residence Requirement in the County's proposed Short-Term Rental Ordinance. To make that possible and acceptable to current Non-Owner Occupied STRs, grandfather in all current Non-Owner Occupied rentals.

I have attached, and highlighted, two short newspaper articles from the Santa Fe New Mexican (one from today's paper) that provide two examples of how Non-Owner Occupied STRs are gobbling up housing and displacing long-term renters.

A Primary Residence Requirement would make an excellent addition to the proposed Santa Fe County's Short-Term Rental Ordinance while actively acknowledging and addressing our housing challenges. Please include a Primary Residence Requirement for the following reasons:

A Primary Residence Requirement is the ideal because the reality is that short-term rentals that do not have a Primary Residence Requirement take a home, or place of business (see attached), away from a potential homeowner or long-term renter.

Short-term rentals that do not require a Permanent/Primary Residence Requirement are steadily removing housing stock, both long-term rentals and purchasing opportunities, from our local population.

A Primary Residence Requirement, that cities like Denver, Boulder, Charleston and the most popular tourist areas where they have experienced housing challenges such as Santa Fe, allows a homeowner to make extra money from the rental of bedrooms or guesthouses, but does not allow Non-Owner Occupied investors to run a STR business since it takes housing away from the workforce.

The County's current Short-Term Rental Ordinance draft does not limit Non-Owner Occupied

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investors from having multiple STRs. For example, without restrictions, speculators can, and will, buy up less expensive or smaller properties and run them as short-term rentals that will negatively impact housing. ( See <https://thepecosgroup.com/> ) One example is when one person or company with wealth outbids the average-income person looking to buy their primary residence. Another example is when long-term renters are evicted to make way for more profitable STRs. (Attached, one owner, 42 STRs, in Santa Fe.)

Thank you for your consideration,

Pat Lillis

505-470-9911

SFC CLERK RECORDED 12/13/2022

[https://www.santafenewmexican.com/news/business/marc-howard-custom-jeweler-moving-to-brothers-road/article\\_83ccae68-432f-11ed-8133-43ff74989ff2.html](https://www.santafenewmexican.com/news/business/marc-howard-custom-jeweler-moving-to-brothers-road/article_83ccae68-432f-11ed-8133-43ff74989ff2.html)

## Marc Howard Custom Jeweler moving to Brothers Road

By Teya Vitu [tvitu@sfnewmexican.com](mailto:tvitu@sfnewmexican.com)  
Oct 10, 2022



SFC CLERK RECORDED 12/13/2022

Jeweler Mark Howard solders gold details onto a gold tiger claw cap last week. He is moving his shop from Paseo de Peralta to Brothers Road near St. Michael's High School.

Javier Gallegos/The New Mexican

Marc Howard Custom Jeweler is likely making its last move after 34 years in several downtown locations, most recently at 1413 Paseo de Peralta, Unit D, between Galisteo Street and Gomez Road.

Jeweler Marc Howard and wife, Candelora Versace, bought property at 2209 Brothers Road, where they plan to open the jewelry shop around Nov. 1 after five years at Paseo de Peralta. Previously, Howard did his custom jewelry on Montezuma Street for 14 years.

**“The landlord is going to turn our [Paseo de Peralta] space into an Airbnb,” Howard said. “We’ve been looking for a place to buy, but we couldn’t find anything downtown.”**

They will now be near St. Michael’s High School.

“Downtown doesn’t seem to be as important to us anymore with social media,” Howard said. “Retail business is not as important because people just don’t walk in anymore.”

Custom jewelry is his stock in trade, generally in gold and platinum with a “little silver now and then.” Howard produces a lot of wedding jewelry and Vedic jewelry.

Teya Vitu  
Business Editor

SFC CLERK RECORDED 12/13/2022

[https://www.santafenewmexican.com/news/business/developers-aim-to-turn-hidden-gem-near-plaza-into-short-term-rental-style-hotel/article\\_efeda77c-9c74-11eb-b953-bfb6c6b54a13.html](https://www.santafenewmexican.com/news/business/developers-aim-to-turn-hidden-gem-near-plaza-into-short-term-rental-style-hotel/article_efeda77c-9c74-11eb-b953-bfb6c6b54a13.html)

## Developers aim to turn hidden gem near Plaza into short-term rental-style hotel

By Teya Vitu [tvitu@sfnewmexican.com](mailto:tvitu@sfnewmexican.com)  
Apr 19, 2021



Andy Duettra, left, and Marc Bertram, owners of the McKee Office Building on 220 Otero Street, plan on developing the one-acre property into a hotel.

Luis Sánchez Saturno/The New Mexican

They like to describe it as an oasis a block and a half from the Plaza — a hotel that will be nearly invisible from Otero and Washington streets.

Developers behind the proposed Washington Inn are starting with the ivy-graced Territorial Revival-style McKee Office Building at 220 Otero St. and plan to add a two-story, 11,175-square-foot structure where most of the guest rooms — or, rather, suites — would be.

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Washington Inn will be a hybrid boutique hotel following short-term rental concepts. Each of the 31 rooms, measuring 600 to 1,400 square feet, will be suites — 21 with one bedroom, seven with two bedrooms and three with three bedrooms.

“It’s a hotel that will definitely appeal to the Airbnb crowd when other traditional homes may not,” Bertram said.

In the short-term rental business themselves and each with millennial kids, Bertram and Deuttra are acutely aware these kinds of options are the preferred mode for a swiftly growing number of travelers and newer hotels.

Bertram noted Washington Inn will have larger rooms with bedrooms, kitchens and living rooms.

“We believe travelers are going to be wanting a different type of product in the future, in part driven by the pandemic,” Bertram said. “I think we will have people who stay longer. It’s not uncommon for us to have people with one- or two-month stays [at AdobeStar short-term rentals].”

Washington Inn will be a short-term rental with benefits. The McKee building will have a front desk, a meeting room doubling as a wedding venue and a gym — features not typically found in these types of neighborhood settings.

A hotel idea is nothing new for the McKee property. Dan Terrell, who died last month, had owned the property for nearly 25 years and had done the last renovations of the building early on, including adding the portico that looks like an original feature of the building.

“Dan had a pretty good vision,” Bertram said. “He thought about doing more offices. He had a hotel scheme. He had a retirement home scheme.”

Hunter Redman, Terrell’s stepdaughter and also an architect, had drawn up plans for a hotel. She works at Architectural Alliance, the project architect for Washington Inn.

“We bought it with some pretty good ideas,” Bertram said.

“The basic concept was there,” Duettra added.

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The McKee building sits 200 feet behind the McKee's Otero Street parking lot and 300-plus feet down an arrow-straight walkway from Washington Street.

"You're in this exclusive oasis," Andy Duettra said.

Duettra and Marc Bertram bought the hidden-in-plain-sight property the equivalent of a football field behind Santacafé and Sotheby's International Realty Santa Fe in June 2016.

"Show me the other acre of land a block and a half from the Plaza with a historic building," Bertram said.

**Short-term rentals and converting historic buildings is the bread and butter for Bertram and Duettra, whose thumbprints are all over downtown Santa Fe.**

**Bertram owns the Lincoln Place and Marcy Plaza office buildings, along with the Marcy Street Garage that backs onto the McKee property and will be used for Washington Inn guests. Bertram, 61, also created the Hotel Parq Central from a historic railroad hospital in Albuquerque, and he is a partner in the Zia Station development.**

**Duettra, 55, owns AdobeStar Properties, including 42 short-term rental units at The Lincoln (adjoining Lincoln Place), Agua Fria Historic Compound, Delgado Compound, AdobeStar Casitas, Water Street Residences and Absolute Nirvana: Spa & Gardens. He got started in 2002 with the Adobe Abode bed and breakfast he still owns.**

"None are in residential neighborhoods," Duettra said.

The Santa Fe Historic Districts Review Board last week delayed approving the Washington Inn project because some board members wanted a portion of the new building pulled back about 20 feet so it doesn't block the view of the McKee building from Washington Street. Bertram and Duettra are pleased with the H-board meeting outcome and are agreeable to the panel's suggestions.

Pending all the city approvals and permitting, the partners hope to start construction in the first half of 2022 and welcome guests in summer 2023.

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Terrell in 2016 had noticed Bertram's downtown interest with Lincoln Place and Marcy Plaza, and Bertram and Duettra's joint effort with The Lincoln.

"He approached me," Bertram recalled. "He said, 'I see you guys have been active downtown. Would you be interested in looking at this?' In terms of making a decision, it took about 15 seconds."

**Teya Vitu**

Business Editor

SFC CLERK RECORDED 12/13/2022

**Public Comment 9:**

From: Trey [mailto:trevis3@gmail.com]  
Sent: Thursday, October 13, 2022 6:56 AM  
To: Penny Ellis-Green <pengreen@santafecountynm.gov>  
Subject: STR Ordinance

**Warning:**

**EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.**

My opinion attached. Thank you for your service. I think we can find some better common ground than the current proposed ordinance that is more business entrepreneur friendly to people of rural Santa Fe County. We are hard-working people trying to make a living. Please don't put us out of business. We are happy to pay for a license and we already pay our taxes through Airbnb and personal income taxes AND property taxes. Don't punish the people out in the county. Thank you for reading.

Trey Corkern

--  
<http://trevcorkern.com>

SFC CLERK RECORDED 12/13/2022

Just a heads-up to the people of Santa Fe County. The county commissioners are proposing punitive new rules on short-term rentals in Santa Fe County that are over-reaching. I am a 20 year resident of Santa Fe and the Madrid area. As a struggling entrepreneur who turned to Airbnb during covid to survive and continues to use it to provide all of my income, I would like to inform people of the regulations that threaten my livelihood. The county commissioners (of whom the most vocal represent areas like the privileged water-wasting Las Campanas) are trying to place punitive restrictions on people who rely on short term rentals for their livelihood.

The hotels in Santa Fe (all owned by large corporations) are a wealthy lobby, pushing the county to effectively put us out of business for their own benefit. I understand the concerns about housing shortages in our town and county and in the country in general. But short term rentals are only one element of a complicated problem. Shutting them down and putting people out of jobs is not a solution. As an Airbnb host, we are required to pay lodging taxes to the county, providing millions of dollars in revenue (some of which is supposed to go to affordable housing, but none does). The county cannot even account for how this money is spent.

Today's travelers often prefer short term rentals because they are more affordable, often allow pets and provide more value (and because of covid - safety) than a hotel. Blocks of Santa Fe were bought up by hotels and corporations to be run as Airbnb's (see Las Palomas) and nothing was done. Santa Fe STR owners are not even required to live in the city. Rural Santa Fe residents should not be subjected to a random, rushed ordinance, largely created by a wealthy county commissioner who represents Las Campanas (see: Lock The Gate Behind You) and could not care less about someone trying to actually work and pay their bills and put their kid through school like us. The meetings have been filled with lies and emotional feelings about some evil villain ruining the world with vacation rentals that simply are not true.

We are hard-working people just like you who are trying to maximize our ability to be self-sustaining, responsible humans and live the best life we can. We are collectively fine with some regulations and our lodging taxes have been and always will be taken out by Airbnb. And we pay a LOT of income tax. We also bring in massive amounts of tourism from people who cannot afford the expense of a high-priced Santa Fe hotel room. Let's find some common ground on this issue. We are your friends and neighbors.

SEP 12 / 13 / 2021  
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Rerecord to add City of Santa Fe signature's

**THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY  
RESOLUTION NO. 2022 - 0666**

Introduced by:  
Commissioner Hank Hughes and  
Commissioner Henry P. Roybal

**CITY OF SANTA FE RESOLUTION NO. 2022-52**

Introduced by:  
Mayor Alan Webber  
Councilor Jamie A. Cassutt

---

**A JOINT RESOLUTION AFFIRMING THE PARTNERSHIP OF SANTA FE COUNTY  
AND THE CITY OF SANTA FE TO DEVELOP STRATEGIES AND TAKE ACTIONS TO  
END HOMELESSNESS**

---

**WHEREAS**, the nation is experiencing one of the most severe affordable housing crises in history, significantly impacting communities of color and those who live in poverty (National Alliance to End Homelessness, 2020); and

**WHEREAS**, eight million Americans of low-income households pay at least half their income toward housing, putting them at risk of housing instability and homelessness (National Alliance to End Homelessness, 2020); and

**WHEREAS**, in 2019 approximately 13 percent of Santa Fe County residents reported an income below the federal poverty level (US Census Bureau American Community Survey of Median Earnings for Worker 5-Year Estimates 2019); and

**WHEREAS**, Santa Fe County had a larger number of cost-burdened homeowners per capita than did New Mexico and the United States in 2020, with 78 percent of renters below 30 percent of Area Median Income (AMI) and 74 percent of renters between 31 percent and 60 percent of AMI being cost burdened. (Santa Fe Housing Report, Santa Fe Association of Realtors, 2020); and

**WHEREAS**, in Santa Fe City, 86 percent of renter households earning less than \$50,000 a year are cost burdened, a number that has risen by 13 percent between 2016 and 2018 (Santa Fe Housing Report, Santa Fe Association of Realtors, 2020); and

**WHEREAS**, the City of Santa Fe and Santa Fe County have a history of supporting efforts to assist people experiencing homelessness; and

SFC CLERK RECORDED 12/13/2022  
SFC CLERK RECORDED 10/18/2022

**WHEREAS**, according to the New Mexico Mortgage Finance Authority, there was an estimated shortage of 7,343 affordable rental units in the Santa Fe Metropolitan Statistical Area in 2020 (Santa Fe Housing Report, Santa Fe Association of Realtors, 2020); and

**WHEREAS**, economic and societal factors, such as a lack of affordable housing, a lack of adequate income, a lack affordable and accessible healthcare including behavioral health care, discrimination, domestic violence, and other systemic social challenges can cause homelessness; and

**WHEREAS**, as of August 2022, the New Mexico Coalition to End Homelessness Coordinated Entry System, which is not yet tracking all homeless people in Santa Fe, recorded a total of 363 individuals, 49 families, and 18 homeless youth in Santa Fe, with 205 individuals being chronically homeless, 22 being chronically homeless veterans, and a disproportionate number of Native American and African American people experiencing homelessness; and

**WHEREAS**, the ongoing pandemic has brought additional awareness to the issue of homelessness and housing instability and has created an opportunity for government entities, politicians, non-profit service providers, private foundations, Santa Fe residents, and other interested stakeholders to work collectively to address this long-standing community issue; and

**WHEREAS**, the City of Santa Fe is a partner in the Built for Zero Initiative, a national movement where communities assist each other in developing and following evidence-based strategies for reducing and ending homelessness; and

**WHEREAS**, Santa Fe County has recently opened a behavioral health crisis center, La Sala, to better address the needs of people experiencing a behavioral health crisis; and

**WHEREAS**, Santa Fe County developed the CONNECT network, now a City and County partnership providing services related to the social determinants of health; and

**WHEREAS**, these efforts by the City and County to combat housing insecurity and homelessness are being coordinated with those of philanthropic foundations and non-profit partners in an initiative known as the S3 (Safe, Stable, and Supportive) Santa Fe Housing Initiative; and

**WHEREAS**, the Anchorum St. Vincent Foundation, Thornburg Foundation, McCune Charitable Foundation, Frost Foundation, and Santa Fe Community Foundation have provided funding to address immediate needs and longer-term solutions to homelessness since the beginning of the pandemic; and

**WHEREAS**, the vision of this partnership is for public and private partners to work collaboratively with community providers and advocacy groups to ensure that Santa Fe is a place where homelessness is rare, brief, and non-recurring, and that access to safe, affordable, and sustainable housing is a reality for all community members; and

SFC CLERK RECORDED  
SFC CLERK RECORDED  
12/13/2022  
10/16/2022

**WHEREAS**, analysis of existing providers and housing options conducted as part of the S3 Santa Fe Housing Initiative indicates that the overall housing system in the Santa Fe area has been functioning with insufficient support and infrastructure.

**NOW, THEREFORE, BE IT RESOLVED** that the Santa Fe County Board of County Commissioners and the Governing Body of the City of Santa Fe affirm our alignment to address homelessness by securing and stabilizing housing and social services for our most vulnerable residents.

The Santa Fe County Board of County Commissioners and the Governing Body of the City of Santa Fe agree to focus efforts in the following six areas through the S3 Santa Fe Housing Initiative:

1. **PRESERVATION AND PREVENTION**: Increase resources and develop strategies to prevent homelessness, including the preservation of existing affordable housing and enhanced utilization of social services; increased financial supports, such as the City and County Affordable Housing Trust Funds, to prevent homelessness and stabilize those who are precariously housed; and support for local regulation and land use policy changes that increase housing stability for residents.
2. **EMERGENCY SHELTER**: Create and further develop collective community agreements specific to emergency shelter provision, including expanding options for emergency shelter care to include safe and legal outdoor sleeping spaces and non-congregate shelter and improving shelter access to housing and supportive service resources.
3. **BUILDINGS/HOUSING UNITS**: Quantify the need for additional affordable units and, through new construction, conversion, subsidization, and redevelopment, increase the local affordable housing stock inventory with a goal of at least 100-200 units per year.
4. **INDIVIDUAL VOUCHERS/PROGRAM BASED VOUCHERS**: Increase funding for housing vouchers, both short- and long-term, and develop strategies to ensure that those vouchers can be flexibly utilized in ways that promote equity and housing choice; and ensure that existing voucher programs are expended in full.
5. **SUPPORTIVE SERVICES**: Ensure all interested individuals and families participating in housing programs have high-quality crisis intervention, behavioral healthcare, and other supportive services to maintain safe housing.
6. **SYSTEM INFRASTRUCTURE**: Continue development of the community-wide homeless response system, which includes strategic planning and clarifying the roles, function, and authority of each partner. The system development will include collective identification of system gaps through collecting accurate data, creation of cooperative strategies to address gaps, and consistent cross-agency communication on funding opportunities, housing initiatives, and overall system development.

SFC CLERK RECORDED 12/13/2022  
SFC CLERK RECORDED 09/08/2022

PASSED, APPROVED, AND ADOPTED ON THIS 30<sup>TH</sup> DAY OF AUGUST, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

Anna T. Hamilton

Anna T. Hamilton, Chair

Date: 8/30/22

ATTESTATION:

Katharine E. Clark

Katharine E. Clark, Santa Fe County Clerk

Date: 9/09/22



APPROVED AS TO FORM:

Jeff Young

Jeff Young, Santa Fe County Attorney

Date: 9-23-2022

SFC CLERK RECORDED 12/13/2022  
SFC CLERK RECORDED 09/08/2022

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC RESOLUTIONS  
PAGES: 5

I Hereby Certify That This Instrument Was Filed for  
Record On The 8TH Day Of September, 2022 at 08:53:02 AM  
And Was Duly Recorded as Instrument # 1997057  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Katharine E. Clark

Deputy Destiny Romero County Clerk, Santa Fe, NM



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC RESOLUTIONS  
PAGES: 5

I Hereby Certify That This Instrument Was Filed for  
Record On The 11TH Day Of October, 2022 at 03:18:32 PM  
And Was Duly Recorded as Instrument # 1999238  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Katharine E. Clark

Deputy Destiny Romero County Clerk, Santa Fe, NM



PASSED, APPROVED, AND ADOPTED ON THIS 28<sup>th</sup> DAY OF September 2022.

GOVERNING BODY OF THE CITY OF SANTA FE

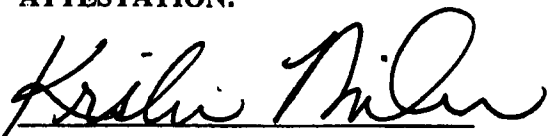


Alan M. Webber, Mayor

Date: \_\_\_\_\_



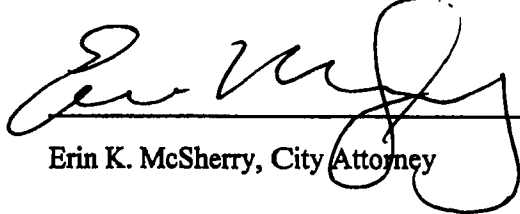
ATTESTATION:



Kristine Bustos-Mihelcic, City Clerk

Date: 10/6/2022

APPROVED AS TO FORM:



Erin K. McSherry, City Attorney

Date: 10/3/22

SFC CLERK RECORDED 12/13/2022  
SFC CLERK RECORDED 10/18/2022



SFC CLERK RECORDED 12/13/2022

## Who Can't Afford to Live in Santa Fe in 2022?

Kelly O'Donnell PhD  
Homewise

February 2022

## Who Can't Afford to Live in Santa Fe in 2022?

Santa Fe has struggled for years with a shortage of affordable housing. The state capitol is a major employment center, with thousands of government jobs, and robust hospitality, arts, technology, and healthcare sectors that employ thousands more.<sup>1</sup> However, many people who work in Santa Fe simply can't afford to live there. More than one-in-three people employed in Santa Fe commute from outside the county, often from homes in more affordable communities like Rio Rancho to the south and Espanola to the north.<sup>2</sup> Long car commutes contribute to climate change and impose high costs – financial, physical, and social – on workers and their families. People employed in Santa Fe who are unwilling or unable to live far from where they work have no choice but to absorb high housing costs that often leave few resources for other necessities like food and healthcare.

The New Mexico Mortgage Finance Authority estimates that 7,343 new rental units are needed to meet the demand for affordable housing in the Santa Fe area.<sup>3</sup> However, a July 2020 report by the University of New Mexico Bureau of Business and Economic research suggests that, when cost-burdened households and in-commuters are considered, the actual unmet need for affordable housing in Santa Fe is much higher and rapidly growing.<sup>4</sup> Framing the unmet need for housing as solely a deficit in affordable rentals also ignores the fact that many of Santa Fe County's cost-burdened renter households could afford to purchase a reasonably-priced home, were such a home available to them. Moving more low- and moderate-income households into homes they own has the added advantage of increasing the supply of available rental housing.

Santa Fe's severe and worsening housing shortage is evident in skyrocketing home sales prices, meager housing inventories, and rental vacancy rates that average 2.83 percent, but are below 1 percent for 3-bedroom apartments and less than one-half of one percent for 4-bedroom units.<sup>5</sup> Also striking is the degree to which growth in the cost of housing has outpaced wage growth.

In the twelve months between June 2020 and June 2021:

- The average sales price for a single family home within the City of Santa Fe increased 30 percent.<sup>6</sup>
- The average sales price on the City's "affordable" south side increased 18 percent.<sup>7</sup>
- The inventory of homes for sale decreased by over 50 percent.<sup>8</sup>

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<sup>1</sup> <https://datausa.io/profile/geo/santa-fe-county-nm>

<sup>2</sup> US Census Bureau. (2021) Longitudinal Employer-Household Dynamics. Retrieved from: <https://onthemap.ces.census.gov> and Santa Fe Housing Action. (2020, September 10). Impact of Affordable Housing on Families and Communities Part One. Retrieved from: <https://santafehousingaction.org/wp-content/uploads/2021/01/AFFORDABLE-HOUSING-FAMILIESCOMMUNITIES-CDWhitePaper9.9.2020LMD-1.pdf>

<sup>3</sup> New Mexico MFA. (2021). 2020 New Mexico housing needs Assessment. P. 87. Retrieved from: [https://housingnm.org/uploads/documents/Final\\_Version\\_2020\\_NM\\_HNA.pdf](https://housingnm.org/uploads/documents/Final_Version_2020_NM_HNA.pdf)

<sup>4</sup> Reagan, S. (2020, July). Santa Fe Housing Data. University of New Mexico Bureau of Business and Economic Research. Table 8. P.86. Retrieved from: <https://bber.unm.edu/media/publications/SantaFeCountyHousing2020Final.pdf>

<sup>5</sup> Reagan, S. (2020, July). Santa Fe Housing Data. University of New Mexico Bureau of Business and Economic Research. Figure 87. P.91. Retrieved from: <https://bber.unm.edu/media/publications/SantaFeCountyHousing2020Final.pdf>

<sup>6</sup> Santa Fe Association of Realtors. Santa Fe Quarterly Property Statistics Q2 2021. Retrieved from: [https://sfar.com/wp-content/uploads/2021/07/SFAR\\_QOS\\_2021-Q2-1.pdf](https://sfar.com/wp-content/uploads/2021/07/SFAR_QOS_2021-Q2-1.pdf)

<sup>7</sup> Retrieved from: [https://www.santafenewmexican.com/news/local\\_news/santa-fe-area-s-median-home-price-cracks-600-000/article\\_25d1dfd4-d44f-11eb-9d9e-a74af2ee9423.html](https://www.santafenewmexican.com/news/local_news/santa-fe-area-s-median-home-price-cracks-600-000/article_25d1dfd4-d44f-11eb-9d9e-a74af2ee9423.html)

<sup>8</sup> The inventory of homes for sale declined from 3.3 to 1.4 months of supply. A six-month supply is considered an inventory indicative of market equilibrium.

The housing affordability index, which measures whether a typical family has enough income to qualify for a mortgage loan on a typical home, declined a whopping 17 percentage points, from 66 percent to 49 percent – despite historically low mortgage interest rates.<sup>9, 10</sup>

- The average rent for a 2-bedroom apartment in Santa Fe increased 7%.
- **The average hourly wage for Santa Fe workers increased 2.7%.<sup>11</sup>**

Figure 1 depicts median sales prices for single family homes in Santa Fe and the average weekly wage received by Santa Fe workers.

Figure 1: Santa Fe Median Single Family Home Price and Average Weekly Wages



Sources: Santa Fe Association of Realtors and Bureau of Labor Statistics Quarterly Census of Employment and Wages

The need for more affordable housing has received significant attention over the years. Recently, Santa Fe’s supply of rental housing has been bolstered by the addition of new market-rate apartments, but additions to the supply of affordable rentals have been modest and Santa Fe has not made meaningful additions to the supply of housing that moderate income households can afford to buy. Any addition to the housing stock is welcome because it has the potential to free up existing affordable units. However, even prior to COVID, planned additions to the county’s supply of affordable housing were inadequate to meet the need; and recent developments – including widespread job displacement due to COVID, rapid appreciation in home values, and inflation – threaten to swamp the modest progress underway, leaving Santa Fe’s moderate-income families with even fewer housing options than before.

The affordability crisis has serious implications for Santa Fe’s future. Vibrant communities and strong economies require a diversity of ages, races, and family types. Young families are critical to long-term economic growth because they provide the productive workforce that businesses need to grow and

<sup>9</sup> Santa Fe Association of Realtors. Santa Fe Quarterly Property Statistics Q2 2021. Retrieved from: [https://sfar.com/wp-content/uploads/2021/07/SFAR\\_Q0S\\_2021-Q2-1.pdf](https://sfar.com/wp-content/uploads/2021/07/SFAR_Q0S_2021-Q2-1.pdf)

<sup>10</sup> An affordability index of 49 percent means that Santa Fe median income is only 49 percent of what it would need to be in order to afford a median-priced home. The decline of 17 percentage points from 66 percent to 49 percent in just one year demonstrates how dramatically and quickly home affordability has declined in Santa Fe.

<sup>11</sup> United States Bureau of Labor Statistics. Quarterly Census of Employment and Wages. Retrieved from: <https://data.bls.gov/maps/cemwis>

the tax base that communities need to thrive. Despite the rapid growth of neighboring states, New Mexico has experienced net out-migration of working-age people every year since 2012. Between 2010 and 2019, the state's under-18 population shrank by over 8 percent, the working-age population declined 2 percent, and population of people over 65 grew 38 percent.<sup>12</sup> Santa Fe's population exemplifies this trend. The county's median age – 47.3 years – is 25 percent higher than that of New Mexico. Currently, 33 percent of county residents are over the age of 60. By 2050, that percentage is expected to climb to 43 percent, while people under 20 are expected to decline from 21 percent to 18 percent of county residents.<sup>13</sup> Eighty-five percent of Santa Fe's cost burdened renters (those who must devote more than 30% of their income to housing) are working age adults, children, and youth. Without affordable housing, working-age people and families will become an ever-smaller share of Santa Fe's population and the community's economy and quality of life will suffer as a result.

Lack of affordable housing also contributes to intergenerational poverty, a problem throughout New Mexico and a drain on local economies. Santa Fe is one of New Mexico's most affluent and most disparate counties. Santa Fe's median household income is one of the state's highest, yet over 17 percent of the county's children are growing up poor. Childhood poverty is linked to a host of long-term educational, financial, social and health challenges.<sup>14</sup> Research demonstrates that access to affordable housing can improve educational and health outcomes for low-income children.<sup>15</sup> Affordable housing, particularly homeownership, is therefore critical to reducing intergenerational poverty. Homeownership is also one of the few wealth-building opportunities available to low- and moderate-income households.

High housing costs also deprive Santa Fe merchants of revenue. People shop and pay taxes where they live. Enabling more people who work in Santa Fe to obtain housing in Santa Fe will increase the amount they spend in the local economy and increase tax revenue to local governments.

### Measuring Affordability

The affordability of housing is typically measured by the housing expense ratio – the ratio of annual housing expenses to total annual household income. Households with housing expense ratios of 30 percent or more, meaning they spend at least 30 percent of income on housing, are considered "housing cost burdened," while those that spend more than 50 percent of income on housing are considered "severely cost burdened."

<sup>12</sup> New Mexico Legislative Finance Committee. (2021, April). State Population Trends.

Retrieved from: [https://www.nmlegis.gov/Entity/LFC/Documents/Program\\_Evaluation\\_Reports/Policy%20Spotlight%20-%20State%20Population%20Trends.pdf](https://www.nmlegis.gov/Entity/LFC/Documents/Program_Evaluation_Reports/Policy%20Spotlight%20-%20State%20Population%20Trends.pdf)

<sup>13</sup> Hauer, M. E. 2019. Population Projections for U.S. Counties by Age, Sex, and Race Controlled to Shared Socioeconomic Pathway. Scientific Data 6: 190005. <https://doi.org/10.1038/sdata.2019.5>.

Georeferenced U.S. County-Level Population Projections, Total and by Sex, Race and Age, Based on the SSPs, v1 (2020–2100).

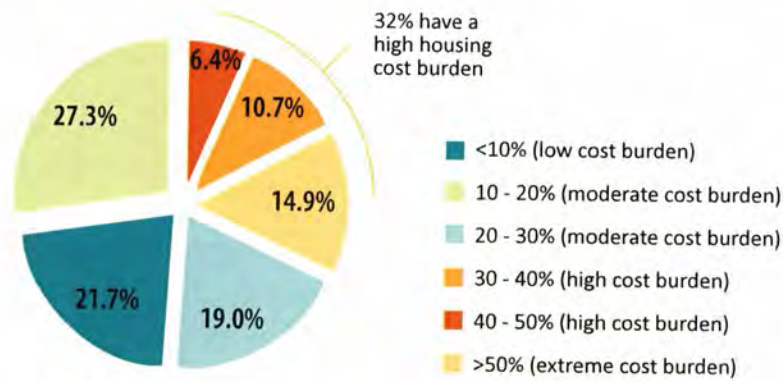
Retrieved from: <https://sedac.ciesin.columbia.edu/data/set/popdynamics-us-county-level-pop-projections-sex-race-age-ssp-2020-2100>

<sup>14</sup> National Academies of Sciences, Engineering, and Medicine; Division of Behavioral and Social Sciences and Education; Committee on National Statistics; Board on Children, Youth, and Families; Committee on Building an Agenda to Reduce the Number of Children in Poverty by Half in 10 Years; Le Menestrel S, Duncan G, editors. A Roadmap to Reducing Child Poverty. Washington (DC): National Academies Press (US); 2019 Feb 28. 3. Consequences of Child Poverty. Available from: <https://www.ncbi.nlm.nih.gov/books/NBR547371/>

<sup>15</sup> Sandel M., Sheward R., Ettinger de Cuba, S., et al. (2018) Unstable Housing and Caregiver and Child Health in Renter Families. *Pediatrics*. 141(2):e20172199 and Katherine A. Ahrens, Barbara A. Haley, Lauren M. Rossen, Patricia C. Lloyd, Yutaka Aoki, "Housing Assistance and Blood Lead Levels: Children in the United States, 2005–2012," *American Journal of Public Health* 106, no. 11 (November 1, 2016): pp. 2049–2056 and Raj Chetty & Nathaniel Hendren & Lawrence F. Katz, 2016. "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment," *American Economic Review*, American Economic Association, vol. 106(4), pages 855–902, April.

Thirty-two percent of Santa Fe households (roughly 19,100 households) are cost burdened and 15 percent are severely cost burdened (Figure 2).

Figure 2: Santa Fe Households: Housing Cost Burden



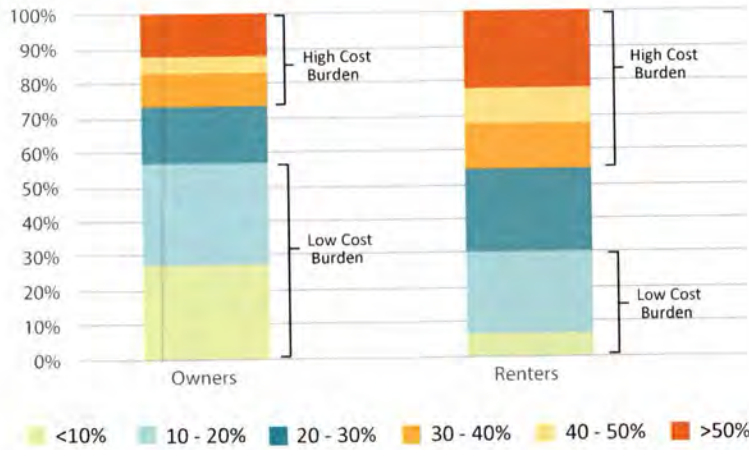
Sources: American Community Survey 2019 5-year public use microdata

### Housing in Santa Fe

Santa Fe's affordable housing crisis is mitigated, to some degree, by a relatively high rate of homeownership. Seventy-one percent of the county's 62,000 households own their home. Homeownership tends to reduce housing cost burden, even among low-income households, because fixed-rate mortgages stabilize housing costs and grow much more slowly than market rents. As Figure 2 makes evident, *homeowners in Santa Fe are much more likely than renters to enjoy low or moderate housing cost burden and much less likely to experience high housing cost burden.*



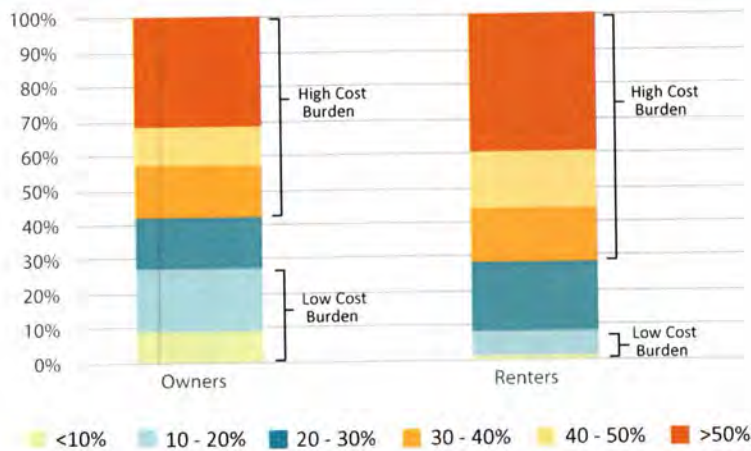
Figure 3: Santa Fe Housing Cost Burden by Tenure



Sources: American Community Survey 2019 5-year public use microdata

While some of the difference in cost burden between owners and renters is due to the fact that homeowners tend to have higher incomes than renters, the relationship between homeownership and lower cost burden persists even when the analysis is limited to the county’s 23,100 low-income<sup>16</sup> households (Figure 4).

Figure 4: Cost Burden by Tenure for Low-Income Santa Fe Households



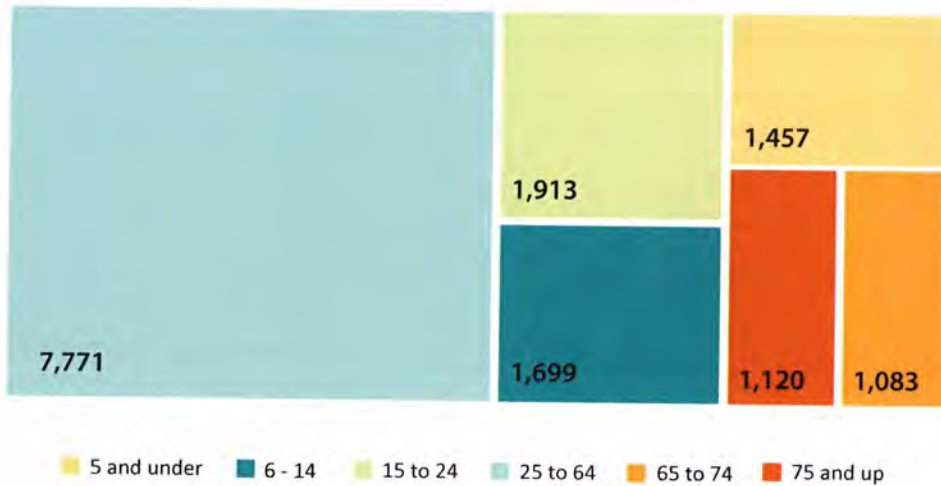
Sources: American Community Survey 2019 5-year public use microdata

<sup>16</sup> For purposes of this analysis, the term “low income” is defined as income below 80 percent of the area median income (AMI). Area median income is published annually by HUD. For 2022, 80% of AMI for a family of four is \$58,400.

### Who are Santa Fe's Cost Burdened Renters?

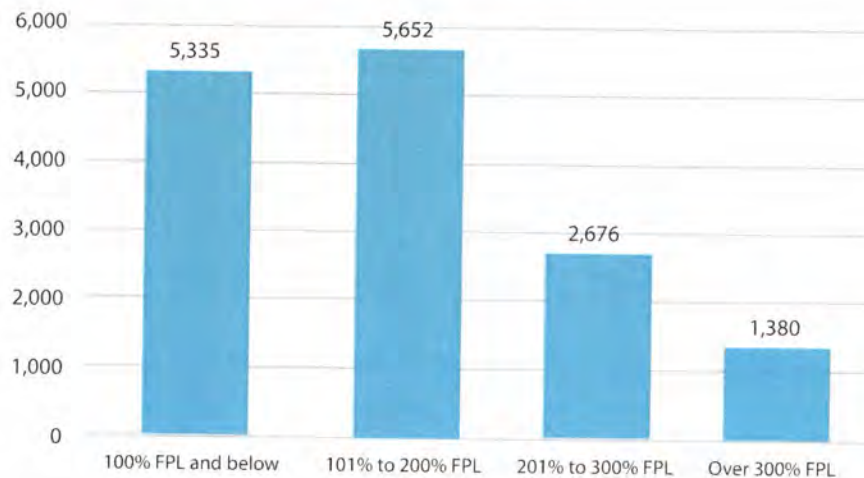
In Santa Fe, 7,600 renter households comprised of roughly 15,043 individuals expend more than 30 percent of income on housing. The majority of Santa Fe's cost-burdened renters (85%) are working age adults, children, and youth (Figure 5). Over two-thirds (68%) of working-age adults in cost-burdened renter households are in the labor force.

Figure 5: Santa Fe Cost Burdened Renters by Age



High housing cost burden is associated with poverty; but many households that are cost-burdened are not poor. In fact, over 65 percent of cost-burdened Santa Fe renters (about 9,700 individuals in 5,150 households) have income above the poverty threshold. Figure 6 shows cost-burdened renters by household income as a percent of the federal poverty level (FPL). These data suggest that a significant percentage of cost-burdened renters are candidates for homeownership.

Figure 6: Cost-Burdened Santa Fe Renters by Poverty Status



## Conclusion

Santa Fe's lack of affordable housing has serious implications for the city's long term economic growth, diversity, and overall quality of life. Increasing access to affordable housing is therefore key to Santa Fe's future.

Santa Fe's affordability crisis is often framed as a deficit of affordable rental units. Focusing so intensely on rental housing as the solution to affordability ignores the fact that many cost burdened Santa Fe area renters could actually afford to buy a reasonably priced home, were such a home available to them. Moving more low- and moderate-income households into homes they own has the added advantage of increasing the supply of available rental housing.

Facilitating such purchases would benefit the entire community by providing both sustainably affordable housing and much-needed wealth building opportunity for the county's modest-income households.

Homewise is a New Mexico based nonprofit organization that helps people achieve financial stability through affordable and sustainable homeownership. We offer a comprehensive suite of homeownership services that includes financial education and coaching, real estate services, affordable mortgage lending and down payment assistance, loan servicing, refinance and home improvement lending.



505.984.9473 [www.homewise.org](http://www.homewise.org)



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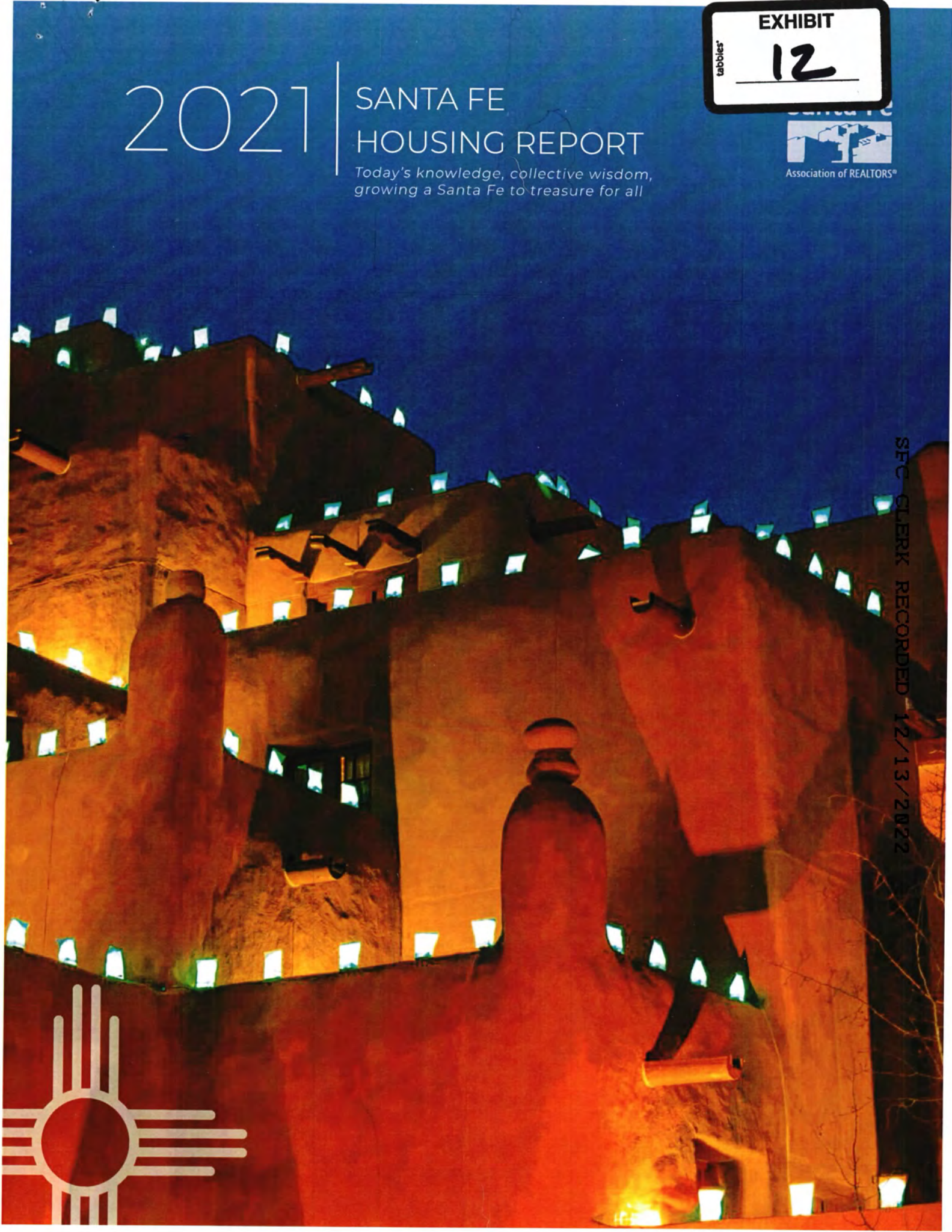
SANTA FE  
HOUSING REPORT

*Today's knowledge, collective wisdom,  
growing a Santa Fe to treasure for all*

EXHIBIT  
12



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# READING NOTES

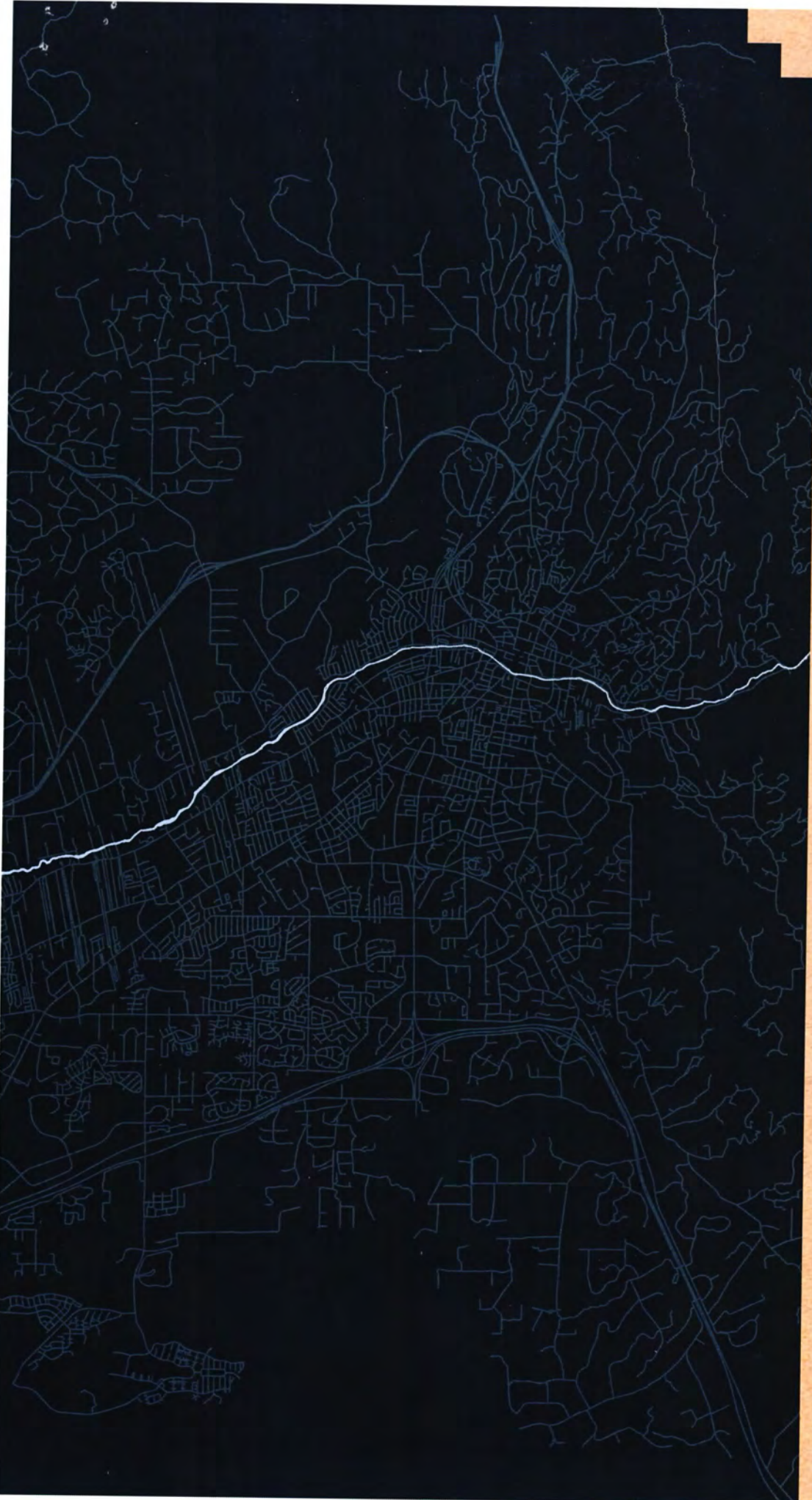
- 1 Unless otherwise noted, data presented in the tables, graphs and text are for the City and County of Santa Fe or the Santa Fe Metropolitan Statistical Area.
- 2 All data sources are publicly available and statistically valid. The interpretation of the data may be subject to judgements and opinions based on the experience and expertise of the coordinating team members.  
If you disagree with an observation or opinion, please do not hesitate to contact the association (info@sfar.com) so that the report may continue to be improved over time.
- 3 While average and median prices are ways to help determine the central point of a market, in local areas, most Realtor® associations report the median home price due to the fact that as few as one or two very large or small home purchases can skew the data. A “median” can be more or less than an average which is the amount derived by adding all values being reported and dividing by the total number of individual values. Therefore, for the purposes of this report, we have used the median which is basically the point in the middle of all the properties. Literally, half the properties are less than the median price and half are greater than the median.
- 4 All data is the most recent available at the time of the completion of the report. For calendar year data, that is 2020 in most cases, but 2019, 2018 or even 2017 when more recent figures are not yet available.
- 5 The American Community Survey collects data on an ongoing basis, January through December, to provide every community with the information they need to make important decisions. Data from the American Community Survey has a margin of error. The margin of error reflects uncertainty involved in the process of creating estimates from a representative sample of the population.
- 6 Research from this report was conducted by the Santa Fe Association of REALTORS®, County of Santa Fe, City of Santa Fe, New Mexico Coalition to End Homelessness, New Mexico Inter-Faith Community Housing Development Corporation, and Santa Fe Area Home Builders Association. Other sources were American Community Survey; ATTOM™ Data Solutions; U.S. Bureau of Labor Statistics; City of Santa Fe Land Use Department; City and County of Santa Fe Affordable Housing Departments; County of Santa Fe Growth Management Department; County of Santa Fe Housing Authority; Economic & Planning Systems, Inc.; Environmental Systems Research Institute; Federal Housing Finance Agency; Federal Reserve Bank of St. Louis; Freddie Mac; Mortgage News Daily; National Association of Home Builders (NAHB); National Association of REALTORS® (NAR); New Mexico Mortgage Finance Authority; New Mexico Association of REALTORS®; University of New Mexico – Bureau of Business & Economic Research 2020 Santa Fe County Housing Data Report published July 2021; U.S. Census Bureau; and U.S. Housing and Urban Development (HUD).
- 7 Santa Fe Association of REALTORS® MLS refers to the Multiple Listing Service that is administered, operated, and paid for by the association's MLS members. The SFAR MLS® provides services to the City and County of Santa Fe, City of Espanola, Los Alamos County, and Rio Arriba County. The SFAR MLS® offers a platform for cooperation among Realtors® to share accurate and timely information about homes and real estate for sale or rent. The SFAR MLS® Committee and Board of Directors provides oversight to the Multiple Listing Service.
- 8 The report obtains rental data from the New Mexico Mortgage Finance Authority and the County of Santa Fe's Fall 2020 Apartment Survey conducted by the University of New Mexico – Bureau of Business and Economic Research (UNM BBER).



SFC CLERK RECORDED 12/13/2022



STANDARD & SPOON PHOTO



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COVER PHOTO - ADOBE STOCK - BILLY McDONALD

DOONNA REYNOLDS

# STATE OF HOUSING IN SANTA FE MESSAGE

I am delighted to have the opportunity to introduce the 2nd Annual Santa Fe State of Housing Report to the Santa Fe community. It is key to recognize the team of committed and experienced housing experts who have worked diligently and thoughtfully to offer a report with valuable real estate and housing industry data that can strategically edify local housing policy. Data remains a valuable tool that can guide and illuminate issues that need our attention as well as track program successes.

The 2020 State of Housing Report identified the growing need for affordable housing funding to address a wide range of programs and projects. In response, the Santa Fe City Council passed a budget earmarking \$3M for affordable housing and the Santa Fe County Commission established a funding roadmap, these actions are commendable. Without action, housing insecurity and shortages will continue to have an adverse impact on the economy and our quality of life.

Housing affordability remains a key issue facing our community. According to a recent report commissioned by the National Association of REALTORS® "Housing is

Critical Infrastructure: Social and Economic Benefits of Building More Housing", the underbuilding gap in the U.S. totaled more than 5.5 million housing units in the last 20 years exacerbating the growing affordability housing crisis across the country.

The COVID-19 pandemic created even more housing challenges for the Santa Fe community. Local governments responded by working to protect homeowners and renters with moratoriums on payments accessing vital federal help provided through congressional action. This critical work and the shutdown of many businesses took a toll on many Santa Feans and the economy. As we emerge from the pandemic's grip, 2022 offers the promise of renewal and growth.

On behalf of the Santa Fe Association of REALTORS®, I want to thank the housing stakeholder team for its work and expressed willingness to continue to advance similar reports in the future.

**Roger Carson**

President - Santa Fe Association of REALTORS®

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## INTRODUCTION OF HOUSING STAKEHOLDER TEAM

**Alexandra Ladd** - Director  
Office of Affordable Housing | City of Santa Fe

**Joseph Montoya** - Executive Director  
Community Development Director | County of Santa Fe

**Miles D. Conway** - Executive Officer  
Santa Fe Area Home Builders Association

**Hank Hughes** - Executive Director  
New Mexico Coalition to End Homelessness

**Daniel Werwath** - Executive Director  
New Mexico Inter-Faith Community Housing Development Corporation  
Interim Director | The Housing Trust & Tierra Contenta

**Michaelann Perea** - New Mexico Area Manager  
Guardian Mortgage Company

**Bridget Dixson** - President & CEO  
Santa Fe Chamber of Commerce

**Donna Reynolds** - Government Affairs Director  
Santa Fe Association of REALTORS®



# EXECUTIVE SUMMARY

## HOUSING DEVELOPMENT & OCCUPANCY

Land and sales in Santa Fe City and County increased by 6 percent in 2020 – a more modest increase likely due to the impact of the pandemic with government shutdowns and accompanying business slowdown. Land sales continued to climb in Santa Fe County during 2020 while Santa Fe City land sales dropped by 10 percent.

In Santa Fe City, multi-family developments have outpaced single family construction in the last three years largely in part to Santa Fe City efforts to modify inclusionary zoning requirements for developers allowing a “fee-in-lieu” of building affordable rental units and other flexible options. Total units increased from 1,717 in 2006-2009 to 2,533 units in 2018-2020 or by about a remarkable 47.5 percent.

Looking at building permits during the same timeframes in Santa Fe County, building permit growth slowed about 10 percent from 834 permits in the last housing boon of 2006-2009 to 757 in the last three years.

In Santa Fe County, approximately 71.4 percent of housing units are occupied by their owners. Within Santa Fe City, 64.9 percent of homes are owner occupied while 35 percent are renter occupied.

## POPULATION & INCOME

Between 2015 to 2019, Santa Fe attracted more people from both domestic and international areas resulting in a positive net migration total of 2,850 people while New Mexico lost residents to other domestic areas. Santa Fe remains attractive to retirees and remote workers who come to the region to enjoy its climate, outdoor amenities, cultural attractions, art and history.

Santa Fe County median household incomes rose approximately 1.2 percent each year between 2000 and 2020. During that same period in New Mexico, median incomes only rose about .37 percent each year. Santa Fe City’s living wage law indexed to consumer price increases likely contributes to the overall higher wages in the area. In the last three years with an influx of federal funding at Los Alamos National Laboratory (LANL), the lack of housing options in Los Alamos County has led to a growing number of LANL workers buying or renting properties in Santa Fe.

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## RENTAL HOUSING

There is an estimated shortage of 7,343 rental units in the Santa Fe Metropolitan Statistical Area with approximately 5,328 renter households eligible for down payment assistance. In 2020, the Santa Fe rental vacancy rate was 3 percent and average rent prices totaled \$1,067. Both the City and County of Santa Fe's housing authorities launched new developments in 2020.

In 2020, Santa Fe City established further regulatory controls, including density limits, on short term rentals. As a result of the increasing regulatory control of short term rentals in Santa Fe City residential areas, commercially-zoned properties are converting to this use especially where commercially-zoned properties abut residential areas.

---

## HOUSING SALES & PRICES

With historically low inventories, market pressures and buyer demand continued to drive up home prices in the Santa Fe area. In 2020, the Santa Fe County median price increased by 5 percent from the prior year to \$575,153 with over 840 homes sold. The Santa Fe City median home price hit a high at \$428,500 when looking back over the last decade with 998 units sold in 2020.

The market noted a significant reduction of lower-priced properties below \$250,000 with only 55 total sales reported. Sales increased in all price point ranges beginning at \$350,001 and above. With the ongoing stress on home prices, the high end market remained strong in 2020 with single family homes priced over \$750,001 making up the largest range of home sales reported.

Townhome and condominium sales dropped by 6 percent in 2020 with a median price of \$316,750, a 12 percent increase from the 2019 median. Units priced over \$450,001 saw the greatest increase in sales.



# EXECUTIVE SUMMARY

## MORTGAGE FINANCE

The COVID-19 pandemic significantly disrupted the U.S. economy and financial markets. The Federal Reserve responded forcefully using its interest rate policy to support the economy, took steps to stabilize financial markets and introduced other measures to support the flow of credit to many sectors of the economy. The 30-Year fixed Interest rate average hit a 10-year record low of 3.11 percent in 2020 under Federal Reserve COVID-19 pandemic policies

In 2021, Fannie Mae and Freddie Mac conforming loan limits increased from \$510,400 to \$548,250 for a single family residence. With the increase homebuyers can better leverage their borrowing power, enjoying the benefits from inexpensive borrowing costs with higher loan limits. At the same time, lumber prices nearly tripled and oriented strand board (OSB) prices were up more than 250 percent since the spring of 2020.

Foreclosures in mid-year 2021 totaled 65,082 down 61 percent from the same time period a year ago. According to RealtyTrac, the government's foreclosure moratorium and mortgage forbearance program have created an unprecedented situation - historically high numbers of seriously delinquent loans and historically low levels of foreclosure activity.

## HOUSING AFFORDABILITY

The Housing Affordability Index (HAI) measures the ability of a family earning a median income to purchase a median-priced home. The HAI for Santa Fe City and County for a single family home has tracked under 80 for the last three years. Historic low inventory is negatively impacting HAI for all housing options in the Santa Fe region.

To help address housing affordability, Santa Fe City and County have programs to require the construction of housing units for low-income residents through inclusionary zoning policies. Over the last ten years, 561 affordable housing units have been built to address housing affordability.

In 2020, Santa Fe's unemployment rate tracked more closely with the state of New Mexico as businesses shuttered in response to the COVID-19 pandemic with about 13 percent of Santa Fe County residents considered to be living in poverty. Homelessness remains a persistent concern in Santa Fe, exacerbated during the COVID-19 pandemic. The annual point-in-time count of homeless people in January 2021 found 723 people living without housing - a significant jump from 2020 data. With an affordable housing shortage and further shutdowns looming in the future, there remains work to be done to ensure everyone in Santa Fe has a safe and stable home.

---

## VALUE OF HOUSING

Housing is a key economic driver in the Santa Fe community and across New Mexico. The real estate industry accounted for \$18.1 billion or 18.1 percent of the gross state product in 2020, up by 1.1 percent from 2019. Each home sold in New Mexico generates \$81,200 in additional economic value to the community.

---

## COVID RESPONSE

In the Santa Fe region, the COVID-19 pandemic inspired the community to keep its population safe by taking a giant step toward ending housing instability with the use of local, state and federal funding.

Santa Fe City took several key steps including the conversion of existing dormitory rooms at the Midtown Campus for those in need, moving 50 plus people into the units and setting up Consuelo's Place to serve these residents. They also partnered with the Salvation Army to open a winter shelter to house 25 people adopting an encampment policy that focused on outreach and non-removal, except for health and safety reasons.

Santa Fe City and County utilized federal coronavirus relief funding to help finance the purchase of hotels to house people impacted by the pandemic. Santa Fe City leveraged \$2M CARES Act funds to subsidize the purchase of Santa Fe Suites, offering 122 studio units, located near transit, services, amenities. Santa Fe County purchased a 14-unit facility formerly known as Eagle Village Hotel, partnering with Pathways Shelter, to provide the first shelter for the homeless in northern Santa Fe County.

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## CONCLUSION & ECONOMIC OUTLOOK

As the cost of housing increases, Santa Fe continues to attract residents seeking a more predictable and sustainable climate, diverse housing, world-class cultural amenities, multi-faceted outdoor recreation and unique art attractions found in a well-established sense of place. Domestic and international in-migration can further impact the housing shortage as remote workers purchase housing in resort markets like Santa Fe as well as a growing number of early retirees attracted to the region.

In response to the increased need for more affordable housing and strong community advocacy, Santa Fe City set aside \$3M for affordable housing in both its 2020 and 2021 budgets. Santa Fe County adopted an Affordable Housing Plan to guide its work to better meet the growing housing needs of its citizens. To further address the housing crisis, Santa Fe Housing Action Coalition is working collaboratively with a wide range of business, community, housing and government interests to identify and advocate for a permanent stream of annual funding among other strategies to grow affordable housing.

Santa Fe, like the rest of the nation, will enter 2022 with continuing economic uncertainty due to the Covid-19 pandemic's looming presence as well as the real threat of near-term inflation. The housing market will continue to be stressed and it is unclear if construction will be able to step up to meet all the growing demand. With low housing inventories and interest rates, it may be a unique opportunity for Santa Fe to strategically foster a regulatory environment that can spark and sustain a robust, economic housing boon.

# HOUSING SUPPLY: DEVELOPMENT & OCCUP

## LAND DEVELOPMENT

Land sales in Santa Fe City and County increased by 6 percent in 2020 – a more modest increase likely due to the impact of the pandemic with government shutdowns and accompanying business slowdown (TABLE 1). The Santa Fe City and County overall median price for land sales in 2020 totaled \$122,000, an increase of 12 percent from the prior year. Land sales continued to climb in Santa Fe County during 2020 while Santa Fe City land sales dropped by 10 percent. (GRAPH 1)

**TABLE 1:** Total land sales in greater Santa Fe increased by 6 percent with Santa Fe County land sales growing from 246 in 2019 to 275 in 2020.

**GRAPH 1:** Overall land sales in Santa Fe City and County continue an upward trend since 2014 with a more modest increase in 2020 likely due to the impact of the pandemic.

**GRAPH 2:** Santa Fe City and County noted an increase in median land prices from 2019 to 2020 to \$143,350 in Santa Fe City and \$120,000 in Santa Fe County.



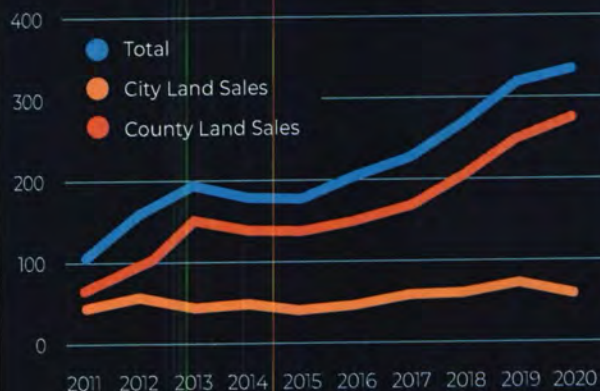
### SANTA FE CITY & COUNTY LAND SALES

| YEAR | LAND SALES | % CHANGE | MEDIAN PRICE | % CHANGE |
|------|------------|----------|--------------|----------|
| 2015 | 173        | -3%      | \$105,000    | -5%      |
| 2016 | 199        | 15%      | \$105,000    | 0%       |
| 2017 | 225        | 13%      | \$105,000    | 0%       |
| 2018 | 267        | 19%      | \$125,000    | 19%      |
| 2019 | 312        | 17%      | \$109,000    | -13%     |
| 2020 | 331        | 6%       | \$122,000    | 12%      |

TABLE 1

Source: Santa Fe Association of REALTORS® - MLS

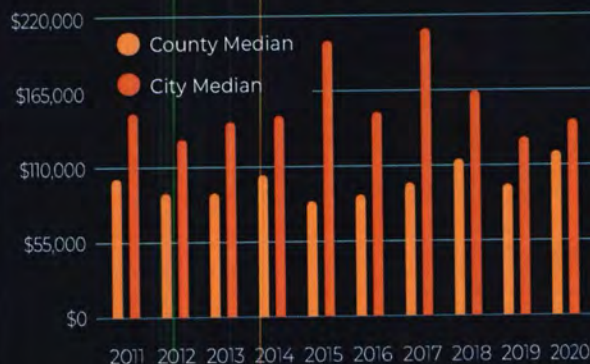
### SANTA FE CITY & COUNTY LAND SALES



GRAPH 1

Source: Santa Fe Association of REALTORS® - MLS

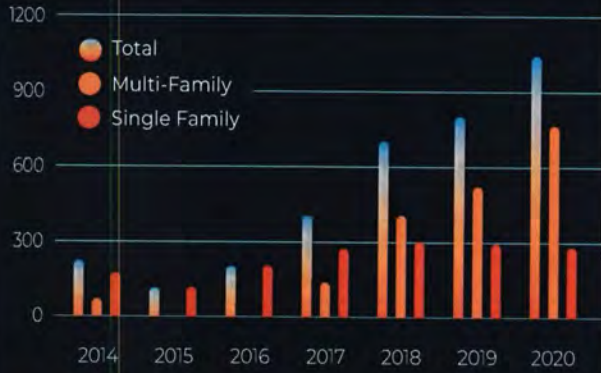
### SANTA FE CITY & COUNTY MEDIAN PRICE LAND SALES



GRAPH 2

Source: Santa Fe Association of REALTORS® - MLS

SANTA FE CITY  
RESIDENTIAL BUILDING PERMITS



GRAPH 3

Source: Office of Santa Fe Land Use Department

**GRAPH 3:** Santa Fe City was able to increase multi-family units by continuing to offer developers a “fee-in-lieu-of” option to a build requirement.

- ▼ Santa Fe City Council approved a multi-family development at Zia Station in May 2021 that will create affordable rental units.

PACE OF DEVELOPMENT

Single-family construction in Santa Fe City has remained relatively stable over the past three years ranging from 291 in 2018 to 283 in 2019 and 278 in 2020. In contrast, multi-family construction has jumped from 132 units in 2017 to 758 units in 2020 (**GRAPH 3**). Much of the growth of multi-family units in Santa Fe City can be attributed to the city’s affordable housing policies that provide a fee-in-lieu option for multi-family unit development under its inclusionary zoning program. Inclusionary zoning policies are utilized to increase affordable housing in many communities across the country. In this case, Santa Fe City’s inclusionary zoning program allows developers to pay a “fee-in-lieu-of” constructing low-income rental units and other flexible methods to meet affordable rental build requirements. In July 2020, Santa Fe City continued to increase these fees for multi-family developments further encouraging developers to consider other flexible methods resulting in the recent approval of 65 new affordable rental units. In Santa Fe County, the data suggests a positive trend in new construction over the last four years with more than 220 units permitted each year. With the pandemic shutdown and remote working mandates for government

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# HOUSING SUPPLY: DEVELOPMENT & OCCUPANCY

workers, Santa Fe County experienced a 15 percent dip in building permits in 2020 (GRAPH 4). In comparison, Santa Fe City was able to attract several multi-family projects increasing total housing units by 32 percent in 2020 to a total of 1,036 units. Accessory Dwelling Units have been permitted in Santa Fe City to increase housing options for many years and more recently in Santa Fe County with the adoption of its Sustainable Land Use Code. In 2019, Santa Fe City relaxed some of the land use requirements for Accessory Dwelling Units to increase their construction and use for both long-term and short-term rentals (TABLE 2).

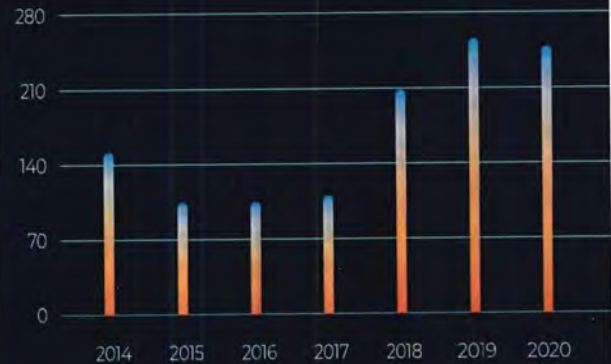
Tracking building permits in Santa Fe City over the last three years compared to 2006 through 2008 at the height of the housing boon, one finds the mix of housing has changed. In the most recent timeframe, Santa Fe City built more higher density multi-family units while single family housing slowed. Total units increased from 1,717 in 2006-2009 to 2,533 units in 2018-2020 or by a remarkable 47.5 percent (TABLE 3). Santa Fe City's Land Use Department is considering regulatory changes to grow housing that may result in more single family development in the future. Looking at building permits during the same timeframes in Santa Fe County, building permit growth slowed about 10 percent from 834 permits in 2006-2009 to 757 in the last three years (TABLE 4).

**GRAPH 4:** Santa Fe County building permits dropped to 223 in 2020, a decrease of 40 units or by 15 percent when compared to 2019.

**TABLE 2:** Santa Fe County built slightly more Accessory Dwelling Units in 2020 than Santa Fe City even with the relaxation of city building regulations in 2019.

**TABLE 3:** The mix of housing flip-flopped in Santa Fe City from single family in 2006-2008 to multi-family in 2018-2020.

## SANTA FE COUNTY RESIDENTIAL BUILDING PERMITS



GRAPH 4

Source: U.S. Census Bureau, County of Santa Fe Growth Management Department, Economic Planning Systems, Inc.

## SANTA FE CITY & COUNTY ACCESSORY DWELLING UNIT CONSTRUCTION

|                 | 2018 | 2019 | 2020 |
|-----------------|------|------|------|
| Santa Fe City   | 21   | 29   | 29   |
| Santa Fe County | 14   | 30   | 32   |

TABLE 2

Source: City of Santa Fe Land Use Department, County of Santa Fe Growth Management Department

## SANTA FE CITY BUILDING PERMITS 2006-2008 VS 2018-2020

|               | 2006-2008 | 2018-2020 |
|---------------|-----------|-----------|
| Single Family | 1391      | 856       |
| Multi-Family  | 326       | 1677      |
| Total         | 1717      | 2533      |

TABLE 3

Source: City of Santa Fe Land Use Department

SANTA FE COUNTY BUILDING PERMITS  
2006-2008 VS 2018-2020

|                      | 2006-2008 | 2018-2020 |
|----------------------|-----------|-----------|
| All Building Permits | 834       | 759       |

TABLE 4

Source: County of Santa Fe Growth Management Department, Economic & Planning Systems, Inc.

SANTA FE CITY SUBDIVISION  
PRELIMINARY PLAT APPROVALS

|                       | 2016 | 2017 | 2018 | 2019 | 2020 |
|-----------------------|------|------|------|------|------|
| City Subdivisions     | 5    | 5    | 9    | 6    | 6    |
| City Residential Lots | 100  | 351  | 139  | 100  | 545  |

TABLE 5

Source: City of Santa Fe Land Use Department

SANTA FE CITY & COUNTY SUBDIVISIONS  
FINAL PLAT APPROVALS 2015-2019

|                                                | 2016 | 2017 | 2018 | 2019 | 2020 |
|------------------------------------------------|------|------|------|------|------|
| City Final Plat Residential Lots               | 133  | 323  | 319  | 92   | 119  |
| County Final Plat Residential Lots*            | 147  | 98   | 14   | 37   | 10   |
| County Subdivision Exemptions Residential Lots | 78   | 30   | 39   | 48   | 24   |

TABLE 6

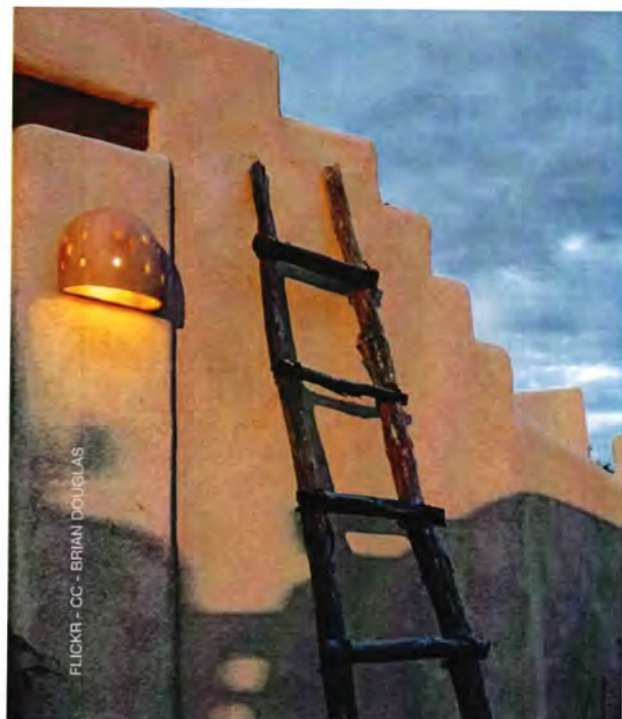
Source: City of Santa Fe Land Use Department, County of Santa Fe Growth Management Department

Preliminary plat approvals reflect the first step of the subdivision process, while final plat approvals indicate that the developer is ready to build. Santa Fe City granted preliminary plat approval for six new residential subdivisions in 2020, totaling 545 residential lots (TABLE 5). In 2018, Santa Fe City noted a high of 319 residential lots ready for construction (TABLE 6). In Santa Fe County, most preliminary plats are submitted simultaneously with the final plat as no vested rights are conveyed with a Santa Fe County preliminary plat approval and an applicant must seek final plat approval within thirty-six months. Santa Fe County has a number of subdivision exemptions that contribute to the production of residential lots increasing overall housing totals (TABLE 6).

TABLE 4: Santa Fe County noted about a 10 percent drop in building permits with 834 in 2006-2008 and just 757 in 2018-2020.

TABLE 5: Santa Fe City approved a five-year high of 545 residential lots in 2020.

TABLE 6: In 2016, Santa Fe County had the most final plat lots approved for construction with only 10 lots approved in 2020.



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# HOUSING SUPPLY: DEVELOPMENT & OCCUPANCY

In discussing new construction, it's valuable to review the existing age of Santa Fe County's housing in comparison to the rest of New Mexico. In New Mexico, the housing stock trends older with more homes built between 1950 and 1979 compared to Santa Fe County. Nearly sixty percent (59.8 percent) of Santa Fe County's housing stock was built between 1980 and 2009; however, with less than 4 percent constructed since 2010 (**GRAPH 5**).

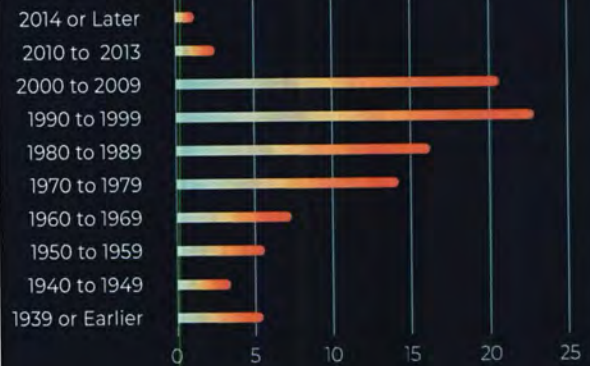
Of interest, is the mix of owner occupied and renter occupied housing in Santa Fe City and County. Santa Fe County has more owner occupied housing while Santa Fe City has more renter occupied units.

**GRAPH 5:** More than 20 percent of Santa Fe County housing stock was constructed between 1990 and 1999.

**GRAPH 6:** When viewing housing options combined in both Santa Fe City and County, one finds more rental units in the urban area.



SANTA FE COUNTY HOUSING STOCK BY YEAR BUILT 2019



GRAPH 5

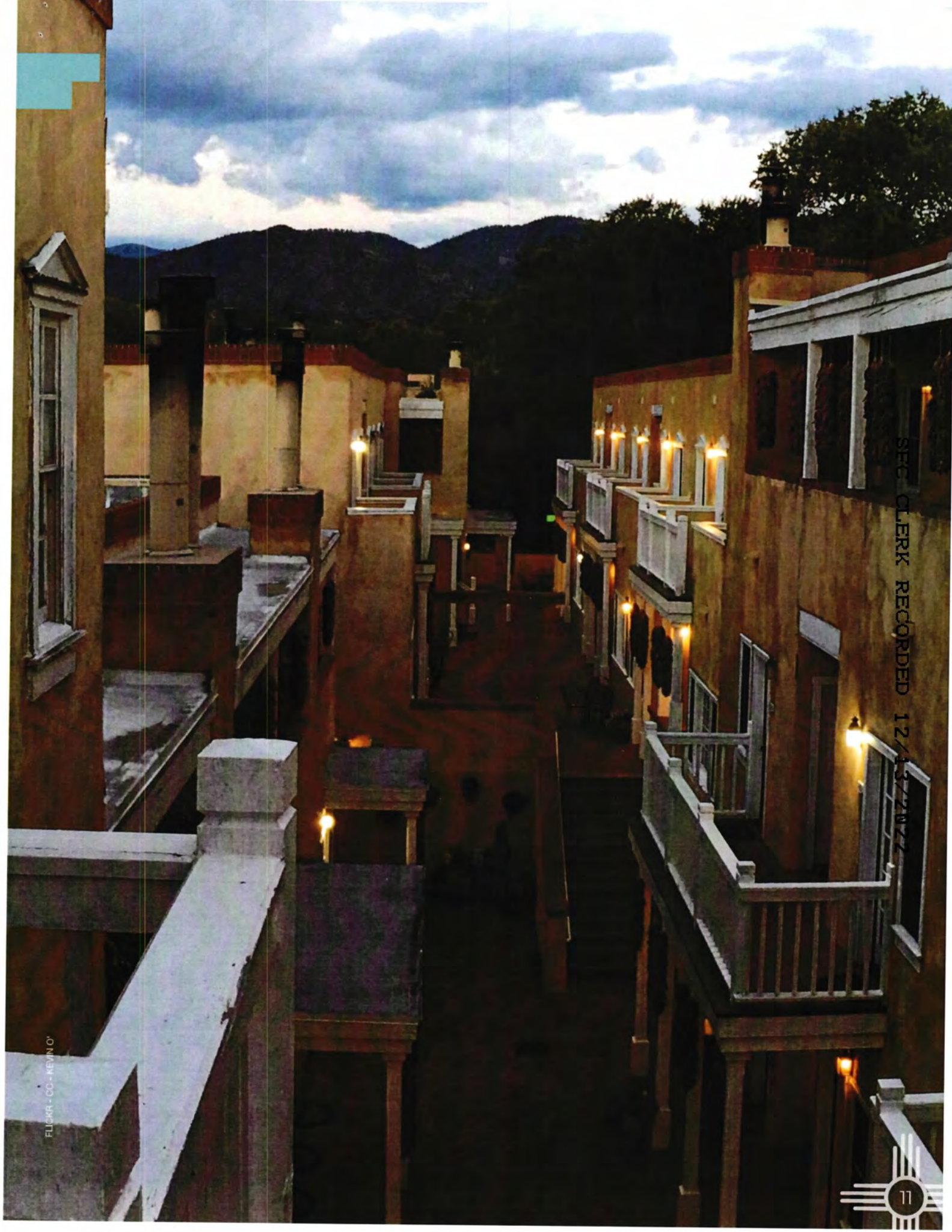
Source: U.S. Census Bureau, American Community Survey

OCCUPIED HOUSING UNITS BY TENURE 2019 BY PERCENTAGE



GRAPH 6

Source: U.S. Census Bureau, American Community Survey, 2019 Estimates



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# HOUSING DEMAND: POPULATION & INCOME

## AGE DISTRIBUTION

The age and gender distribution of Santa Fe County is generally split between two groups – those aged 25 to 54 (comprising three age groups) and a similar-sized group from age 65 to 74 according to the most recent American Community Survey data (GRAPH 7). Keep in mind that data provided by the American Community Survey is from 2019 and is a year behind data on home sales and rentals. Santa Fe remains attractive to retirees and remote workers who continue to move to the area for its weather, ambiance, clean air, culture, outdoor activities, art and history.

**GRAPH 7:** The largest group of both men and women in Santa Fe County are aged 65 to 74 and the second largest group are men and women aged 45 to 54.

SANTA FE COUNTY POPULATION PYRAMID BY AGE AND GENDER



GRAPH 7

Source: U.S. Census, American Community Survey 5-year



TODD CLARKE

## POPULATION DYNAMICS

Santa Fe County reached a total population of 154,823 in 2020 (TABLE 7) growing by 10,653 residents between 2010 or by 0.7 percent. Since 2000, growth has moderated in Santa Fe County and New Mexico while increasing slightly in Santa Fe City. In fact, Santa Fe City grew faster than Santa Fe County and New Mexico beginning in 2010 adding approximately 653 residents annually or by 0.8 percent. City annexation of county land during this period may have played a factor in this increased growth. In 2020, 87,505 or approximately 57 percent of residents lived in Santa Fe City and 67,318 or 43 percent lived in Unincorporated Santa Fe County (TABLE 7). Yet, when drilling down into overall population data updated through the US Census in 2020, over the last decade Santa Fe County is gaining population at a faster rate than New Mexico and tracking more closely with United States population growth (GRAPH 8).

**TABLE 7:** Santa Fe City grew at the fastest rate or 0.8 percent between 2010 and 2020.

**GRAPH 8:** Santa Fe County population growth at 0.36 percent is surpassing the State of New Mexico's growth rate of 0.10 percent in 2020.

SANTA FE, NEW MEXICO & UNITED STATES POPULATION GROWTH RATE 2020



GRAPH 8

Source: U.S. Census Bureau

SANTA FE CITY AND COUNTY POPULATIONS - NEW MEXICO - 2000-2020

| POPULATION            | 2000      | 2010      | 2020      | 2000-2010 | 2000-2010 | 2000-2010 | 2010-2020 | 2010-2020 | 2010-2020 |
|-----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
|                       |           |           |           | TOTAL     | ANN #     | ANN %     | TOTAL     | ANN #     | ANN %     |
| Santa Fe City         | 76,058    | 80,974    | 87,505    | 4,916     | 492       | 0.6%      | 6,531     | 653       | 0.8%      |
| Other SFC             | 53,324    | 63,196    | 67,318    | 9,962     | 996       | 1.7%      | 4,122     | 412       | 0.65%     |
| Total Santa Fe County | 129,292   | 144,170   | 154,823   | 14,878    | 1,488     | 1.1%      | 10,653    | 1065      | 0.73%     |
| New Mexico            | 1,819,046 | 2,059,179 | 2,117,522 | 240,133   | 24,013    | 1.2%      | 58,343    | 5,834     | 0.28%     |

TABLE 7

Source: U.S. Census Bureau

# HOUSING DEMAND: POPULATION & INCOME

## MIGRATION

Three key factors impact population fluctuations over time, the number of births, deaths and net migration. Net migration includes the number of people moving to an area added to the number leaving. Although in a downward trend, between 2015 and 2019, Santa Fe attracted more people from both domestic and international areas resulting in a positive net migration total of 2,850 people (GRAPH 9). In contrast, New Mexico lost 53,537 residents to other domestic (U.S.) areas during this same timeframe. The positive net migration of individuals moving to Santa Fe from both domestic and international areas has resulted in a stronger demand for housing, and without sufficient housing inventory, more pressure on housing prices and higher rents in the near term.

**GRAPH 9:** During 2015 to 2019, Santa Fe County attracted a total of 2,850 new residents.

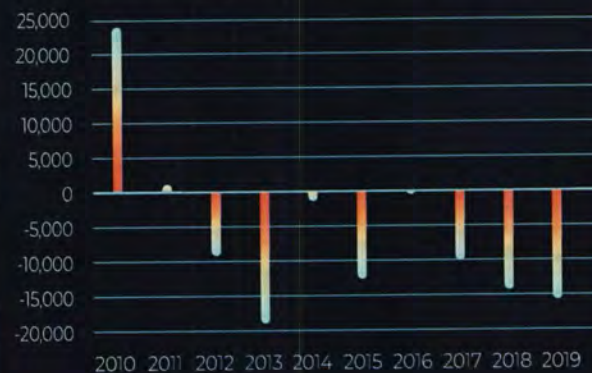
**GRAPH 10:** The State of New Mexico lost 53,537 residents to other domestic areas in the U.S. from 2015 to 2019.

### SANTA FE COUNTY DOMESTIC & INTERNATIONAL NET MIGRATION

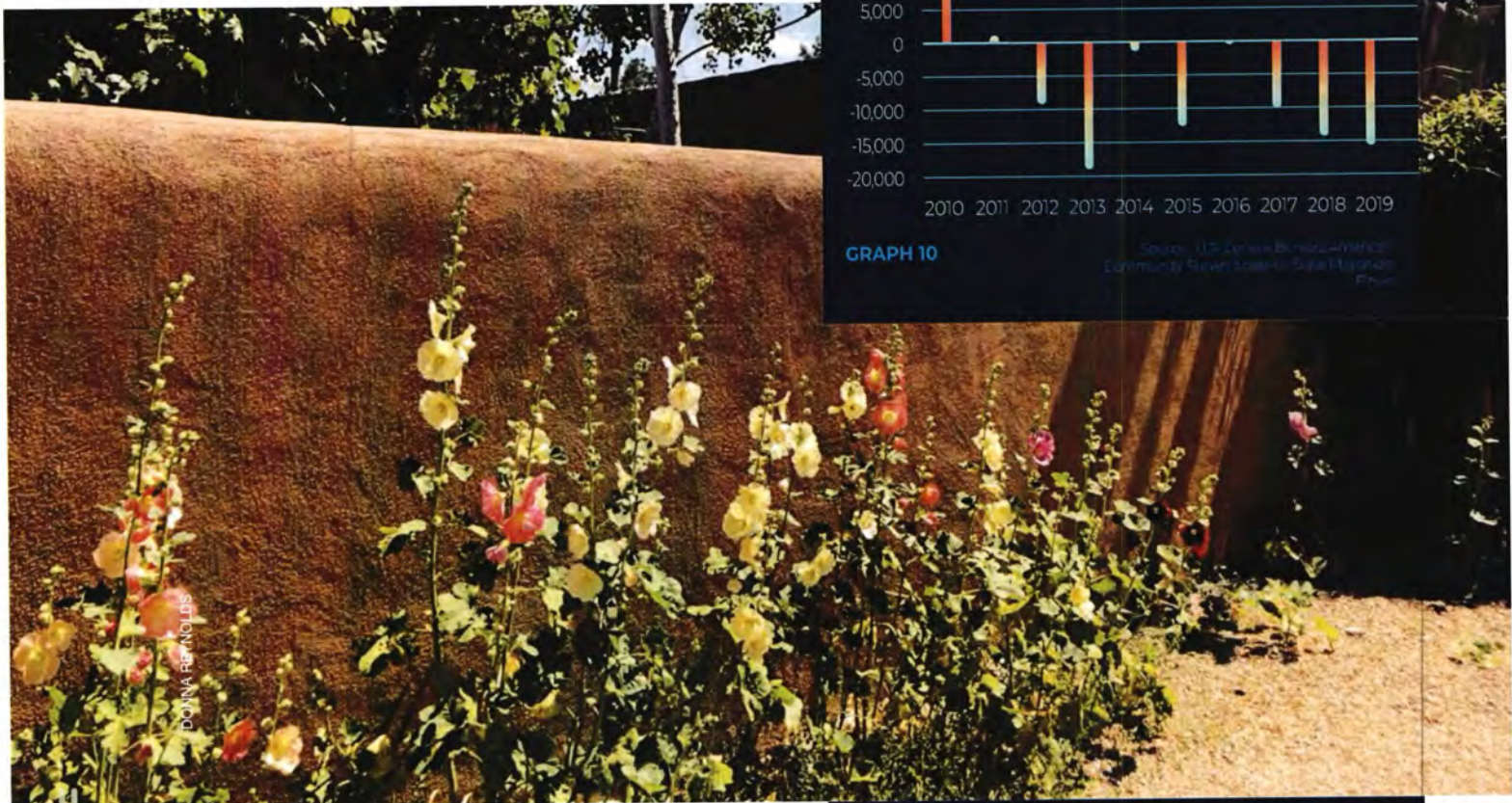


**GRAPH 9** Source: U.S. Census Bureau, Population Research of Santa Fe County

### NEW MEXICO DOMESTIC NET MIGRATION



**GRAPH 10** Source: U.S. Census Bureau, American Community Survey, State-to-State Migration Program



DOMINIC RAYNOLDS

## INCOME TRENDS

Concerning income trends, Santa Fe County median household incomes rose approximately 1.2 percent each year between 2000 and 2020. During that same period in New Mexico, median incomes only rose about .37 percent each year. In 2020, median household income in the State of New Mexico increased to \$50,822 while Santa Fe County's median income inched over the \$60,000 threshold to \$61,298. Of note, Santa Fe City has adopted a living wage ordinance indexed to consumer price increases which likely contributes to higher incomes in the area. Additionally, out-commuting to Los Alamos National Laboratory (LANL) where incomes can be substantially higher may contribute to growing median incomes for residents of Santa Fe County. More recently, the lack of housing options in Los Alamos County has contributed to the growing number of LANL workers purchasing homes or renting properties in Santa Fe County.

**GRAPH 11:** Santa Fe County has a higher median income than the state inching over the \$60,000 threshold in 2020.

**GRAPH 12:** More households in both New Mexico and Santa Fe County have median household incomes making less than \$20,000 annually.

AREA MEDIAN INCOME 2000-2020  
SANTA FE COUNTY & NEW MEXICO



GRAPH 11

Source: U.S. Housing and Household Transportation Statistics, U.S. Census Bureau, "Income, Poverty, and Health Insurance Coverage in the United States: 2020"

2019 HOUSEHOLD INCOME RANGES



GRAPH 12

Source: U.S. Census Bureau, American Community Survey, 2019

# RENTAL HOUSING

## RENTAL OCCUPANCY

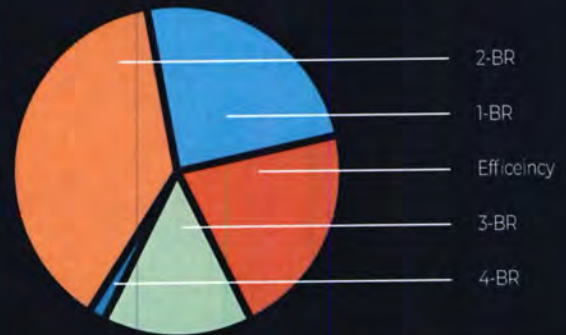
In response to the COVID-19 pandemic, local, state and federal governments' imposed moratoriums on evictions in March 2020 to help address the loss of income as businesses shut down or were impacted and more importantly, to help keep families healthy and safe during the pandemic. As a result of the moratoria, evictions across New Mexico dropped by half in 2020. However, landlords were able to continue to evict residents for other reasons, documented in a report titled "Evictions in the COVID-19 Era: Successes and Limitations of Moratoria to Keep People Housed and Healthy in Santa Fe," released by Human Impact Partners and Chainbreaker in April 2021.

In the fall of 2020, Santa Fe County contracted with the University of New Mexico Bureau of Business & Economic Research (UNM-BBER) to conduct a rental survey to better inform the county's affordable housing plan. Survey responses were recorded from 21 properties in Santa Fe which accounts for a total of 2,799 units. Seventeen of the 21 properties gave information about their unit count by type of apartment, which accounts for a total of 2,577 units. The most numerous apartment type was a two-bedroom with about 38 percent or 975 units of the total 2,577 units. Respondents to the survey reported a total of 73 vacant units, resulting in an overall vacancy rate of 2.61 percent (**TABLE 8**).

**GRAPH 13:** While two bedroom units made up the largest type of rental units counted, one-bedroom apartments were the second most common at about 24 percent, accounting for a total of 621 units.

**TABLE 8:** Vacancy rates were highest for efficiencies, at 4.52 percent. Three-bedroom and four-bedroom units were least likely to be vacant.

TOTAL UNITS\* BY TYPE OF APARTMENT  
SANTA FE COUNTY: FALL 2020



\*count based on 16 properties.

GRAPH 13

Sources: Santa Fe County Housing Data, 2020  
University of New Mexico

WEIGHTED AVERAGE VACANCY RATES BY  
APARTMENT TYPE IN SANTA FE COUNTY

|            | UNIT COUNT | VACANCY COUNT | VACANCY RATE |
|------------|------------|---------------|--------------|
| Efficiency | 553        | 25            | 4.52%        |
| 1-BR       | 621        | 12            | 1.93%        |
| 2-BR       | 975        | 33            | 3.38%        |
| 3-BR       | 392        | 3             | 0.77%        |
| 4+BR       | 36         | 0             | 0.00%        |
| Overall    | 2577       | 73            | 2.87%        |

TABLE 8

Sources: Santa Fe County Housing Data  
Fall 2020 apartment survey



## RENTAL PRICES

Rental price data were tabulated for a subset of the Santa Fe County rental survey respondents. Some properties did not provide rental data while other properties were identified as receiving lump-sum subsidies that could not be allocated to individual units. Therefore, the rental tabulations were based on 15 properties, with a total of 2,345 units. The weighted average monthly rent, regardless of apartment type, was \$1,067 for Santa Fe County up from \$1,038 or by 3 percent annually from the rental price average reported by the New Mexico Mortgage Finance Authority in 2019.

According to the National Association of REALTORS® 2021 Case Studies on Repurposing Hotels/Motels Into Multifamily Housing, between 2010 to 2020 housing completions for single-family and multifamily housing were behind by 6.3 million units compared to the level of housing demand arising from household formation and to replace housing lost to demolition or obsolescence. Due to lack of supply, rental housing has become increasingly unaffordable especially for low-income households. In almost every state, low income households (earning less than 80 percent of the median household income) typically spent more than 30 percent of income on rent in 2019. Rental housing has become more expensive. In 2020, 22.7 percent of multifamily rental units rented for over \$2,000 compared to just 12.3 percent in 2017.

# RENTAL HOUSING

## RENTAL ASSISTANCE


Housing choice vouchers make private-market housing affordable for low-income families and individuals by paying a portion of the family's rent. The Santa Fe Civic Housing Authority and Santa Fe County Housing Authority provide Section 8 vouchers that subsidize rent to private landlords for eligible participants. Demand for this type of rental assistance remains high in the area with applicants waitlisted. The total number of applicants waitlisted in Santa Fe County is 1,976 and Santa Fe City is 200 with the list closed.

The Santa Fe Civic Housing Authority (SFCHA) has been the primary provider of affordable housing to citizens within Santa Fe City. Since 2010, SFCHA has completed six different tax credit projects providing 595 LEED platinum certified units within the City of Santa Fe. Cumulatively that represents approximately \$110 million dollars of investment in projects that are affordable to both moderate and low-income families and seniors. Villa Alegre Family and Seniors, one of its first projects, remains occupied at or above 98 percent and competes favorably with market units currently being built at a steep discounted rent for tenants. In 2020, the Santa Fe Civic Housing Authority received approval for a new infill affordable development project (Calla Resolana) close to parks, schools, jobs, and transportation that will add 11 project-based vouchers and 34 other units for

working families below 60 percent AMI. This project is approximately 60 percent complete as of August 2021 with anticipated completion by December 2021.

The County of Santa Fe Housing Authority procured architecture and engineering services in 2020 for its Camino de Jacobo 100-unit multifamily project. Additionally, the county housing authority strategically secured \$1.85M in outside funding for capital upgrades (reroofing, sidewalks, fencing and walls, rehabilitation and security installations) to existing public housing developments.

The City of Santa Fe's Affordable Housing Department offers rental assistance to eligible renter households. Since 2015, the City of Santa Fe has provided assistance to 921 renter households helping these renters remain in their rental properties or to get rehoused quickly when they have lost housing. The City and County of Santa Fe continues to support and sustain CONNECT, a network of navigators at clinics, community organizations, and city and county programs. Navigators are community health workers, volunteers, or social workers who link people to services and resources including non-medical services such as secure housing through a shared technology platform enabling navigators to send and receive secure electronic referrals, address residents' social needs, and improve individual and community health.



In 2020, the Santa Fe Civic Housing Authority received approval for a new infill affordable development project (Calla Resolana) now under construction with anticipated completion by December 2021.



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## SHORT TERM RENTALS

Short term rentals provide a unique stay option for many families and visitors in the Santa Fe region, energizing a green, local economy through the repurposing of existing buildings. Many property owners offer their casitas (a fond, local term for accessory dwelling units) or primary residences as short term rentals to tourists and temporary workers as the region has grown its tourism and film industry.

Short term rentals are robustly regulated by the City of Santa Fe with density controls and a 1000 limit on the number of annual permits in residentially-zoned districts. Short term rental operators are required to pay lodgers and gross receipt revenue taxes – an important revenue stream for the city. Additionally, the city revised its ordinance to direct lodger's tax on rentals of 30 or more days toward the affordable housing trust fund. In 2020, Santa Fe City adopted further regulatory controls, including more stringent density limits, on short term rentals. Investors would be wise to engage city regulators when contemplating the purchase of a property for this use. As a result of the increasing regulatory control of short term rentals in Santa Fe City residential areas, commercially-zoned properties are converting to this use especially where commercially-zoned properties abut residential areas. Santa Fe County is currently creating a short term rental ordinance.

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# HOUSING SALES & PRICES

## HOME SALES IN 2020

The Santa Fe real estate market demonstrated strong price growth during 2020 similar to other communities across the country. Second home markets were expected to flourish as Americans with the flexibility to work from home scooped up properties choosing to live where they can play. In Santa Fe City, the median price of a single family home increased by 14 percent in response to growing demand (TABLE 9). In Santa Fe County, the median price of a single family home increased by 5 percent in 2020 with sales up by about 6 percent (TABLE 10). Both Santa Fe City and County tracked above the national median single family home price in 2020. Historic low inventory is expected to continue to impact both prices and sales in 2021 (GRAPH 14).

**TABLE 9:** Santa Fe City experienced a significant 14 percent increase in the median price of a single family home in 2020.

**TABLE 10:** In the past three years, Santa Fe County median home prices have increased by more than 20 percent.

**GRAPH 14:** Santa Fe City and County median home prices tracked above the national median home price in 2020.

**GRAPH 15:** Median prices held steady in Santa Fe County from 2013 to 2014 then increased beginning in 2015 reaching a median inching above \$575,000 in 2020.

### SANTA FE CITY | MEDIAN PRICE OF SINGLE FAMILY HOMES SOLD

| YEAR | ANNUAL NUMBER OF SALES | MEDIAN PRICE | % CHANGE IN MEDIAN PRICE |
|------|------------------------|--------------|--------------------------|
| 2011 | 571                    | \$289,000    | -4%                      |
| 2012 | 694                    | \$274,855    | -5%                      |
| 2013 | 753                    | \$289,000    | 5%                       |
| 2014 | 790                    | \$291,000    | 0.5%                     |
| 2015 | 839                    | \$285,000    | -2%                      |
| 2016 | 842                    | \$310,000    | 9%                       |
| 2017 | 1,009                  | \$324,000    | 5%                       |
| 2018 | 1,079                  | \$370,000    | 12%                      |
| 2019 | 985                    | \$375,000    | 1%                       |
| 2020 | 998                    | \$428,500    | 14%                      |

TABLE 9

Source: Santa Fe Association of REALTORS® MLS

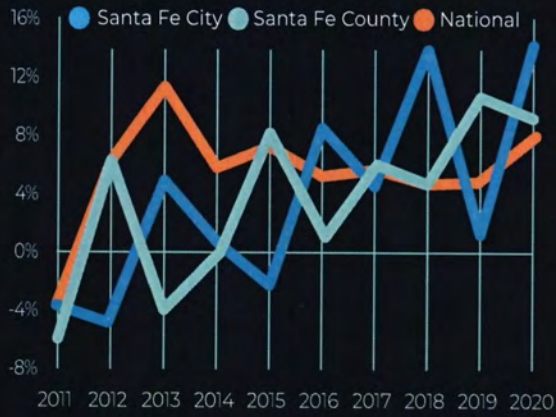
### SANTA FE COUNTY | MEDIAN PRICE OF SINGLE FAMILY HOMES SOLD

| YEAR | ANNUAL NUMBER OF SALES | MEDIAN PRICE | % CHANGE IN MEDIAN PRICE |
|------|------------------------|--------------|--------------------------|
| 2011 | 502                    | \$386,250    | -6%                      |
| 2012 | 581                    | \$410,000    | 6%                       |
| 2013 | 573                    | \$393,500    | -4%                      |
| 2014 | 687                    | \$393,000    | 0%                       |
| 2015 | 667                    | \$425,000    | 8%                       |
| 2016 | 740                    | \$428,875    | 1%                       |
| 2017 | 788                    | \$454,816    | 6%                       |
| 2018 | 776                    | \$475,000    | 5%                       |
| 2019 | 797                    | \$527,500    | 11%                      |
| 2020 | 842                    | \$575,153    | 5%                       |

TABLE 10

Source: Santa Fe Association of REALTORS® MLS

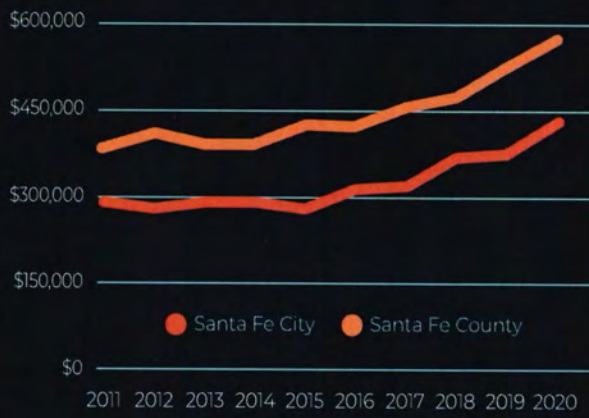
### PERCENT CHANGE IN MEDIAN SALES PRICE



GRAPH 14

Source: National Association of REALTORS®  
Santa Fe Association of REALTORS®

### MEDIAN SALES PRICES OF HOMES SOLD



GRAPH 15

Source: Santa Fe Association of REALTORS® MLS

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# HOUSING SALES & PRICES

With record low inventories, market pressures continued to drive up prices. In 2020, homes sold at 96.5 percent of their list prices dropping slightly from 97 percent reported in 2019. This annual decline was likely caused by the market drop in the 2nd Quarter in response to the COVID-19 pandemic restrictions. (GRAPH 18).

New construction in Santa Fe City remained strong in 2020, but many experts note that the country is still not building enough new units to quench demand. In breaking out the housing market by price range over the last ten years, one can clearly see the ongoing erosion of housing affordability. Sales of housing priced under \$250,000 has been shrinking from a peak in 2014 with just over 50 single family homes sold in this price range during 2020. Meanwhile, the next three price range levels continue to grow with sales of high-end homes priced more than \$750,000 making up the largest share of homes sold in 2020 (TABLE 11). Of note, single family homes priced over \$1,000,000 or 275 units represented more than one half of these sales.

**GRAPH 16:** In 2020, Santa Fe City and County Single Family Home Sales increased with the total number of sales reaching over 1800 for the second time this decade.

**GRAPH 17:** Home sales took an unseasonal dip with the COVID-19 pandemic restrictions in Quarter 2, real estate sales rebounded in Quarters 3 and 4 in 2020.

**GRAPH 18:** Homes sold at an average of 96.5 percent of their list prices in 2020, dropping slightly in likely as a result of the market drop in the 2nd Quarter due to the COVID-19 pandemic.

**TABLE 11:** Home sales priced \$550,000 or less comprised 57 percent of the single family market in 2020.

## NUMBER OF HOMES SOLD



GRAPH 16

Source: Santa Fe Association of REALTORS

## NUMBER OF SALES BY QUARTER

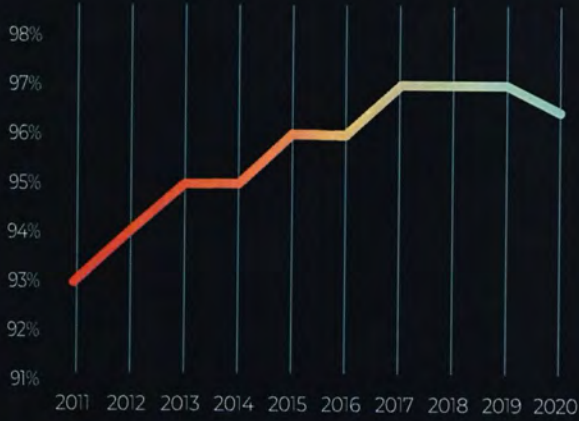


GRAPH 17

Source: Santa Fe Association of REALTORS

SFC CLERK RECORDED 12/13/2022

### ORIGINAL LIST TO FINAL SALES PRICE



GRAPH 18

Source: Santa Fe Association of REALTORS®

### NUMBER OF SANTA FE CITY & COUNTY SALES ACCORDING TO PRICE POINT

| PRICE RANGE         | 2011         | 2012         | 2013         | 2014         | 2015         | 2016         | 2017         | 2018         | 2019         | 2020         | % of 2020 Total Sales |
|---------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------------------|
| \$0-\$150,000       | 65           | 97           | 58           | 61           | 42           | 36           | 19           | 15           | 16           | 9            | 0.5%                  |
| \$150,001-\$250,000 | 257          | 324          | 337          | 349          | 358          | 310          | 333          | 230          | 129          | 46           | 2.5%                  |
| \$250,001-\$350,000 | 205          | 199          | 281          | 269          | 311          | 362          | 405          | 421          | 424          | 392          | 21.3%                 |
| \$350,001-\$450,000 | 151          | 184          | 201          | 182          | 213          | 230          | 266          | 293          | 323          | 343          | 18.6%                 |
| \$450,001-\$550,000 | 79           | 132          | 116          | 114          | 165          | 163          | 193          | 241          | 223          | 260          | 14.1%                 |
| \$550,001-\$650,000 | 59           | 73           | 69           | 95           | 89           | 114          | 139          | 137          | 163          | 184          | 10%                   |
| \$650,001-\$750,000 | 59           | 66           | 69           | 70           | 67           | 75           | 85           | 98           | 108          | 156          | 8.5%                  |
| \$750,001+          | 171          | 174          | 180          | 216          | 209          | 227          | 299          | 353          | 350          | 450          | 24.5%                 |
| <b>TOTAL</b>        | <b>1,046</b> | <b>1,249</b> | <b>1,311</b> | <b>1,356</b> | <b>1,454</b> | <b>1,517</b> | <b>1,739</b> | <b>1,788</b> | <b>1,736</b> | <b>1,840</b> | <b>100%</b>           |

TABLE 11

Source: Santa Fe Association of REALTORS®/MLS

KEVIN OMARA

# HOUSING SALES & PRICES

Conventional loans made up 53 percent of Santa Fe home sales while 27 percent were cash purchases (**GRAPH 20**). Buyers paying cash have a competitive advantage over other types of loans and continue to make up more than 25 percent of all home loans in the area. Federal Housing Administration (FHA) and Veterans' Affairs (VA) loans made up a total of 7 percent of all home loans.

**GRAPH 19:** The largest portion of single family home sales occurred in the \$750,001 and higher price range in 2020.

**GRAPH 20:** Conventional (53 percent of all loans) and Cash (27 percent of all loans) made up 80 percent of the Santa Fe housing market.

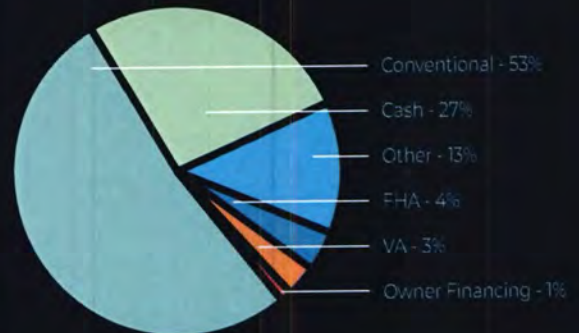
## SALES PRICE DISTRIBUTION OF HOMES



**GRAPH 19**

Source: Santa Fe Association of REALTORS

## NUMBER OF SALES BY METHOD OF PAYMENT 2020



**GRAPH 20**

Source: Santa Fe Association of REALTORS

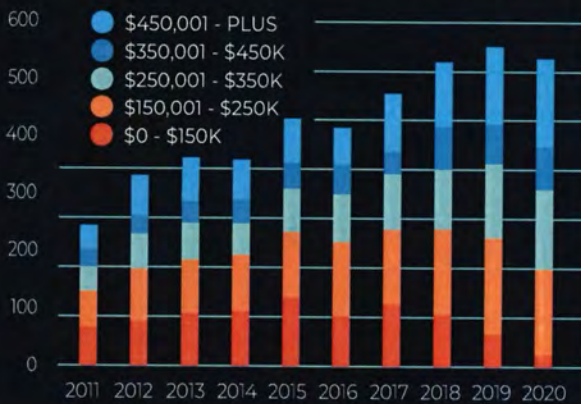
## SANTA FE CITY & COUNTY CONDOMINIUMS/ TOWNHOMES MEDIAN PRICE 2011-2021

| YEAR | ANNUAL NUMBER OF SALES | MEDIAN PRICE | % CHANGE |
|------|------------------------|--------------|----------|
| 2011 | 245                    | \$239,688    | -8%      |
| 2012 | 333                    | \$245,000    | 4%       |
| 2013 | 364                    | \$240,556    | -2%      |
| 2014 | 380                    | \$239,250    | 0%       |
| 2015 | 427                    | \$223,336    | -7%      |
| 2016 | 419                    | \$245,000    | 9%       |
| 2017 | 486                    | \$250,000    | 1%       |
| 2018 | 534                    | \$268,000    | 9%       |
| 2019 | 566                    | \$282,665    | 6%       |
| 2020 | 536                    | \$316,750    | 12%      |

TABLE 12

Source: Santa Fe Association of REALTORS® MLS

## CONDO & TOWNHOME SALES BY PRICE



GRAPH 21

Source: Santa Fe Association of REALTORS®

## CONDOMINIUMS & TOWNHOMES

Sales of condominiums and townhomes dropped by 5.3 percent in 2020 (TABLE 12), While remaining a popular option for buyers due to their lower costs and attractiveness as a second home, inventories remain historically low in the Santa Fe market playing a factor in reduced sales. Units priced between \$150,001 and \$350,000 made up more than half of the 2020 Santa Fe area market share (GRAPH 21).

**TABLE 12:** The median price of condominiums and townhomes in 2020 increased by a 12 percent - the highest annual increase looking back ten years.

**GRAPH 21:** The highest number of sales per category was condominiums and townhomes priced over \$450,001 in 2020.



# HOUSING SALES & PRICES

## NEW CONSTRUCTION SALES

New construction over the past three years in Santa Fe City and County remains mixed with only two condominium units brought online and eight townhomes produced over the last three years. Single family home construction increased by a total of 110 units from 2018 to 2020 with prices growing by about 15 percent (TABLE 13).

SANTA FE CITY & COUNTY NEW CONSTRUCTION SALES 2018-2020

|           | 2018  |             | 2019  |           | 2020  |           | median % change over 3 years |
|-----------|-------|-------------|-------|-----------|-------|-----------|------------------------------|
|           | units | median      | units | median    | units | median    |                              |
| Condos    | 1     | \$1,325,000 | 0     | \$0       | 1     | \$599,000 | -55%                         |
| Townhomes | 2     | \$329,000   | 0     | \$0       | 6     | \$455,445 | 38%                          |
| Family    | 32    | \$493,237   | 47    | \$482,000 | 31    | \$557,883 | 13%                          |

TABLE 13

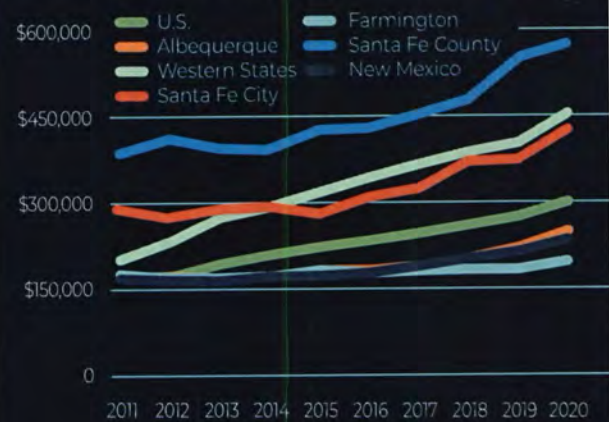
Source: Santa Fe Association of REALTORS® MLS

## COMPARATIVE TRENDS IN HOME PRICES

In comparing Santa Fe area single family median prices over the same period to those found in the United States, Western States, New Mexico, Albuquerque and Farmington, one finds that home prices in Santa Fe County have consistently exceeded median prices in all categories (GRAPH 22). As noted in 2020, Santa Fe County continues to track approximately \$100,000 or more above both Western States and Santa Fe City. Santa Fe City home prices tracked above all other areas except for Santa Fe County in 2011 through 2013 where home prices began to fall lower than the Western States median before beginning to track more closely with Western States in 2018. Median home prices in New Mexico have tracked most closely with Albuquerque home prices remaining lower than median home prices across the United States.

**GRAPH 22:** Median home prices in Santa Fe City continues to track more closely to Western States while Santa Fe County tracks well above all median home sales in the region and U.S.

SALES PRICE DISTRIBUTION OF HOMES SOLD



GRAPH 22

Source: National Association of REALTORS®, Santa Fe Association of REALTORS®, New Mexico Association of REALTORS®



## PACE OF HOME SALES

The absorption rate is one of the best ways to figure out market supply as it measures the pace of home sales, taking into account both the days a house is on the market along with the number of available homes for sales. It is calculated by dividing the total number of available homes on the market by the number of homes sold in the prior month. The resulting absorption rate tells how many months' worth of inventory is listed for sales, indicating whether there's an undersupply or oversupply of listings.

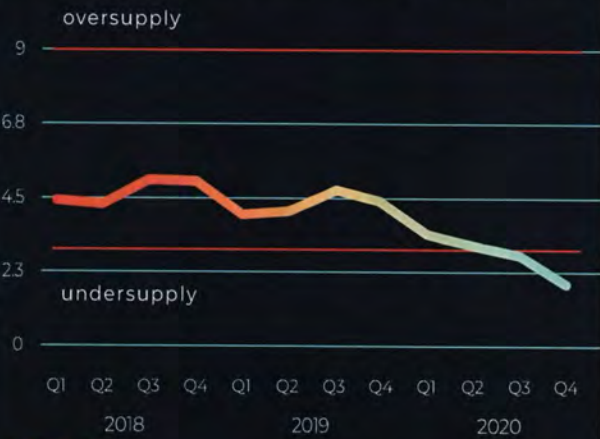
For example, if an area had 20 listings and five sales in the last 30 days, the absorption rate would be four, meaning that, based on the market's prior activity, it would take four months to sell the supply of current inventory.

As a general rule the absorption rate defines various market conditions:

- Less than three months is an under-supply.
- Three to nine months is a normal market.
- Nine to twelve months is an over-supply.
- More than twelve months is an overloaded market.

The Santa Fe Area overall market absorption rate in 2020 started out just above the normal range but quickly dropped below in the 2nd Quarter of 2020. At the end of the year, the Santa Fe housing market had a 1.9 months supply of inventory, well below the norm demonstrating an under supply of housing for the region. (GRAPH 23).

### SANTA FE AREA TOTAL MARKET ABSORPTION



GRAPH 23

Source: Santa Fe Association of REALTORS® MLS



## INTEREST RATES

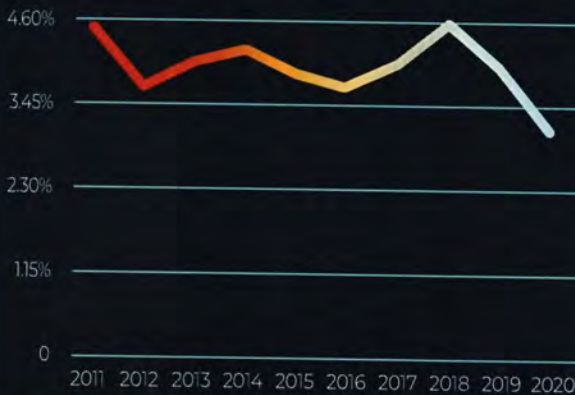
While primarily a health crisis, the COVID-19 pandemic significantly disrupted the U.S. economy and financial markets. In line with its mission, the Federal Reserve responded forcefully. During the initial several weeks of the crisis, the Fed used its interest rate policy to support the economy, took steps to stabilize financial markets, and introduced other measures to support the flow of credit to many sectors of the economy. These actions helped minimize harm to the economy and set the stage for economic recovery when the public health crisis has sufficiently subsided. In July 2021, Chair Jerome Powell announced that the Fed would hold interest rates near zero and continue government-backed bond purchases unabated. These two tools have fueled economic demand by making money cheap to borrow and spend. In response, mortgage interest rates tracked further downward in 2020. (GRAPH 24).

In 2021, Fannie Mae and Freddie Mac conforming loan limits increased from \$510,400 to \$548,250 for a single family residence. The increase will make the purchase of a mid-priced \$500,000 home eligible for the lower conforming interest rate as opposed to the higher rates for jumbo or high-balance loans. Homebuyers can now leverage their borrowing power, enjoying the benefits from inexpensive borrowing costs with the new higher loan limits.



UNSPLASH - CC - SEAN OUILLEN

30 YEAR FIXED AVERAGE YEAR-END INTEREST RATES 2011-2020



GRAPH 24

Source: Freddie Mac

NEW MEXICO 30-YEAR CONVENTIONAL MORTGAGE RATES 2018-2020



GRAPH 25

Source: Mortgage News Daily, Mortgage News Watch, New Mexico Mortgage Rates

## COST OF CONSTRUCTION

In March of 2021, thirty-seven national housing organizations including the National Association of REALTORS® forwarded a letter to the U.S. Department of Commerce Secretary, Gina M. Raimondo, urging her office to examine the lumber supply chain, identify the causes for high prices and supply constraints, and seek immediate remedies to increase production. At that time, lumber prices had nearly tripled and oriented strand board (OSB) prices were up more than 250 percent since the spring of 2020. The spikes caused the cost of building an average new single family home to increase by more than \$24,000 since mid-April 2020 according to the National Association of Home Builders standard estimates of lumber used to build the average home. Additionally, the cost of the average new multifamily unit has increased by \$9,000 over the same period due to the surge in lumber prices.

**GRAPH 24:** 30-Year fixed Interest rate average hit a 10-year record low of 3.11 percent in 2020 under Federal Reserve COVID-19 pandemic policies.

**GRAPH 25:** In August 2020, 30-year fixed interest rates in New Mexico dipped below 3.0 percent and remained under 3.0 percent through the end of the year.



JENNINE FELLNER

# MORTGAGE FINANCE

## IMPACTS OF MORTGAGE INSURANCE

According to the Consumer Financial Protection Bureau, mortgage insurance lowers the risk to the lender of making a loan, so homebuyers can qualify for a loan that they might not otherwise be able to acquire. Typically, borrowers making a down payment of less than 20 percent of the purchase price of the home will need to pay for mortgage insurance. Mortgage insurance increases the cost of a mortgage loan and can be included in a homebuyer's monthly payment, closing costs, or both. There are several different kinds of loans available to borrowers with low down payments. Depending on what kind of loan, a homebuyer can pay for mortgage insurance in different ways. With a conventional loan, homebuyers may arrange for mortgage insurance through a private company (Private mortgage insurance or PMI) where rates may vary by down payment amount and credit score but are generally cheaper than FHA rates for borrowers with good credit. Most private mortgage insurance is paid monthly, with little or no initial payment required at closing. Under certain circumstances, homebuyers can cancel their PMI. With an FHA loan, a homebuyer's mortgage insurance premiums are paid to the Federal Housing Administration (FHA). FHA mortgage insurance is required for all FHA loans. It costs the same regardless of the individual's credit score, with only a slight increase in price for down payments less than five percent. FHA mortgage insurance includes both an upfront cost, paid as part of closing costs and a monthly cost, included in a homebuyer's monthly payment.



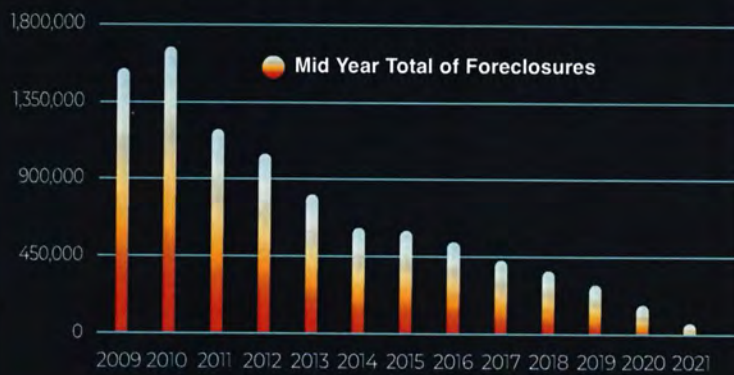
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## FORECLOSURES

ATTOM™, licensor of the nation's most comprehensive foreclosure data and parent company to RealtyTrac released its Midyear 2021 U.S. Foreclosure Market Report in July, which showed there were a total of 65,082 U.S. properties with foreclosure filings in the first six months of 2021. According to RealtyTrac, the government's foreclosure moratorium and mortgage forbearance program have created an unprecedented situation - historically high numbers of seriously delinquent loans and historically low levels of foreclosure activity. Once the moratorium ends, analysts will be able to get a more accurate read on the level of financial distress the pandemic has caused for homeowners across the country. Additionally, fewer bank repossessions may be a trend as rising home prices have provided most homeowners with enough equity to sell their homes at a profit, rather than lose them to a foreclosure or repossession.

SFC CLERK RECORDED 12/13/2022

JANUARY TO JUNE U.S. FORECLOSURE ACTIVITY BY YEAR 2009-2021



GRAPH 26

Source: National Association of REALTORS, ATTOM Data Solutions

**GRAPH 26:** Foreclosures in mid-year 2021 totaled 65,082 down 61 percent from the same time period a year ago and down 78 percent from the same time period two years ago.

# MORTGAGE FINANCE

## DOWN PAYMENT ASSISTANCE

In Santa Fe with the upward growth in median prices of homes, condominiums, and townhomes, accumulating a 20 percent down payment has become more than challenging especially for first time homebuyers. Down payments can range anywhere from 3 percent to 20 percent for homebuyers. With some of the most expensive homes found in New Mexico, down payment assistance (DPA) can be a key factor contributing to a successful home purchase. DPA programs are especially important for households burdened by student loans, or first-time buyers without access to financial support from their families. Down payment assistance programs can take the form of grants, loans and subsidies. The requirements can vary widely between programs with some demanding hands-on construction support from the homebuyer. Many of these programs utilize the Area Median Income (AMI) to determine eligibility and qualify applicants (TABLE 14).

Potential borrowers can work with their local lenders to find programs that are a good match for their home purchase. Many down payment assistance programs require homebuyers to complete a certified First Time Homebuyer course and that they save some of their own funds to put towards the purchase. AMI numbers are used as a basis to qualify for means-tested housing programs. Higher AMI numbers mean that more households qualify for housing assistance programs increasing demand on scarce resources.

**TABLE 14:** In 2021, the 100 percent Area Median Income (AMI) for a family of four in Santa Fe County was \$73,000.

### AREA MEDIAN INCOME (AMI) FOR SANTA FE COUNTY 2021

|              | 120% AMI  | 100% AMI | 80% AMI  | 65% AMI  | 50% AMI  |
|--------------|-----------|----------|----------|----------|----------|
| AMI 1 Person | \$61,400  | \$51,150 | \$40,900 | \$33,250 | \$25,550 |
| AMI 2 Person | \$70,150  | \$58,450 | \$46,750 | \$38,000 | \$29,200 |
| AMI 3 Person | \$78,900  | \$65,750 | \$52,600 | \$42,750 | \$32,850 |
| AMI 4 Person | \$87,600  | \$73,000 | \$58,400 | \$47,450 | \$36,500 |
| AMI 5 Person | \$94,700  | \$78,900 | \$63,100 | \$51,300 | \$39,450 |
| AMI 6 Person | \$101,650 | \$84,700 | \$67,750 | \$55,050 | \$42,350 |

**TABLE 14**

Source: U.S. Department of Housing and Urban Development (HUD)



FLICKR - CC - PSYBERARTIST

## HOME OWNERSHIP PROGRAMS

Santa Fe City and County provide a number of programs to address housing affordability. Briefly, the City of Santa Fe offers down payment assistance, rental assistance, and supports rehabilitation support for both homeowners and renters (TABLE 15). In addition to financial assistance and programming directly supported through the City's local trust fund and federal Community Development Block grant (passed through from U.S. Housing and Urban Development Department), approximately 800 potential homebuyers are provided extensive financial counseling and training services by nonprofit partners, Homewise and the Housing Trust. An additional 250 homeowners per year are assisted with financial counseling and refinancing services, including reverse mortgages. These services are partially funded through administrative contracts with the City of Santa Fe. The County of Santa Fe offers several programs that include down payment assistance, roof repair, foreclosure prevention and first-time homebuyer support.

TABLE 15: Santa Fe City assisted the greatest number of renters in 2020 with the support of federal funding.

### SANTA FE CITY & COUNTY HOUSING AFFORDABILITY PROGRAM RESULTS; 2016-2020

| PROGRAMS                                    | 2016 | 2017 | 2018 | 2019 | 2020 |
|---------------------------------------------|------|------|------|------|------|
| <b>Santa Fe City</b>                        |      |      |      |      |      |
| Down Payment Assistance                     | 11   | 43   | 29   | 23   | 20   |
| Home Rehab                                  | 13   | 22   | 24   | 25   | 29   |
| Rental Assistance                           | 170  | 61   | 208  | 88   | 306  |
| Rental Rehab                                | 2    | 28   | 9    | 100  | 0    |
| Homeless Facility Improvements <sup>1</sup> | -    | 8    | 30   | 8    | 30   |
| <b>Santa Fe County</b>                      |      |      |      |      |      |
| Down Payment Assistance                     | 2    | 10   | 6    | 8    | 4    |
| Roof Repair                                 | 1    | 1    | 2    | 5    | 4    |
| First Time Homebuyer                        | 2    | 2    | 2    | 1    | 3    |

TABLE 15

Source: City of Santa Fe Affordable Housing Department  
County of Santa Fe Affordable Housing Department

<sup>1</sup> Santa Fe City tracks the number of beds provided through Youth and Family Services Transitional Living Program. The facility's roof was repaired in 2020 utilizing Community Block Grant funds.

# HOUSING AFFORDABILITY

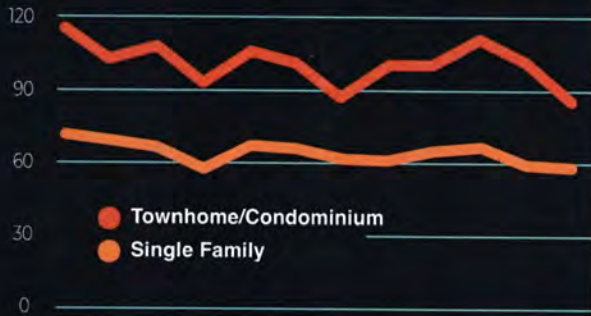
Housing affordability is a longstanding issue in the Santa Fe area with local governments implementing housing programs going back as far as the 1970s. Numerous factors contribute to the core of Santa Fe's housing issues: federal government resources meet the needs of about 20 percent of the lowest income households leaving an 80 percent gap that state and local governments must fill; a housing market that continues to attract second home, retiree and remote worker buyers who do not rely on local wages; land use policies that are restrictive or outdated; limited development capacity; and a shortage of housing development to keep up with population growth. During the COVID-19 pandemic, housing affordability was further stressed.

Housing affordability is best expressed by the gap between wages and housing costs. An important gauge of local incomes is the U.S. Housing and Urban Development Median Family Income as this data most closely approximates income used to support housing payments. In 2020, the Housing and Urban Development Area Median Income rose to \$76,000 in Santa Fe, a 4 percent increase over 2019.



CLIPART.COM/STOCK/BERNARDINI

2020 HOUSING AFFORDABILITY INDEX FOR SINGLE FAMILY & TOWNHOME/ CONDOMINIUM IN SANTA FE CITY & COUNTY



GRAPH 27

Source: 2020 4th Quarter Report of REALTOR ASSOCIATION

## HOUSING AFFORDABILITY INDEX

The Housing Affordability Index (HAI) measures the ability of a family earning a median income to purchase a median-priced home. An index value of 100 means that a household with a median income has exactly enough income to spend 28 percent of their income on a mortgage for a median-priced home. A value higher than 100 indicates the family has more than enough income to qualify for a mortgage on a median-priced home. In contrast, if the HAI is below, it indicates that a median-priced home would not be as affordable for that household.

The HAI for Santa Fe City and County for single family homes has tracked under 80 for the last three years (GRAPH 27) falling under 60 in the 3rd Quarter of 2020. The HAI for townhome and condominiums has tracked mostly below or near 100 through the 3rd Quarter of 2020 dropping below 80 in the 4th Quarter of 2020 for the first time. Townhomes and condominiums have generally offered a more affordable option for home buyers although condominiums have more limited financing options. Historic low inventory is negatively impacting HAI for all housing options in the Santa Fe region.

**GRAPH 27:** Beginning in the 3rd Quarter of 2020, the Housing Affordability Index (HAI) for single family homes and townhome and condominiums has tracked below 100.

# HOUSING AFFORDABILITY

## HOMEOWNER & RENTER AFFORDABILITY

Housing is considered affordable when a household spends no more than 30 percent of their income on housing costs. When households spend greater than 30 percent on housing, they are considered cost burdened. Seventy-eight percent of renters below 30 percent of Area Median Income (AMI) and 74 percent of renters between 31 percent and 60 percent of AMI are cost burdened in Santa Fe County (GRAPH 28). Renters and low-income households face the greatest cost burden in the Santa Fe County housing market. To put this in perspective, the 2020 median price of a single family home in Santa Fe County was \$575,153. A family would need an income of \$120,000 a year to afford a home at this price.

In Santa Fe City, 86 percent of renter households earning less than \$50,000 a year are cost burdened, a number that has risen by 13 percent between 2016 and 2018. This figure represents over 5000 renter households and demonstrates that low-to-moderate income renter households face the greatest cost burden in the Santa Fe housing market. According to the New Mexico Mortgage Finance Authority, there is an estimated shortage of 7,343 rental units in the Santa Fe Metropolitan Statistical Area in 2020. Approximately 5,328 of 2020 renter households are eligible for down payment assistance.

Santa Fe City and County have programs to require the construction of housing units for low-income residents through inclusionary zoning policies that offer developers various types of incentives. Over the last ten years, 571 affordable housing units have been built to address housing affordability (TABLE 16). Additionally, between 2006 and 2010 Santa Fe City constructed a total of 621 affordable housing units.

**GRAPH 28:** Santa Fe County residents with incomes greater than 120 percent of the Average Median Income remain cost-burdened by 5.3 percent.

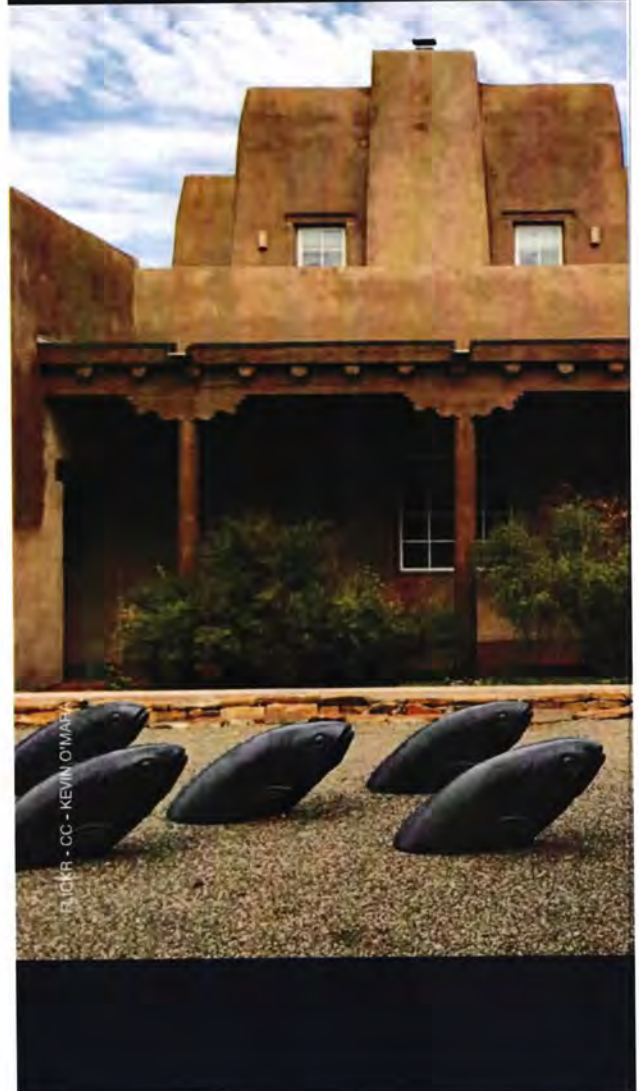
**TABLE 16:** Santa Fe City and County have adopted inclusionary zoning policies to encourage the construction of affordable housing units in developments.

COST BURDENED HOUSEHOLDS, SANTA FE COUNTY 2019 HOMEOWNERS, RENTERS



GRAPH 28

Santa Fe County Housing & Community Development



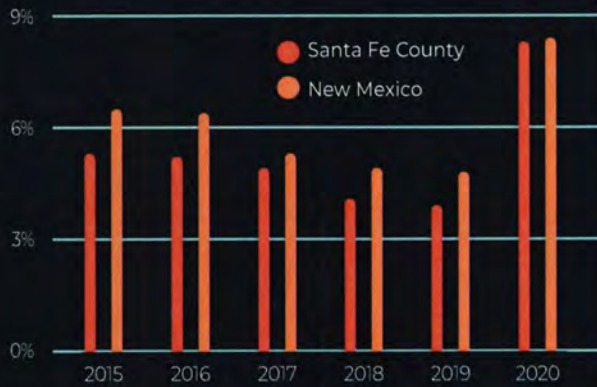
## AFFORDABLE HOUSING UNITS BUILT IN SANTA FE CITY & COUNTY 2011-2020

|                 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | TOTAL |
|-----------------|------|------|------|------|------|------|------|------|------|------|-------|
| Santa Fe City   | 52   | 92   | 36   | 32   | 12   | 12   | 37   | 22   | 4    | 10   | 309   |
| Santa Fe County | 60   | 28   | 60   | 0    | 5    | 2    | 2    | 1    | 91   | 13   | 262   |
| TOTAL           | 112  | 120  | 96   | 32   | 17   | 14   | 39   | 23   | 95   | 23   | 571   |

TABLE 16

Source: City of Santa Fe Affordable Housing Department, County of Santa Fe Affordable Housing Department

## SANTA FE COUNTY UNEMPLOYMENT RATE 2015-2020



GRAPH 29

Source: U.S. Bureau of Labor Statistics

## UNEMPLOYMENT

The unemployment rate is another key factor in determining the health of the local economy. This is defined as the percentage of the total labor force that is unemployed but still able to work and actively seeking employment. Santa Fe's unemployment rate along with the rest of New Mexico rose annually to over 8 percent in 2020 as businesses were negatively impacted by the COVID-19 pandemic (GRAPH 29). According to a 2021 analysis by the Urban Institute, 6.3 percent of Santa Fe County low-income workers lost their jobs as a result of the pandemic while the overall total worker job loss in the county was 5.7 percent.

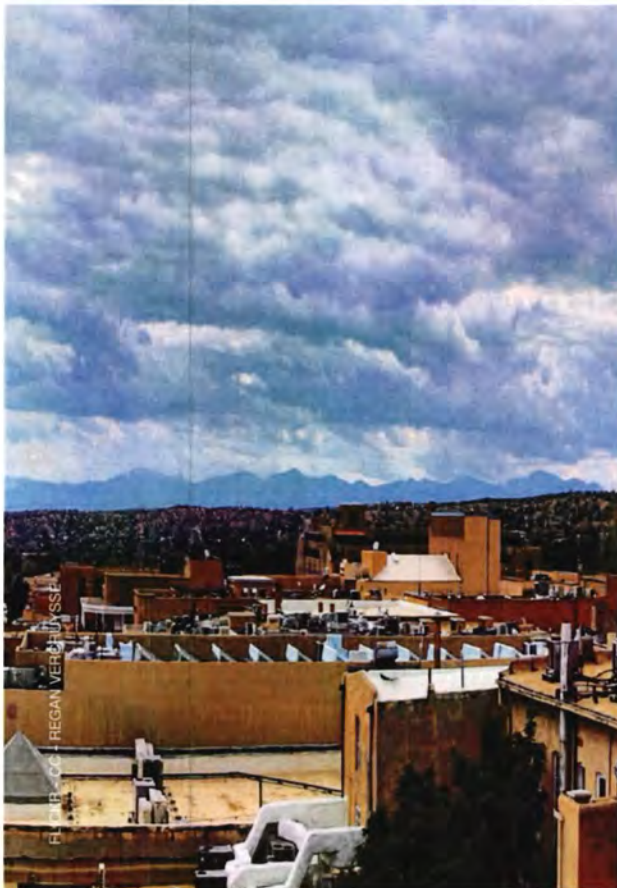
**GRAPH 29:** Santa Fe County and New Mexico's unemployment rate tracked more closely in 2020 as businesses reacted to the COVID-19 pandemic.

# HOUSING AFFORDABILITY

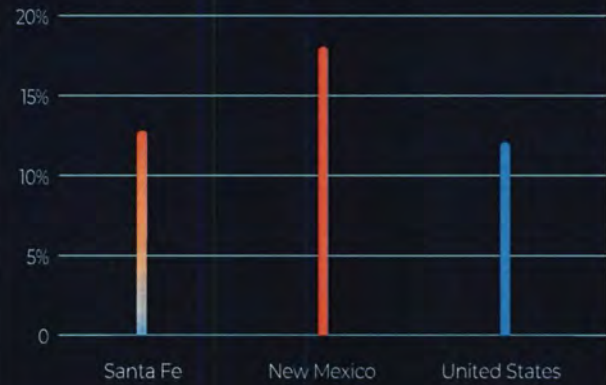
## POVERTY

To determine who is in poverty, the U.S. Census Bureau sets an income threshold under which an individual or family is deemed to be living in poverty. This threshold varies based on family size, living situation and age. In 2019, about 13 percent of Santa Fe County residents were considered to be living in poverty (GRAPH 30). In contrast, a lower percentage or 12.3 percent of U.S. residents were living in poverty. A larger percentage of New Mexico residents were living in poverty in 2019 at 18.2 percent. In Santa Fe City, the poverty rate is slightly higher at 13.5 percent, representing over 11,430 people. At this income level, families cannot seek market rate housing placing them in situations of extreme housing insecurity and risk of homelessness.

**GRAPH 30:** More Santa Fe County and New Mexico residents were living in poverty in 2019 compared to U.S. residents.



### SANTA FE COUNTY POVERTY LEVEL VS NEW MEXICO & UNITED STATES



**GRAPH 30**

Source: U.S. Census Bureau, 2019 American Community Survey 1-Year Estimates

### POINT OF TIME COUNT OF HOMELESS PEOPLE IN SANTA FE



**GRAPH 31**

Source: New Mexico Coalition to End Homelessness 2021

Santa Fe City leveraged \$2M CARES Act funds to subsidize the purchase of Santa Fe Suites, offering 122 studio units near transit, services and amenities, for workforce renters affected by COVID shutdowns, very-low income renters and those experiencing chronic homelessness.

## HOMELESSNESS

Homelessness is a persistent problem in Santa Fe and the pandemic has only made this problem more pressing. With the cost of rental units rising and issues around pandemic-related unemployment affecting people in tandem, people are being priced out of their long-term homes with few options to move elsewhere at a comparable price-point.

The City of Santa Fe and its nonprofit partners recognize that supportive housing, where housing is combined with supportive services, and a focus on creating more affordable housing units, is essential to ending homelessness.

The pandemic has increased insecurity for low-income and at-risk individuals and families in Santa Fe. However, it has also increased awareness and interest in centering homelessness as a vital issue to address for our full community's well-being.

In response to the pandemic, the City of Santa Fe successfully leveraged \$2 million in federal coronavirus relief funding to help establish a new permanent supportive housing/mixed income housing complex – Santa Fe Suites. The suites offer units to chronically homeless individuals, individuals and families impacted by the pandemic and low-income individuals priced out of the rental market. The goal of a mixed income housing model is to transition people from chronic homelessness to stable, affordable living situations.

Alongside this, the New Mexico Coalition to End Homelessness partnered with the City of Santa Fe, who allocated funding for the upkeep and establishment of Consuelo's Place, an emergency housing complex at the former University of Art and Design Midtown Campus. Originally set up to quell the rise in homelessness due to the pandemic and as a safe and socially distanced place for those with COVID-19 to quarantine, the shelter has continued to run steadily and strongly throughout the past year.

The chart below shows the annual Point in Time Count for January 2021 (GRAPH 31) representing the number of people who were homeless on a single day in January at 723, the number for those counted in permanent supportive housing at 310, and the total number of beds counted. Understandably but worryingly, there was a significant increase in the count from the previous year. Much of this increase can be attributed to the pandemic and might be temporary. These counts are likely an underestimation owing to a decrease in volunteer and count collaboration support due to the pandemic.

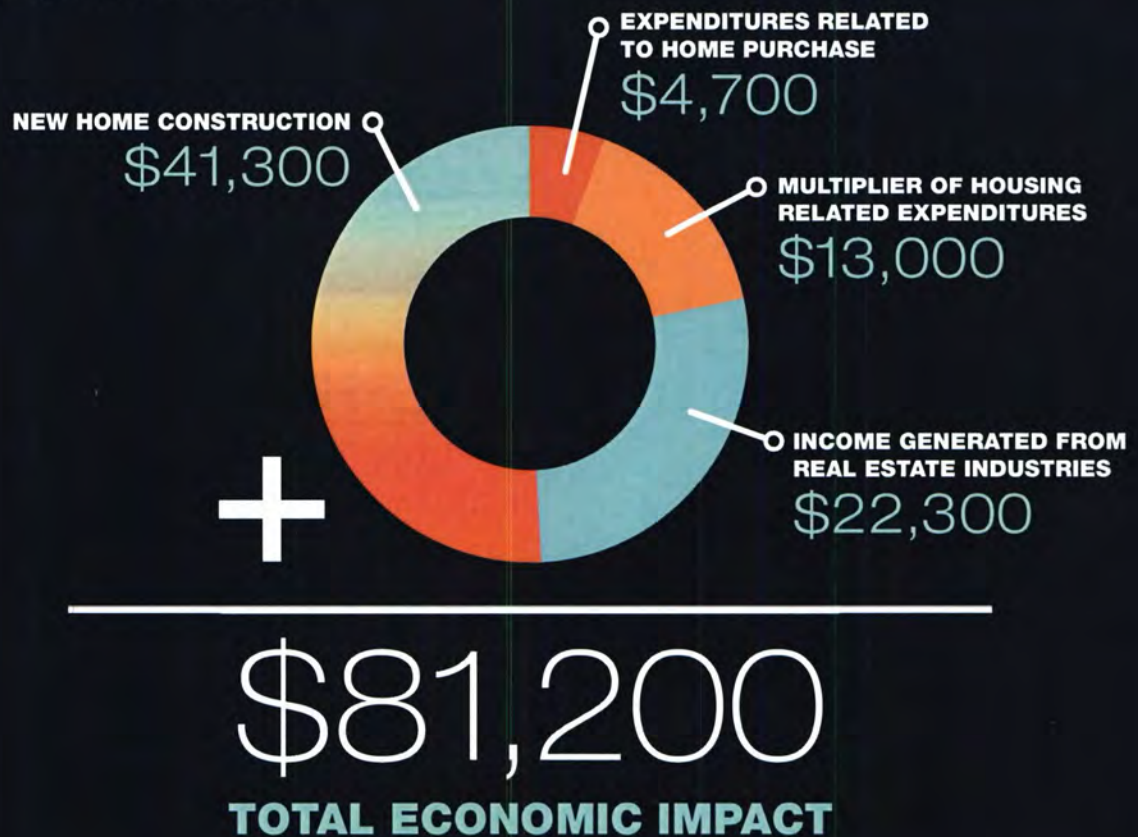
With an affordable housing shortage of over 5,000 units in the city and further shutdowns looming in the future, there is still work to be done to ensure everyone in Santa Fe has a safe and stable home to go back to. The increasing governmental, agency and community support and comradery around ending homelessness offers a boost towards needed pathways to make this happen.



# VALUE OF HOUSING

## THE ECONOMIC IMPACT OF A TYPICAL HOME SALE IN NEW MEXICO

Housing is a key economic driver in the Santa Fe community and across New Mexico. In fact, the real estate industry accounted for \$18.1 billion or 18.1 percent of the gross state product in 2020, up by 1.1 percent from 2019. According to the National Association of REALTORS® annual report on the "Economic Impact of a Typical Home Sale in New Mexico", each home in New Mexico generates \$81,200 in additional economic value to the community, here's the breakdown:



**REAL ESTATE INDUSTRIES:** We assume that commissions, fees and moving expenses, or income to real estate industries, associated directly with the purchase are about 9 percent of the median home price.

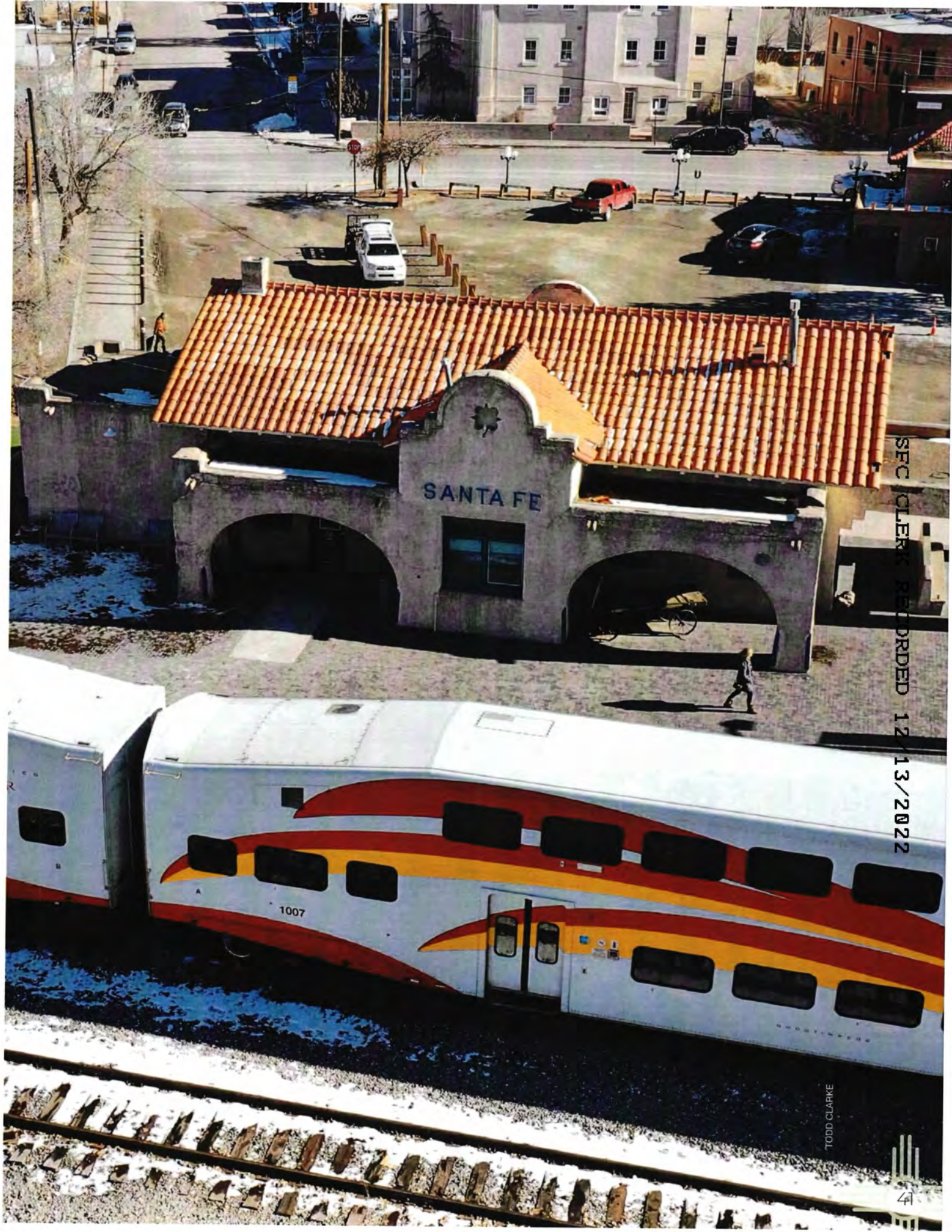
**EXPENDITURES RELATED TO HOME PURCHASE:** Furniture and remodeling expenses are about \$4,700 based on the NAHB figure.

**MULTIPLIER EFFECT:** The multiplier effect accounts for the fact that income earned in other sectors of the economy as a result of a home sale is then re-circulated into the economy.

**NEW CONSTRUCTION:** Additional home sales induce added home production. Typically, one new home is constructed for every six existing home sales. Thus, for every existing homes sale, 1/6 of a new home's value is added to the economy.

**THE REAL ESTATE INDUSTRY ACCOUNTED FOR \$18.1 BILLION OR 18.1% OF THE GROSS STATE PRODUCT IN 2020**

Sources: BEA, U.S. Census, NAHB, Macroeconomic Advisers, NAD



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TODD CLARKE



# COVID RESPONSE AND HOUSING

In the Santa Fe region, the COVID-19 pandemic inspired the community to keep its population safe, to take a giant step toward ending housing instability, and expand broadband access to rural areas to support work from home requirements.

At a minimum, there were 350 households unhoused in the region. Santa Fe City and County immediately recognized that the spread of COVID was likely in populations living in crowded conditions, unstably housed, experiencing homelessness or medically compromised. The State of New Mexico Governor's orders required population densities to be reduced to 25 percent at local shelters. The situation amplified the pre-pandemic gap in service deliveries as well as a lack in discharge options for people leaving an institutional setting, recovery program, detention facility or hospital stay.

In response, Santa Fe City took several key steps to ensure the safety of its citizens including the conversion of existing dormitory rooms at the Midtown Campus (formerly Santa Fe University of Art and Design) for those in need, moving 50 plus people into the units. With the help of funding from the CARES Act, Santa Fe City set up Consuelo's Place to serve these residents. Santa Fe City partnered with the Salvation Army to open a winter shelter to house 25 people during the coldest nights. Lastly, Santa Fe City created an encampment policy that focused on outreach and non-removal, except for health and safety reasons.

During the COVID-19 pandemic, affordable housing staff, elected leaders and housing advocates collaboratively mobilized local and federal funding for CONNECT, a social services portal operated through a joint agreement between Santa Fe City and County. The CONNECT program addresses the needs of individuals for housing, transportation, utilities, food, and other needs known as the social determinants of health. The CONNECT network of navigators at clinics, government programs, and community service organizations connects people to resources. The program proved particularly important during the COVID-19 pandemic, with additional funds made available to augment existing funding with providers, ultimately serving over 5,000 unique clients during the pandemic-nearly a 400 percent increase.

In the final quarter of 2020, CONNECT was allocated CARES Act funds to support individuals impacted by the COVID-19 pandemic. Over \$2.4M was spent with the majority of CARES Act funds used to support individuals with housing assistance, food assistance and utility support.

In addition to the CONNECT program support, Santa Fe County's Emergency Rental and Mortgage Assistance Program provided temporary, emergency rental and mortgage assistance grants to qualifying households to prevent evictions and foreclosures for households affected by the COVID-19 pandemic and expanded broadband service in Santa Fe County using CARES Act funding (Española crisis, youth & community centers; Cundivo; Nambe; and Chimayo).





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## HOTEL & MOTEL CONVERSIONS FOR HOUSING

According to the National Association of REALTORS® 2021 Case Studies on Repurposing Hotels/Motels Into Multifamily Housing, one obvious adaptive reuse of vacant hotels/motels is for multifamily housing. In 2020, the hotel occupancy rate plunged to 37 percent as the COVID-19 pandemic severely cut leisure and business travel and events. As part of the response to the COVID-19 pandemic, Santa Fe City and County took action to utilize federal coronavirus relief funding to help finance the purchase of a hotel or motel to house people impacted by the pandemic.

Santa Fe City leveraged \$2M CARES Act funds to subsidize the purchase of Santa Fe Suites, offering 122 studio units, located near transit, services, amenities. Forty-two units were set aside for workforce renters affected by COVID shutdowns; 40 units for renters with very-low incomes, potentially employed but not able to participate in Santa Fe's housing marketplace; and 40 units dedicated to Santa Fe's chronic and veteran homeless population.

Santa Fe County partnered with Pathways Shelter in Espanola to provide the first shelter for the homeless in northern Santa Fe County and Espanola. Santa Fe County purchased a 14-unit facility formerly known as Eagle Village Hotel, to provide housing units to individuals who may be at risk for housing insecurity and may be COVID positive, or at risk of contracting the COVID virus, and in need of shelter to safely quarantine and recover.

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# CONCLUSION & ECONOMIC OUTLOOK

## CONCLUSION

The nation faces a severe and worsening housing affordability crisis that increasingly affects every state and nearly every major community in the nation including the Santa Fe region. The two most recent economic shocks, the Great Recession and the ongoing COVID-19 pandemic, profoundly exacerbated housing affordability across the country. As a result, it is now more important than ever for states, cities and local communities to take decisive action to support housing affordability in their jurisdictions, a goal that will likely require policymakers to recognize the need for a multipronged, or even all-of-the-above, strategy to meaningfully address the crisis!

While the nation needs and demands more housing, the growing cost of lumber increased the cost of building an average new single family home by more than \$24,000 since mid-April 2020 according to the National Association of Home Builders' standard estimates of lumber used to build the average home. The cost of the average new multifamily unit has increased by \$9,000 over the same period.

As the cost of housing increases, Santa Fe continues to attract residents seeking a more predictable and sustainable climate, diverse housing, world-class cultural amenities, multi-faceted

outdoor recreation and unique art attractions found in a well-established sense of place. Domestic and international in-migration can further impact the housing shortage as remote workers purchase housing in resort markets like Santa Fe as well as a growing number of early retirees attracted to the region.

Of special note, during the COVID-19 pandemic, Santa Fe City projected significant budget shortfalls with the severe reduction in tourism and associated loss of gross receipt taxes (GRT). Yet GRT collected from both residential and commercial projects helped offset part of the gaping budget hole demonstrating the value of construction. In fact, these projects propelled Santa Fe to be ranked 7th in the nation among metro areas in construction job growth in November 2020 with a 14 percent increase, adding 400 construction jobs over the previous November.

In response to the increased need for more affordable housing and strong community advocacy, Santa Fe City set aside \$3M for affordable housing in both its 2020 and 2021 budgets with unanimous support from its elected leaders. Monies to support the funding will be generated through increased GRT from construction and short term rentals, inclusionary zoning



fees, and city-owned property sales. Debate surrounding the need for more short term rental controls by elected officials raised the profile of the positive fiscal impact (estimated to be \$228M in 2019<sup>2</sup>) of short term rentals on the local economy.

As of mid-summer 2021, Santa Fe City is requiring participation in data collection for all contracts and agreements related to housing, shelter and services; is preparing to launch a mobile hygiene and street outreach project; has increased support for New Mexico Coalition to End Homelessness' capacity to operate coordinated entry system and rental assistance funds for its Homeless Early Intervention Project; added an additional year of funding for Consuelo's Place to continue running the Midtown Shelter; and is continuing to leverage of federal and state funds to meet ongoing needs (including foreclosure prevention and rental assistance) as well as the purchase of another motel property to be converted into housing.

Santa Fe County adopted an Affordable Housing Plan to guide its work over the next few years to better meet the growing housing needs of its citizens. New strategies include revisions to the county's inclusionary zoning rules pushing its program to become more flexible and responsive to market

conditions; effectively utilizing county-owned land for housing projects; revamping down payment assistance and roof repair regulations; and outsourcing foreclosure prevention services. In 2020, Santa Fe County identified ways to fund housing programs that included short term rental GRT, bonds, general fund monies and potential new taxes on second homes.

To further address the housing crisis, Santa Fe Housing Action Coalition is working collaboratively with a wide range of business, community, housing and government interests to identify and advocate for a permanent stream of annual funding which can be strategically leveraged to address Santa Fe's growing housing needs. New coalition strategies to grow affordable housing include setting annual housing goals; removing outdated zoning and land use regulations that impede housing starts; and streamlining development reviews.

1 State and Local Policy Strategies to Advance Housing Affordability, February 2021, Rosen Consulting Group on behalf of the National Association of REALTORS®

2 Summary of the Economic Impacts of Short Term Vacation Rentals in Santa Fe, NM, Prepared by Moss Adams LLP, October 2020



# CONCLUSION & ECONOMIC OUTLOOK

## ECONOMIC OUTLOOK

The Santa Fe community, much like the rest of the nation, will enter 2022 with continuing economic uncertainty due to the Covid-19 pandemic's looming presence. Foreclosures at mid-year hit record lows, but it remains unclear how many homeowners will begin to default on their mortgages even with unprecedented federal, state and local government aid. Rental evictions which have been held at bay through moratoriums, will go up as these restrictions are eased.

Local housing programs will be stressed to fill the gap and the Santa Fe community should remain vigilant to keep people in their homes. Federal funds available to the Santa Fe community can help with housing related costs and small business grants as Congress debates new affordable housing funding through the American Jobs Plan that will invest \$213 billion to produce, preserve, and retrofit more than two million affordable and sustainable places to live.

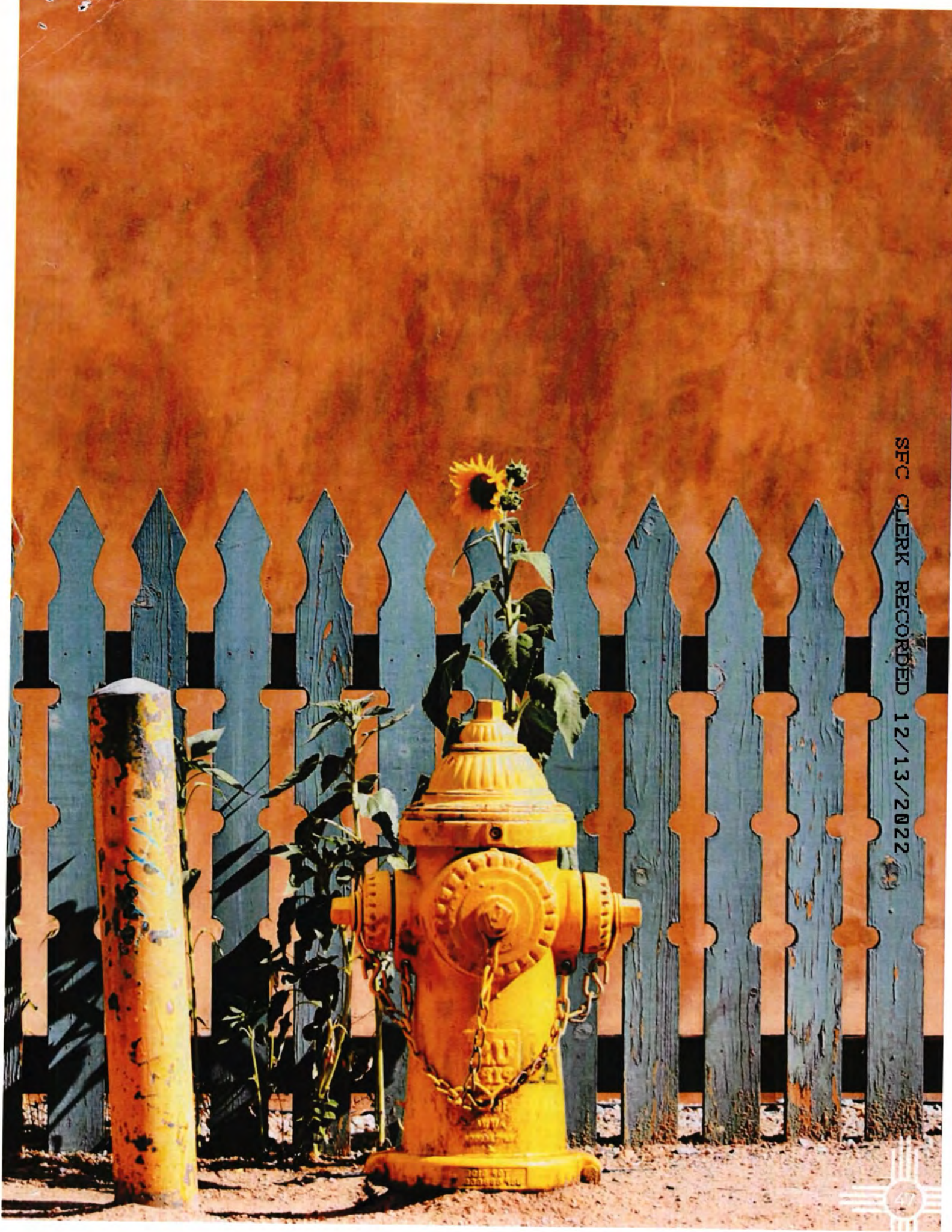
America is still in a seller's market when it comes to housing, and could stay there until next year. Prices are climbing at the fastest pace in more than three decades, and homes are frequently selling above their list price, according to the National Association of REALTORS®. While some buyers chose to persevere through bidding wars, escalation clauses, and line-out-the-door open houses in 2021, others decided

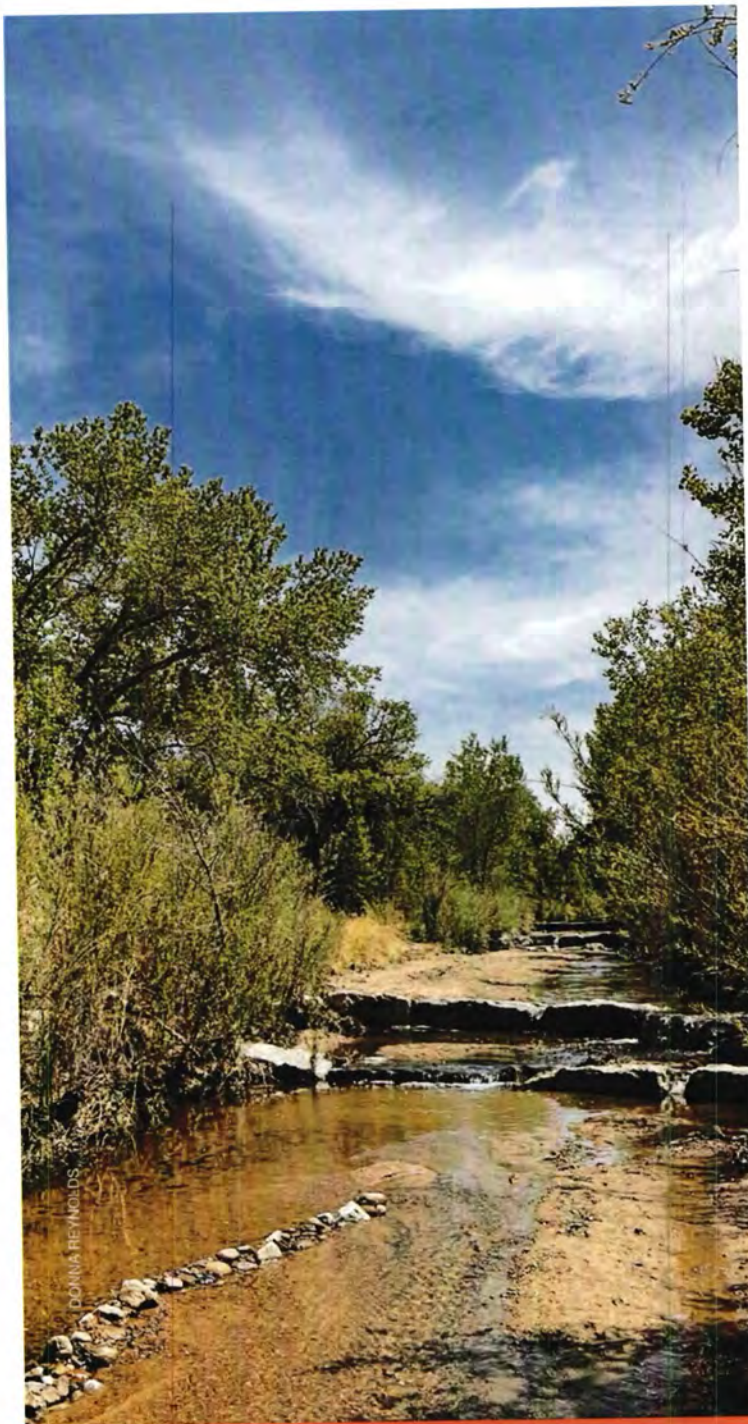
to put their home searches on hold and rent for the time being, only to find conditions much the same in the rental market.

Economists are predicting an increase in mortgage rates to a high of 4 percent by the end of 2022 that may effectively slow homes sales. The housing market will continue to be stressed and it is unclear if construction will be able to step up to meet all the growing demand. Inflation has risen for the near term and is expected to remain high through 2022 due to worker shortages, supply chain issues and the remaining uncertainty over the COVID-19 pandemic.

Santa Fe City and County will continue to receive federal funding to address the pandemic that may be used to address infrastructure and housing needs. Keen decision-making will be needed to ensure that funds are utilized strategically to position the region for a vibrant, economic recovery as the pandemic ebbs in the coming year. Decisionmakers should keep in mind that homeownership remains a significant way to grow wealth over time. According to the National Association of REALTORS®, the wealth comparison in 2020 between renters was \$6,870 versus \$278,300 for homeowners – a startling difference. There remains a unique opportunity for Santa Fe to collaboratively work to foster a regulatory environment that can spark and sustain a robust, economic housing boon.

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DONNA REYNOLDS

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& ECONOMIC RESEARCH



**SANTA FE COUNTY**

## 2020 Santa Fe County Housing Data

Prepared for Santa Fe County

Suzan Reagan, Senior Program Manager UNM Data Bank

JULY 2021

## Acknowledgments

We would like to express our appreciation to Santa Fe County for providing the financial support and direction necessary to complete this report. Special thanks to Joseph R. Montoya, and to his staff for guidance and support throughout this endeavor.

The apartment survey analyses included in this report could not have been completed without the cooperation of property managers and owners. Their time and attention are especially appreciated, given this year's disruptions from COVID-19. As a group, we find that apartment property owners and managers are very engaged in their local community, which is vital to the continued growth of New Mexico. We hope that this report will provide quantitative insight into their community and businesses.

Thank you to UNM Geospatial Population Studies, Robert Rhatigan, and Jaqueline Miller for the population projections. At UNM BBER, Suzan Reagan was the project manager on this report. She was assisted by Sarun Luitel, Viktoria Gonsior, Sofia Ximenez-Byrne, Omar Solis, and RaeAnn McKernan. BBER's Acting Director, Michael O'Donnell, provided oversight and support.

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## Introduction

Santa Fe County worked with The University of New Mexico Bureau of Business and Economic Research (UNM BBER) to compile data sets to inform a new affordable housing plan and address the long-term housing needs of communities within the county. Data from the US Census Bureau American Community Survey (ACS), ATTOM Data Services, Santa Fe REALTORS Association, and other public sources were collected and compiled. These data sets record community snapshots, population trends, and housing stock details. The results provide projections of population and housing needs, and also examine zoning/land use match analysis. A phone survey requesting data from apartment properties within Santa Fe County was conducted to further understand the current housing situation. A survey effort began on October 19, 2020, and was completed by December 18, 2020. A total of 20 surveys were collected. Survey information provides a picture of how current economic situations, policies, and practices affect multi-family housing and development within the county. Furthermore, this data can aid in guiding decisions on how to manage the needs of the communities within Santa Fe County.

During the data review, it was found that many trends for Santa Fe County data were different from statewide and national trends. For Santa Fe County, complex relationships exist between migration, age of the population, economic opportunities, and housing characteristics. This report will provide data on these trends in hopes that this will assist the county in developing policies and an affordable housing plan.

## Summary

The most notable trend in Santa Fe County is that the population growth is due more to in-migration than natural increase (births less deaths). During the period spanning April 1, 2010, to July 1, 2019, natural increase accounted for 1,686 persons, and net migration accounted for 4,578 persons of the total population change in Santa Fe County. By 2050, Santa Fe County is projected to reach a total population of 186,937, which is 42,767 more people than in 2010. Much of the growth is expected to continue to be from in-migration.

The median age in Santa Fe is 47.3, according to the 2019 ACS 1-year estimates. That figure has risen by 4.1 years since 2010 when the median age was 43.2. This increase is due to both an already aging population and the age demographic of people who move in from other areas. The average age of people moving into Santa Fe County is 41.1 years of age for 2019. In 2010, Santa Fe County had 23.3 percent of the population 60 years or older and by 2050 that cohort is projected to be 30.6 percent.

Since the Great Recession, the Santa Fe economy has generally moved sideways. In 2019, the county's employment levels were 62,595, which was an increase of 2.1% from the 2018 level (61,314), and was the highest since 2009. Containing the State Capitol, government employment has been an important

part of Santa Fe County's economy; however, for the past decade, government employment within the county has been declining. In 2009, government employment in Santa Fe County was roughly 30 percent of total employment; in 2019, it had fallen to 24 percent. During the past decade, private industry employment grew from 43,174 jobs in 2009 to 47,275 jobs in 2019, increasing the private sector proportion of employment from 70 to 76 percent.

Santa Fe County's median earnings for workers was \$30,808 in 2019 according to ACS 1-year estimates. In 2019, Santa Fe County's earnings for workers were over \$5,000 below the United States median worker earnings and only \$532 above the New Mexico statewide worker earnings. Since median earnings in 2019 were so much less compared to the United States, local workers will have a harder time qualifying for homes. Because of this, there is an incentive for workers to commute into Santa Fe County for employment instead of living and working there.

Per capita income in Santa Fe County was \$38,172 for 2019 as reported by ACS 1-year estimates. This is above both New Mexico's \$28,423 and the United States' \$35,672 per capita income levels. The ACS data also shows that in the United States, 31.7 percent of households had income from Social Security. In New Mexico, 36.1 percent of households had income from Social Security in 2019, and in Santa Fe County 41.7 did.

The US Census Bureau estimates the total housing units for 2019 in Santa Fe County at 73,550; of these, 62,182 were occupied. Single-family housing units account for 72.4 percent of all housing structures in Santa Fe County, which is more than five percentage points higher than the United States and four percentage points higher than New Mexico. While the Santa Fe County market is very different than the national market, only 3.6 percent of housing structures have 20 or more units; this may be indicative of an opportunity to expand multi-family housing. In Santa Fe County, 40 percent of the population are renters and in the United States, that number is 56 percent while New Mexico statewide is about 47 percent according to 2019 ACS data. Santa Fe County had 17,797 renter-occupied units in 2019. Finally, the high percentage of vacant housing units reflects a large number of vacation or second homes in the county which impacts available housing for year-round residents.

Santa Fe County housing values listed in the \$500,000 to \$999,999 range are at 19.4 percent, while in the US, it is 12.3 percent, and 5.1 percent for New Mexico statewide. At the same time, the percentage of homes in the value ranges below \$200,000 is lower than what is seen nationally and statewide.

In Santa Fe County, 36 percent of homeowners with a mortgage and 16 percent of homeowners without a mortgage were cost-burdened in 2019. In comparison, Santa Fe County had a larger share of cost-burden homes than the United States or New Mexico statewide.

The Santa Fe market for affordable housing has been below the housing affordability index of 100 for the past three years. It declined to its lowest value (79.25) in 2019, meaning that a family making the median income in Santa Fe County cannot qualify for the median-priced home.

Starting in 2014, single-family home median sales prices have increased. The median price reached a high in 2020 of \$494,675 with a more than 12 percent increase from the year before. Part of the 2020 median sales price increase is likely a temporary reaction to the pandemic. It remains to be seen if the increase will continue or moderate out over the next few years.

The housing units needed in Santa Fe County for the 2025 projected population increase will be 67,256 housing units or 5,074 more units than what was seen in 2019. To meet this need, Santa Fe County should see an annual average of 845 housing units built for the next five years. The 5,074 units are for the expected population growth. However, in 2019 the housing gap in Santa Fe County is estimated to be at 10,672 when considering current needs for workers living outside the county, already high demand in multi-family units, and other circumstances. To address the unmet need in the next five years, housing units would need to be built at a rate of 2,578 a year.

Considering the population growth plus current housing gap needs, it is recommended for owner-occupied housing units that over half be built below the median price. Specifically, 14 percent should be built for the less than \$100,000 range, 30 percent in between \$100,000 to \$149,999, and 26 percent in the \$150,000 to \$299,999 with smaller amounts in the higher range (See Table 9). For renters, 40 percent of the units need to be in the monthly rent of less than \$1,000 and 35 percent in the \$1,000 to \$1,499. Also, 18 percent are needed in the \$1,500 to \$1,999 with a small percentage at \$2,000 and above.

## Current Population and Housing Trends

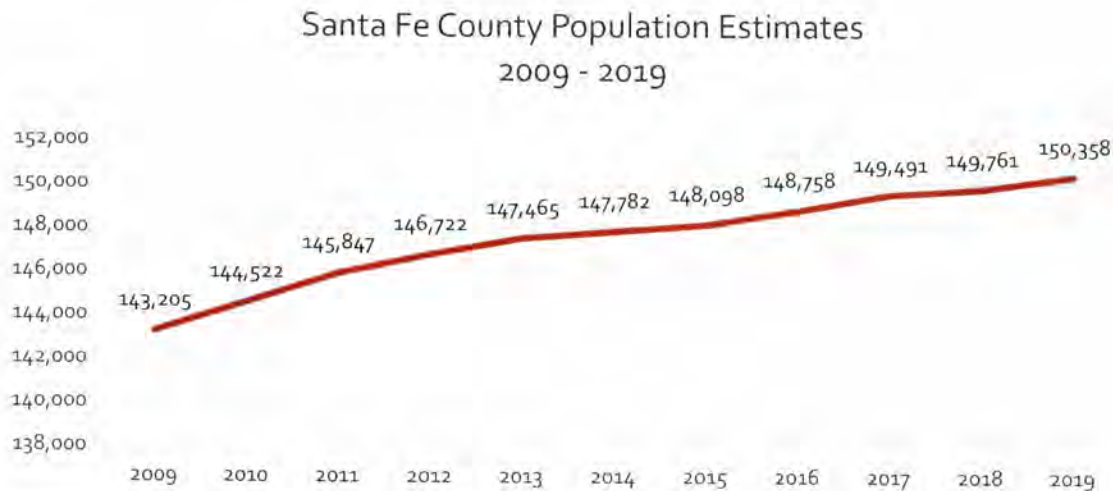
### Population Trends

#### Population Growth

Santa Fe County's population has, for the past decade, been impacted by local conditions as well as larger economic and social trends within the State of New Mexico and the United States. International movements have also caused fluctuations in the county's population. The Santa Fe County population rose from 144,522 in 2010 to 150,358 in 2019, adding 5,836 people, according to the US Census Bureau Population Estimate Division<sup>1</sup> (See Figure 1 at the top of the next page.)

<sup>1</sup> 2019 vintage estimates.

FIGURE 1 - SANTA FE COUNTY POPULATION ESTIMATES

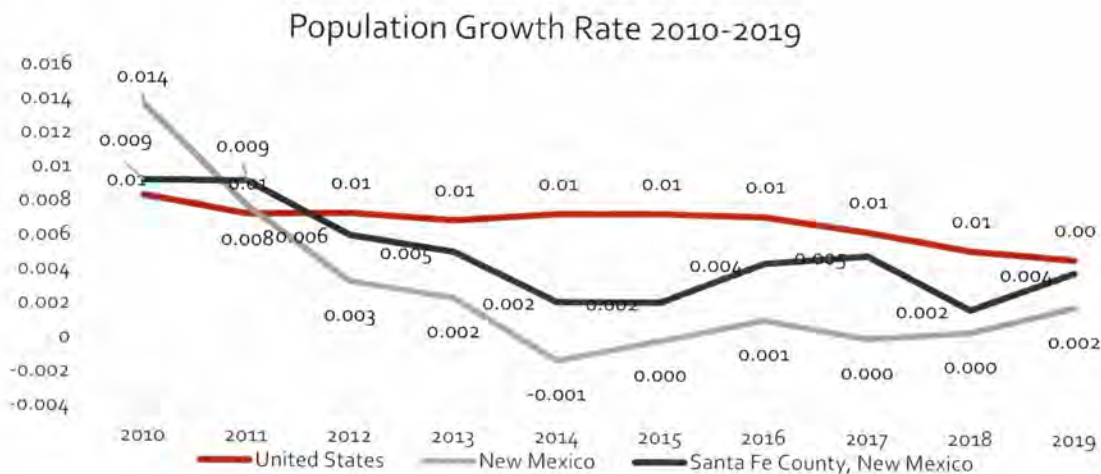


Source: US Census Bureau Population Division Vintage 2019 Estimates

Santa Fe County's population growth rate was 5.0 percent from 2009 to 2019. That is well above the state's growth rate of 2.9 percent, and below the national growth of 7.0 percent during the same period (see Table 17 in table section). Annually, Santa Fe County's population growth rates were similar to those of the state from 2010 to 2016. Beginning in 2016, Santa Fe County rates continued to grow while the state continued to be close to zero. Santa Fe County's population growth declined in 2018 but ticked upward with the state in 2019. Simultaneously, the United States' population growth rate over 2010 to 2019 was flat or slightly declining (see Figure 2 below).

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FIGURE 2 - US, NM, SANTA FE COUNTY POPULATION GROWTH RATES



Source: US Census Bureau Population Estimate Program 2019 Vintage

The growth components of Santa Fe County are composed of births less deaths for the natural increase, and in-migration less out-migration for the total growth of 6,126 (see Table 1 below and Table 18 in table section for full footnotes). Since April 1, 2010 population growth in Santa Fe County has been primarily from migration. Through net migration, Santa Fe County saw a population increase of 4,578 individuals; a natural increase contributed 1,686 to the total growth. Simultaneously, New Mexico has experienced significant out-migration (-36,933 net migration), with most of the statewide population growth coming from the natural increase of 74,679. It is striking that Santa Fe County experienced a negative (-2) natural increase (1,189 births and 1,191 deaths) as shown in current annual estimates for July 1, 2018, to July 1, 2019. The total net migration of 605 gives Santa Fe an overall change in the population of 597 for 2019 annual estimates.

TABLE 1—US, NM, SANTA FE COUNTY CUMULATIVE POPULATION ESTIMATES

**Cumulative Estimates of the Components of Population Change April 1, 2010 to July 1, 2019**

| Area            | Total Population Change <sup>1</sup> | Natural Increase | Vital Events |            | Net Migration |                            |          |
|-----------------|--------------------------------------|------------------|--------------|------------|---------------|----------------------------|----------|
|                 |                                      |                  | Births       | Deaths     | Total         | International <sup>2</sup> | Domestic |
| United States   | 19,481,418                           | 11,621,558       | 36,275,313   | 24,653,755 | 7,859,860     | 7,859,860                  | 0        |
| New Mexico      | 37,630                               | 74,679           | 236,548      | 161,869    | -36,933       | 26,589                     | -63,522  |
| Santa Fe County | 6,126                                | 1,686            | 12,092       | 10,406     | 4,578         | 2,090                      | 2,488    |

**Annual Estimates of the Components of Population Change July 1, 2018 to July 1, 2019**

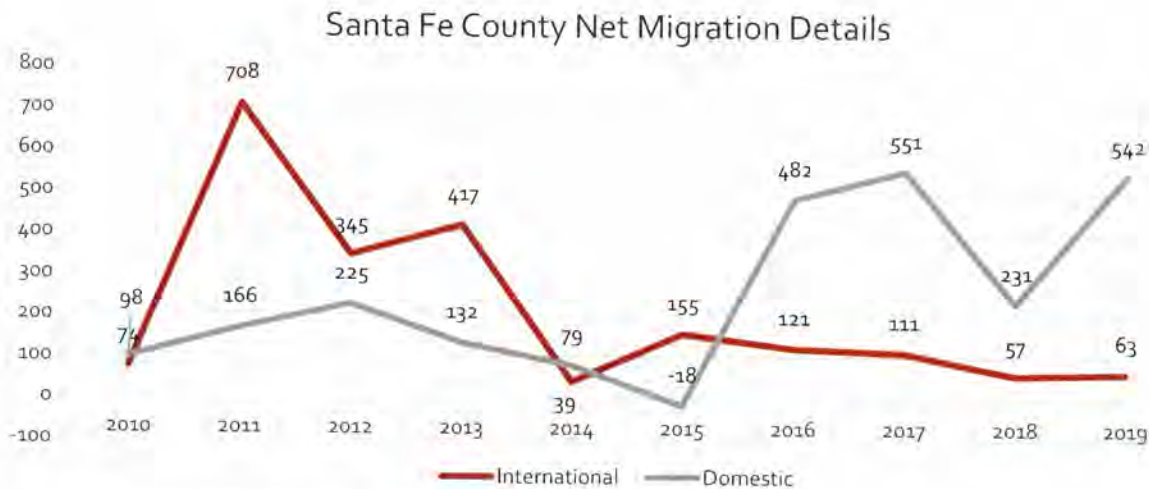
| Area            | Total     | Natural Increase | Births    | Deaths    | Total   | International | Domestic |
|-----------------|-----------|------------------|-----------|-----------|---------|---------------|----------|
| United States   | 1,552,022 | 956,674          | 3,791,712 | 2,835,038 | 595,348 | 595,348       | 0        |
| New Mexico      | 4,088     | 4,737            | 23,125    | 18,388    | -590    | 1,546         | -2,136   |
| Santa Fe County | 597       | -2               | 1,189     | 1,191     | 605     | 63            | 542      |

For footnotes see Table 16

Source: US Census Bureau Population Division Estimates 2019 Vintage

While the change in population due to migration since 2010 seems large, the annual change is much smaller. In Santa Fe County, international migration saw a high of 708 in 2011 but has declined in later years to numbers below 100 (see Figure 3 next page). Domestic migration was slow at the beginning of the decade, even going negative in 2015, but has picked up and ended with 542 in 2019. Net migration, of course, covers people moving in and people moving out. The characteristics of international versus domestic migration have an impact on income and population growth.

FIGURE 3 - SANTA FE COUNTY NET MIGRATION DETAILS



Source: US Census Bureau Population Estimate Program, Vintage 2019

### Population Age and Sex

To understand population growth trends in Santa Fe County, it is important to look at the population compositions. First, Santa Fe County's birth rates have been declining. In 2018 and 2010 the birth rate was 7.9 and 10.5 births per 1,000 people, respectively<sup>2</sup>. Birth rates in the United States have been declining since 2010, down from 13.0 births per 1,000 people to 11.6 per 1,000 in 2018<sup>3</sup>. The population pyramid (see Figure 4 next page) for Santa Fe County is becoming top-heavy with many individuals in allocations for age groups starting at 55 through 69 years of age. Many small communities in Santa Fe County have few people who fit into the youth age groups. The median age in Santa Fe is 47.3, according to 2019 ACS 1-year estimates. That figure has risen by 4.1 years since 2010 when the median age was 43.2. In comparison, the United States' median age was 37.2 in 2010 and had increased only slightly, to 38.5 by 2019. Age distribution trends occurring in Santa Fe County are due, in part, to in-migration where the median age of those moving from a different state was 41.1 in 2019, according to Census Bureau Public Use Micro Sample 1-year estimates.

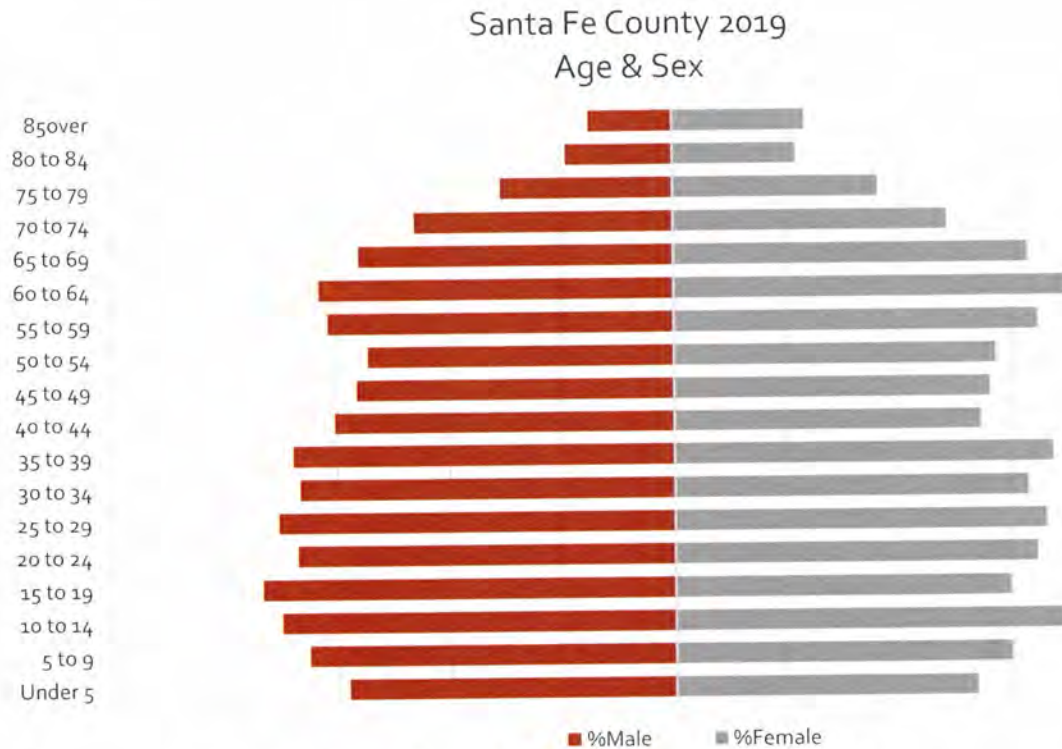
In Santa Fe County, the population is mostly evenly divided between males and females, though females represent a slightly larger portion, at 51.4 percent of the 2019 total.

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<sup>2</sup> New Mexico Birth Certificate Database, Bureau of Vital Records and Health Statistics, New Mexico Department of Health Population Estimates: University of New Mexico, Geospatial and Population Studies (GPS) Program, <http://gps.unm.edu/>.

<sup>3</sup> NCHS, National Vital Statistics System, Natality.

FIGURE 4 - SANTA FE COUNTY AGE & SEX POPULATION PYRAMID

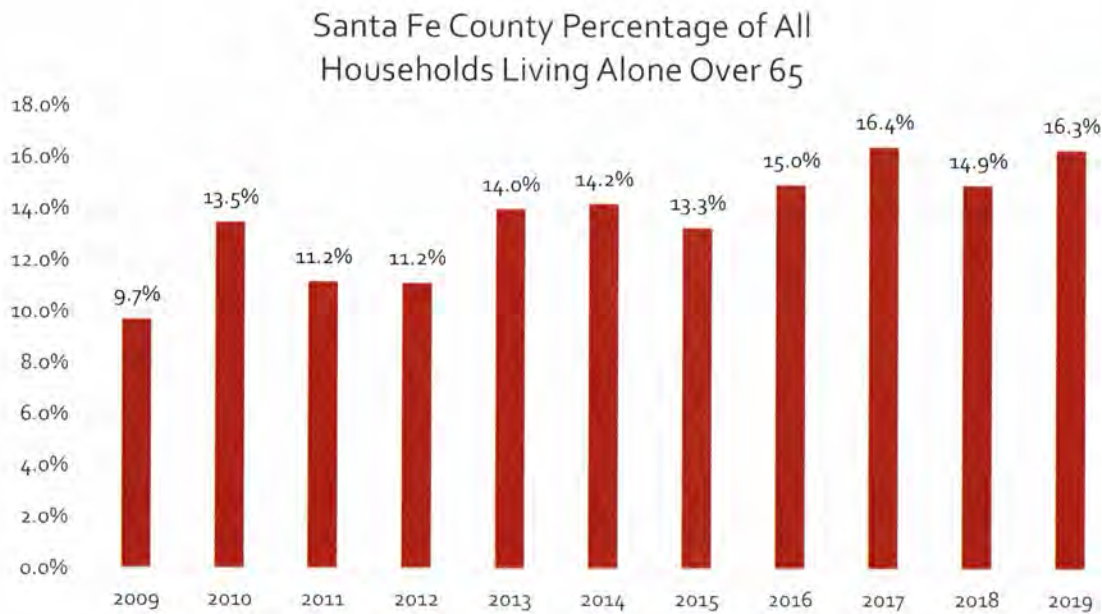


Source: US Census Bureau 2019 American Community Survey 1-Year Estimates, Table DP05

One outcome of having an older population is the number of seniors who live alone. In 2019, Santa Fe County had 16.3 percent of all households with individuals 65 and over living alone. The percentage of people 65 and over living alone had increased by 3 percent since 2010 when the percentage was 13.5 from the American Community Survey 1-Year Estimates (see Figure 5 next page). Seniors have different needs in types of housing and services than younger individuals living alone and in families<sup>4</sup>.

<sup>4</sup> US Census Bureau published "Old Housing, New Needs: Are U.S. Homes Ready for an Aging Population?" May 15, 2020 P23-217 documents some of the unmet needs in housing for seniors in the US and by Region.

FIGURE 5 - SANTA FE COUNTY POPULATION PERCENTAGE LIVING ALONE OVER AGE 65



Source: US Census Bureau American Community Survey 1-Year Estimates, Table DP02

### Migration

One of the main components of change for population trends in Santa Fe County is in-migration from other states. The City of Santa Fe has a reputation as a tourist destination, making it a desirable place for people to move. According to ACS 1-year Estimates, 11,447 people moved to Santa Fe County in 2019. Using Public Use Micro Sample (PUMS) data, the top four states people moved from are Texas, California, Washington, and New York. (see Figure 6 and Table 23 in the table section). In 2019, 730 people moved from abroad. However, most in-migration occurs from other counties within New Mexico, with 4,353 people in 2019. The top New Mexico counties with more than 100 movers are Bernalillo, Dona Ana, Sandoval, San Juan, and Taos.

FIGURE 6 - IN-MIGRATION TO SANTA FE COUNTY BY STATE



Source: US Census Bureau PUMS 1-year Estimates

There are a couple of notable characteristics regarding in-migration into Santa Fe County. The first is that the average age of people who move in from outside New Mexico is 41.1 (see Table 23 in the table section). In the future, these people will unlikely contribute to the natural increase. The second is that 35 percent of these recent in-migration people identify as Hispanic (see Table 22 in the table section). Third, the median income of in-migration from other states was \$40,608 while that of movers from within other counties in New Mexico was \$28,482 (see Table 21 in the table section). The individual median income in Santa Fe County was \$31,142 in 2019.

When looking at international migration data, the PUMS 1-year estimates do not capture the complete picture. We know that there is a significant number of people in Santa Fe County from Latin America. Therefore, it's better to look at the ACS 5-year estimates<sup>5</sup> on the foreign-born population as this shows individuals who might have immigrated before 2019. Santa Fe County had 17,900 foreign-born residents according to the 2019 ACS 5-year estimates. Of those, 13,553 or 75.7 percent were born in Latin America and of this, 10,936 are from Mexico (see Table 23 in the table section).

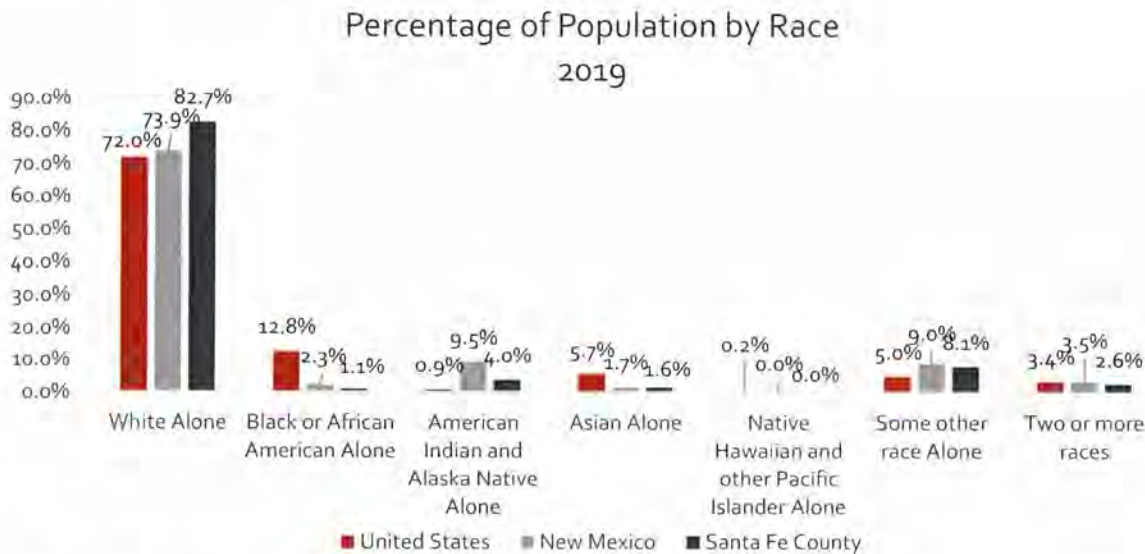
### Race and Ethnicity

New Mexicans identify their primary race category as White Alone at 73.9 percent, which is higher than the United States percentage of 72.0 in 2019 ACS 1-year estimates. This is not surprising as 96.7 percent of people identify as One Race Alone, both in the United States and New Mexico. People in Santa Fe County identify as White Alone at 82.7 percent (see Figure 7). People in New Mexico classify

<sup>5</sup> Santa Fe County detailed data does not always meet the criteria for publishing 1-year estimates so 5-year estimates are used. Totals for 5-year estimates do not match 1-year estimates.

in the category Some Other Race Alone at 9 percent and 8.1 percent in Santa Fe County. These are higher percentages than the United States as a whole (5 percent). The numbers in the category Some Other Race Alone can be explained by many people in New Mexico viewing being classified as "Hispanic" as more accurate than the other race categories. New Mexico, at 9.5 percent, and Santa Fe County, at 4 percent, also have a higher percentage of American Indian and Alaska Native Alone than the United States as a whole which is at slightly less than one percent. Santa Fe County has four pueblos, Nambe, Pojoaque, San Ildefonso and Tesuque. Three additional pueblos Cochiti, Santo Domingo, and Santa Clara have land in Santa Fe County without associated population. Of note, both New Mexico and Santa Fe County have very small populations in three of the race categories, including Black or African American Alone; Asian Alone; and Native Hawaiian and other Pacific Islander Alone.

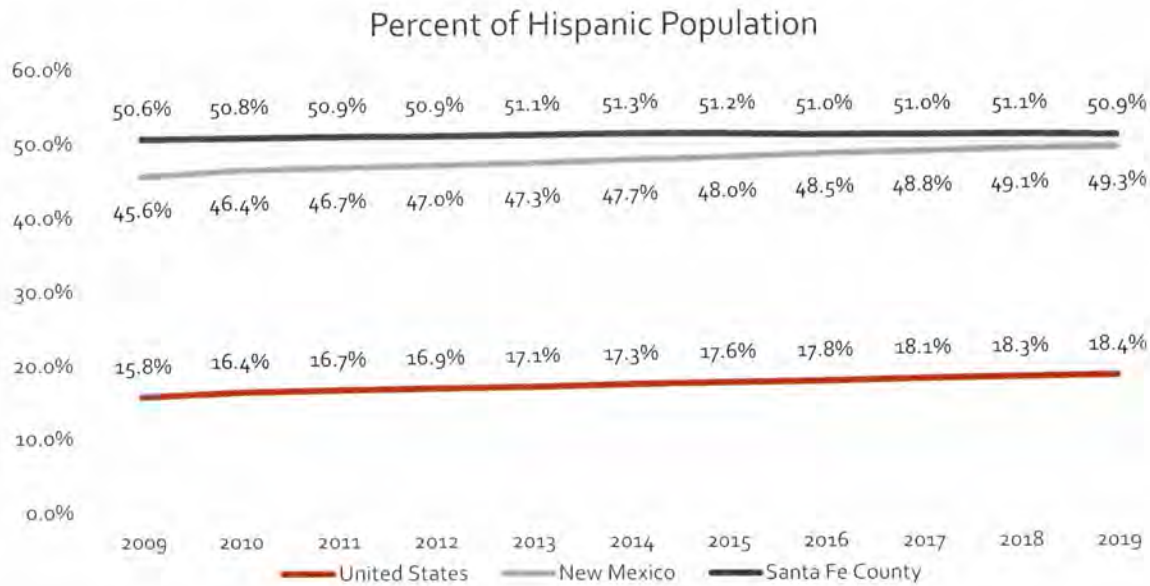
FIGURE 7 - SANTA FE COUNTY RACE DISTRIBUTION



Source: US Census Bureau American Community Survey 1-year Estimates Table DP05

The big story for Santa Fe County is 50.9 percent of the population identified as Hispanic in 2019. For the United States, 18.4 percent of the population identified as Hispanic. This is an increasing number in the United States as it has risen 2.6 percent from 15.8 percent during the 2009 to 2019 period (see Figure 8). New Mexico continues to be the state with the highest percentage of Hispanics at 49.3 percent in 2019. Santa Fe County's percent of Hispanics is even higher than the state's with 50.9 percent in 2019. Given the trends of in-migration to Santa Fe County, it is expected that Santa Fe County will continue to have a greater percentage of people who identify as Hispanic.

FIGURE 8 - PERCENT OF HISPANIC POPULATION FOR UNITED STATES, NEW MEXICO, AND SANTA FE COUNTY



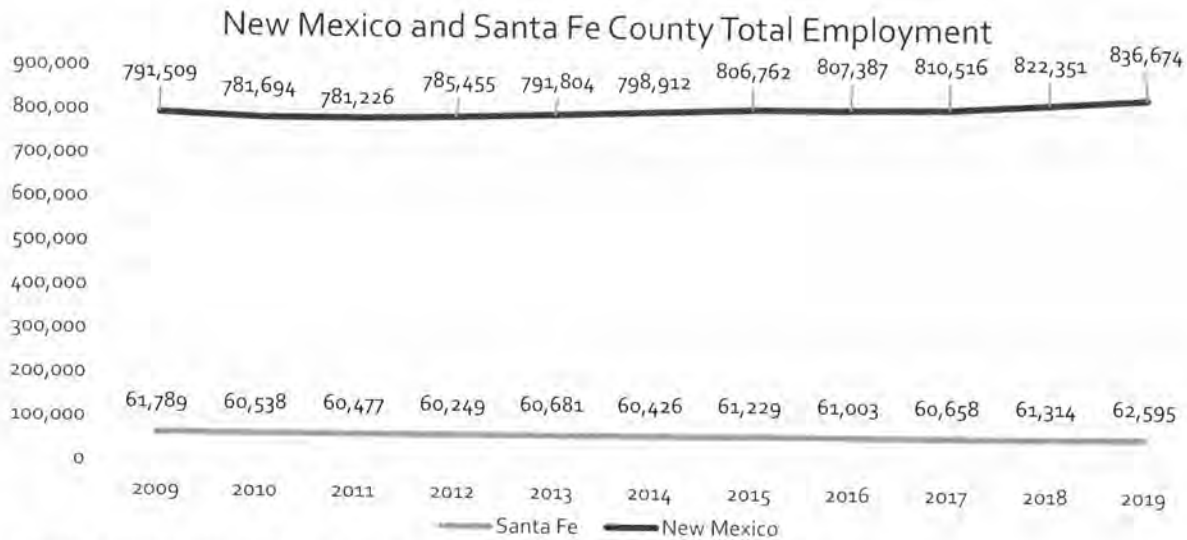
Source: US Census Bureau American Community Survey 1 Year Estimates Table DP05

## Economic Characteristics

### Employment

Santa Fe County’s average annual employment was 62,595 in 2019. This was an increase of 2.1 percent from the 2018 level (61,314). The 2019 total was the highest employment level for Santa Fe County since 2009. However, much of the last decade saw Santa Fe County employment levels relatively flat, running between 60,000 and 61,500 (see Figure 9). Santa Fe County employment was 7.8 percent of New Mexico’s total employment in 2009 and has dropped to 7.5 percent since 2017. New Mexico’s total employment grew by 5.7 percent from 2009 to 2019.

FIGURE 9 - NEW MEXICO SANTA FE COUNTY TOTAL EMPLOYMENT 2009-2019



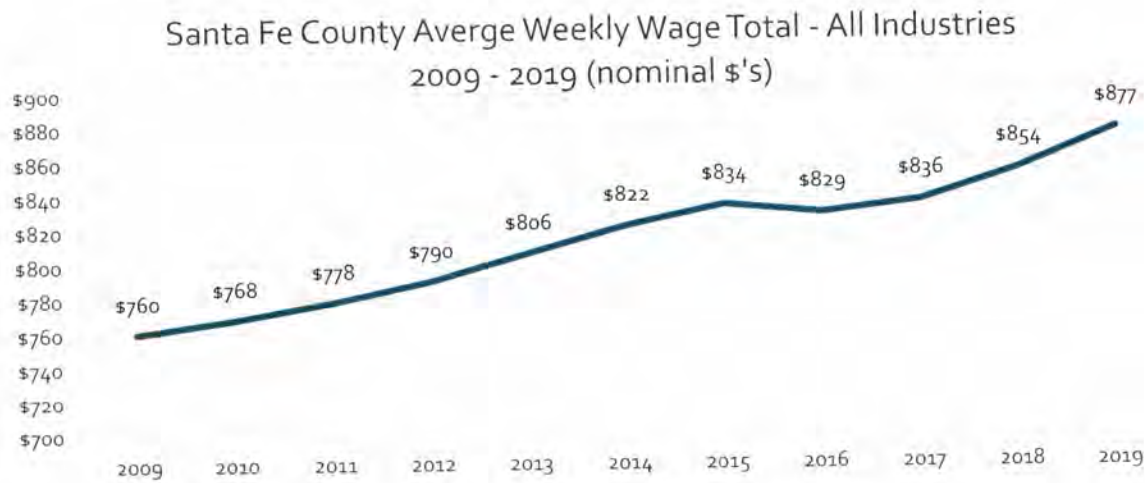
Source: Quarterly Census of Employment and Wages, NM Department of Workforce Solutions

Santa Fe County saw its average weekly wage grow by \$117, from \$760 in 2009 to \$877 in 2019, which is about a 15 percent increase (see Figure 10). According to the US Bureau of Labor Statistics Consumer Price Index Inflation Calculator, the average weekly wage increase seen in Santa Fe is \$40 below the 2019 estimate (\$917, accounting for inflation). This implies that average weekly wages in Santa Fe County did not grow at the same pace as inflation<sup>6</sup>. During the same time frame, the average weekly wage in New Mexico grew from \$741 to \$905--a faster growth (22 percent increase) than that seen in Santa Fe County alone. Nonetheless, the average New Mexico weekly wage, too, falls short of that projected by BLS to account for inflation.

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<sup>6</sup> US Bureau of Labor Statitistis CPI Inflation Calcultor  
[https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm).

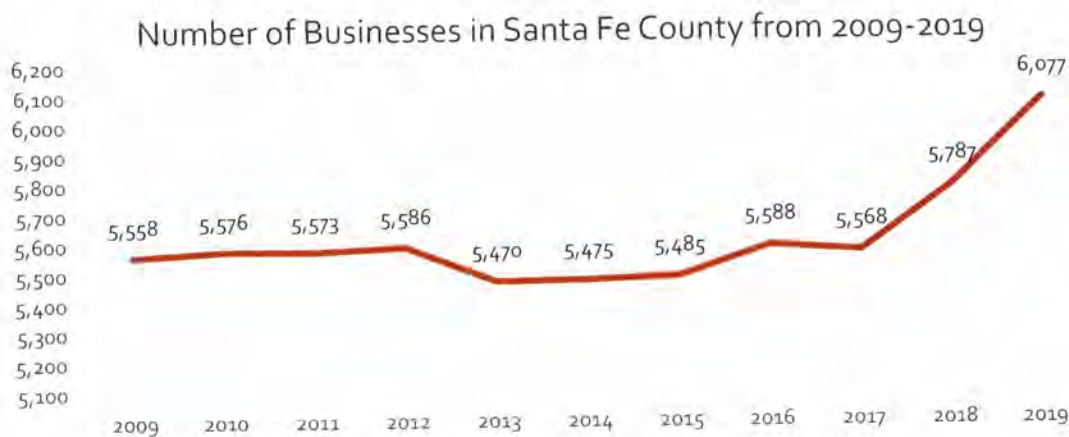
FIGURE 10 - SANTA FE COUNTY AVERAGE WEEKLY WAGE



Source: Quarterly Census of Employment and Wages, NM Department of Workforce Solutions

The growth in employment and wages in Santa Fe County was also accompanied by business growth. The number of businesses in Santa Fe County remained around 5,500 from 2009 to 2017. In 2018 and 2019, the number of businesses increased to 5,787 and 6,077, respectively (see Figure 11).

FIGURE 11 - SANTA FE COUNTY NUMBER OF BUSINESSES

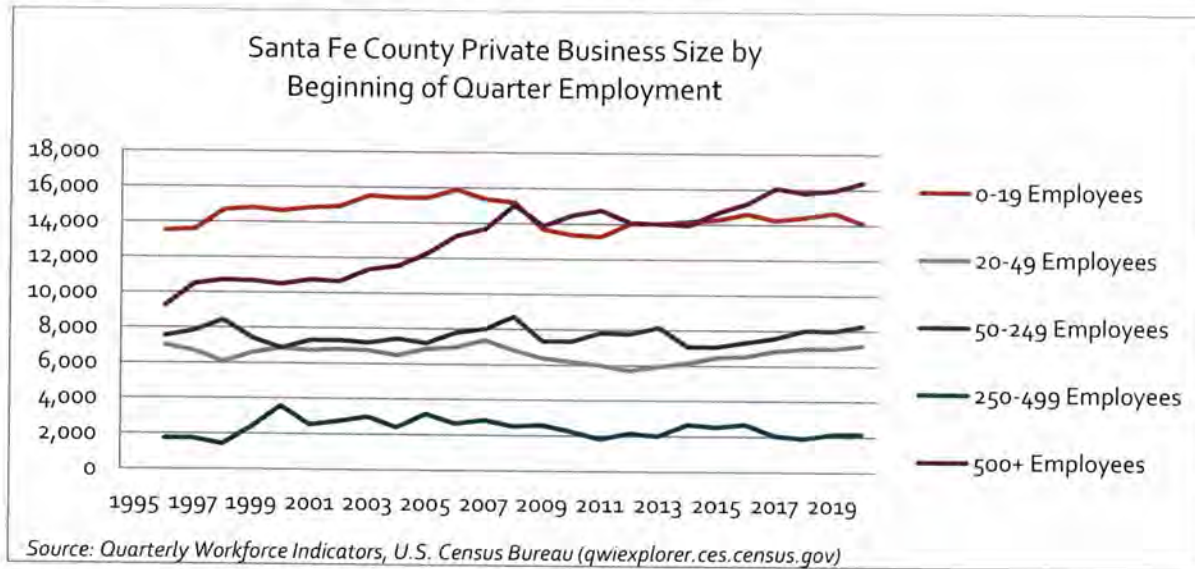


Source: Quarterly Census of Employment and Wages, NM Department of Workforce Solutions

Looking at business size characteristics from US Census Bureau Quarterly Workforce Indicators, small businesses (0 to 19 employees) have been important to the Santa Fe County economy as they routinely employ more than 13,000 workers annually. Starting in 2007, large businesses (500 or more employees) met and then exceeded the number of workers of small businesses (see Figure 12). For

2018, small businesses had good growth but in 2019, declined while large businesses increased.

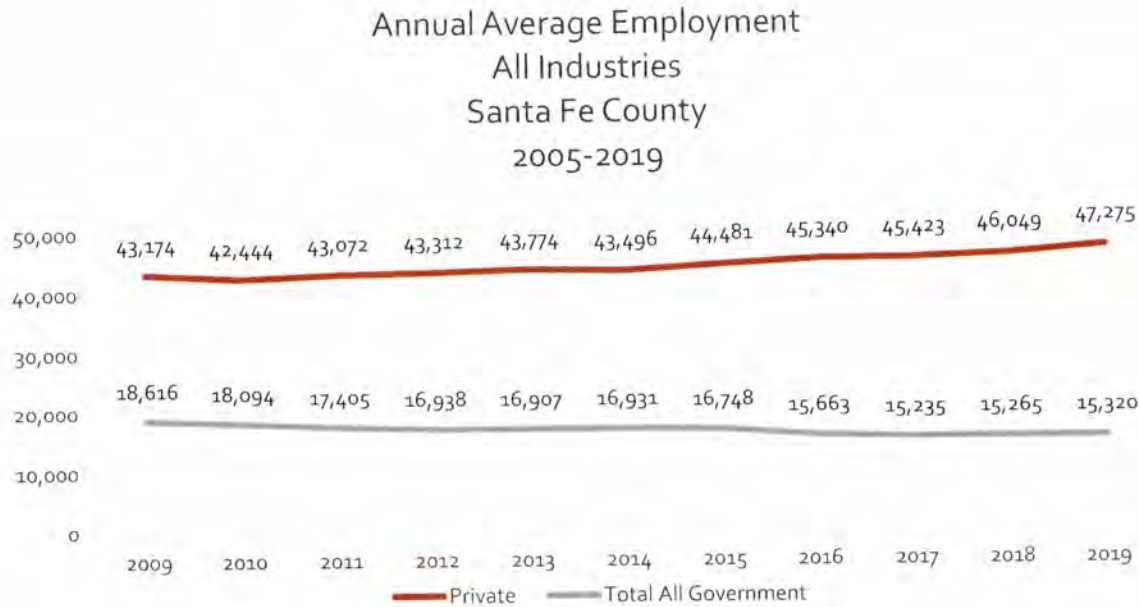
FIGURE 12 - SANTA FE COUNTY SIZE CLASS OF BUSINESSES 2009-2020



### Employment by Industry

Santa Fe County has always had substantial government employment due to the City of Santa Fe being the capital of the state. However, for the past decade, government employment within the county has been declining. In 2009, government employment in Santa Fe County was roughly 30 percent of total employment, and in 2019, it had fallen to 24 percent. During this past decade, private industry employment grew from 43,174 jobs in 2009 to 47,275 jobs in 2019. Therefore, the private sector proportion of employment increased from 70 to 76 percent (see Figure 13, Figure 14, and Figure 15).

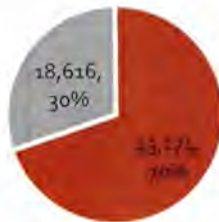
FIGURE 13 - SANTA FE COUNTY ANNUAL AVERAGE EMPLOYMENT GOVERNMENT AND PRIVATE SECTORS



Source: Quarterly Census of Employment and Wages, NM Department of Workforce Solutions

FIGURE 14- SANTA FE COUNTY 2009 GOVERNMENT EMPLOYMENT

#### Average Employment 2009 Santa Fe County

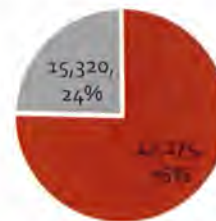


Private Total All Government

Source: Quarterly Census of Employment and Wages, NM Department of Workforce Solutions

FIGURE 15 - SANTA FE COUNTY 2019 GOVERNMENT EMPLOYMENT

#### Average Employment 2019 Santa Fe County

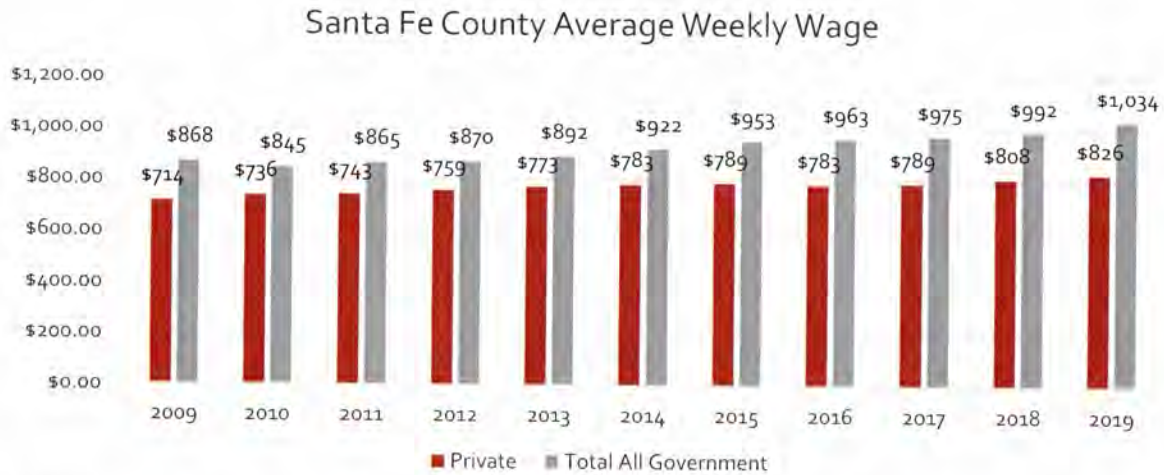


Private Total All Government

Source: Quarterly Census of Employment and Wages, NM Department of Workforce Solutions

Santa Fe County's government sector average weekly wages rose from \$868 in 2009 to \$1,034 in 2019, an increase of \$166. Santa Fe's private industry average weekly wage increased by \$112 (\$714 in 2009 to \$826 in 2019). Clearly, its average weekly wage has risen overall. Both government and private industry average weekly wages have increased with a slightly more rapid increase in government average wages compared to private industry (see Figure 16).

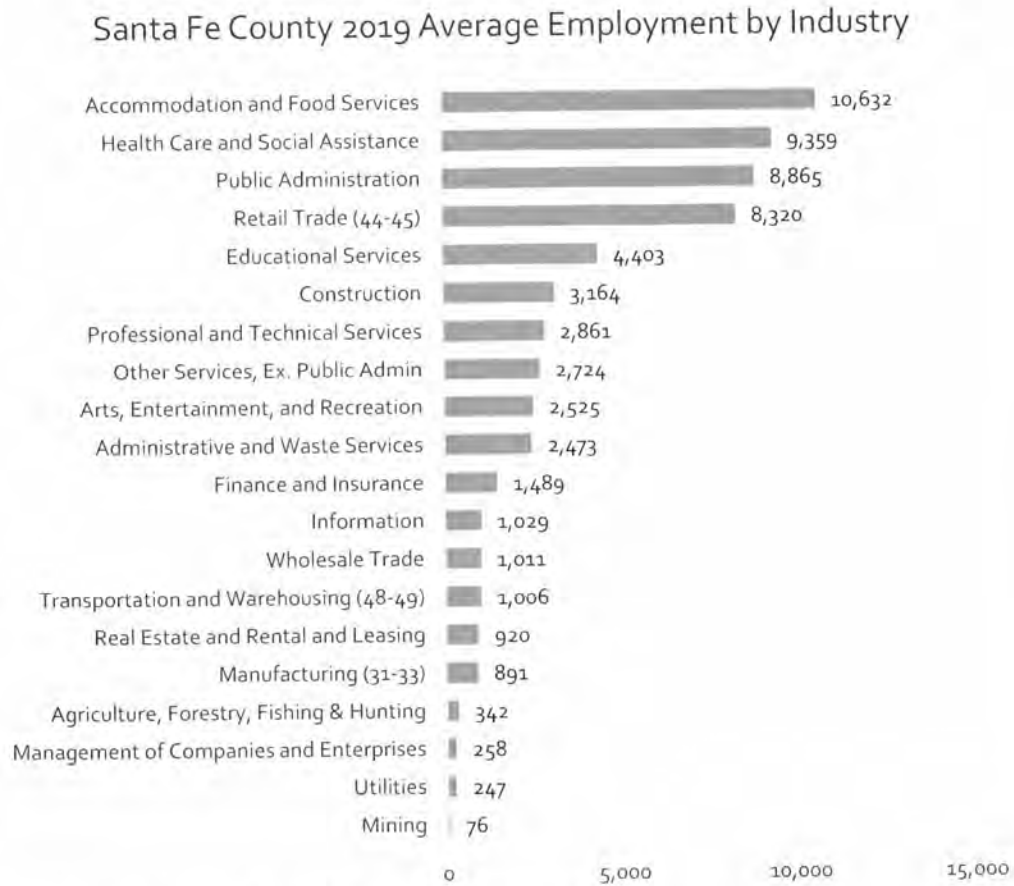
FIGURE 16 - SANTA FE COUNTY GOVERNMENT AND PRIVATE SECTOR AVERAGE WEEKLY WAGE



Source: Quarterly Census of Employment and Wages, NM Department of Workforce Solutions

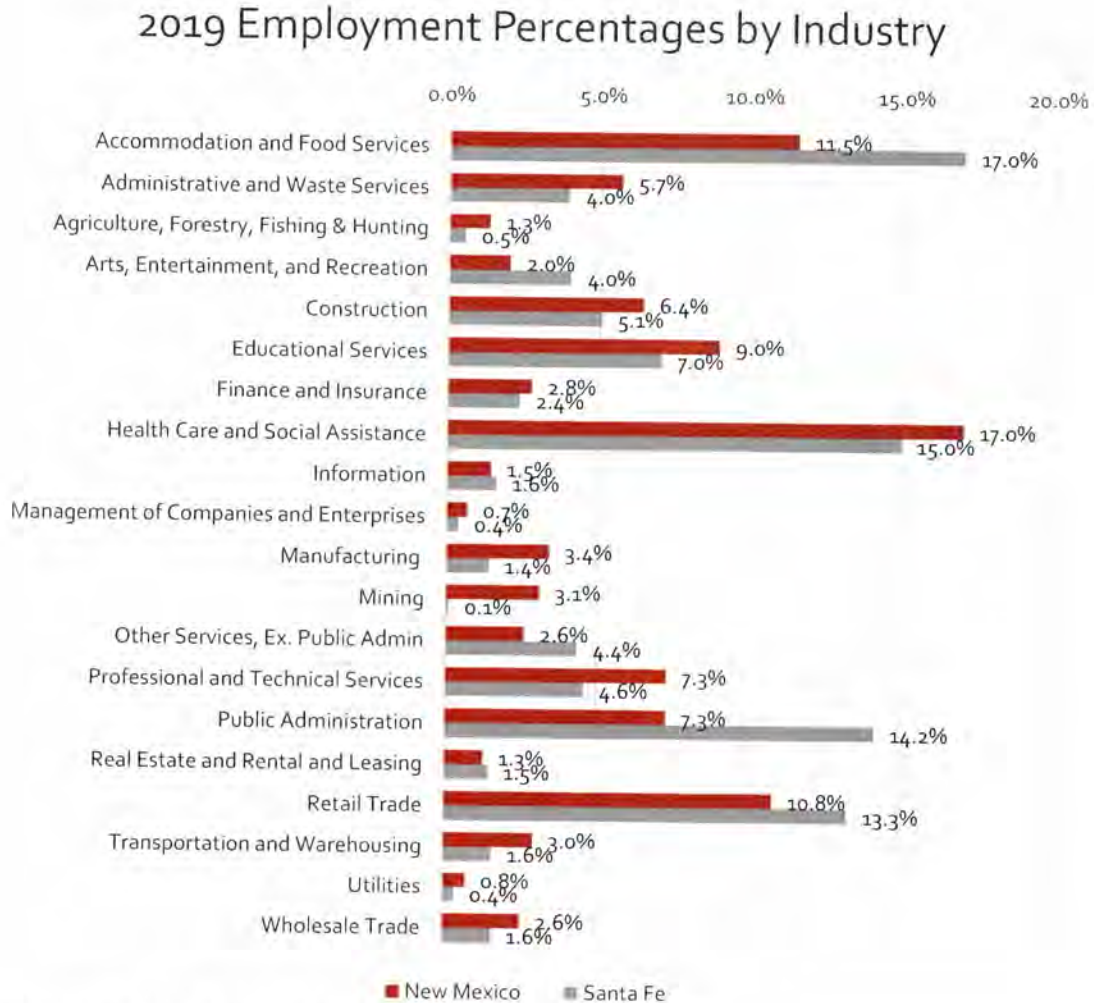
The top three private industry sectors by employment in Santa Fe County during 2019 were Accommodation & Food Services (9,947 jobs); Healthcare & Social Assistance (8,912 jobs); and Public Administration (8,865 jobs) (see Figure 17, Figure 18 and Figure 19 ). For New Mexico, the top employing industries are Healthcare & Social Assistance (142,391); Accommodation & Food Services (96,275); and Retail Trade (90,548). Santa Fe County's employment in Retail Trade fell just short of the top three with 8,320 in 2019. Employment in Public Administration as a state worker continues to be a major factor in Santa Fe County even though its share compared to the private industry has been declining.

FIGURE 17 - SANTA FE COUNTY 2019 EMPLOYMENT BY INDUSTRY



Source: US Bureau of Labor Statistics Quarterly Census of Employment and Wages

FIGURE 18 - NEW MEXICO AND SANTA FE COUNTY INDUSTRY EMPLOYMENT PERCENTAGES



Source: US Bureau of Labor Statistics Quarterly Census of Employment and Wages

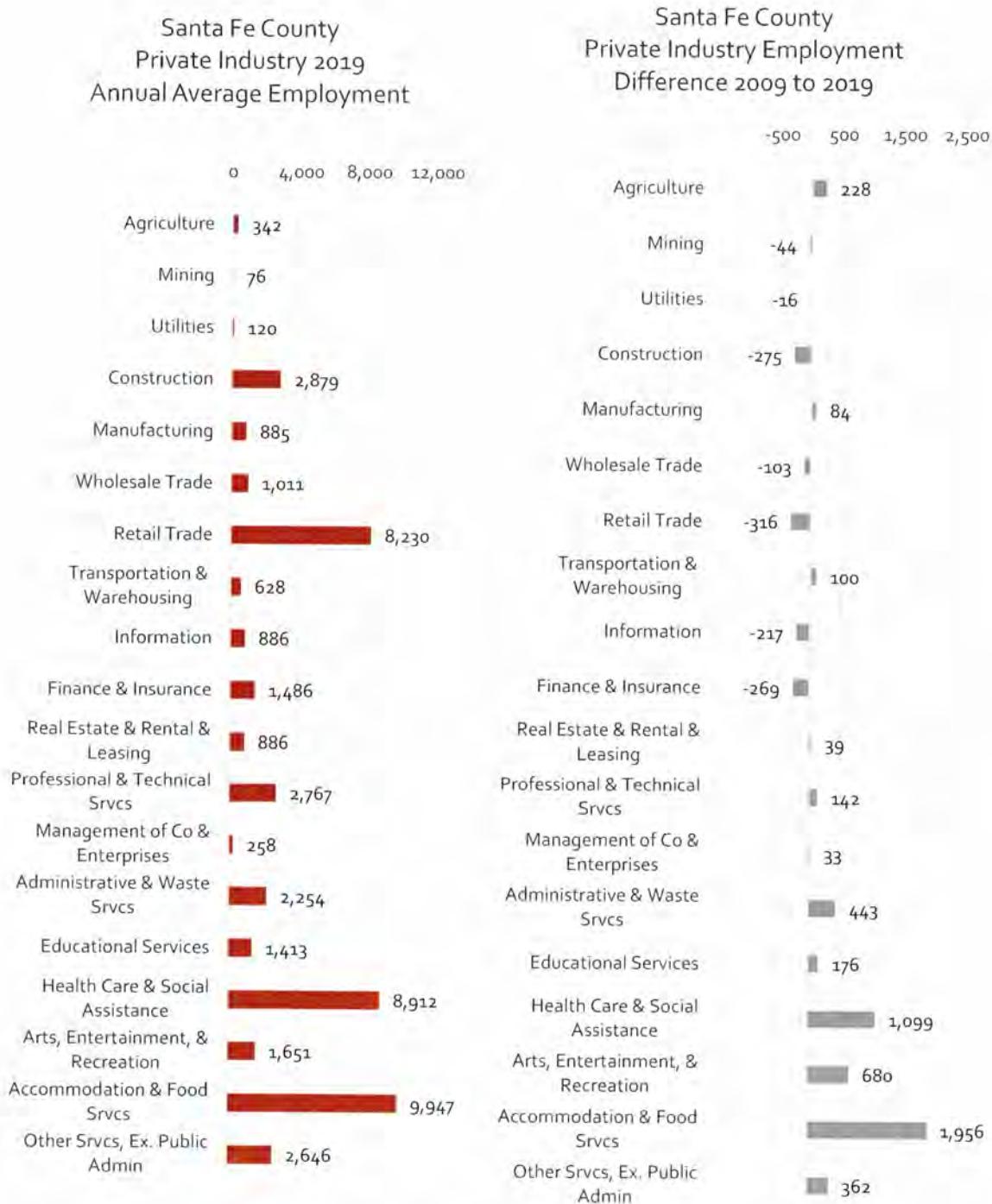
From 2009 to 2019, many sectors experienced a contraction. The sectors seeing the greatest contraction were Retail Trade; Construction; and Finance & Insurance (see Figure 19 and Figure 20). Both the Retail Trade and Construction sectors continue to be slow in employment recovery from the Great Recession. The decline in the Finance and Insurance sector can most likely be attributed to the regulation changes implemented in the banking industry from 2008 through 2019.

The sectors with the largest increase were Accommodation & Food Services; Health Care & Social Assistance; and Art, Entertainment, & Recreation. While it is a very small industry the

growth in Agriculture is interesting. All subsectors within this category showed some growth, the most coming in Agriculture & Forestry Support Activity followed by Crop Production. The USDA Census of Agriculture 2017 lists crops' share of sales at 54% and livestock, poultry, and products at 46%. From the 2017 Census of Agriculture, Santa Fe County has 639 farms. Healthcare and Social Assistance is the second largest employment sector after Retail Trade. Given the aging population in Santa Fe County expect the Healthcare and Social Assistance sector to continue to add jobs.

The 2020 pandemic's impact on the Accommodation & Food Services; Retail Trade; and Art, Entertainment, & Recreation industry sectors in 2020 will likely show a significant decline in private industry employment in the short-term. As restrictions lift and labor re-enters the market, expect these three sectors to pick up as tourism recovers.

FIGURE 19 - SANTA FE COUNTY INDUSTRY EMPLOYMENT 2019



Source: Quarterly Census of Employment and Wages; NM Department of Workforce Solutions

FIGURE 20- SANTA FE COUNTY INDUSTRY EMPLOYMENT DIFFERENCE

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### Travel to Work

In 2018, over 38 percent of Santa Fe County workers were recorded as living outside the county<sup>7</sup> and 22 percent of them had a commute that is greater than 50 miles. Almost 5,000 workers commuted from areas Southwest of Santa Fe County. While this is a large number of commuters into the county, it must be noted that there is an almost equal amount of out-flow workers too, particularly in the southern part of the county and into Albuquerque and Rio Rancho areas (see Figure 21). The net job in-flow is 3,125. Of the 24,338 jobs filled by outside workers, 6,035 earn \$1,250 per month or less. There are 7,947 jobs earning \$1,250 per month or less for local residents. This may point to the case that low-income workers have a hard time finding local housing.

FIGURE 21 - SANTA FE COUNTY SELECTED IN-FLOW/OUT-FLOW JOB COUNTS



Source: US Census Bureau LEHD

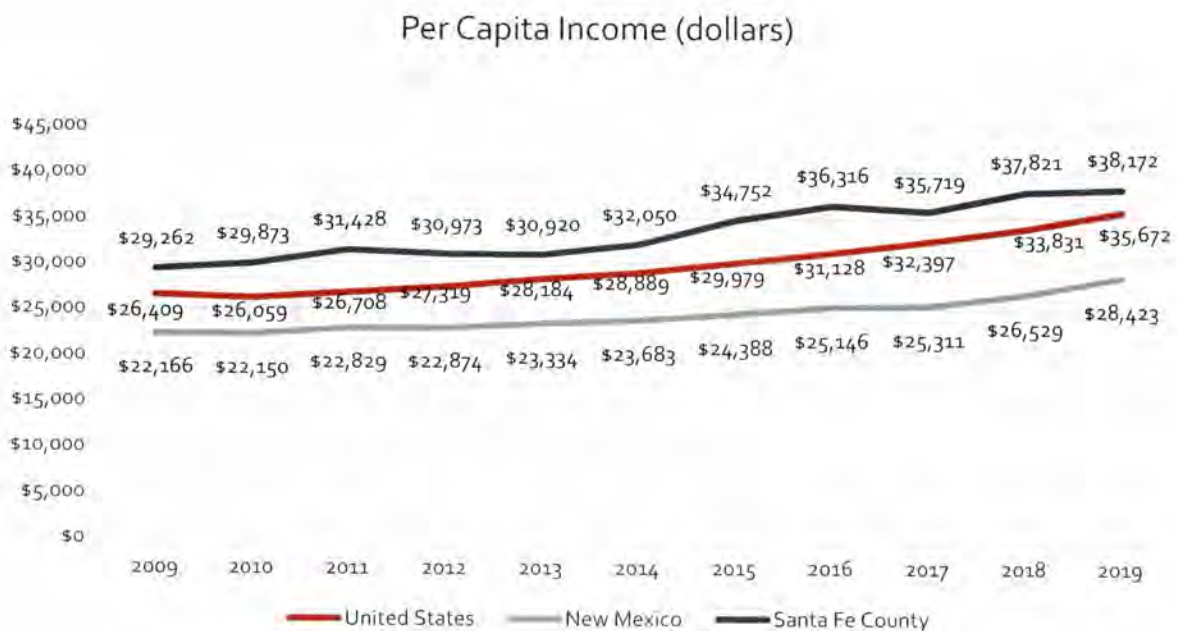
<sup>7</sup> U.S. Census Bureau, OnTheMap Application and Longitudinal Employer-Household Dynamics Origin-Destination Employment Statistics LODES (Beginning of Quarter Employment, 2nd Quarter of 2002-2018)

### Income and Earnings

It is essential to review both income and earnings. Income is a more inclusive measurement as it not only includes wages earned but other forms of incoming money like social security, child support, interest income, dividends, etc. Because Santa Fe County has such a large aging population, per capita income and median household income represent the population's ability to afford housing in the area. However, considering the economic realities of workers' ability to afford housing in Santa Fe County, one also needs to consider the median earnings of workers.

Per capita income in Santa Fe County was \$38,172 for 2019 according to the American Community Survey 1-year estimates. Santa Fe County's 2019 per capita income is above both New Mexico's \$28,423 and the United States' \$35,672 per capita income levels and has been for the past decade (see Figure 22). Per Capita income increased 30.4 percent from 2009 to 2019 in Santa Fe County doing better than the New Mexico change of 28.2 percent but less than the United States increase of 35.1 percent.

FIGURE 22 - US, NM, & SANTA FE COUNTY PER CAPITA INCOME



Source: US Census Bureau American Community Survey 1-year estimates, Table DP03

### Median Household Income

In 2019, the median household income for Santa Fe County was \$61,298 according to the ACS 1-year estimates. This was an increase of \$1,105 from the year prior and \$8,614 since 2009.

New Mexico's 2019 median household income was \$51,945, which is \$9,353 less than Santa Fe County. The United States 2019 median household income was \$65,712, which is \$4,414 more than Santa Fe County. Santa Fe County's median household income was \$52,684 in 2009 with a 16.4 percent change to 2019 income (\$61,298) (see Figure 23).

FIGURE 23 - MEDIAN HOUSEHOLD INCOME IN SANTA FE COUNTY



Source: US Census Bureau American Community Survey 1 Year Estimates, Table DP03

Santa Fe County has a larger percentage of household incomes in the higher income bracket than New Mexico as a whole but less than the United States. Santa Fe County also has a significant number of household incomes falling in the \$30,000 to \$39,000 income range compared to the US and New Mexico. Additionally, Santa Fe County has a slightly higher percentage in the \$40,000 to \$49,000 range. In the Less than \$20,000 range, Santa Fe County is lower than New Mexico but higher than the United States (see Figure 24). The median household income for the foreign-born population of Santa Fe County listed by the ACS 5-year estimates for 2019 was \$50,445. Naturalized citizens came in at \$60,350 while those not US citizens were at \$44,429.

FIGURE 24 - 2019 HOUSEHOLD INCOME RANGES US, NM, SANTA FE COUNTY



Source: US Census Bureau American Community Survey 1 Year Estimates Table DP03

### Median Earnings

The Santa Fe County median earnings for workers was \$30,808 in the 2019 US Census Bureau American Community Survey 1-year estimates. The median earnings had a statistically significant decline from the median earnings of \$33,834 in 2018. Santa Fe County median earnings have been above the New Mexico median earnings since 2010. In the years 2013, 2015 & 2016, Santa Fe County median earnings were above the United States earnings but below in all other years. In 2019, Santa Fe County earnings were over \$5,000 below the United States median worker earnings yet only \$532 above the New Mexico statewide worker earnings (see Figure 25). Because median earnings in 2019 were so much less compared to the United States and considering immigration demographics, workers in Santa Fe County will have a harder time qualifying for homes.

FIGURE 25 - MEDIAN EARNINGS FOR WORKERS COMPARISON



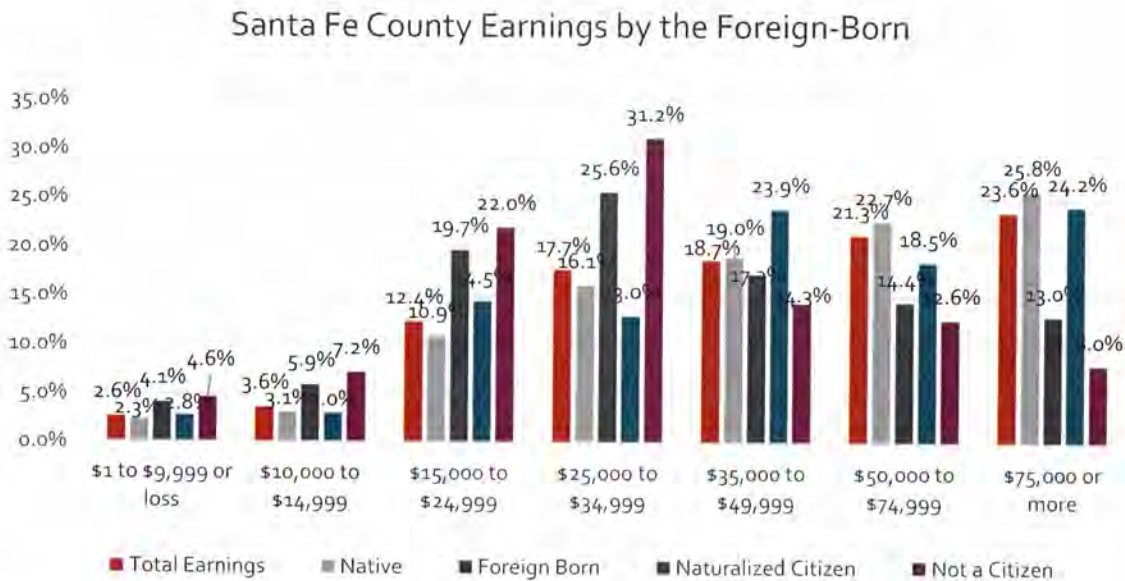
Source: US Census Bureau American Community Survey 1 Year Estimates, Table DP03

The foreign-born population has an intricate impact on earnings in Santa Fe County. Those who are foreign-born account for 16.9 percent of all earners in Santa Fe County with 11.7 percent identifying as “Not a Citizen” and 5.2 percent classified as “Naturalized Citizens.” The mean earnings of foreign-born in Santa Fe County were listed as \$69,515 from the 2019 ACS 5-year estimates<sup>8</sup>. Mean earnings for naturalized citizens were \$80,557 and probably reflect those employed at the national lab. Mean earnings for those not a citizen were \$63,516. With mean earnings higher than the median household income for this group, it is likely that there are some very high incomes and earnings that are pushing the statistics up. Of naturalized citizens, 66.6 percent have earnings of \$35,000 or more. However, of those who are not a

<sup>8</sup> Santa Fe County population is near and below the threshold of 65,000 for publishing 1 year estimates. Some data points are no longer available for 1 year estimates. Totals for 5 year estimates do not match 1 year estimates.

citizen, 65.0 percent make less than \$35,000. Overall 44.7 percent of foreign-born have earnings of \$35,000 or more with 13.0 percent at \$75,000 or more (see Figure 26 below).

FIGURE 26 - SANTA FE COUNTY EARNINGS BY THE FOREIGN-BORN

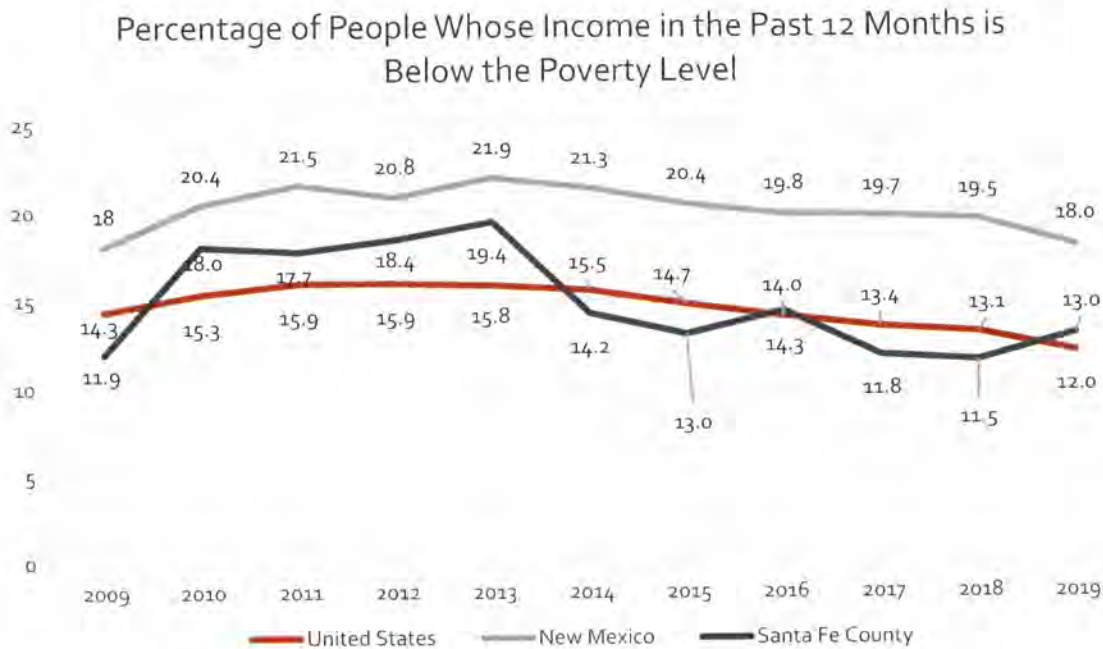


Source: US Census Bureau American Community Survey 5-Year Estimates 2019, Table S0501

### Poverty

Approximately 13 percent of Santa Fe County people reported income in the past 12 months below the poverty level in 2019. Notably, the high in 2013 of 19.4 percent, yet moved to a low of 11.5 percent in 2018. New Mexico's percentage of people in poverty has slowly been declining from a high of 21.9 percent in 2013 to 18.0 percent in 2019. Santa Fe County's percentage of people in poverty has been above the United States percentage from 2010 to 2013. In 2013, Santa Fe County's percentage of people in poverty moved from between the New Mexico percentage and United States percentage to below the US rate and has remained close to the nation's level through 2019 (see Figure 27). The number of people in poverty definitely could be impacted by migration thru the combination of international immigration declining in 2013 and domestic migration increasing at about the same time (see Figure 29).

FIGURE 27 - POVERTY COMPARISON FOR US, NM, SANTA FE COUNTY



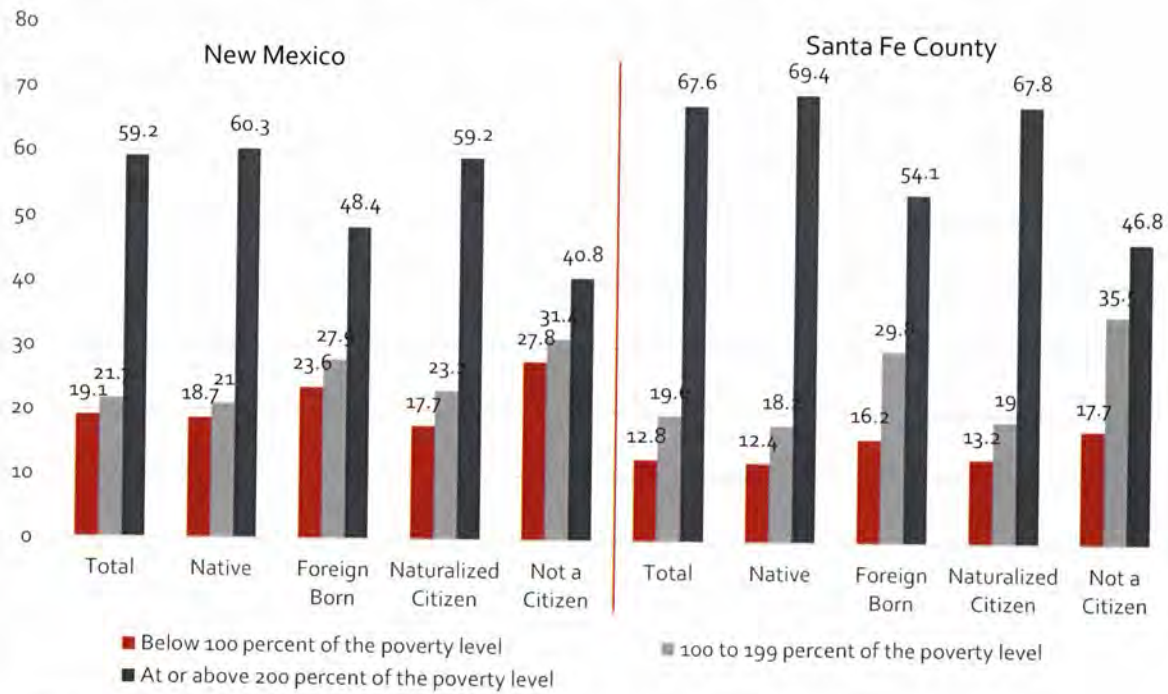
Source: US Census Bureau American Community Survey 1-Year Estimates, DP03

In New Mexico, roughly 20 percent of people are in poverty or at risk of falling into poverty. Specifically, 21.7 percent of people are in the 100 to 199 percent poverty level, which means these people are considered in the area of at-risk. There is 19.1 percent that is below the 100 percent poverty level, meaning they are considered in poverty (see Figure 27). Those who are at 200 percent or above are not considered in poverty. Santa Fe County poverty numbers are better than what is seen for the state with just 12.8 percent in the below 100 percent poverty level. The at-risk group (100 to 199 percent poverty level) is slightly lower than the state too, with 19.6 percent of Santa Fe County placing here.

The poverty status of those who are not a citizen is much higher than for other groups. New Mexico registers with 31.4 and in Santa Fe County, 35.5 percent are in the 100 to 199 percent of the poverty level (see Figure 28). That Santa Fe County at-risk percentage is the only poverty measure where the county is higher than the state. Notably, those who are not a citizen and considered in poverty are calculated at 17.7 percent in Santa Fe County and 27.8 percent in New Mexico. The change of migration from more international locations at the beginning of the decade followed by more domestic migration through the latter part of the decade does

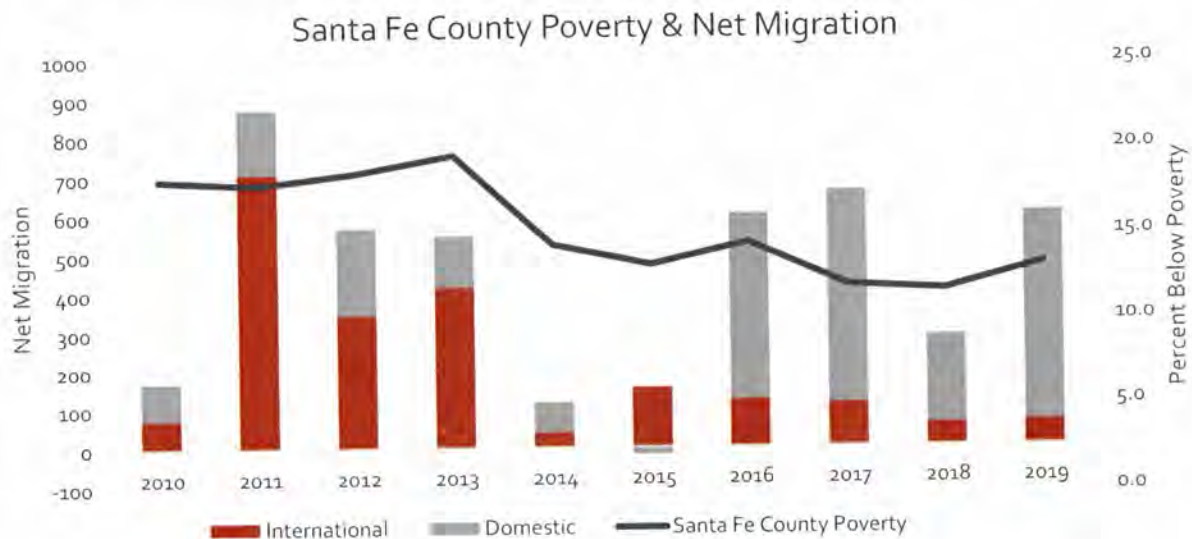
appear to be a factor in the poverty estimates as seen in Figure 29 with the net migration in bars and the poverty estimates as the line.

FIGURE 28 - NM, SANTA FE COUNTY POVERTY STATUS IN THE PAST 12 MONTHS



Source: US Census Bureau American Community Survey 5-Year Estimates 2019 Table S0501

FIGURE 29 - SANTA FE COUNTY POVERTY & NET MIGRATION



Source: US Census Bureau - American Community Survey 1-year estimates Table DP03 Population Estimate Program, 2019 vintage

### Social Security, Retirement Income and Social Assistance

ACS data shows that in 2019 the United States had 31.7 percent of households with income from social security (see Table 2). In New Mexico, 36.1 percent of households had income from social security in 2019, and 41.7 percent in Santa Fe County. Of the 62,182 Santa Fe County households tallied in the 2019 ACS 1-year estimates, 25,935 had income from social security. Santa Fe County had 32.0 percent of households in 2019 with retirement income which is higher than those seen for New Mexico (25.0%) and the United States (24.5%). This relatively high percentage of households with social security and retirement incomes matches with the age demographics. Retiree spending and housing needs differ from youth and families with children. Specifically, housing tends to be the greatest expense for seniors with increasing healthcare spending while clothing and transportation spending declining<sup>9</sup>.

Santa Fe County had 1,922 households (3.1%) with cash public assistance income in 2019. The ACS Survey found that 6,910 households (11.1%) had received Food Stamp/SNAP benefits in the county over the past 12 months. The percentage for both benefits in Santa Fe County falls between what is seen for New Mexico and the United States (see Table 2 next page).

<sup>9</sup> Beyond The Numbers BLS March 2016, Vol. 5/No.4 <https://www.bls.gov/opub/btn/volume-5/pdf/spending-patterns-of-older-americans.pdf>

TABLE 2 - COMPARISON OF HOUSEHOLDS WITH INCOME FROM RETIREMENT AND ASSISTANCE

| ACS 2019<br>1 Year Estimate<br>Households | With<br>Social<br>Security | With<br>retirement<br>income | With<br>Supplemental<br>Security<br>Income | With cash<br>public<br>assistance<br>income | With Food<br>Stamp/SNAP<br>benefits in the<br>past 12 months |
|-------------------------------------------|----------------------------|------------------------------|--------------------------------------------|---------------------------------------------|--------------------------------------------------------------|
| United States                             | 38,937,269                 | 30,088,849                   | 6,368,156                                  | 2,678,217                                   | 13,173,722                                                   |
| Percent                                   | 31.7%                      | 24.5%                        | 5.2%                                       | 2.2%                                        | 10.7%                                                        |
| New Mexico                                | 286,344                    | 198,307                      | 46,745                                     | 28,349                                      | 130,113                                                      |
| Percent                                   | 36.1%                      | 25.0%                        | 5.9%                                       | 3.6%                                        | 16.4%                                                        |
| Santa Fe County                           | 25,935                     | 19,868                       | 2,915                                      | 1,922                                       | 6,910                                                        |
| Percent                                   | 41.7%                      | 32.0%                        | 4.7%                                       | 3.1%                                        | 11.1%                                                        |

Source: US Census Bureau American Community Survey 1 Year Estimates 2019, Table DP03.

The data for households with income from retirement and assistance is also available in 5-year estimates for the foreign-born population in Santa Fe County and are slightly different than the 1-year estimates (see Table 3). The data shows that 18.2 percent of those who have a head of household that is not a citizen received FoodStamp/SNAP benefits. In households of naturalized citizens, 32.9 percent had social security income and 19.2 percent had retirement income. This shows that the trend for retirees isn't just a domestic phenomenon.

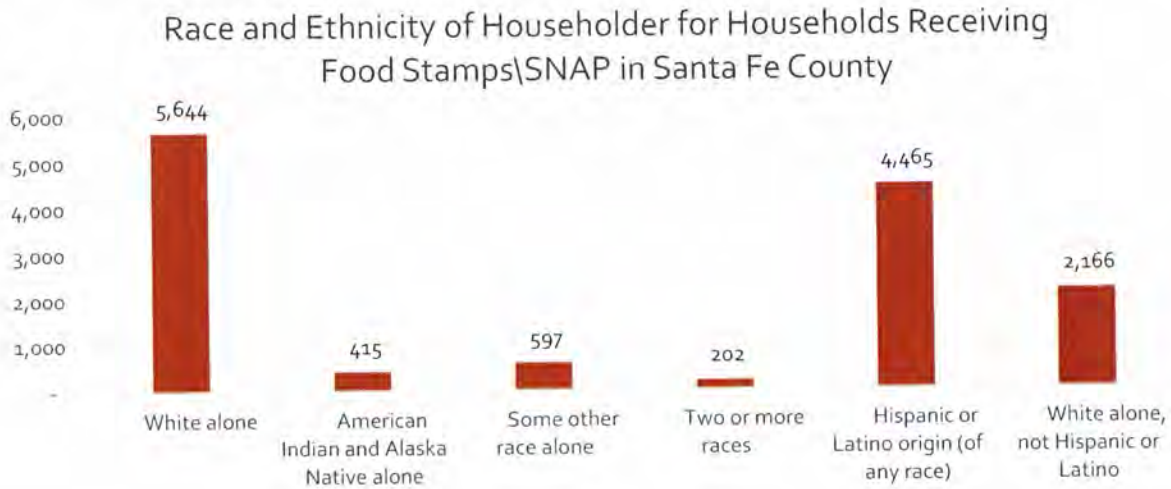
TABLE 3 - HOUSEHOLDS WITH INCOME FROM RETIREMENT AND ASSISTANCE BY FOREIGN BORN

|                     | With Social<br>Security income | With<br>Retirement | Supplemental<br>Security | Cash public<br>assistance | Food Stamp<br>and SNAP |
|---------------------|--------------------------------|--------------------|--------------------------|---------------------------|------------------------|
| <i>New Mexico</i>   | 34.3                           | 21.8               | 6.4                      | 3.2                       | 17.2                   |
| <i>Santa Fe</i>     | 38                             | 26.4               | 3.7                      | 1.9                       | 10.5                   |
| Native              |                                |                    |                          |                           |                        |
| <i>New Mexico</i>   | 35.7                           | 23.2               | 6.5                      | 3.1                       | 16.3                   |
| <i>Santa Fe</i>     | 40.7                           | 28.6               | 3.9                      | 2                         | 9.9                    |
| Foreign Born        |                                |                    |                          |                           |                        |
| <i>New Mexico</i>   | 23.2                           | 10.1               | 5.6                      | 4.2                       | 23.8                   |
| <i>Santa Fe</i>     | 17                             | 9.3                | 2.3                      | 0.8                       | 15                     |
| Naturalized Citizen |                                |                    |                          |                           |                        |
| <i>New Mexico</i>   | 33.1                           | 16.8               | 6.6                      | 3.1                       | 18.1                   |
| <i>Santa Fe</i>     | 32.9                           | 19.2               | 4.5                      | 1                         | 9.2                    |
| Not a Citizen       |                                |                    |                          |                           |                        |
| <i>New Mexico</i>   | 14.1                           | 3.9                | 4.8                      | 5.3                       | 28.9                   |
| <i>Santa Fe</i>     | 6.4                            | 2.7                | 0.8                      | 0.7                       | 18.8                   |

Source: US Census Bureau American Community Survey 5-Year Estimates 2019 Table S0501

The race and ethnicity breakouts for households receiving Food Stamps\SNAP benefits in Santa Fe County are in line with the area’s population breakouts (see Figure 30 below.)

FIGURE 30 - RACE & ETHNICITY FOR HOUSEHOLDS RECEIVING FOOD STAMPS\SNAP



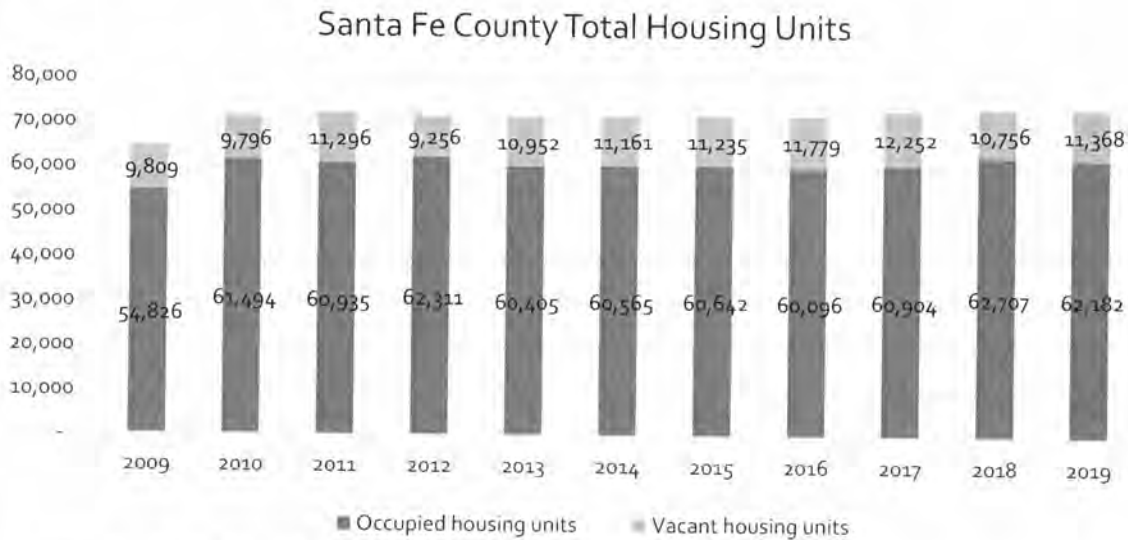
Races not included due to large margin of error are Black or African American alone, Asian alone, and Native Hawaiian and Other Pacific Islander alone.

Source: US Census Bureau American Community Survey 1-Year Estimates 2019, Table S2201

## Housing Characteristics

### Housing Stock

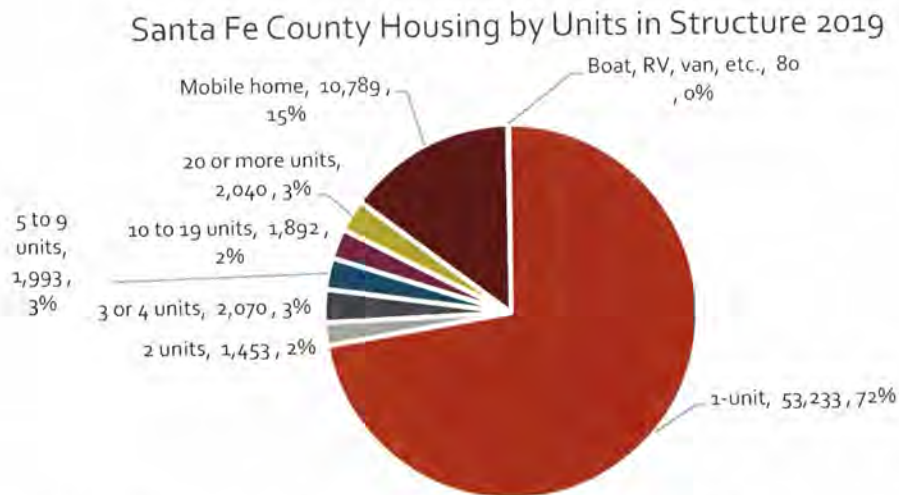
FIGURE 31 - SANTA FE COUNTY TOTAL HOUSING UNITS



Source: US Census Bureau American Community Survey 1-year estimates Table Dp04

The US Census Bureau estimates the total housing units for 2019 in Santa Fe County at 73,550; of these, 62,182 were occupied and 11,368 were vacant (see Figure 31). The total number of units in the county grew by 8,915 units in a decade (2009-2019). Single-family housing units accounted for 53,233 (72.4%) of all housing structures (see Figure 32). The single-family housing units in Santa Fe County are more than five percent higher than the United States and four percent higher than New Mexico. Nationwide, 6.1 percent of housing units are mobile homes; in New Mexico, 16.8 percent are, and in Santa Fe County, 14.7 percent are. Also, housing structures with 20 or more units are 3.6 percent of the housing structures in Santa Fe County, which is about a third of what is seen nationally (see Table 24 in the tables section). While the Santa Fe County market may be very different than the nation with only 3.6 percent of housing with 20 or more units, it is indicative of an area with building opportunities. When compared to the United States, Santa Fe County has a much higher number of mobile homes although less than what is seen in New Mexico statewide.

FIGURE 32 - SANTA FE COUNTY ESTIMATE OF HOUSING BY NUMBER OF UNITS



Source: US Census Bureau American Community Survey 1-Year Estimates Table DP04

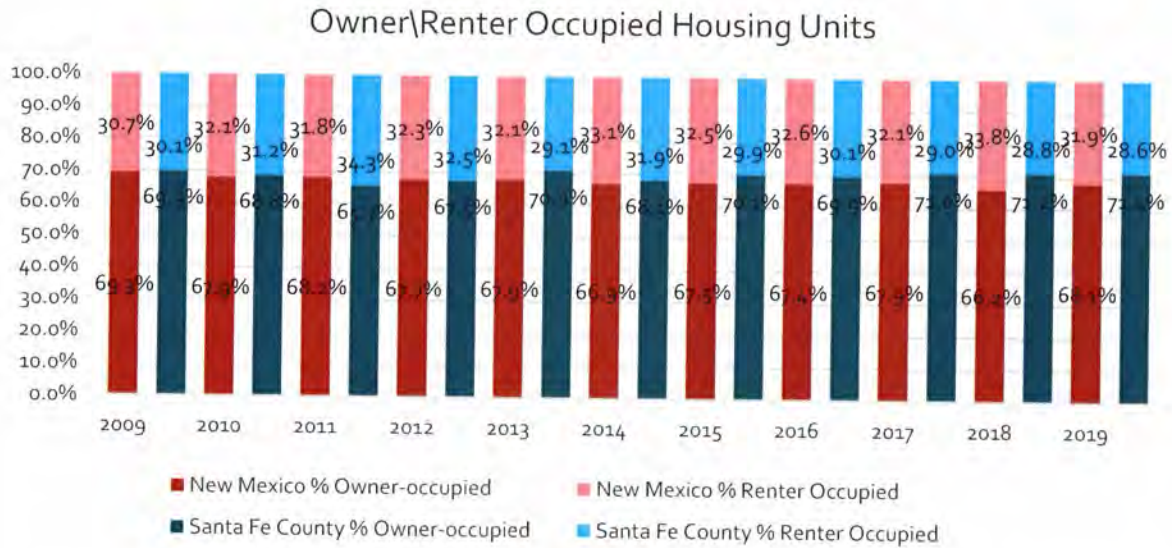
### Renters in Santa Fe County

In Santa Fe County, 40 percent of the population are renters while in the United States, it is 56 percent and 47 percent in New Mexico statewide according to 2019 ACS data. Santa Fe County has 17,797 renter-occupied units. Not all renters live in multi-family units and it is estimated by units in structures and taking into account that Santa Fe County has a vacancy rate of 8.1. Therefore, about 49 percent of renters in Santa Fe are in multi-family units while the other 51 percent rent single-family homes<sup>10</sup>.

In Santa Fe County, 28.6 percent of occupied housing units in 2019 are occupied by renters. This percentage of occupied housing units by renters in Santa Fe County has decreased by 1.5 percent from 30.1 percent in 2009 (see Figure 33). The ratio of occupied owner and renter housing units has remained fairly stable over the decade with owner-occupied housing being around 70 percent and renter-occupied running about 30 percent. In New Mexico, renter-occupied actually gains a small percentage over the decade going from 30.7 percent in 2009 to 31.9 percent in 2019.

<sup>10</sup> Note that the Census Bureau definition of vacant rental unit includes units rented but not yet occupied. Thus the 8.1 vacancy rate in Santa Fe County will seem high compared to other sources.

FIGURE 33 - PERCENT OF OWNER AND RENTER OCCUPIED HOUSING UNITS

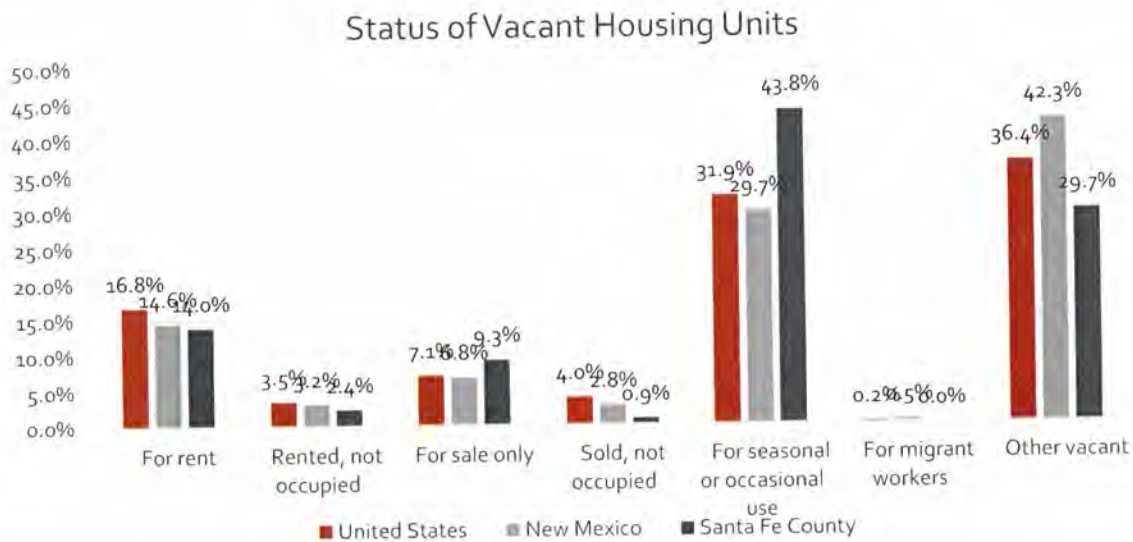


Source: US Census Bureau American Community Survey 1-Year Estimates Table DP04

### Vacant Housing Units

In 2019, Santa Fe County had 11,368 vacant units and 43.8 percent of these were due to seasonal, recreational, or occasional use. Another 29.7 percent were in the "Other vacant" category which includes housing units held for occupancy by a caretaker or janitor, and units held for personal reasons of the owner (see Figure 34). These vacant units tie up housing properties. Santa Fe continues to have a housing market impacted by vacation and second homes. Additionally, the market for vacation or second homes puts pressure on housing sales prices.

FIGURE 34 - STATUS OF VACANT HOUSING UNITS



Source: US Census Bureau American Community Survey 1-Year Estimates Table DP04

### Number of Bedrooms in Housing

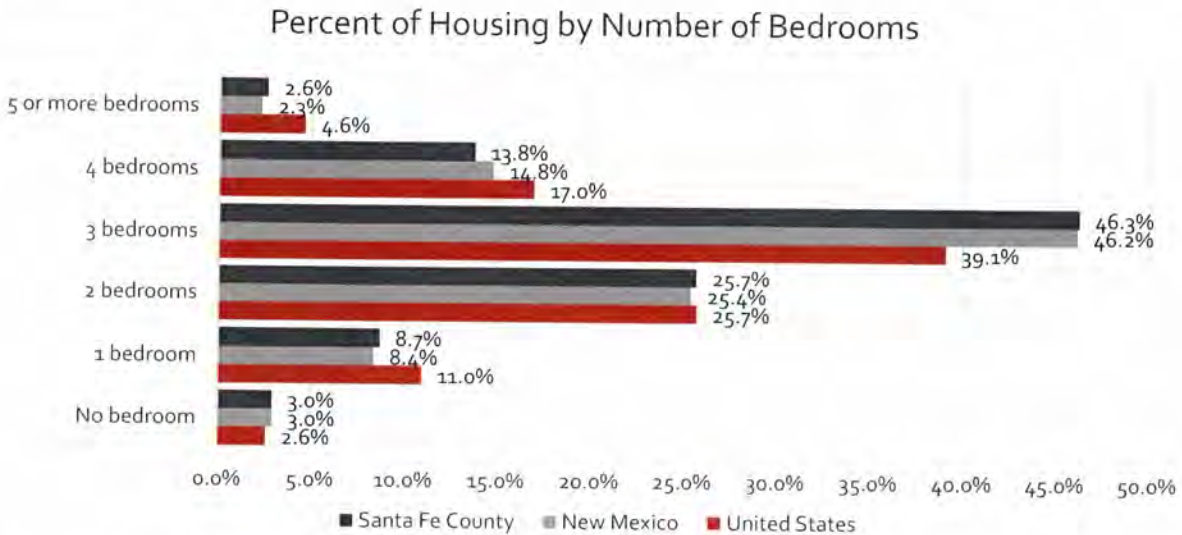
The most common housing unit is 3-bedrooms in Santa Fe County with 34,034 units and 46.3 percent of total units (see Figure 35 and Figure 36). It's followed by 2-bedrooms at 25.7 percent (18,904 units) and 4-bedrooms at 13.8 percent (10,117 units). The distribution of units by the number of bedrooms is similar to what is seen statewide. Nationwide, 5 or more bedrooms is about 4.6 percent, two percent higher than New Mexico (see Table 25 in the table section).

FIGURE 35 - HOUSING UNITS BY NUMBER OF BEDROOMS SANTA FE COUNTY



Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DP04

FIGURE 36 - US, NM, SANTA FE COUNTY PERCENT OF HOUSING BY NUMBER OF BEDROOMS



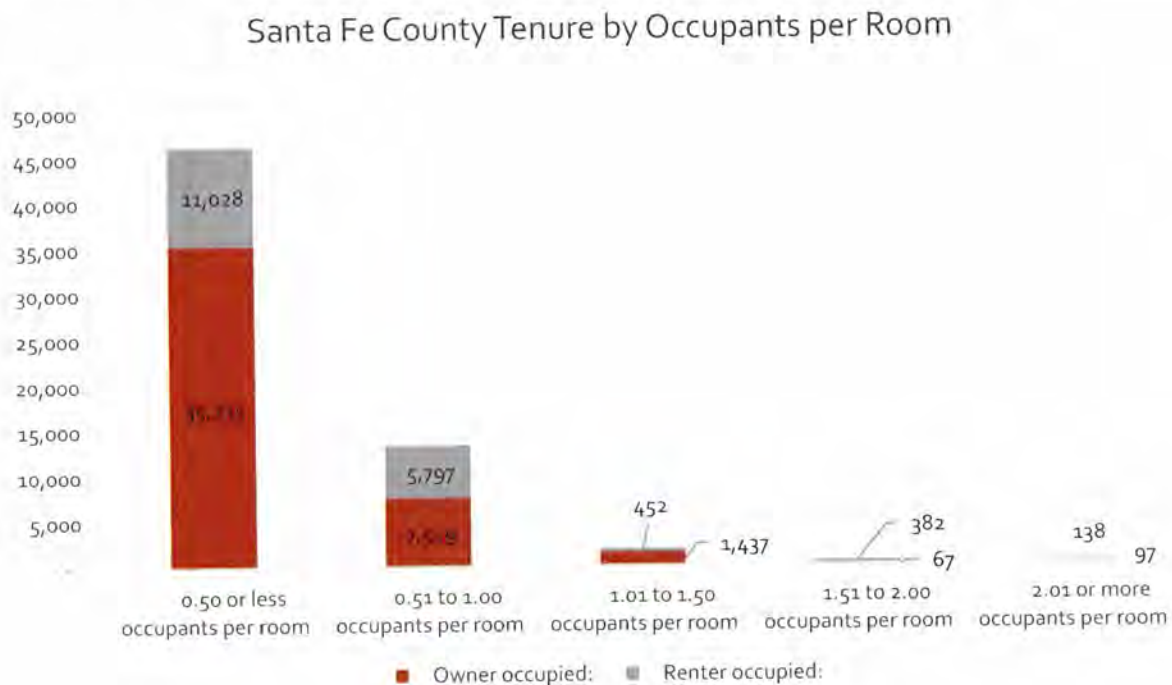
Source: US Census Bureau American Community Survey 1-Year Estimates, 2019 Table DP04

### Occupants per Room - Crowding

The median for rooms in a house is 5.5 in the US, 5.3 in NM, and 5.2 in Santa Fe County. The average size of the national household is 2.7 people for owner-occupied and 2.44 people for renter-occupied properties. In New Mexico, we see the average household size is 2.64 people for owner-occupied and 2.48 people for renter-occupied dwellings. In Santa Fe County, there is

much less at 2.44 people for owner-occupied and 2.22 people for renter-occupied homes. In Santa Fe County, 3.6 percent of households live in overcrowded conditions and 5.5 percent of renters live in overcrowded conditions. There are 2,573 total housing units classified as overcrowded meaning that the number of occupants per room is above 1. (see Figure 37 below)

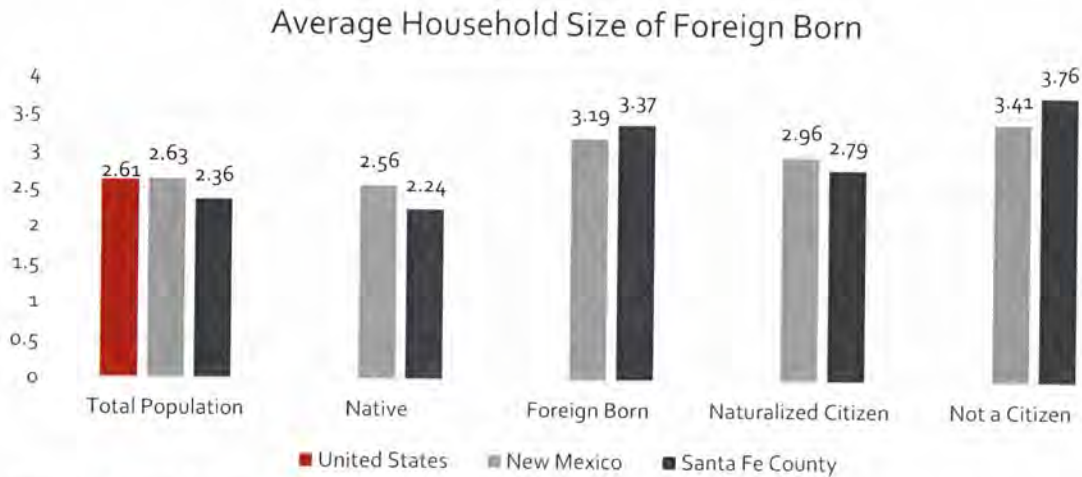
FIGURE 37 - SANTA FE COUNTY TENURE BY OCCUPANTS PER ROOM



Source: US Census Bureau American Community Survey 1-year estimates 2019 Table DP04

The average household size in the United States is 2.61 people. In New Mexico, the average household size is slightly higher than the nation’s average at 2.63 people, while Santa Fe County is slightly lower with 2.36 people per household for the ACS 5-year estimates (see Figure 38 next page). However, when you look at the foreign-born population there is a much higher household size in New Mexico at 3.19, and 3.37 in Santa Fe County per household.

FIGURE 38 - AVERAGE HOUSEHOLD SIZE OF FOREIGN BORN

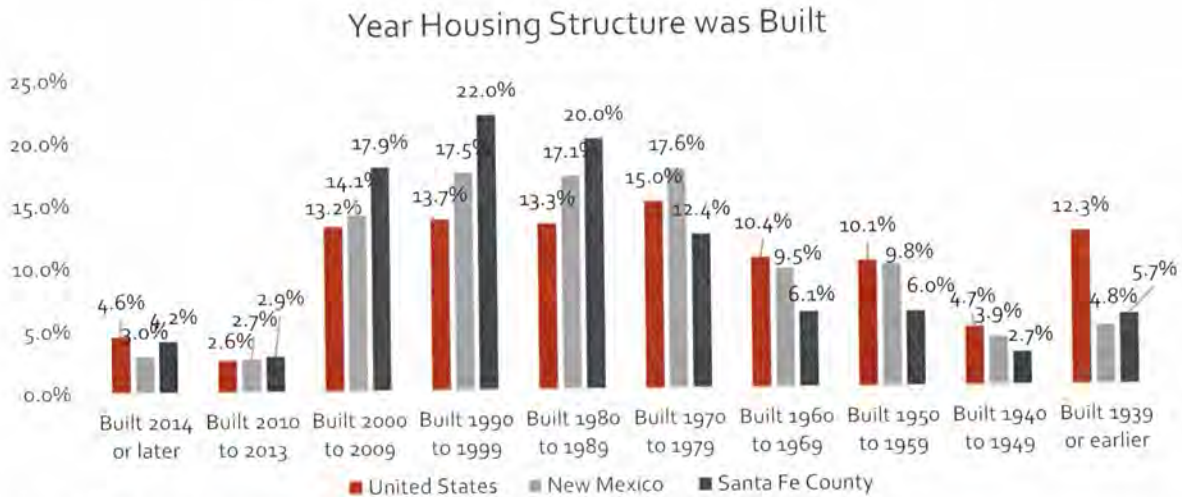


Source: US Census American Community Survey 5-year estimate 2019 Table S0501

### Age of Housing

In Santa Fe County, 9,108 housing units were built in the 1970s, followed by 14,746 in the 1980s, and 16,201 in the 1990s. Twenty percent of houses in Santa Fe County were built in the 1980s, with another 22 percent built in the 1990s. An additional 17.9 percent were added in the 2000s. After the Great Recession, building in Santa Fe County was significantly reduced, with houses built in 2010 or later making up 7.1 percent – or an estimated 5,226 housing units (see Figure 39 next page).

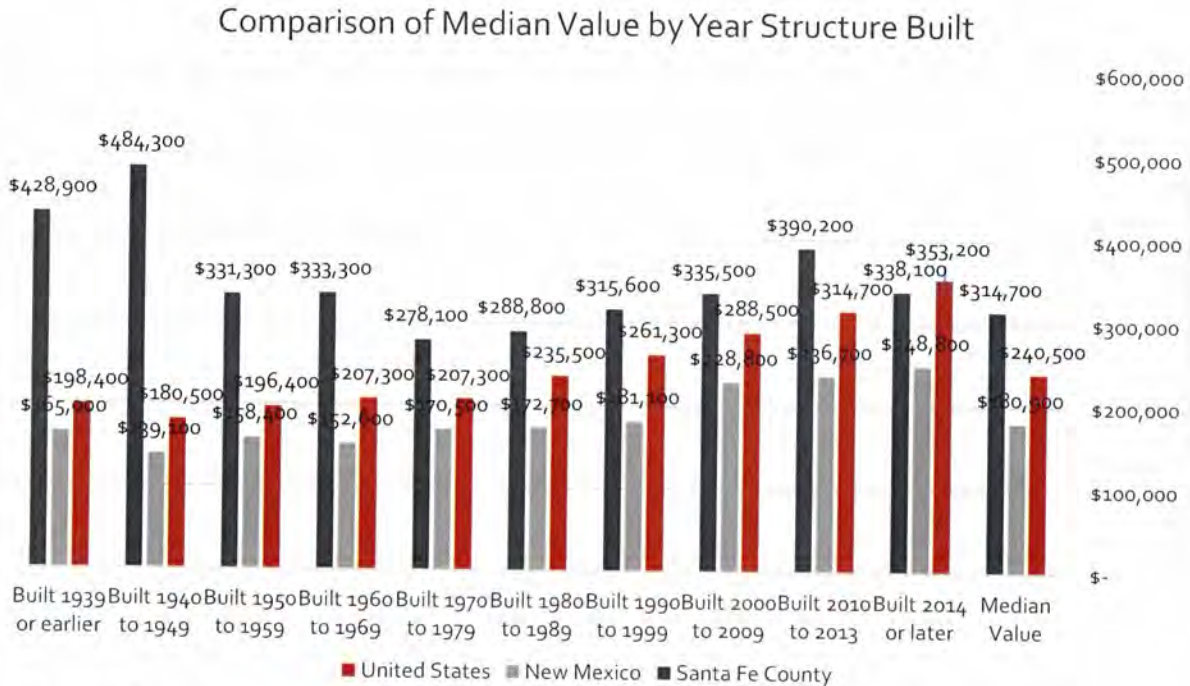
FIGURE 39 - COMPARISON OF YEAR HOUSING STRUCTURE WAS BUILT



Source: US Census Bureau American Community Survey 1-year Estimates 2019 Table DP04.

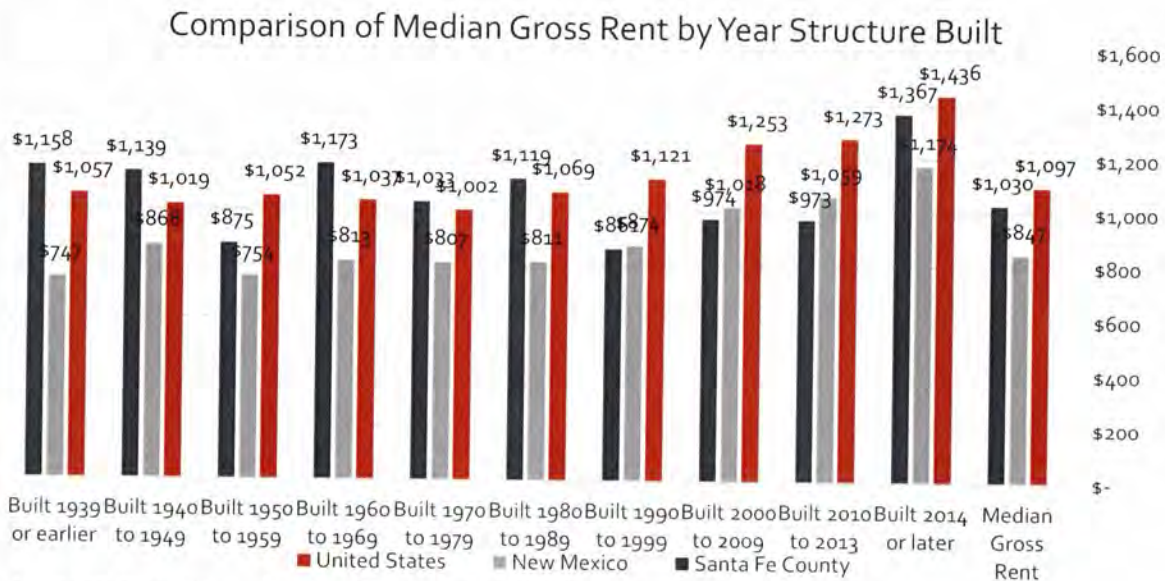
The age of housing structures has an interesting relationship to the value of housing units. While there is interest by some in renovating older homes, those units generally don't meet current building standards and can require significant investment to keep occupied. In Santa Fe County, older houses are very desirable with houses built between 1940 to 1949 having a median value of \$484,300, which is well above the overall median value of \$314,700 for 2019 ACS 1-year estimates. Houses built in the 1970s and 1980s in Santa Fe County have the lowest median values. The trend is a little different for rentals as median gross rents are highest for newer units. However, for structures built in 1939 or earlier, the median gross rent is \$1,158 while the overall median is \$1,030. Interestingly, the gross median rent for structures built in the 1950s is the lowest in Santa Fe at \$875. Further information on housing value and rent is in the next section.

FIGURE 40 - COMPARISON OF MEDIAN VALUE BY YEAR STRUCTURE BUILT



Source: US Census Bureau American Community Survey 1-Year Estimates 2019, Table B25107

FIGURE 41 - COMPARISON OF MEDIAN GROSS RENT BY YEAR STRUCTURE BUILT



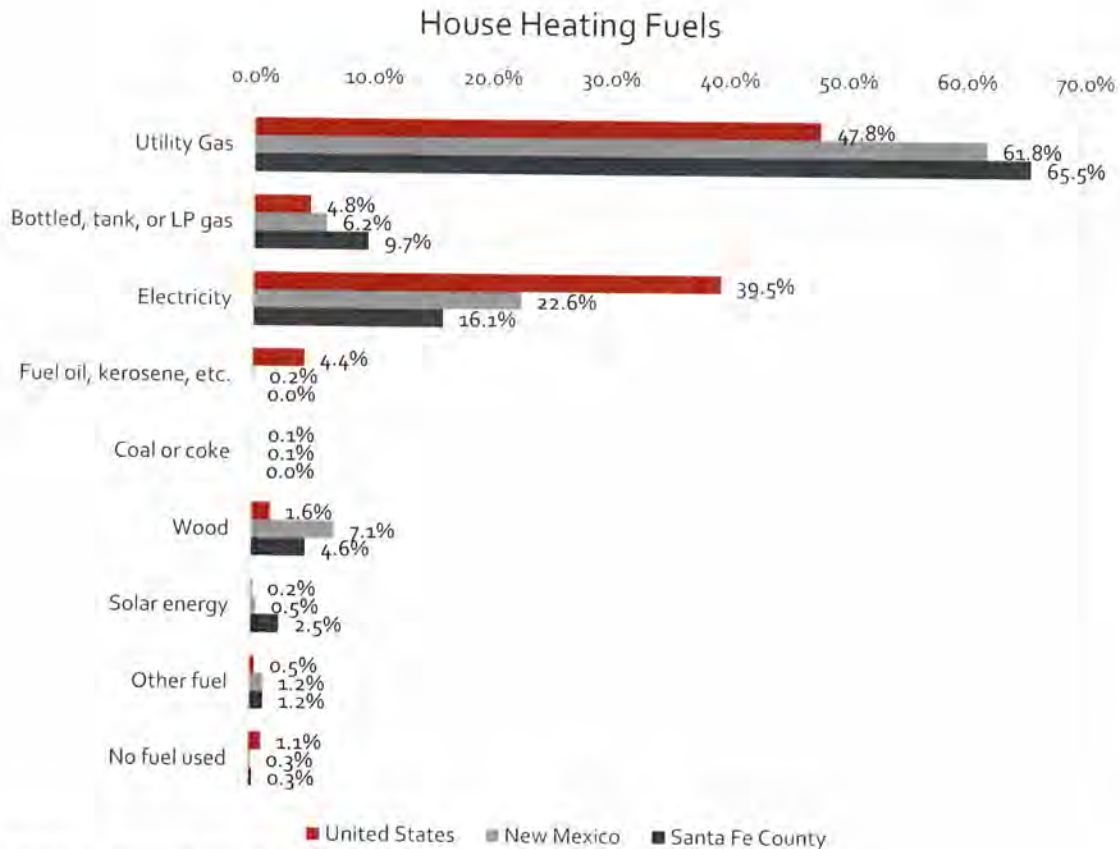
Source: US Census Bureau American Community Survey 1-year Estimates 2019, Table B25111

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## Utilities and Computers

The primary method of heating housing units in Santa Fe County is gas at 65.5 percent, which is higher than the percentage for the United States and New Mexico in the 2019 ACS 1-year estimates (see Figure 42). New Mexico has abundant natural gas deposits and produces more natural gas than it consumes making natural gas the major option for most homeowners. Santa Fe County also had a higher percent usage of Bottled, Tank, or LP Gas (9.7%) than the United States and New Mexico in 2019. In the county, some areas do not have access to natural gas pipelines. Others may choose to use propane for reasons of convenience or price. In Santa Fe County, 2.5 percent use solar, which is more than the United States and New Mexico. Since the early 2000s, there have been tax credits to encourage the adaptation of solar panels by residents. New Mexico has abundant sunshine and many in Santa Fe County may see this as their opportunity to adopt renewable energy. Both New Mexico and Santa Fe County had a high percentage of heating with wood at 7.1 and 4.6, respectively while the United States came in at 1.6 percent. This is a traditional method of heating that continues to be preserved in Santa Fe County.

FIGURE 42 - HOUSE HEATING FUELS COMPARISON UNITED STATES, NEW MEXICO, AND SANTA FE COUNTY

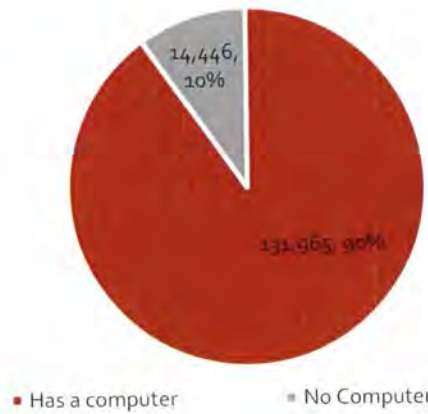


Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DP04

Computer usage and broadband or internet availability from home have become an important infrastructure item on a level with utilities since the pandemic forced many to work and go to school from home. While 2020 data are not yet available, it is good to look at the baseline for 2019. The ACS 5-year estimates for 2019 show that in Santa Fe County, 90 percent of households have a computer and only 10 percent did not (see Figure 43). Of those households with computers, 7.9 percent are without internet subscriptions as stated in the 2019 ACS 5-year estimates. Therefore, the total number of households with no internet would be 10,413 with a computer and no subscriptions and 14,446 with no computer for a total of 24,859 or 17 percent (see Figure 43 and Figure 44). By far the most at nearly 60 percent, households had broadband subscriptions with a cellular data plan. Less than 1 percent of households had dial-up Internet subscriptions alone.

FIGURE 43 - PRESENCE OF A COMPUTER IN HOUSEHOLDS

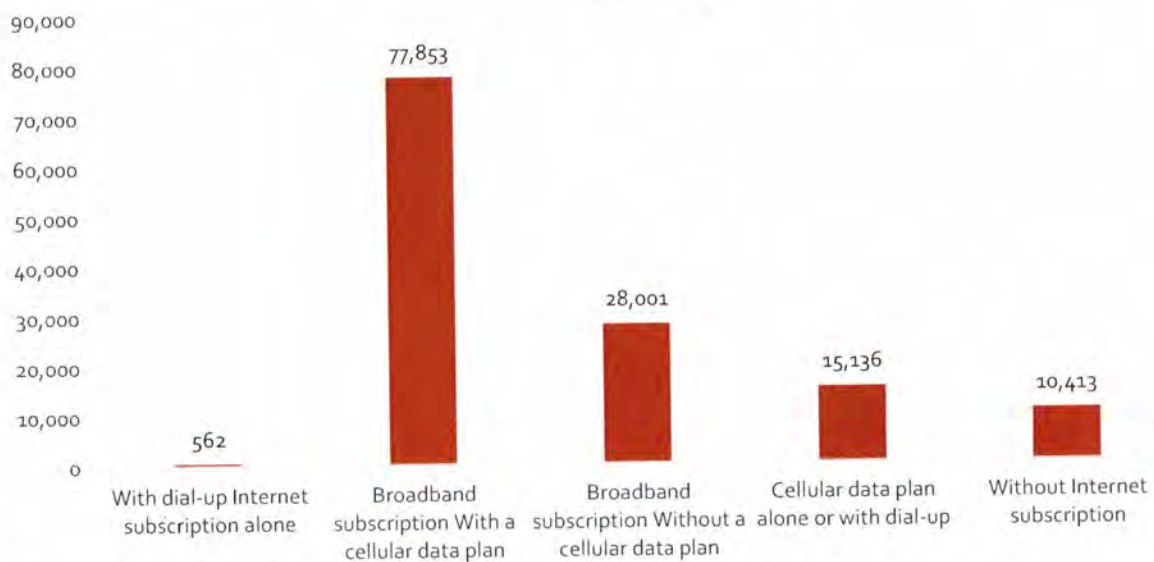
### Presence of a Computer in Households Santa Fe County



Source: US Census Bureau American Community Survey 5-Year Estimates 2019, Table B28008

FIGURE 44 - HOUSEHOLDS WITH A COMPUTER BY TYPE OF INTERNET

### Households with a Computer by Type of Internet Santa Fe County

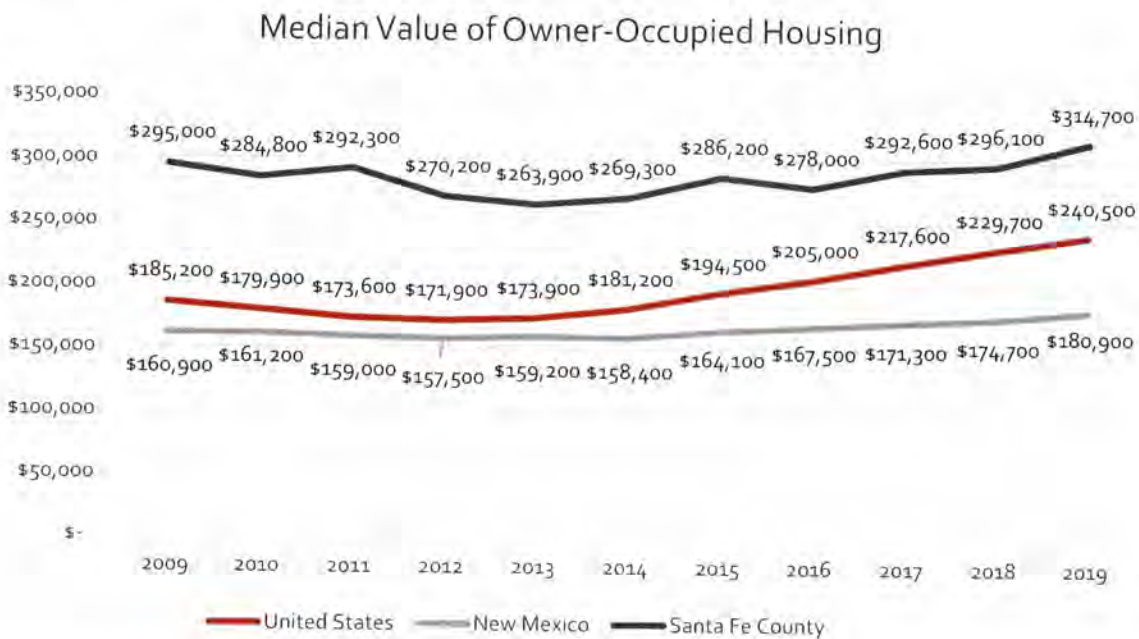


Source: USCensus Bureau American Community Survey 5-Year Estimates 2019, Table B28008

### Housing Value

The median value of houses in Santa Fe County was \$314,700 in the 2019 ACS 1-year estimates. Statewide, the median value of a house was \$180,900, which is well below the Santa Fe County median value and the national median value of \$240,500 for 2019. During the decade of 2009 to 2019, the median value of owner-occupied housing increased 30 percent in the United States, 12.4 percent in New Mexico, and only 6.7 percent in Santa Fe County (see Figure 45).

FIGURE 45 - COMPARISON MEDIAN VALUE OF OWNER-OCCUPIED HOUSING



Source: US Census Bureau American Community Survey 1-Year Estimates Table DP04

In Santa Fe County, 24.4 percent (10,902) of housing units were valued in the range of \$300,000 to \$499,999. Additionally, 10,775 housing units were priced between \$200,000 and \$299,999, making up 48.6 percent of all housing units (see Figure 46 and Figure 47). What stands out is that the Santa Fe County housing values in the \$500,000 to \$999,999 range are at 19.4 percent, while in the US, it is at 12.3 percent, and 5.1 in New Mexico. At the same time, the percent of homes in the value ranges below \$200,000 are at 26.8 percent in Santa Fe, which is fewer than is seen nationally (43.6%) and statewide (58.0%).

FIGURE 46 - SANTA FE COUNTY OWNER-OCCUPIED HOUSING UNITS VALUE

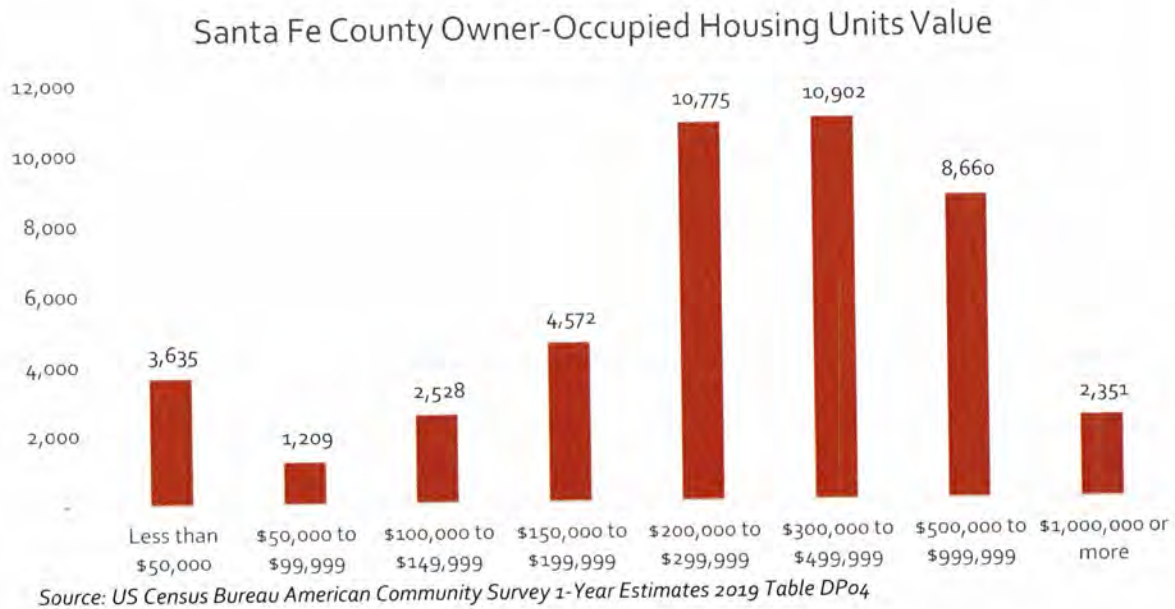
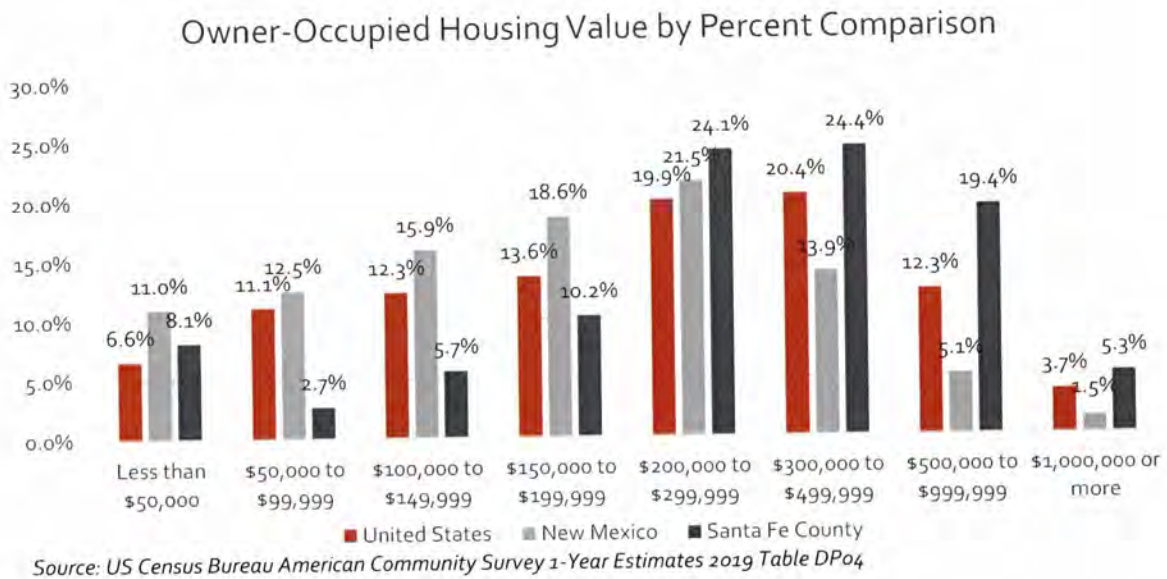


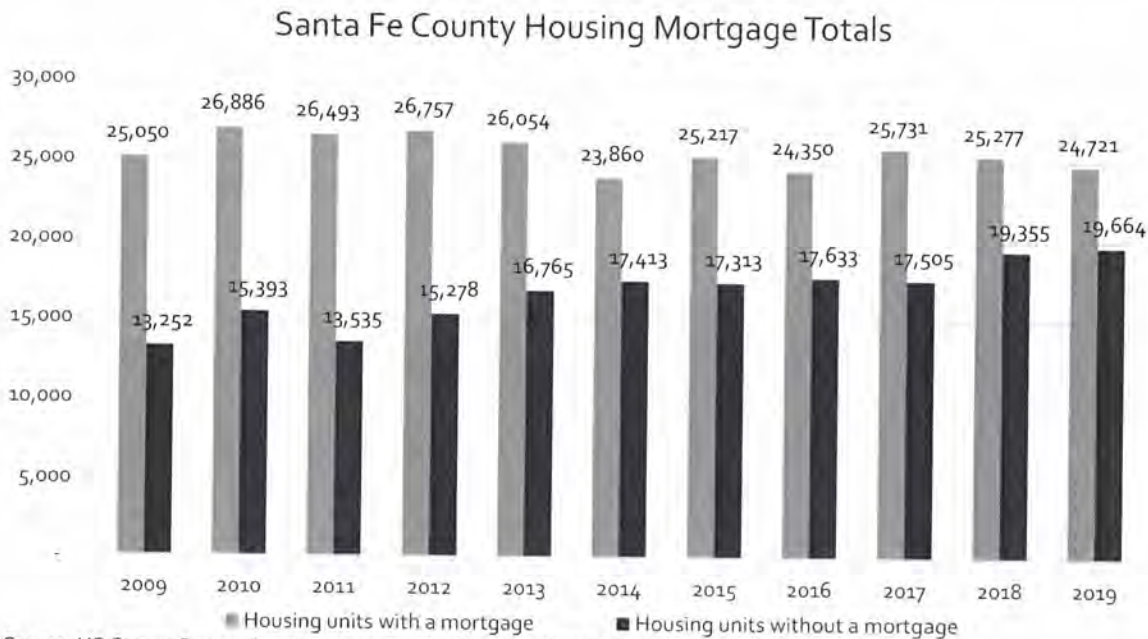
FIGURE 47 - OWNER-OCCUPIED HOUSING VALUE BY PERCENT COMPARISON US, NM, SANTA FE COUNTY



### Mortgage Status

For the past decade, the number of houses without a mortgage has been steadily increasing. In the United States, houses with no mortgages went from 32.2 percent in 2009 to 38.3 percent in 2019. New Mexico has always had a much higher number of houses with no mortgages than the United States. In 2009, it was 39.6 percent and rose to 47.1 percent by 2019. Santa Fe County had 13,252 owner-owned homes with no mortgage in 2009 which increased to 19,664 (44.3 percent) by 2019 (see Figure 48).

FIGURE 48 - SANTA FE COUNTY HOUSING UNITS WITH MORTGAGE 2009-2019



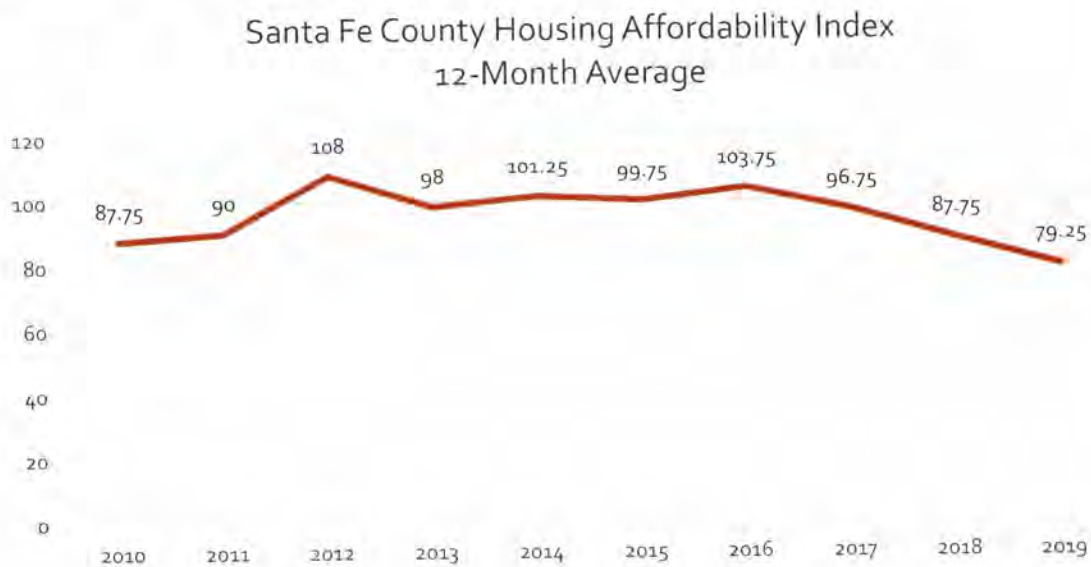
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### Affordability - Mortgage Cost & Renting Cost

The housing affordability index is used to assess if a family earning the median income has enough to qualify for a mortgage on a median-priced home. An index value of 100 means that the family earning the median income can qualify for a median-priced home. An index value above 100 signifies that a family earning the median income has more than enough income to qualify for a mortgage loan on a median-priced home, assuming a 20 percent down payment and a qualifying ratio of 25 percent. Values less than 100 indicate that a family earning the median income does not have enough to qualify for a mortgage on a median-priced house. The Santa Fe housing affordability index was below 100 in 2009 and 2010, then maintained

above or around 100 from 2012 to 2016. The Santa Fe market for affordable housing has been below the housing affordability index for the past three years and declined to its lowest value of 79.25 in 2019. That means a family making the median income in Santa Fe County cannot qualify for a median-priced home (see Figure 49).

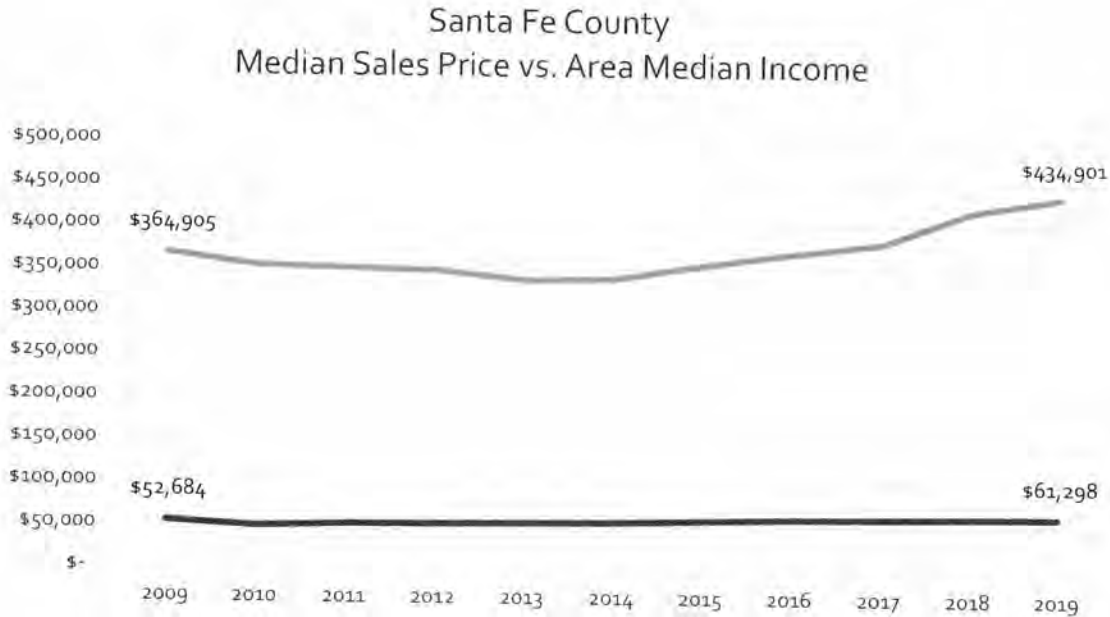
FIGURE 49 - SANTA FE COUNTY HOUSING AFFORDABILITY INDEX



Source: Santa Fe Association of REALTORS Multiple Listing Service Report

The affordability index is not surprising given the relationship between the 19.2 percent increase in median sales prices with only a 16.4 percent increase in the median household income between 2009 and 2019. The median sales price has increased 2.8 percent more than the median income in Santa Fe County.

FIGURE 50 - SANTA FE COUNTY MEDIAN SALES PRICE VS. AREA MEDIAN INCOME



Source: Santa Fe Association of REALTORS Multiple Listing Service Report  
US Census Bureau American Community Survey 1-Year Estimates Table DP03

While the housing affordability index looks at the ability of a family to qualify for a mortgage, it is also important to consider what costs current owners with and without a mortgage actually face. The US Census American Community Survey publishes data on selected monthly owner costs<sup>11</sup>. For Santa Fe County, most housing units in 2019 had monthly costs between \$1,000 and \$1,499, which is 38.4 percent of the measured housing units (see Figure 51).

The median monthly cost according to the 2019 ACS for homeowners in Santa Fe County was \$1,577, which was below the United States median cost of \$1,609 but higher than the New Mexico statewide median cost of \$1,269. Approximately 19,664 housing units in Santa Fe County had no mortgage with most of these owners seeing monthly costs between \$250 and \$399 (see Figure 52). For owners without a mortgage, the median monthly cost was \$399 in

<sup>11</sup> From the American Community Survey 2019 Subject Definitions: Selected monthly owner costs are the sum of payments for mortgages, deeds of trust, contracts to purchase, or similar debts on the property (including payments for the first mortgage, second mortgages, home equity loans, and other junior mortgages); real estate taxes; fire, hazard, and flood insurance on the property; utilities (electricity, gas, and water and sewer); and fuels (oil, coal, kerosene, wood, etc.).

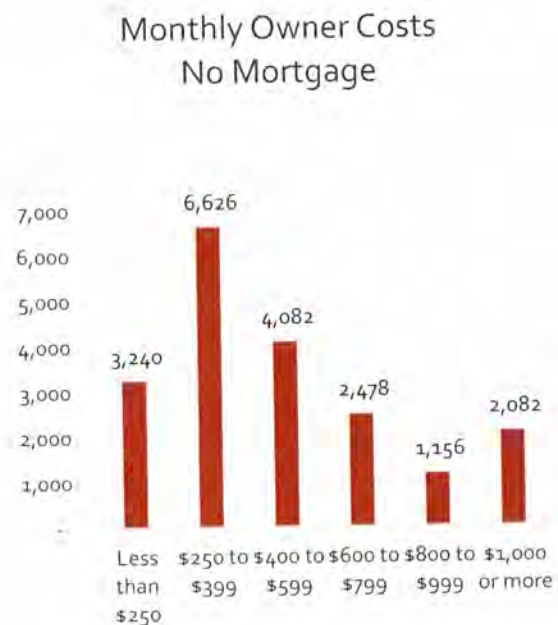
Santa Fe County which was higher than the New Mexico statewide median cost of \$350 and below the United States median cost of \$505. Looking at both with and without a mortgage, Santa Fe County median costs are favorable when compared to the United States but less when compared to New Mexico. When comparing Santa Fe County owner costs with a mortgage to the United States and New Mexico, there is a higher percentage falling in the \$1,500 up to \$3,000 cost categories (see Figure 53). In reference to median household income and median earnings for both Santa Fe County and the United States, Santa Fe County falls well below the United States. House prices might seem comparable but earnings are not enough unless other income is available to make up the difference. This could be why many movers into Santa Fe County generally are older and less likely to be young family households.

FIGURE 51 - SANTA FE COUNTY OWNER COSTS ON HOUSES



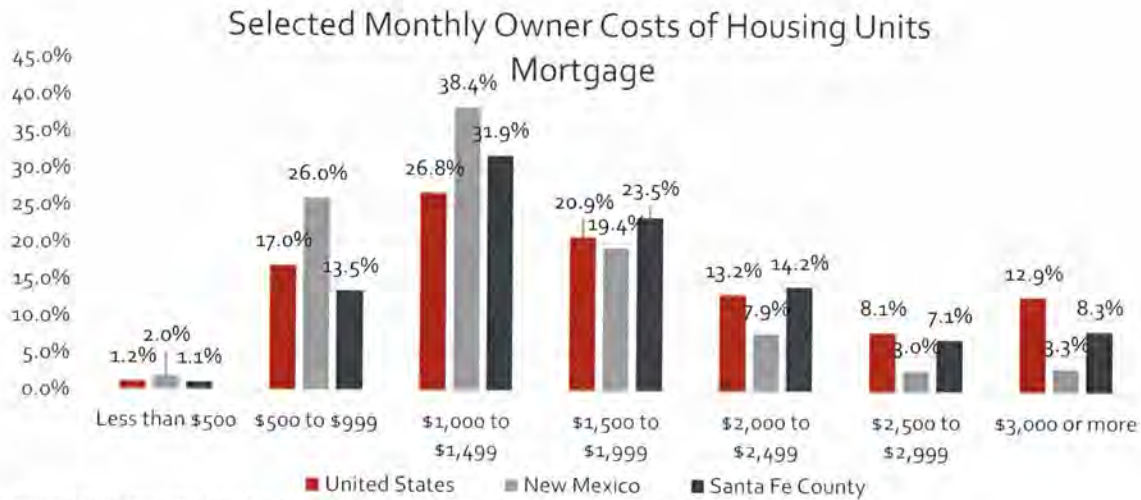
Source: US Census ACS 1-Year Estimates 2019 Table DP04

FIGURE 52 - SANTA FE COUNTY OWNER COSTS NO MORTGAGE



Source: US Census ACS 1-year Estimates 2019 Table DP04

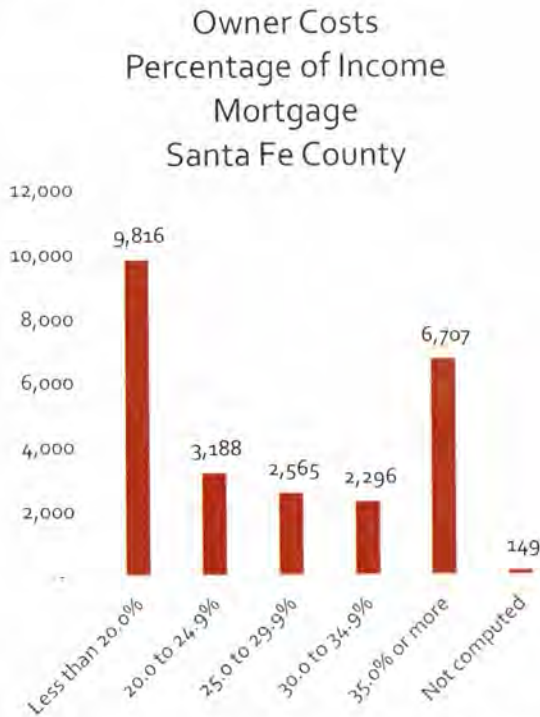
FIGURE 53 - COMPARISON OF SELECTED MONTHLY OWNER COSTS OF HOUSING UNITS WITH A MORTGAGE



Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DP04

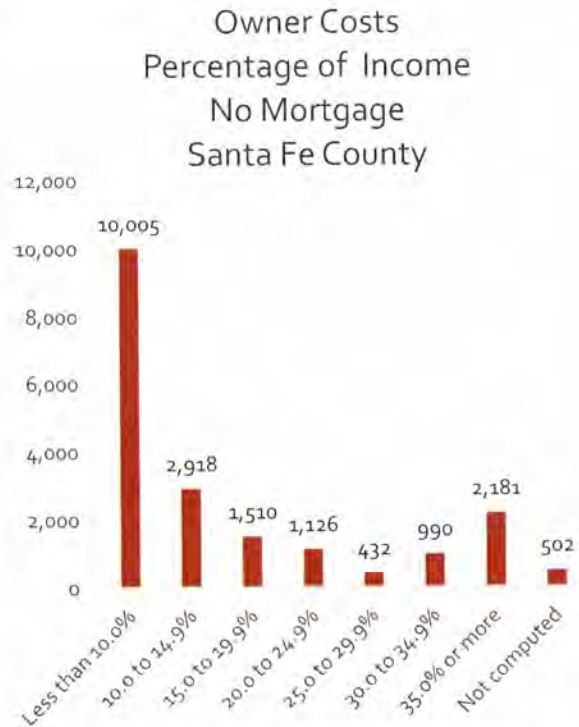
Looking at owner costs as a percentage of income helps identify how cost-burdened households are. It is commonly accepted that if costs exceed 30 percent then the owner is considered cost-burdened. In Santa Fe County, 9,816 housing units with a mortgage fall in the less than 20 percent group, aka not burdened. There are 6,707 households that fall in a highly cost-burdened situation of 35 percent or more, and an additional 2,296 sit in the 30 to 34.9 percent category. For owners with no mortgage, the numbers fair much better. More than half the units (10,005 houses) are in the less than 10 percent group while just 3,171 owners are above the 30 percent marker. Between both mortgage and no-mortgage owners, there are 12,174 houses in Santa Fe County (27 percent of owner-occupied) where owner costs are over 30 percent and are considered cost-burdened (see Figure 54 and Figure 55). Only property-ownership costs are included in these numbers; other costs are have not been computed and are not included in the percentages.

FIGURE 54 - SANTA FE COUNTY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME WITH A MORTGAGE, 2019



Source: US Census ACS 1-Year Estimates 2019 Table DP04

FIGURE 55 - SANTA FE COUNTY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME NO MORTGAGE

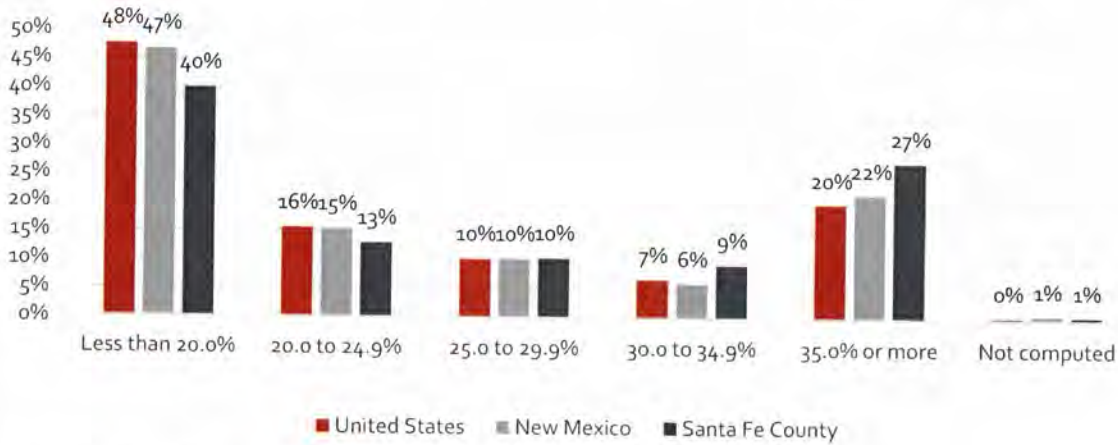


Source: US Census ACS 1-Year Estimates 2019 Table DP04

In comparison, Santa Fe County in 2019 had a larger share of cost-burdened homes than seen for the United States or New Mexico (see Figure 56 and Figure 57). In Santa Fe County, 36 percent of homeowners with a mortgage and 16 percent of homeowners without a mortgage were cost-burdened in 2019.

FIGURE 56 - COMPARISON OF OWNER COSTS OF HOUSEHOLD INCOME WITH A MORTGAGE

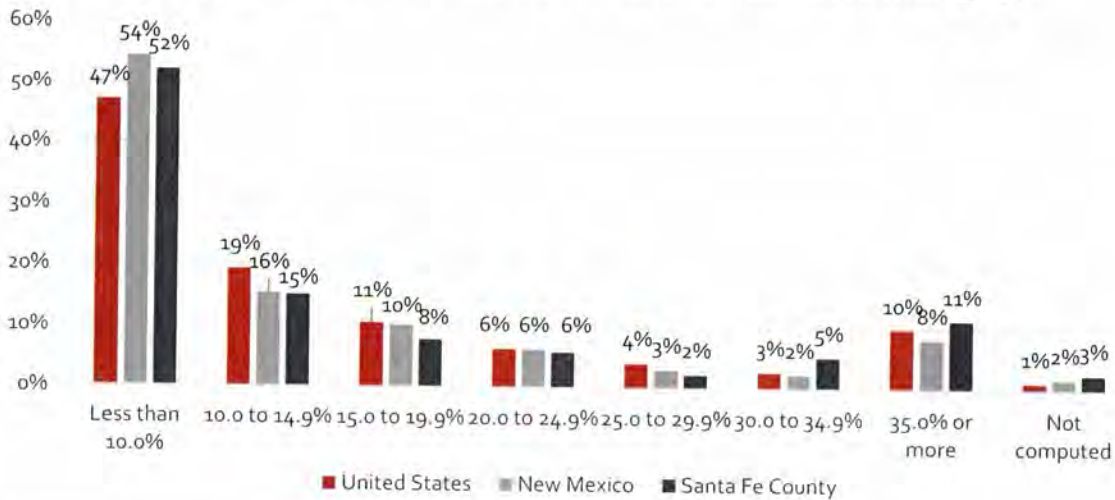
Comparison Owner Costs of Household Income with Mortgage



Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DPo4

FIGURE 57 - COMPARISON OF OWNER COSTS OF HOUSEHOLD INCOME WITH NO MORTGAGE

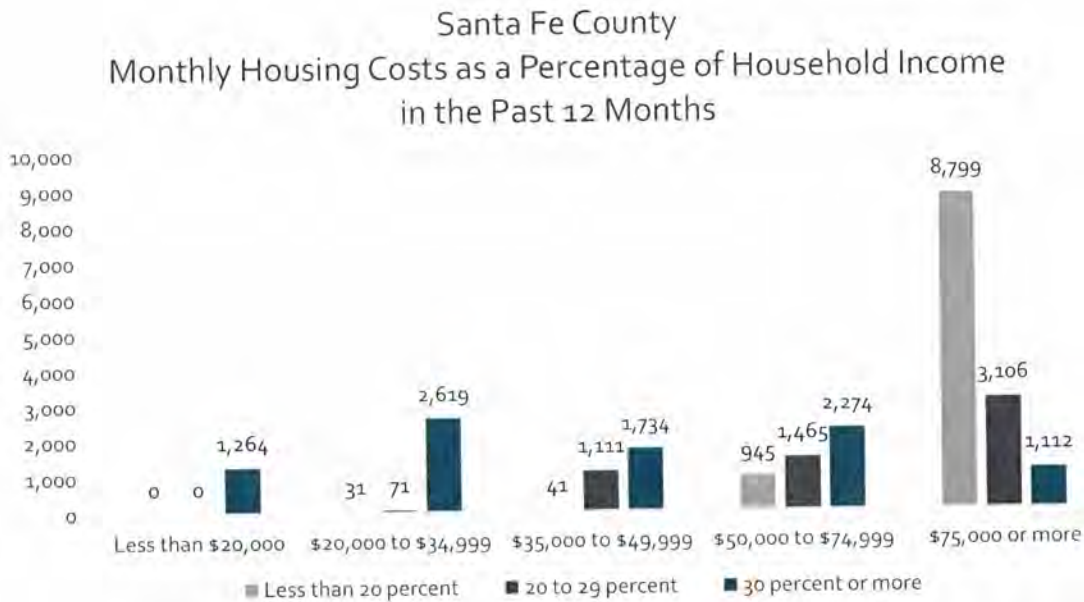
Comparison Owner Costs of Household Income No Mortgage



Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DPo4

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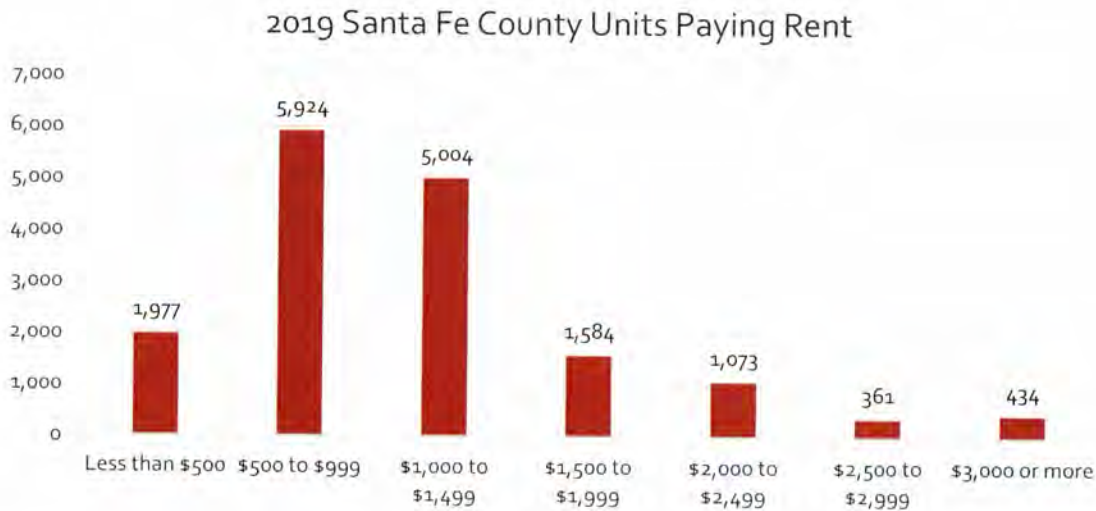
FIGURE 58 - SANTA FE COUNTY HOUSEHOLD INCOME OF COST-BURDENED



Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DP04

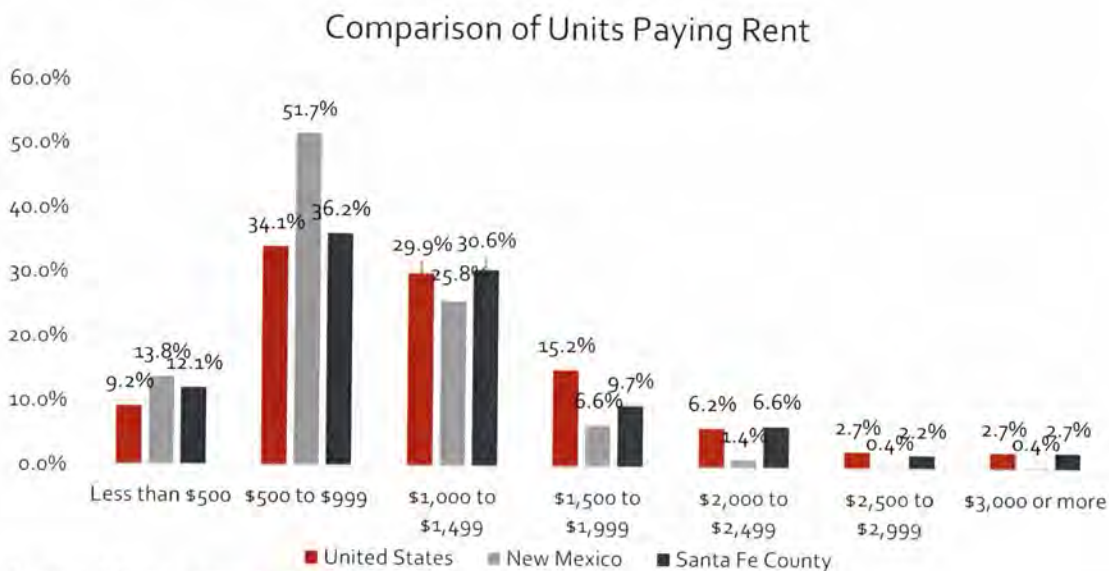
In Santa Fe County, monthly rents fall between \$500 and \$1,499 for 10,928 units or 64 percent of all rental units (see Figure 59). Santa Fe County, by percentage, has more rental units above \$2,000 than New Mexico but seems in line with the United States (see Figure 60). The median monthly rental cost was \$1,030 for 2019 in Santa Fe County, which was \$183 above the New Mexico median of \$847 and below the United States median of \$1,097. Rental values in Santa Fe look high to other New Mexicans but are actually favorable when compared to the national numbers. As noted before, rental prices are reasonable when compared to the United States, but median earnings and median income in the area are not.

FIGURE 59 - GROSS RENTS IN SANTA FE COUNTY FOR 2019



Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DPo4

FIGURE 60 - GROSS RENTS COMPARISON FOR 2019

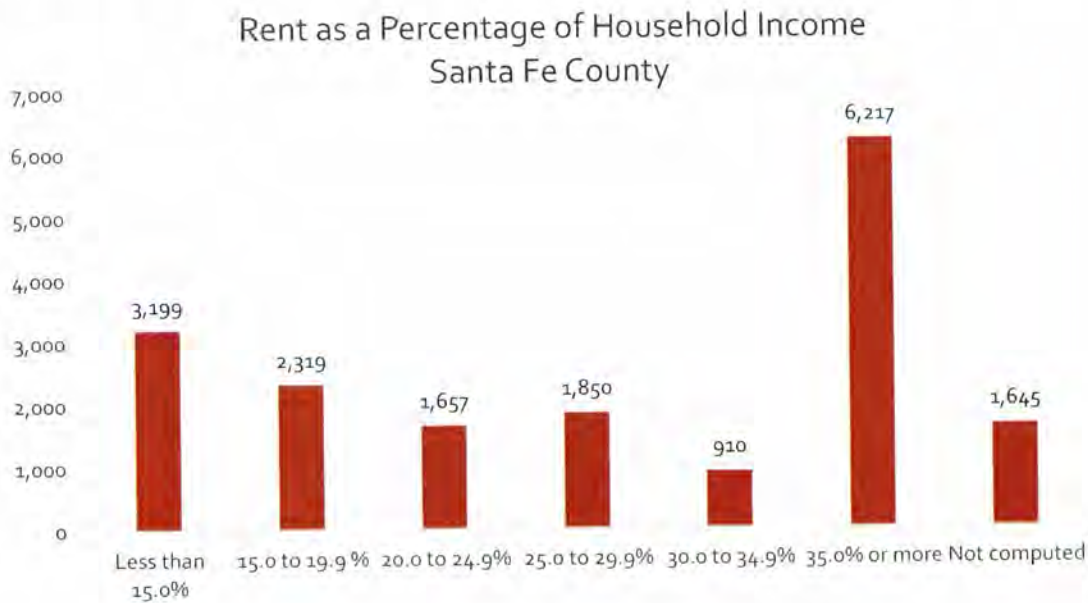


Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DPo4

In Santa Fe County, 7,127 renters or 44 percent of all rental units are cost-burdened with rent being 30 percent or more of their income (see Figure 61). About 38 percent of renters in both

Santa Fe County, and New Mexico, along with 39 percent across the United States are in the severely cost-burdened group (see Figure 62). Again, median income and median earnings are significant factors for the Santa Fe County area. Also, renters in lower-income brackets are more likely to be cost-burdened as demonstrated by the ACS 5-year estimates<sup>12</sup> with a total of 7,668 renters cost-burdened and 39% of them making less than \$20,000 (see Figure 63).

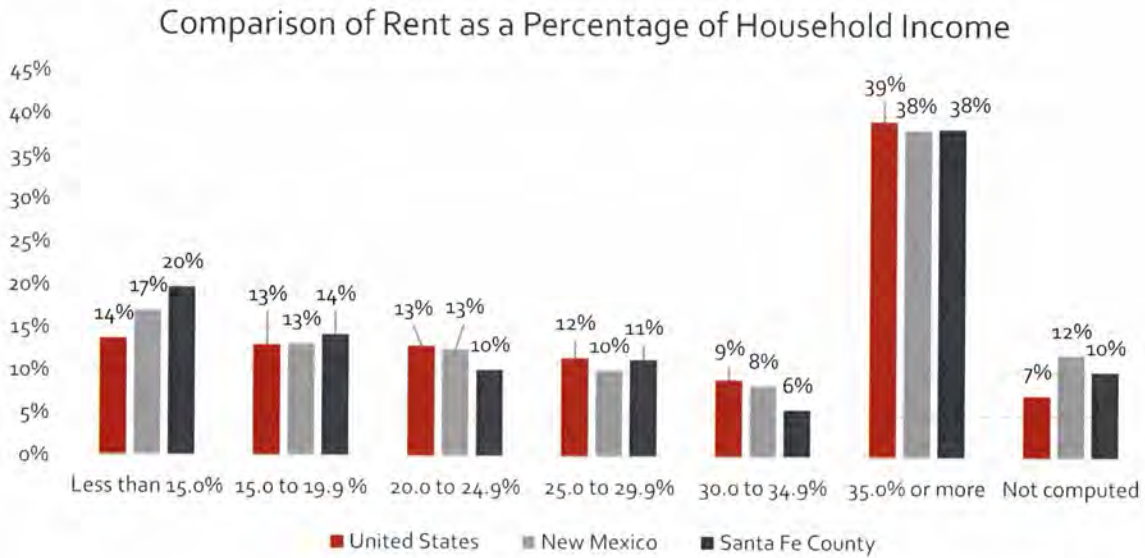
FIGURE 61 - GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME SANTA FE COUNTY 2019



Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DP04

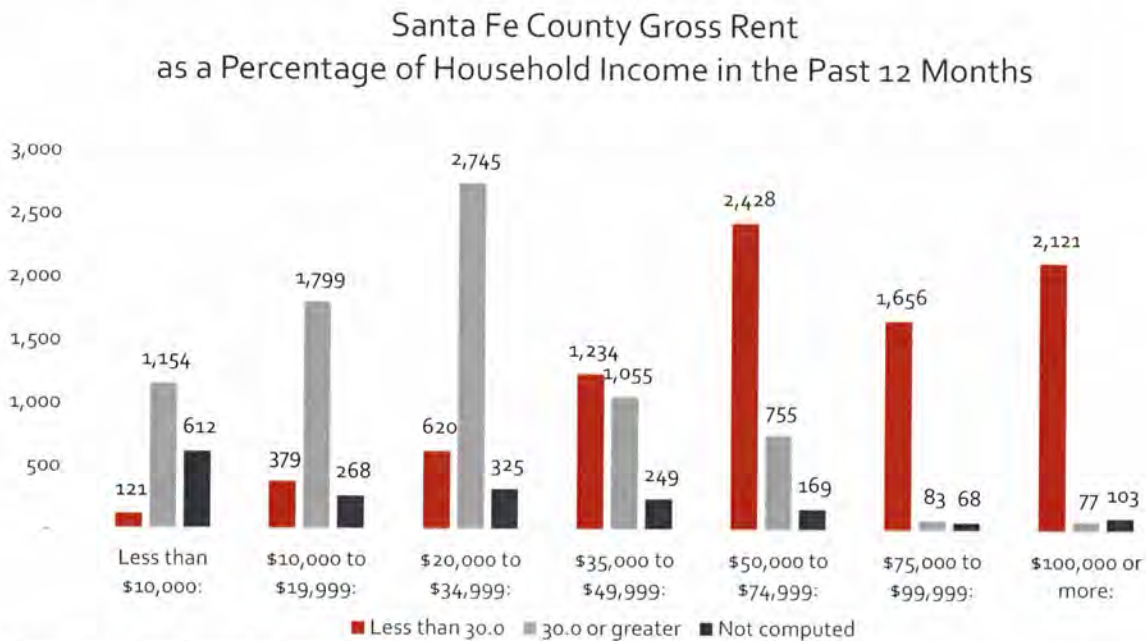
<sup>12</sup> Santa Fe County detailed data does not always meet the criteria for publishing 1-year estimates so 5-year estimates are used. Totals for 5-year estimates do not match 1-year estimates.

FIGURE 62 - COMPARISON OF GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME 2019



Source: US Census Bureau American Community survey 1 Year Estimates 2019 Table DP04

FIGURE 63 - SANTA FE COUNTY GROSS RENT AS A PERCENTAGE OF INCOME

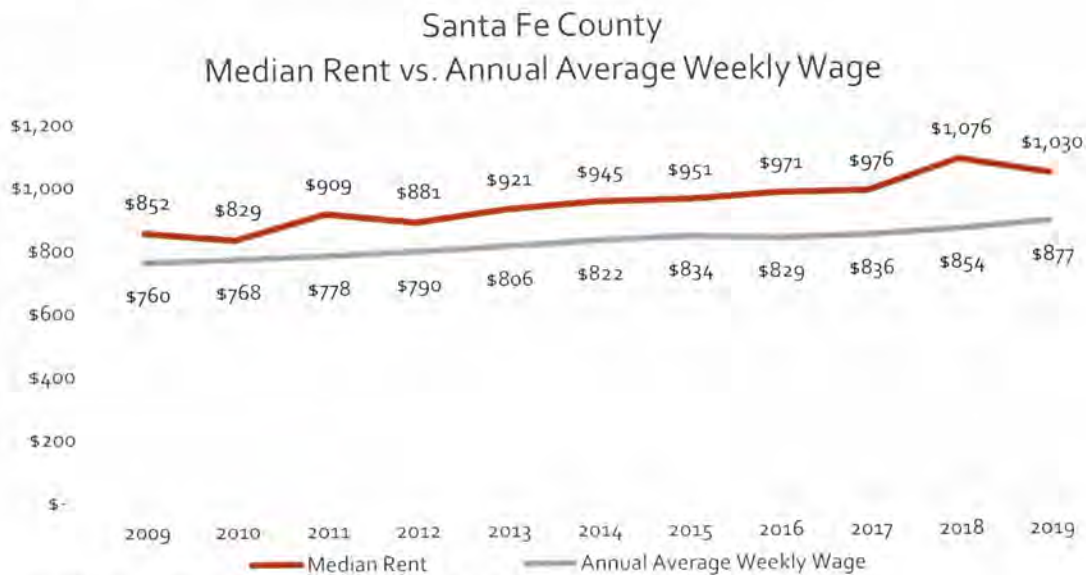


Source: US Census Bureau American Community Survey 5-Year Estimates 2019, Table B25074

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Monthly median rents in Santa Fe County rose 20.9 percent from \$852 to \$1,030 between 2009 to 2019. At the same time, the annual average weekly wage rose 15.4 percent from \$760 to \$877. On average, workers in Santa Fe County lost about five percent of their income to the growth of rents (see Figure 64).

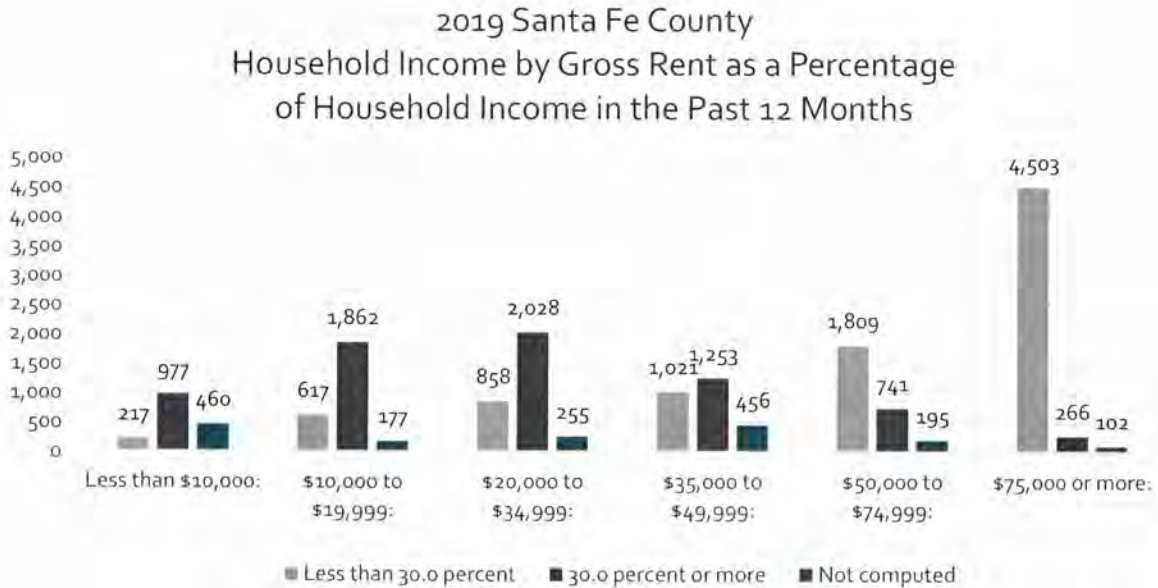
FIGURE 64 - SANTA FE COUNTY MEDIAN RENT VS. AVERAGE WEEKLY WAGE



Sources: US Census Bureau American Community Survey 1-Year Estimates Table DP04;  
Bureau of Labor Statistics Quarterly Census of Employment and Wages

Of the 17,797 renter-occupied units in 2019 in Santa Fe County, there was over 42 percent having \$50,000 or more in income. Also in 2019, 1,007 rental units with an income greater than \$50,000 fell in the cost-burdened group. Just about a quarter (24.2%) of the cost-burdened rental units (2,839) had an income under \$20,000, and a third (33.0%) had income between \$20,000 and \$49,999.

FIGURE 65- 2019 SANTA FE COUNTY INCOME BY RENT AND COST BURDEN

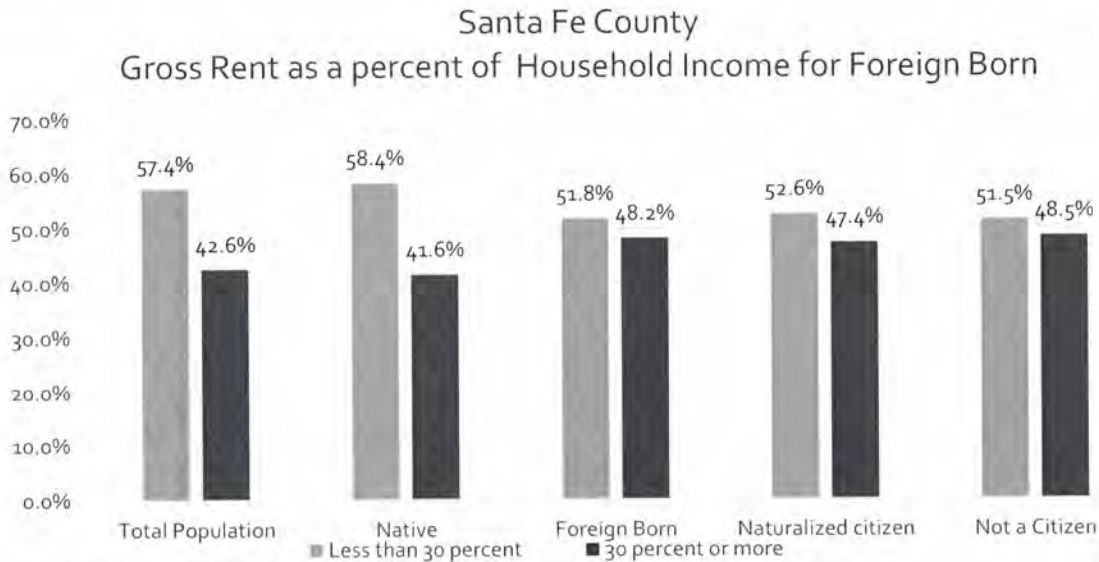


Source: US Census Bureau American Community Survey 1-Year Estimates 2019 Table DP04

Of the 17,797 renter-occupied units identified in the 2019 5-year estimates in Santa Fe County, there were 2,476 (13.9 percent) where the head of the household was foreign-born<sup>13</sup>. As one might expect of an immigrant population, they as a whole are slightly more cost-burdened than the native population (see Figure 66).

<sup>13</sup> Santa Fe County detailed data does not always meet the criteria for publishing 1-year estimates so 5-year estimates are used. Totals for 5-year estimates do not match 1-year estimates.

FIGURE 66 - GROSS RENT AS A PERCENT OF HOUSEHOLD INCOME FOR FOREIGN BORN

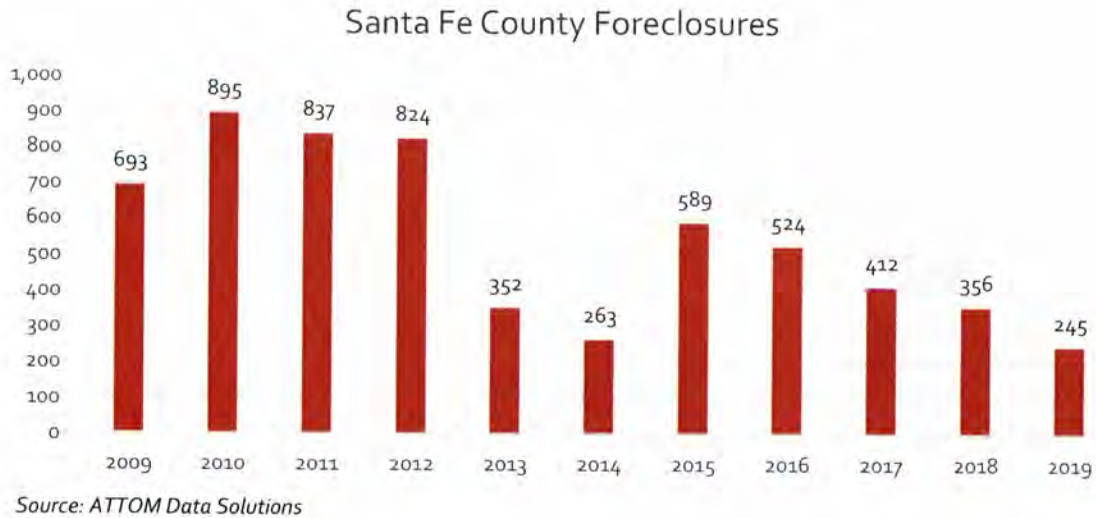


Source: US Census Bureau American Community Survey 5-year Estimates 2019 Table S0501

### Foreclosures

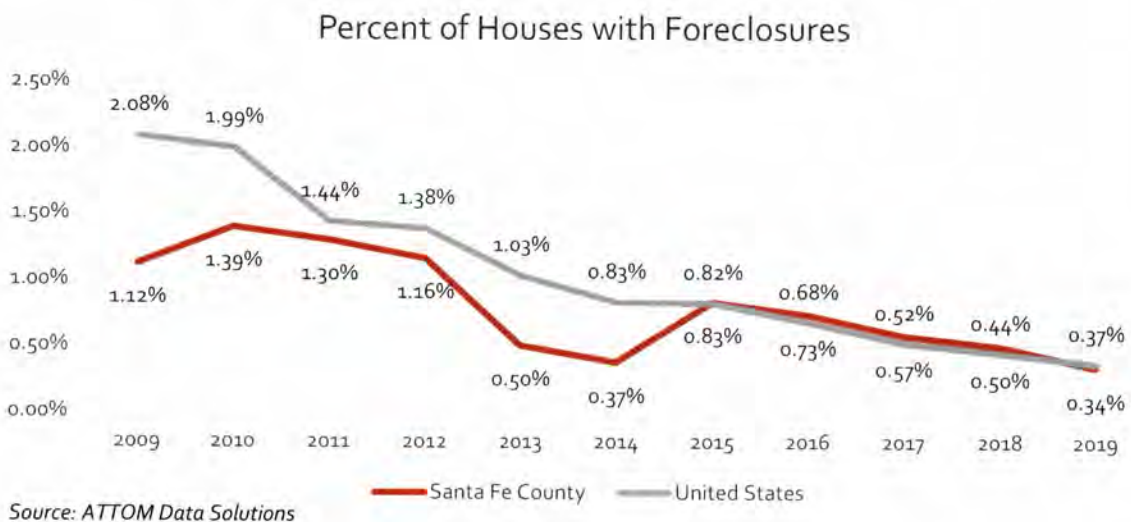
Santa Fe County has seen a downward trend in foreclosures since 2010 when it saw a high of 895 houses in foreclosure. A low of 245 was reached in 2019, as reported by ATTOM Data Solutions (see Figure 67). There was a dip in foreclosures in 2013 and 2014 caused by a data collection change and does not reflect a true economic change. There was also a change requiring lenders to give borrowers a 30-day notice to get loans current prior to filings being made around this time. However, in most cases, this would only have delayed the filings. Preliminary data for November 2020 shows that foreclosures were at 120. We expect 2020 foreclosures to continue to remain low in Santa Fe County following the current trend.

FIGURE 67 - SANTA FE COUNTY FORECLOSURES 2009-2019



In 2019, the Santa Fe County housing foreclosure percentage was 0.34, which was barely less than the United States percentage of 0.37. Santa Fe County housing foreclosures from 2009 to 2014 were also below the United States percentage. In 2015, it rose to about the United States percentage and has remained close through 2019 (see Figure 68 below).

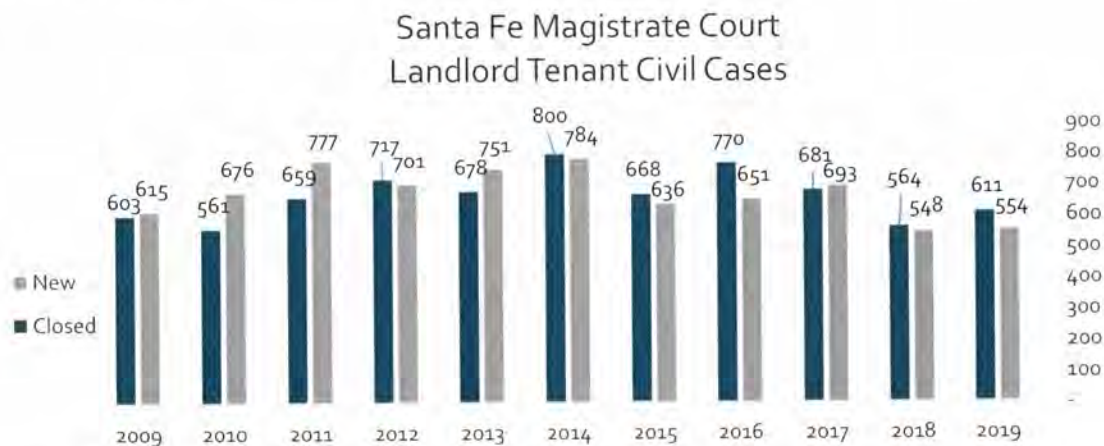
FIGURE 68 - PERCENT OF HOUSE FORECLOSURES



## Evictions

New civil cases in the Santa Fe Magistrate Court between landlords and tenants were tallied at 554 for the fiscal year of 2019, which is slightly up from 548 cases in 2018. New cases reached a high in 2014 of 784 (see Figure 69).

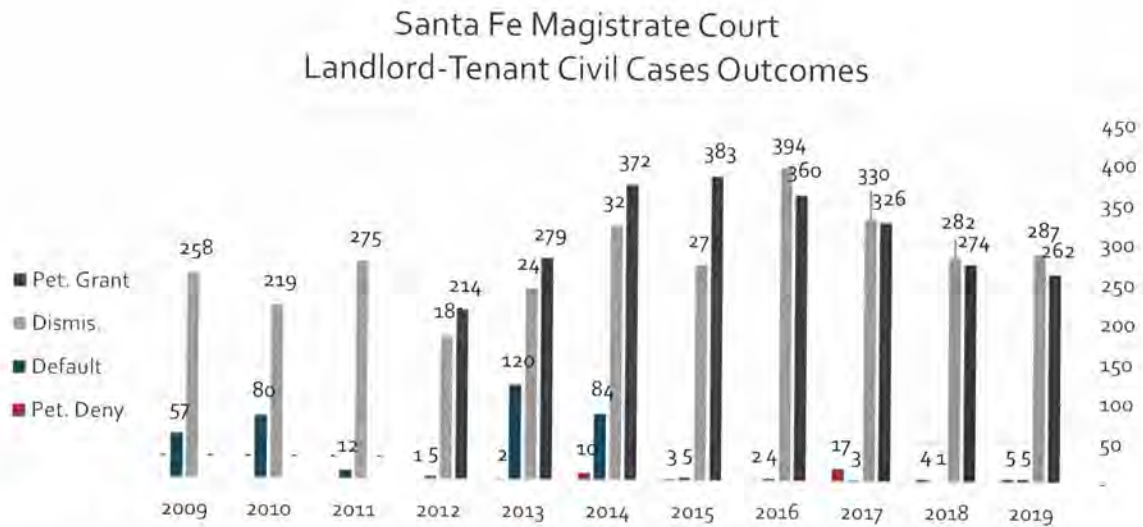
FIGURE 69 - SANTA FE LANDLORD-TENANT CIVIL CASES



Source: New Mexico Judiciary Statistical Addendum to the Annual Report 2009-2019

Most landlord-tenant cases brought to the Santa Fe Magistrate Court are dismissed followed by the petition being granted (see Figure 70). Although the statistical report doesn't list how many of the cases were initiated by landlords vs. the tenants, it can be assumed that in either case, the tenant has some housing insecurity. Additionally, these numbers do not capture informal evictions where tenants are requested to leave without actually filing a court case. While there are no public statistics on informal evictions, it is believed that they are much more numerous.

FIGURE 70 - LANDLORD-TENANT CIVIL CASES BY OUTCOME

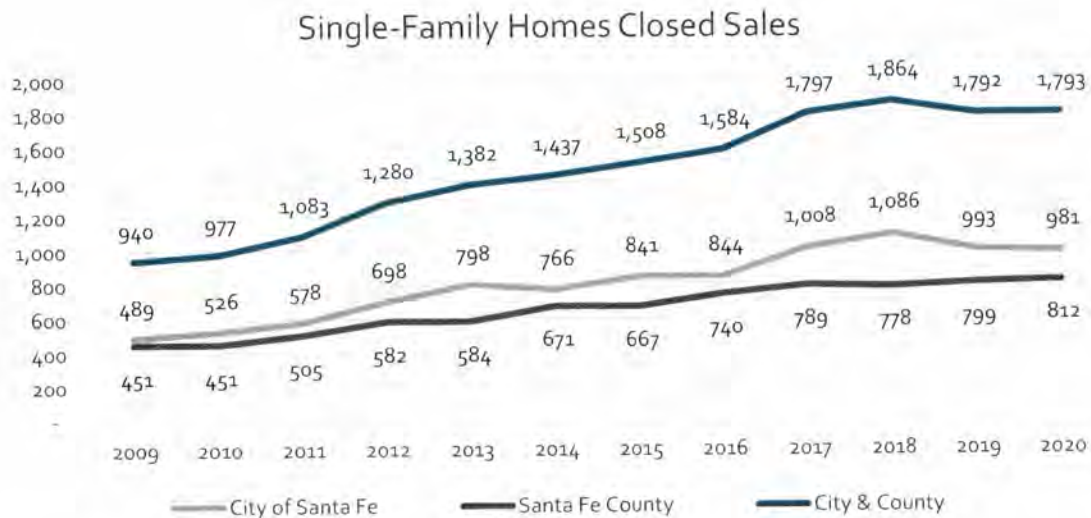


Source: New Mexico Judiciary Statistical Addendum to the Annual Report 2009-2019

### Housing Sales

In 2009, 940 Santa Fe County single-family homes were sold (see Figure 71). Sales peaked in 2018 at 1,864 then remained even for 2019 and 2020 at 1,792 and 1,793, respectively. Over 50 percent of single-family homes sold in Santa Fe County were in the city of Santa Fe for the 2009 to 2020 time period. The 2020 fourth quarter data from the Santa Fe Association of REALTORS, which is preliminary until the end of 2021, was very strong and may be indicative of a reaction to the pandemic which is quickening the long-term trends in migration. However, it really caught the annual numbers up from the decline in the second quarter of 2020. In the short-term, we might expect a much higher demand for single-family homes in Santa Fe County overall and within the city of Santa Fe specifically. However, the long-term trend will be tied more likely to population growth trends.

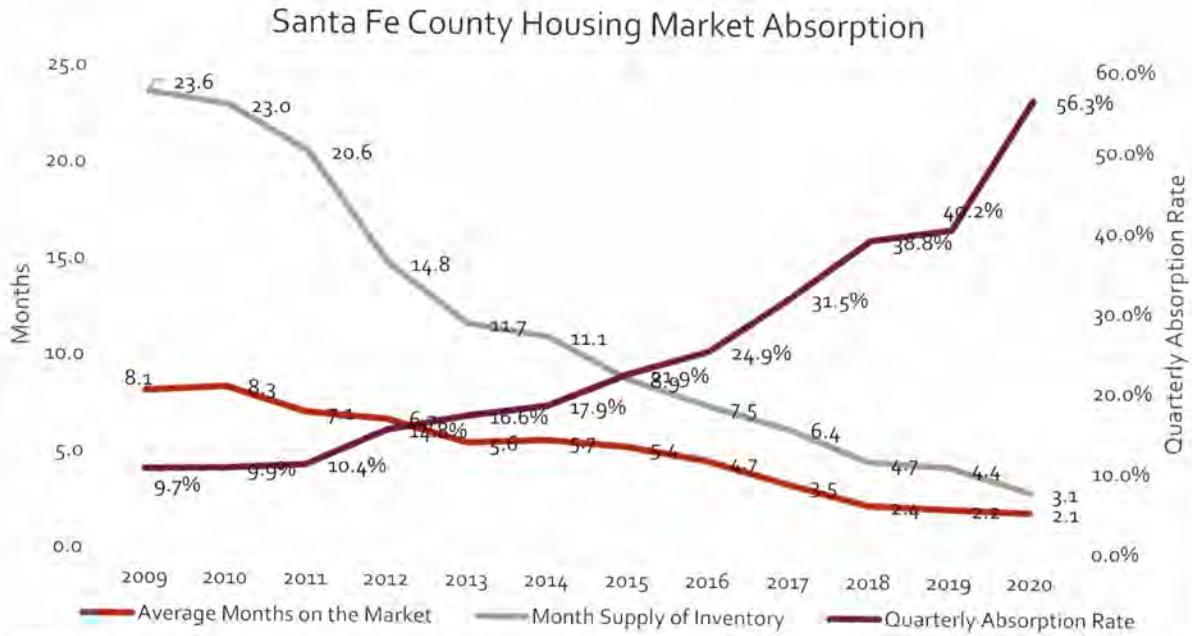
FIGURE 71 - ANNUAL SALES OF SINGLE-FAMILY HOMES IN SANTA FE CITY AND COUNTY 2009-2020



Source: Santa Fe Association of REALTORS Multiple Listing Service Report

In 2009, houses for sale were on the market for an average of 8.1 months. The length of time for a house to sell has plummeted to just 3.1 months in 2020 (see Figure 72). The average quarterly absorption rate, which was at 9.3 in 2009, was above 56 percent in 2020. Often a high absorption rate is indicative that there is a need for developers to building new homes as demand is high. In 2009, with the much lower absorption rates, was a signal that construction needed to wait. However, since the absorption rate reached 25 percent in 2016 the absorption rate has been signaling a time for increased demand and the need for building.

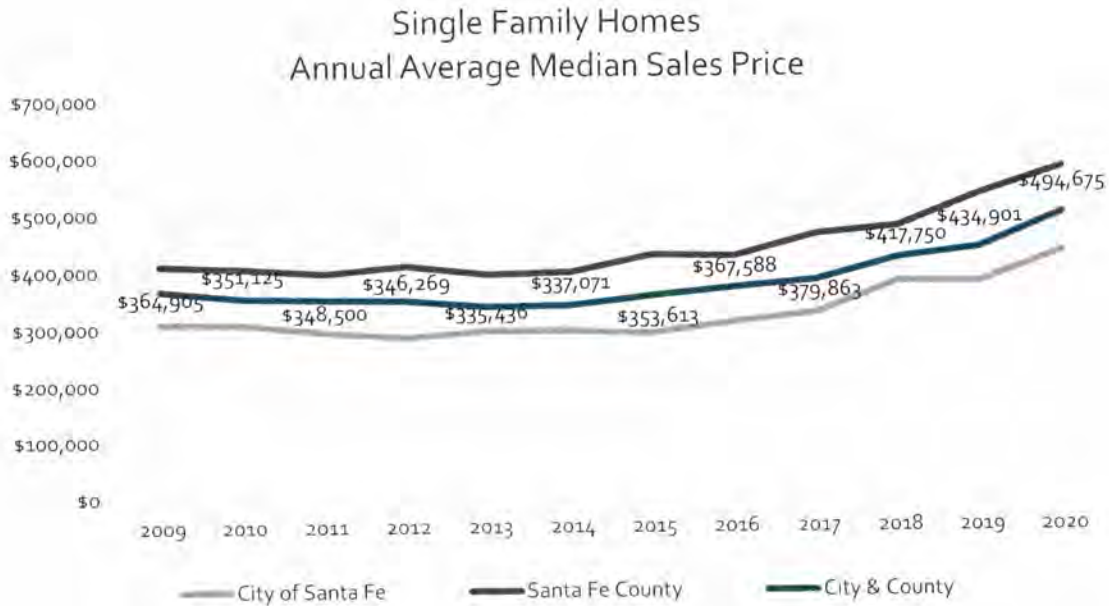
FIGURE 72- SANTA FE COUNTY HOUSING MARKET ABSORPTION



Source: Santa Fe Association of REALTORS Multiple Listing Service Report

The annual average median sales price of single-family homes in Santa Fe County reached a high in 2020 of \$494,675 with a more than 12 percent increase from the year before. Looking at change from 2009 to 2019, annual average median sales prices increased by 16 percent. The median sales prices of single-family homes had declined from 2009 to 2013 from \$364,905 to a low of \$335,436. Starting in 2014, single-family home median sales price has been increasing (see Figure 73).

FIGURE 73 - SANTA FE COUNTY AND CITY SINGLE FAMILY HOMES MEDIAN SALES PRICE



Source: Santa Fe Association of REALTORS Multiple Listing Service Report

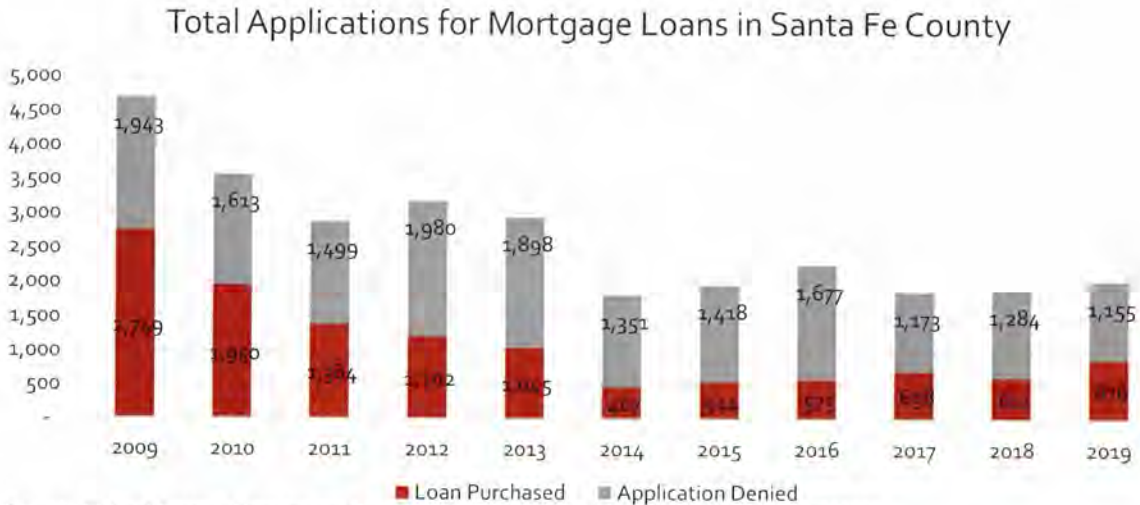
### Absorption of New Apartments

The US Census Bureau produces statistics on how quickly new apartments are rented once they are on the market. The data are available for the United States and regions. The region that includes New Mexico is the West (see Table 26 in Table section). In 2019, the West region saw a 56 percent absorption rate at three months and a 93 percent rate by 12 months. The Santa Fe County market is much tighter. While we did not include questions around new units on the Apartment Survey conducted in the Fall, we did reach out to the recently built apartment properties and ask how fast new units were rented out. All the properties responded that 100 percent of their new units were definitely filled within three months.

### Mortgage Access by Race and Ethnicity

The Home Mortgage Disclosure Act (HMDA) provides data on accepted and denied mortgage loans. Since the great recession, the application for mortgages had declined in Santa Fe County from a high of 4,692 in 2009 to a low of 1,818 in 2014. Since 2014, the annual number of mortgage loan applications has remained around 2,000 a year (see Figure 74). There are many more denied loans each year than purchased. The annual average denied loans since 2009 has been 61.25 percent and in 2019 alone, was 58 percent.

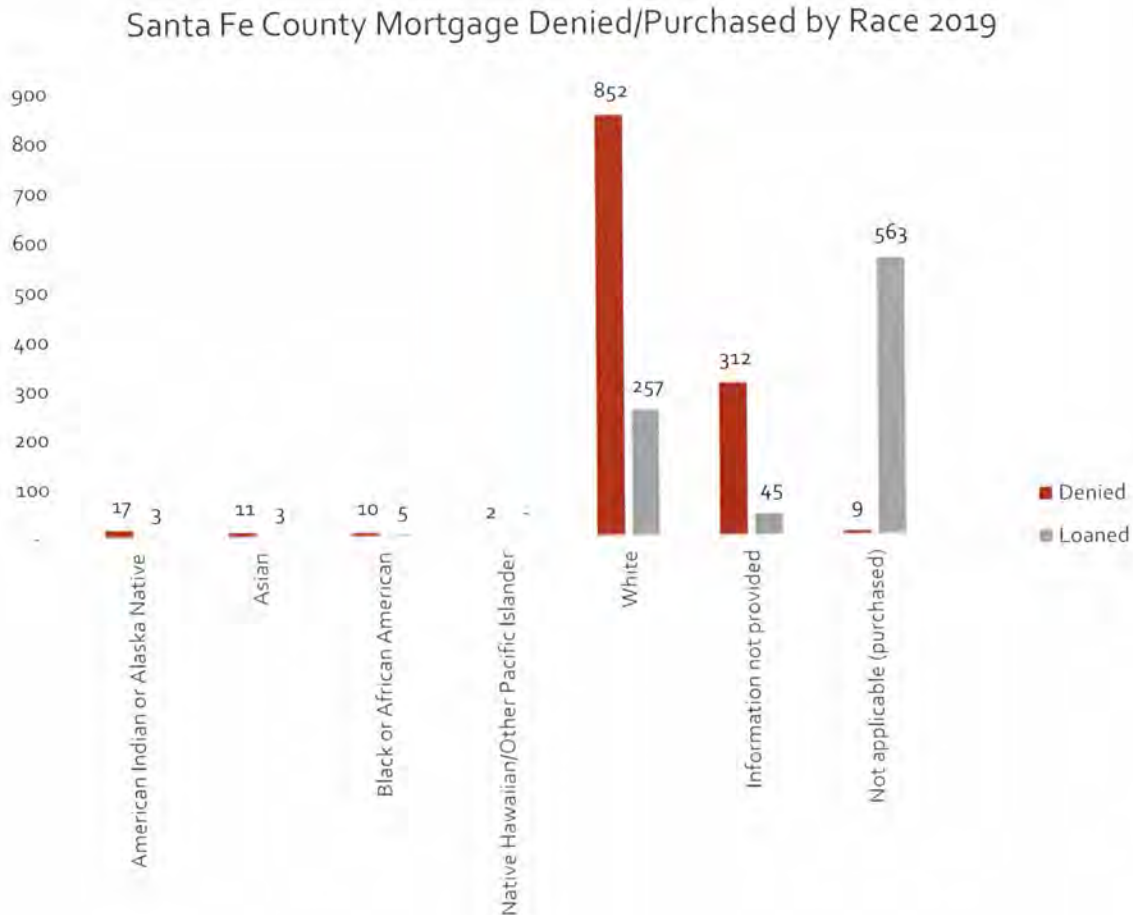
FIGURE 74 - TOTAL APPLICATIONS FOR MORTGAGE LOANS IN SANTA FE COUNTY 2009-2019



Source: Federal Financial Institutions Examination Council Home Mortgage Disclosure Act Data

HMDA data includes race and ethnicity information to help determine if there are groups who are having difficulties accessing homeownership. Breakouts for the categories American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian\other Pacific Islander are so small compared to White that comparisons are difficult. In 2019, only 20 applications for mortgage loans were made by American Indians in Santa Fe County. Of the American Indian applications, 15 percent (3) were purchased (see Figure 75) compared to the 23 percent of purchased loans of the 1,109 applications by Whites. Loan applications made by Whites account for 53 percent of all loans followed by "Not Applicable" which could be companies or multiple applicants and "Information Not Supplied". The large numbers for the category "Information Not Supplied" make running the significance test difficult. All the other specific race categories other than White account for 2.4% of all applications.

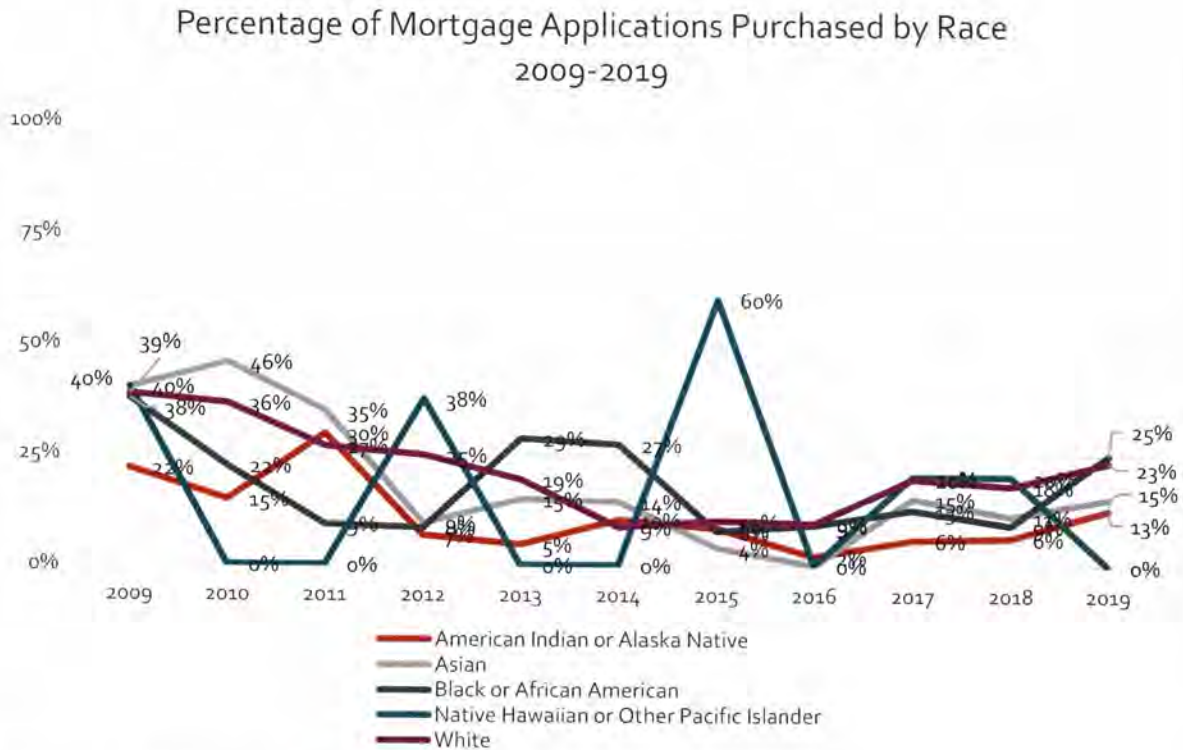
FIGURE 75 - SANTA FE COUNTY MORTGAGE DENIED/PURCHASED BY RACE 2019



Source: Federal Financial Institutions Examination Council Home Mortgage Disclosure Act Data

One way to identify trends in mortgage loan applications denied or approved is to look at the data over time. Currently, this method turns out to be very difficult to identify if there are any mortgage lending trends over time as seen in Figure 76. It does appear that Native American Indians may have a lower overall lending rate but the data are really too inconclusive.

FIGURE 76 - SANTA FE COUNTY PERCENT OF MORTGAGE LOANS PURCHASED BY RACE



Source: Federal Financial Institutions Examination Council Home Mortgage Disclosure Act Data

When we look at the ethnicity for Hispanic compared to Not Hispanic we similarly see that typically fewer loans are purchased for Hispanic applications (see Figure 77 and Figure 78).

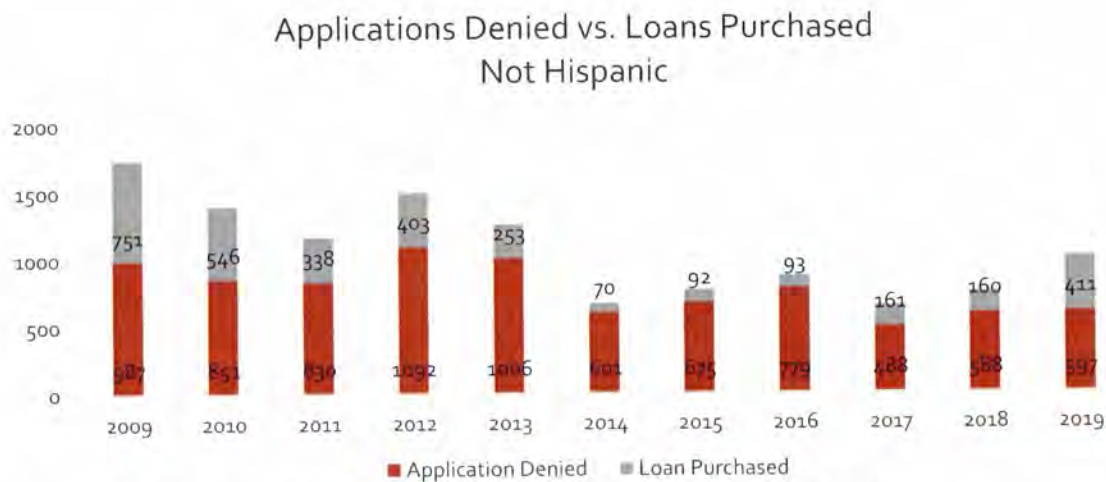
Another factor to consider is the values of the loans that are being applied for and income determinations. For anyone employed in the Arts Industry, which Santa Fe is well known for, it may be problematic to document stable annual income therefore making loans applications difficult to be accepted. Mortgage applications for loans under \$200,000 are 1.7 times more likely to be denied than loans above \$200,000. Table 19 in the table section, details the results of denied/loaned by race and values of the loan in 2019.

FIGURE 77 - SANTA FE COUNTY LOAN APPLICATIONS BY HISPANICS



Source: Federal Financial Institutions Examination Council Home Mortgage Disclosure Act Data

FIGURE 78 - SANTA FE COUNTY LOAN APPLICATIONS FOR NOT HISPANICS



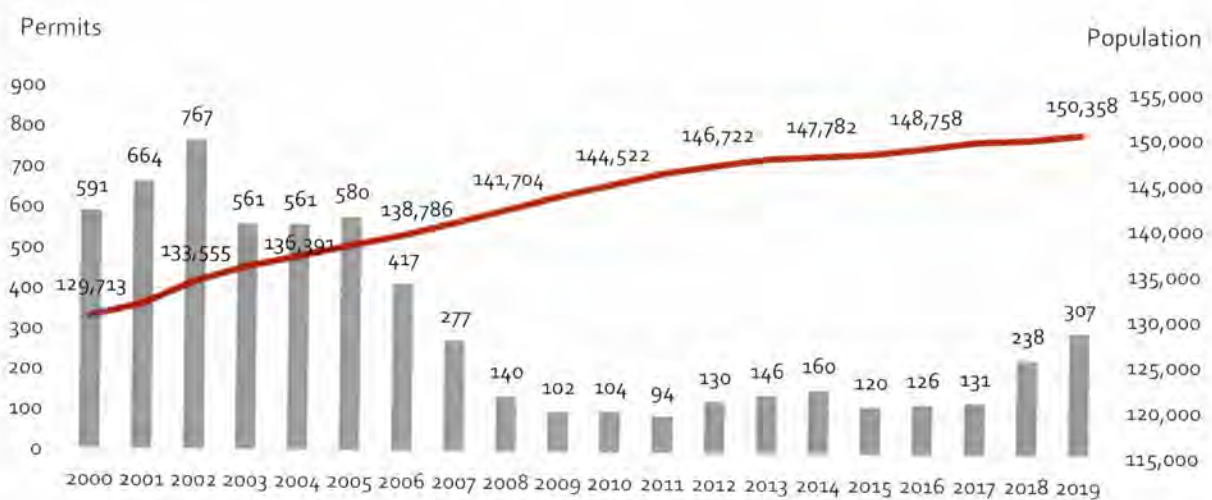
Source: Federal Financial Institutions Examination Council Home Mortgage Disclosure Act Data

## Production

In the early part of the 2000s, building permits for single-family housing units were above 500 and reached a peak of 767 in 2002 (see Figure 79). Building permits for single-family housing units in Santa Fe County have been below 200 since the housing bubble caused permits to decline to a low of 94 in 2011. Building permits for single-family housing units have been on the rise for the past two years (238 for 2018, and 307 for 2019) and preliminary data for 2020

indicates building permit numbers should be above 280. Included on the chart (Figure 79 below) is the population estimate for Santa Fe County from the US Census Bureau. Since 2000, Santa Fe County grew by 20,645 people. Building permits for new single-family housing added 6,216 units. If we assume that the optimal build should be a housing unit for every 2.3 people, there should have been 8,976 single-family housing units built which is actually 2,760 units short.

FIGURE 79 - SANTA FE COUNTY NEW SINGLE FAMILY BUILDING PERMITS WITH POPULATION



Source: US Census Bureau - Annual Building Permits Survey, Population Estimate Program

### Cost of Construction

The average per-unit construction costs for a single-family home as suggested for the various value categories can be estimated from the National Association of Home Builders 2019 Construction Cost Survey. This represents what costs would be in a situation for building units in different price categories. Estimating an average cost across the categories based on the National Association of Home Builders 2019 Construction Cost Survey, one comes up with \$257,142 for land (finished lot) at \$47,571 (see Table 4 and Appendix A-4).

TABLE 4 - COST OF CONSTRUCTION BY VALUE OF HOUSING

| Owner housing units (Dollar value) 2019-2025 |                    |               |               |                |                |                |                |                |                |
|----------------------------------------------|--------------------|---------------|---------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Construction                                 | Midpoint<br>% Cost | Less          | \$50,000      | \$100,000      | \$150,000      | \$200,000      | \$300,000      | \$500,000      | Avg.<br>cost   |
|                                              |                    | than          | to            | to             | to             | to             | to             | to             |                |
|                                              |                    | \$50,000      | \$99,999      | \$149,999      | \$199,999      | \$299,999      | \$499,999      | \$999,999      |                |
|                                              |                    | <u>25,000</u> | <u>75,000</u> | <u>125,000</u> | <u>175,000</u> | <u>250,000</u> | <u>400,000</u> | <u>750,000</u> | <u>257,142</u> |
| Cost of Sales                                | 6.4%               | 1,600         | 4,800         | 8,000          | 11,200         | 16,000         | 25,600         | 48,000         | 16,457         |
| Finished Lot                                 | 18.5%              | 4,625         | 13,875        | 23,125         | 32,375         | 46,250         | 74,000         | 138,750        | 47,571         |
| Permits & Utils                              | 6.2%               | 1,550         | 4,650         | 7,750          | 10,850         | 15,500         | 24,800         | 46,500         | 15,943         |
| Labor                                        | 24.4%              | 6,100         | 18,300        | 30,500         | 42,700         | 61,000         | 97,600         | 183,000        | 62,743         |
| Raw Materials                                | 30.5%              | 7,625         | 22,875        | 38,125         | 53,375         | 76,250         | 122,000        | 228,750        | 78,428         |
| Contractor                                   | 9.1%               | 2,275         | 6,825         | 11,375         | 15,925         | 22,750         | 36,400         | 68,250         | 23,400         |
| Overhead                                     | 4.9%               | 1,225         | 3,675         | 6,125          | 8,575          | 12,250         | 19,600         | 36,750         | 12,600         |

Source: National Association of Home Builders 2019 Construction Cost Survey

The following two tables (Table 5 and Table 6) are updated from MFA Housing New Mexico and represent the cost of residential construction by density from Santa Fe Multiple Listing Service (MLS). These dollars differ from the average cost based on the value as they are based on sales data. The average cost of \$257,142 based on value falls between the low density and medium density. The cost of land from MLS is \$56,200 which is \$8,629 higher than the average finished lot estimated for 2019 from the value. The need for affordable housing units in Santa Fe County runs into the difficulty that the Santa Fe market pushes housing values above what typical earners in the labor market can afford and the cost of construction shows the details of pricing difficulties faced. Median housing sale prices, based on Santa Fe Realtor's Association Records (2020), were \$549,900 in Santa Fe County.

TABLE 5 - COST OF RESIDENTIAL CONSTRUCTION

| <b>Costs of Residential Construction by Density, Per Unit, Single-Family</b> |                  |                     |                    |
|------------------------------------------------------------------------------|------------------|---------------------|--------------------|
| Units                                                                        | Low Density<br>1 | Medium Density<br>4 | High Density<br>8  |
| Land (per acre)                                                              | \$56,200         | \$56,200            | \$56,200           |
| Site Prep (300 ft Infra)                                                     | \$112,500        | \$112,500           | \$225,000          |
| Permits & Fees                                                               | \$3,940          | \$15,400            | \$30,560           |
| Exactions                                                                    | \$2,800          | \$11,200            | \$22,500           |
| Cost to Build                                                                | \$112,500        | \$562,700           | \$1,012,800        |
| Professional Services                                                        | \$5,600          | \$22,500            | \$45,000           |
| Other Potential Costs                                                        | \$20,800         | \$96,200            | \$192,500          |
| <b>Total</b>                                                                 | <b>\$314,340</b> | <b>\$876,700</b>    | <b>\$1,584,560</b> |
| <i>Cost per Unit</i>                                                         | <i>\$314,340</i> | <i>\$219,175</i>    | <i>\$198,070</i>   |

Notes: Figures based on methods to calculate the minimum density for affordable housing plans, per MFA Housing New Mexico. (Unit/acre to achieve AMI%). Adjusted with figures from Santa Fe County agency fee schedules and property value changes over time. In 2021 dollars.

TABLE 6 - COST OF RESIDENTIAL CONSTRUCTION BY DENSITY, PER UNIT, MULTI-FAMILY

| <b>Cost of Residential Construction by Density, Per Unit, Multi-family</b> |                  |                     |                    |
|----------------------------------------------------------------------------|------------------|---------------------|--------------------|
| Units                                                                      | Low Density<br>4 | Medium Density<br>8 | High Density<br>16 |
| Land (per acre)                                                            | \$50,000         | \$50,000            | \$50,000           |
| Site Prep (300 ft Infra)                                                   | \$100,000        | \$100,000           | \$200,000          |
| Permits                                                                    | \$2,000          | \$4,000             | \$8,000            |
| Exactions                                                                  | \$20,000         | \$40,000            | \$80,000           |
| Cost to Build                                                              | \$400,000        | \$800,000           | \$1,500,000        |
| Other Const Costs                                                          | \$12,000         | \$24,000            | \$48,000           |
| Professional Services/Fees                                                 | \$4,500          | \$9,000             | \$18,000           |
| <b>Total</b>                                                               | <b>\$613,350</b> | <b>\$1,076,700</b>  | <b>\$2,003,000</b> |
| <i>Cost per Unit</i>                                                       | <i>\$153,313</i> | <i>\$134,563</i>    | <i>\$125,188</i>   |
| Market Rent                                                                | \$1,200          | \$1,100             | \$1,050            |

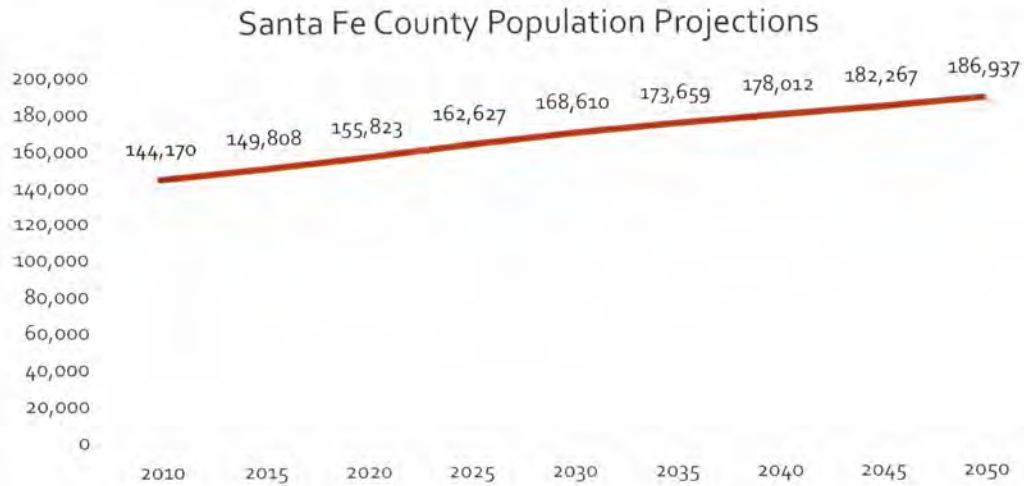
Notes: Figures based on methods to calculate the minimum density for affordable housing plans, per MFA Housing New Mexico. (Unit/acre to achieve AMI%). Adjusted with figures from Santa Fe County agency fee schedules and property value changes over time. In 2021 dollars.

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# Future Projections and Trends

## Santa Fe County Population Projections

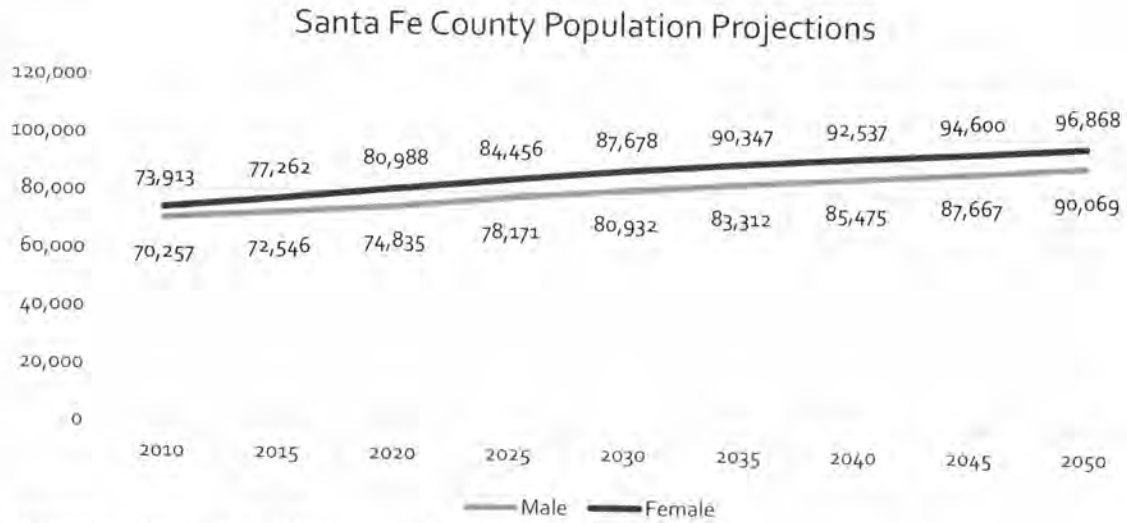
FIGURE 80 - SANTA FE COUNTY POPULATION PROJECTIONS



Source: UNM Geospatial and Population Studies Projections

It is expected that Santa Fe County’s population will increase to 186,937 by 2050 (see Figure 80). Santa Fe County is expected to see a 30 percent increase in population since 2010 which is 42,767 more people by 2050. Men and women will continue to be about even in the population with a slight gain of women to 52% of the population (see Figure 81).

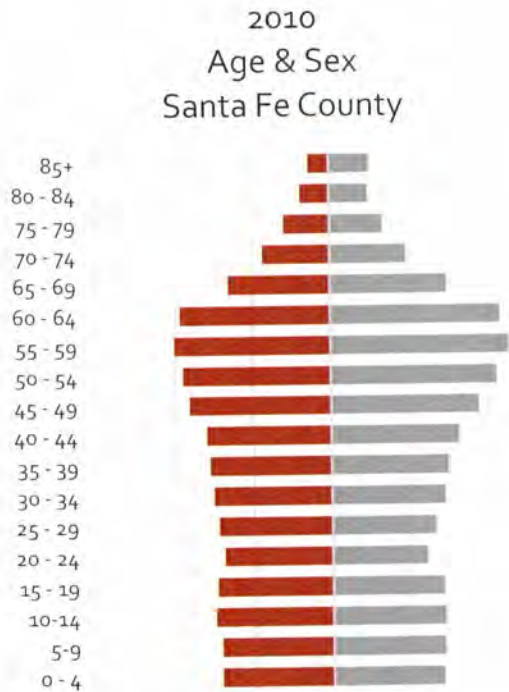
FIGURE 81 - SANTA FE COUNTY POPULATION PROJECTIONS MALE & FEMALE



Source: UNM Geospatial and Population Studies Projections

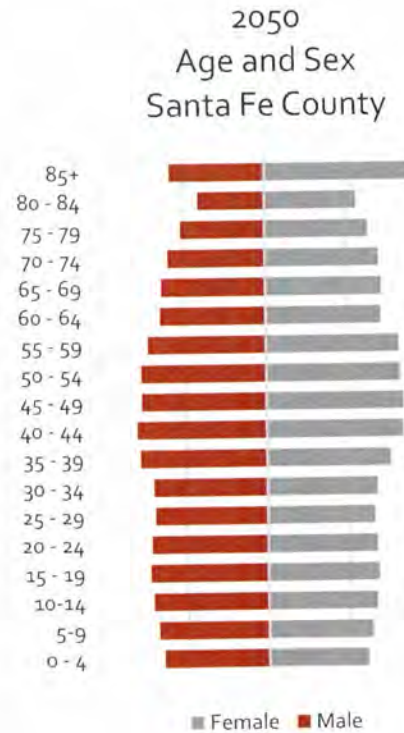
The most notable change in population will be the increasing older age demographic. In 2010, only 1.6 percent of the population in Santa Fe County was 85 years of age or older. By 2050 that will change to six percent of the population (see Figure 82 and Figure 83). In 2010, Santa Fe County had 23.3 percent of the population at 60 years or older, and by 2050 that will be 30.6 percent. In 2010, Santa Fe County had 17.4 percent of the population under the age of 15, and by 2050 that percentage will decline to 15.7 percent.

FIGURE 82 - SANTA FE COUNTY AGE & SEX 2010



Source: UNM Geospatial Populaton Studies

FIGURE 83 - SANTA FE COUNTY AGE & SEX 2050



### Santa Fe County Need for Housing Units

In the 2019 ACS 1-year estimates, Santa Fe County had a population of 150,358 with 62,182 housing units. UNM Geospatial Population Studies projects that Santa Fe County's population will increase to 162,627 by 2025. Assuming the ratio of population to housing remains the same (ie: that owner-occupied housing size remains at 2.44 and renter-occupied housing size remains at 2.22) as seen in the ACS 2019 data, then the housing units needed in Santa Fe County for the 2025 projected population increase will be 67,256 housing units or 5,074 more units than what was seen in 2019. (see Table 7) To meet this need, Santa Fe County should see an annual average of 845 housing units built for the next few years.

TABLE 7 - SANTA FE COUNTY POPULATION IN HOUSING UNITS PROJECTION

|                        | 2019    | 2025    | Increase |
|------------------------|---------|---------|----------|
| Population             | 150,358 | 162,627 | 12,269   |
| Occupied Housing Units | 62,182  | 67,256  | 5,074    |

Source: American Community Survey 1-year estimates 2019 Table DP04 and UNM Geospatial and Population Studies

The above estimate of 5,074 more housing units is a straight housing unit need based on population projections. Population projections are based on births, deaths, in-migration, and out-migration trends. These projections don't take into account that almost half of vacant units in Santa Fe County are second houses or that 2,573 houses are considered overcrowded. The projections also don't reflect the fact that there are a large number of jobs (24,338) filled by workers living outside Santa Fe County. Additionally, Santa Fe County already has a high demand for apartments with an estimated need for 3.9 percent more units than what existed in 2019. Another item to consider that is not included in the need for housing units is the number of homeless or the 30 percent of current homeowners (12,174 units) and renters (7,127 units) that are cost-burdened. The housing gap in Santa Fe County is estimated at 10,672 for 2019 (see Table 8).

TABLE 8 - SANTA FE COUNTY HOUSING UNIT GAPS ESTIMATION

| Areas of Housing Gaps 2019                      | Estimate | Units short/need |
|-------------------------------------------------|----------|------------------|
| Vacant Units                                    | 11,368   |                  |
| Second Houses (recreation or vacation)          | 4,976    | 4,976            |
| Jobs filled from Outside (Inflow)               | 24,338   |                  |
| Inflow jobs earnings \$1,205 per month or less  | 6,910    |                  |
| Net inflow jobs                                 | 3,125    | 3,125            |
| Over Crowding                                   |          |                  |
| Owner Occupied                                  | 3.6 %    | 1,601            |
| Renter Occupied                                 | 5.5%     | 972              |
| Apartments                                      | 3.9%     | 80               |
| <b>Total Estimated Gaps</b>                     |          | <b>10,672</b>    |
| Needs due to Cost Burdened                      |          |                  |
| Owners with/out a mortgage cost at 30% or above |          | 12,174           |
| Renters cost at 30% or above                    |          | 7,127            |
| <b>Total All Gaps and Needs</b>                 |          | <b>29,973</b>    |

The total need for housing by 2025 results in an additional 15,746 units. This would increase the need to build on average over 3,000 units a year from 2019 to 2025.

The recommendation on the number of housing units by value bracket has been based on moving the Santa Fe ratio closer to the United States ratio for owner-occupied units and renter-occupied monthly cost. While a collection of similar-sized counties was reviewed for this analysis, it was felt that the ratio comparison was not better than comparing to the nation. These recommendations are calculated for estimated population growth and growth plus the gap in housing units identified previously. Those categories where units were already above the US ratios are recommended for zero new units. The recommended building of housing units for growth only are in the ranges up to 200,000 (see Table 9). The Growth + Gap recommended build for housing units is in ranges up to just below \$1,000,000. For owner-occupied housing units, 14 percent are suggested to be built in the less than \$100,000 range with 30 percent between \$100,000 to \$150,000 and 26 percent in the \$200,000 to \$299,999. For renters, 40 percent are needed in the monthly rent category of less than \$1,000 while 35 percent in the \$1,000 to \$1,499 are needed. Nearly 20 percent are suggested for \$1,500 to \$1,999 with a small percentage also needed at \$2000 and above. For details on the calculation see Table 27 in the table section.

TABLE 9 - RECOMMENDED BUILD OF HOUSING UNITS BY VALUE

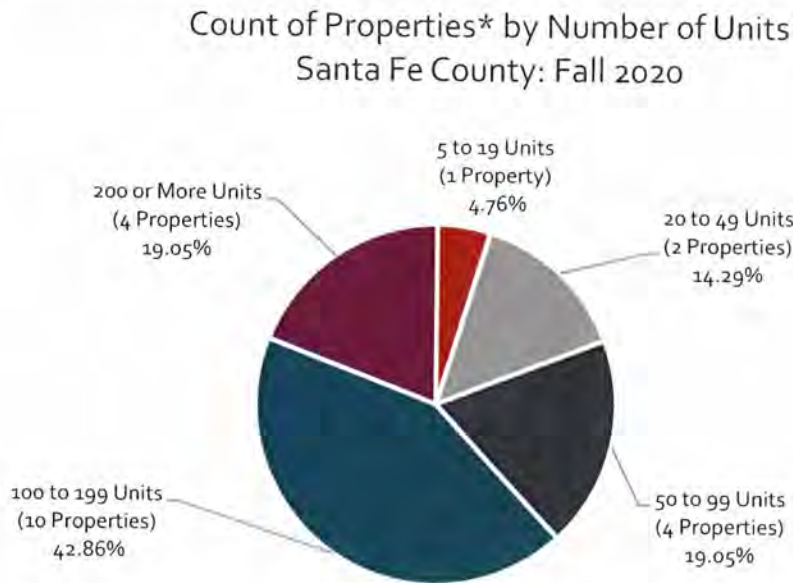
|                                     | <b>Growth Only</b> | <b>Growth + Gap</b> | <b>Growth + Gap<br/>Percent</b> |
|-------------------------------------|--------------------|---------------------|---------------------------------|
| <b>Owner-occupied units (Value)</b> | <b>3,622</b>       | <b>11,239</b>       |                                 |
| Less than \$50,000                  | 0                  | 0                   | 0%                              |
| \$50,000 to \$99,999                | 1,583              | 1,583               | 14%                             |
| \$100,000 to \$149,999              | 1,273              | 3,395               | 30%                             |
| \$150,000 to \$199,999              | 766                | 2,919               | 26%                             |
| \$200,000 to \$299,999              | 0                  | 2,123               | 19%                             |
| \$300,000 to \$499,999              | 0                  | 445                 | 4%                              |
| \$500,000 to \$999,999              | 0                  | 774                 | 7%                              |
| \$1,000,000 or more                 | 0                  | 0                   |                                 |
| <b>Occupied units paying rent</b>   | <b>1,452</b>       | <b>4,227</b>        |                                 |
| Less than \$500                     | 0                  | 0                   |                                 |
| \$500 to \$999                      | 545                | 1,691               | 40%                             |
| \$1,000 to \$1,499                  | 479                | 1,486               | 35%                             |
| \$1,500 to \$1,999                  | 242                | 752                 | 18%                             |
| \$2,000 to \$2,499                  | 100                | 310                 | 1%                              |
| \$2,500 to \$2,999                  | 44                 | 136                 | 3%                              |
| \$3,000 or more                     | 42                 | 132                 | 3%                              |
| <b>All Units</b>                    | <b>5,074</b>       | <b>15,466</b>       |                                 |

# Apartment Survey Findings

## Properties and Units

Survey responses were recorded from 21 properties in Santa Fe County, which accounts for a total of 2,799 units. Only 4.76 percent of properties (1 out of 21) had between 5 and 19 units, accounting for a total of 12 units. Just over 14 percent of the properties (2 out of 21) had between 20 and 49 units, covering a total of 103 units. Four properties had 50 to 99 units with a total unit count of 307. Almost half (9 out of 21) of all properties housed between 100 and 199 units. Four properties (19.05 percent of the total) had 200 or more units for a total unit count of 1,101. (see Figure 84 below)

FIGURE 84 - COUNT OF PROPERTIES BY NUMBER OF UNITS

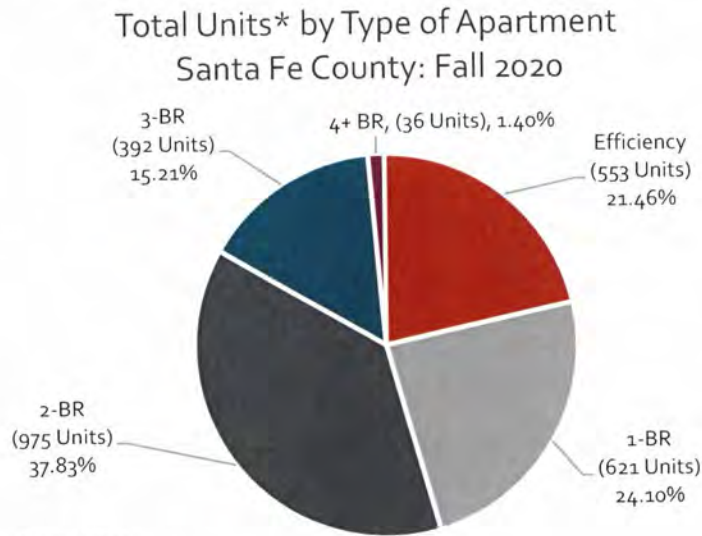


\*Count based on 21 properties.

Sixteen (16) of the 21 properties gave information about their unit count by type of apartment, which accounts for a total of 2,577 units. The most numerous apartment type was two-bedrooms with about 38 percent or 975 units. One-bedroom apartments were the second most common at about 24 percent, accounting for a total of 621 units. The remaining units were distributed among efficiency (21.46%), three-bedroom (15.21%), and four-or-more bedroom (1.40%) apartments. (see Figure 85) Compared to the NM Apartment Survey March 2020, Santa Fe County has a much higher number of efficiencies (21.4 percent) than the New Mexico

Study Area (2.4 percent).

FIGURE 85 - TOTAL UNITS BY TYPE OF APARTMENT



\*Count based on 16 properties.  
Note: 16 of 21 properties responded to this question.

## Vacancies

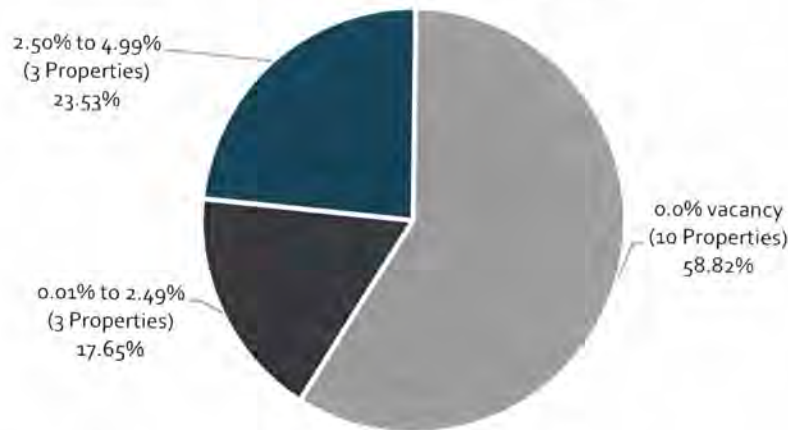
Respondents to the survey reported a total of 73 vacant units, resulting in an overall vacancy rate of 2.61 percent. Fifteen (15) properties (71.43% of the total) reported overall vacancy rates that were equal to or less than the study-area average. Ten (10) properties, or 47.62 percent of the total, reported no vacancies. In addition, six properties reported overall vacancy rates above the Santa Fe County rate.



Ten (10) properties reported no vacancies. Three properties reported vacancy rates from 0.01 to 2.49 percent. Four properties (19.05% of the total) reported vacancy rates between 2.50 and 4.99 percent and rates above 5 percent, with the highest calculated vacancy rate being 14.3 percent. (see Figure 86)

FIGURE 86 - NO. OF PROPERTIES BY OVERALL WEIGHTED AVERAGE VACANCY RATE

No. of Properties\* by Overall<sup>1</sup> Weighted Average Vacancy Rate  
Santa Fe County: Fall 2020



Note: The weighted average vacancy rate for Santa Fe County was 2.50%.

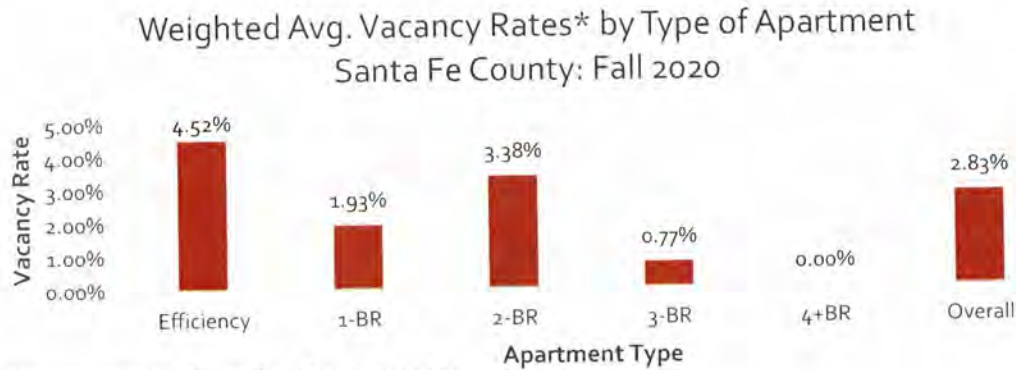
\*Vacancy rate calculations were based on 21 Properties.

<sup>1</sup> All types of apartments combined.

Vacancy rates were highest for efficiencies, at 4.52 percent. Two-bedroom and one-bedroom apartments followed at 3.38 and 1.93 percent, respectively. Three-bedroom and four-bedroom units were least likely to be vacant, with rates of 0.77 and zero percent.

Figure 87 (next page) details the distribution of vacancy rates by type of apartment. Table 24 in the tables section further demonstrates the distribution of vacant units and weighted average vacancy rates by type of apartment. Note that US Census Bureau vacancy rates for rentals typically run higher because the methodology includes a distinction for vacant but rented in the vacancies, which our survey did not attempt. Compared to the NM Apartment Survey March 2020, Santa Fe County's overall vacancy rate of 2.8 percent is lower than the NM study area of 3.9. There were three counties with lower vacancy rates (Lea 2.4%, San Miguel 1.8%, and Valencia 1.4%).

Figure 87 - Weighted Average Vacancy Rates by Type of Apartment



\*Vacancy rate calculations based on 17 properties.

## Rent

Rental data were only tabulated for a subset of the survey respondents. Some properties did not provide rental data while other properties were identified as receiving lump-sum subsidies that could not be allocated to individual units. Therefore, the rental tabulations were based on 15 properties, with a total of 2,345 units.

The weighted average monthly rent, regardless of apartment type, was \$1,085 for Santa Fe County. Weighted rents are estimated at the property level by dividing total rental revenue by the total number of units at the property. An average is then calculated for all the properties in that place.

Just over 53 percent of the properties (8) had overall weighted average rents that were equal to or less than the study-area average of \$1,085. Most of the properties, six in total, had overall average rents between \$1,000 and \$1,249. Three properties averaged rents in the \$750 to \$849 range and two properties averaged rents between \$850 and \$999. Only one property reported rents less than \$750. Around 21 percent of properties averaged rents of \$1,250 and more, and only one of those averaged rents greater than \$1,700. (see Figure 88).

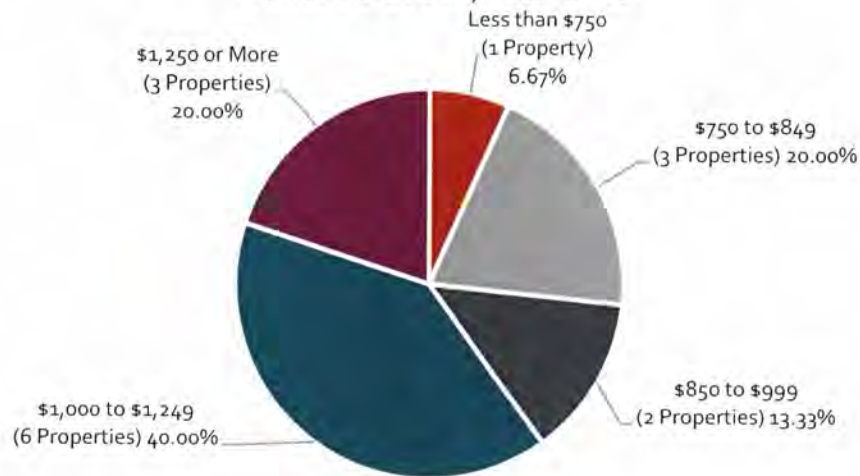
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*Santa Fe County weighted average rents ranged from \$839 to \$1,489 with a median of \$1,141.*

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FIGURE 88 - COUNT OF PROPERTIES BY OVERALL WEIGHTED AVERAGE RENTS

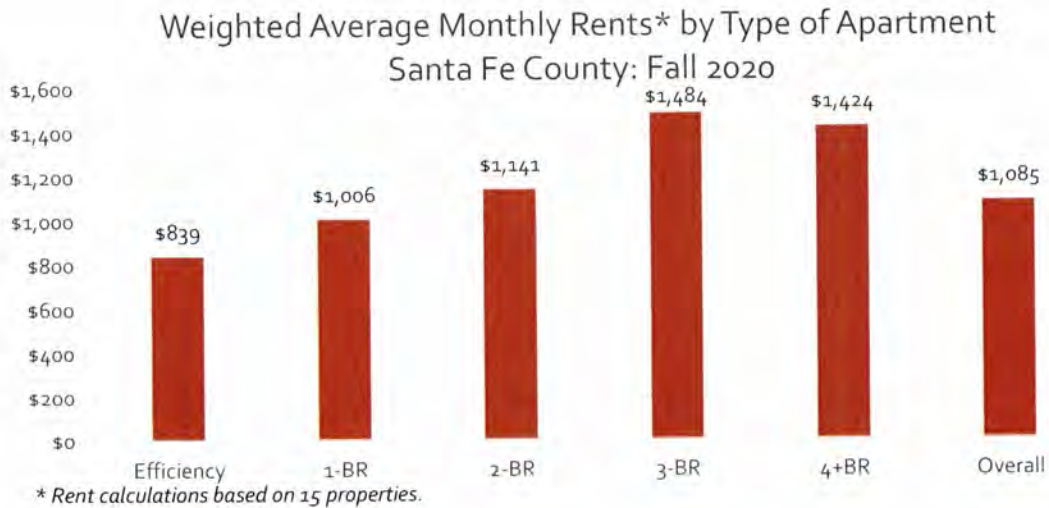
Count of Properties\* by Overall<sup>1</sup> Weighted Average Rent  
Santa Fe County: Fall 2020



Note: The overall weighted average rent for Santa Fe County was \$1,085  
 \* Rent calculations based on 15 properties.  
<sup>1</sup> All types of apts. combined.

Figure 89 on next the page records study-area weighted average rents by apartment type. These are as follows: efficiencies, \$839; one-bedroom, \$1,006; two-bedrooms, \$1,141; three-bedrooms, \$1,484; and four-or-more-bedrooms, \$1,421. The overall weighted average rent regardless of apartment size was \$1,085. Compared to the NM Apartment Survey March 2020, the overall rent of 1,085 is much higher than the NM study area rent of \$629.

FIGURE 89 - WEIGHTED AVERAGE MONTHLY RENTS BY TYPE OF APARTMENTS IN SANTA FE COUNTY



## Utilities

Based on the collected responses, 43 percent of properties (9 out of 21) have all utilities included in the monthly rent amount. More than half (57%) of properties (12 out of 21) do not have utilities included. (see Figure 90)

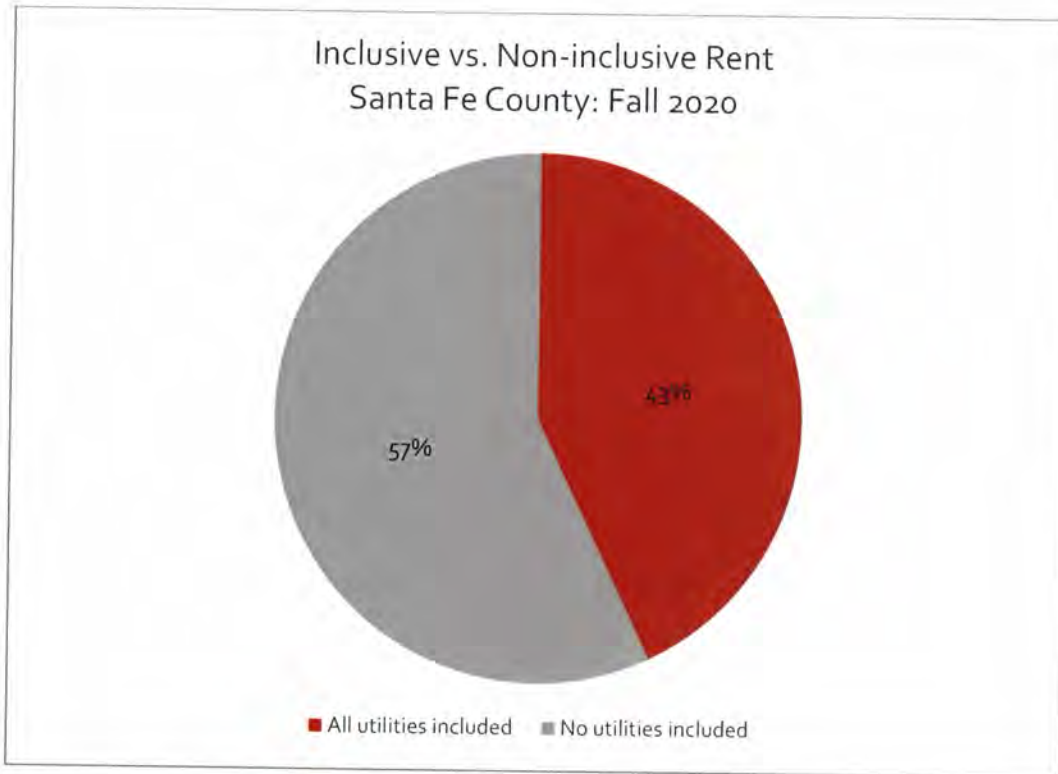
Of the 12 properties that indicated non-inclusive rent, five properties provided estimates of the average monthly cost of utilities by bedroom size. A common answer among the properties that did not give numerical estimates was that the cost of utilities depends on the usage and number of tenants. Based on the collected estimates, utilities range between \$50 and \$193 for all bedroom sizes.

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*Santa Fe County average monthly cost of utilities ranged from \$50 to \$193 with a median of \$140.*

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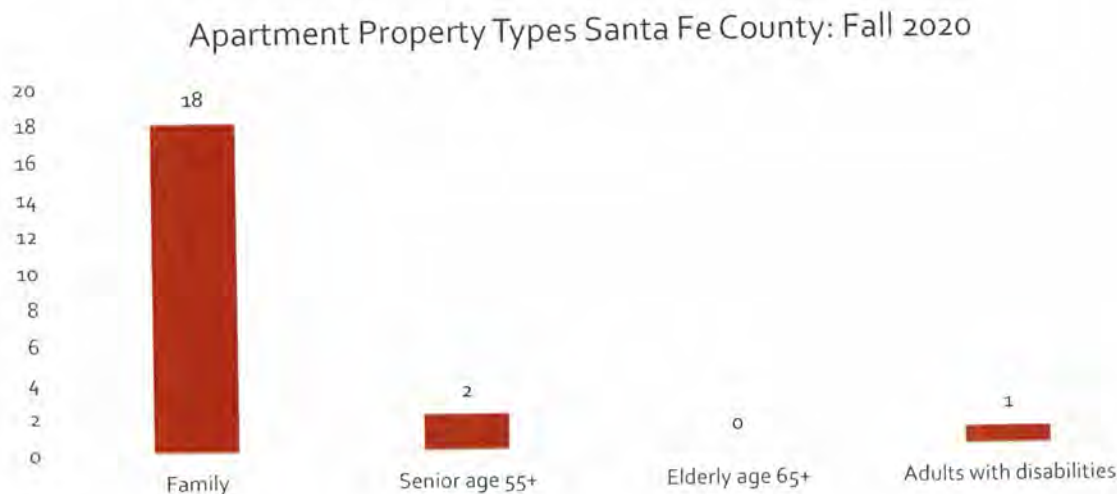
FIGURE 90 - UTILITIES INCLUSIVE VS. NON-INCLUSIVE IN RENT



### Apartment Types and Services

To better understand the availability of apartment types for specific market populations, respondents were asked to identify whether a property was intended for families, seniors 55+, elderly age 65+, or adults with disabilities. All of the 21 respondents completed this question. The responses were as follows: 85.71 percent were family (18), 9.52 percent were seniors age 55+ (2), 0 percent were elderly age 65+ (0), and 4.76 percent were adults with disabilities (1). (see Figure 91)

FIGURE 91 - APARTMENT PROPERTY TYPES SANTA FE COUNTY



### Comparison of Affordable to Market-Only

Affordable properties account for 42.86 percent of total properties. Affordable properties have upper limits on rent as public housing has upper-income limits. However, it is important to note that some affordable properties also contain units that are not characterized as affordable. The survey recorded nine properties with 1,676 units without an affordable option—these types of properties/units are considered market-only. In all, 46 vacancies were documented for 905 units, resulting in a vacancy rate of 2.74 percent for market-only properties only. This rate is above the earlier calculated Santa Fe County rate, 2.61 percent. In contrast, affordable properties had 27 vacancies for 1,123 units, contributing to a rate of 2.40 percent, which is 0.21 percent above the established Santa Fe County rate. Weighted average rents for affordable properties were smaller than overall average rents (\$965 versus \$1,085). Average rents for market-only properties were \$1,135. (see Table 29 in table section).

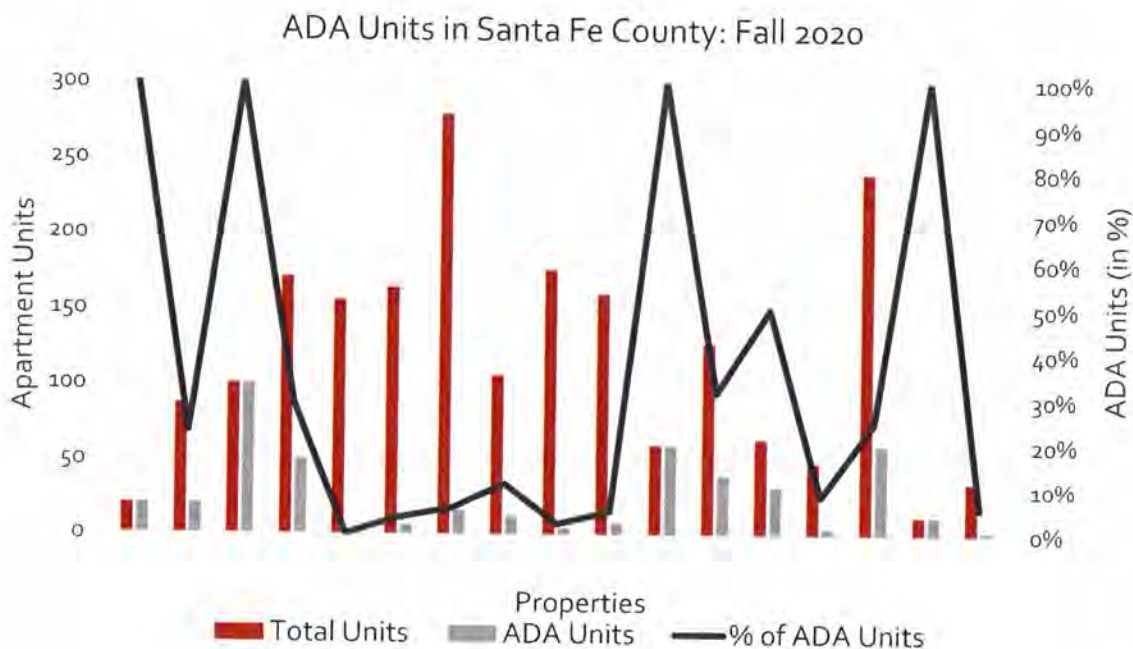
### Accessible Units

Of the 21 survey participants, 17 properties provided information about the number of units that are accessible under the Americans with Disability Act (ADA) at their property, accounting for 2,005 units. Overall, 22.24 percent of these units are accessible under the ADA definition totaling 446 units. Only one property reported no accessible ADA units. Eight (8) properties have between two and 11 percent of total units that meet ADA standards. Five (5) properties

have between 20 and 50 percent of total units that comply with the ADA guidelines. Four (4) properties indicated that 100 percent of their units comply with ADA standards. Table 30 in the table section further demonstrates the percentage of ADA units for individual properties.

Figure 92 below compares the amount and percentage of available ADA units to the number of total units for the 17 individual responding properties. Interestingly, properties with more units appear to have a lower percentage of ADA units whereas properties with fewer units have a higher percentage of ADA units available.

FIGURE 92 - ADA UNITS IN SANTA FE COUNTY



### Waitlist

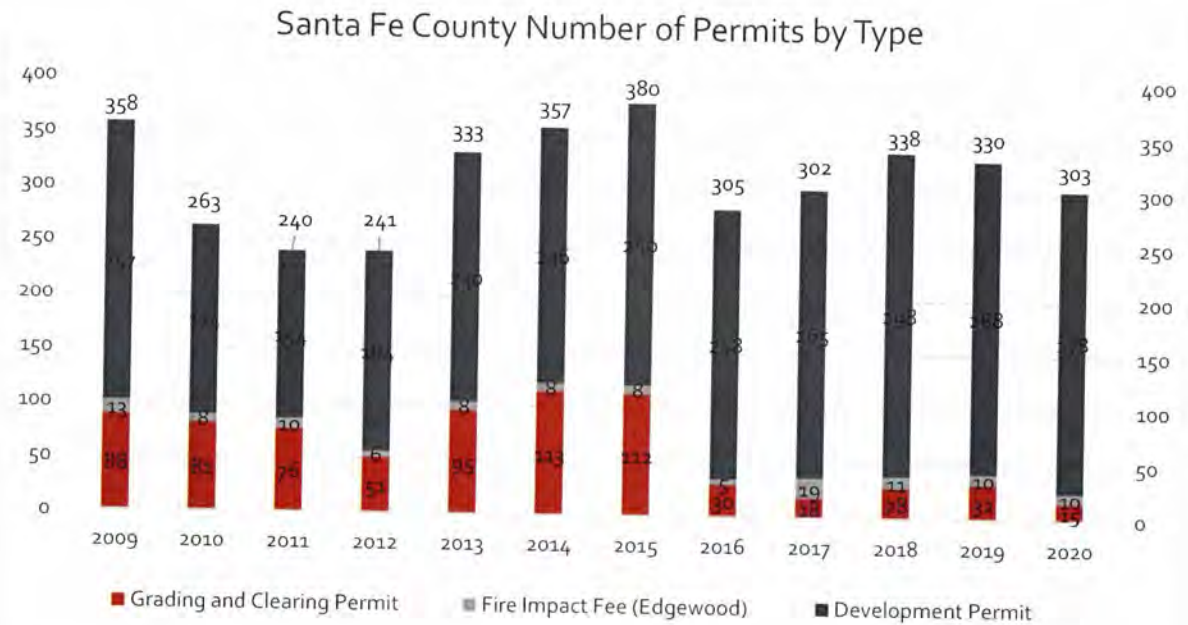
Most properties did not maintain a waitlist and stated that units were rented on a first-come-first-serve basis. Only five properties responded to the waitlist question with information. Two of the properties had waitlists that contained more than 100 names. The expected time on the waitlist was anywhere from two to eight months to three years for one and four-bedroom apartments from one property. Clearly, there is an unmet demand for apartments. Note that the Santa Fe County Housing Authority has a waitlist of over 2,000 and up to an eight-year waiting time.

## Policy and Land Use Review

### Policy and Permits

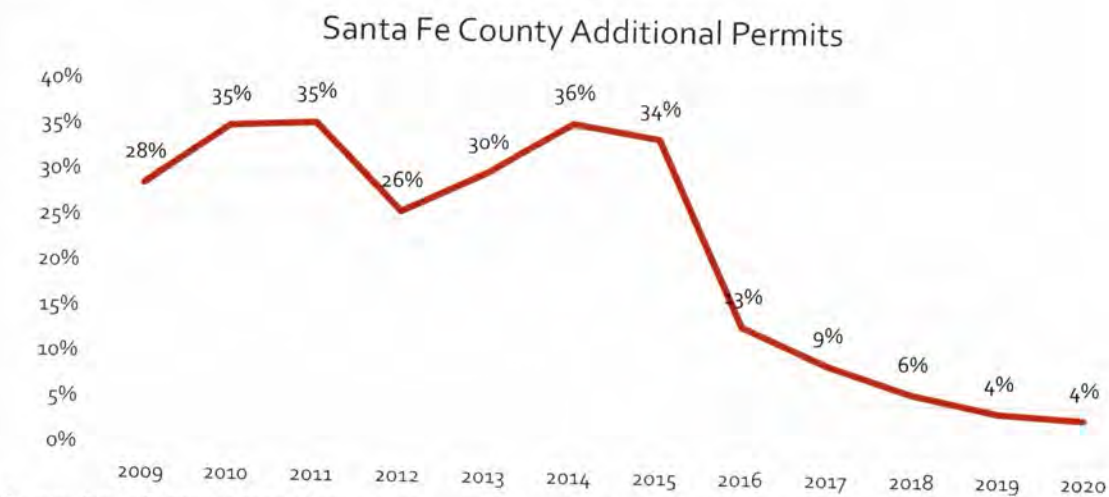
The Santa Fe County Sustainable Land Development Code was enacted in 2016 to meet the communities need for managing and encouraging increased growth and development. As part of this plan, the ordinance on revised fees for permits on building new residential houses and apartments was adopted. Permits allow the county to review plans and make sure that new buildings and development meet the requirements of codes. Permit fees allow the county to cover costs of managing the new development, and in the case of Edgewood, cover the need for additional fire and rescue facilities and equipment. There is a fine balance between the necessity of these permits and fees and the burden they can represent for new homeowners and developers. Since 2016, the number of permits issued has remained between 300 and 338. (see Figure 93) The largest change has been the decrease in grading and clearing permits. It appears that these permits have been included in the development permits, lessening the number issued for a single project. In 2014, 36 percent of permits issued were additional permits for the same project. In 2019 and 2020, the percentage of additional permits issued dropped to 4.0 percent. (see Figure 94)

FIGURE 93 - SANTA FE COUNTY PERMITS RELATED TO NEW HOUSING



Source: Santa Fe County Permit Data January 2021, query related residential permits.

FIGURE 94 - SANTA FE COUNTY ADDITIONAL PERMITS



Source: Santa Fe County Permit Data January 2021, query related residential permits.

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The total value of permits has risen from a low of \$109,277 in 2012 to a high of \$664,742 in 2020. This rise in total permits collected is primarily due to the increase in single-family residential development permits. (see Figure 95 and Figure 97)

FIGURE 95 - SANTA FE COUNTY TOTAL DEVELOPMENT PERMIT DOLLARS

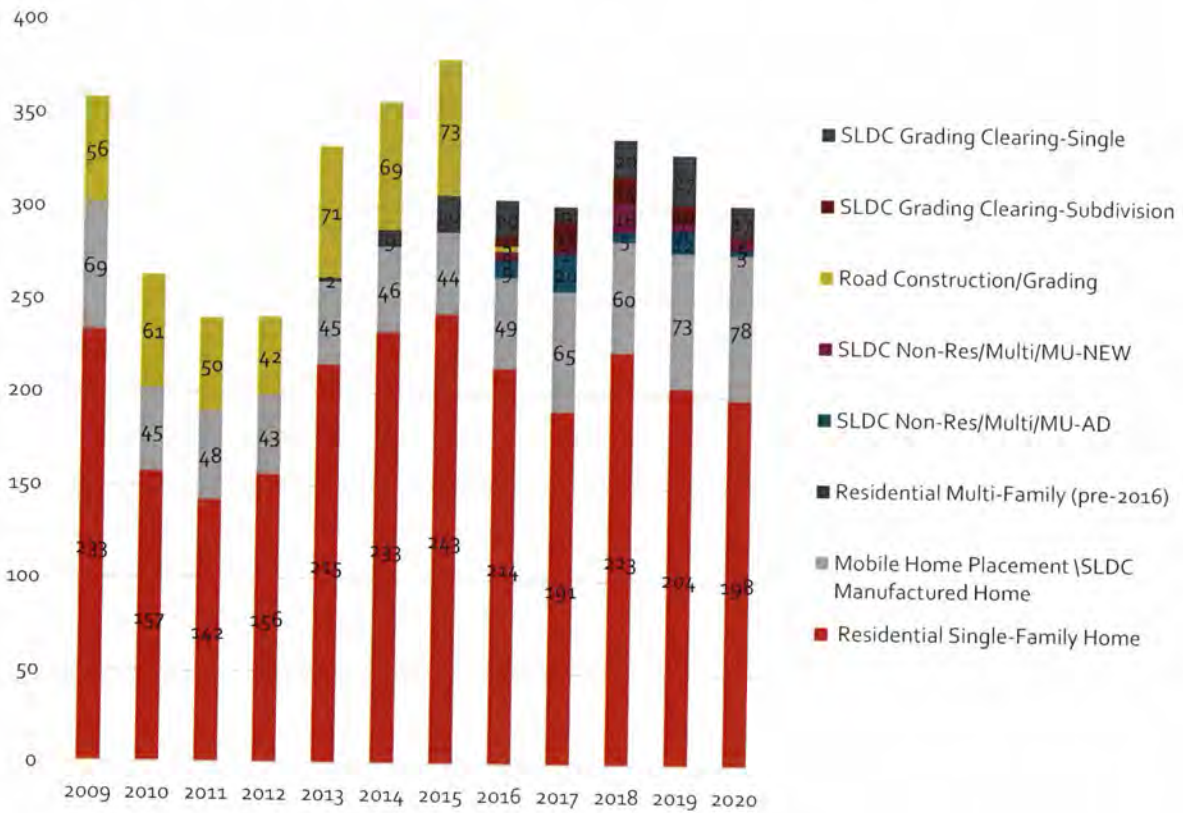


Source: Santa Fe County Permit Data January 2021, query related residential permits.

The details of the development permits broken out show the change in the type of permits that occurred in 2016. Residential, single-family homes continue to be the most numerous and have the highest collected amount as seen in Figure 94 and Figure 95.

FIGURE 96 - SANTA FE COUNTY DEVELOPMENT PERMIT DETAILED BREAKOUT BY COUNT

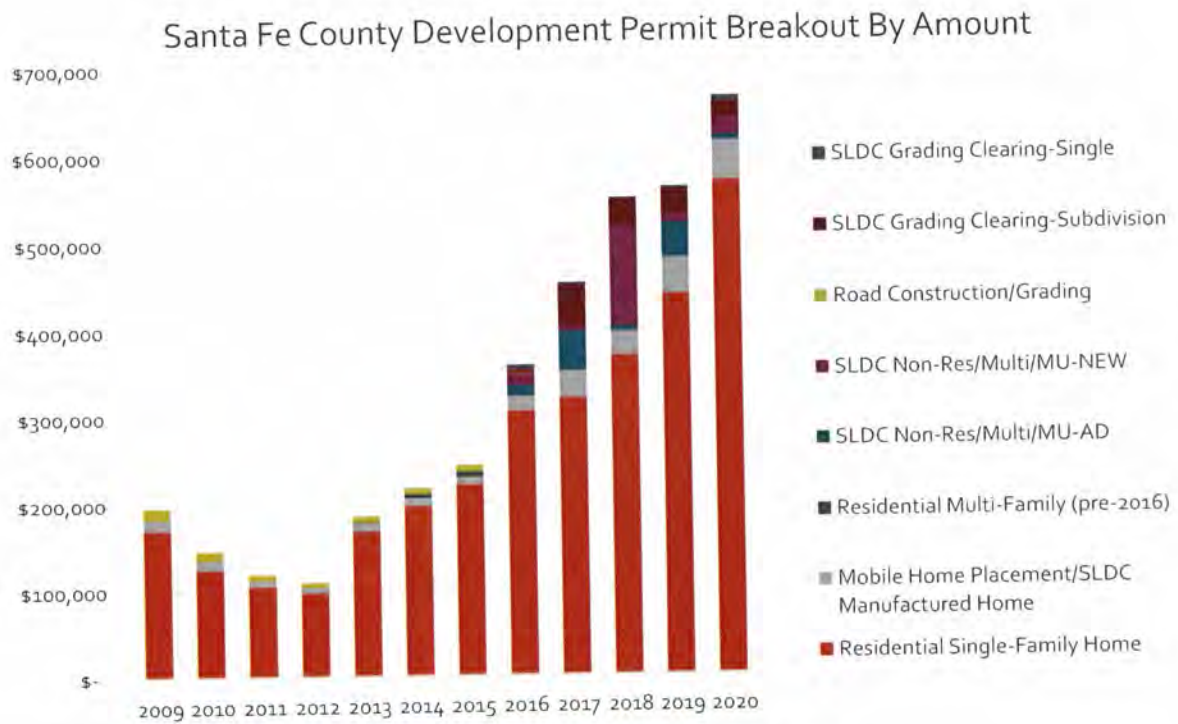
### Santa Fe County Development Permit Breakout by Count



Source: Santa Fe County Permit Data January 2021, query related residential permits.

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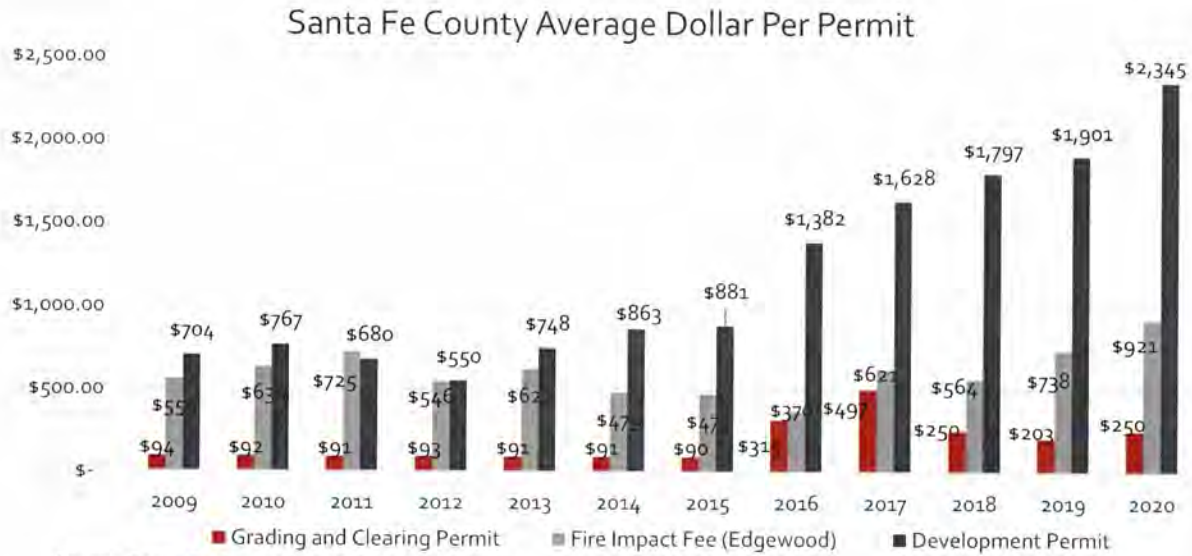
FIGURE 97 - SANTA FE COUNTY DEVELOPMENT PERMIT DETAILS BY TOTAL AMOUNT



Source: Santa Fe County Permit Data January 2021, query related residential permits.

Grading and clearing permits not rolled into the development permits increased from an average of \$94 in 2009 to \$250 in 2020. The highest that the average grading and clearing permits reached was \$497 in 2016. (see Figure 98)

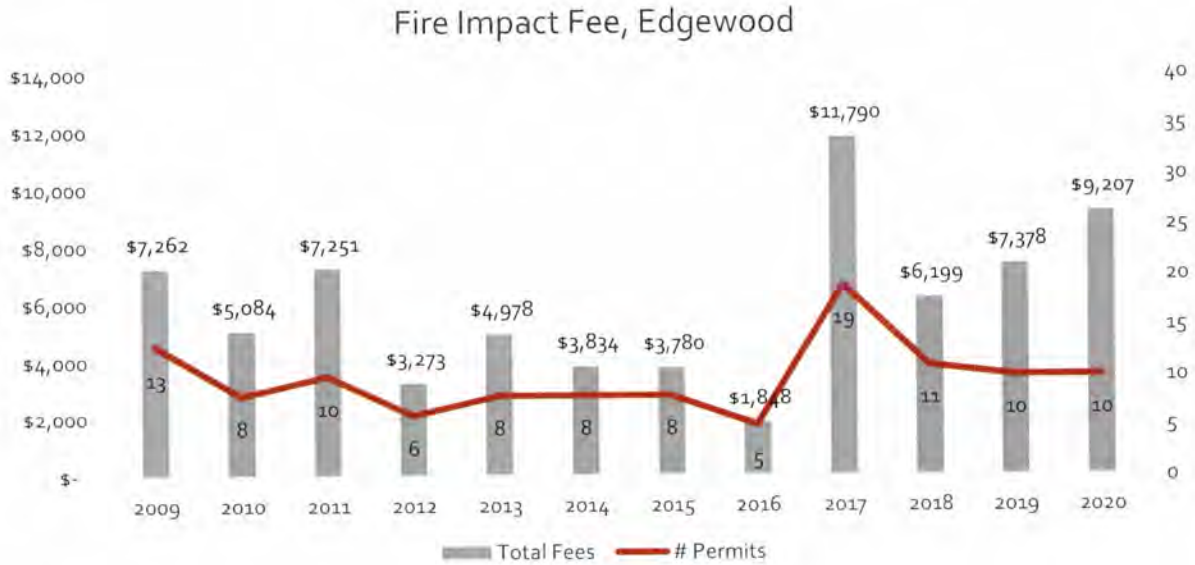
FIGURE 98 - SANTA FE COUNTY AVERAGE DOLLARS PER PERMIT



Source: Santa Fe County Permit Data January 2021

Edgewood adopted Fire/Rescue/EMS impact fees to help fund increase demand on services due to new development. The intent is to assess fees based on the cost of additional fire and rescue facilities and equipment needed to support the new development. The total collection since 2009 has been \$71,885. In 2020, the total collection was \$9,207 for 10 permits. The highest average payment was \$921 in 2020 with the lowest at \$473 in 2015. (see Figure 99)

FIGURE 99 - FIRE IMPACT FEE, EDGEWOOD



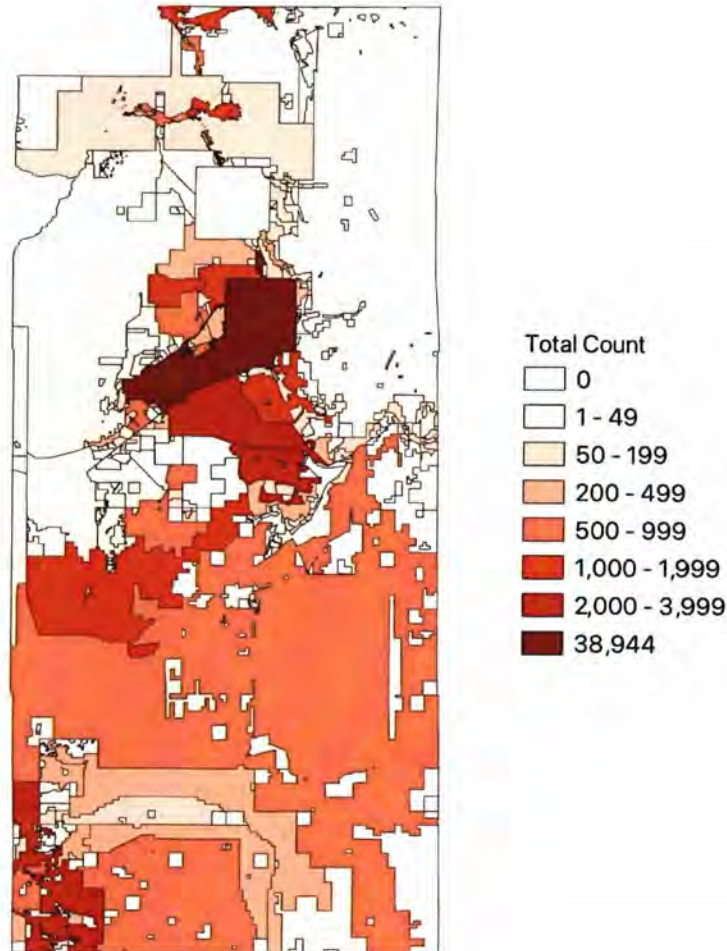
Source: Santa Fe County Permit Data January 2021

## Review of Zone Districts

### Property by Zone Districts

Santa Fe County maintains data containing information on properties and zoning. The data contains 19 types of zone districts with a total of 770 zoned areas covering 1,223,226.63 acres or 1,911.28 square miles and has 78,459 individual properties. The US Census Bureau had 1,909.41 square miles for Santa Fe County in 2010, a difference of 0.01 square miles. Figure 100 shows the count of properties in each zoning district, and Table 10 shows a list of the zones by acres and the number of zone areas. The municipalities and their annexation areas; tribal lands; and federal and state lands do not fall under the county zoning jurisdiction. The following will be a review of the Santa Fe County zoning & assessor data.

FIGURE 100 - TOTAL PROPERTY COUNT BY ZONE IN SANTA FE COUNTY



The top 3 zone districts by total acres are federal and state lands; agriculture and ranching; and rural. (see Table 10) Federal and state lands have the most total acres covering 391,687.61 acres with 107 zone areas in Santa Fe County. The 107-zoned areas contain 202 individual properties for federal and state lands. The agriculture and ranching district comes in as the second-highest land area and covers 320,035.17 acres with 37 zone areas and 648 individual properties. Agriculture and ranching have fewer zone areas than federal and state lands however, agriculture and ranching is divided into more properties. Rural areas cover 111,304.95 acres in 55 zone areas with 1,524 properties. The rural zone districts have even more division into individual properties than agriculture and ranching, and federal and state lands.

TABLE 10 - LIST OF ZONE DISTRICT BY ACRES, ZONE COUNT, AND PROPERTY COUNT

| Zone District                | Total Zone Acres    | Zone Areas | Property Count |
|------------------------------|---------------------|------------|----------------|
| Ag / Ranch                   | 320,035.17          | 37         | 648            |
| Commercial General           | 616.65              | 23         | 57             |
| Commercial Neighborhood      | 598.92              | 43         | 175            |
| Federal and State Lands*     | 391,687.61          | 107        | 202            |
| Industrial General           | 1,100.85            | 4          | 11             |
| Industrial Light             | 787.14              | 3          | 6              |
| Mixed Used                   | 6,109.64            | 6          | 328            |
| Municipal Annexation Area*   | 1,308.53            | 3          | 440            |
| Municipality*                | 56,967.13           | 9          | 43,069         |
| Planned Development District | 25,773.28           | 17         | 5,472          |
| Public / Institutional       | 4,649.63            | 81         | 227            |
| Residential Community        | 2,404.28            | 25         | 1,247          |
| Residential Estate           | 84,812.28           | 69         | 10,756         |
| Residential Fringe           | 20,280.15           | 78         | 3,028          |
| Rural                        | 111,304.95          | 55         | 1,524          |
| Rural Fringe                 | 38,830.60           | 55         | 480            |
| Rural Residential            | 53,832.30           | 62         | 2,800          |
| Traditional Community        | 14,452.76           | 79         | 7,896          |
| Tribal Lands*                | 87,674.76           | 14         | 93             |
| <b>Total</b>                 | <b>1,223,226.63</b> | <b>770</b> | <b>78,459</b>  |

\*not under County zoning jurisdiction

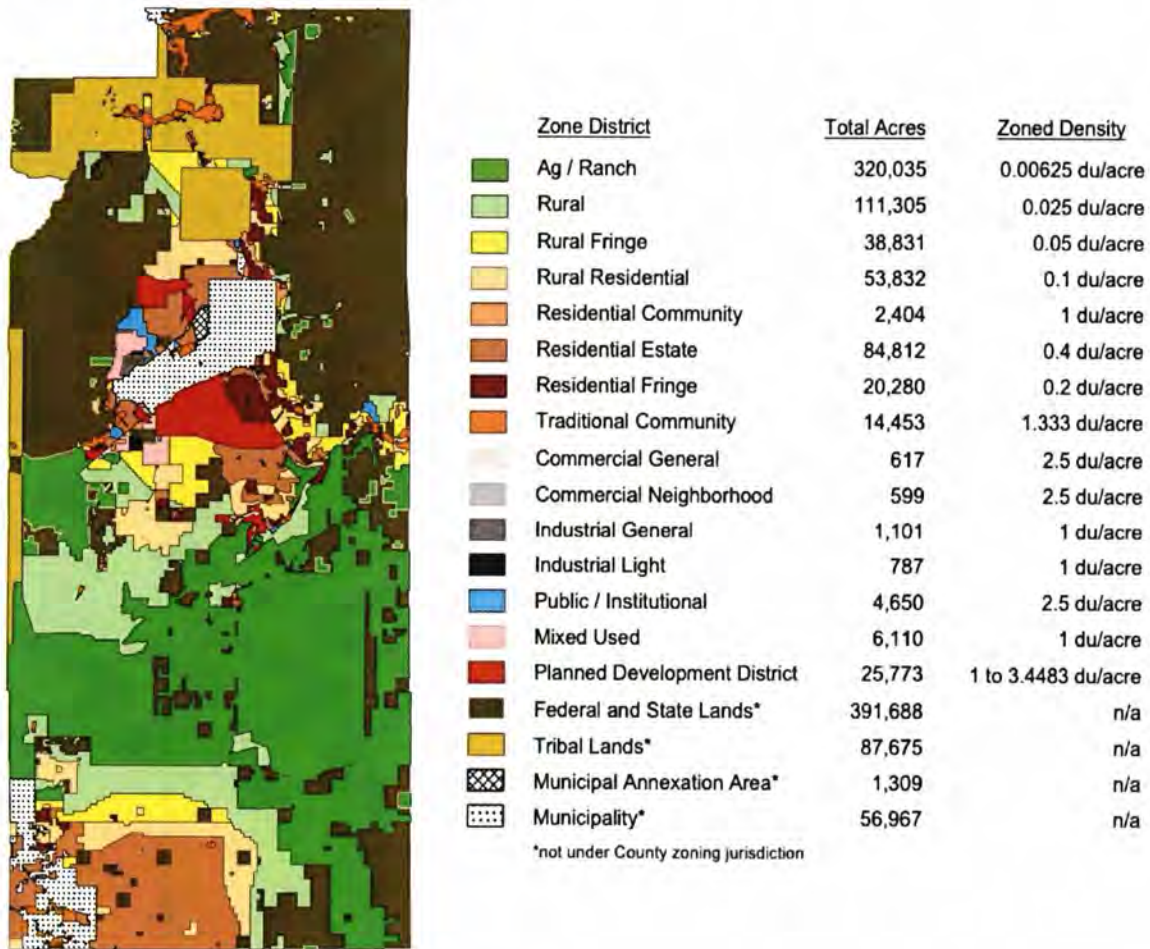
Source: Santa Fe County Data January 2021 Query & online ARCGIS

Tribal lands is the fourth largest zone district with 87,674.76 acres in 14 zone areas. Santa Fe County's data has 93 individual properties in tribal lands listed even though tribal areas are not under county zoning jurisdiction. This may be that some form of permitting is still required at

the county level for parts of the tribal areas. Note that there are many more housing units on tribal land than the 93 individual properties indicate, thus Santa Fe County data does not represent all property counts in tribal areas. Municipality, residential estate, and traditional community zones have the highest property counts. This matches with expectations that municipal areas and communities will have higher densities of building.

### Dwelling Density Allowed by Zone District

FIGURE 101 - SANTA FE COUNTY ZONED DENSITY



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The current number of dwellings in the Santa Fe County data is 78,498 which is 4,948 more than the 2019 ACS 1-year estimate of 73,550. A little bit of the difference can be attributed to sampling error and difficulties the US Census Bureau has in estimating (obtaining) building

permits from the State of New Mexico. More of the difference is probably due to the definition of housing units by the state versus the Census Bureau.

Comparing the overall 19 zoned densities to the actual density calculated from the Santa Fe County data, the result is that overall the 19 zone districts do not currently have more dwellings than actually zoned. That is current zoning allows for 160,632 dwellings, and the current dwelling count is 78,498. This is a high-level calculation covering all 19 zone districts and doesn't look at hot spots within individual zone areas where properties might exceed the zoned density, which will be presented next. At the high level, areas within the planned development districts have the highest potential for development followed by residential estates and traditional communities. This data review does not take into account restrictions due to infrastructure or geography.

TABLE 11 - SANTA FE COUNTY ZONE DISTRICT BY ZONE DENSITY AND ACTUAL DENSITY

| Zone District                        | Total Zone Acres    | Density Zoned du/acre | Actual Density du/acre <sup>1</sup> | Dwellings Legally Allowed | Current Dwellings Count | Total Potential to Develop |
|--------------------------------------|---------------------|-----------------------|-------------------------------------|---------------------------|-------------------------|----------------------------|
| Ag / Ranch                           | 320,035.17          | 0.00625               | 0.0011                              | 2,000                     | 648                     | 1,352                      |
| Comm. Neighborhood                   | 616.65              | 2.5                   | 0.0616                              | 1,544                     | 57                      | 1,487                      |
| Federal & State Lands*               | 598.92              | 2.5                   | 0.1603                              | 1,496                     | 174                     | 1,322                      |
| Industrial General                   | 391,687.61          | n/a                   | 0.0005                              |                           | 202                     |                            |
| Industrial Light                     | 1,100.85            | n/a                   | 0.0100                              |                           | 11                      |                            |
| Mixed Used                           | 787.14              | n/a                   | 0.0064                              |                           | 6                       |                            |
| Municipal Annex Area*                | 6,109.64            | 1                     | 0.0534                              | 6,110                     | 328                     | 5,782                      |
| Municipality*                        | 1,308.53            | n/a                   | 0.3286                              |                           | 440                     |                            |
| Planned Develop. District            | 56,967.13           | n/a                   | 0.6955                              |                           | 43,069                  |                            |
| Public / Institutional               | 25,773.28           | 1 to 3.4483           | 0.2062                              | 68,095                    | 5,472                   | 62,623                     |
| Residential Community                | 4,649.63            | 2.5                   | 0.0331                              | 11,624                    | 227                     | 11,397                     |
| Residential Estate                   | 2,404.28            | 1                     | 0.5141                              | 2,404                     | 1,247                   | 1,157                      |
| Residential Fringe                   | 84,812.28           | 0.4                   | 0.1239                              | 33,925                    | 10,756                  | 23,169                     |
| Rural                                | 20,280.15           | 0.2                   | 0.1478                              | 4,056                     | 3,028                   | 1,028                      |
| Rural Fringe                         | 111,304.95          | 0.025                 | 0.0111                              | 2,783                     | 1,524                   | 1,259                      |
| Rural Residential                    | 38,830.60           | 0.05                  | 0.0104                              | 1,942                     | 480                     | 1,462                      |
| Traditional Community                | 53,832.30           | 0.1                   | 0.0497                              | 5,383                     | 2,800                   | 2,583                      |
| Tribal Lands*                        | 14,452.76           | 1.333                 | 0.5318                              | 19,270                    | 7,897                   | 11,373                     |
| Not under County zoning jurisdiction | 87,674.76           | n/a                   | 0.0010                              |                           | 93                      |                            |
| <b>Total</b>                         | <b>1,223,226.63</b> |                       |                                     | <b>160,632</b>            | <b>78,498</b>           | <b>126,122</b>             |

<sup>1</sup> Calculated by total residential property including common areas, open space, parks, and vacant properties divided by acres total zoned area

Source: Santa Fe County Data January 2021 Query & online ARCGIS

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### Zone Areas Exceeding Density Allowed

Looking at the individual zone areas within the districts, there are areas where the density is higher than what is allowed by the zoning. The hot spots so to speak are in 127 different locations throughout the county, covering 51,479 square acres and accounting for 8,333 dwellings. (see Table 12 and Figure 102) Residential fringe has the highest number of zone areas, while rural cover the most acres, and residential estates contain the most dwellings. These areas are most likely not available for further development unless zoning densities are changed.

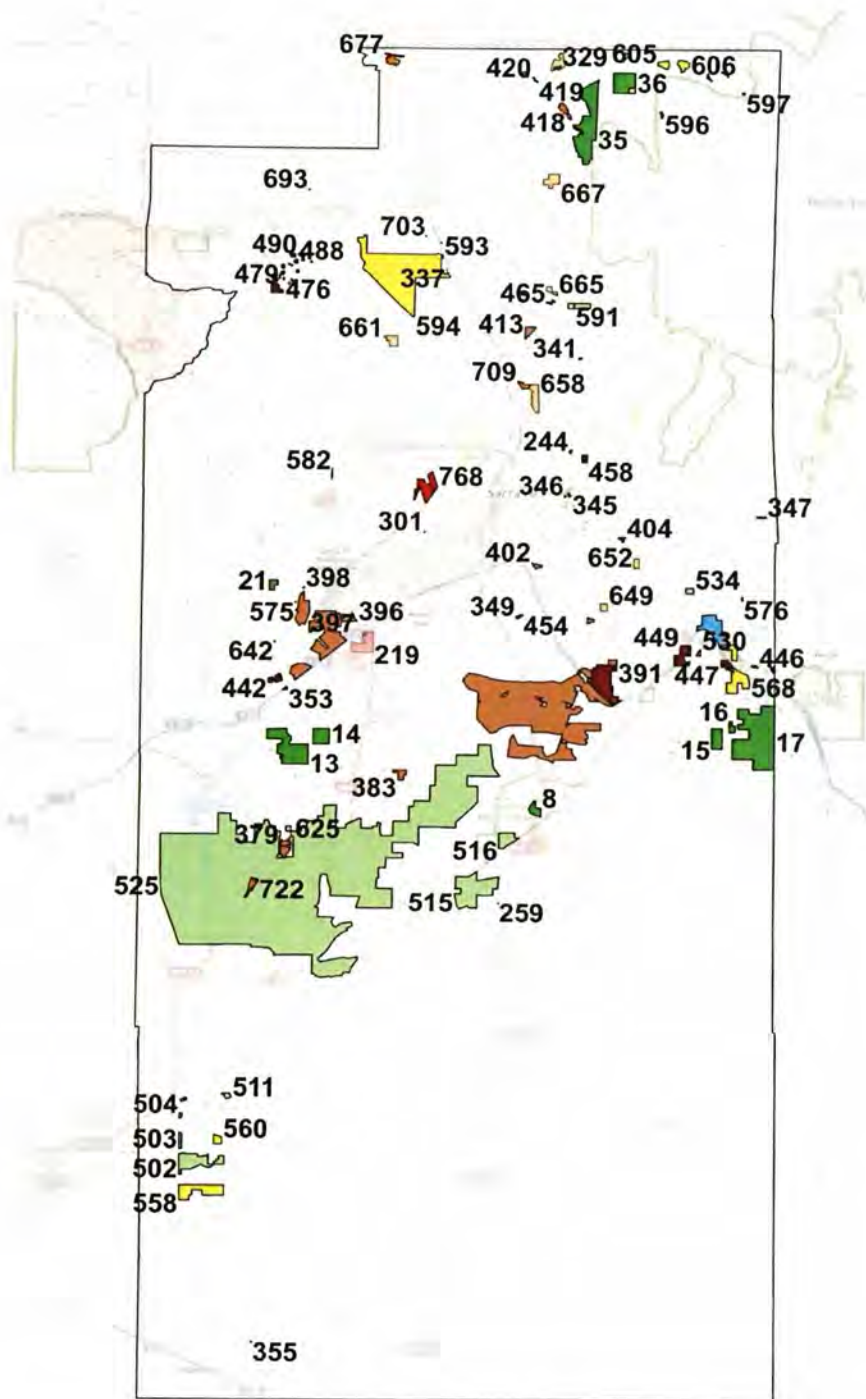
TABLE 12- SUBSET OF ZONE AREAS GROUPED WHICH EXCEED ZONED DENSITIES

| Zone Type                    | Zone Areas | Acres         | Dwellings Above Zone Density |
|------------------------------|------------|---------------|------------------------------|
| Ag / Ranch                   | 9          | 1,528         | 25                           |
| Mixed Used                   | 1          | 124           | 314                          |
| Planned Development District | 3          | 426           | 729                          |
| Public / Institutional       | 4          | 32            | 109                          |
| Residential Community        | 8          | 70            | 100                          |
| Residential Estate           | 17         | 11,285        | 4,712                        |
| Residential Fringe           | 33         | 1,845         | 431                          |
| Rural                        | 12         | 33,470        | 990                          |
| Rural Fringe                 | 20         | 1,287         | 110                          |
| Rural Residential            | 11         | 1,048         | 122                          |
| Traditional Community        | 9          | 364           | 691                          |
| <b>Totals</b>                | <b>127</b> | <b>51,479</b> | <b>8,333</b>                 |

*Note: Calculated by Zone ID using total residential property including common areas, open space, parks, and vacant properties divided by acres total zoned area. The subset of zones excludes exempt, commercial, and areas not under county zoning.*

*Source: Santa Fe County Data January 2021 Query & online ARCGIS*

FIGURE 102 - MAP OF ZONE DENSITY GREATER THAN ALLOWED WITH ZONE ID



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Note: Note: Calculated by Zone ID using total residential property including common areas, open space, parks, and vacant properties divided by acres total zoned area. The subset of zones excludes Exempt, Commercial, and areas not under County zoning.  
 Source: Santa Fe County Data January 2021 Query & online ARCGIS

### Zone Areas Below Density Allowed

Looking at zone areas that are at or below zone density helps to identify areas that have the potential for the additional building of new houses. There are 365 zone areas that are below the density allowed covering 401,681 acres and already containing 24,707 dwellings. Overall current zoning rules allow for 57,992 more buildings. (see Table 13 and Figure 103)

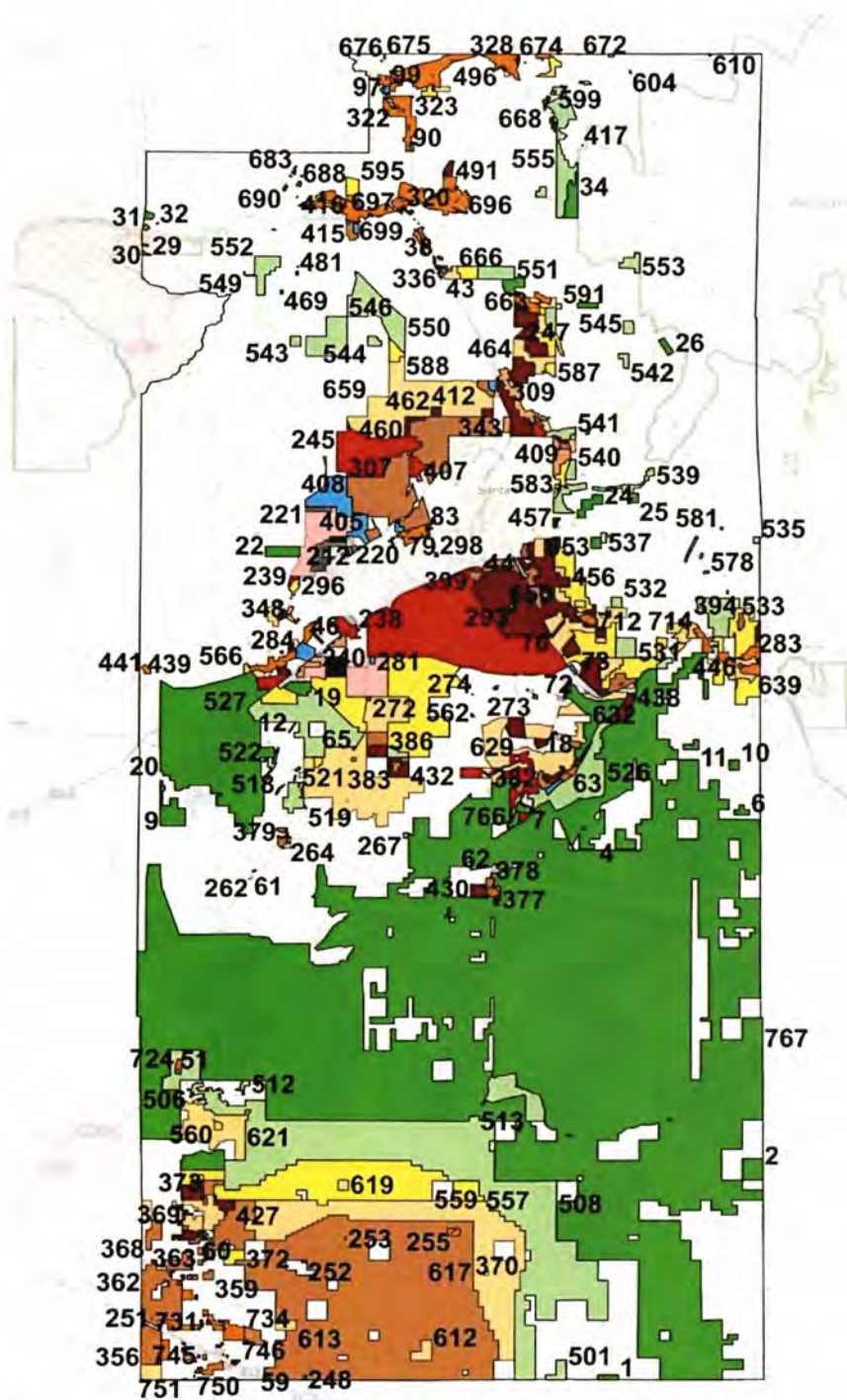
TABLE 13 - ZONE AREAS BELOW DENSITY

| Zone Area Below Density      | Grouped Zones | Acres          | Zoned for Dwellings | Dwellings     | Available to Build |
|------------------------------|---------------|----------------|---------------------|---------------|--------------------|
| Ag / Ranch                   | 9             | 227,138        | 1420                | 333           | 1,087              |
| Commercial General           | 18            | 224            | 561                 | 38            | 523                |
| Commercial Neighborhood      | 25            | 288            | 721                 | 96            | 626                |
| Industrial General           | 3             | 365            | 365                 | 11            | 354                |
| Industrial Light             | 3             | 575            | 575                 | 5             | 570                |
| Mixed Used                   | 4             | 3,384          | 3,384               | 12            | 3,372              |
| Planned Development District | 11            | 12,399         | 32,961              | 4,585         | 28,376             |
| Public / Institutional       | 23            | 989            | 2,472               | 45            | 2,427              |
| Residential Community        | 17            | 2,070          | 1,960               | 1,136         | 824                |
| Residential Estate           | 49            | 41,512         | 16,600              | 5,796         | 10,804             |
| Residential Fringe           | 40            | 16,979         | 3,391               | 2,567         | 824                |
| Rural                        | 27            | 27,846         | 728                 | 240           | 488                |
| Rural Fringe                 | 23            | 18,052         | 903                 | 295           | 608                |
| Rural Residential            | 46            | 38,190         | 3,782               | 2553          | 1,229              |
| Traditional Community        | 67            | 11,668         | 12,876              | 6,995         | 5,881              |
| <b>Totals</b>                | <b>365</b>    | <b>401,681</b> | <b>82,699</b>       | <b>24,707</b> | <b>57,992</b>      |

*Note: Calculated by Zone ID using total residential property including common areas, open space, parks, and vacant properties divided by acres total zoned area. The subset of zones excludes exempt and areas not under county zoning.*

*Source: Santa Fe County Data January 2021 Query & online ARCGIS*

FIGURE 103 - AREAS UNDER ZONING DENSITY BY ZONE ID



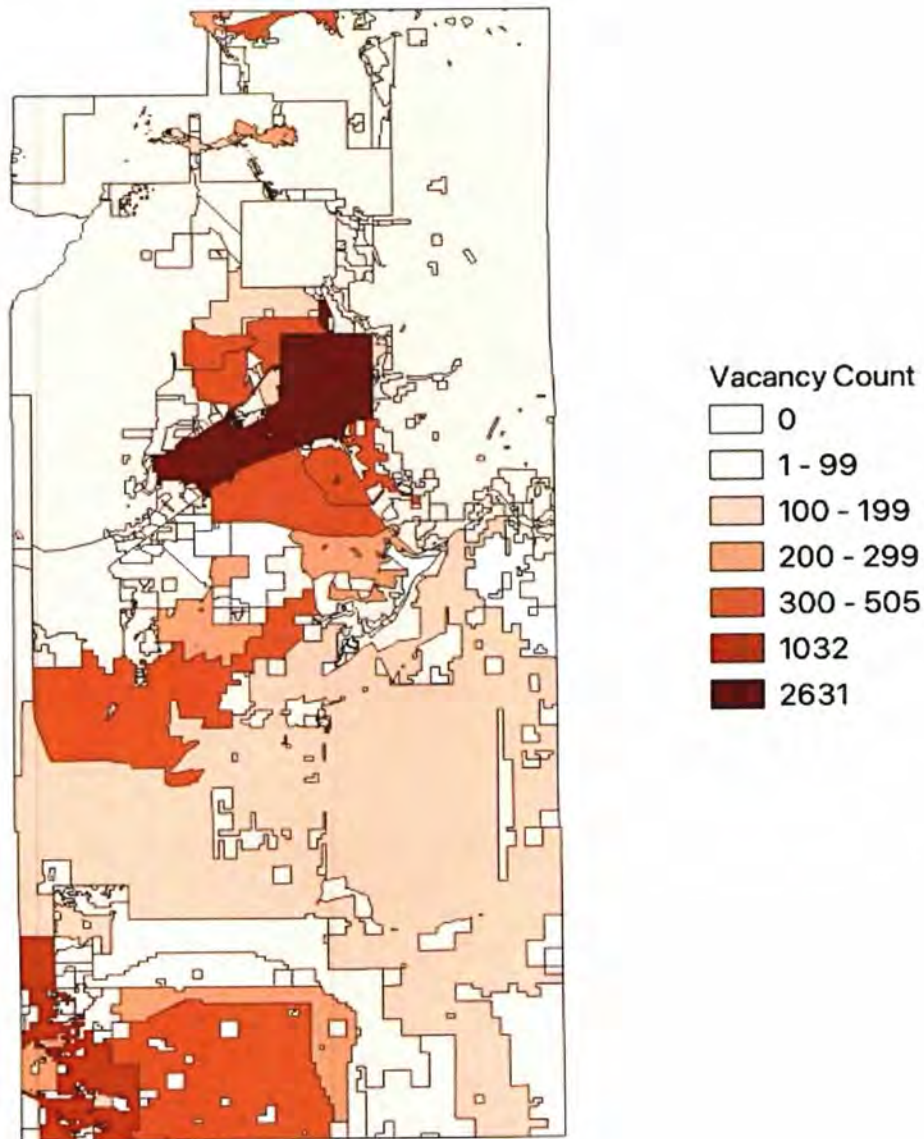
Note: Calculated by Zone ID using total residential property including common areas, open space, parks, and vacant properties divided by acres total zoned area. The subset of zones excludes exempt and areas not under county zoning.  
 Source: Santa Fe County Data January 2021 Query & online ARCGIS

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### Vacant Property

Vacant properties can be an area where development can be focused. Figure 104 shows the zone districts by a count of vacant properties. Because municipalities have more properties by acre, they also have more vacant properties.

FIGURE 104 - COUNT OF VACANT PROPERTY BY ZONE DISTRICT



Source: Santa Fe County Data January 2021 Query & online ARCGIS

Overall, 17.3 percent of properties are vacant with a count of 13,565. However, the individual zone districts can have anywhere from 100 percent vacant properties (industrial general) down to the lowest, 9.1 percent vacancy in municipality. Oddly enough, the municipality zone district has the highest number of vacant properties at 3,931 while being the lowest percent vacant. The municipal annexation areas have a higher percentage of vacant properties at 28.4 percent but only have 125 vacant properties. Residential estates with 21.9 percent have the second-highest number of vacant properties at 2,359. Residential fringe, at 30.4 percent, adds an additional 922 vacant properties.

TABLE 14 - SANTA FE COUNTY COUNT OF PROPERTIES BY ZONE DISTRICT AND RESIDENTIAL TYPE

| Zone District        | Condo        | Manuf. Home  | Multi-Unit | Single        | Total Residential | All Other Types <sup>1</sup> | Vacant        | % Vacant     | Total All     |
|----------------------|--------------|--------------|------------|---------------|-------------------|------------------------------|---------------|--------------|---------------|
| Ag / Ranch           | -            | 6            | -          | 129           | 135               | 293                          | 220           | 34.0%        | 648           |
| Commercial Gen.      | 2            | 7            | -          | 9             | 18                | 19                           | 20            | 35.1%        | 57            |
| Comm. Neighbor.      | -            | 18           | 2          | 36            | 56                | 80                           | 39            | 22.4%        | 174           |
| Fed. & State *       | -            | 2            | -          | 2             | 4                 | 8                            | 190           | 94.1%        | 202           |
| Industrial General   | -            | -            | -          | -             | -                 | -                            | 11            | 100%         | 11            |
| Industrial Light     | -            | 1            | -          | -             | 1                 | 1                            | 4             | 66.7%        | 6             |
| Mixed Used           | -            | 67           | -          | 206           | 273               | 12                           | 43            | 13.1%        | 328           |
| Municipal Annex. *   | 4            | 25           | 2          | 267           | 298               | 17                           | 125           | 28.4%        | 440           |
| Municipality*        | 5,832        | 948          | 207        | 27,508        | 34,495            | 4,643                        | 3,931         | 9.1%         | 43,069        |
| Planned Dev. Dis.    | 37           | 46           | 1          | 3,591         | 3,675             | 626                          | 1,171         | 21.4%        | 5,472         |
| Public/Institutional | 1            | -            | -          | 84            | 85                | 83                           | 59            | 26.0%        | 227           |
| Residential Comm.    | 19           | 2            | 3          | 768           | 852               | 45                           | 350           | 28.1%        | 1,247         |
| Residential Estate   | 77           | 458          | -          | 7,487         | 8,022             | 375                          | 2,359         | 21.9%        | 10,756        |
| Residential Fringe   | 6            | 6            | -          | 1,956         | 2,048             | 58                           | 922           | 30.4%        | 3,028         |
| Rural                | -            | 36           | -          | 480           | 516               | 298                          | 710           | 46.6%        | 1,524         |
| Rural Fringe         | -            | 11           | -          | 42            | 153               | 76                           | 251           | 52.3%        | 480           |
| Rural Residential    | -            | 69           | 1          | 1,424         | 1,494             | 134                          | 1,172         | 41.9%        | 2,800         |
| Traditional Comm.    | 23           | 1,022        | 10         | 4,649         | 5,704             | 251                          | 1,942         | 24.6%        | 7,897         |
| Tribal Lands*        | -            | 4            | -          | 36            | 40                | 7                            | 46            | 49.5%        | 93            |
| <b>Total</b>         | <b>6,001</b> | <b>2,868</b> | <b>226</b> | <b>48,774</b> | <b>57,869</b>     | <b>7,025</b>                 | <b>13,565</b> | <b>17.3%</b> | <b>78,459</b> |

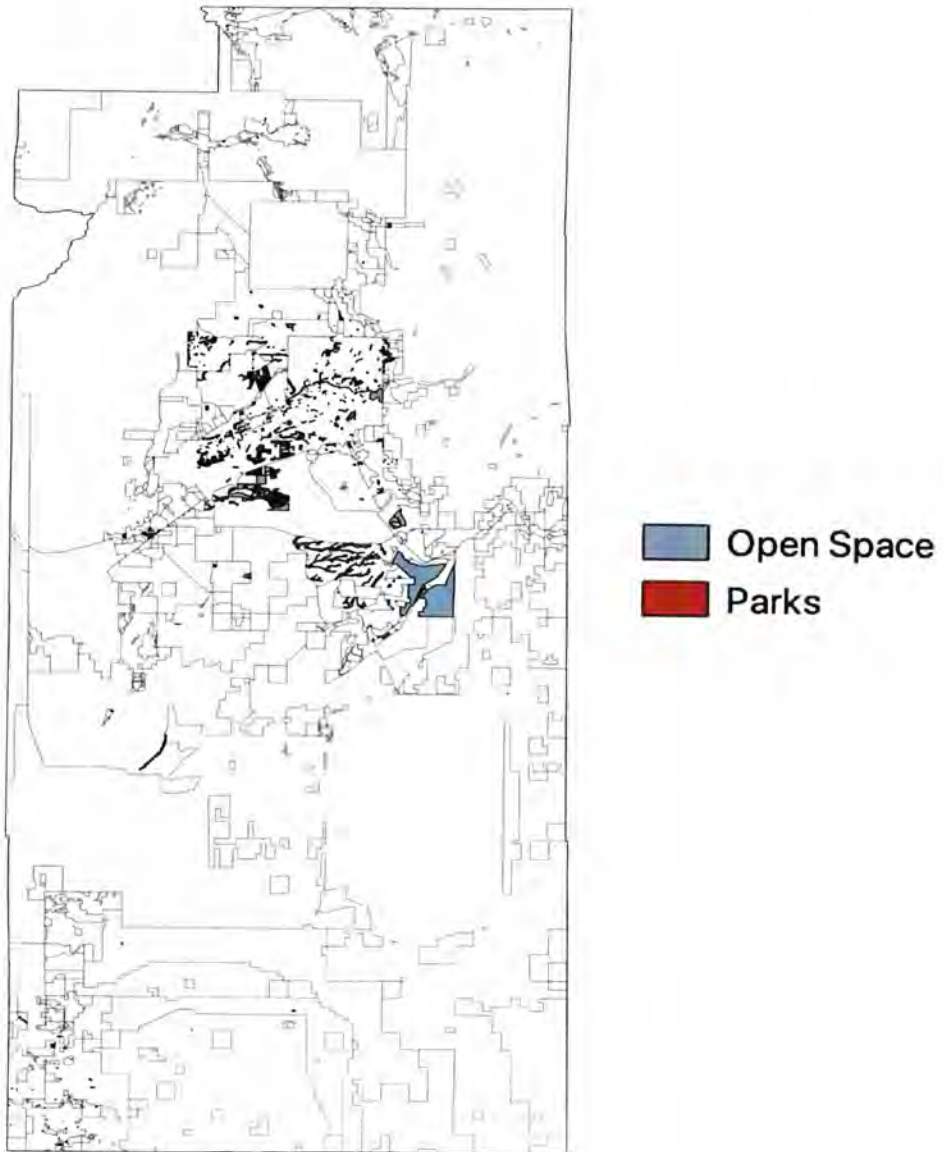
\*not under County zoning jurisdiction

<sup>1</sup> All Other Types includes Open Space, Common Area, Commercial, Exempt Property, Park, Government, and uncoded.

Source: Santa Fe County Data January 2021 Query & online ARCGIS

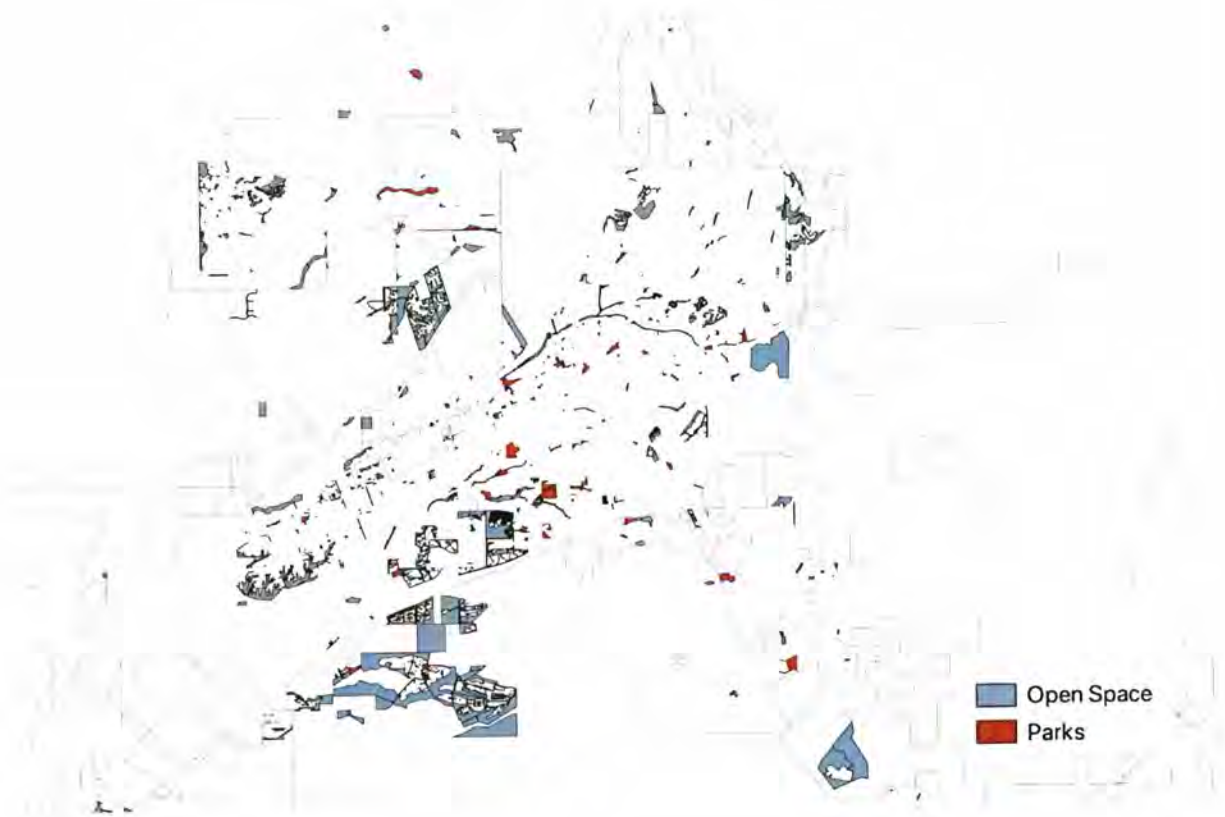
Open space and parks were not included in the vacant properties tabulations as this type of area is an important part of building healthy communities and preserving special land. Note that this does not include federal or state zone area open spaces and parks. The following map is included to provide an idea of where these areas exist in Santa Fe County.

FIGURE 105 - SANTA FE COUNTY OPEN SPACE AND PARKS



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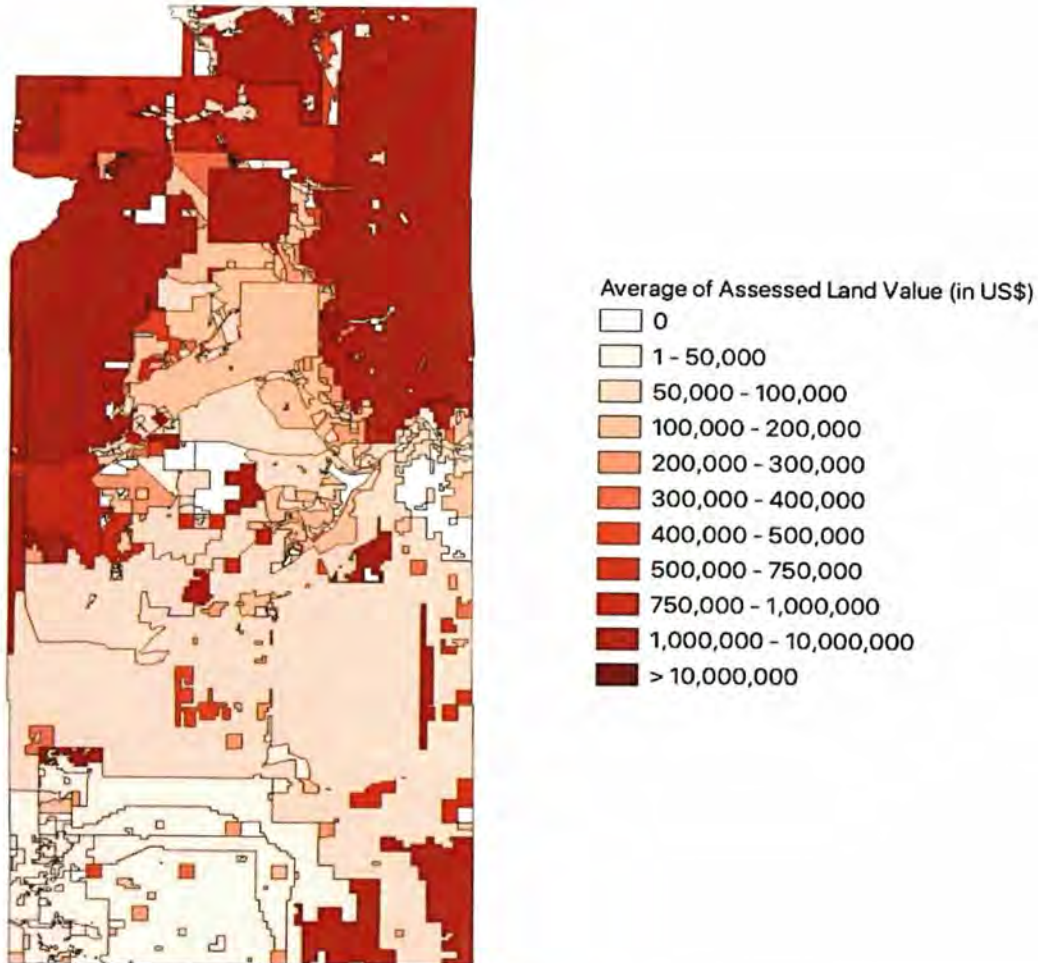
FIGURE 106 - OPEN SPACE AND PARK ENLARGEMENT



### Assessed Value of Zoned Districts

Assessed values for land and property (which are generally higher than the land) are important as they represent taxable revenue for the county. They do not accurately reflect current market sale values and not all individual lots have values in the data set for both land and property. The assessed values do give an additional data point regarding the value of land and property. For Santa Fe County, the data set contains 67,475 properties that have assessed land values totaling \$2,524,460,259. The total property values of 59,692 properties equals \$6,670,627,875. (see Table 15) The average land value is \$211,583 and the average property value is \$1,546,624. Removing the zone districts not under the county zoning jurisdiction, the average land value is \$120,440 and the average property value is \$393,823.

FIGURE 107 - THE AVERAGE ASSESSED LAND VALUE BY ZONE AREA



Source: Santa Fe County Data January 2021 Query & online ARCGIS

Municipalities have both the highest land value at \$4,097,698,420 and property value at \$10,974,846,697 in the data set. Residential estates come in second with land value at \$759,098,598. The average assessed property value of residential estates at \$272,194 is \$198,165 more than its average assessed land value.

The zoning district with the highest average assessed land value is federal and state lands. Santa Fe National Forest land has a high assessed value and covers 1,558,452 acres in the state. However, it's not wholly within Santa Fe County; it is also in the counties of Rio Arriba, San Miguel, Sandoval, Mora, and Los Alamos. Other national lands that are in part in Santa Fe County include El Camino Rael de Tierra Adentro National Historic Trail and Pecos National

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Historical Park. There are two state parks, Hyde Memorial and Cerrillos Hills. Also, federal and state lands have a higher assessed land value than property value reflecting taxing rules more than the true value.

Although data on tribal zone districts do not represent 100 percent coverage of tribal areas, it has an assessed land value of \$84,020,290. The tribal zone districts assessed property value of \$18,993,999 is less than its land value.

Not surprisingly, industrial light, industrial general, and public/institutional rank number three, four, and five, respectively, in average land value. What is surprising is that agriculture and ranching average land value is \$129,026. However, the agriculture and ranching zone district average property value ranks third, and its average property value is \$405,456 higher at \$534,483.

The zone districts with the least average assessed land value are mixed-use, traditional community, and residential estates. The zone districts with the least assessed property value are mixed use, traditional community, and municipal annexation area.

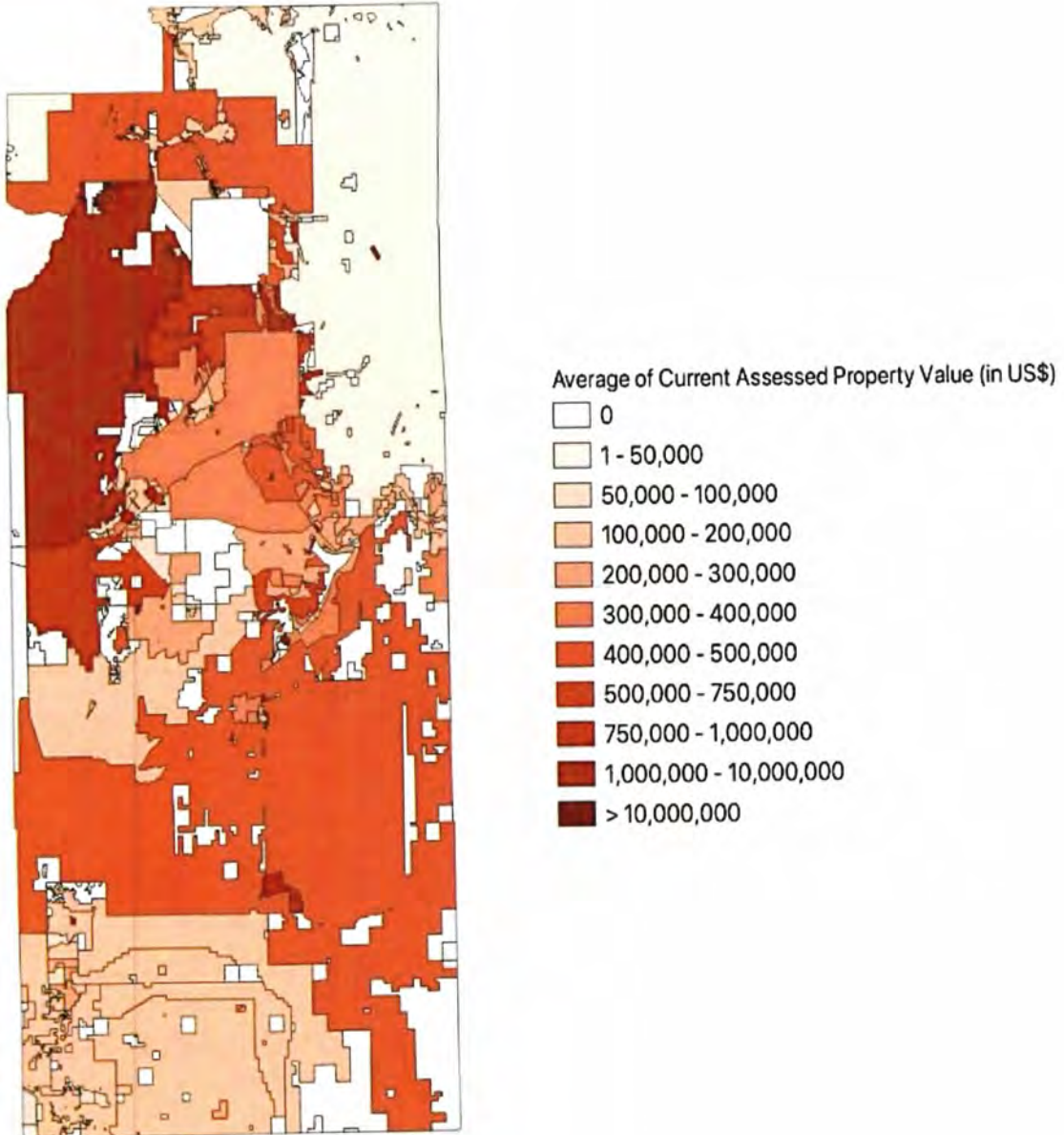
TABLE 15 - SANTA FE COUNTY ZONE DISTRICT ASSESSED VALUE LAND & PROPERTY

| Zone District              | Total Property Count | Total Assessed Land Value | Average of Assessed Land Value | Count No Assessed Land Value | Total Current Assessed Property Value | Average of Current Assessed Property Value | No Assessed Property Value |
|----------------------------|----------------------|---------------------------|--------------------------------|------------------------------|---------------------------------------|--------------------------------------------|----------------------------|
|                            |                      |                           |                                |                              |                                       |                                            |                            |
| Ag / Ranch                 | 648                  | \$44,385,044              | \$129,026                      | 304                          | \$77,499,986                          | \$534,483                                  | 503                        |
| Comm. Gen.                 | 57                   | \$5,188,597               | \$103,772                      | 7                            | \$15,012,273                          | 484,267                                    | 26                         |
| Comm. Nbrhd.               | 174                  | \$15,769,838              | \$99,809                       | 16                           | \$33,292,295                          | 275,143                                    | 53                         |
| Federal & State*           | 202                  | \$214,289,641             | \$1,087,765                    | 5                            | \$128,159,691                         | 21,359,949                                 | 196                        |
| Industrial Gen.            | 11                   | \$2,127,746               | \$265,968                      | 3                            | NA                                    | NA                                         | 11                         |
| Industrial Light           | 6                    | \$1,505,611               | \$301,122                      | 1                            | \$420,958                             | \$420,958                                  | 5                          |
| Mixed Use                  | 328                  | \$11,386,178              | \$36,968                       | 20                           | \$13,896,514                          | \$62,316                                   | 105                        |
| Municipal Annex*           | 440                  | \$40,246,404              | \$94,254                       | 13                           | \$59,769,876                          | \$205,395                                  | 149                        |
| Municipality*              | 43,069               | \$4,097,698,420           | \$118,195                      | 8,400                        | \$10,974,846,697                      | \$297,107                                  | 6,130                      |
| Planned Dev. Dist.         | 5,472                | \$397,128,474             | \$81,479                       | 598                          | \$1,822,086,966                       | \$480,635                                  | 1,681                      |
| Public/Institutional       | 227                  | \$27,673,095              | \$131,777                      | 17                           | \$190,785,564                         | \$1,238,867                                | 73                         |
| Residential Comm           | 1,247                | \$135,871,617             | \$114,466                      | 60                           | \$294,251,708                         | \$354,094                                  | 416                        |
| Residential Estate         | 10,756               | \$759,098,598             | \$74,030                       | 502                          | \$2,120,392,974                       | \$272,194                                  | 2,966                      |
| Residential Fringe         | 3,028                | \$334,320,209             | \$112,870                      | 66                           | \$759,535,504                         | \$376,008                                  | 1,008                      |
| Rural                      | 1,524                | \$98,950,483              | \$83,152                       | 334                          | \$143,700,870                         | \$280,666                                  | 1,012                      |
| Rural Fringe               | 480                  | \$49,754,152              | \$126,601                      | 87                           | \$40,967,491                          | \$259,288                                  | 322                        |
| Rural Residential          | 2,800                | \$244,513,321             | \$92,724                       | 163                          | \$509,545,100                         | \$349,243                                  | 1,341                      |
| Traditional Comm           | 7,897                | \$396,787,296             | \$52,835                       | 387                          | \$649,239,672                         | \$125,360                                  | 2,718                      |
| Tribal Lands*              | 93                   | \$84,020,290              | \$913,264                      | 1                            | \$18,993,999                          | 463,268                                    | 52                         |
| <b>Total All</b>           | <b>78,459</b>        | <b>\$6,960,715,014</b>    | <b>\$4,020,076</b>             | <b>10,984</b>                | <b>\$17,852,398,138</b>               | <b>27,839,240</b>                          | <b>18,767</b>              |
| Average All                |                      | \$211,583                 |                                |                              | 1,546,624                             |                                            |                            |
| <b>County Jurisdiction</b> |                      |                           |                                |                              |                                       |                                            |                            |
| Total                      |                      | \$2,524,460,259           |                                |                              | \$6,670,627,875                       |                                            |                            |
| Average                    |                      | \$120,440                 |                                |                              | \$393,823                             |                                            |                            |

\* not under County zoning jurisdiction

Source: Santa Fe County Data January 2021 Query & Online ArcGIS

FIGURE 108 - SANTA FE COUNTY ZONE DISTRICTS BY CURRENT ASSESSED PROPERTY VALUE



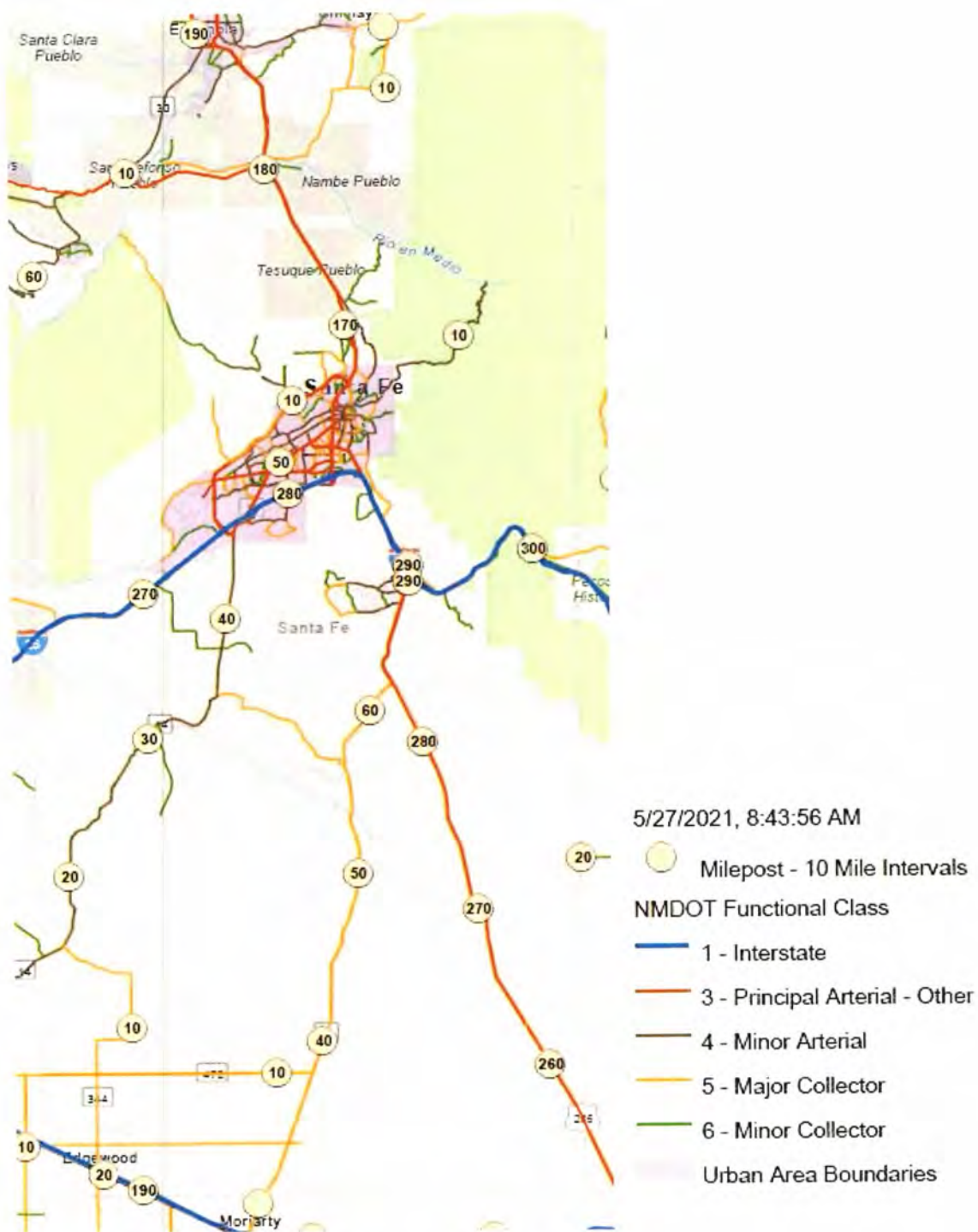
## Property Infrastructure

The following maps are provided to give an idea of where Santa Fe County has or is lacking in infrastructure. Note that items such as access to gas, water, electricity, roads, and broadband are important infrastructure for homes today. The next section provides some documentation on roads and broadband.

## Roads

The NM Department of Transportation maintains a map of functional roads within Santa Fe County which provides insight into the class and types of roads. This is a high-level map and in general, really highlights all the rural areas with the county. (see Figure 109)

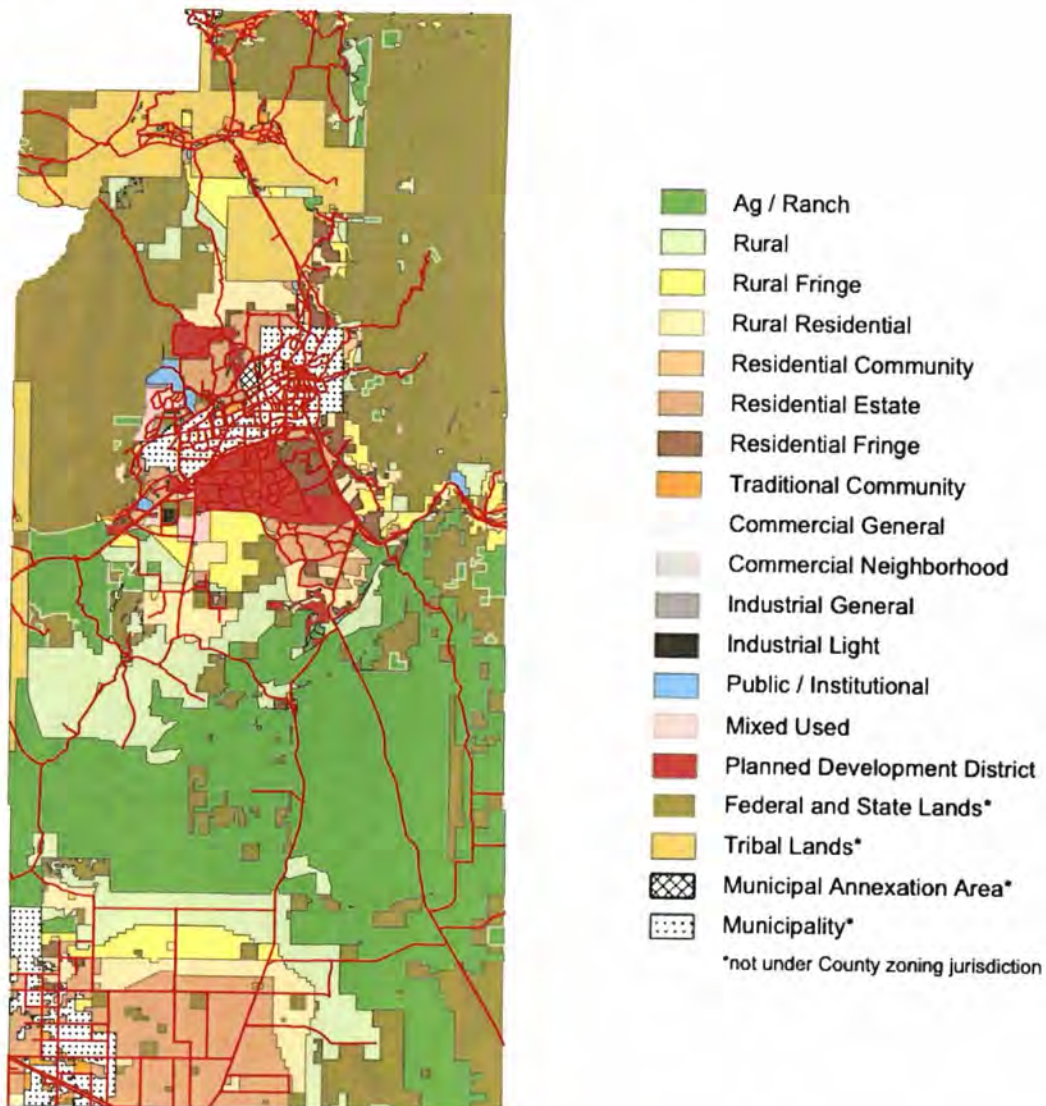
FIGURE 109 - SANTA FE COUNTY MAP OF FUNCTIONAL ROADS



Source: NM Department of Transportation NMDOT.com June 2021

The following map is based on Santa Fe County roads data. It shows more detailed roads and how they relate to Santa Fe County zones. (see Figure 110)

FIGURE 110 - SANTA FE COUNTY MAP OF ROADS AND ZONES



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Source: Santa Fe County Road maps and Santa Fe County Data January 2021 Query

Figure 111 and Table 16 display a count (472) of zone areas with no roads that crossed them. Federal and state lands had the most with 76 zones having no roads within them. Public/institutional came in second and residential fringe came in third. The count did not look

at how many had roads that were closed or next to the zone.

FIGURE 111 - SANTA FE COUNTY MAP BY ZONE ID ALL ZONES WITH NO ROADS PASSING THROUGH

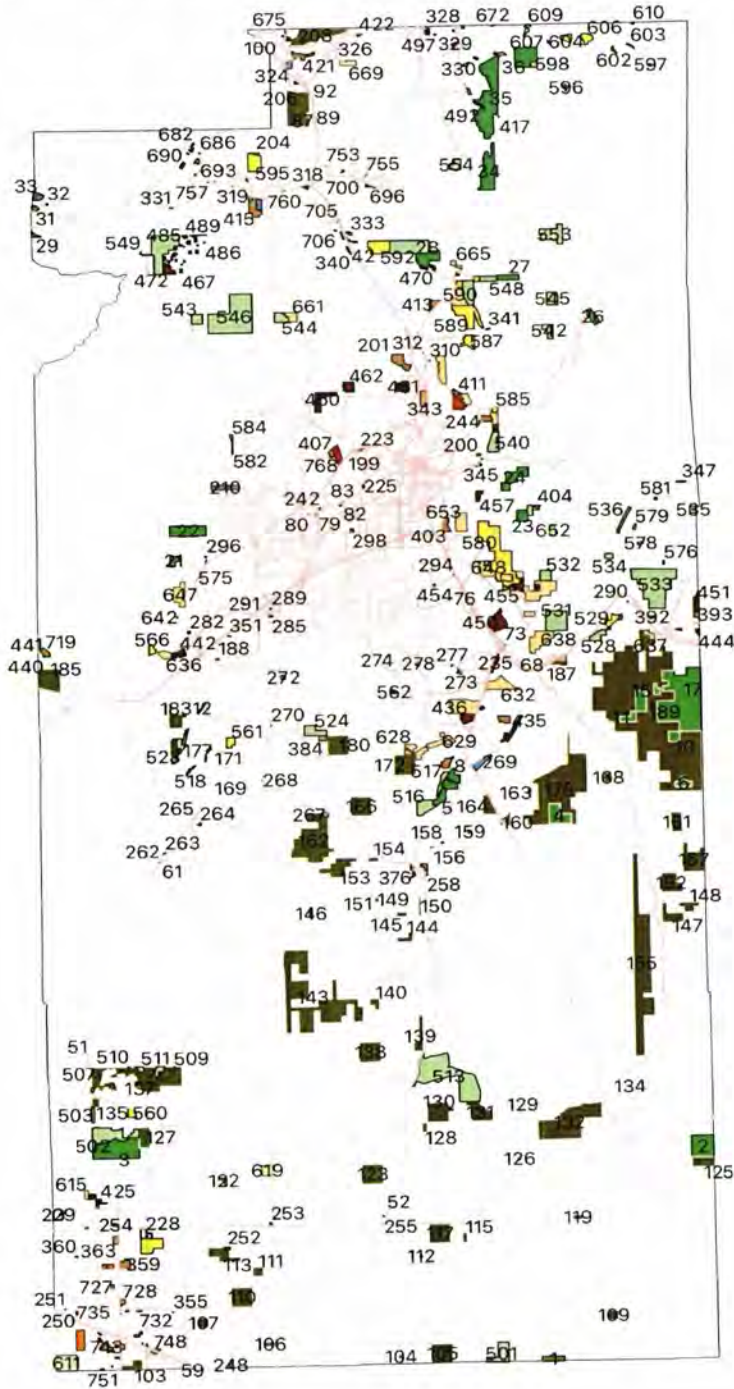


TABLE 16- COUNT OF ZONE DISTRICTS WITHOUT ROADS PASSING THROUGH

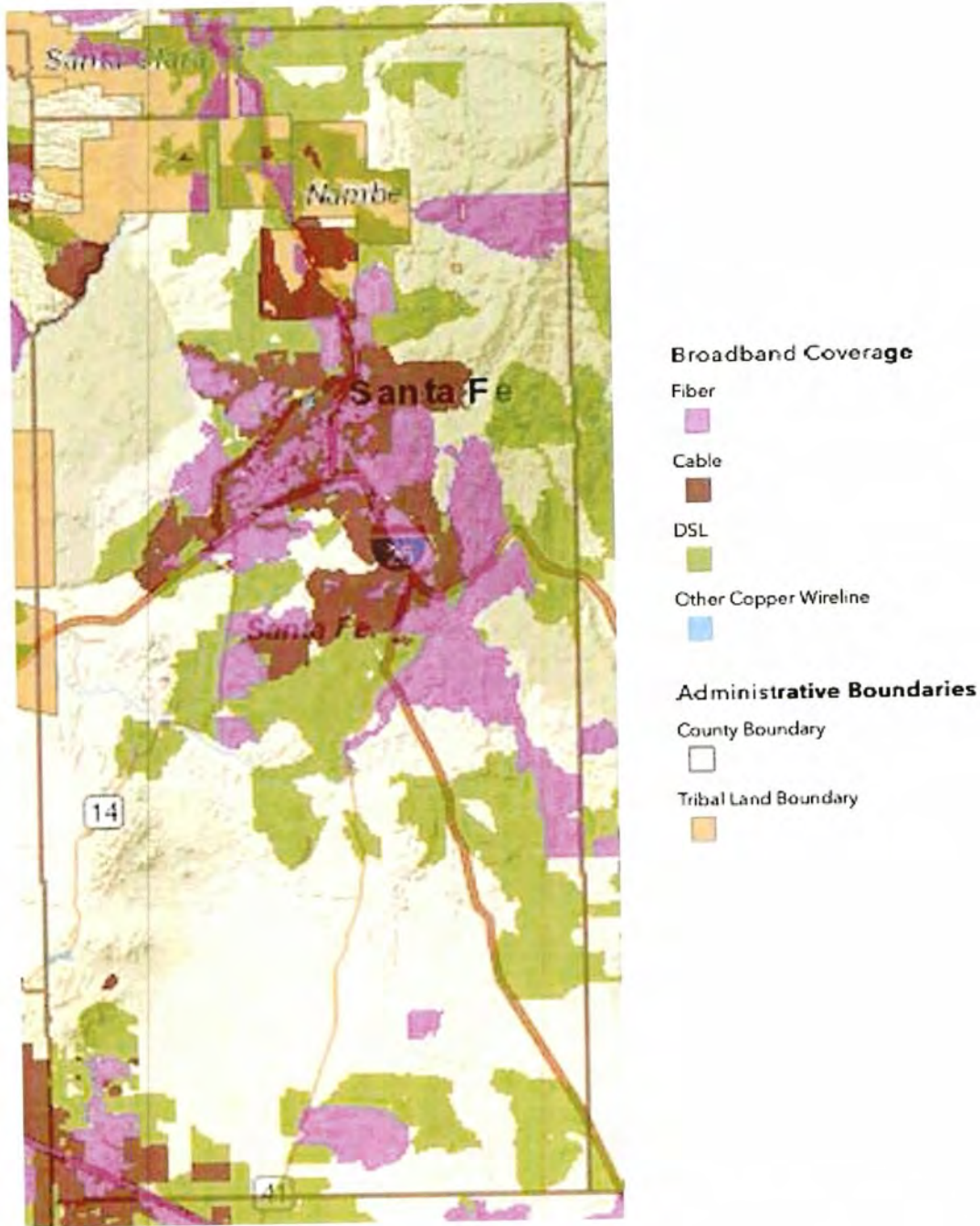
| <b>Zone District</b>                  | <b>Count w/o Roads</b> |
|---------------------------------------|------------------------|
| Ag / Ranch                            | 28                     |
| Commercial General                    | 14                     |
| Commercial Neighborhood               | 26                     |
| Federal and State Lands*              | 76                     |
| Industrial General                    | 1                      |
| Municipal Annexation Area*            | 2                      |
| Municipality*                         | 5                      |
| Planned Development District<br>(PDD) | 5                      |
| Public / Institutional                | 59                     |
| Residential Community                 | 16                     |
| Residential Estate                    | 31                     |
| Residential Fringe                    | 49                     |
| Rural                                 | 43                     |
| Rural Fringe                          | 35                     |
| Rural Residential                     | 31                     |
| Traditional Community                 | 41                     |
| Tribal Lands*                         | 10                     |
| <b>Total</b>                          | <b>472</b>             |

\* not under county zoning jurisdiction

Source: Santa Fe County Data January 2021 Query & Online ARCGIS

The following two maps show some details on broadband availability and accessibility. (see Figure 112 and Figure 113) The first map shows areas that have broadband by fiber, cable, DSL, and other copper wireline. Not surprisingly, many rural areas are without broadband. The second map shows the speeds of downloads. The more red a place is, the higher the need for better broadband.

FIGURE 112 - SANTA FE COUNTY MAP OF BROADBAND COVERAGE



Source: New Mexico Broadband (NMBB) NM DoIT Offices of Broadband and Geospatial Technology  
<https://nmbbmapping.org/mapping/>

FIGURE 113 - DOWNLOAD SPEED TESTS FOR SANTA FE COUNTY



| Level                   | Indicator of Broadband Need                                                                                                     | Yes | No |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----|----|
| <b>County</b>           | Speed Tests - M-Lab Median Speeds<br>Fixed Broadband Below 25/3 Mbps                                                            |     |    |
|                         | Usage - 75% or More of Devices<br>Connect to Microsoft Updates/Services<br>via Fixed Broadband Download Speeds<br>below 25 Mbps |     |    |
| <b>Census<br/>Tract</b> | Speed Tests - Ookla Median Speeds<br>Fixed Broadband Below 25/3 Mbps                                                            |     |    |
|                         | American Community Survey - 25% or<br>More of Households Report No Internet<br>Access                                           |     |    |
|                         | American Community Survey - 25% or<br>More of Households Report No<br>Computer, Smartphone or Tablet                            |     |    |
| <b>Census<br/>Block</b> | FCC Form 477 – No Provider Reports<br>Consumer Fixed Broadband Services at<br>25/3 Mbps                                         |     |    |

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Source: National Telecommunications and Information Administration (NTIA)

## Community Snapshots

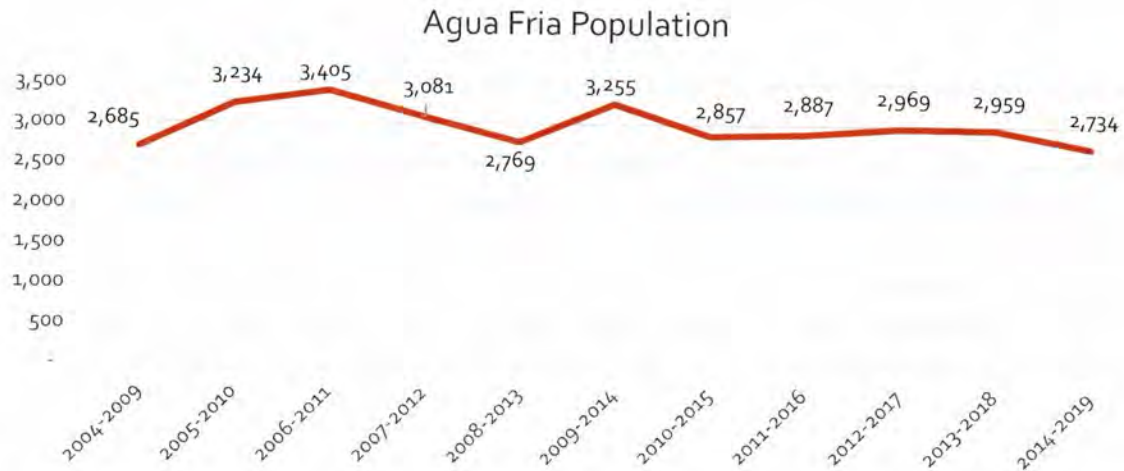
Santa Fe County covers 1,909 square miles with a population estimated at 150,358 as of July 1, 2019<sup>14</sup>. The population density is 78.7 people per square mile. There are 36 cities and towns for which data are provided in this section. Espanola and Edgewood are two places that extend beyond the county boundary and breakouts for the Santa Fe County portion are provided as available. There are several tribal areas and Santa Fe County has four pueblos: Nambe, Pojoaque, San Ildefonso and Tesuque. Santa Fe County has a very diverse population. This diversity is not evenly spread throughout Santa Fe County but grouped in communities giving each area a district-looking population.

The following community snapshots use US Census Bureau American Community Survey (ACS) 5-year estimates. The ACS does produce 1-year estimates however, they are only available for geographies that meet the 65,000-plus population threshold. Only the city of Santa Fe meets the threshold criteria within Santa Fe County for 2019. ACS data are released each year with 1-year estimates in September and 5-year estimates in December with data for the prior year.

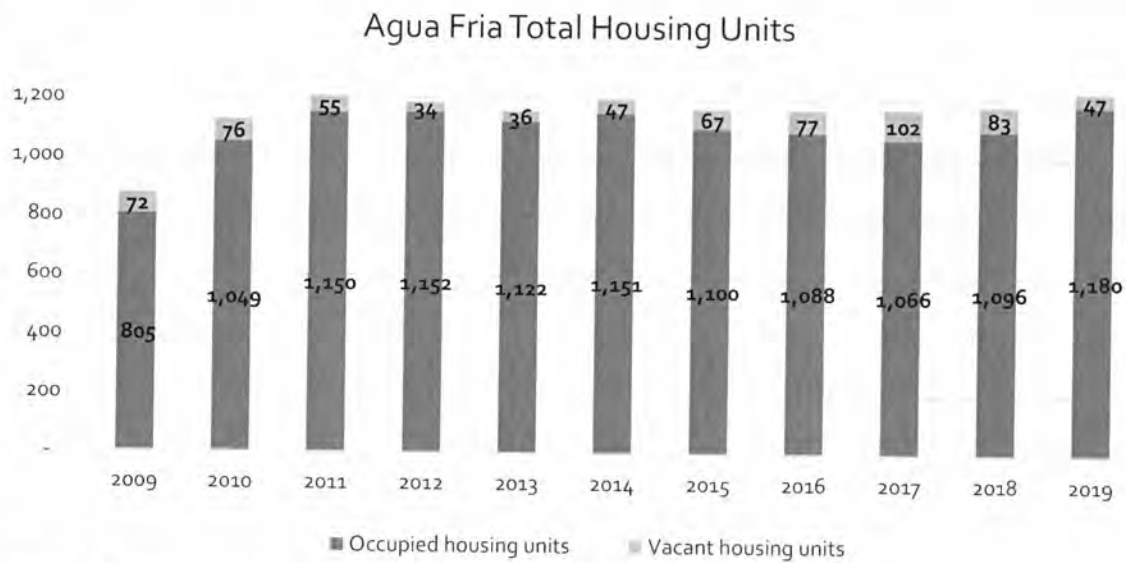
---

<sup>14</sup> US Census Bureau Population Estimate vintage 2019

## Agua Fria



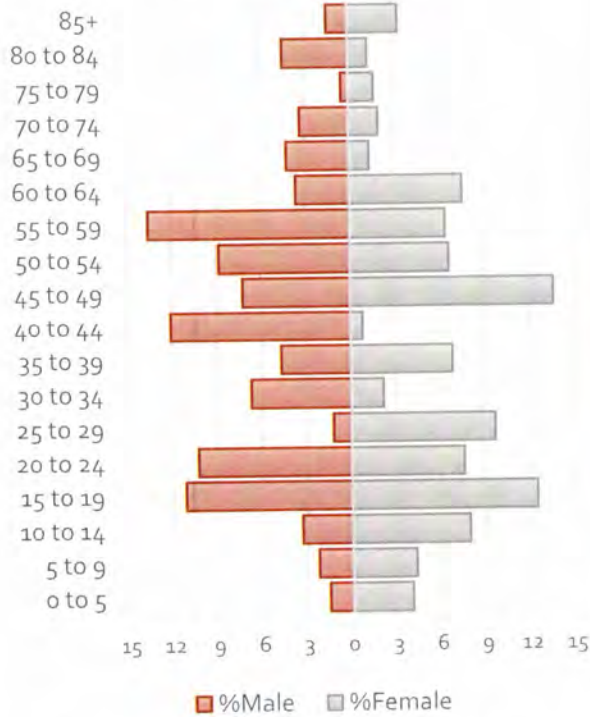
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

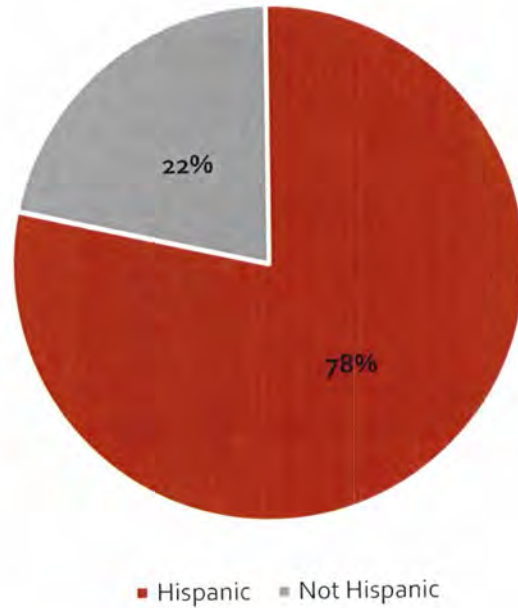
SFC CLERK RECORDED 12/13/2022

Agua Fria  
Age and Sex 2019



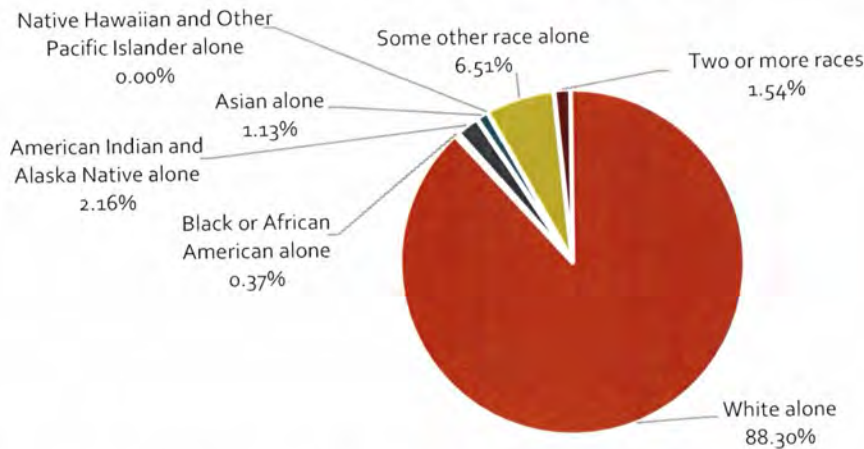
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Agua Fria  
Hispanic Ethnicity 2019



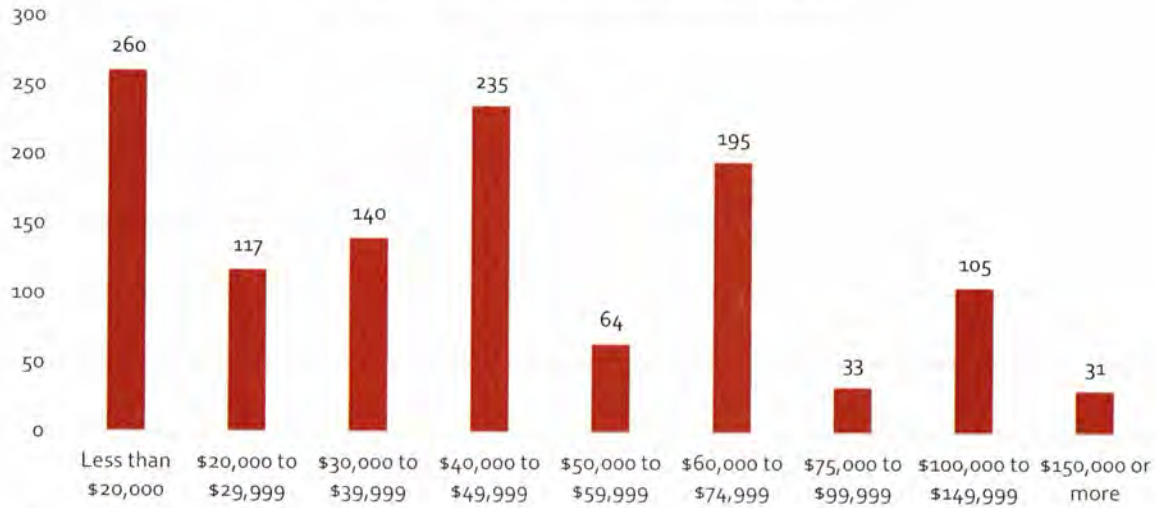
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Agua Fria Race 2019



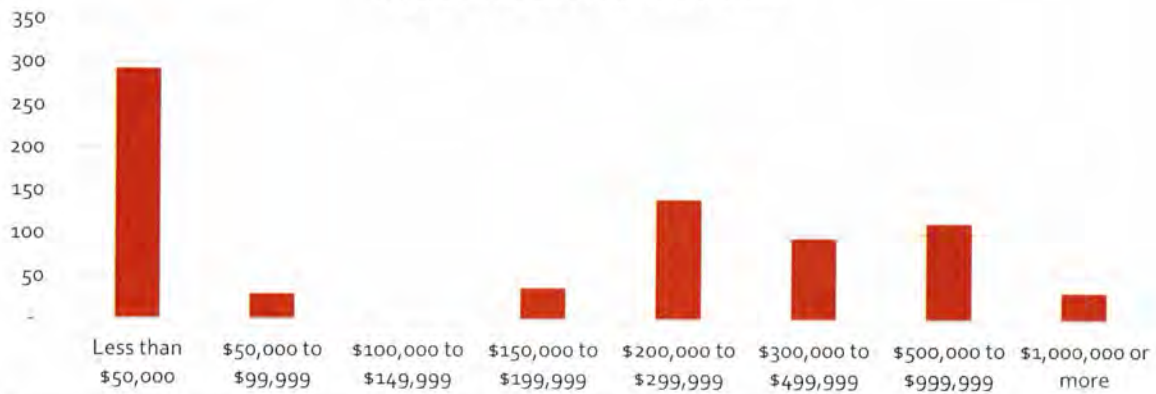
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Agua Fria Household Income 2019



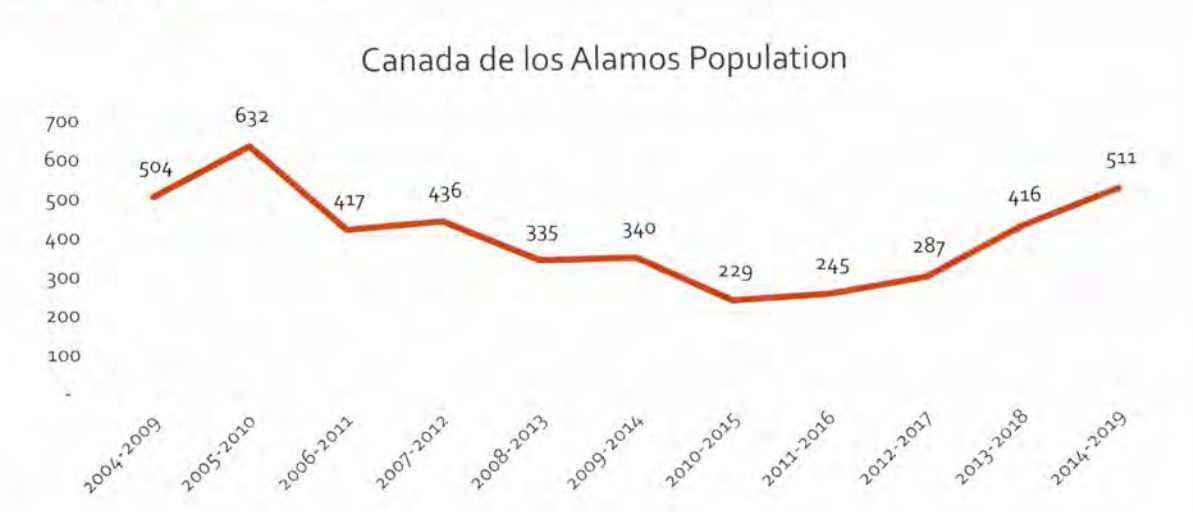
Source: US Census Bureau American Community Survey 5-year estimates Table DPo3

### Value of Owner-Occupied Units Agua Fria CDP, New Mexico

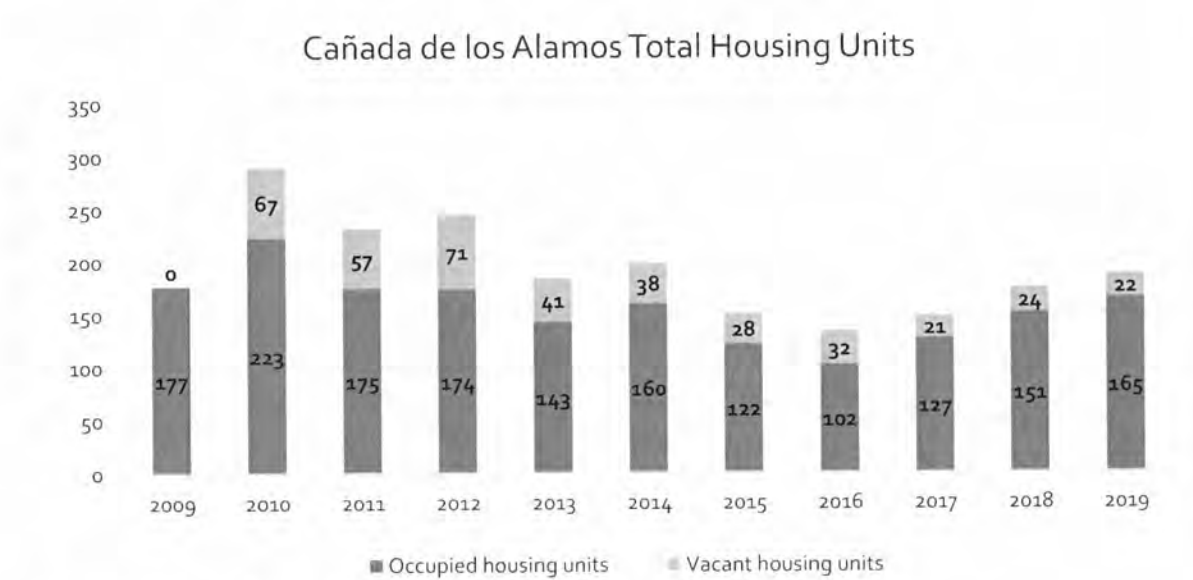


Source: US Census Bureau American Community Survey 5-Year Est. 2019 Table DPo4

## Cañada de los Alamos

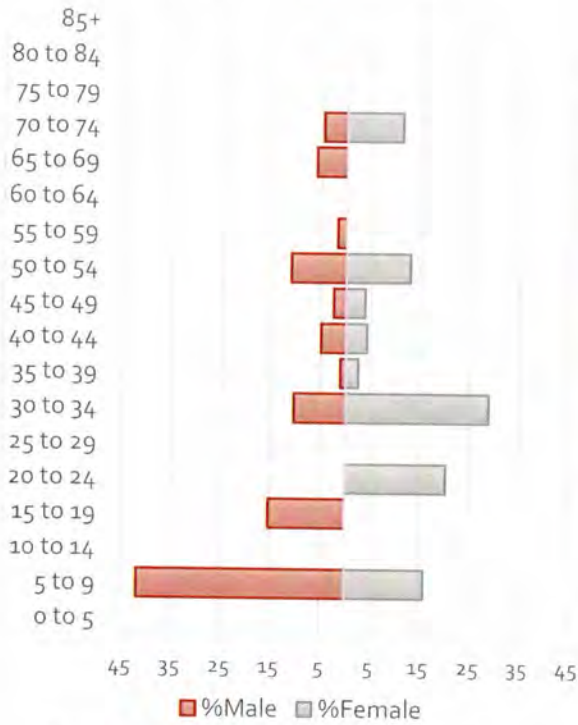


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



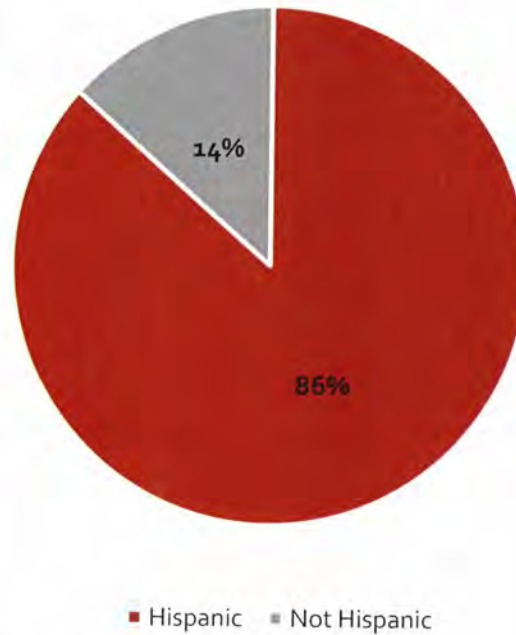
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Cañada de los Alamos Age and Sex 2019



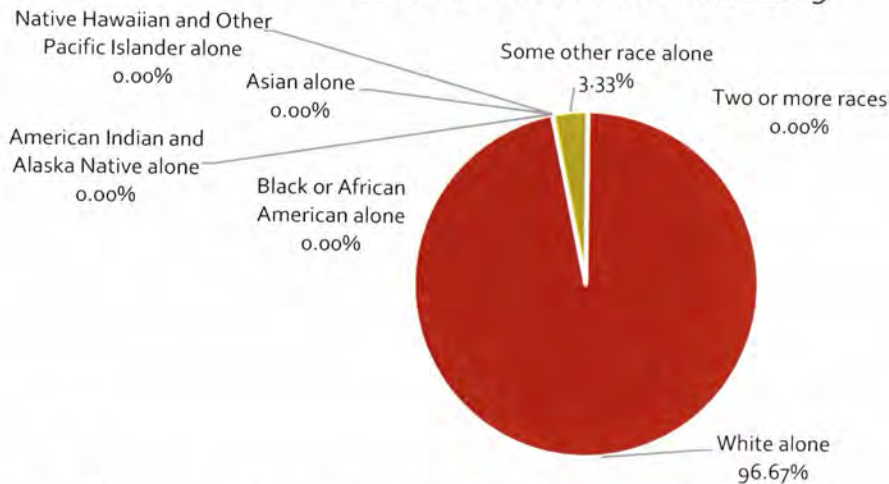
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Cañada de los Alamos Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

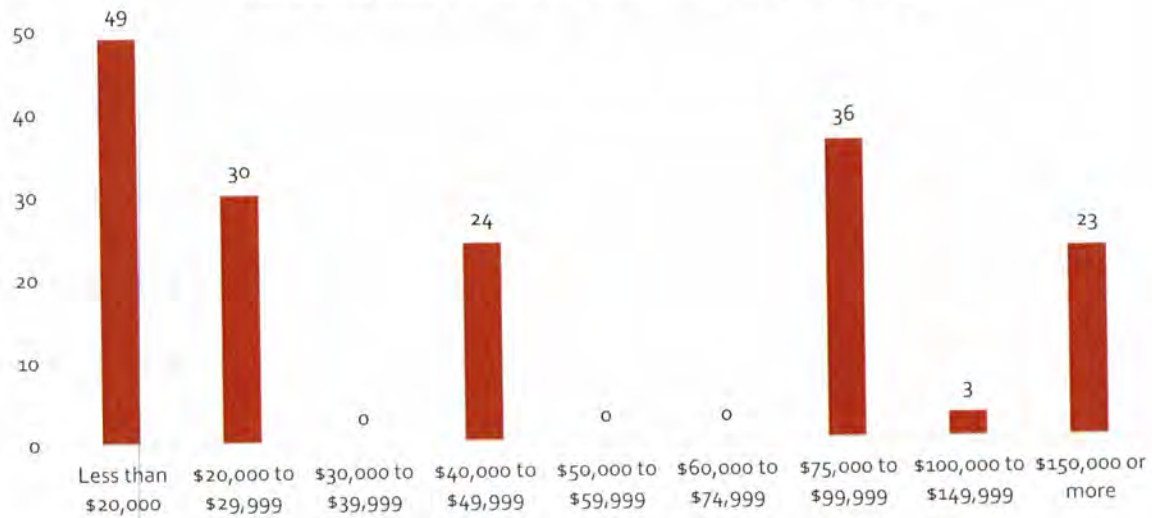
Cañada de los Alamos Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

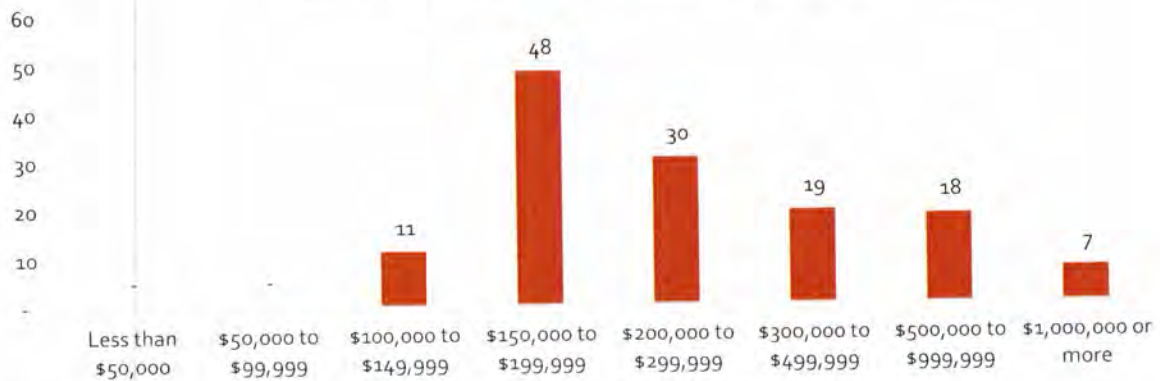
SFC CLERK RECORDED 12/13/2022

### Cañada de los Alamos Household Income 2019



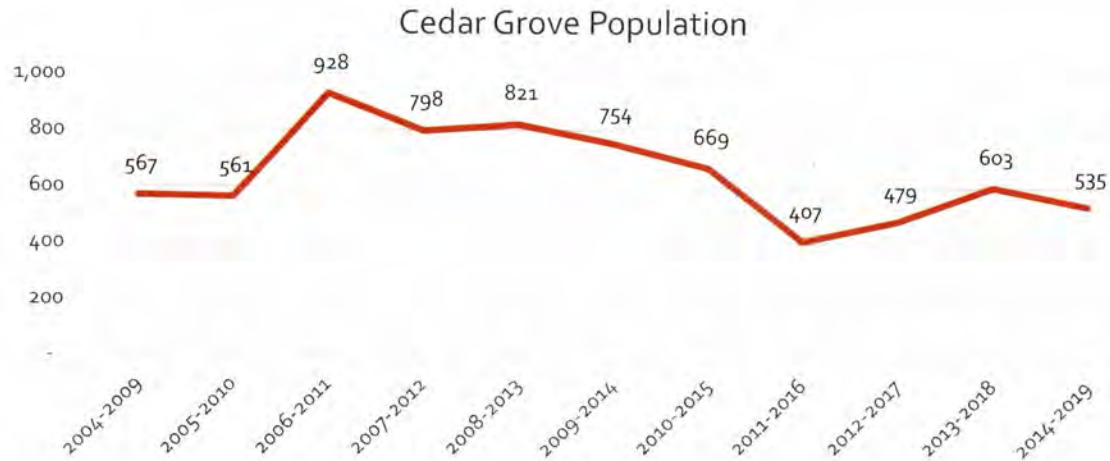
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Cañada de los Alamos CDP, New Mexico

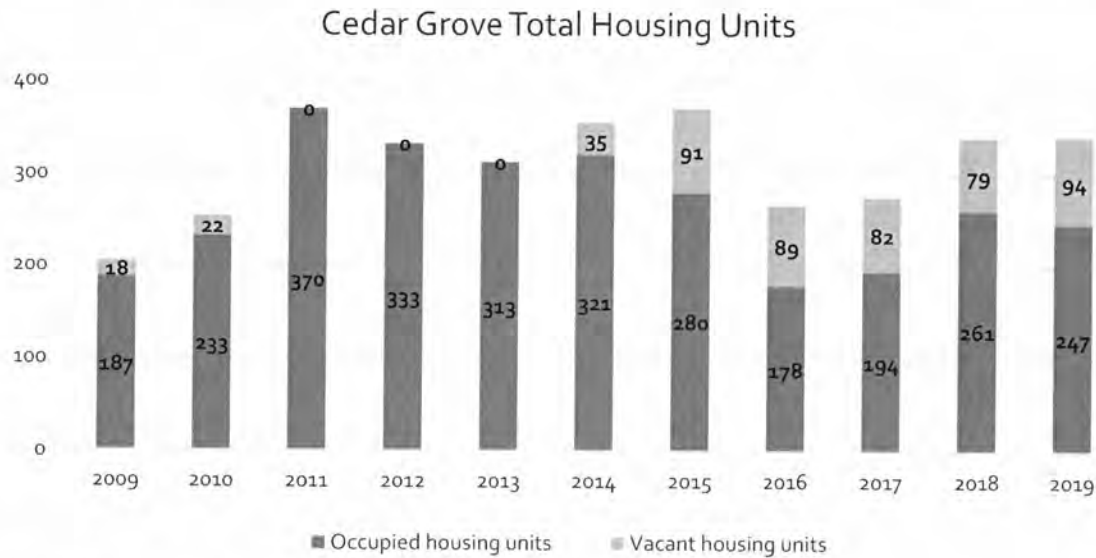


Source: US Census Bureau American Community Survey 5-Year Est. 2019 Table DP04

**Cedar Grove**



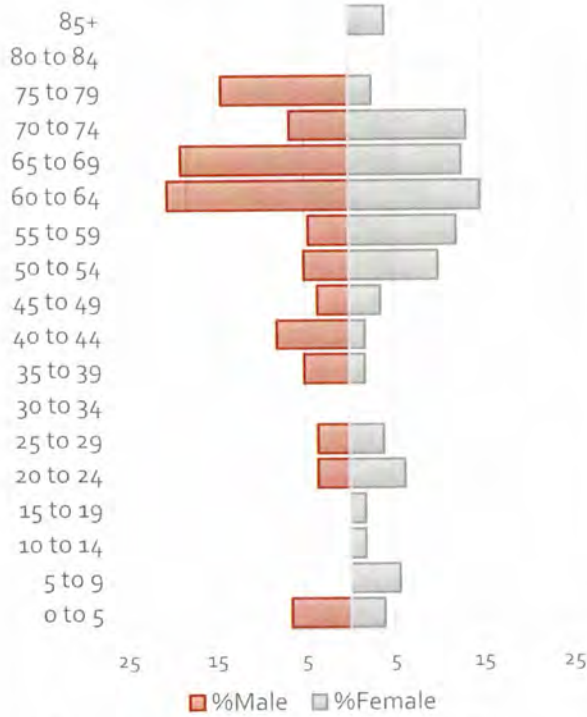
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

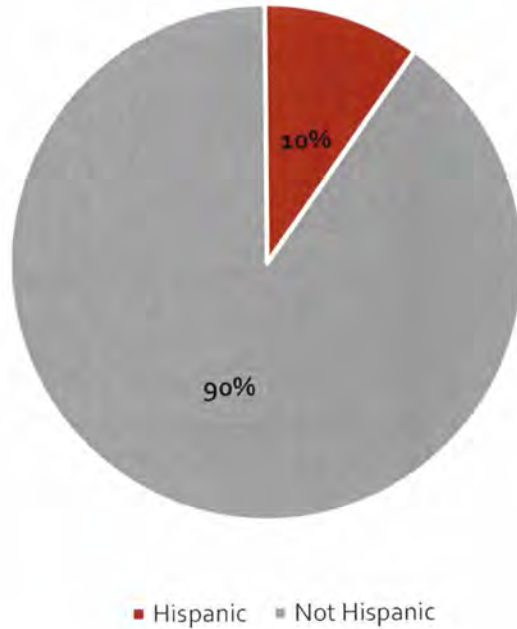
SFC CLERK RECORDED 12/13/2022

Cedar Grove Age and Sex 2019



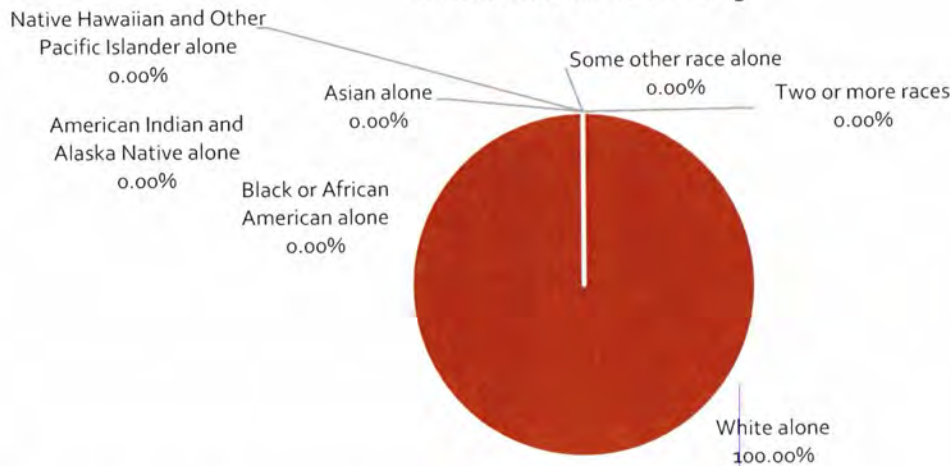
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Cedar Grove Hispanic Ethnicity 2019



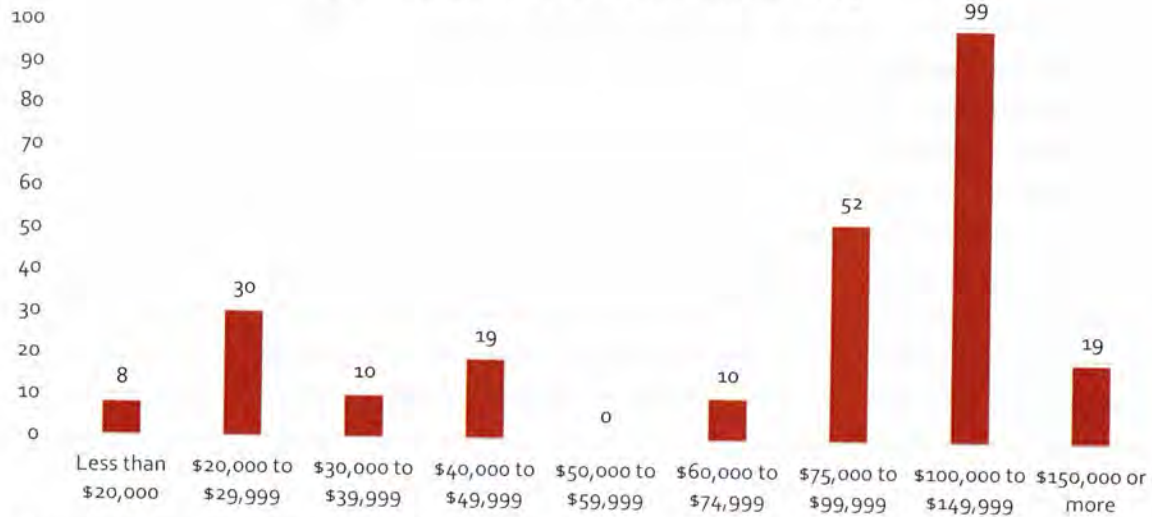
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Cedar Grove Race 2019



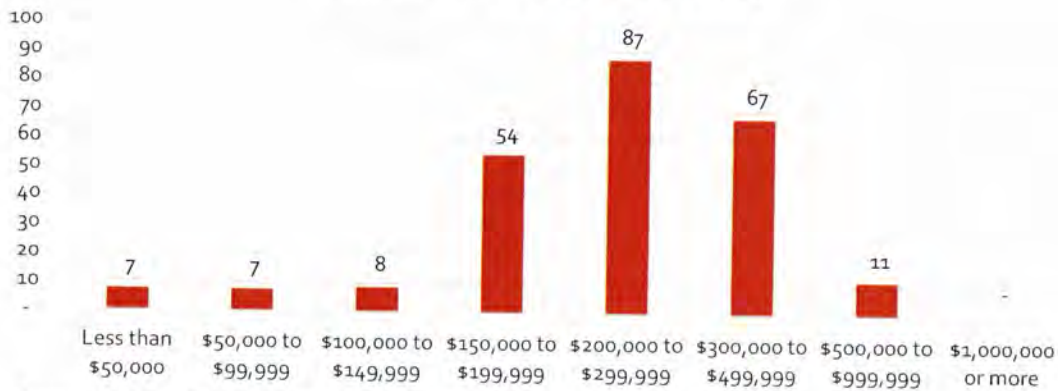
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Cedar Grove Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DPo3

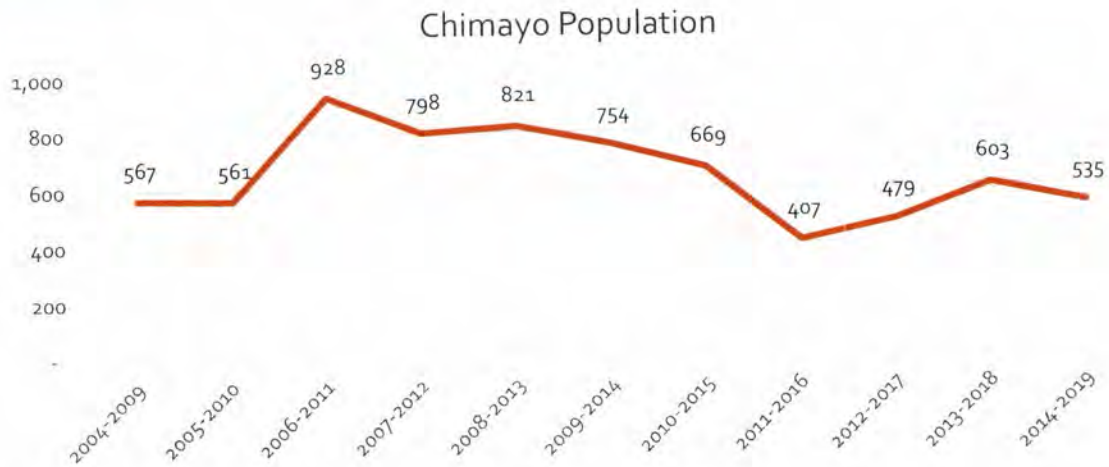
### Value of Owner-Occupied Units Cedar Grove CDP, New Mexico



Source: US Census Bureau American Community Survey 5-Year Est. 2019 Table DPo4

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## Chimayo

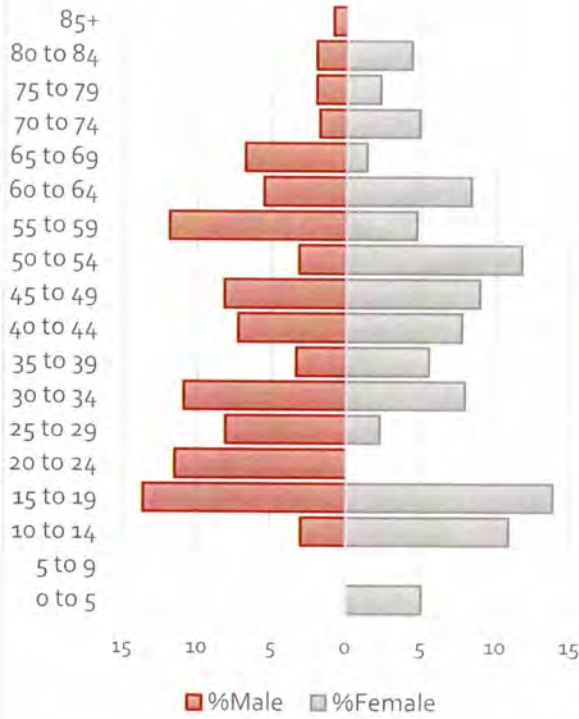


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



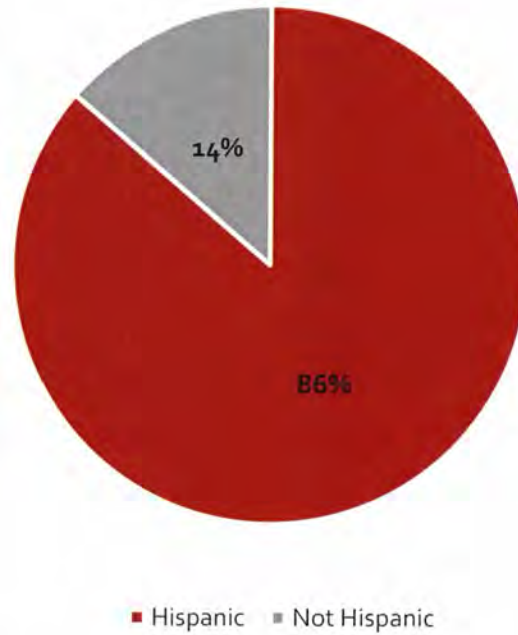
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Chimayo Age and Sex 2019



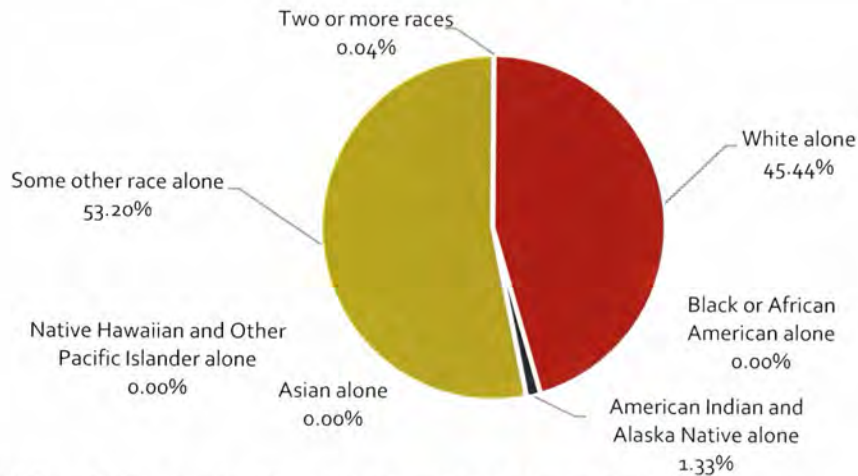
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Chimayo Hispanic Ethnicity 2019



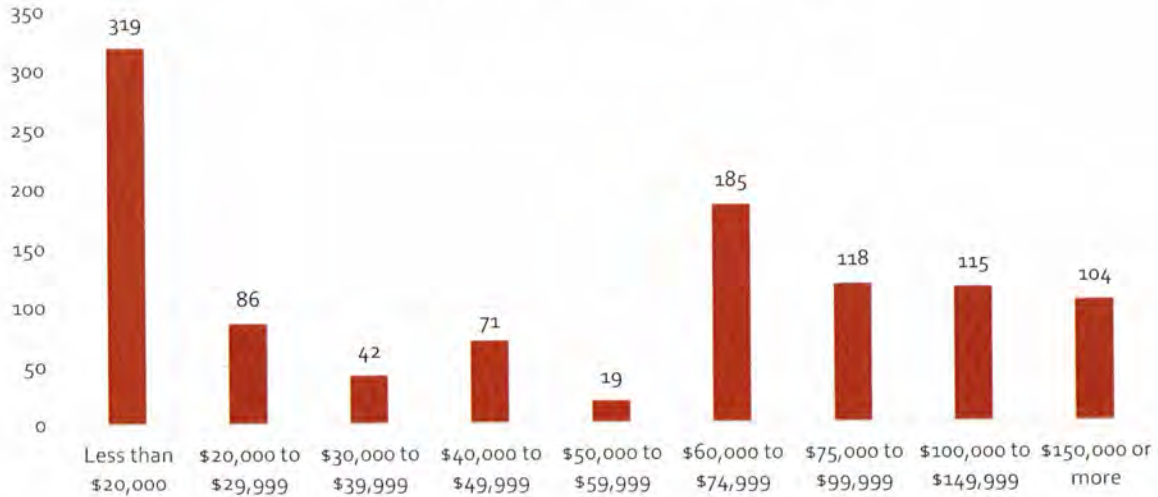
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Chimayo Race 2019



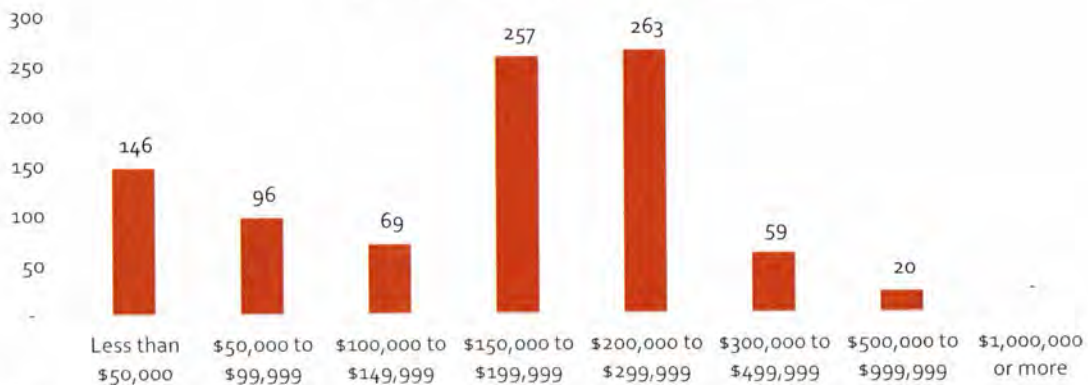
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Chimayo Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Chimayo CDP, New Mexico

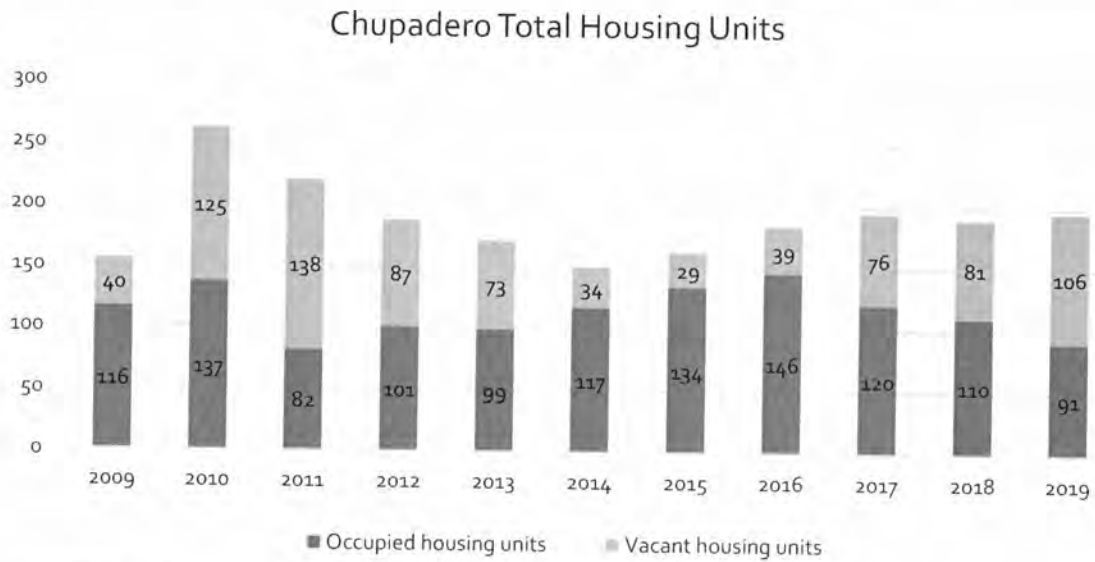


Source: US Census Bureau American Community Survey 5-Year Est. 2019 Table DP04

## Chupadero



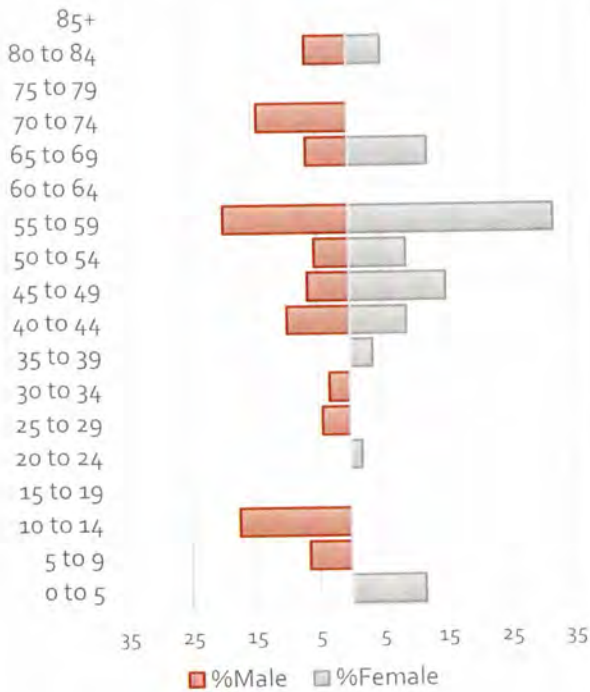
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

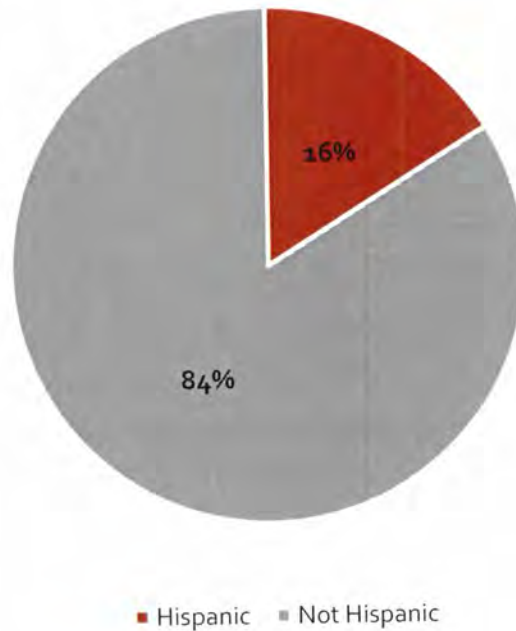
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Chupadero Age and Sex 2019



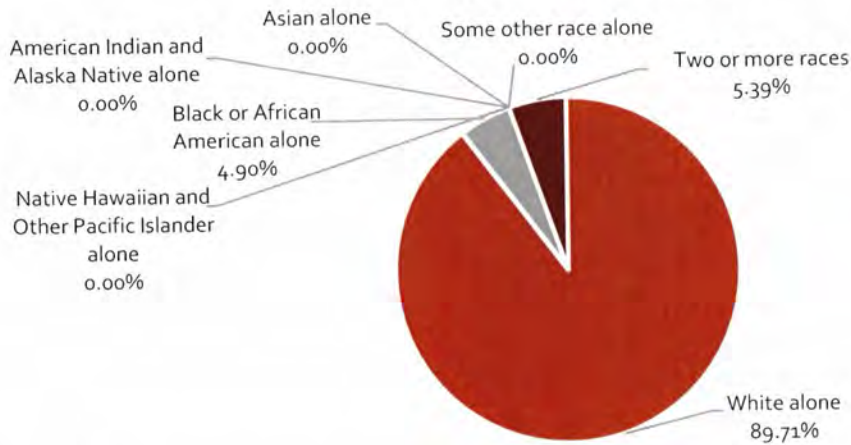
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Chupadero Hispanic Ethnicity 2019



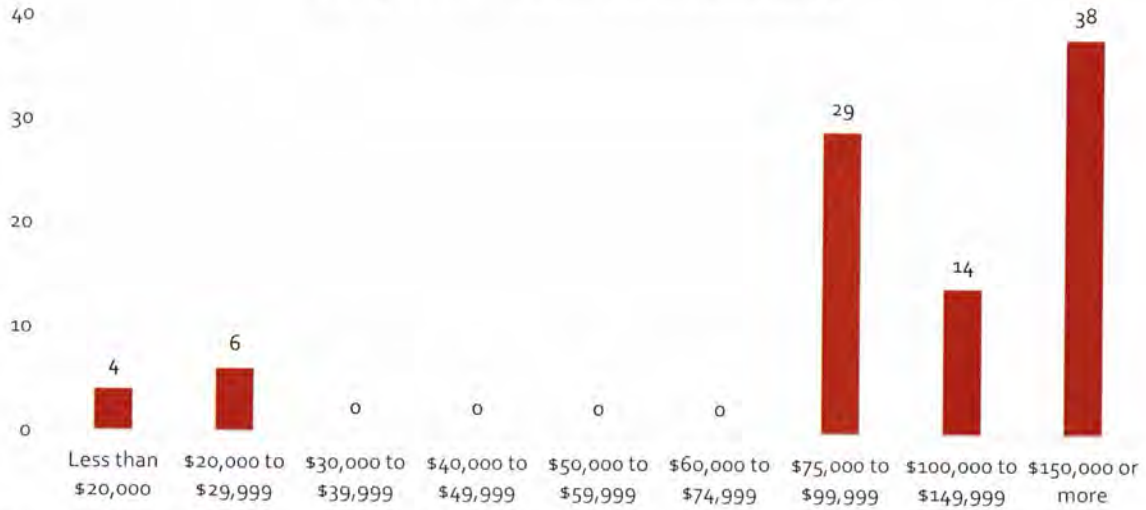
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Chupadero Race 2019



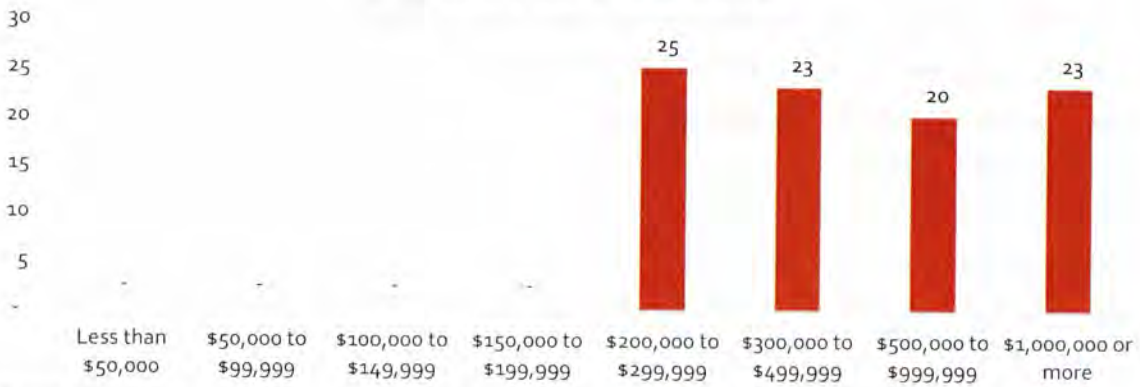
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Chupadero Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DPo3

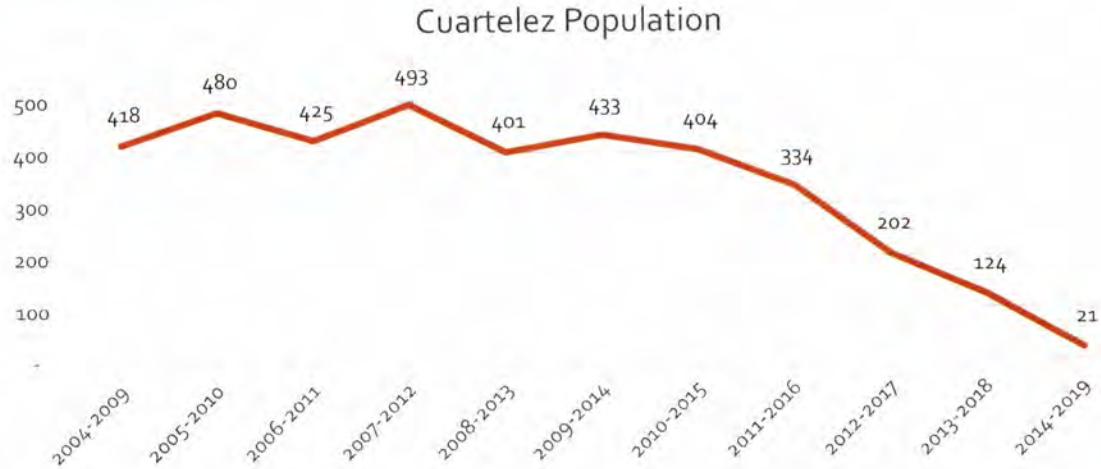
### Value of Owner-Occupied Units Chupadero CDP, New Mexico



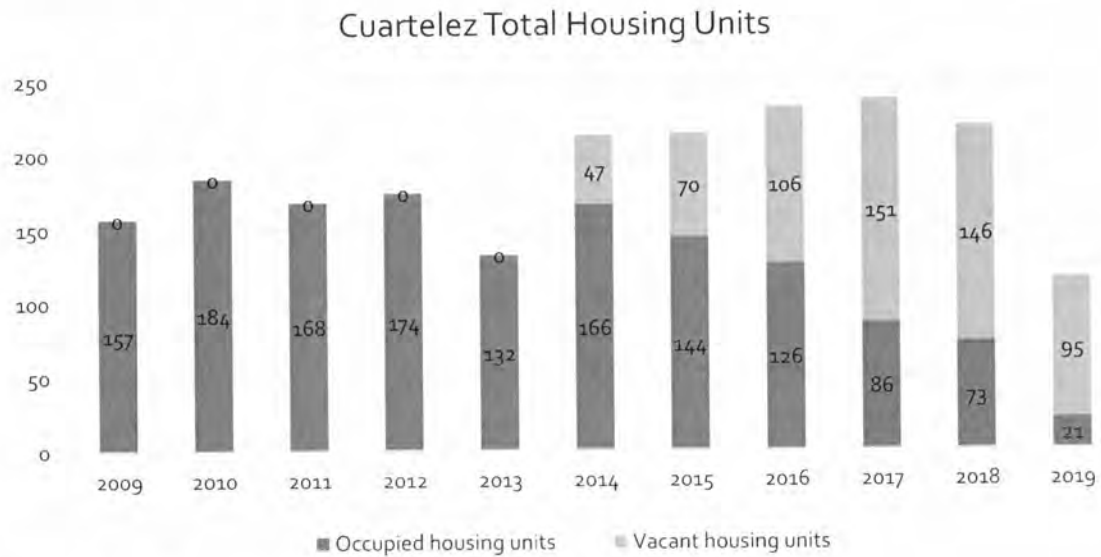
Source: US Census Bureau American Community Survey 5-Year Est. 2019 Table DPo4

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### Cuartelez CDP

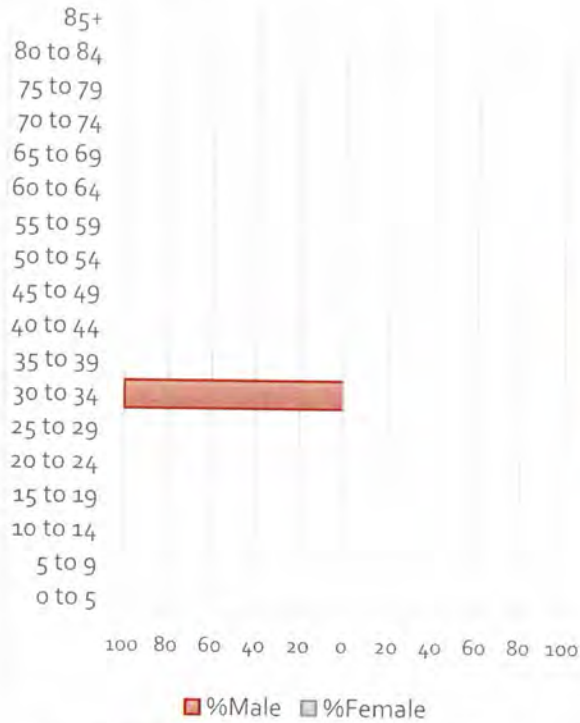


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



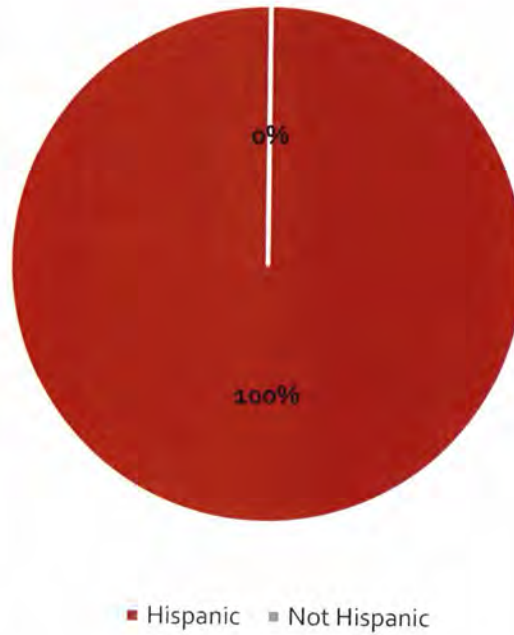
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Cuaratelez Age and Sex 2019



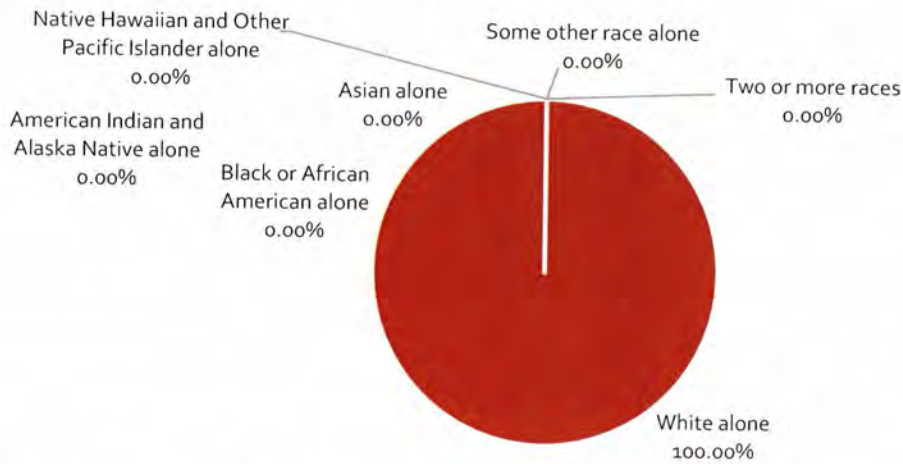
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Cuaratelez Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

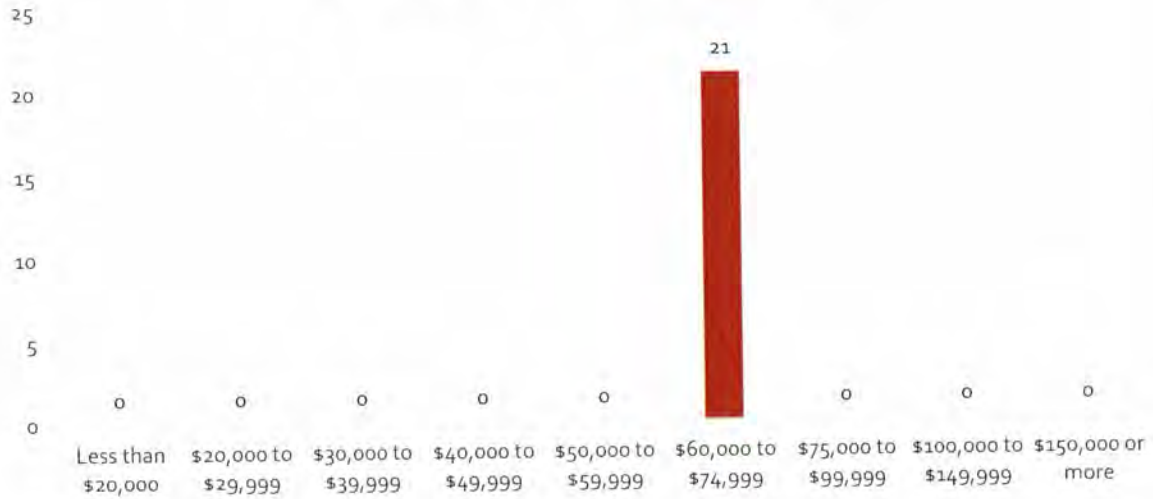
Cuaratelez Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

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### Cuartelez Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Cuartelez CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year estimates 2019 Table DP04

**Cundiyo**



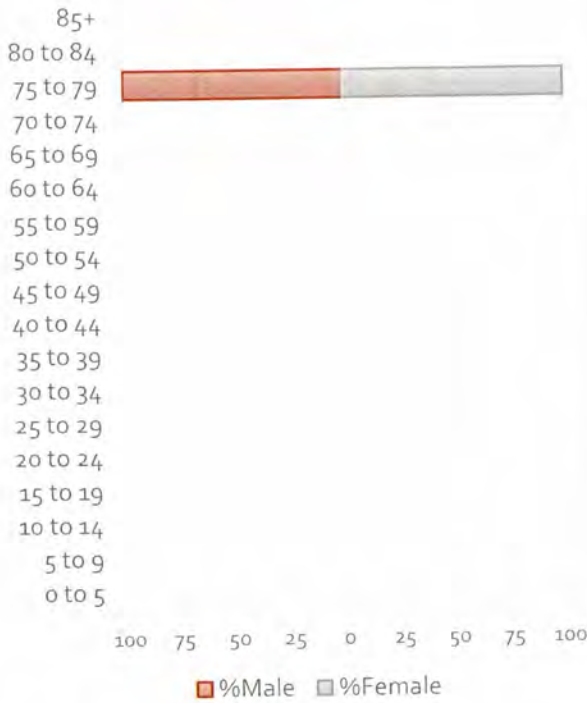
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

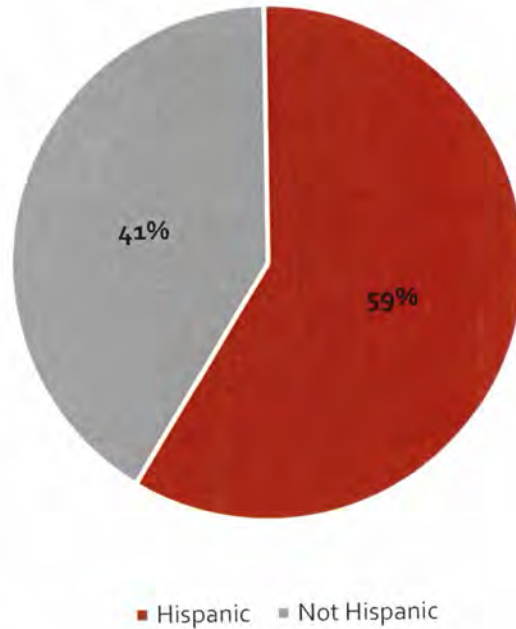
SFC CLERK RECORDED 12/13/2022

Cundiyo Age and Sex 2019



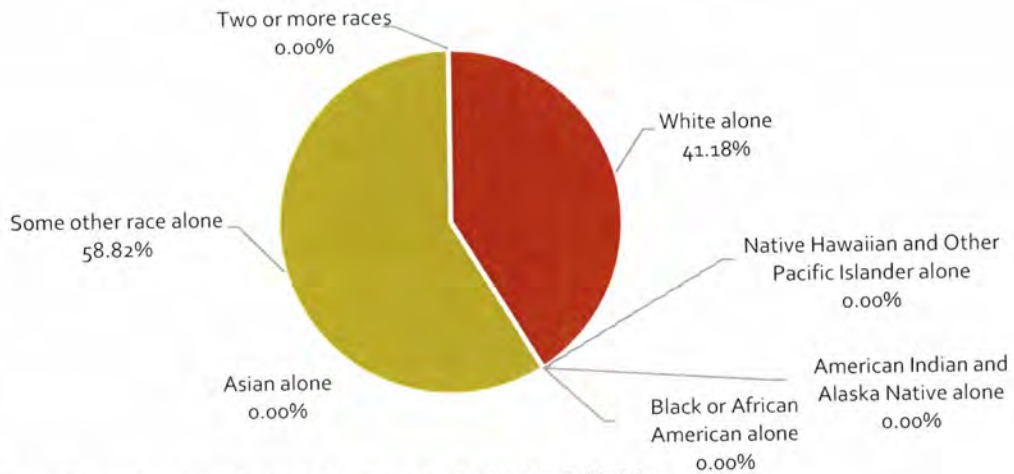
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Cundiyo Hispanic Ethnicity 2019



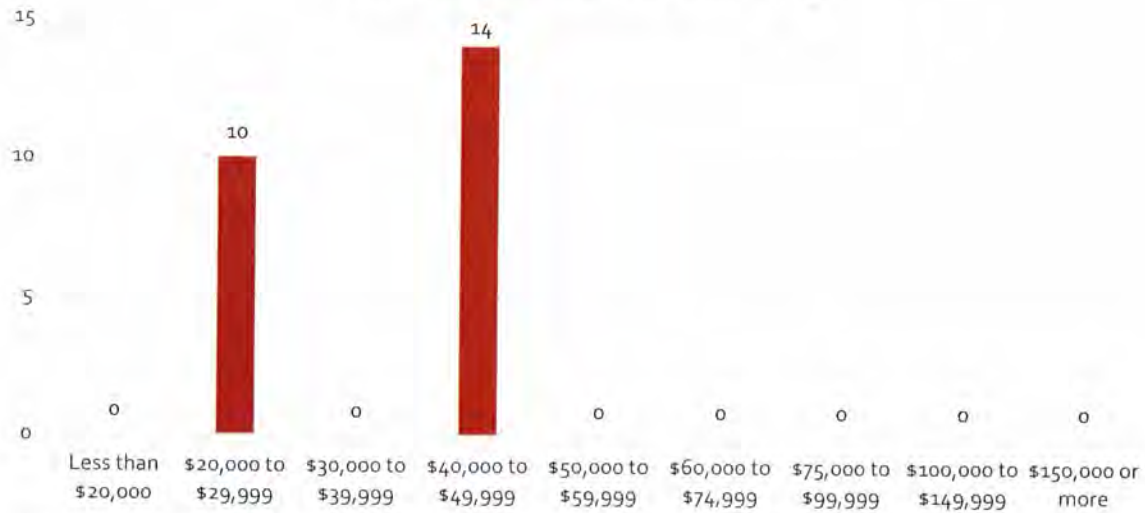
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Cundiyo Race 2019



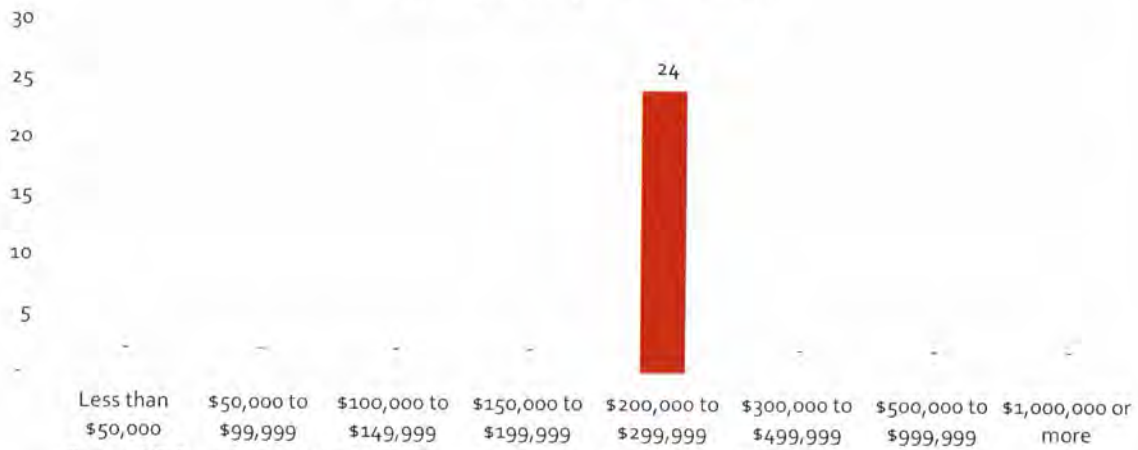
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Cundiyo Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

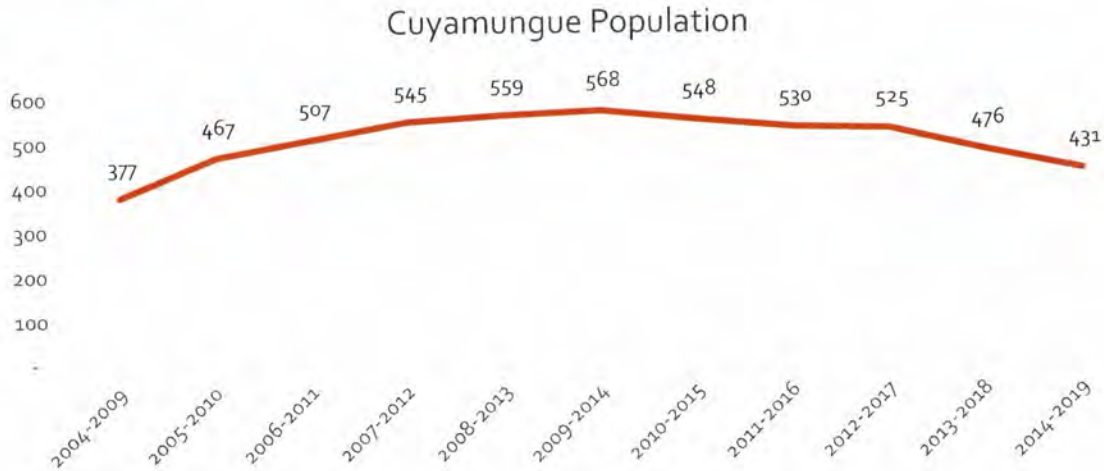
### Value of Owner-Occupied Units Cundiyo CDP, New Mexico



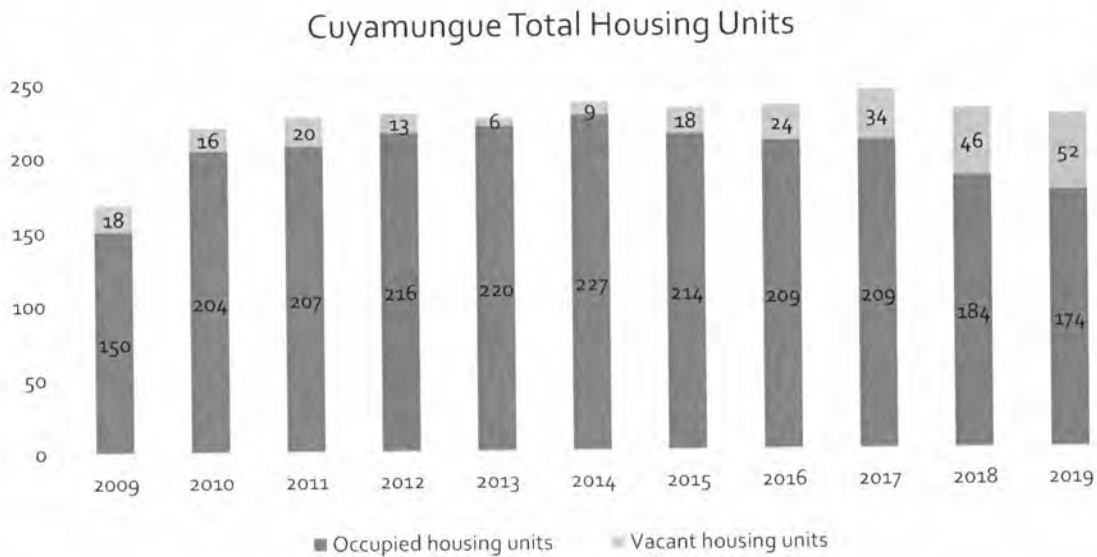
Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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## Cuyamungue

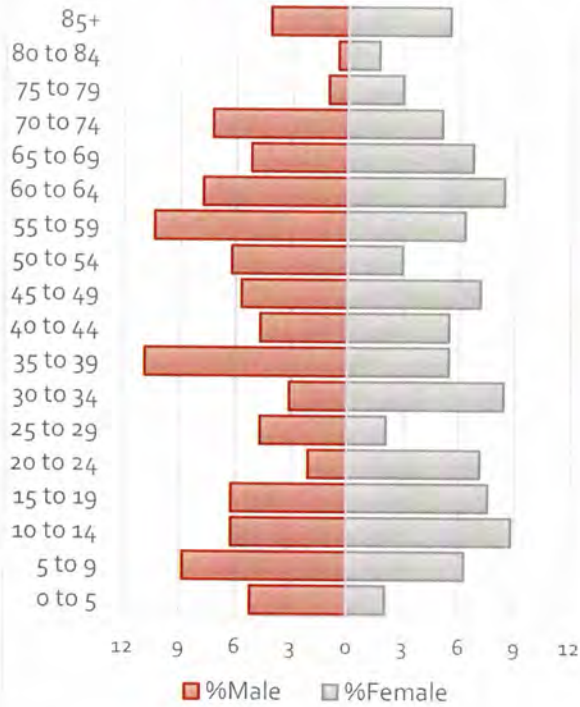


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



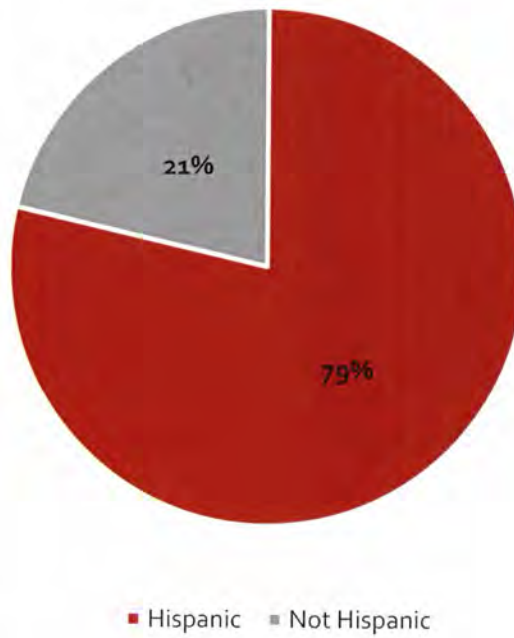
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Cuyamungue Age and Sex 2019



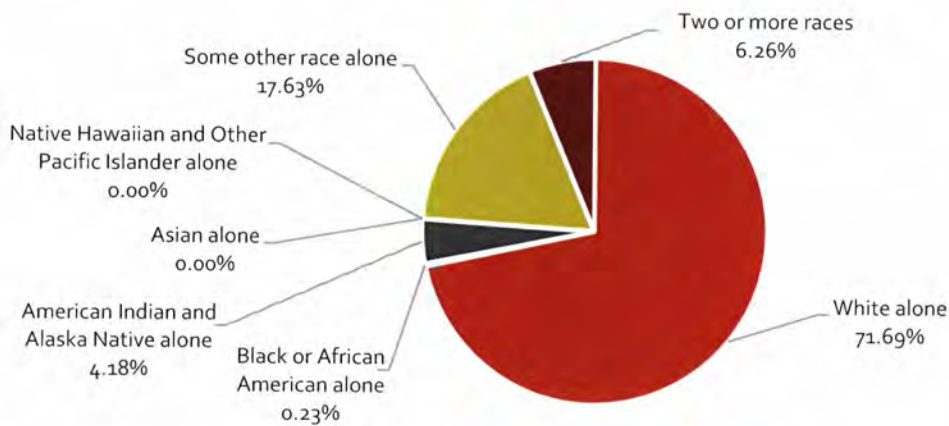
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Cuyamungue Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

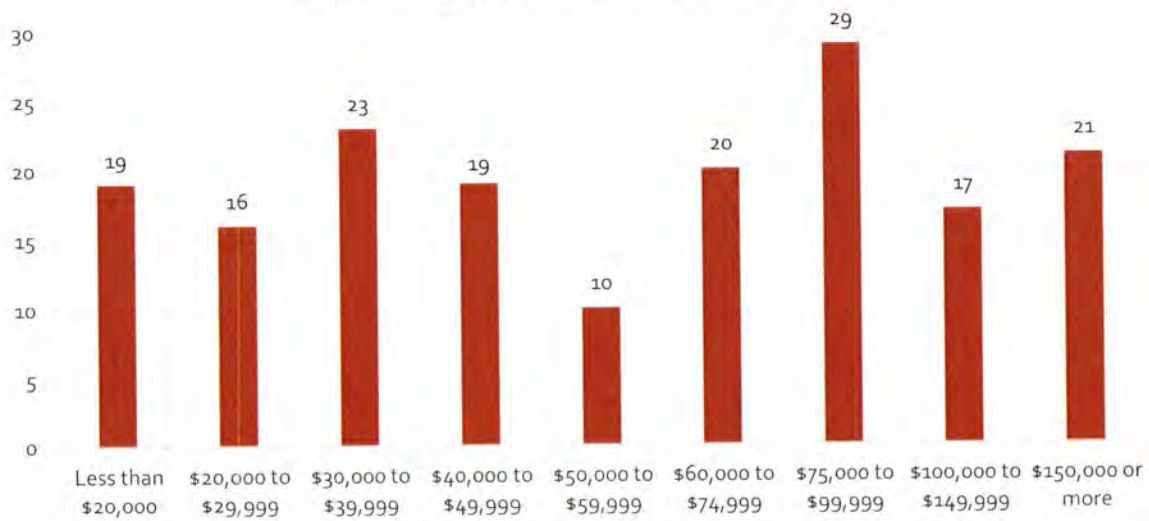
Cuyamungue Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

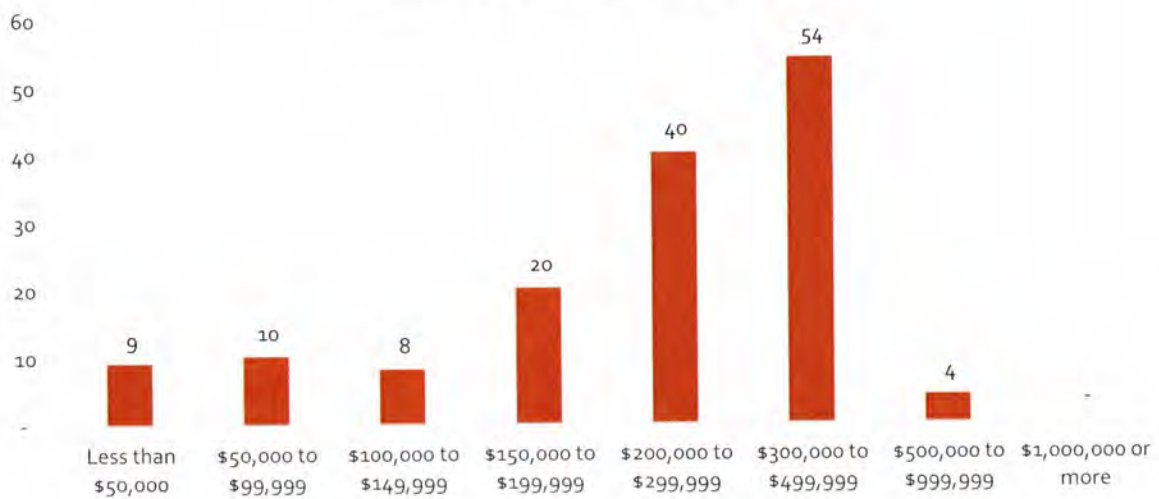
SFC CLERK RECORDED 12/13/2022

### Cuyamungue Household Income 2019

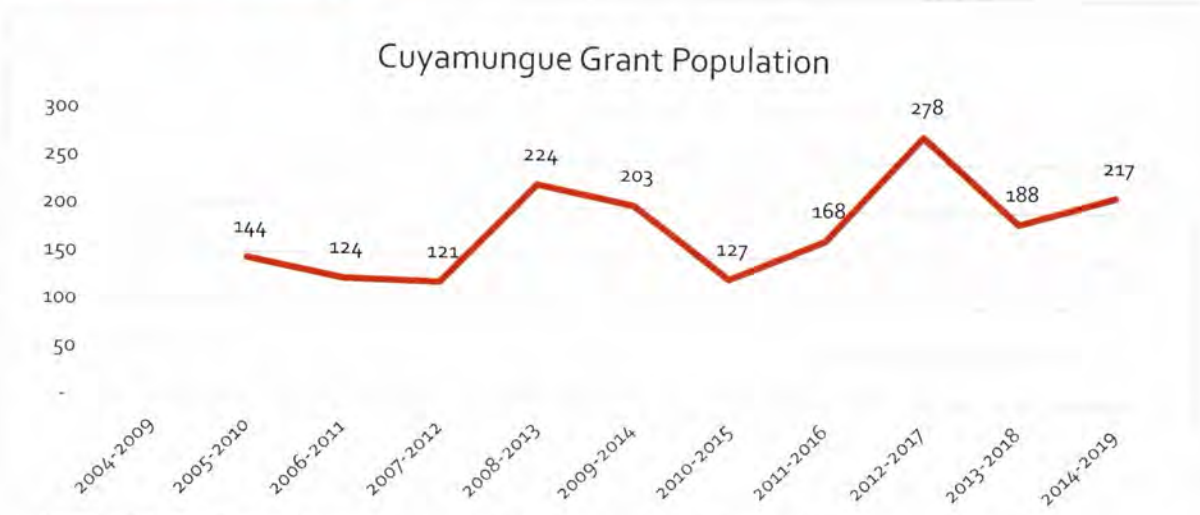


Source: US Census Bureau American Community Survey 5-year estimates DP03

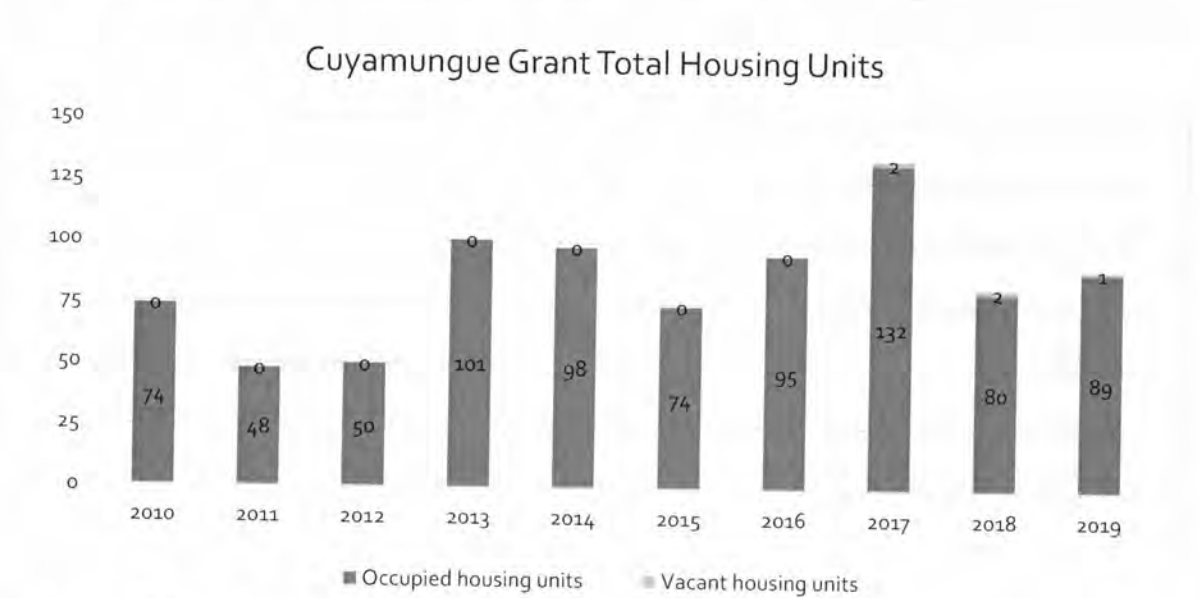
### Value of Owner-Occupied Units Cuyamungue CDP, New Mexico



### Cuyamungue Grant CDP



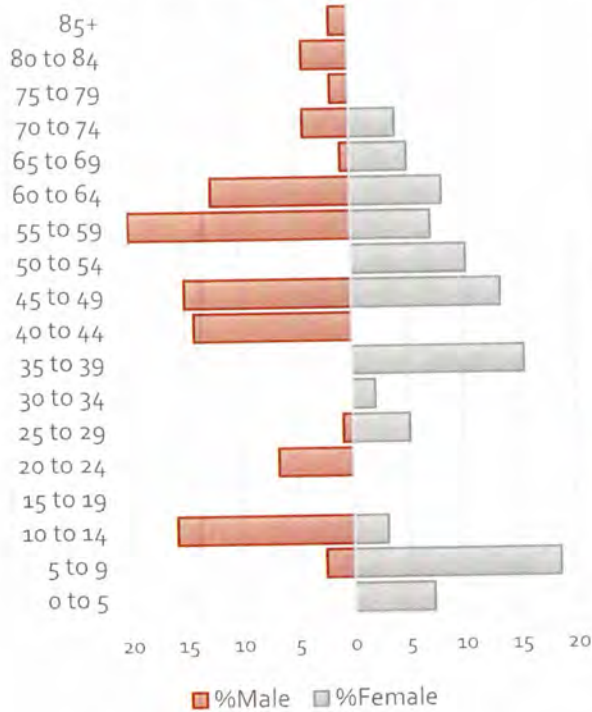
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates DP04

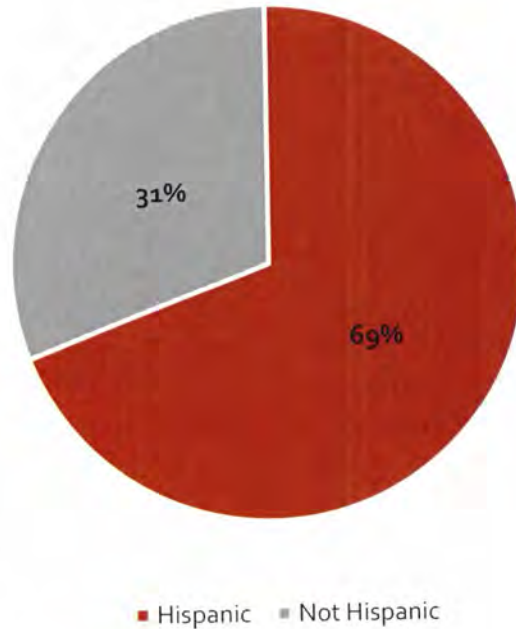
SFC CLERK RECORDED 12/13/2022

Cuyamungue Grant Age and Sex 2019



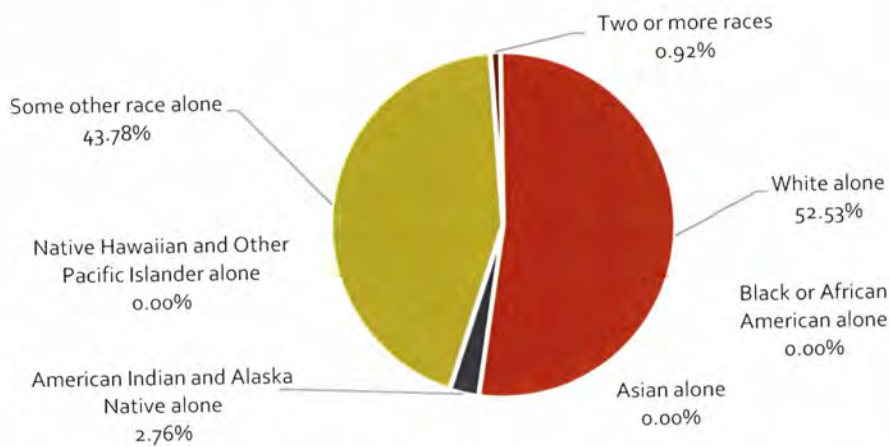
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Cuyamungue Grant Hispanic Ethnicity 2019



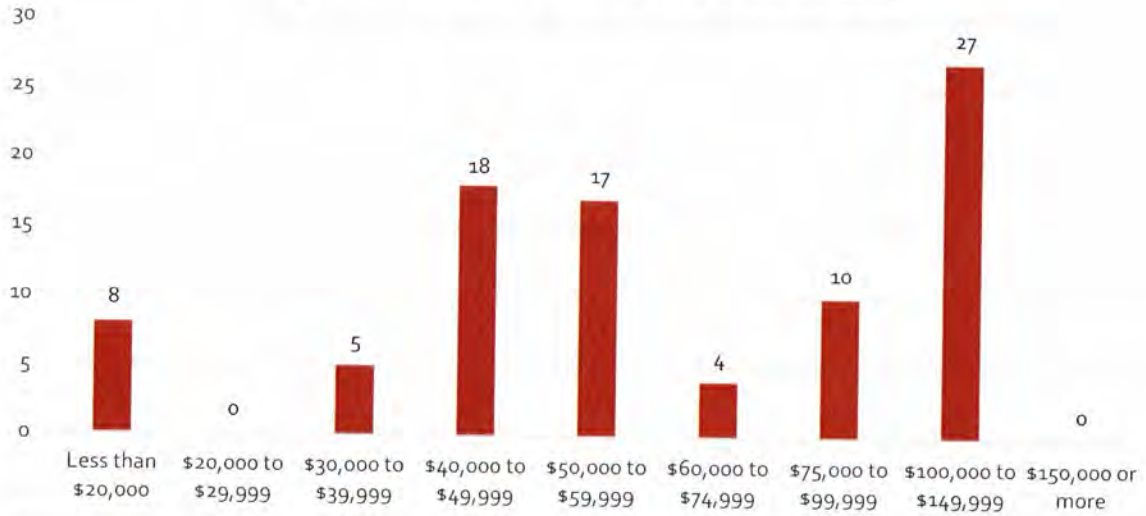
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Cuyamungue Grant Race 2019



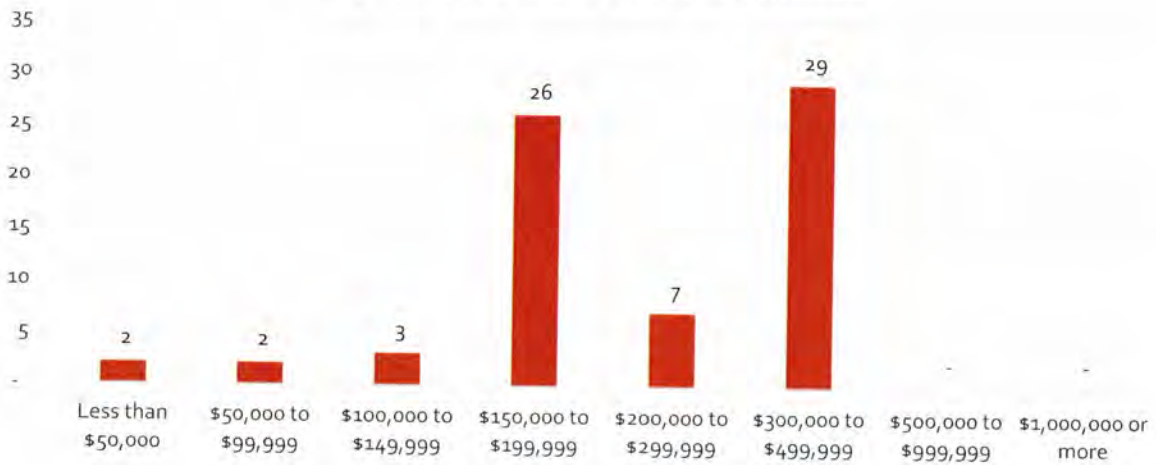
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Cuyamungue Grant Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Cuyamungue Grant CDP, New Mexico

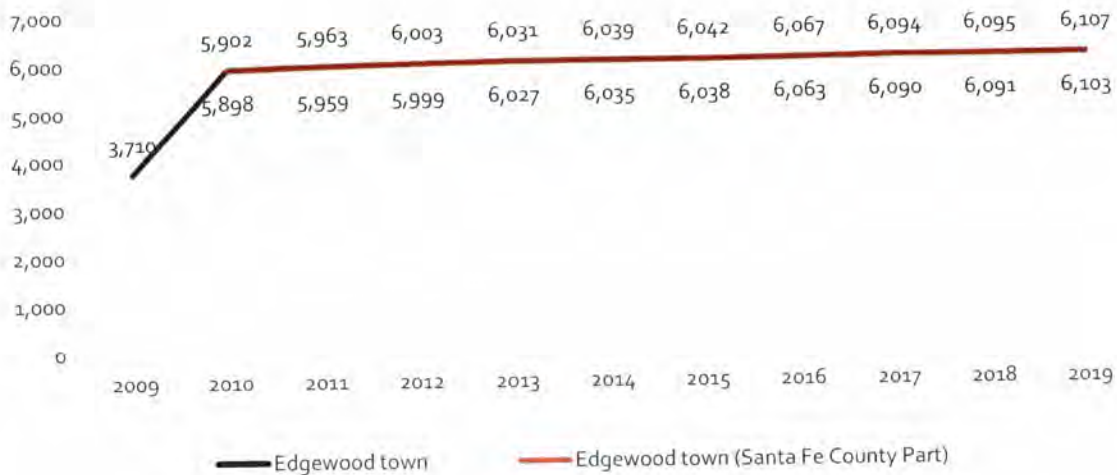


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## Edgewood town

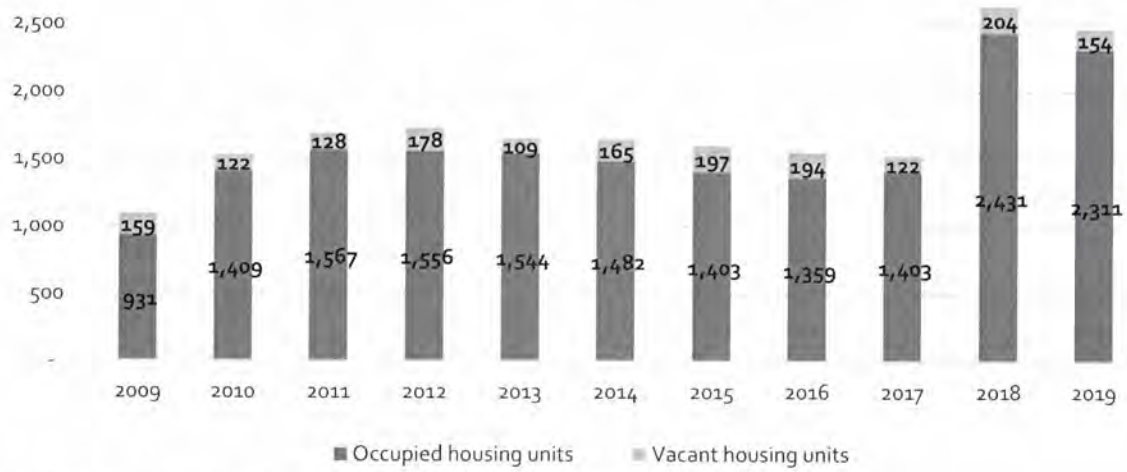
Edgewood town covers 48.7 square miles and has an estimated population of 6,107 on July 1, 2019. The part of Edgewood in Santa Fe County has almost all of the town's population with an estimated population of 6,103 on July 1, 2019.

Edgewood Town Population



Source: US Census Bureau Population Estimate Program

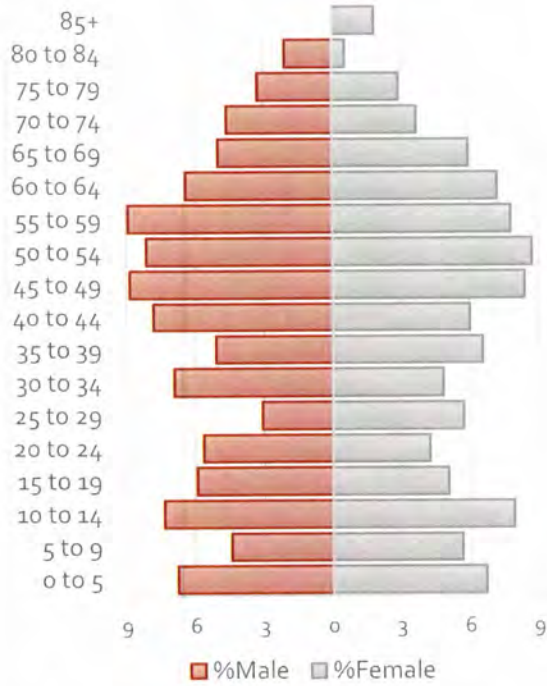
### Edgewood Town Total Housing Units



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

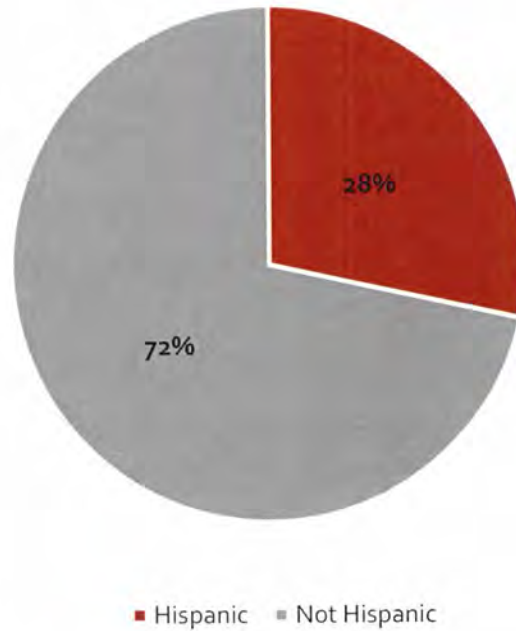
SFC CLERK RECORDED 12/13/2022

Edgewood Town Age and Sex 2019



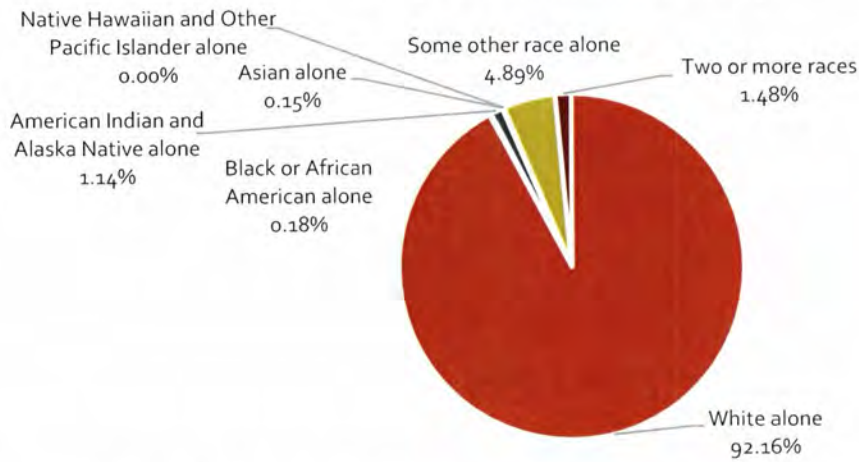
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Edgewood Town Hispanic Ethnicity 2019



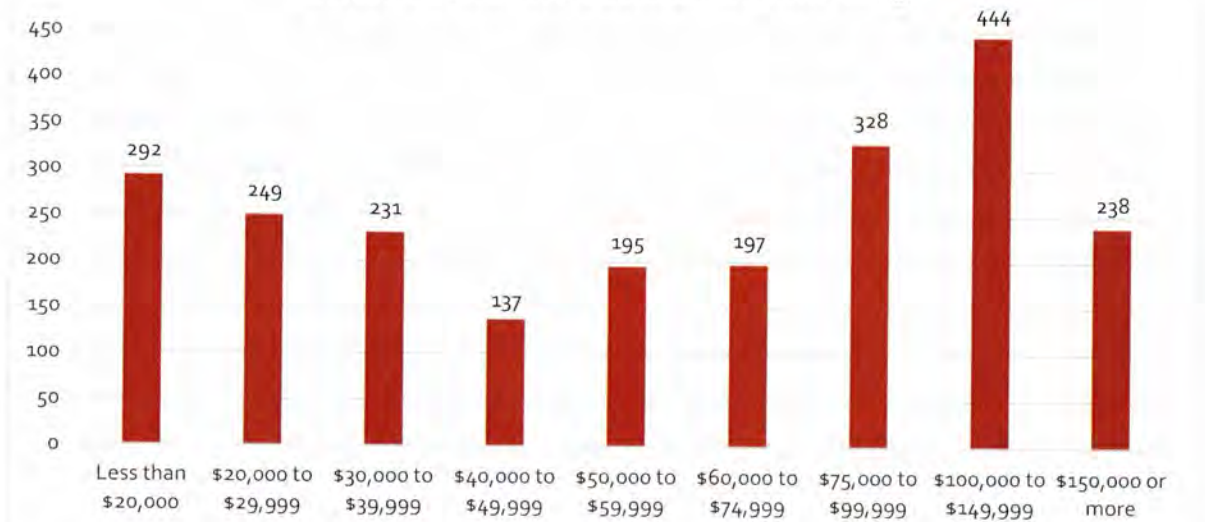
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Edgewood Town Race 2019



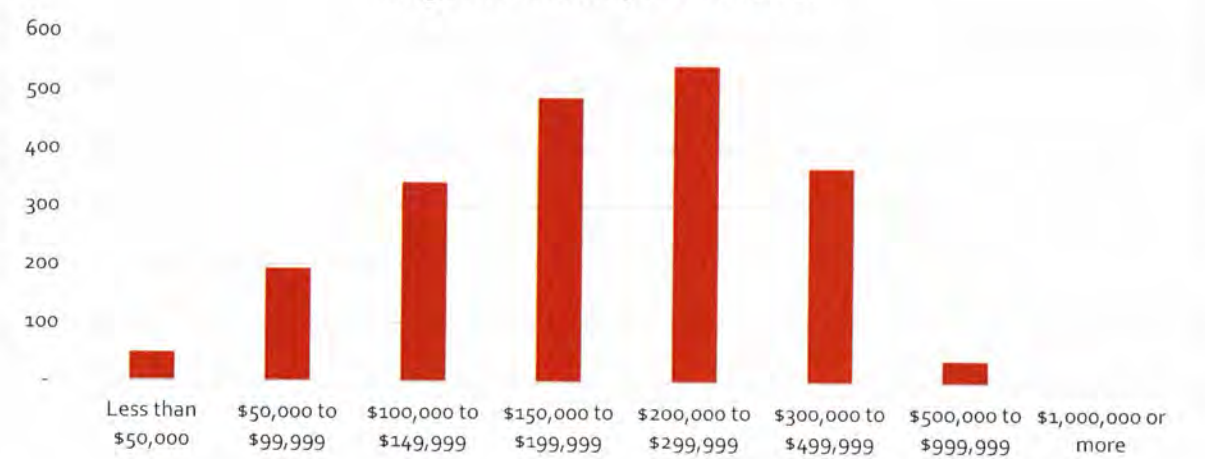
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Edgewood Town Household Income 2019



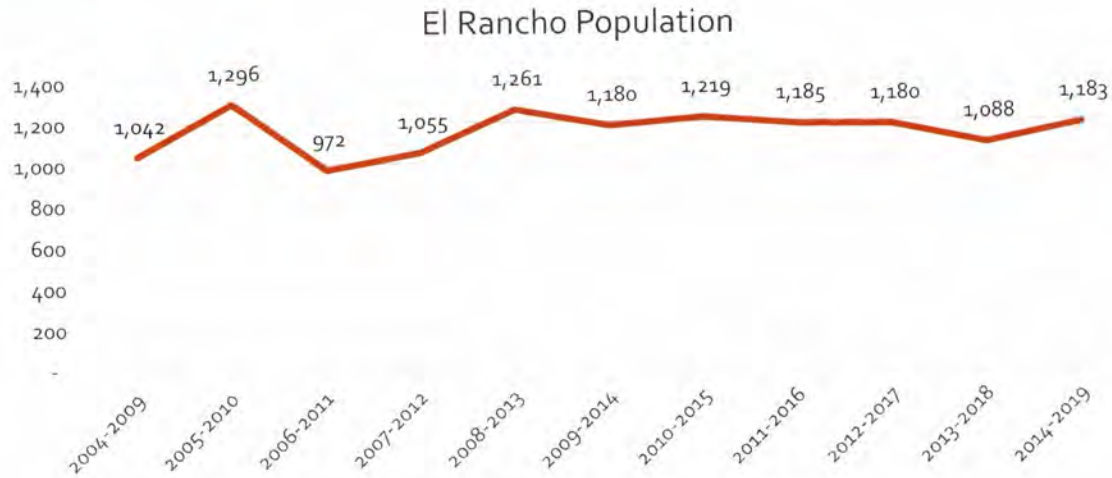
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Edgewood town, New Mexico

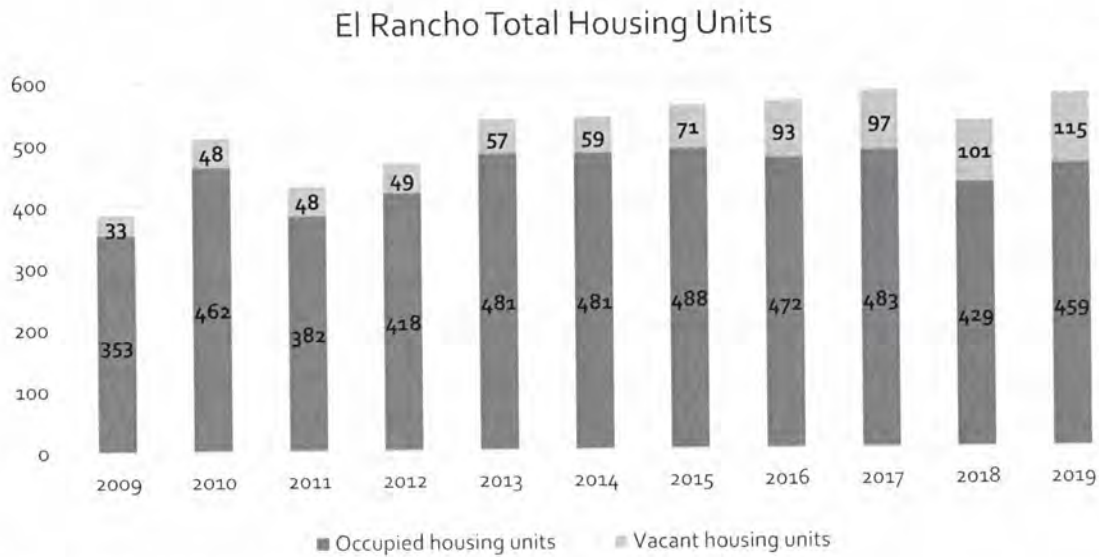


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## El Rancho

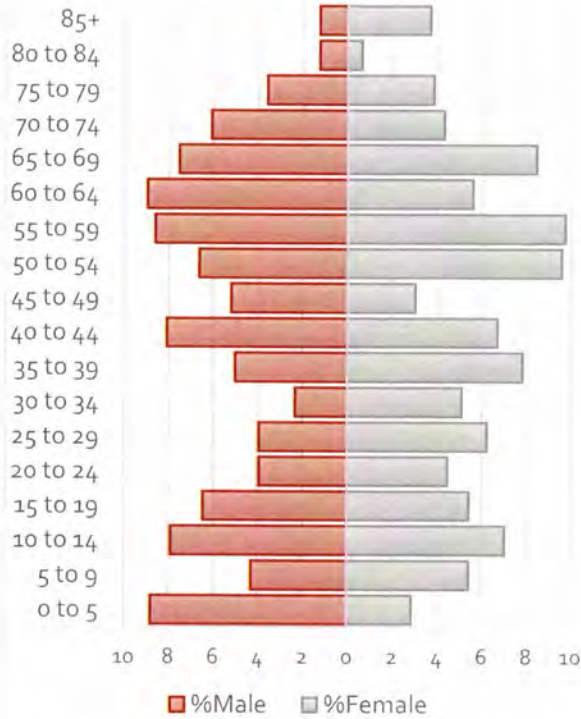


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



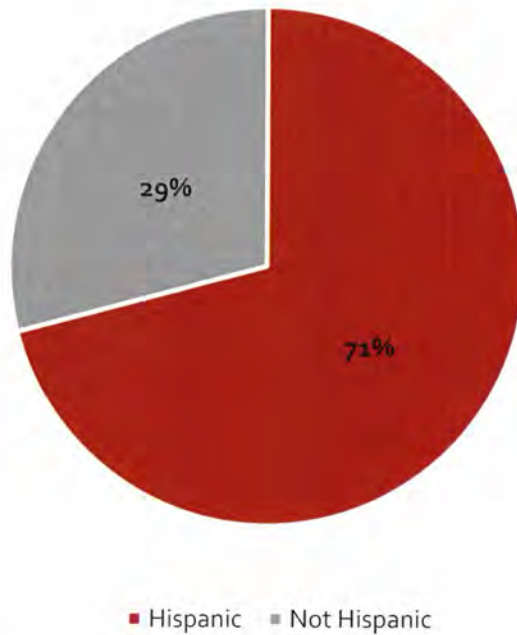
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

El Rancho Age and Sex 2019



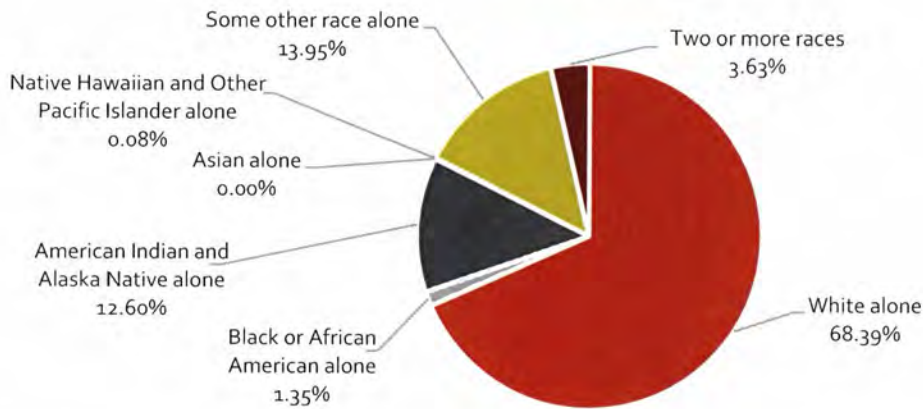
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

El Rancho Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

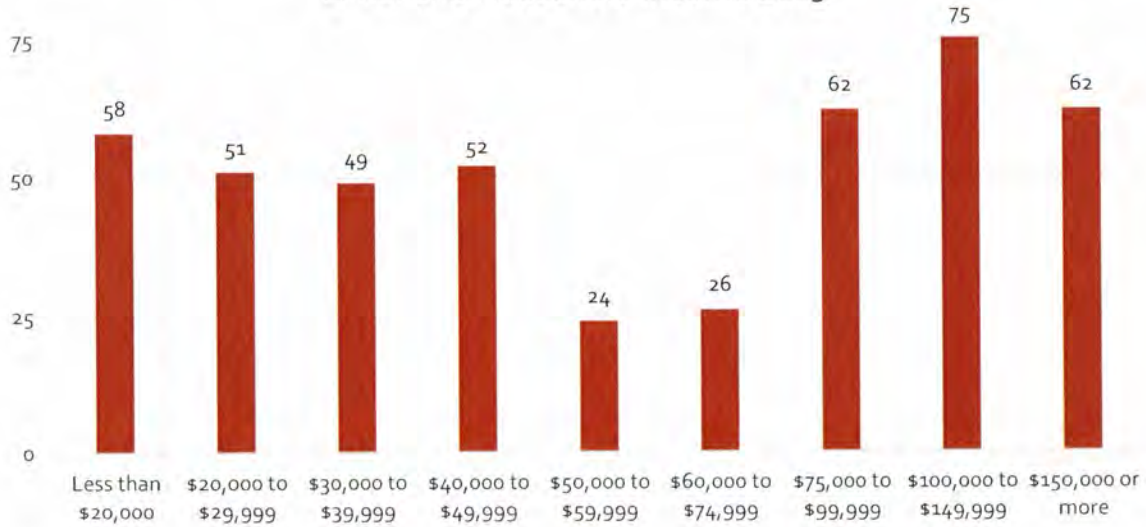
El Rancho Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

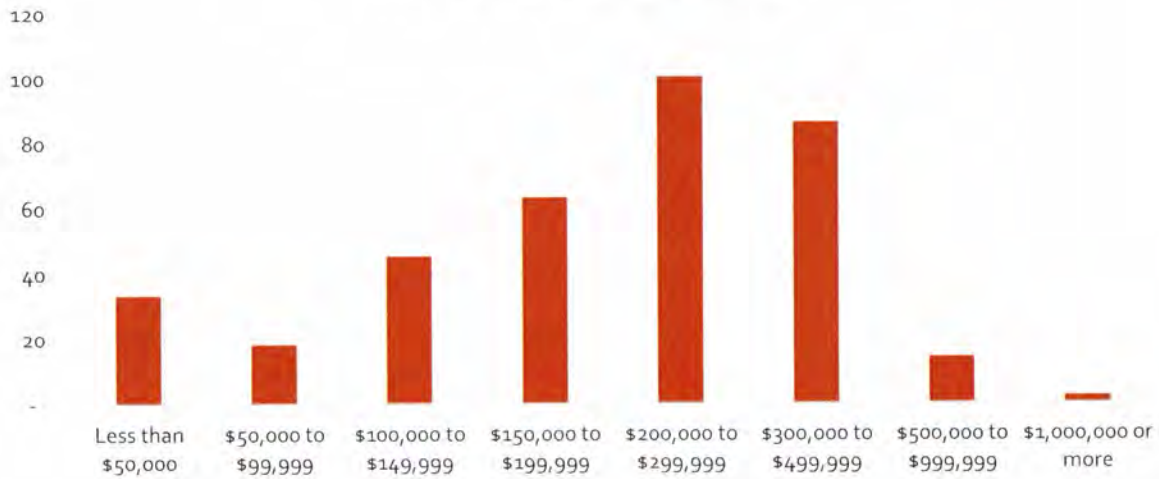
SFC CLERK RECORDED 12/13/2022

### El Rancho Household Income 2019

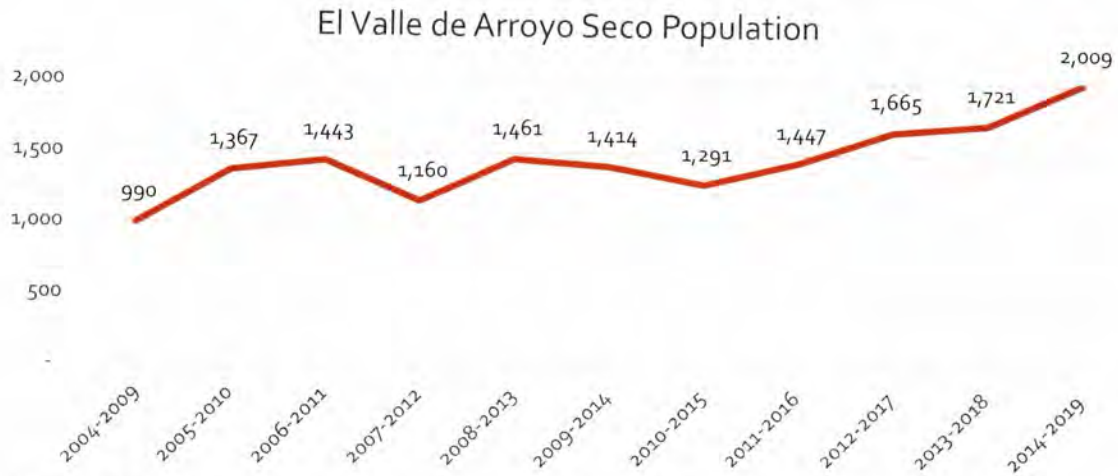


Source: US Census Bureau American Community Survey 5-year estimates Table DP03

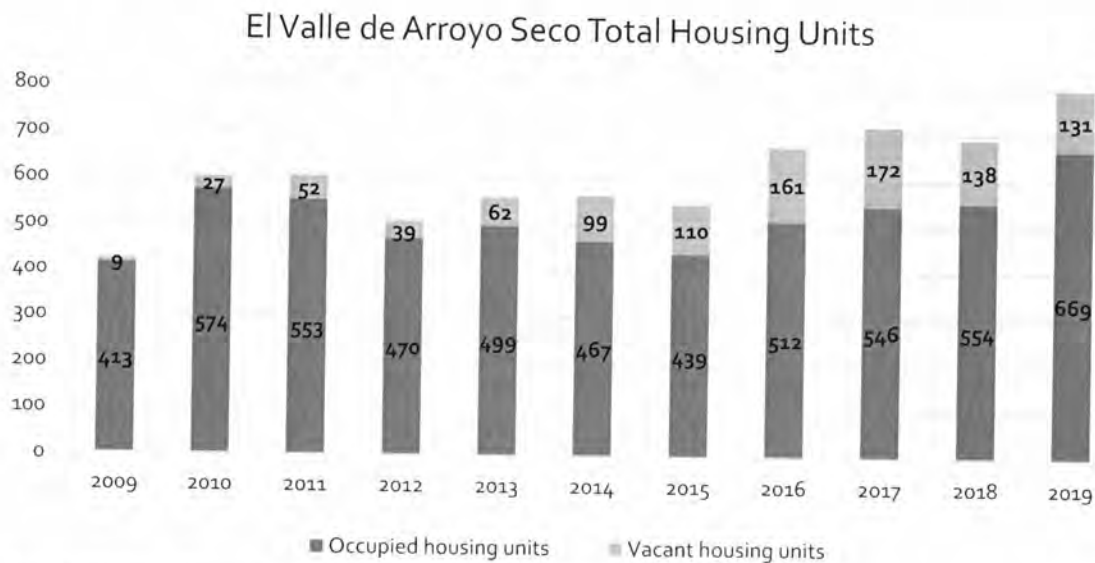
### Value of Owner-Occupied Units El Rancho CDP, New Mexico



## El Valle de Arroyo Seco



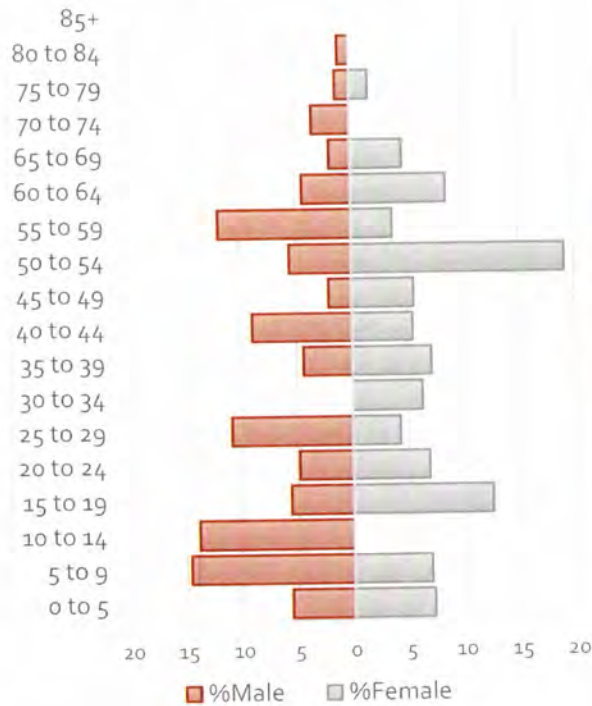
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

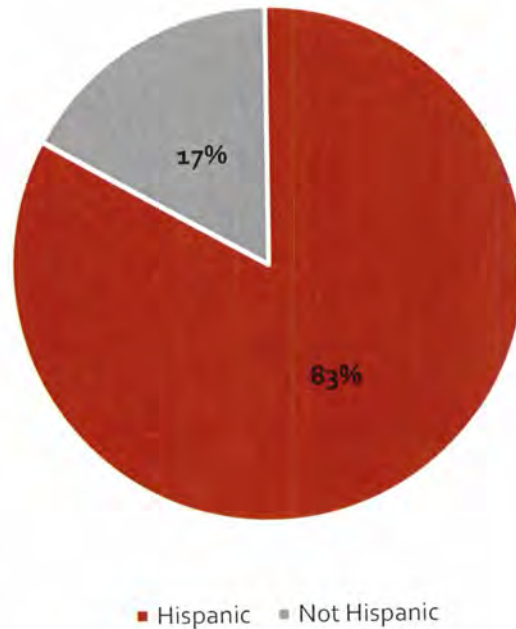
SFC CLERK RECORDED 12/13/2022

El Valle de Arroyo Seco  
Age and Sex 2019



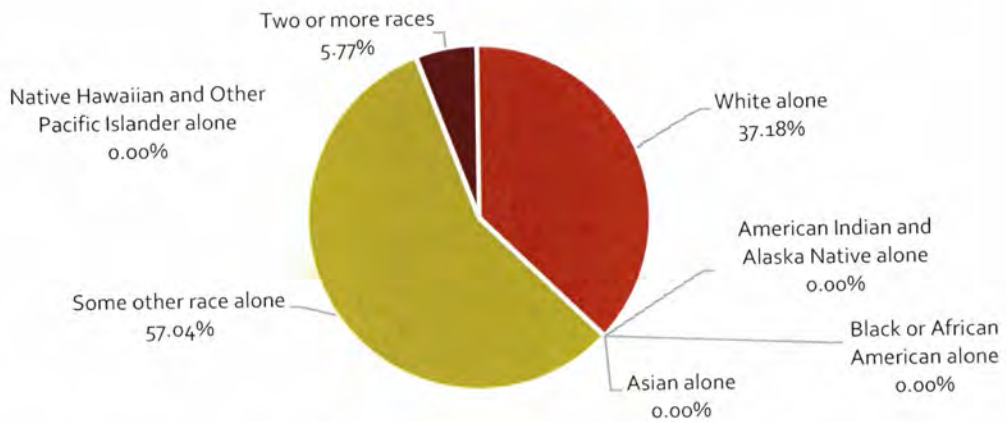
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

El Valle Arroyo Seco  
Hispanic Ethnicity 2019



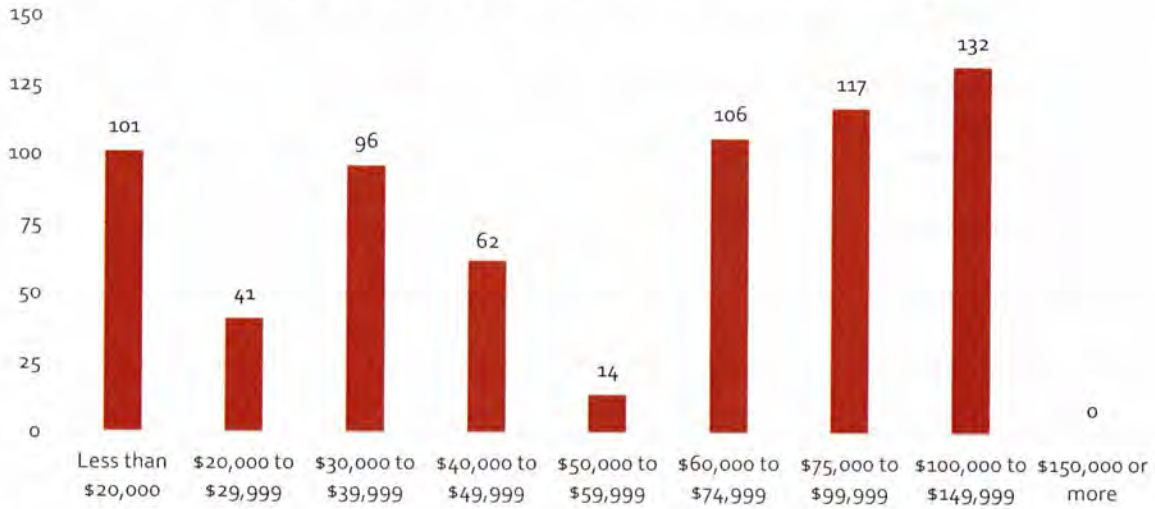
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

El Valle Arroyo Seco Race 2019



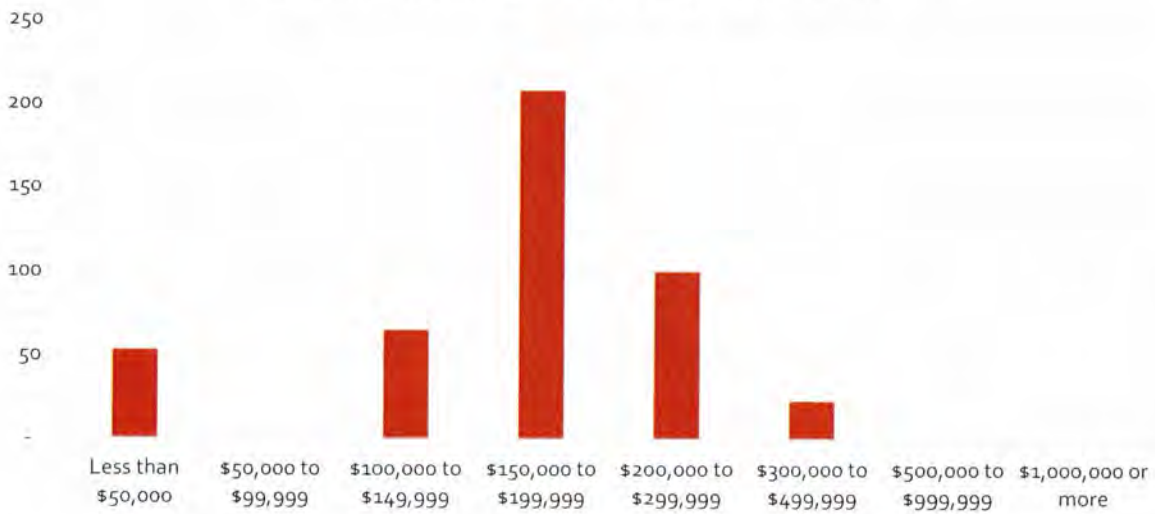
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### El Valle de Arroyo Seco Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units El Valle de Arroyo Seco CDP, New Mexico



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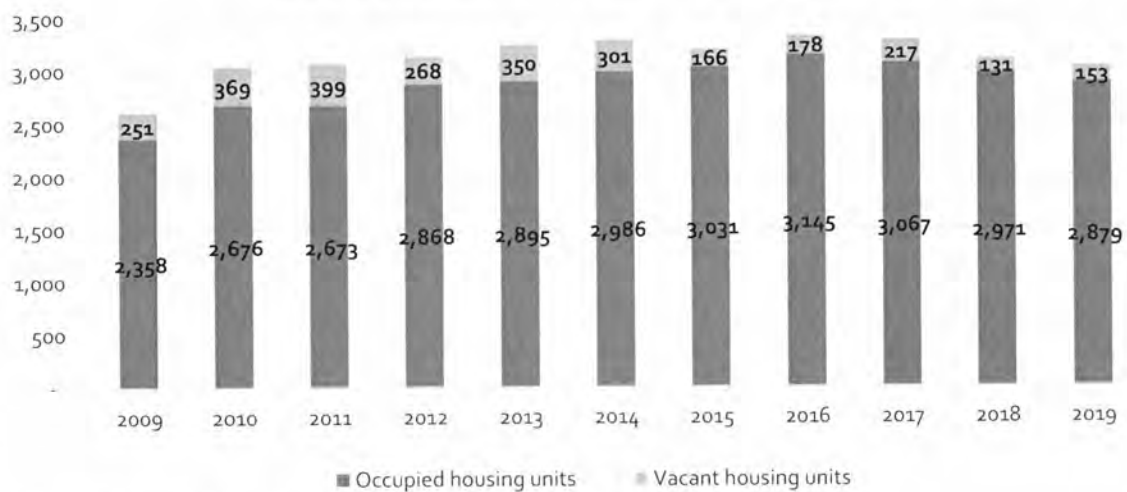
## Eldorado at Santa Fe

Eldorado at Santa Fe Population



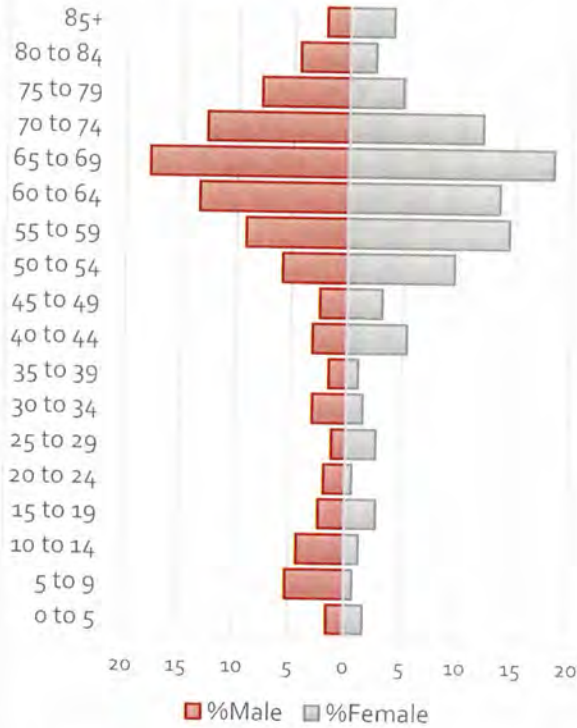
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Eldorado at Santa Fe Total Housing Units



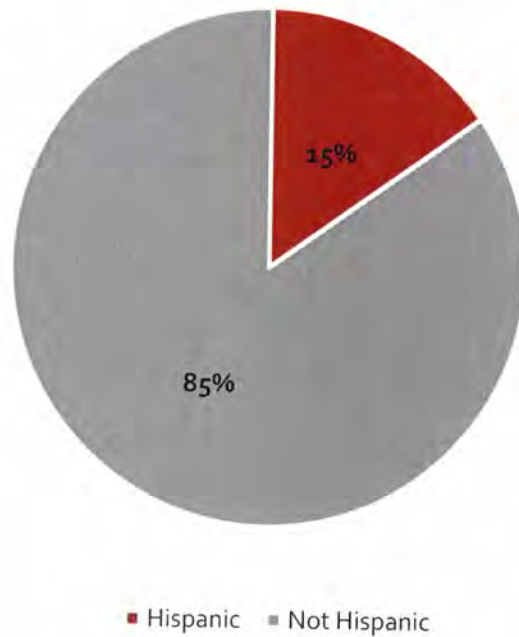
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Eldorado at Santa Fe Age and Sex 2019



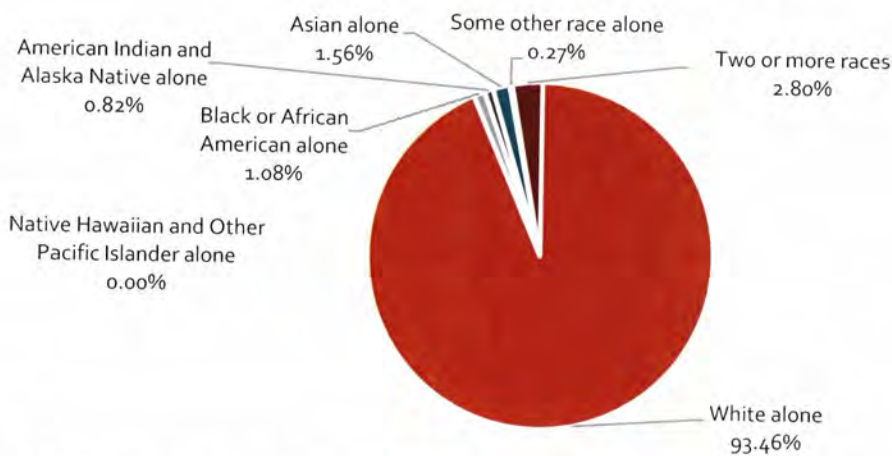
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Eldorado at Santa Fe Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

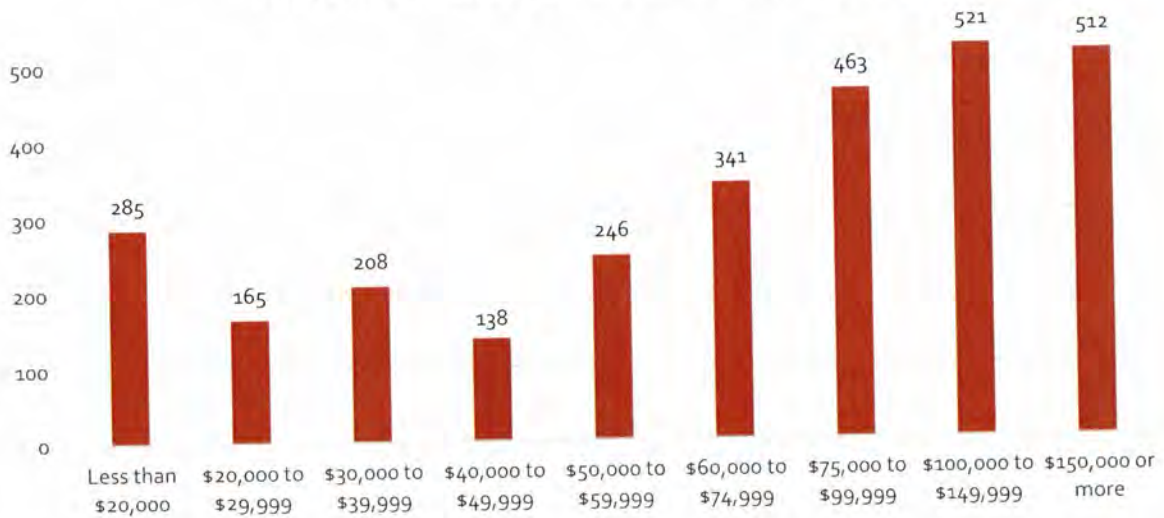
Eldorado at Santa Fe Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

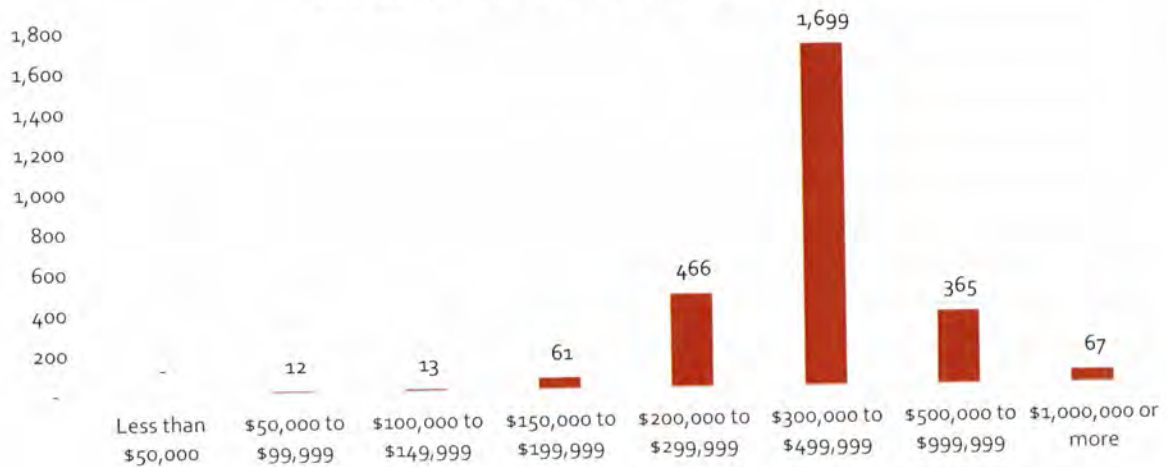
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### Eldorado at Santa Fe Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Eldorado at Santa Fe CDP, New Mexico



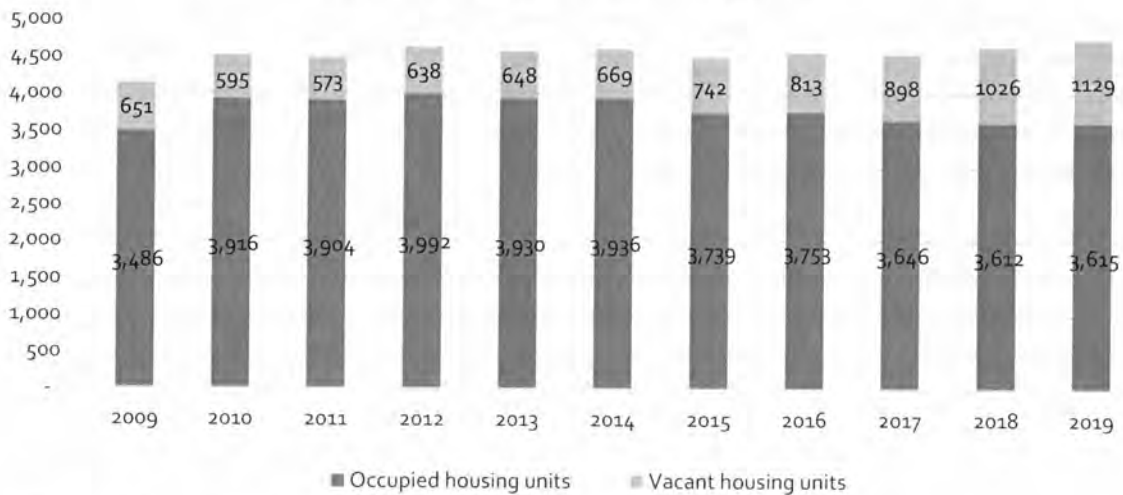
## Española

### Española Population



Source: US Census Bureau Population Estimate Program

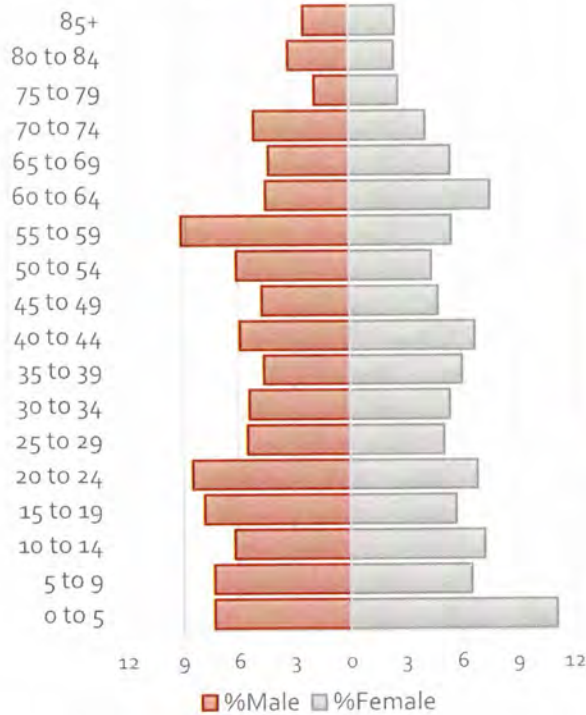
### Española City Total Housing Units



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

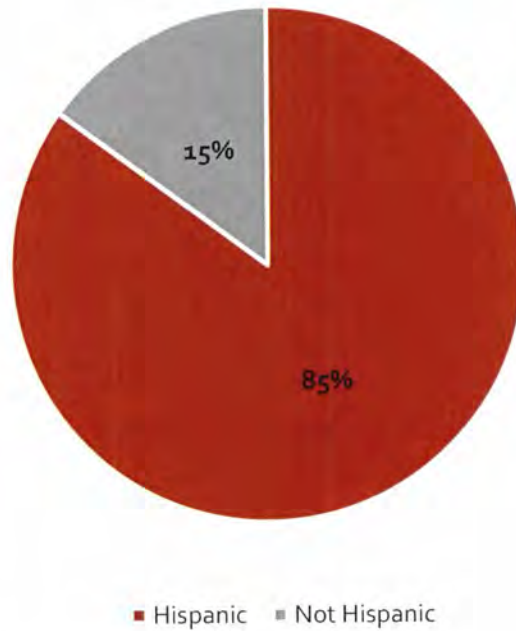
SFC CLERK RECORDED 12/13/2022

**Española City Age and Sex 2019**



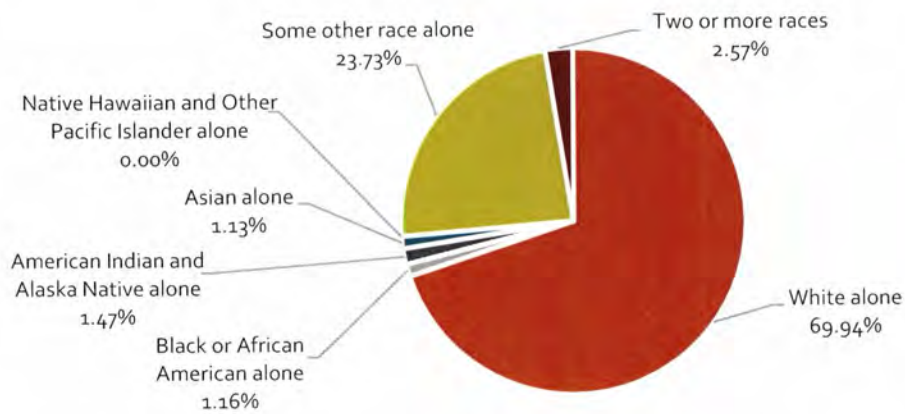
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

**Española City Hispanic Ethnicity 2019**



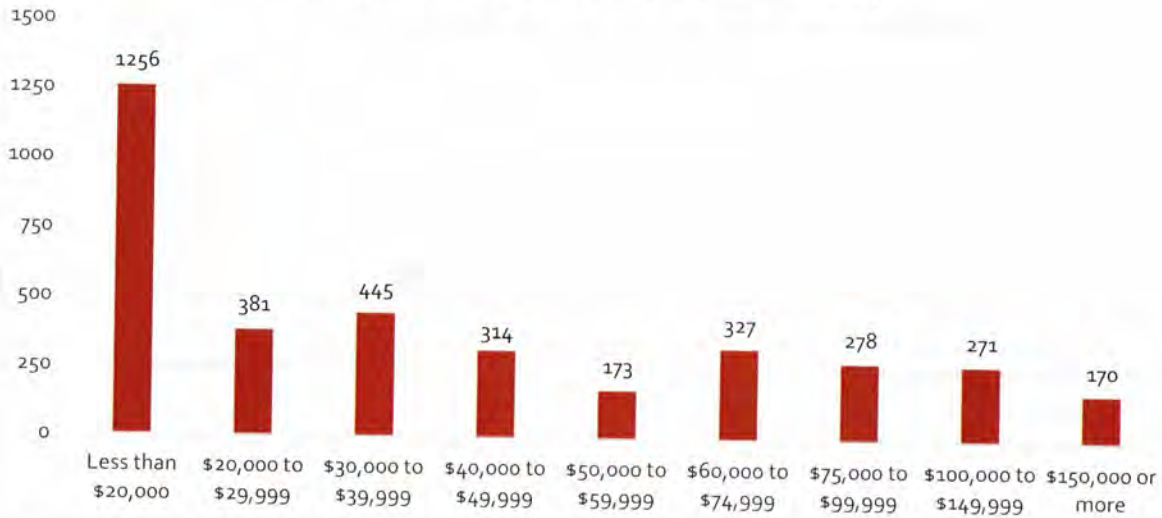
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

**Española City Race 2019**



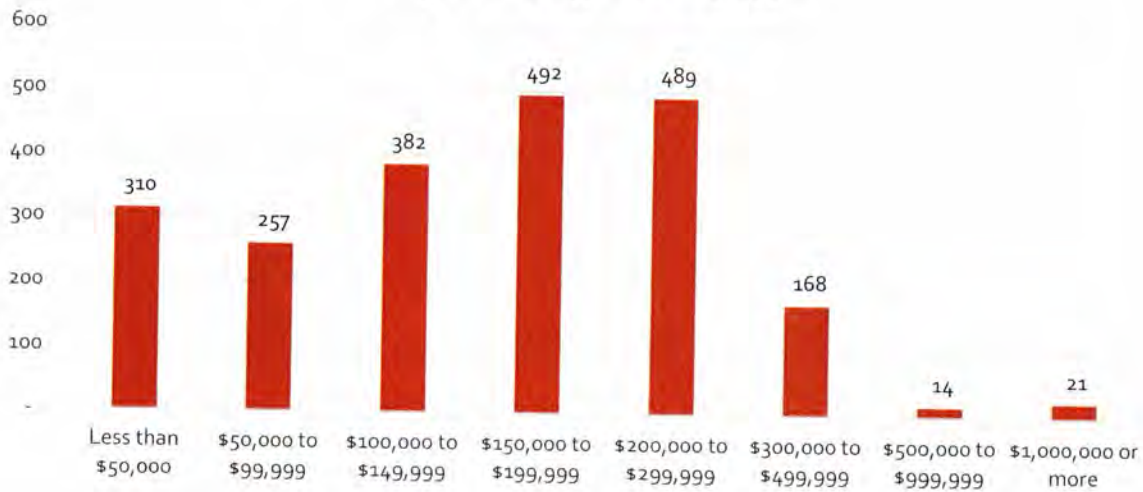
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Española City Household Income 2019



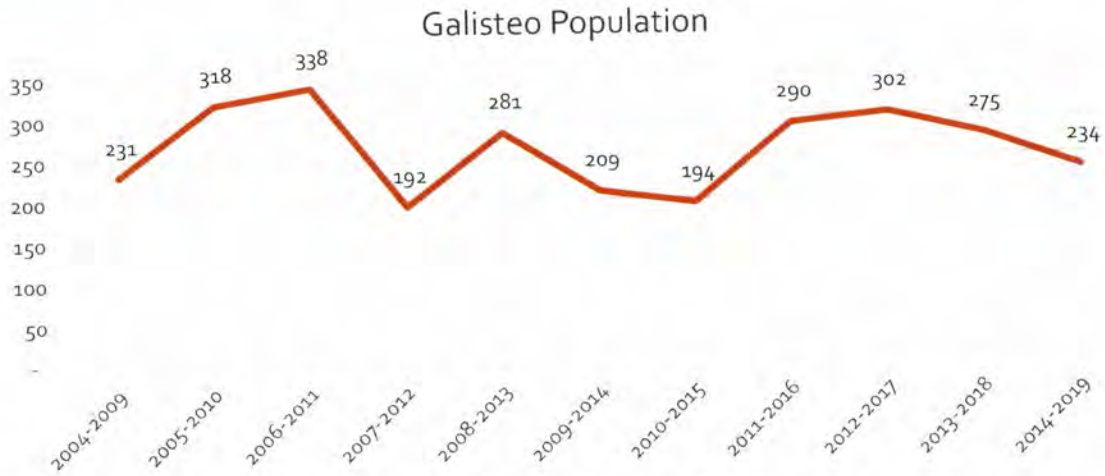
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Española City, New Mexico

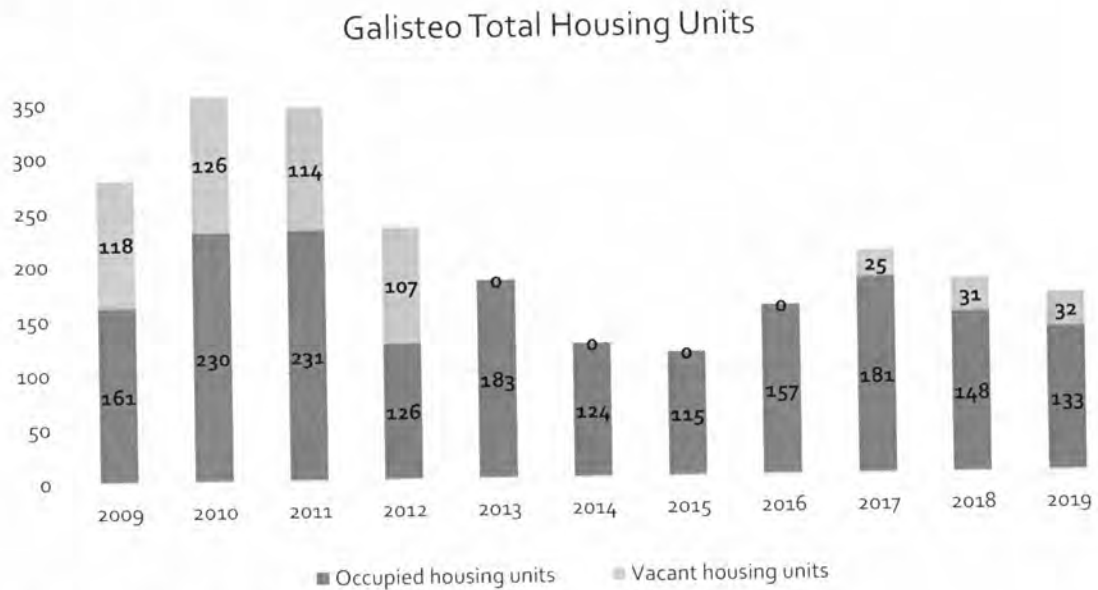


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## Galisteo

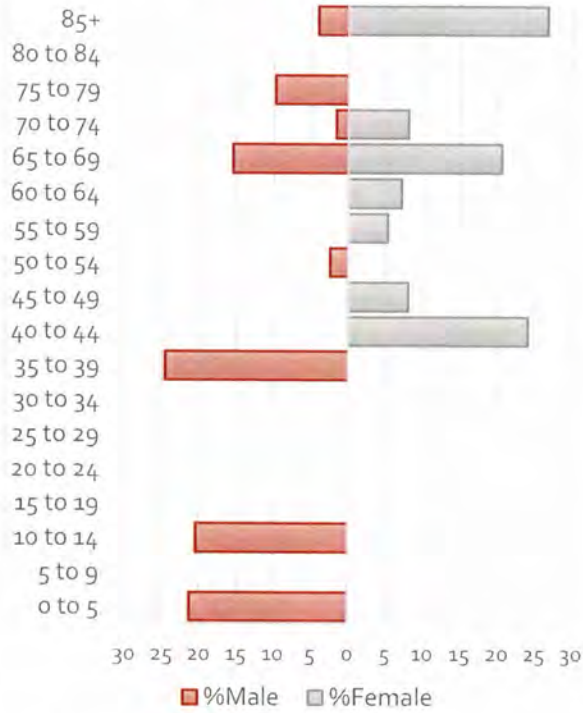


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



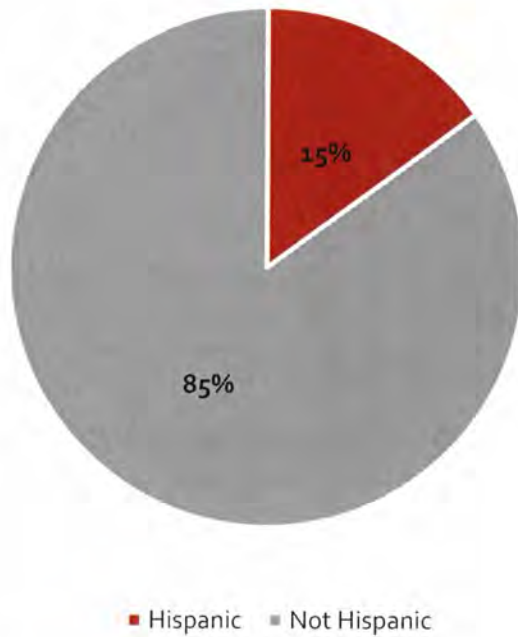
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Galisteo Age and Sex 2019



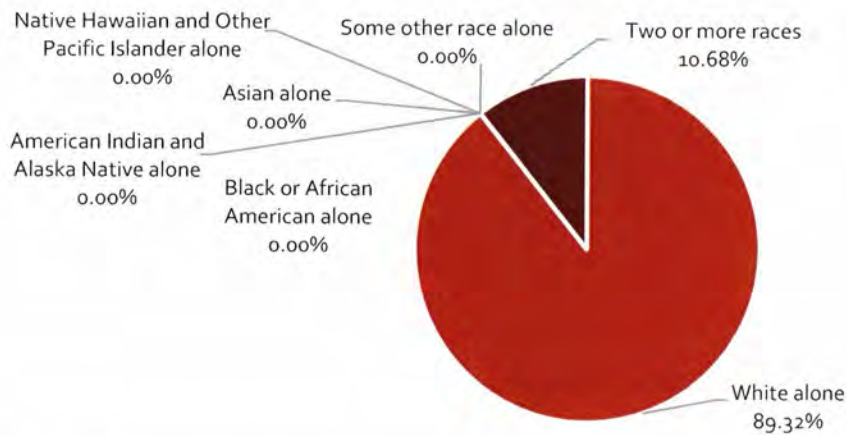
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Galisteo Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

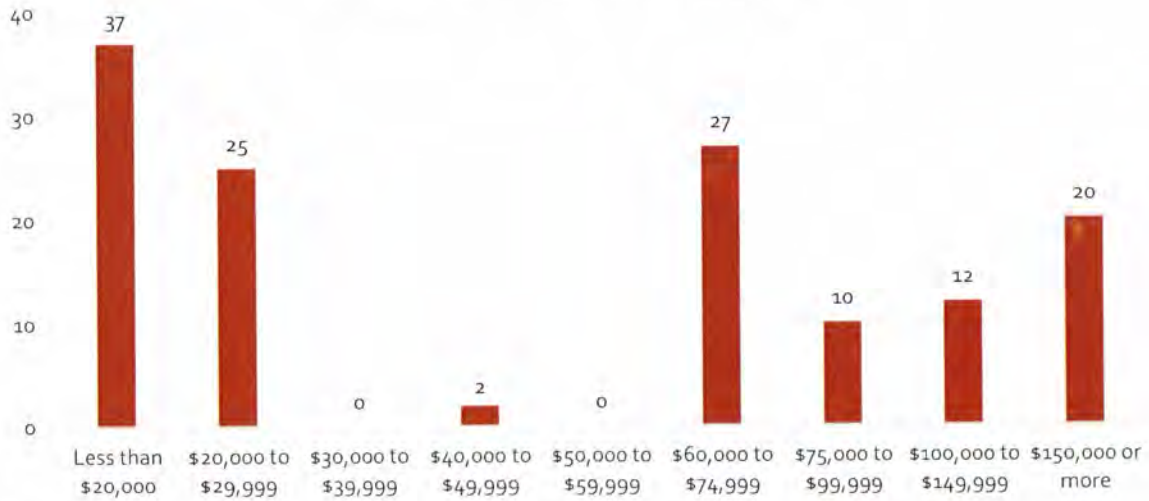
Galisteo Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

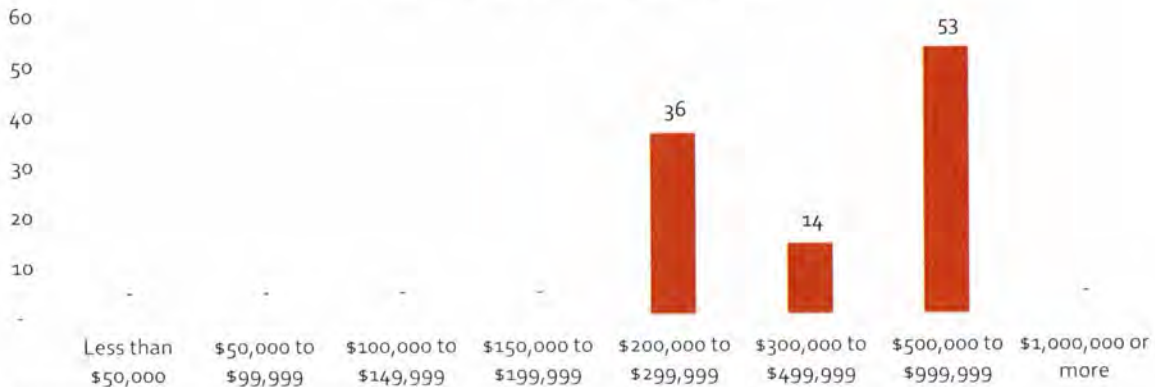
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### Galisteo Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Galisteo CDP, New Mexico

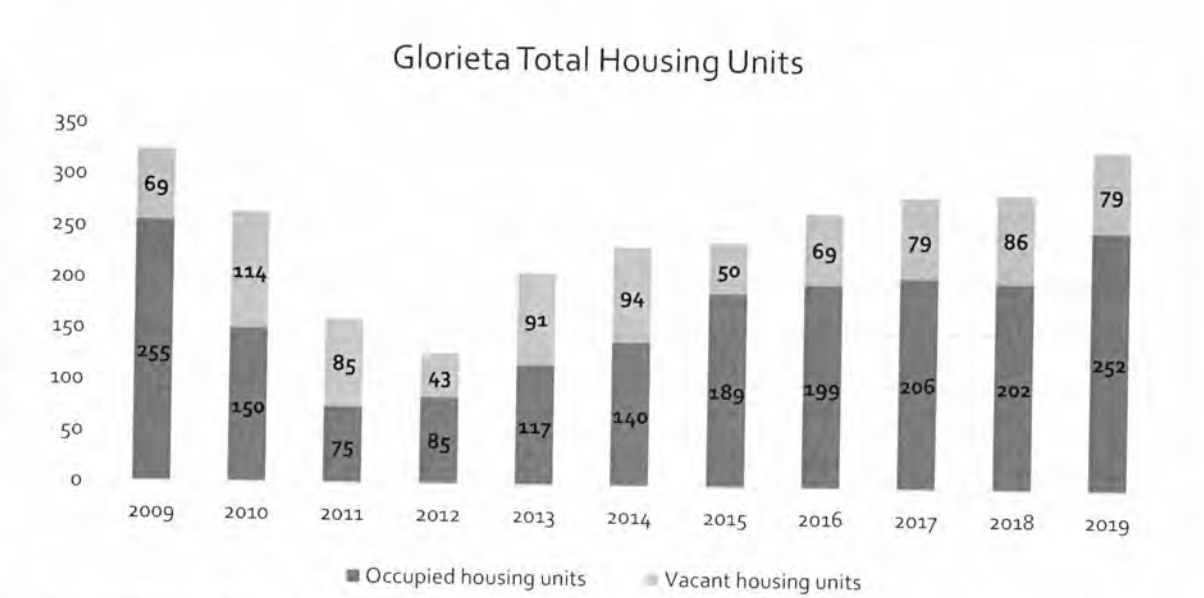


Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

**Glorieta**



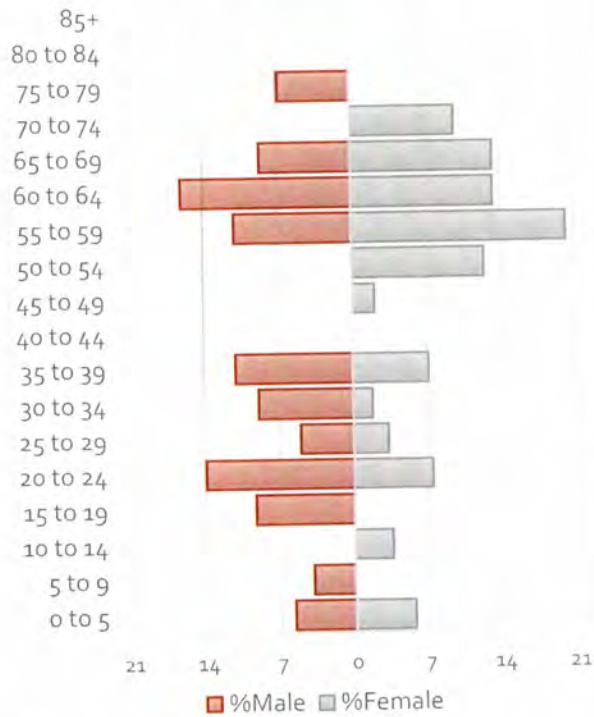
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

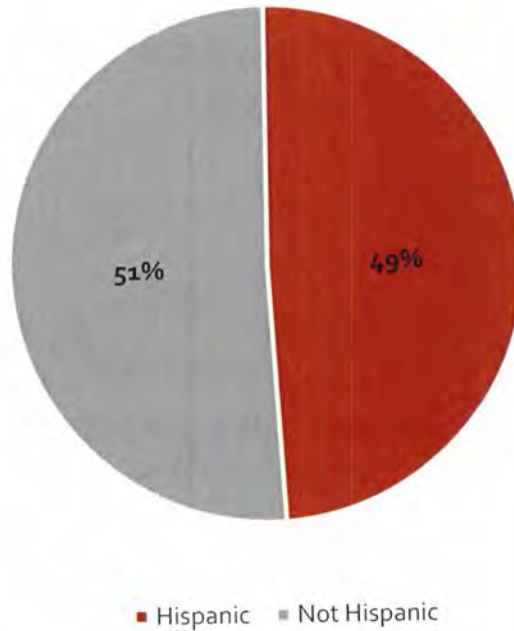
SFC CLERK RECORDED 12/13/2022

Glorieta Age and Sex 2019



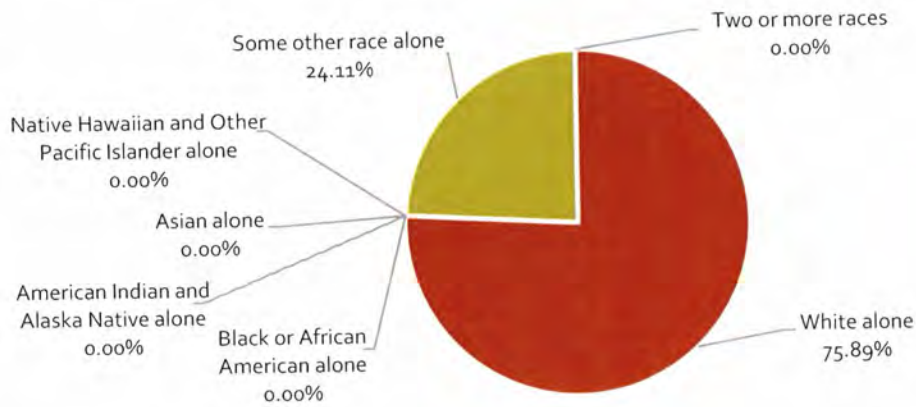
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Glorieta Hispanic Ethnicity 2019



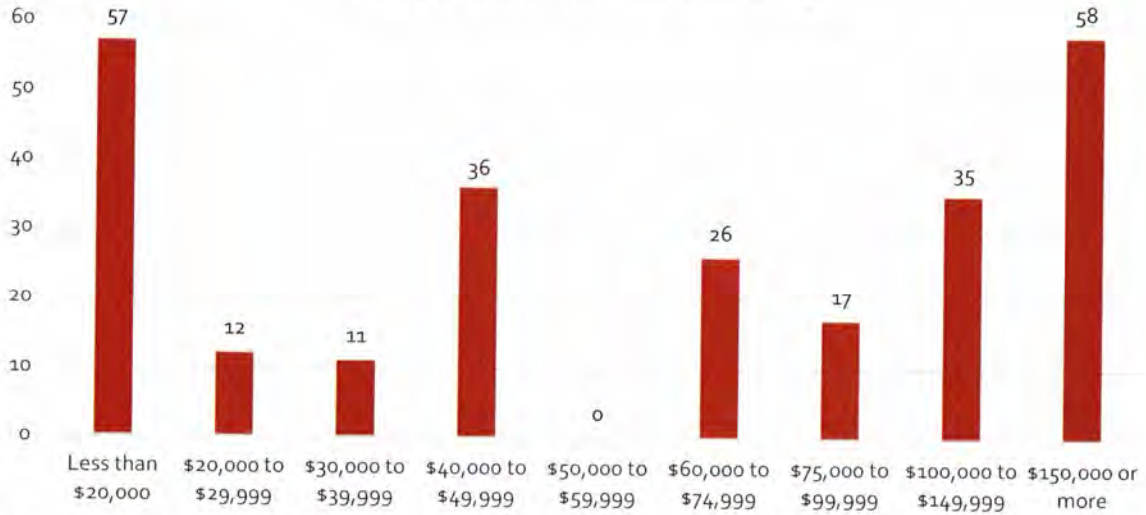
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Glorieta Race 2019



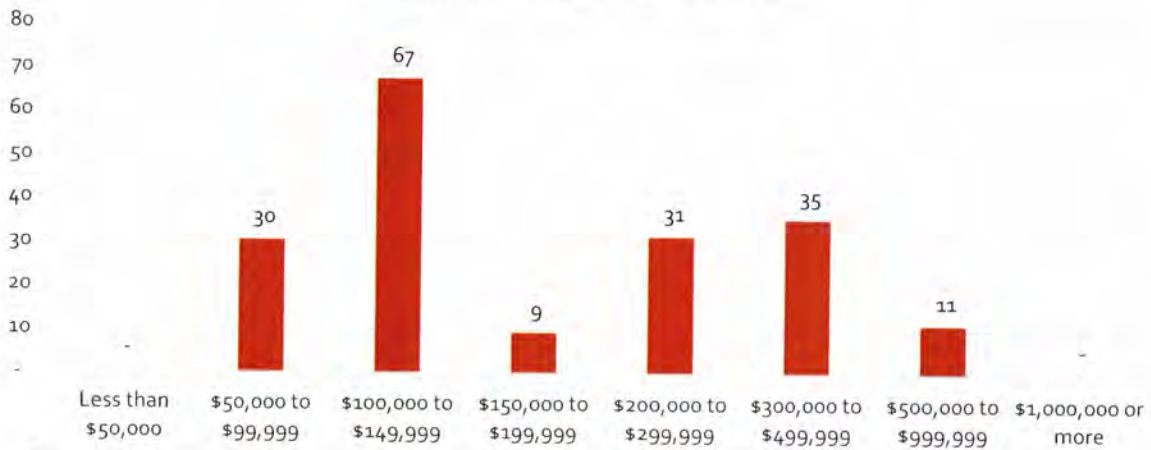
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Glorieta Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Glorieta CDP, New Mexico

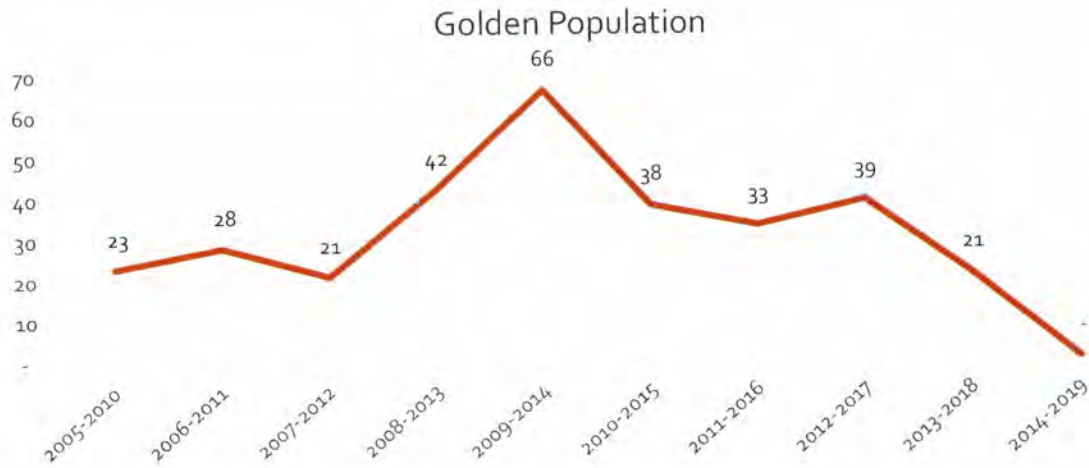


Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

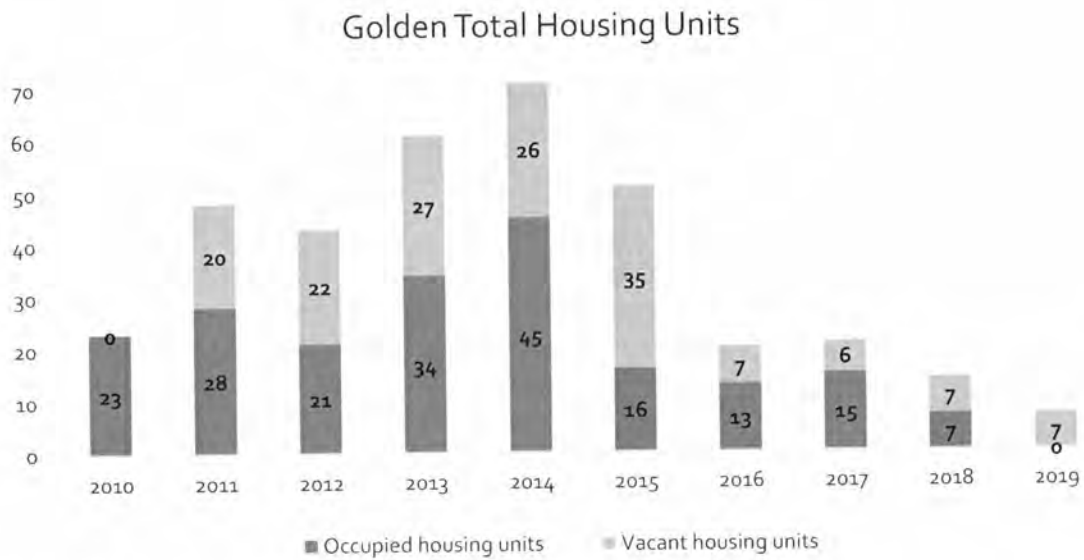
SFC CLERK RECORDED 12/13/2022

## Golden

Much of Golden's data is suppressed for 2019.

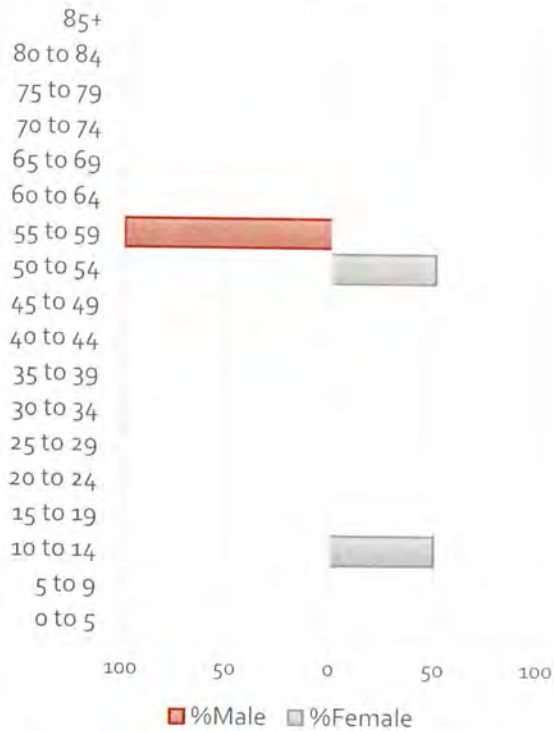


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



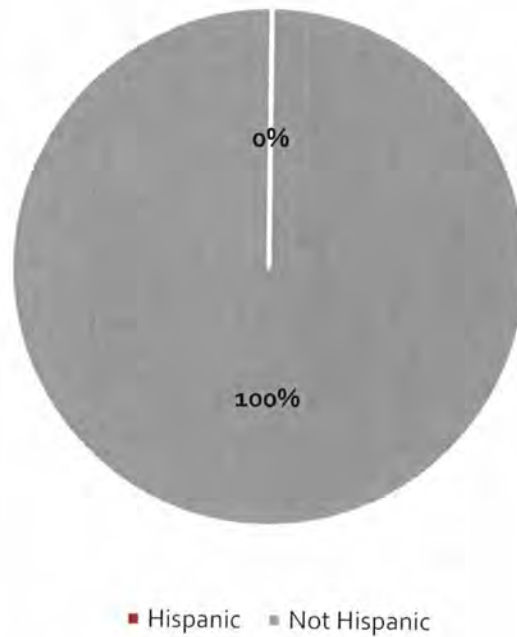
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Golden Age and Sex 2018



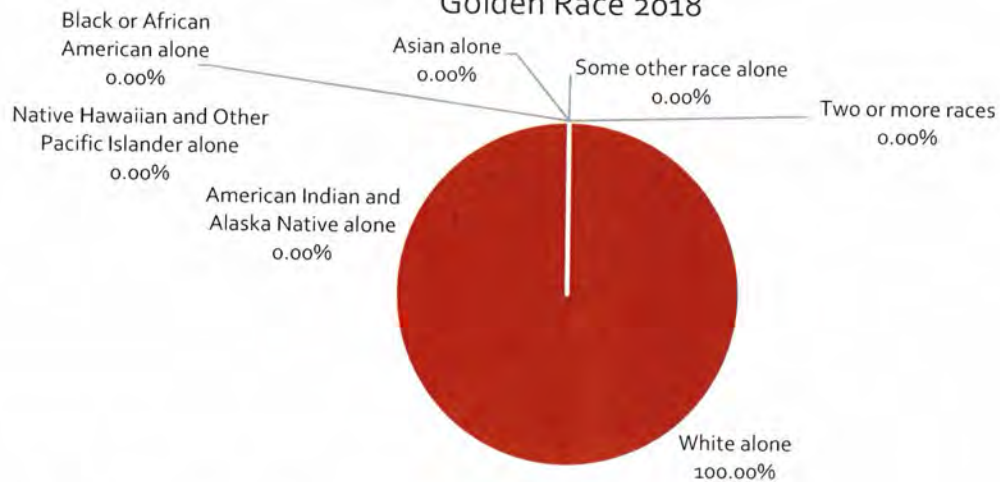
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Golden Hispanic Ethnicity 2018



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

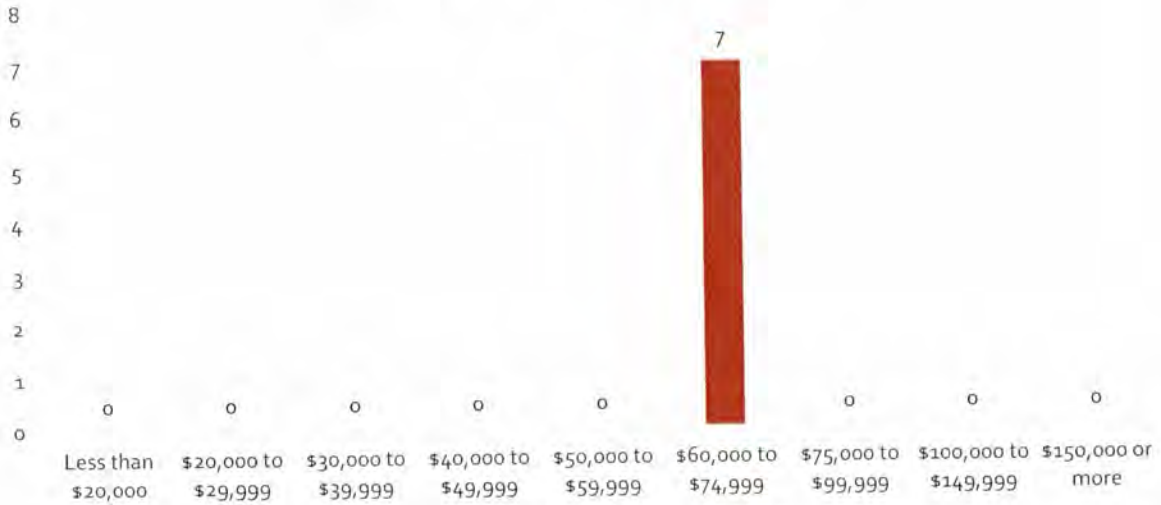
Golden Race 2018



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

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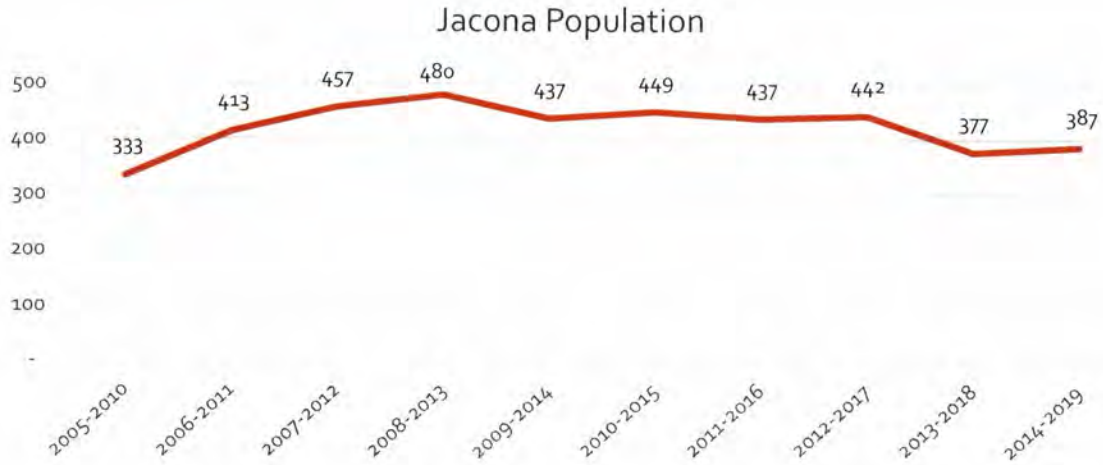
### Golden Household Income 2018



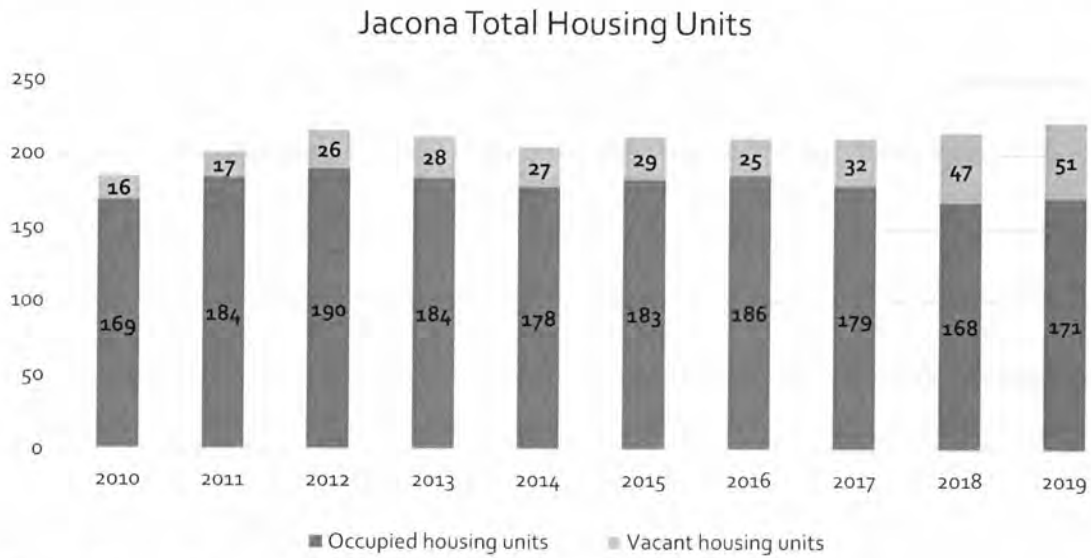
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

**Value of Owner-Occupied Units is suppressed for confidentiality for Golden.**

**Jacona**



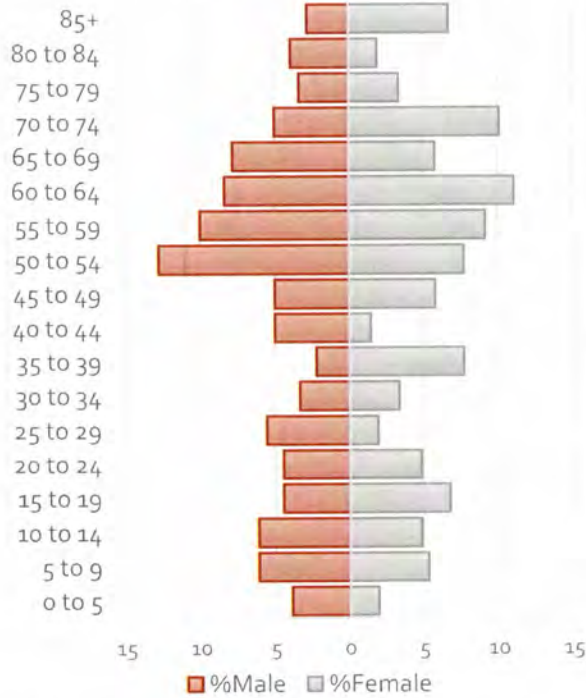
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

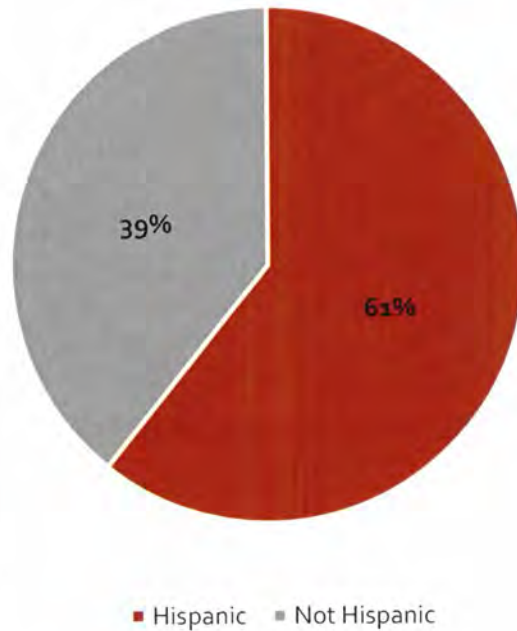
SFC CLERK RECORDED 12/13/2022

**Jacona Age and Sex 2019**



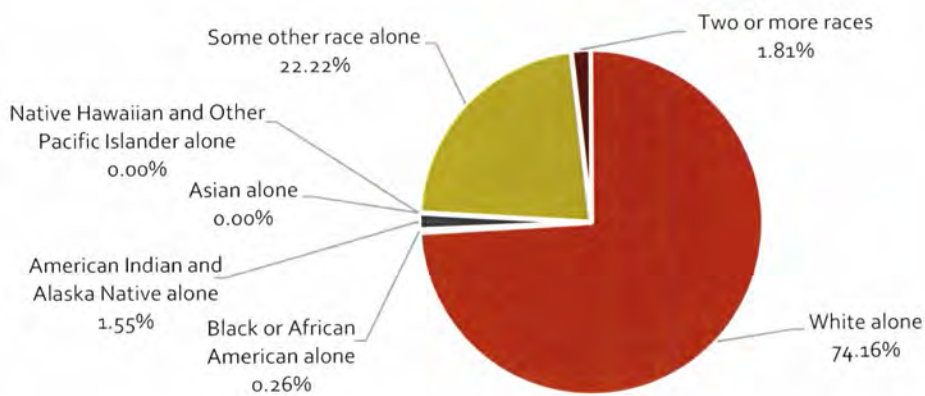
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

**Jacona Hispanic Ethnicity 2019**



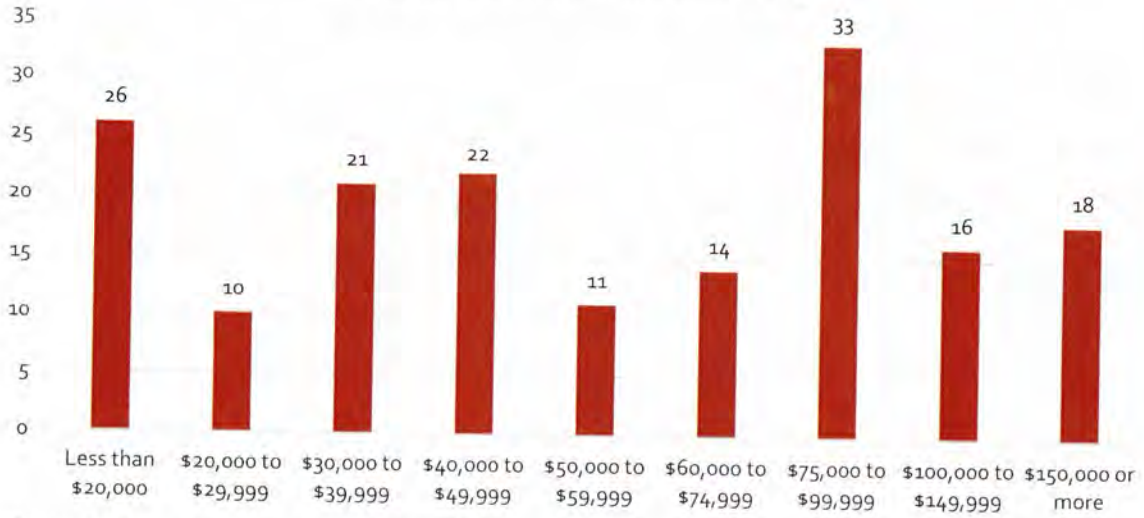
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

**Jacona Race 2019**



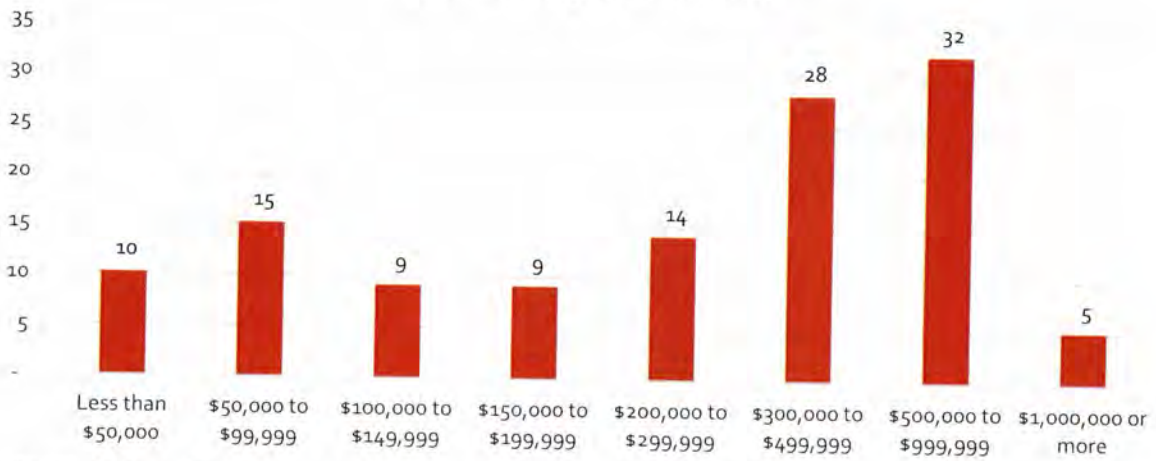
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Jacona Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DPo3

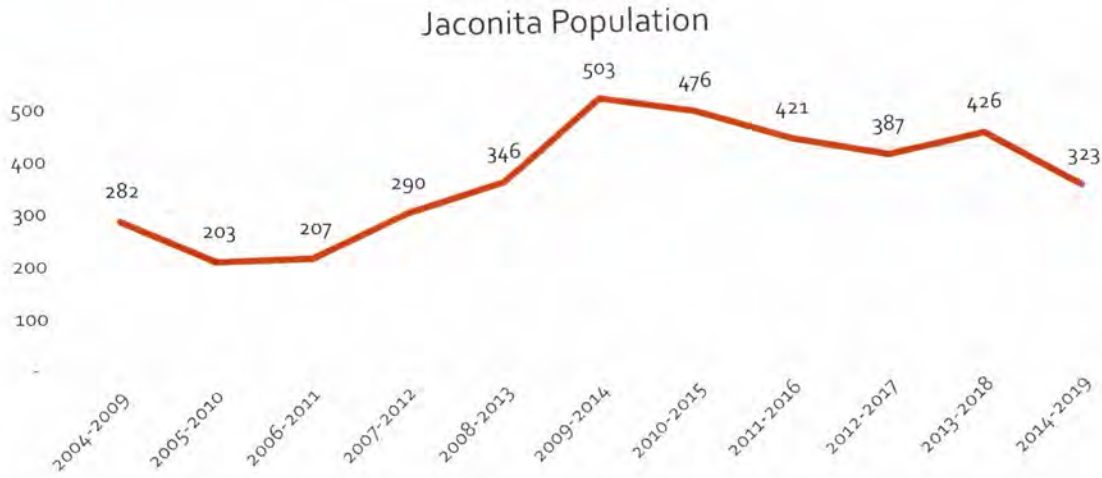
### Value of Owner-Occupied Units Jacona CDP, New Mexico



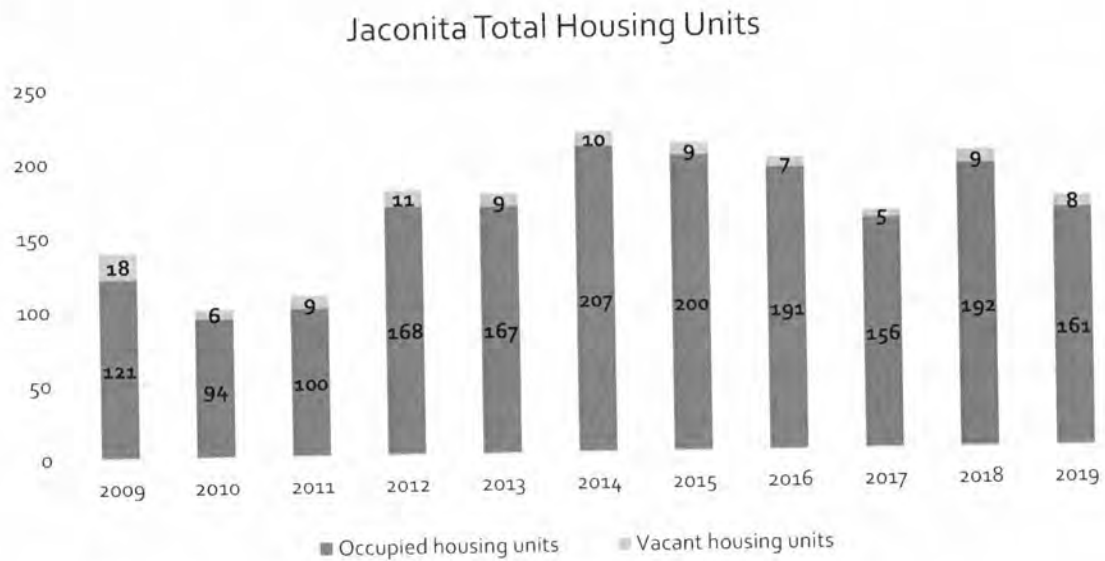
Source: US Census Bureau American Community Survey 5-year est. 2019 Table DPo4

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## Jaconita

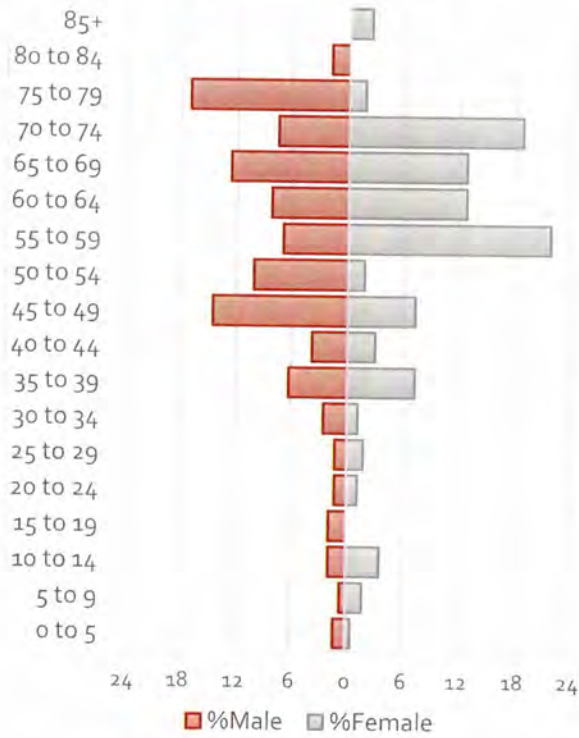


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



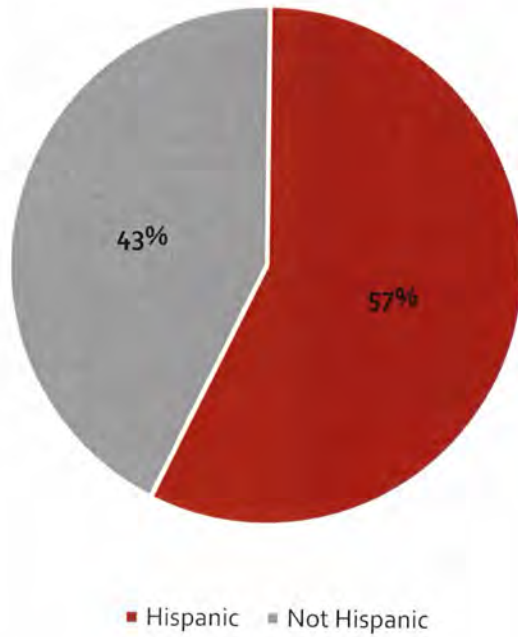
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

Jaconita Age and Sex 2019



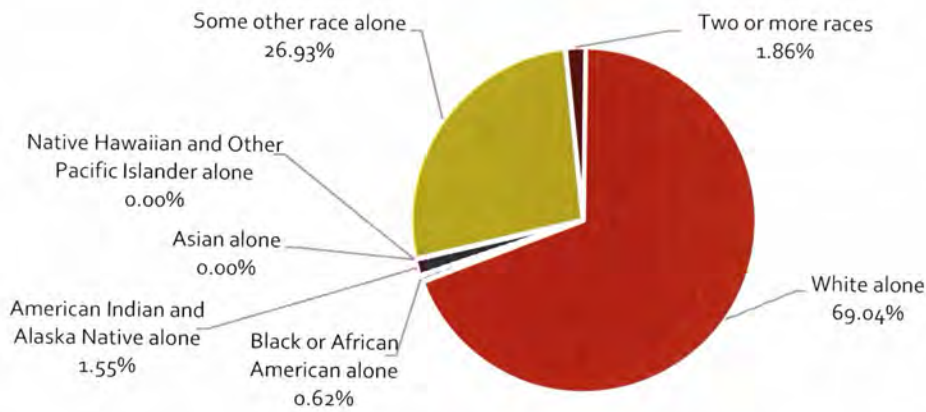
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Jaconita Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

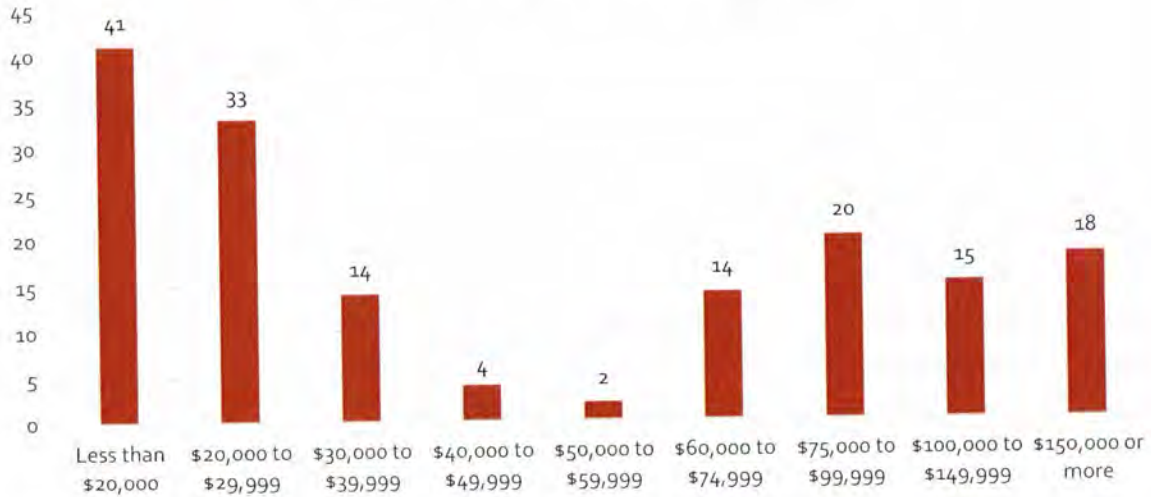
Jaconita Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

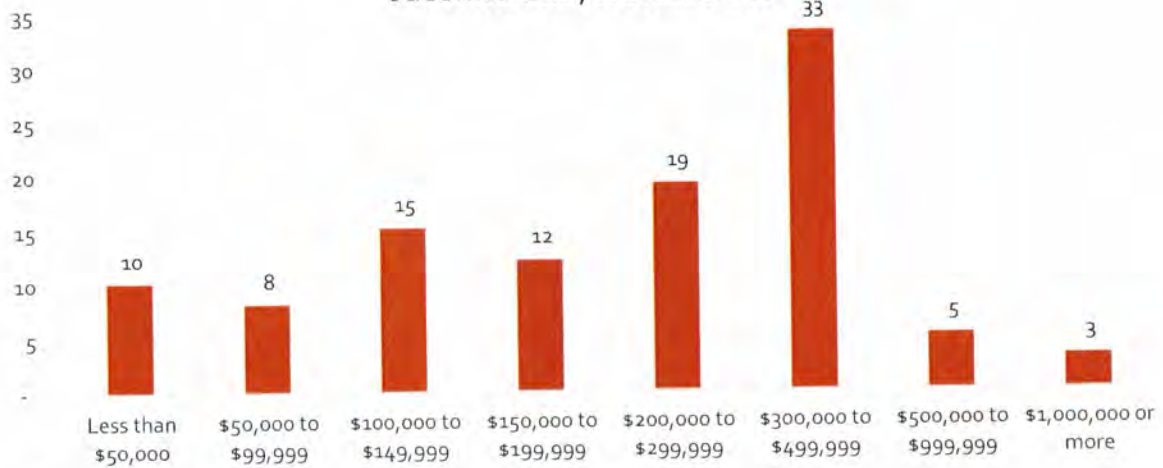
SFC CLERK RECORDED 12/13/2022

### Jaconita Household Income 2019



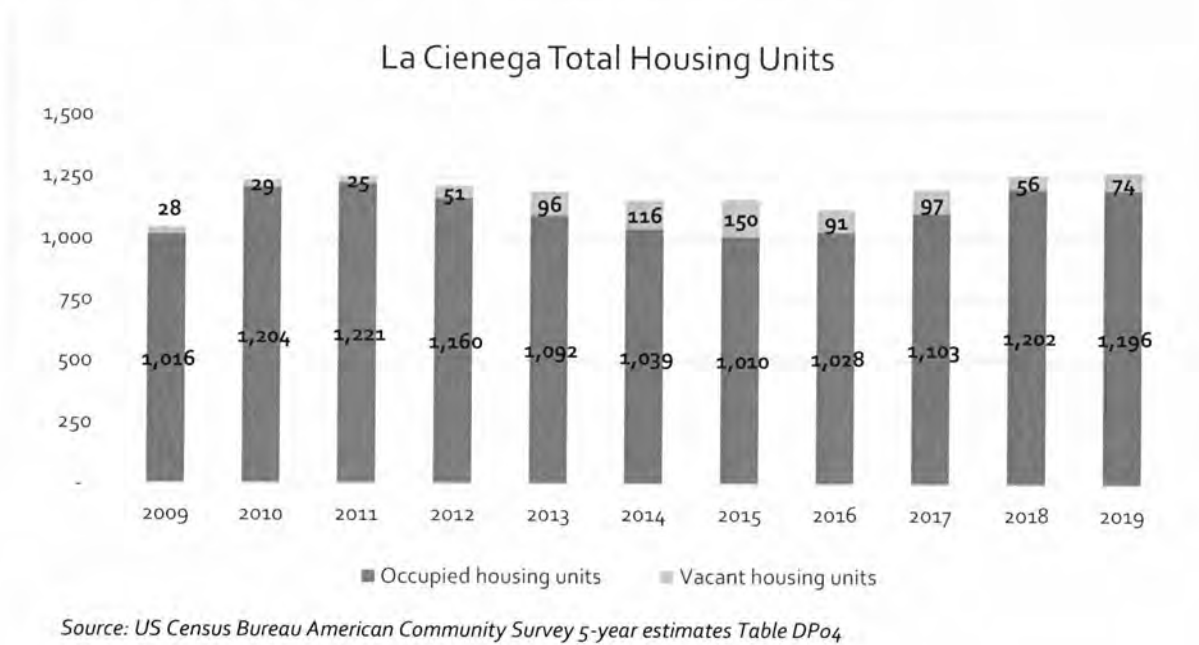
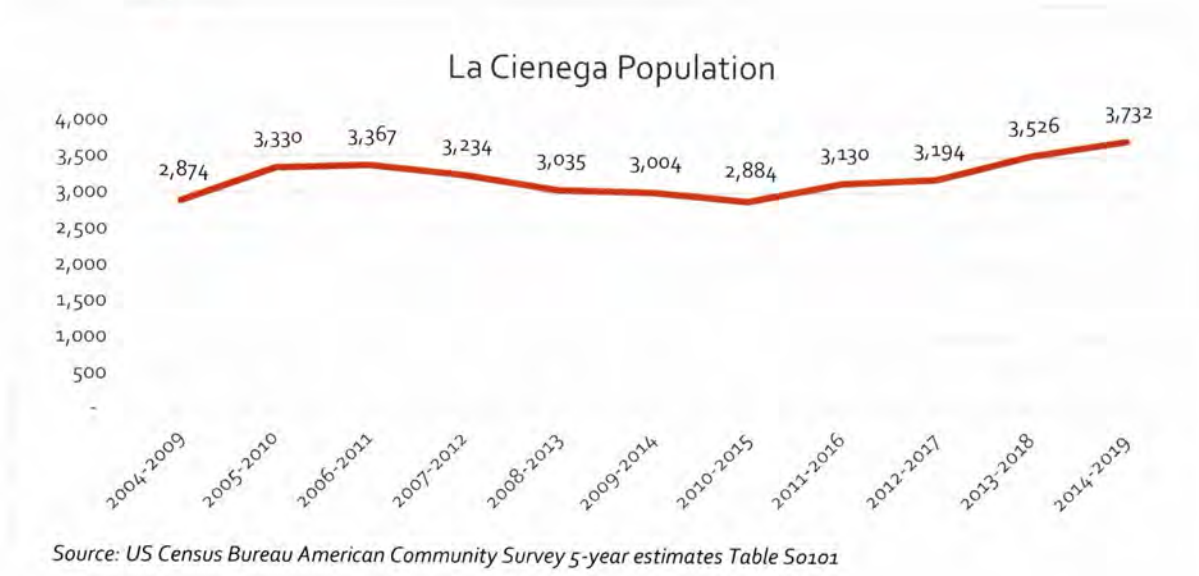
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Jaconita CDP, New Mexico



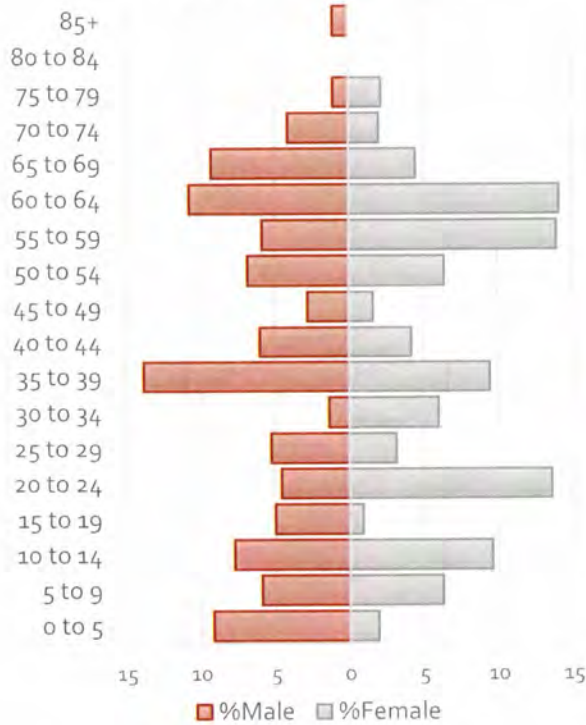
Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

## La Cienega



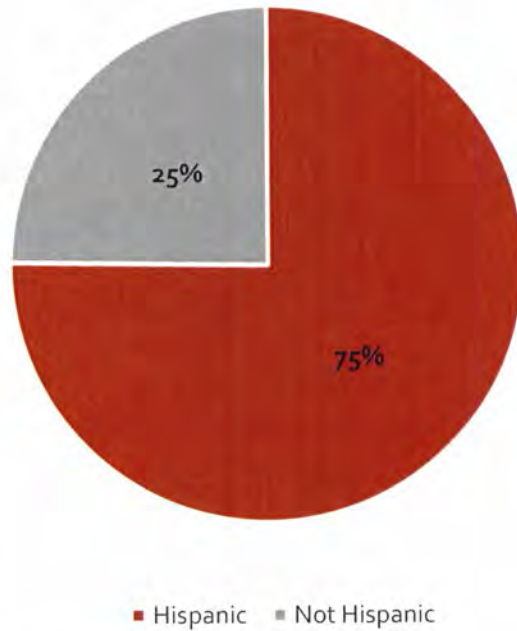
SFC CLERK RECORDED 12/13/2022

La Cienega Age and Sex 2019



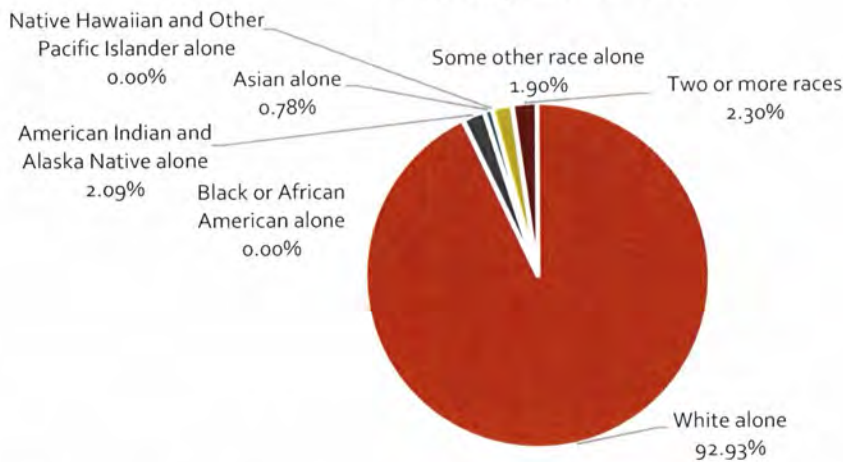
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

La Cienega Hispanic Ethnicity 2019



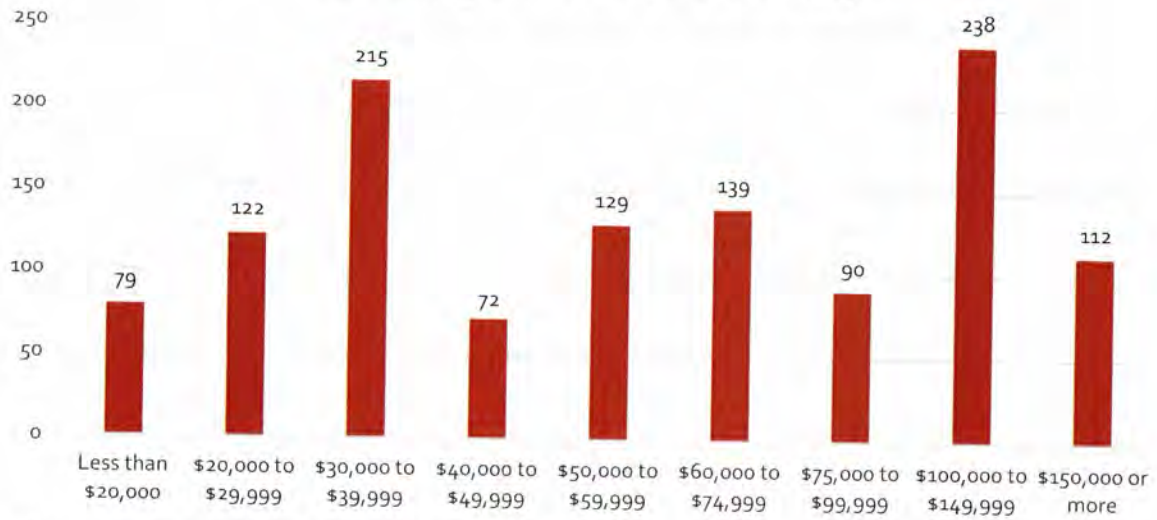
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

La Cienega Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### La Cienega Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units La Cienega CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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## La Cueva

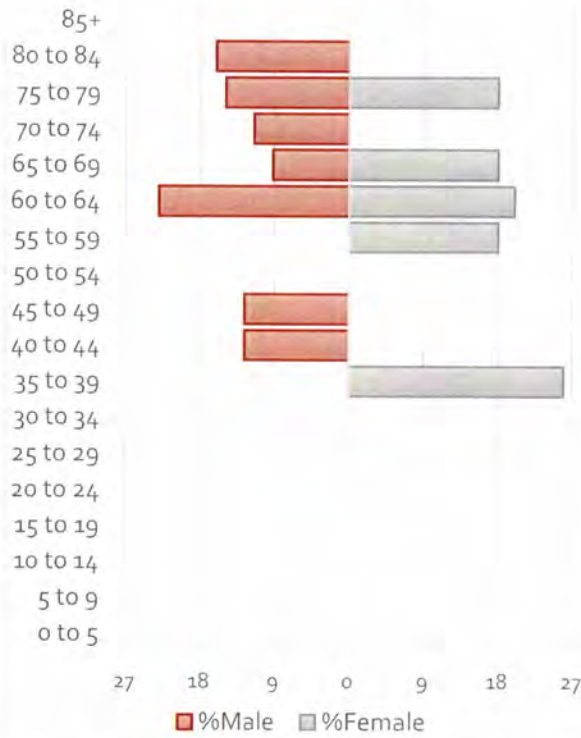


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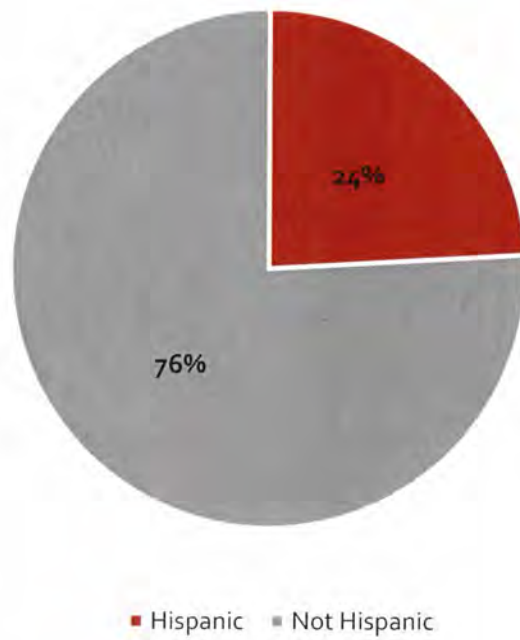
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

La Cueva Age and Sex 2019



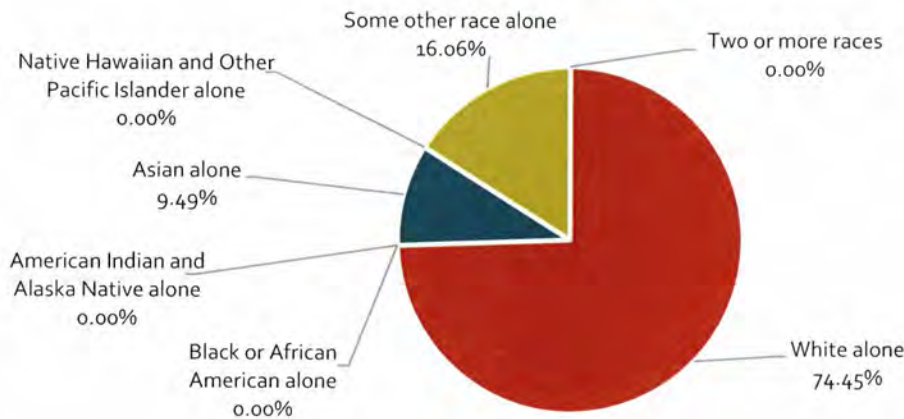
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

La Cueva Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

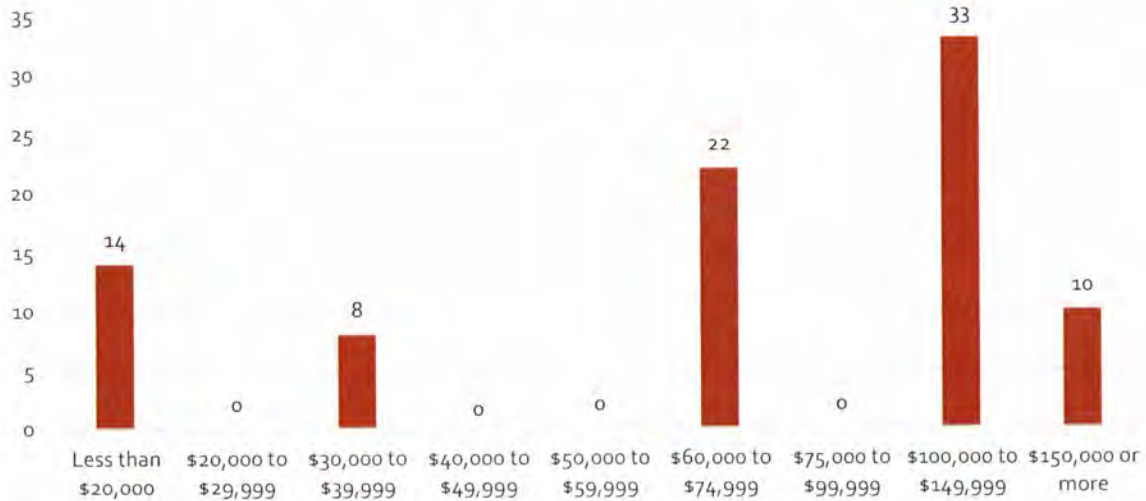
La Cueva Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

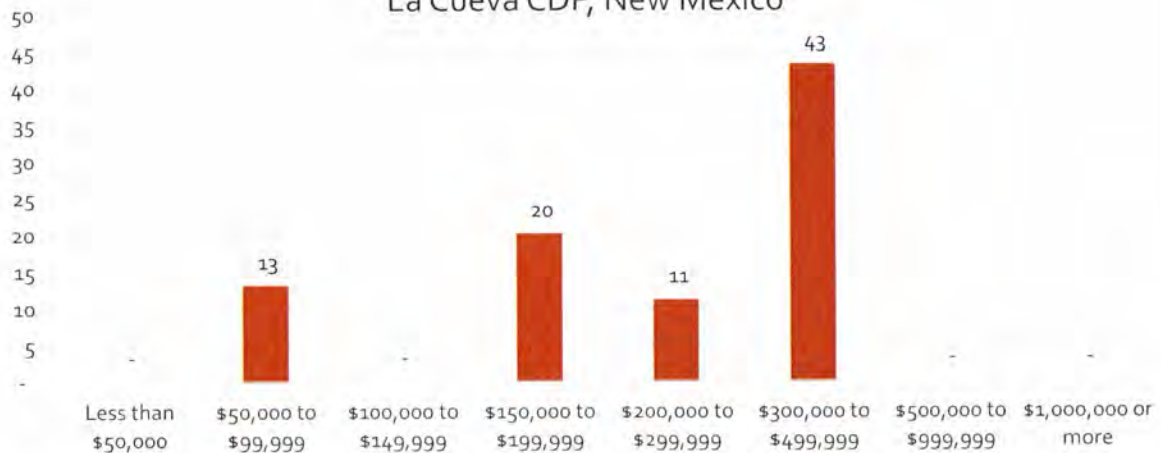
SFC CLERK RECORDED 12/13/2022

### La Cueva Household Income 2019



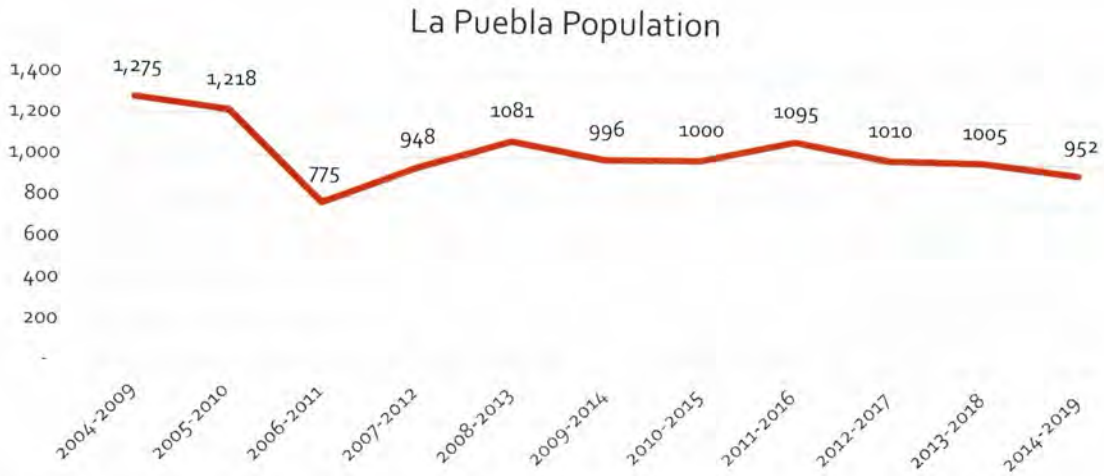
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units La Cueva CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

## La Puebla



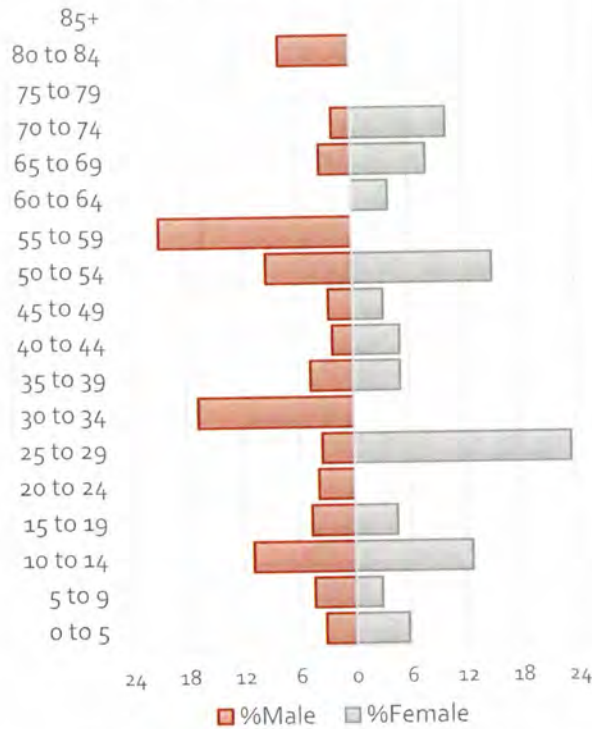
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

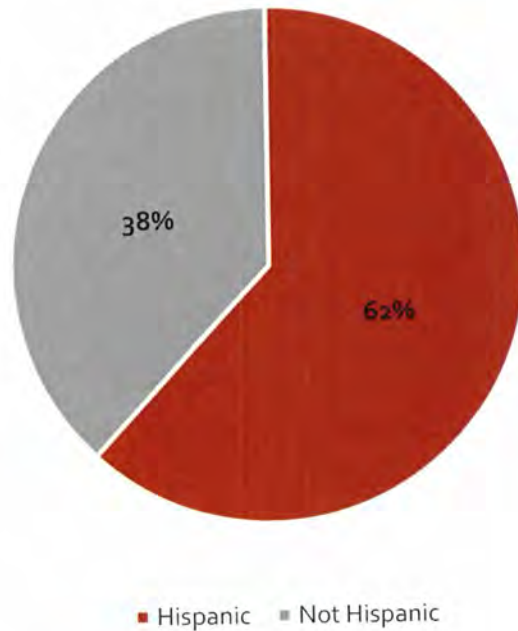
SFC CLERK RECORDED 12/13/2022

La Puebla Age and Sex 2019



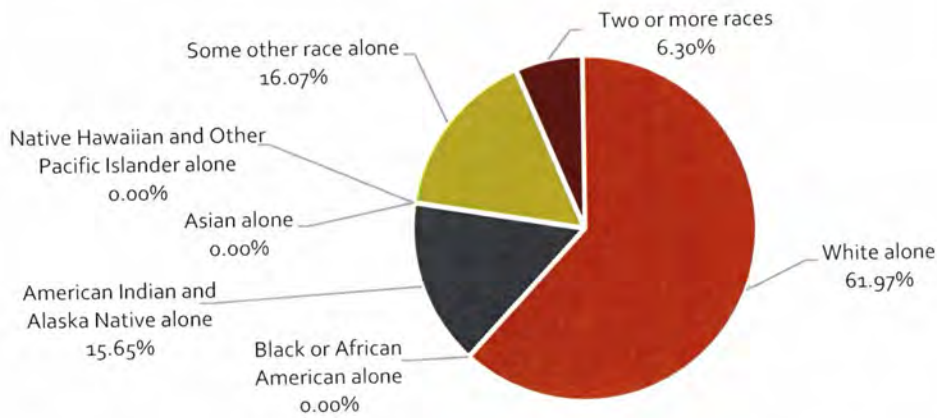
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

La Puebla Hispanic Ethnicity 2019



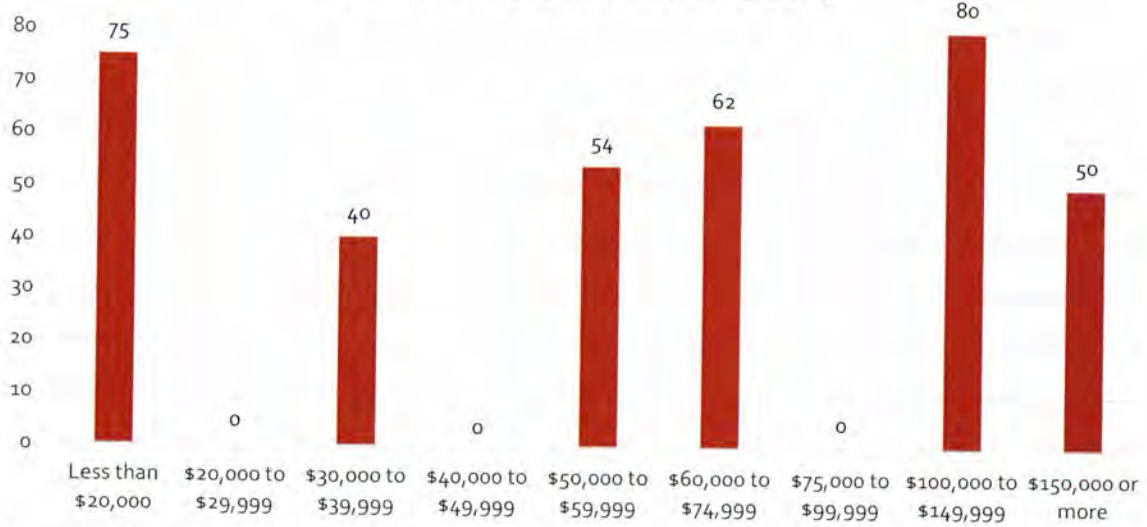
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

La Puebla Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

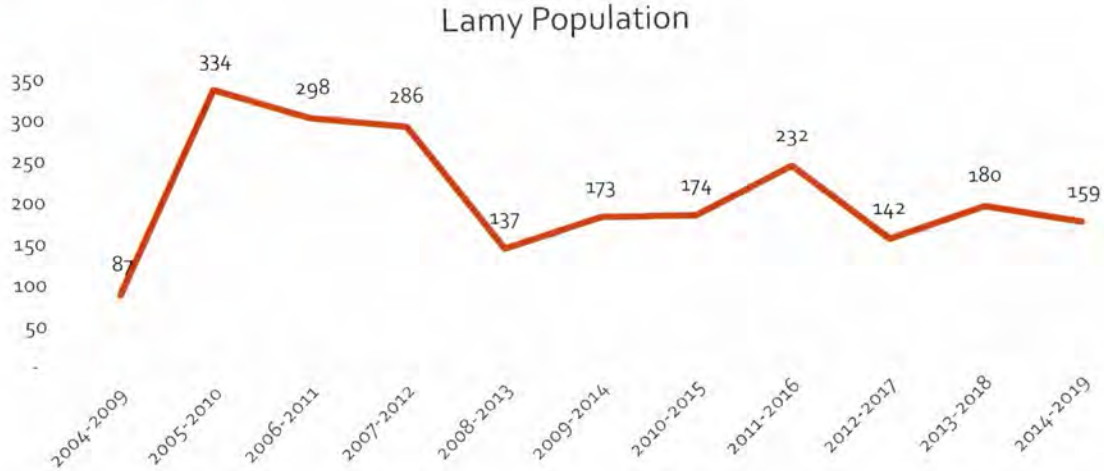
### La Puebla Household Income 2019



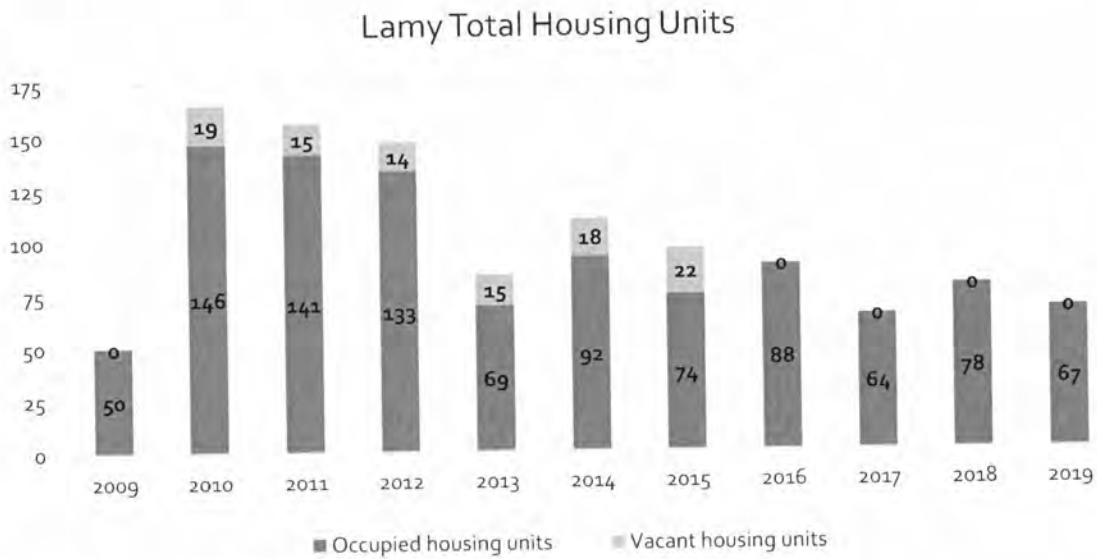
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

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Lamy

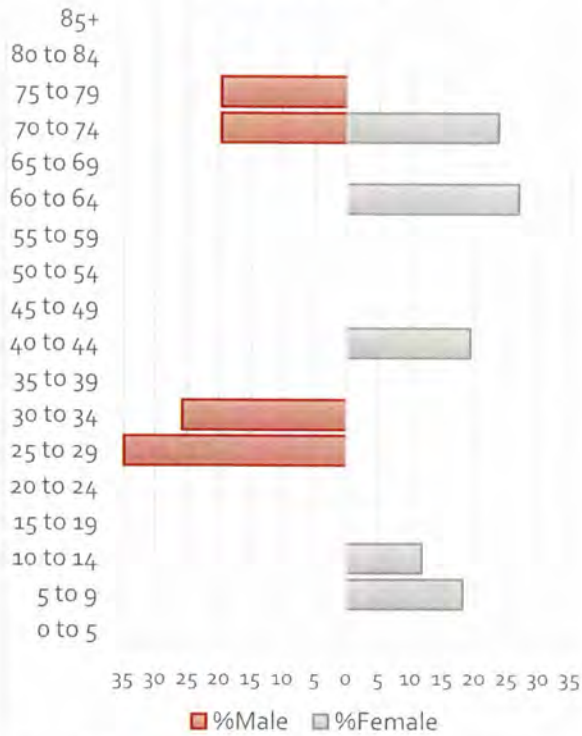


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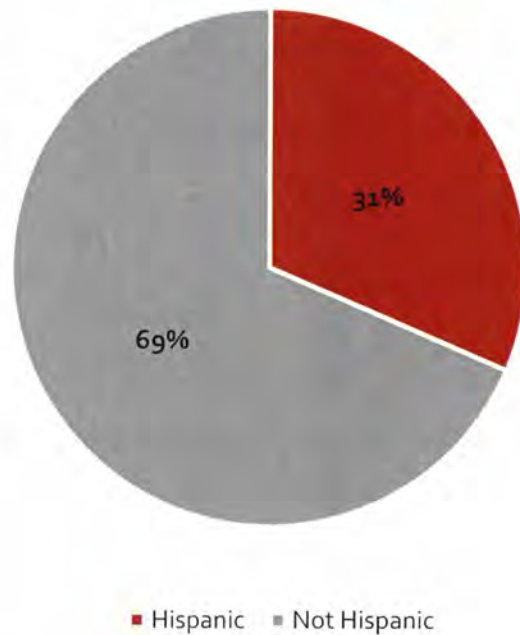
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Lamy Age and Sex 2019



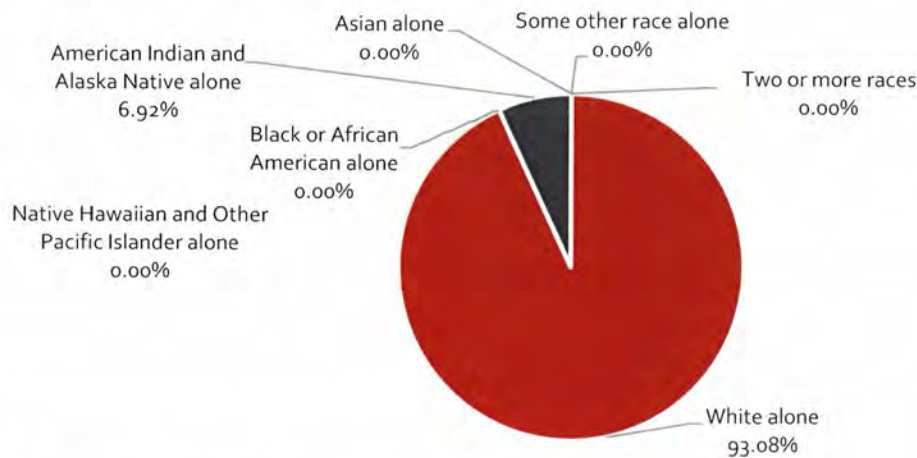
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Lamy Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

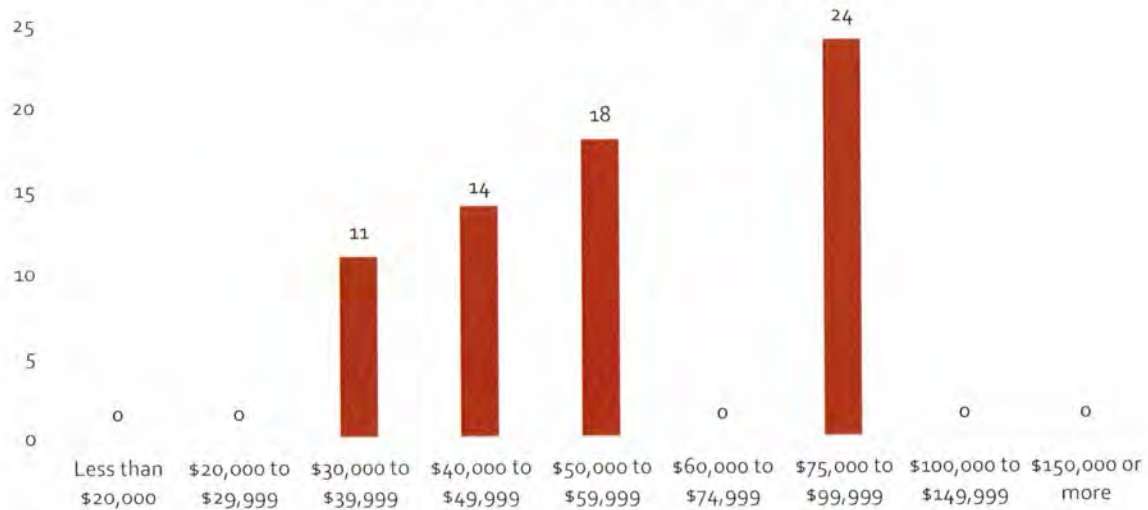
Lamy Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

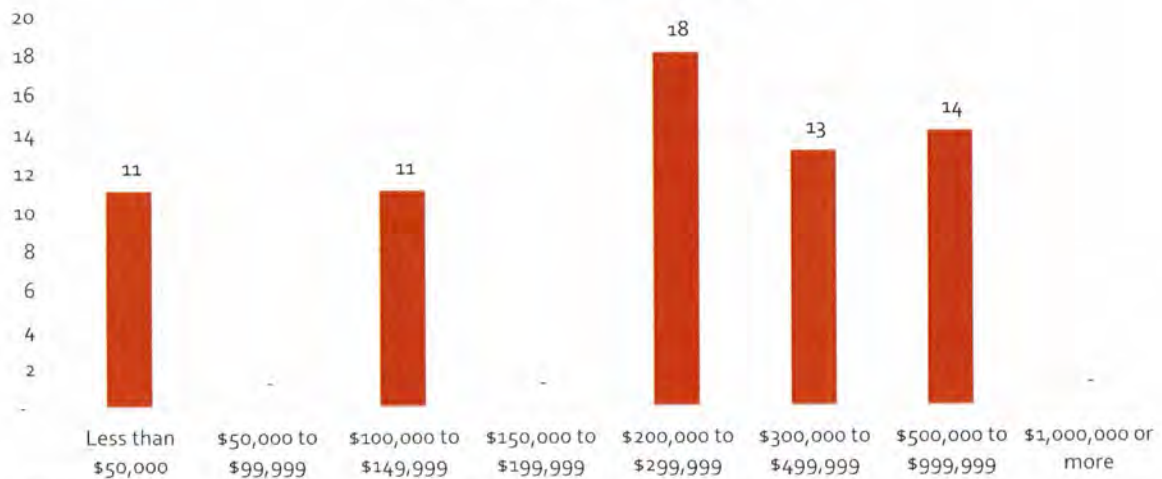
SFC CLERK RECORDED 12/13/2022

### Lamy Household Income 2019



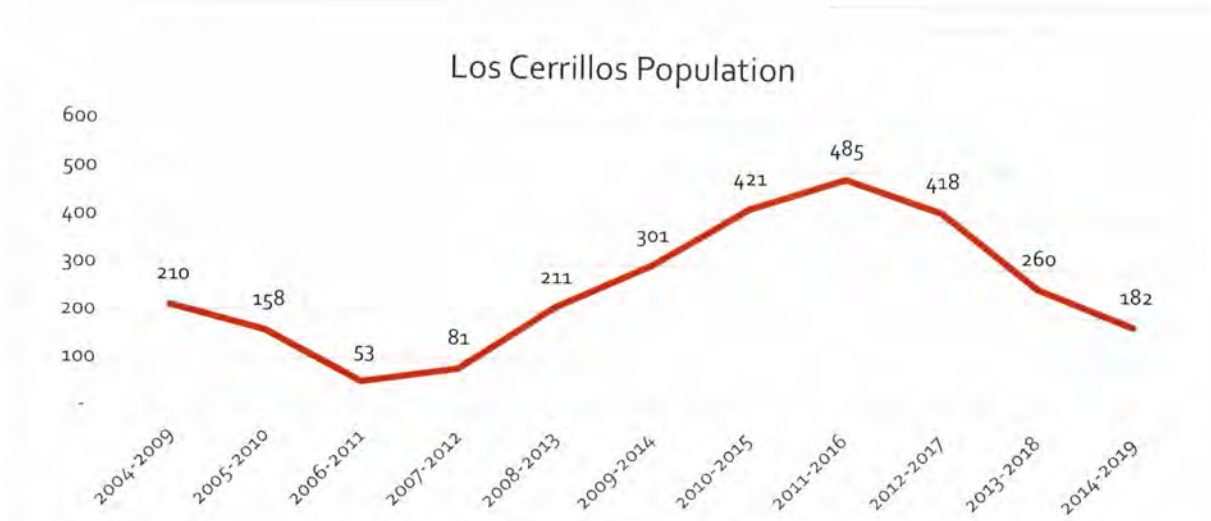
Source: US Census Bureau American Community Survey 5-year estimates Table DPo3

### Value of Owner-Occupied Units Lamy CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DPo4

Los Cerrillos



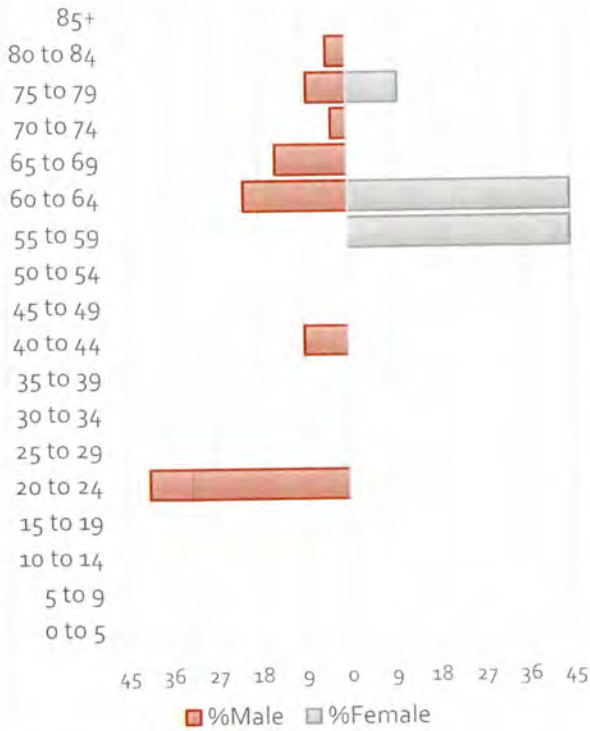
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Source: US Census Bureau American Community Survey 5-year estimates Table DP04

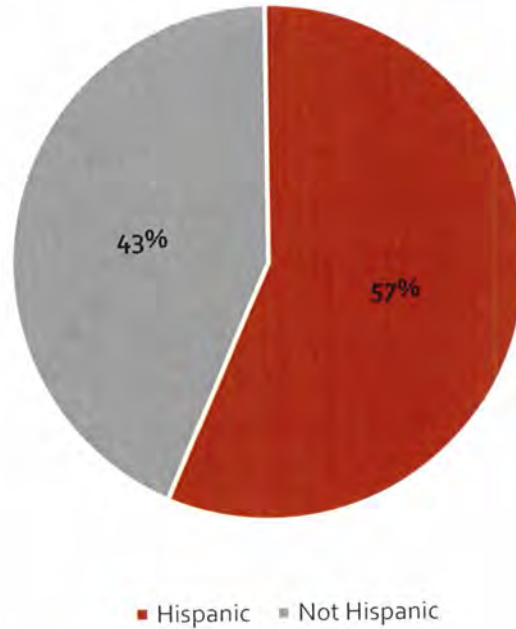
SFC CLERK RECORDED 12/13/2022

Los Cerrillos Age and Sex 2019



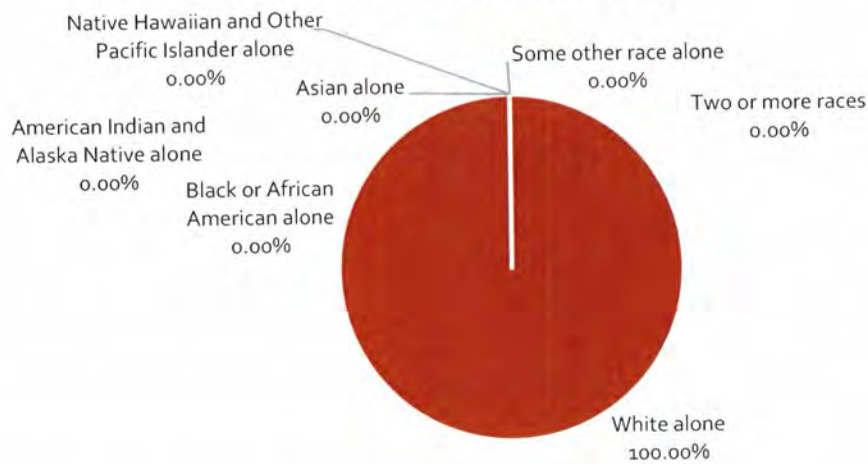
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Los Cerrillos Hispanic Ethnicity 2019



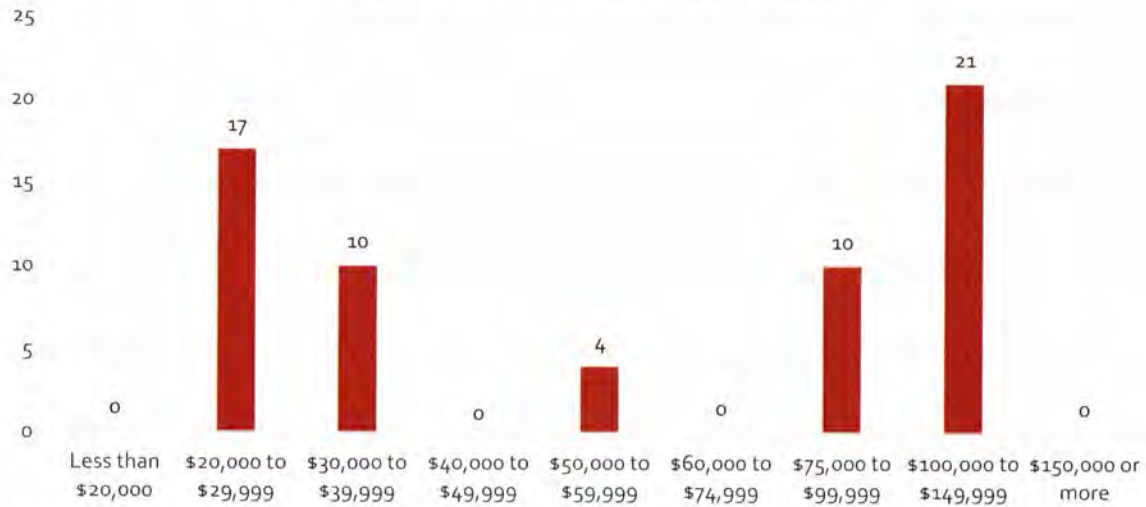
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Los Cerrillos Race 2019



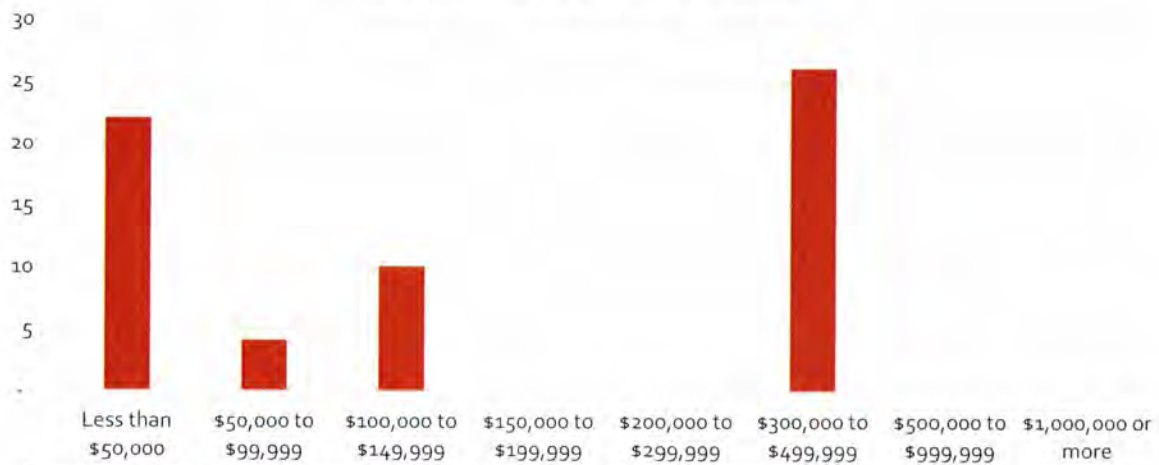
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Los Cerrillos Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Los Cerrillos CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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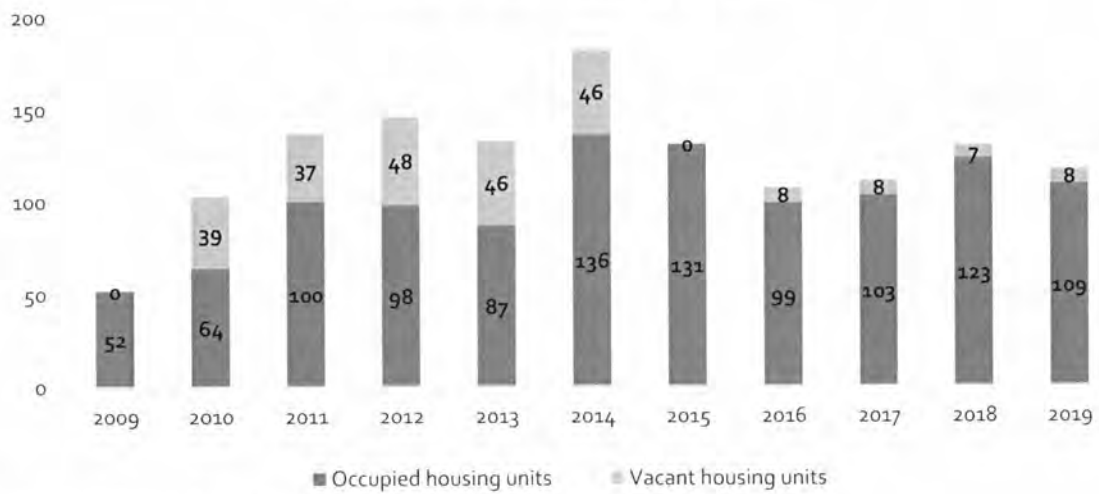
**Madrid**

Madrid Population



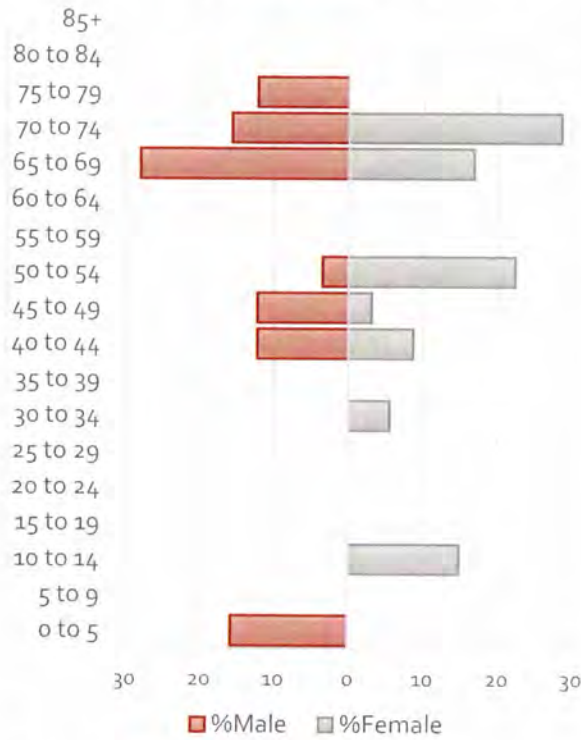
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Madrid Total Housing Units



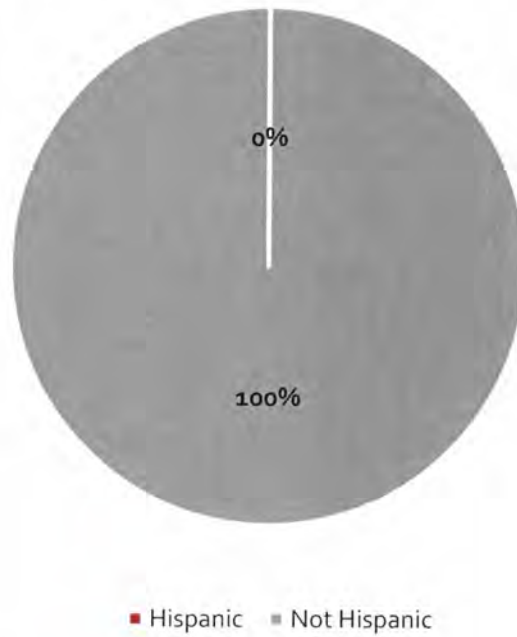
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Madrid Age and Sex 2019



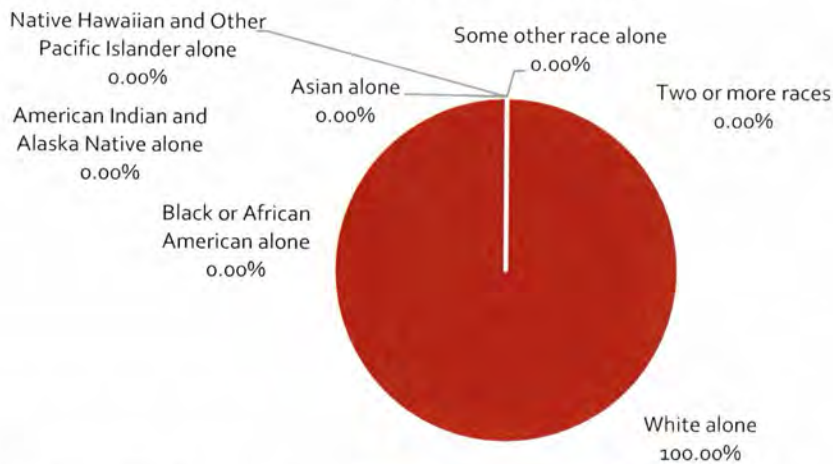
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Madrid Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

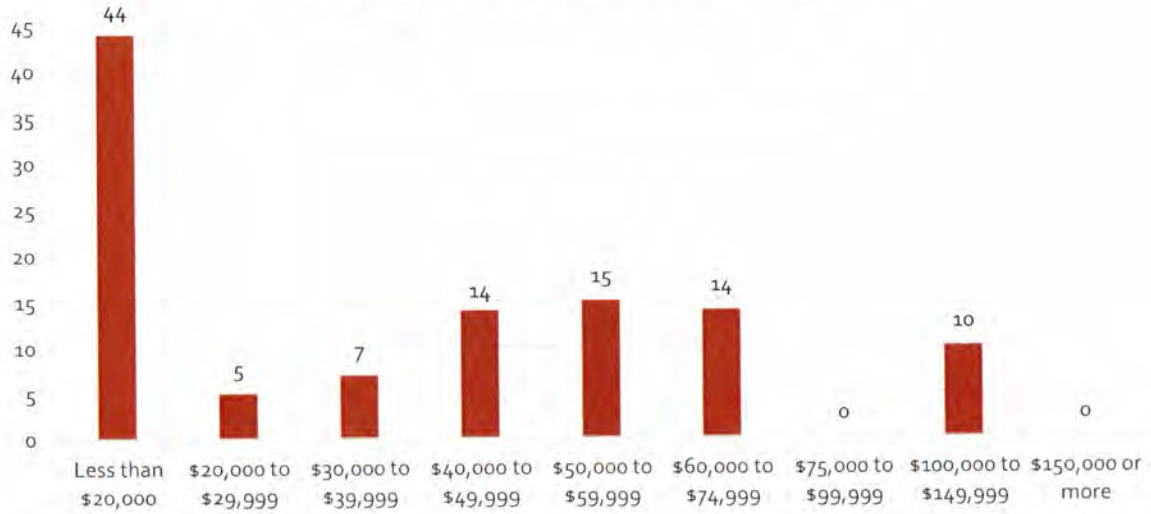
Madrid Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

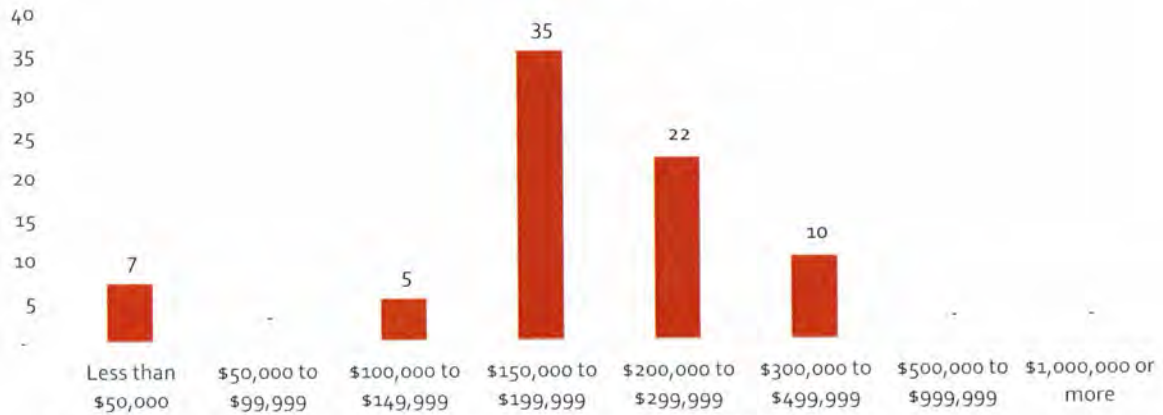
SFC CLERK RECORDED 12/13/2022

### Madrid Household Income 2019



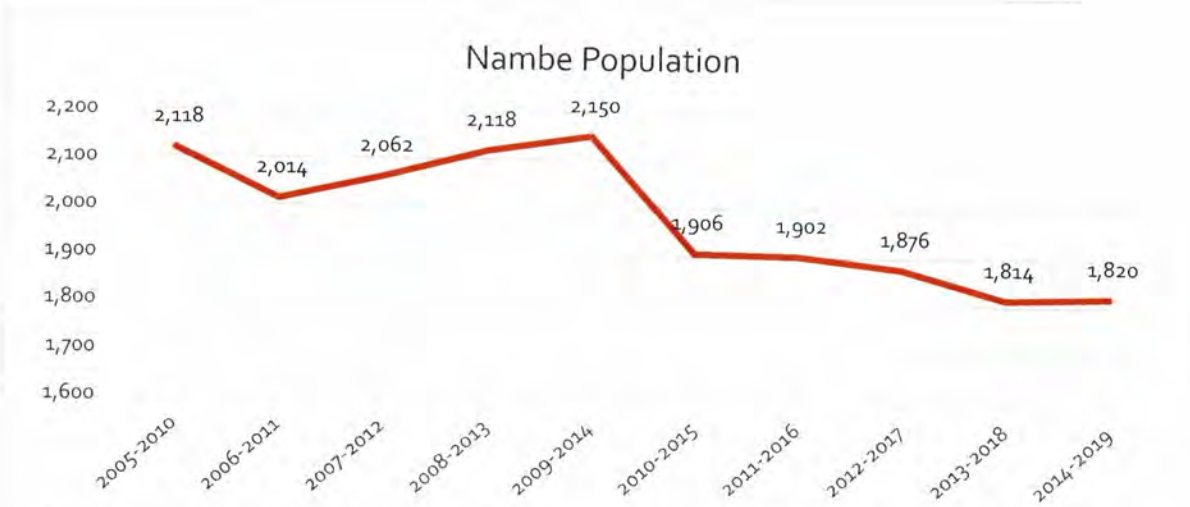
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Madrid CDP, New Mexico

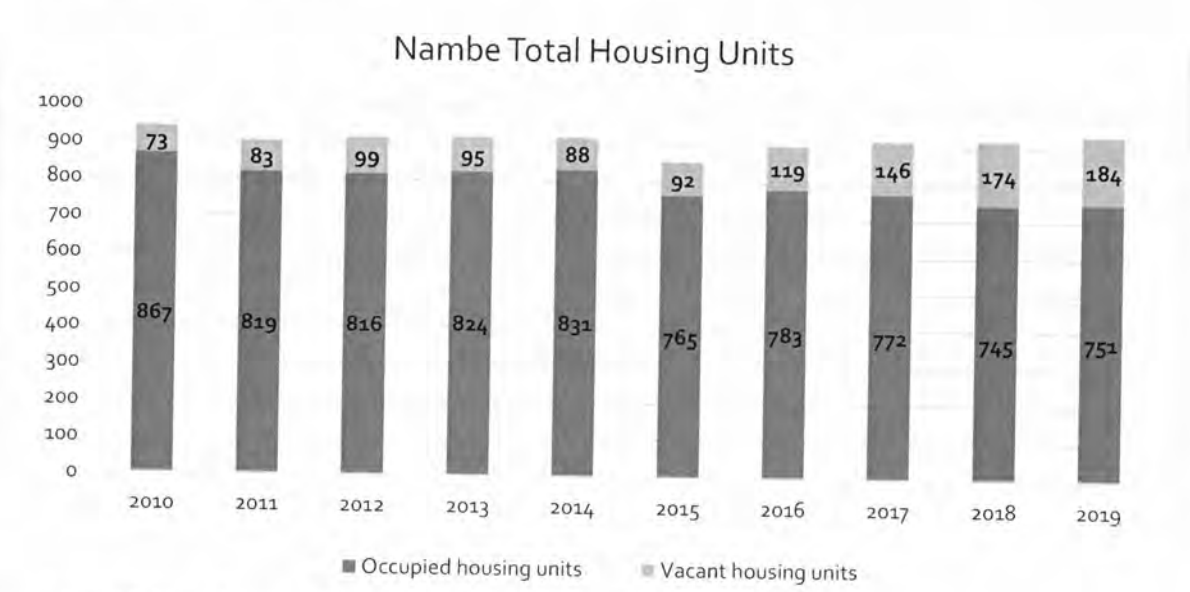


Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

**Nambe**



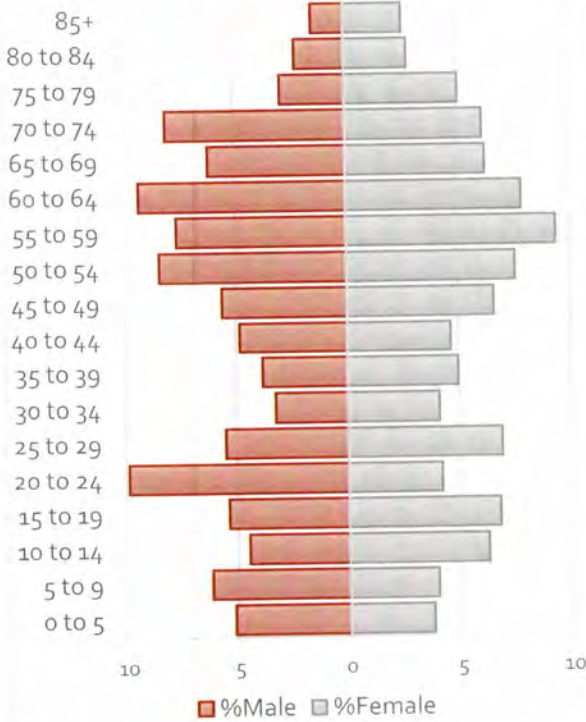
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Source: US Census Bureau American Community Survey 5-year estimates Table DP04

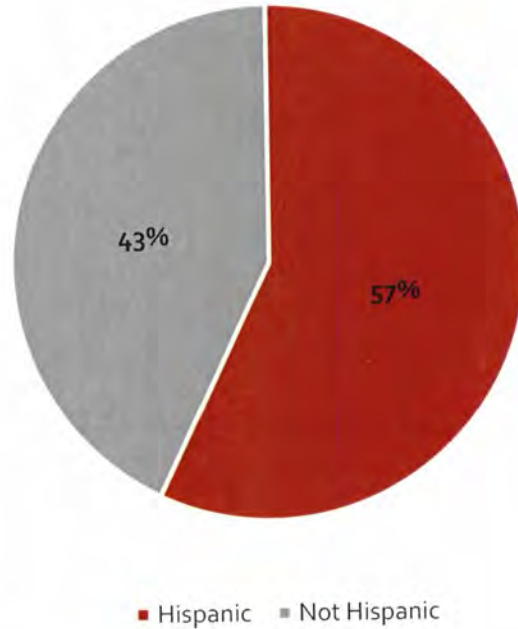
SFC CLERK RECORDED 12/13/2022

Nambe  
Age and Sex 2019



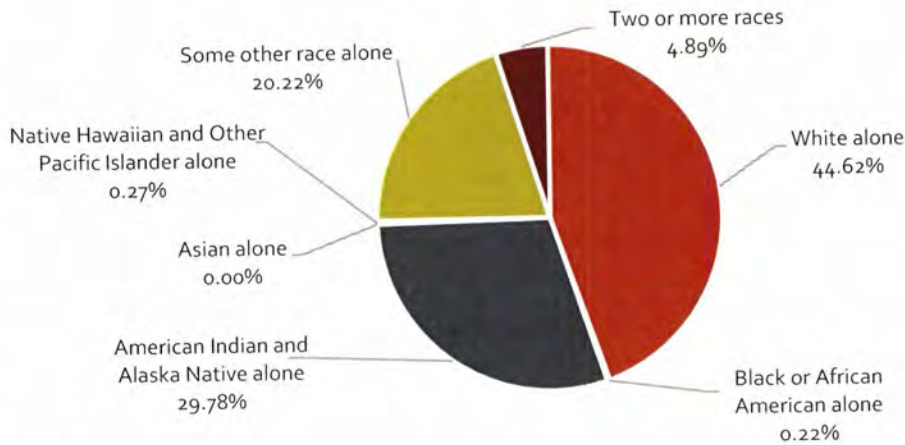
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Nambe  
Hispanic Ethnicity 2019



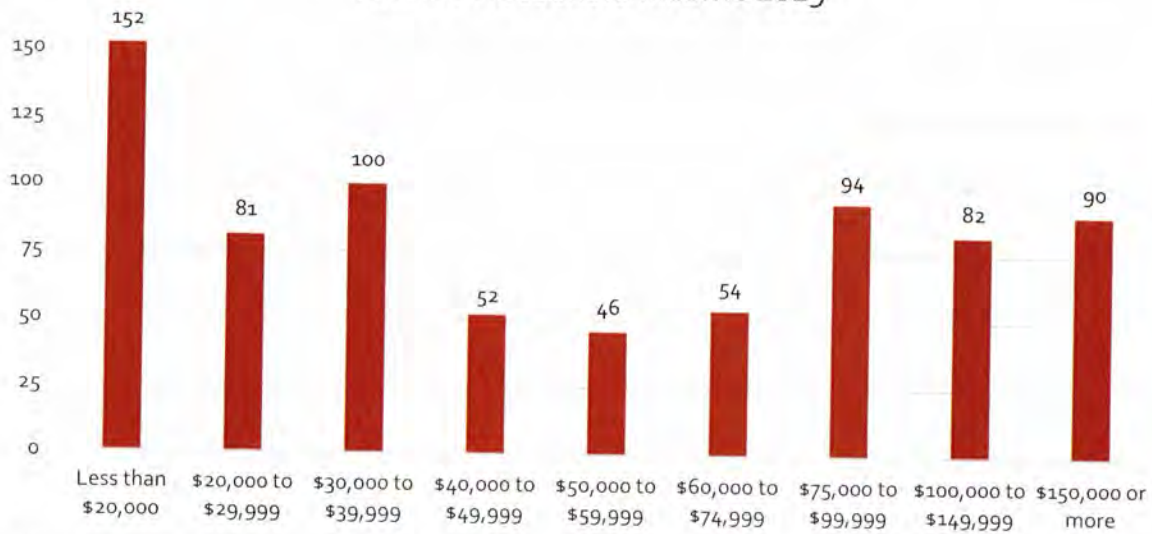
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Nambe Race 2019



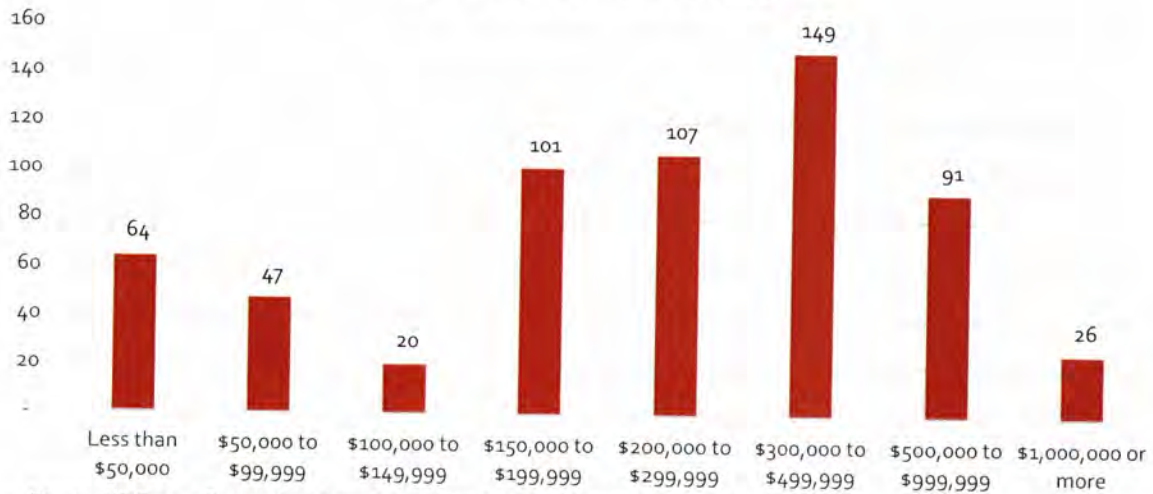
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Nambe Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Nambe CDP, New Mexico



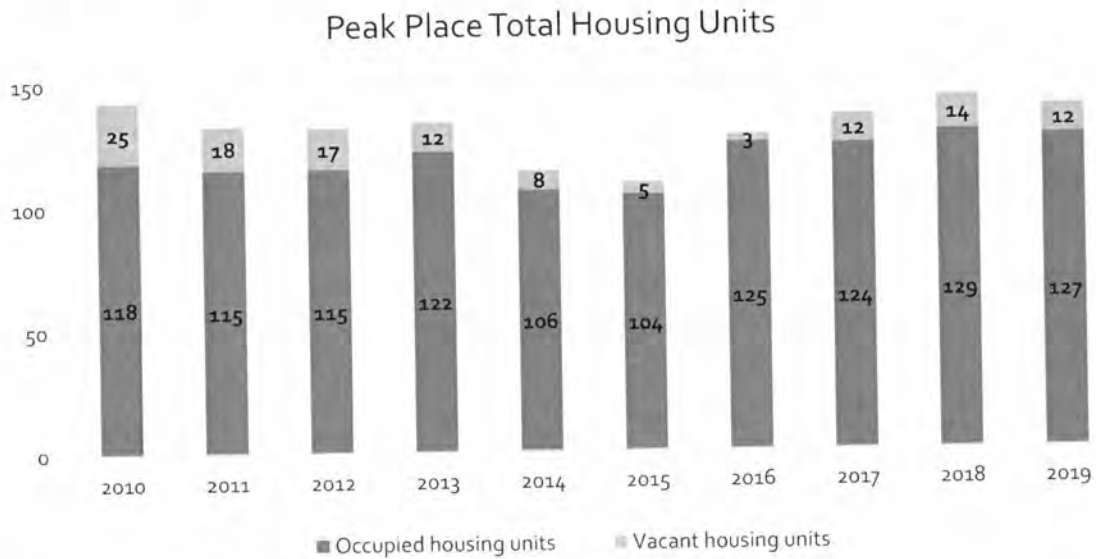
Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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## Peak Place

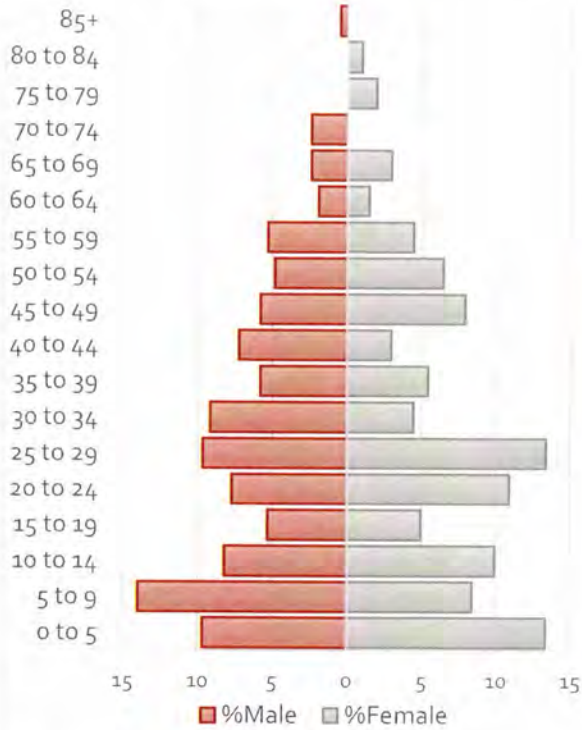


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



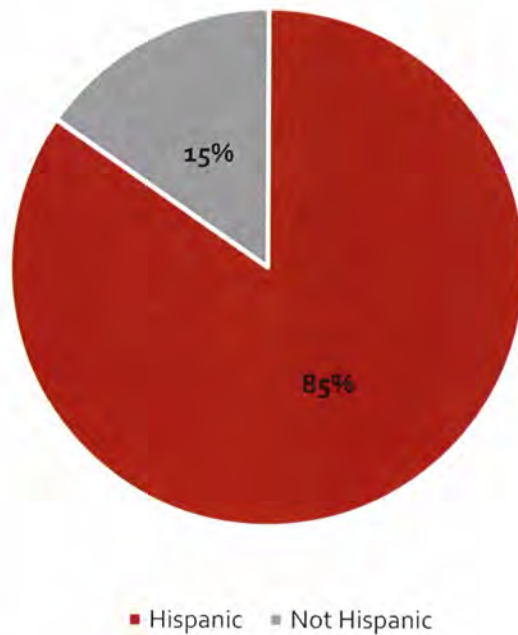
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Peak Place Age and Sex 2019



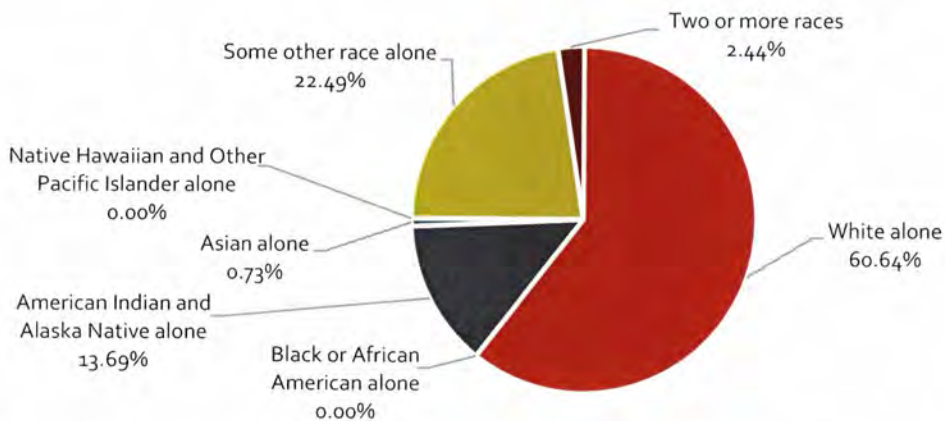
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Peak Place Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

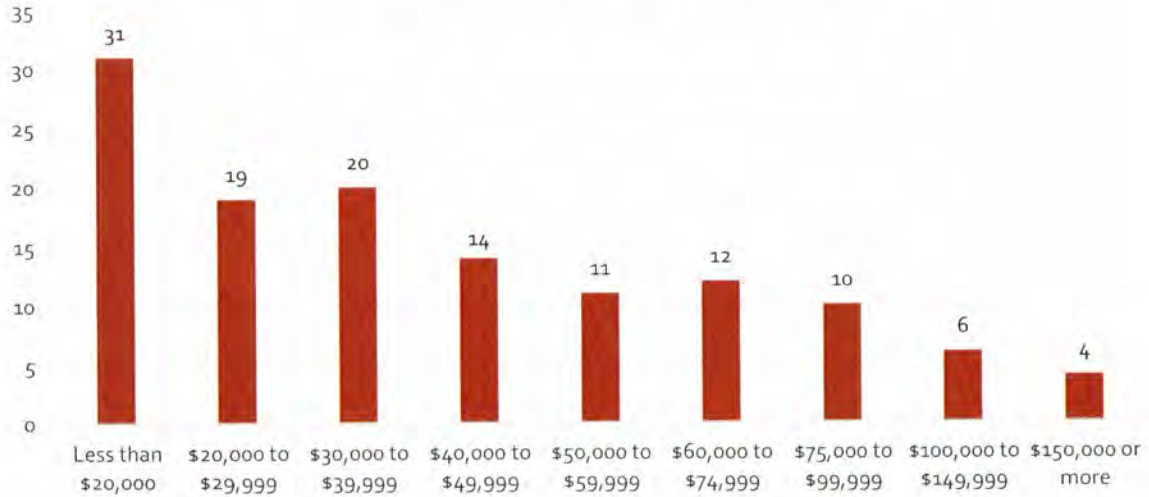
Peak Place Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

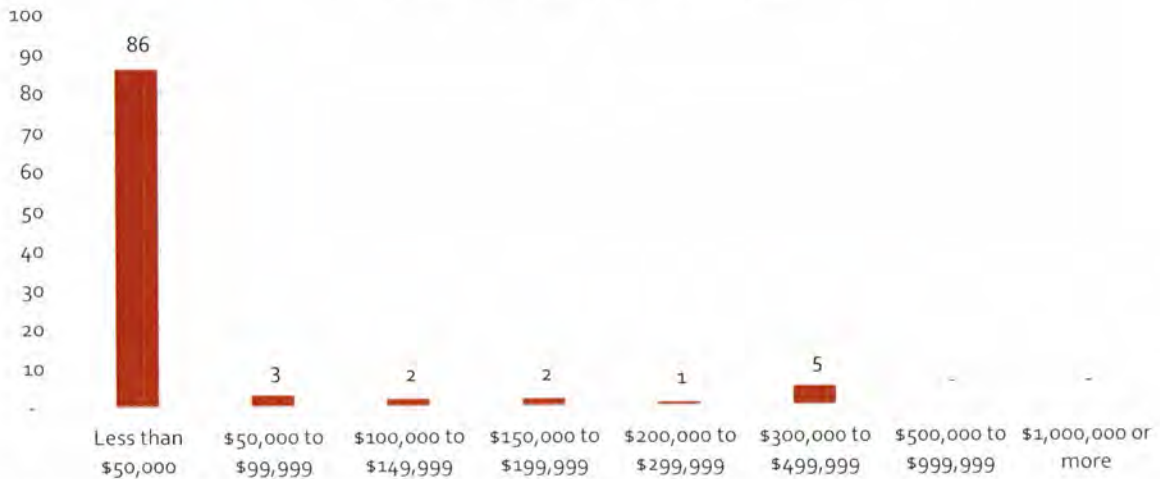
SFC CLERK RECORDED 12/13/2022

### Peak Place Household Income 2019



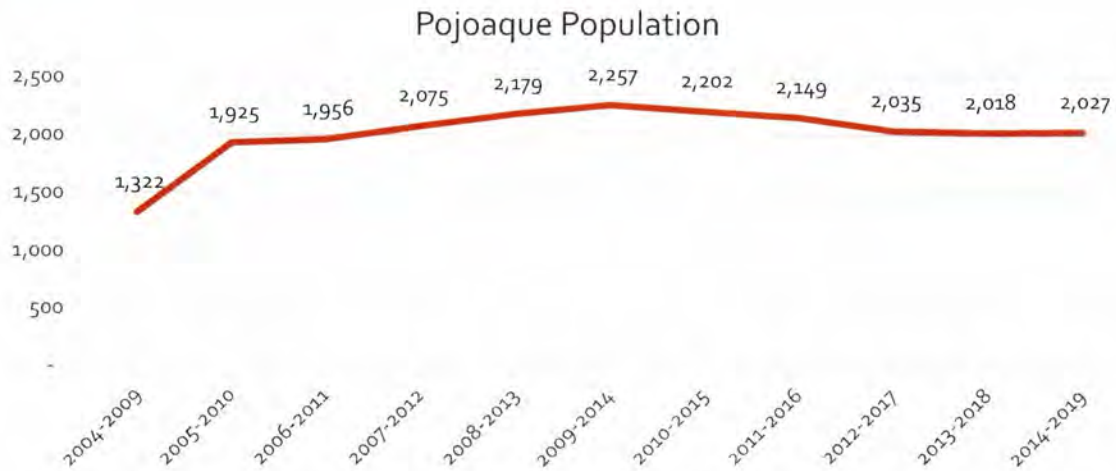
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Peak Place CDP, New Mexico

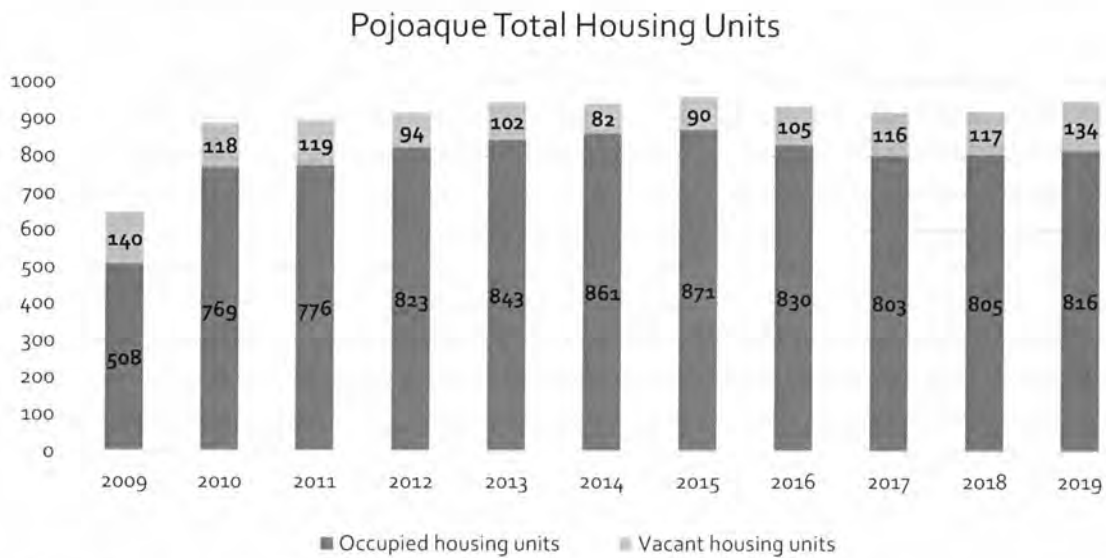


Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

Pojoaque



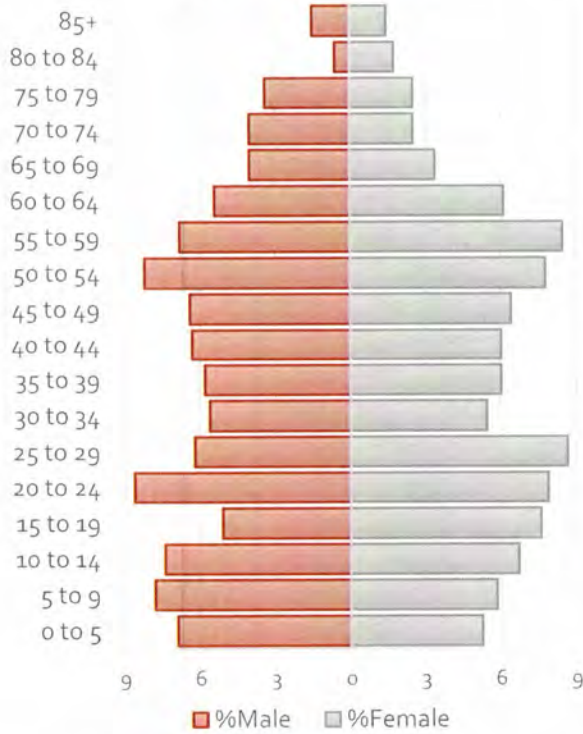
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Source: US Census Bureau American Community Survey 5-year estimates Table DP04

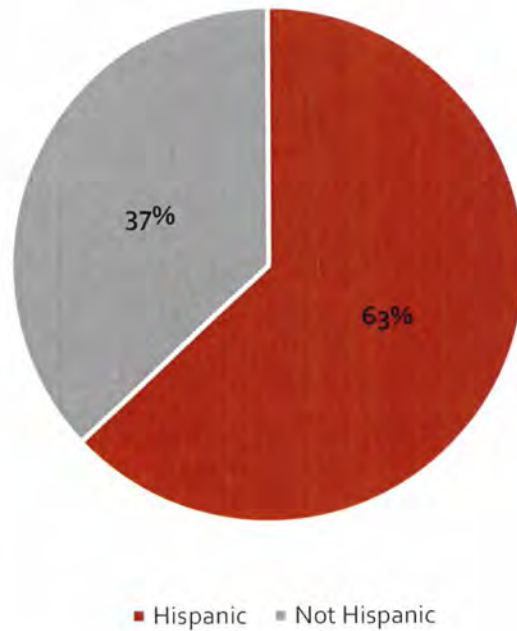
SFC CLERK RECORDED 12/13/2022

**Pojoaque Age and Sex 2019**



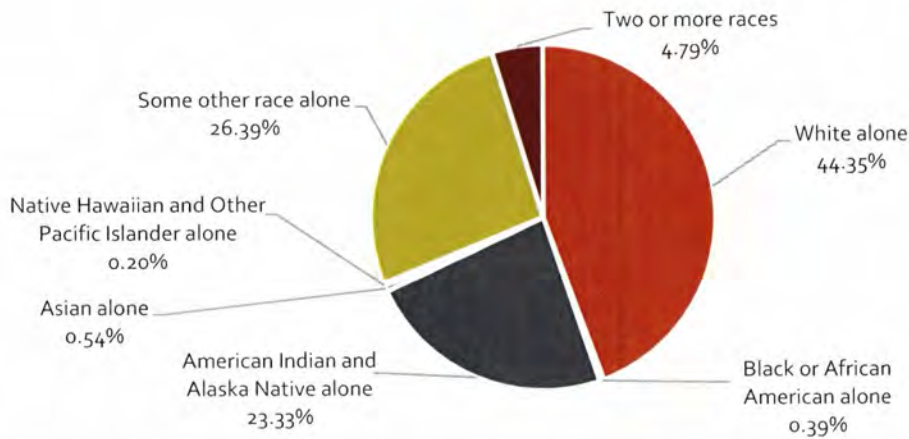
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

**Pojoaque Hispanic Ethnicity 2019**



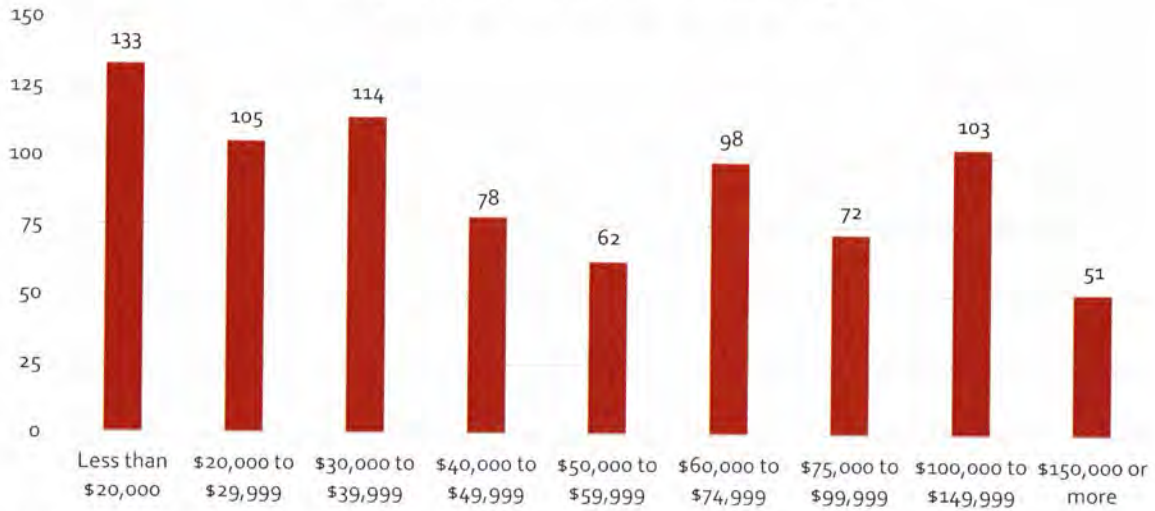
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

**Pojoaque Race 2019**



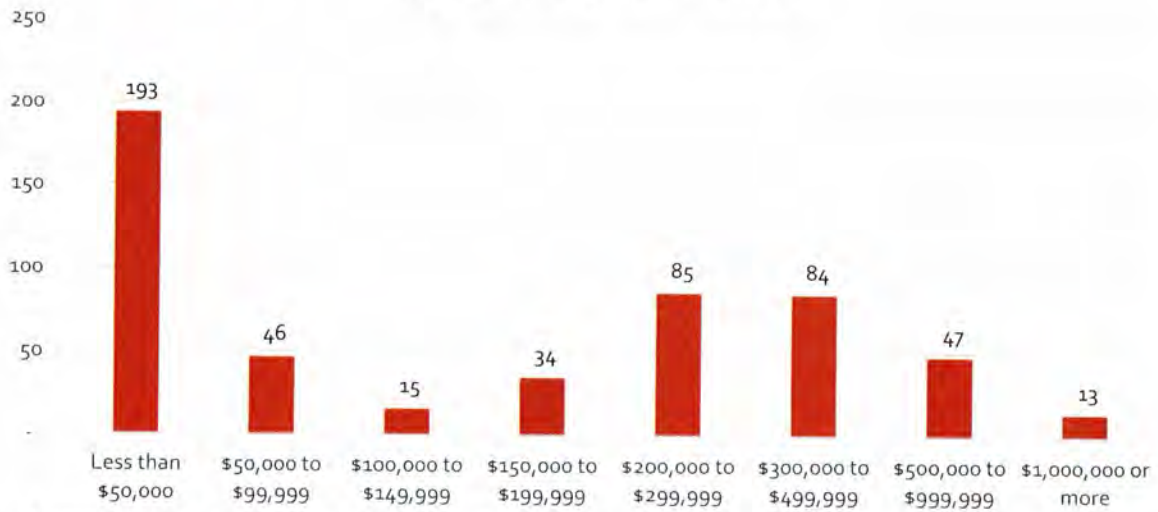
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Pojoaque Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Pojoaque CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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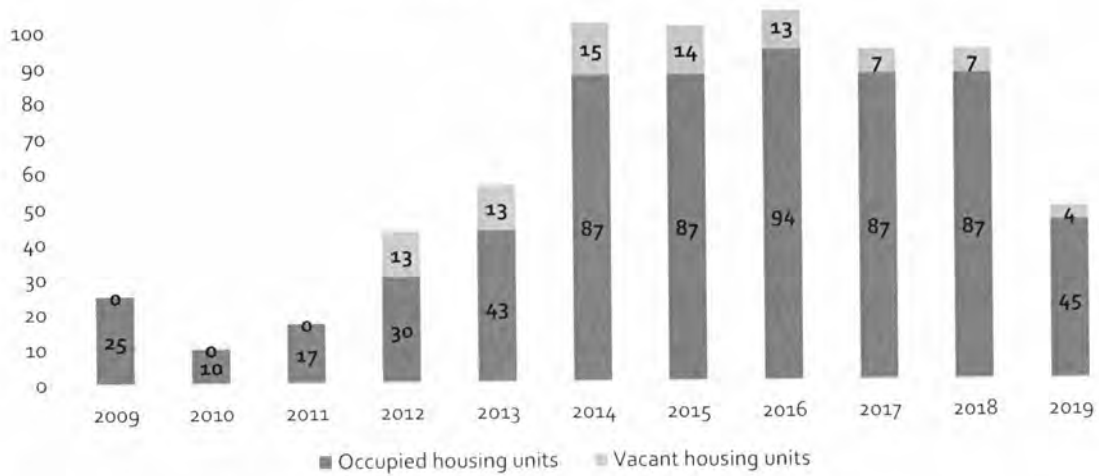
Rio En Medio

Rio En Medio Population



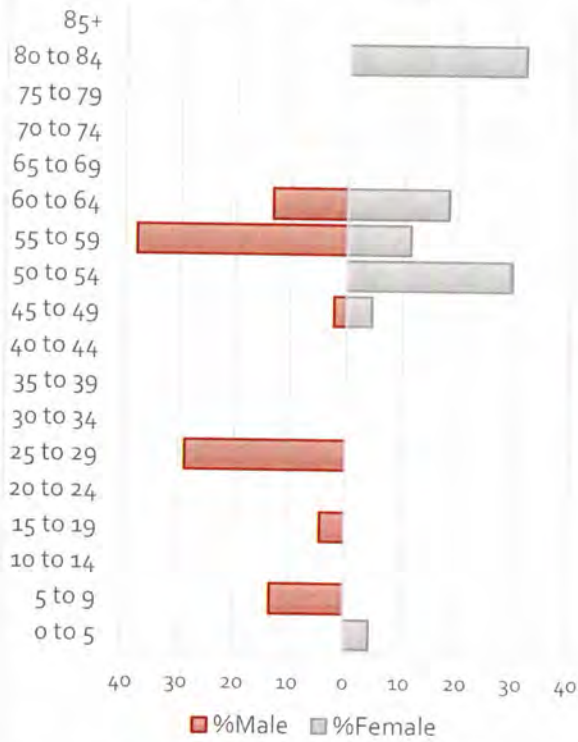
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Rio En Medio Total Housing Units



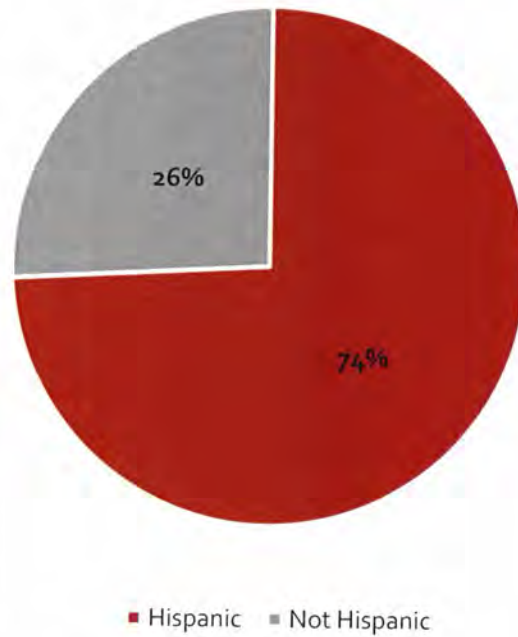
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Rio En Medio Age and Sex 2019



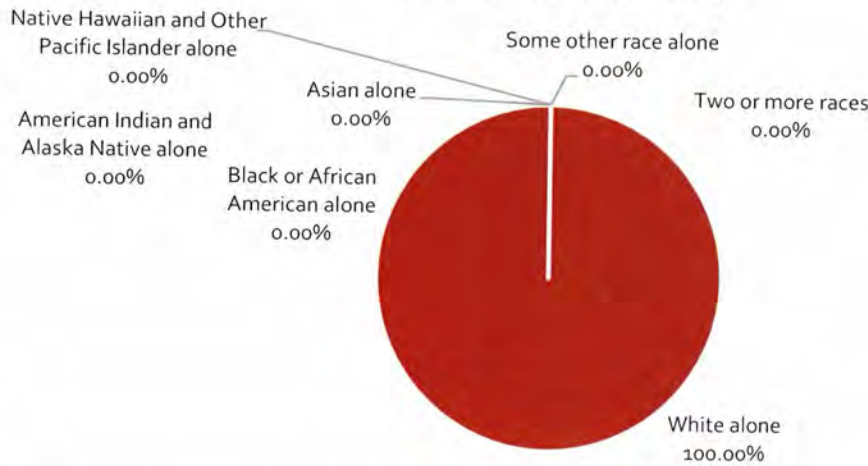
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Rio en Medio Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

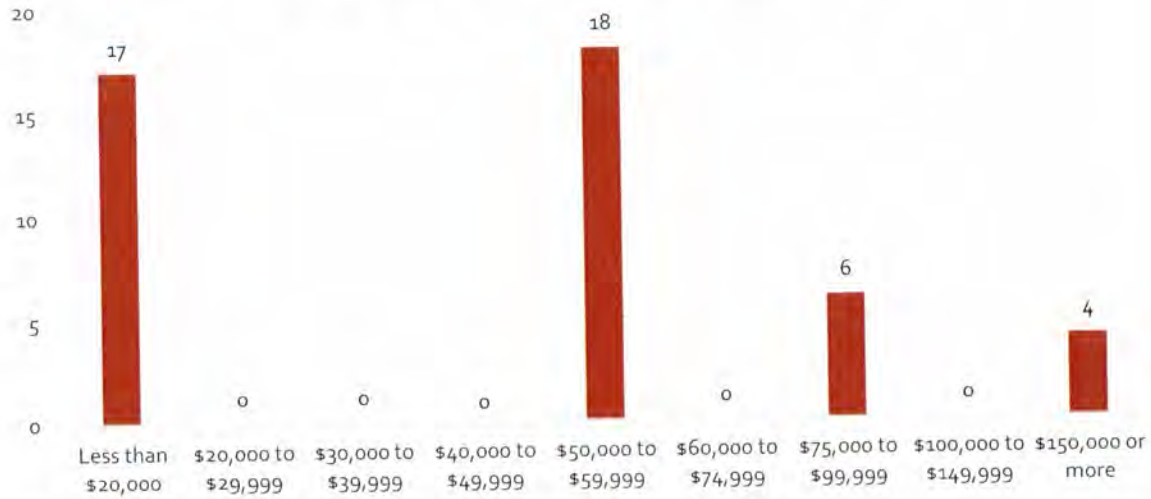
Rio en Medio Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

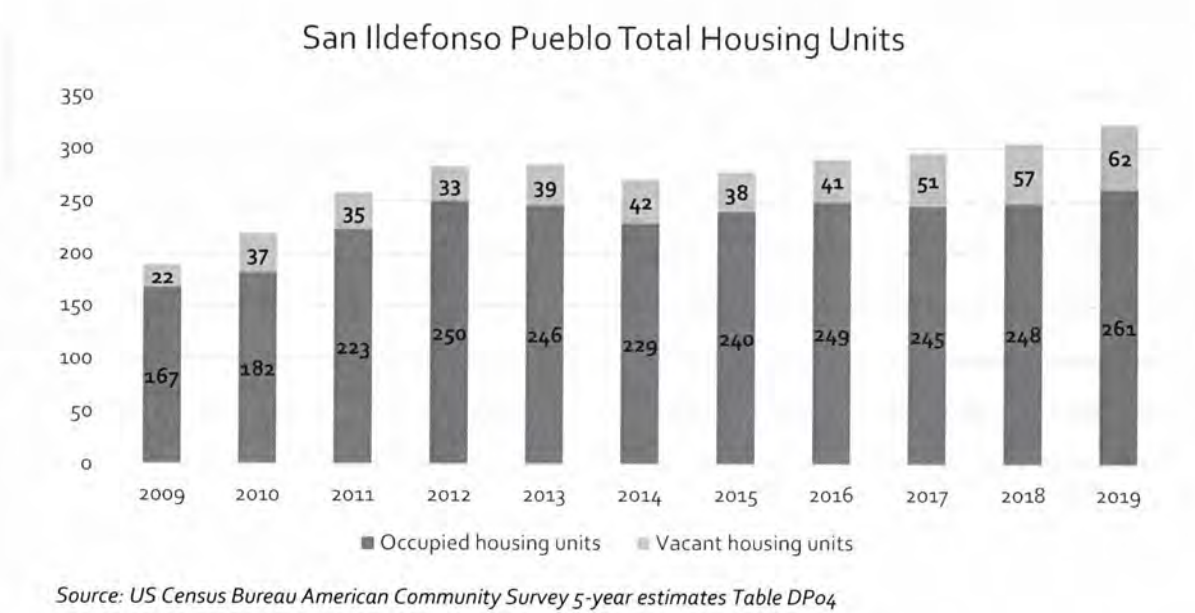
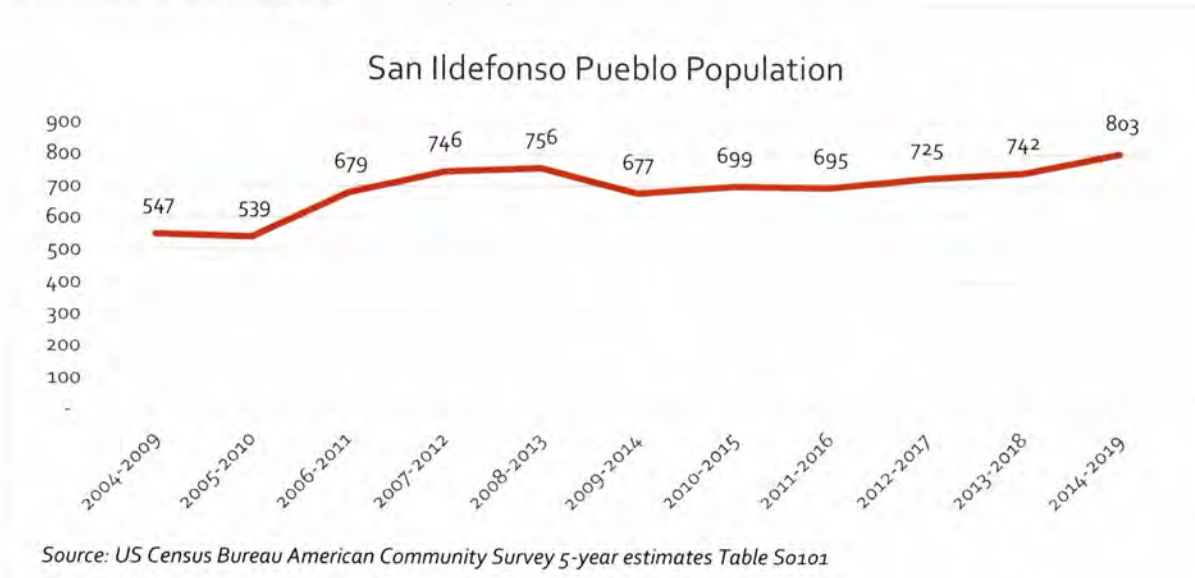
SFC CLERK RECORDED 12/13/2022

### Rio en Medio Household Income 2019



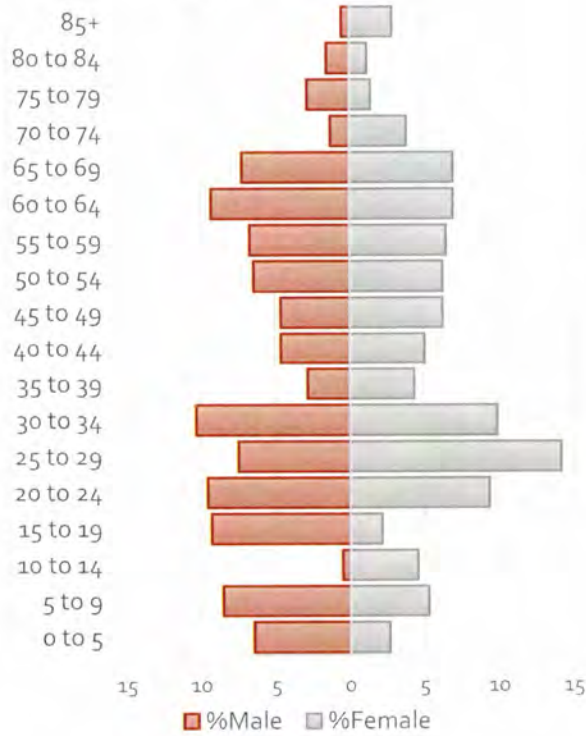
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### San Ildefonso Pueblo



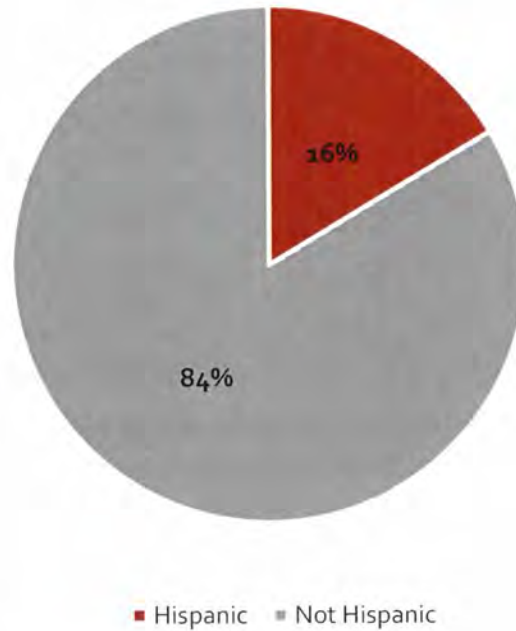
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San Ildefonso Pueblo Age and Sex 2019



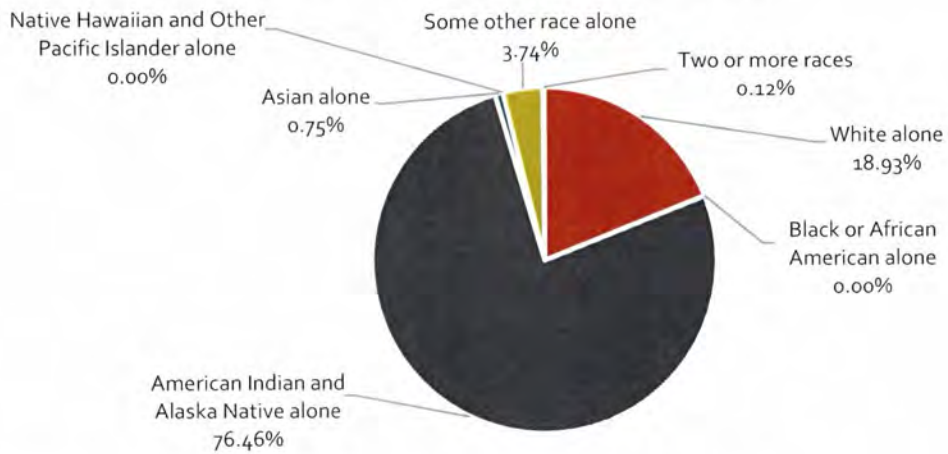
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

San Ildefonso Pueblo Hispanic Ethnicity 2019



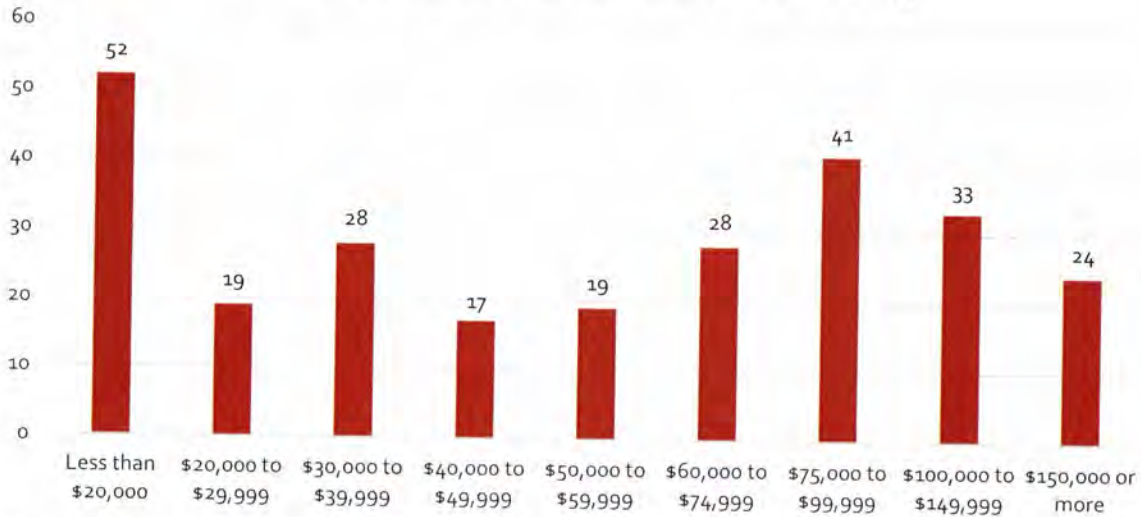
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

San Ildefonso Pueblo Race 2019



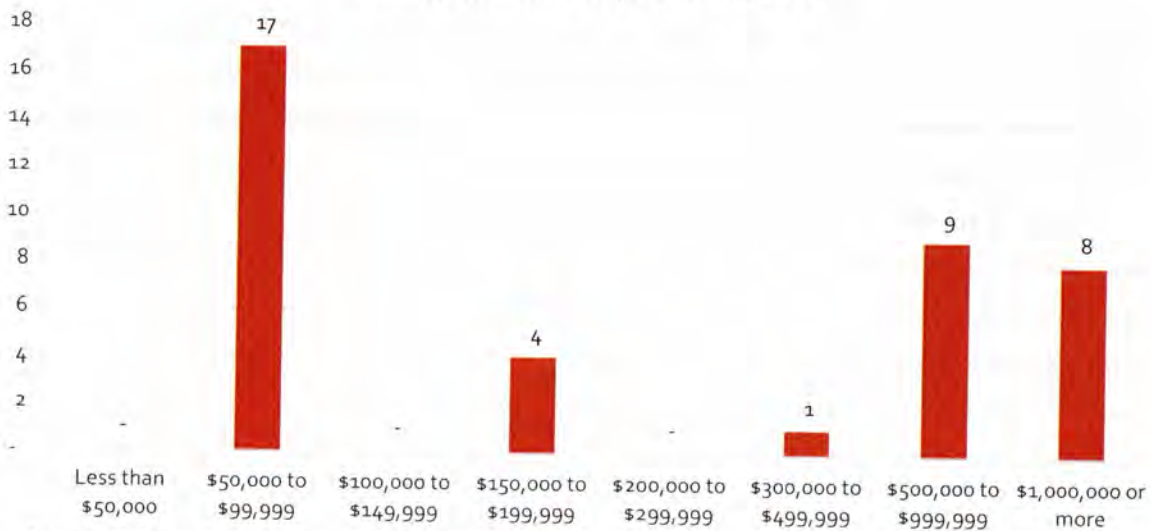
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### San Ildefonso Pueblo Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Rio en Medio CDP, New Mexico



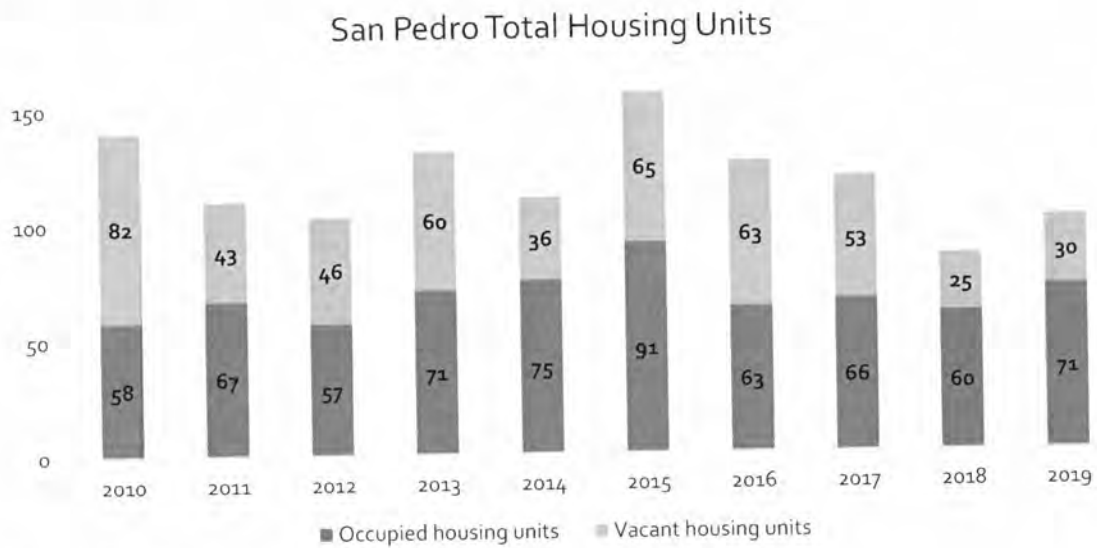
Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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## San Pedro

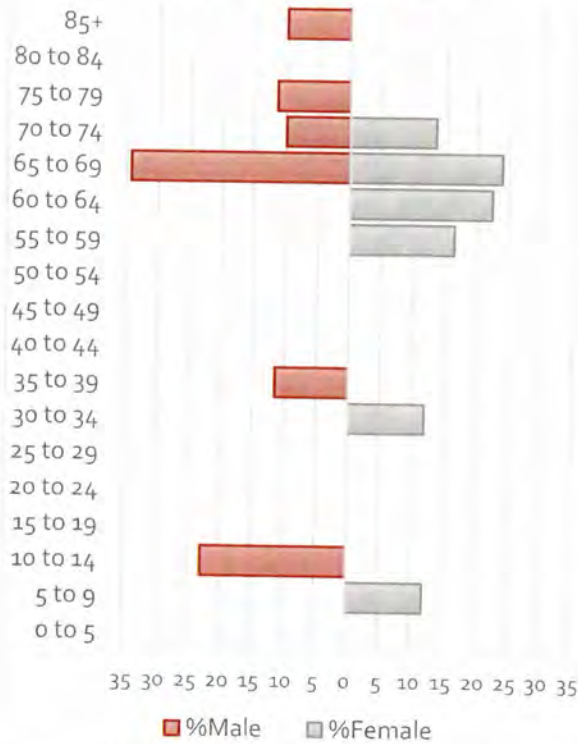


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



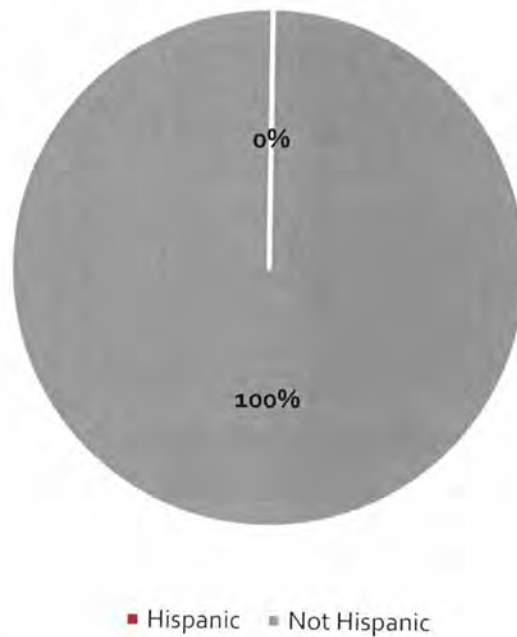
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

San Pedro Age and Sex 2019



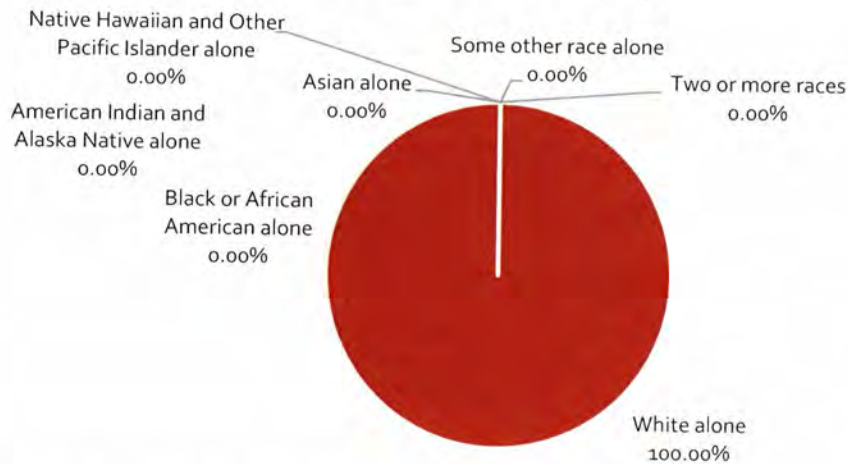
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

San Pedro Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

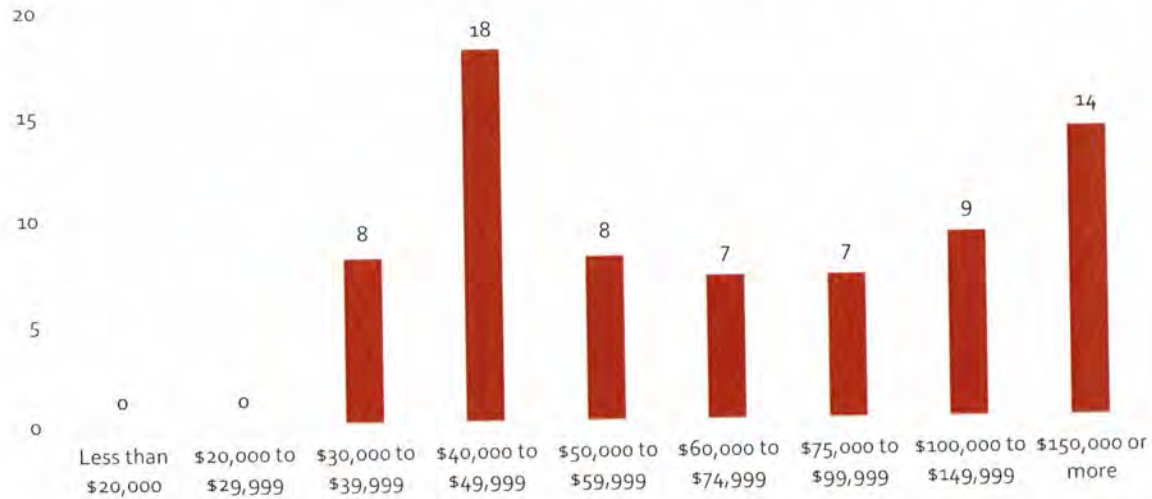
San Pedro Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

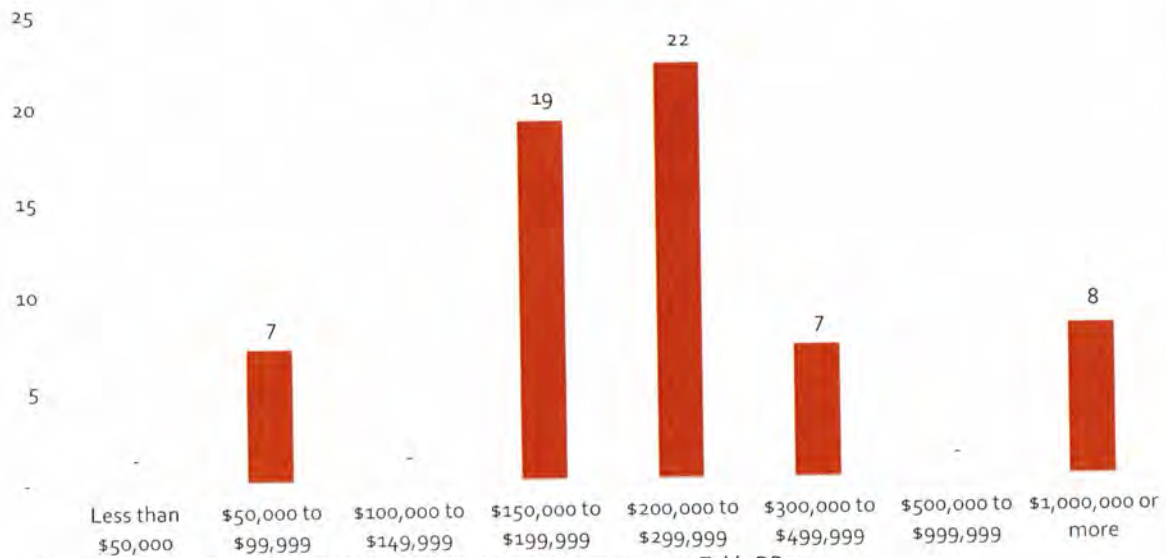
SFC CLERK RECORDED 12/13/2022

### San Pedro Household Income 2019



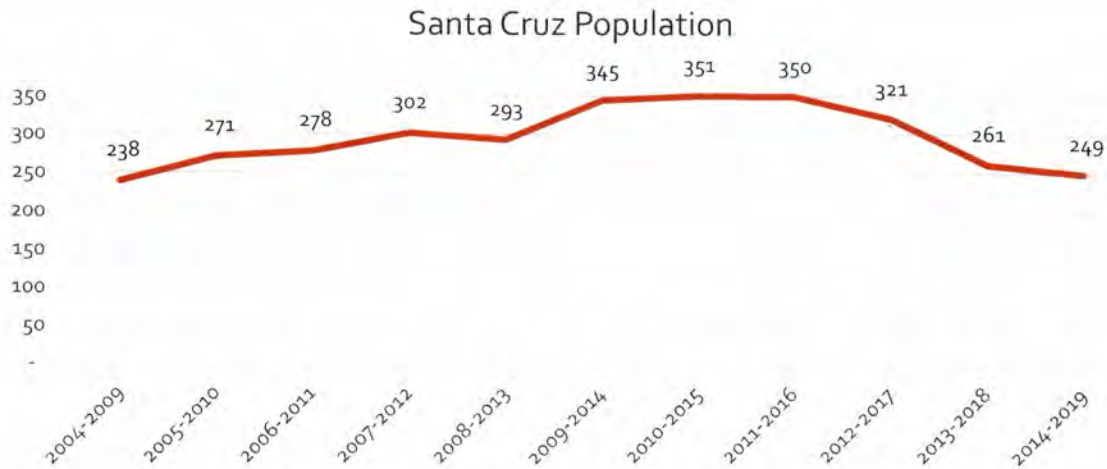
Source: US Census Bureau American Community Survey 5-year estimates Table Dp03

### Value of Owner-Occupied Units San Pedro CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

**Santa Cruz**



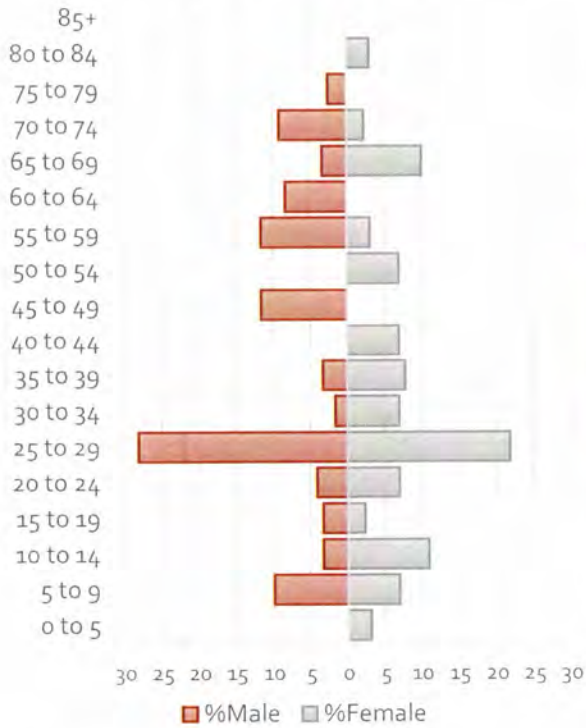
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Source: US Census Bureau American Community Survey 5-year estimates Table DP04

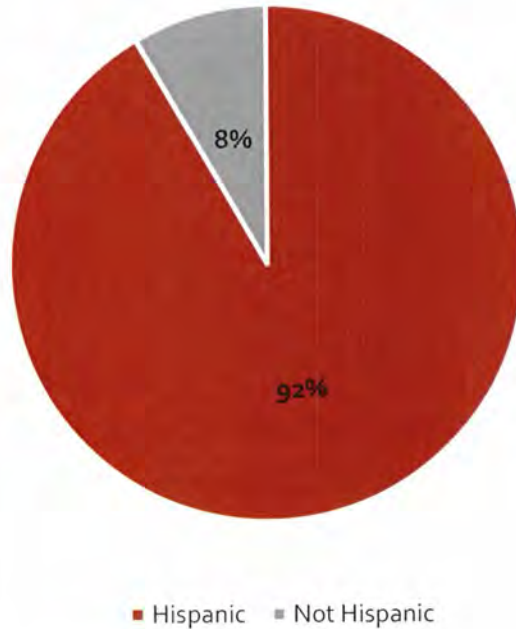
SFC CLERK RECORDED 12/13/2022

Santa Cruz Age and Sex 2019



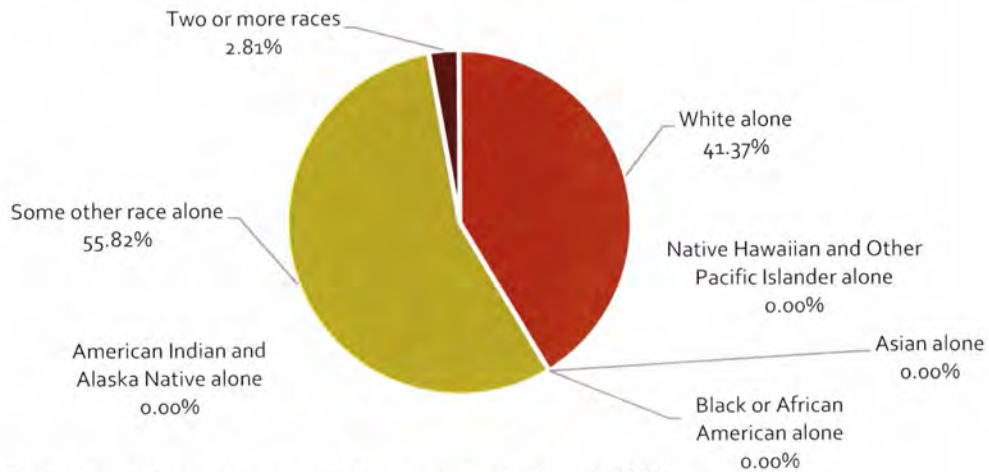
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Santa Cruz Hispanic Ethnicity 2019



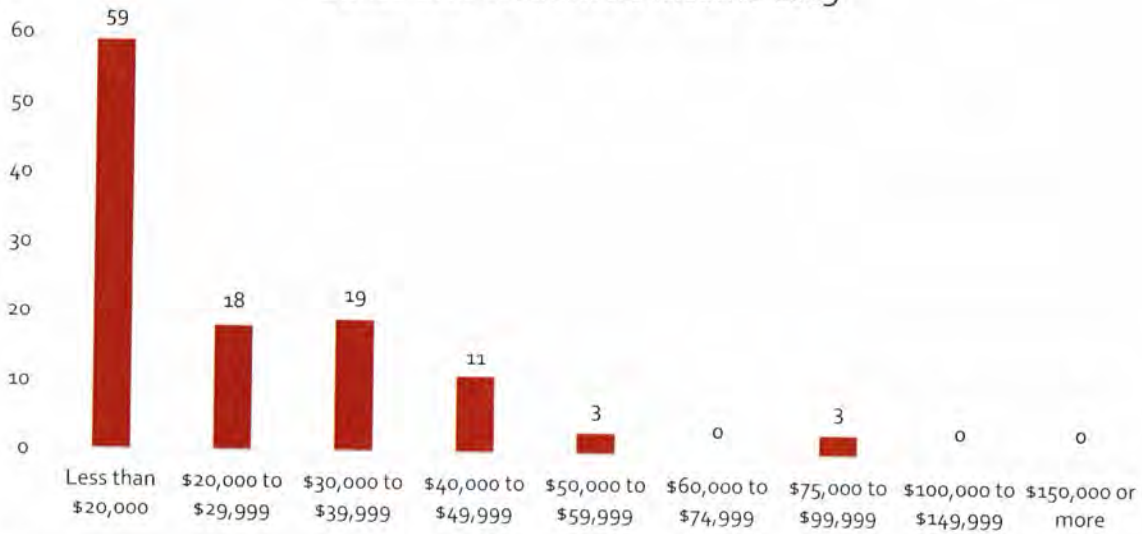
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Santa Cruz Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Santa Cruz Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

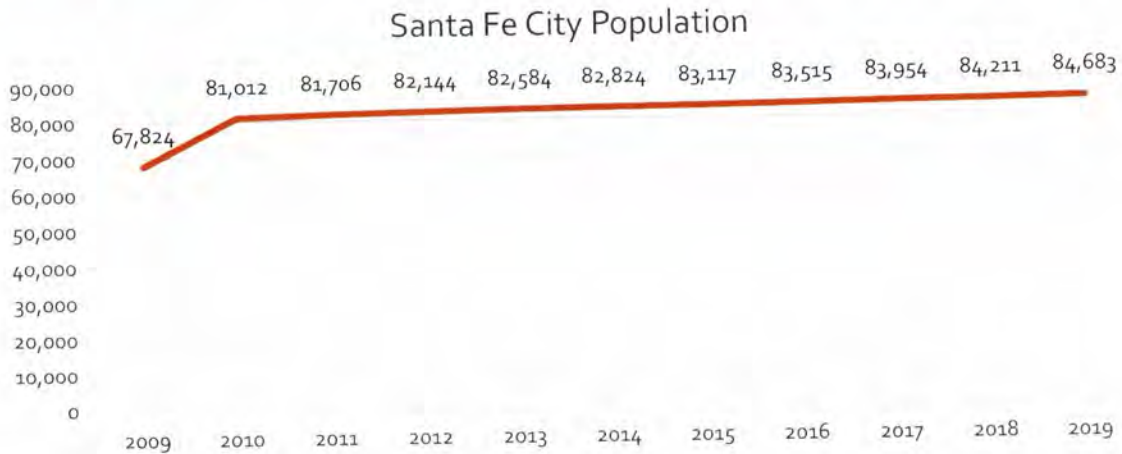
### Value of Owner-Occupied Units Santa Cruz CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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## Santa Fe City

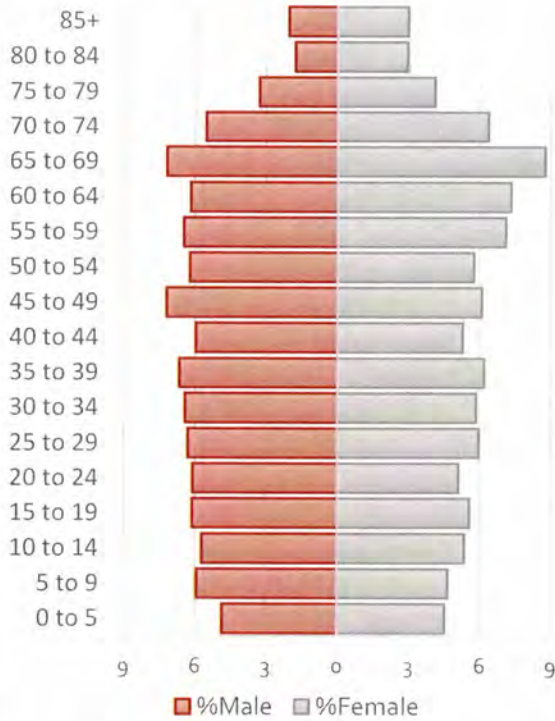


Source: US Census Bureau Population Estimate Program



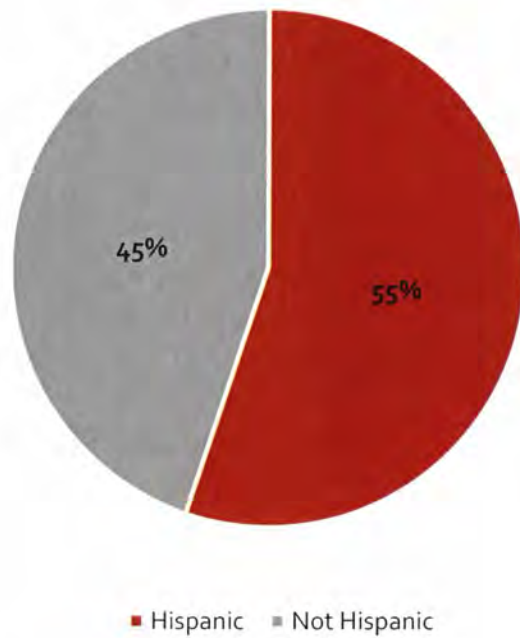
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Santa Fe City Age and Sex 2019



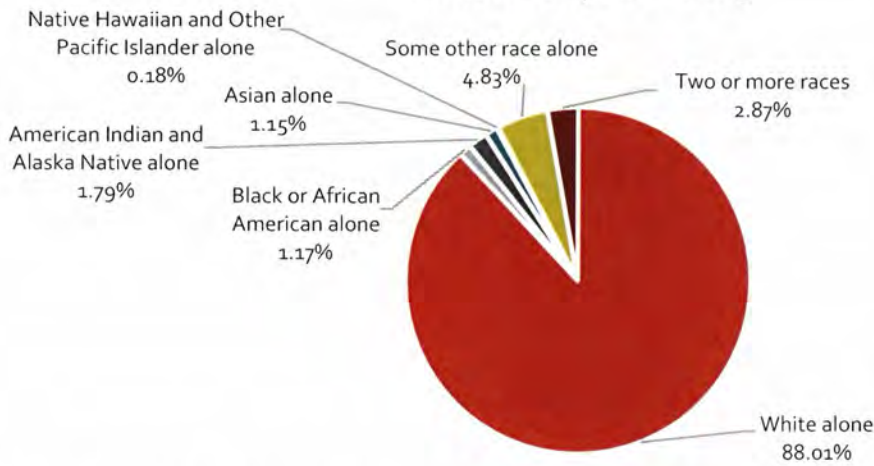
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Santa Fe City Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

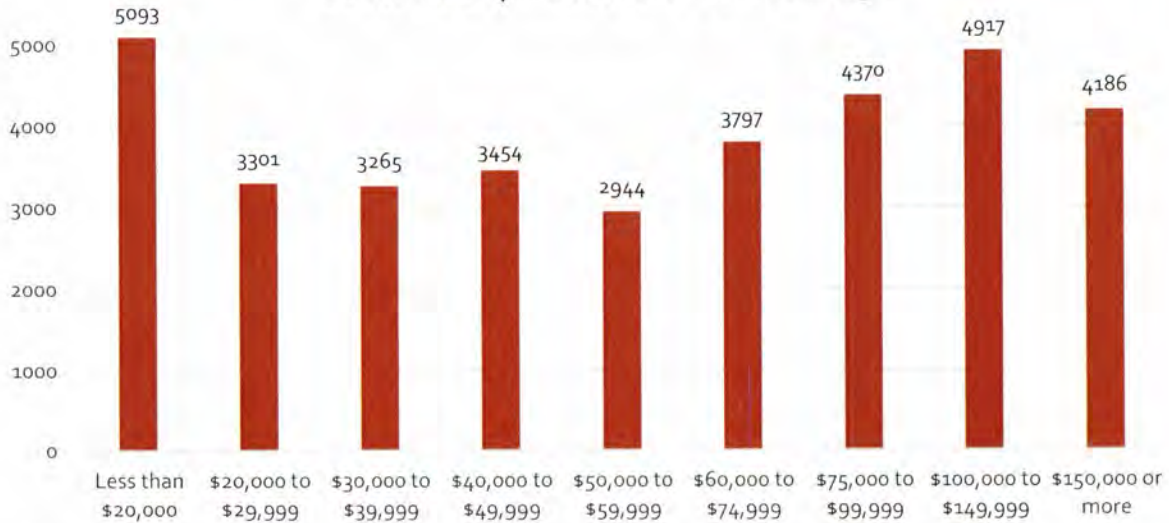
Santa Fe City Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

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### Santa Fe City Household Income 2019



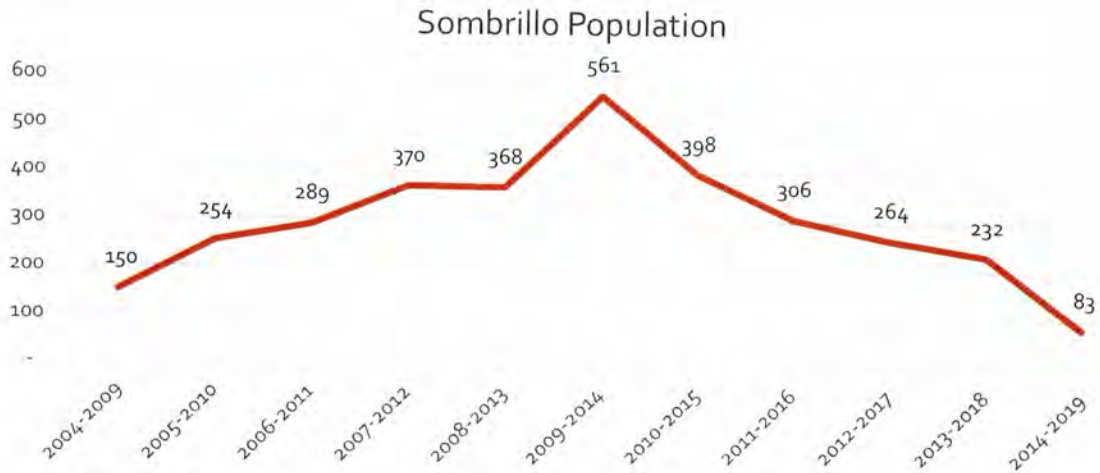
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Santa Fe City, New Mexico

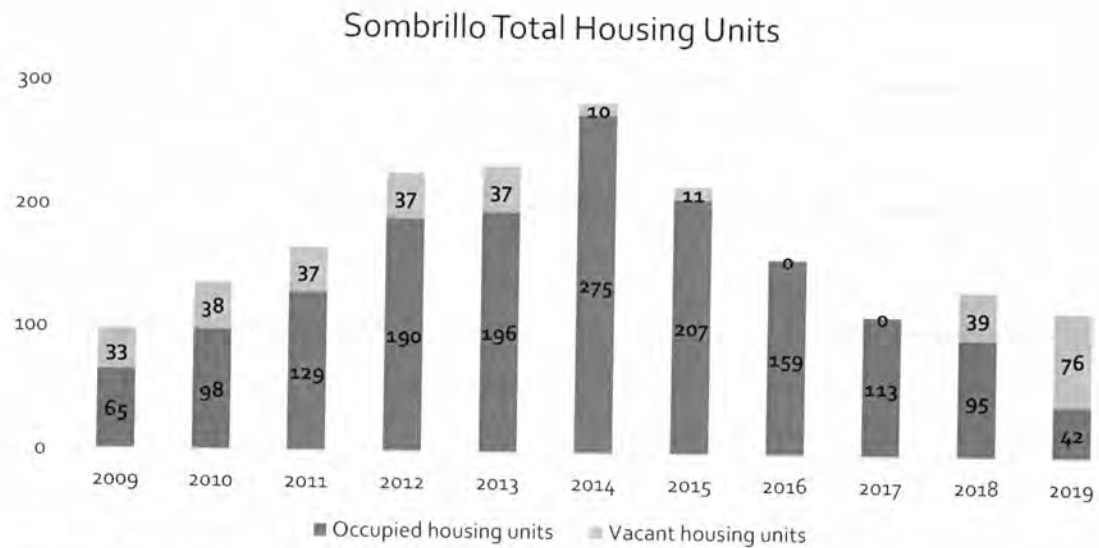


Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

## Sombrillo



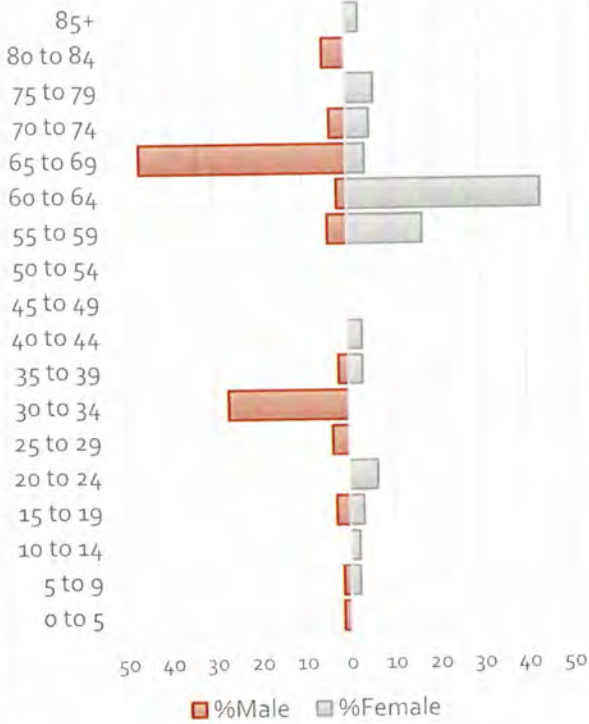
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

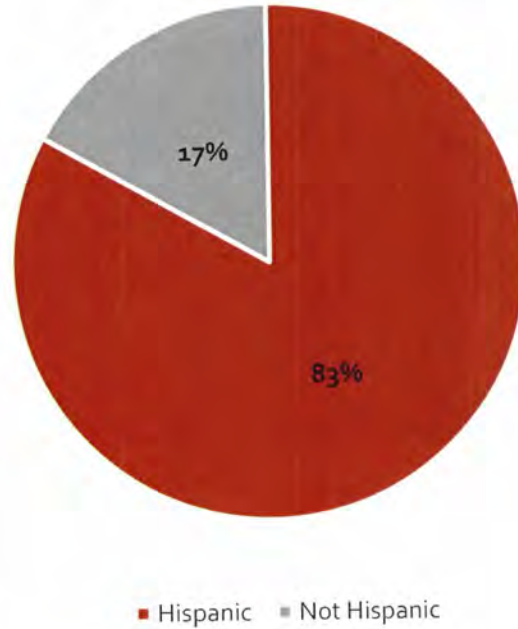
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Sombrillo Age and Sex 2019



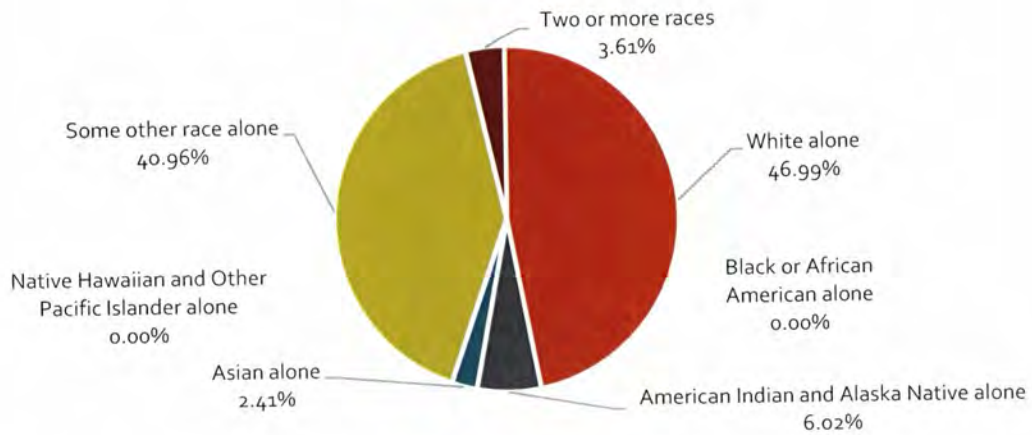
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Sombrillo Hispanic Ethnicity 2019



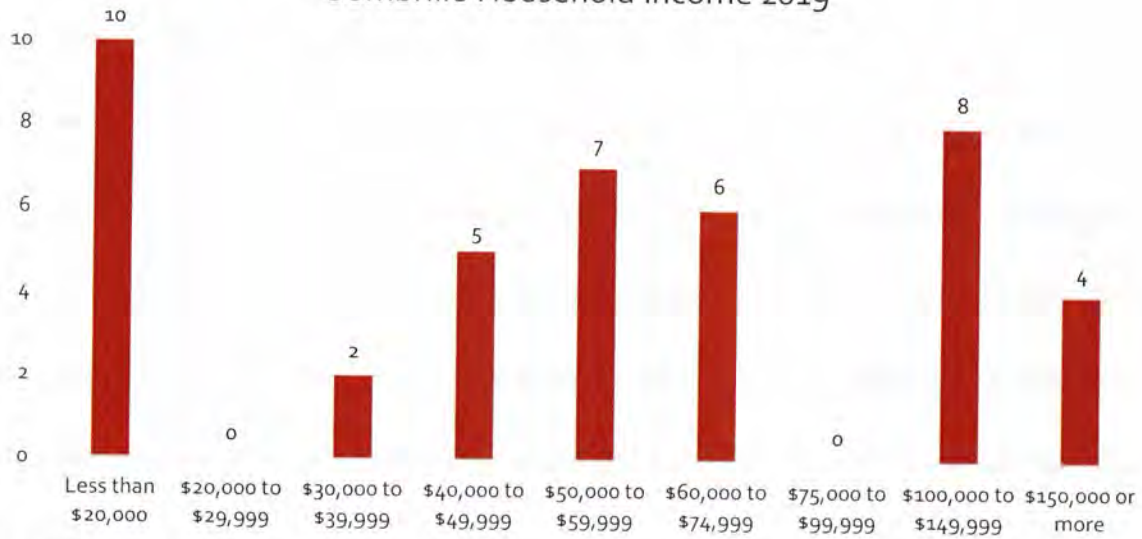
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

Sombrillo Race 2019



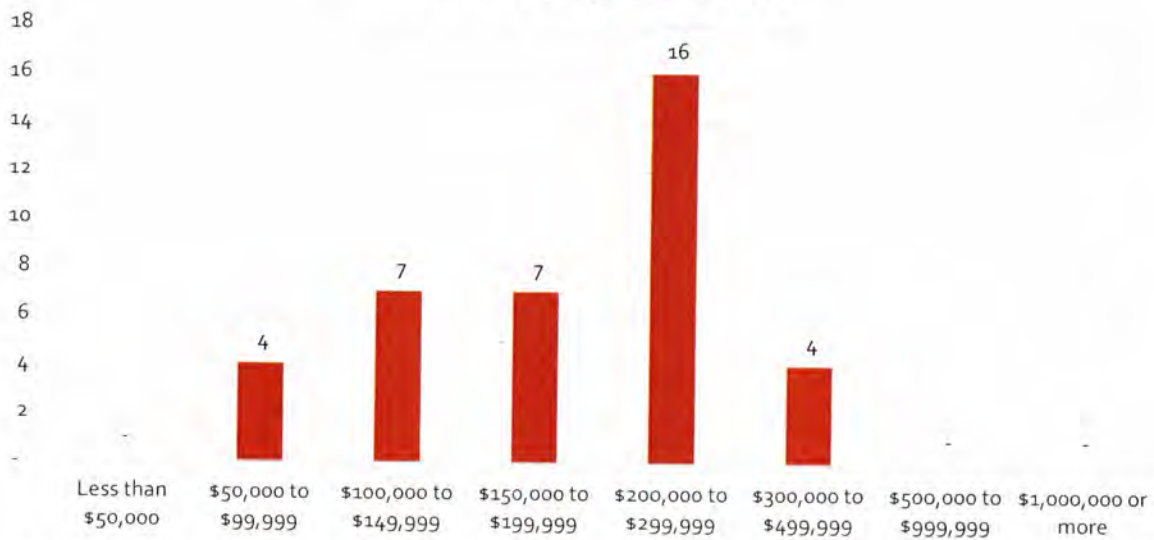
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Sombrillo Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates table DP03

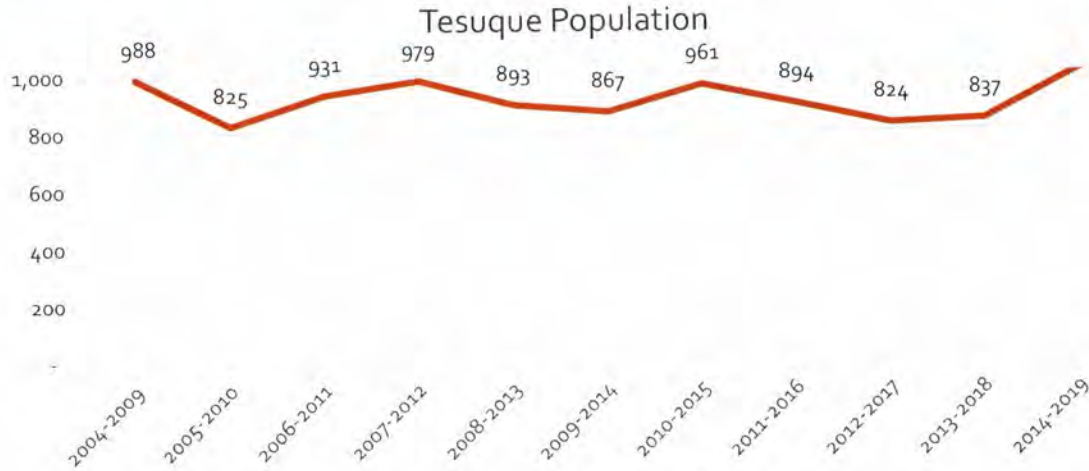
### Value of Owner-Occupied Units Sombrillo CDP, New Mexico



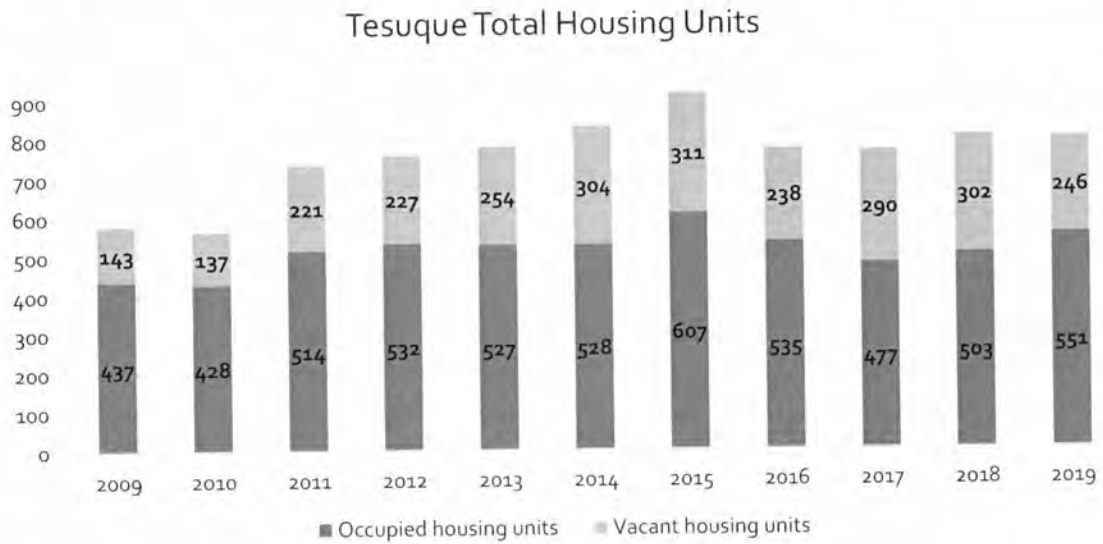
Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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## Tesuque

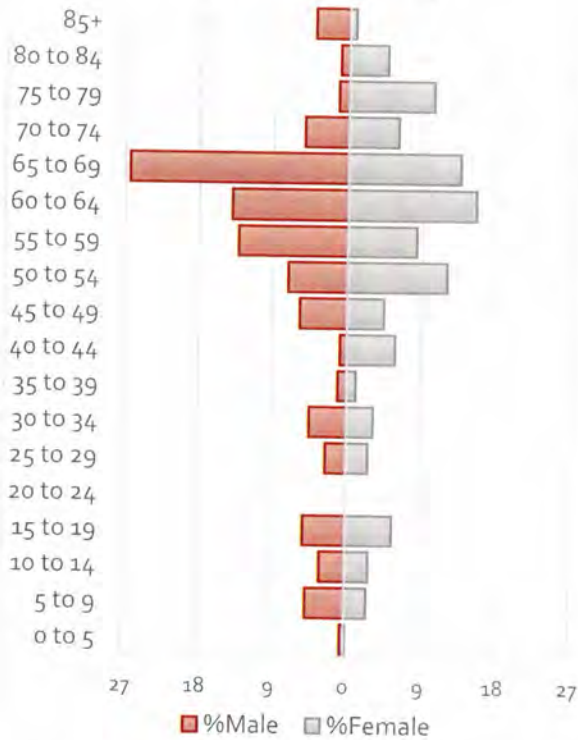


Source: US Census Bureau American Community Survey 5-year estimates Table S0101



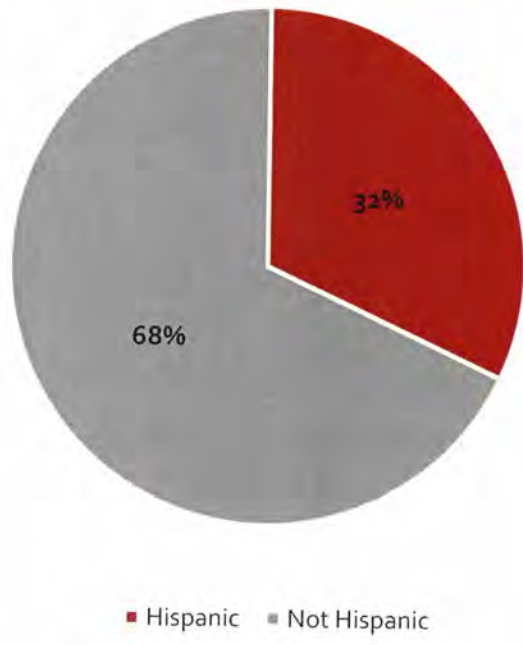
Source: US Census Bureau American Community Survey 5-year estimates Table DP04

Tesuque Age and Sex 2019



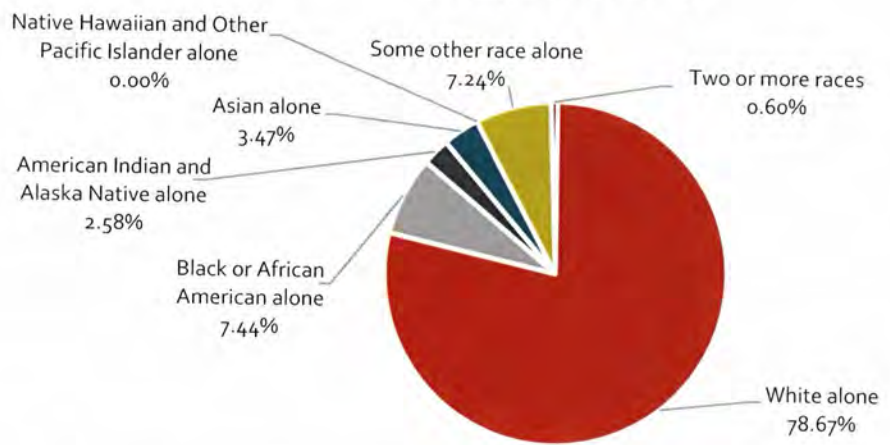
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

Tesuque Hispanic Ethnicity 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

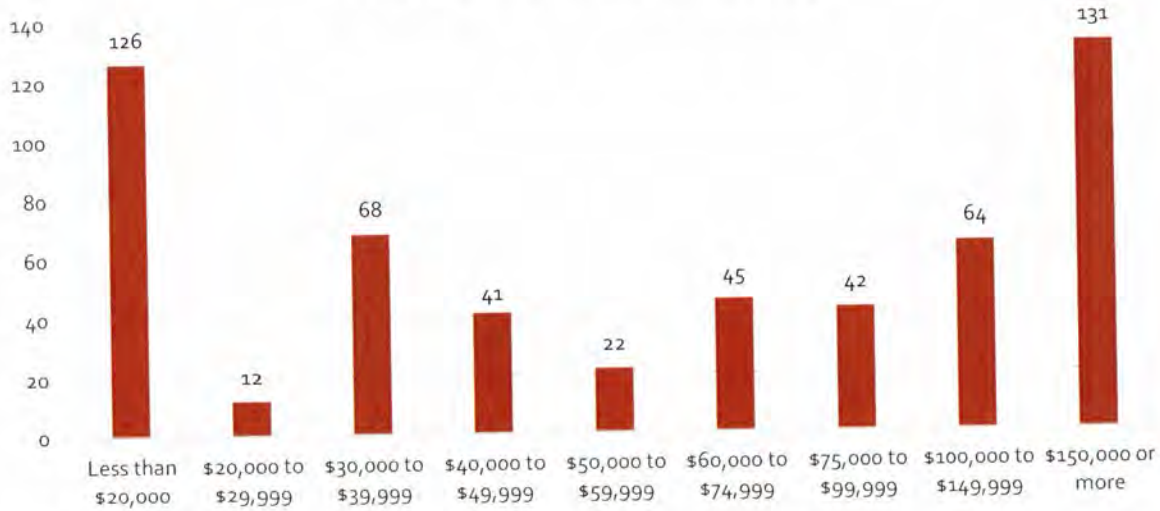
Tesuque Race 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP05

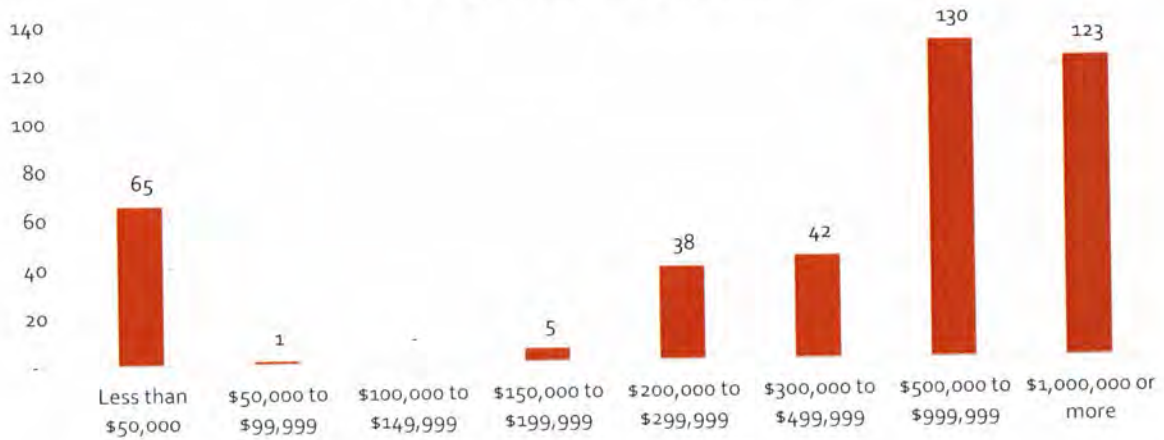
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### Tesuque Household Income 2019



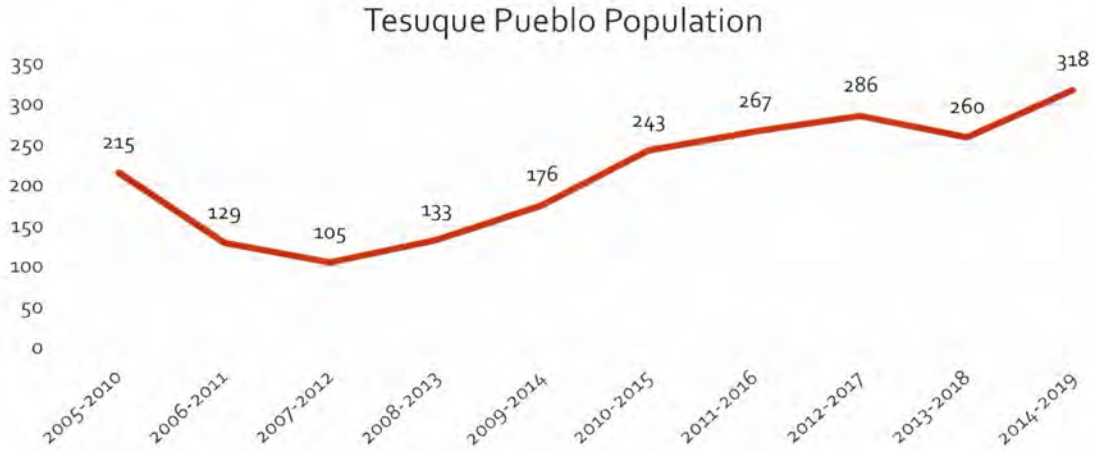
Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Tesuque CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

## Tesuque Pueblo



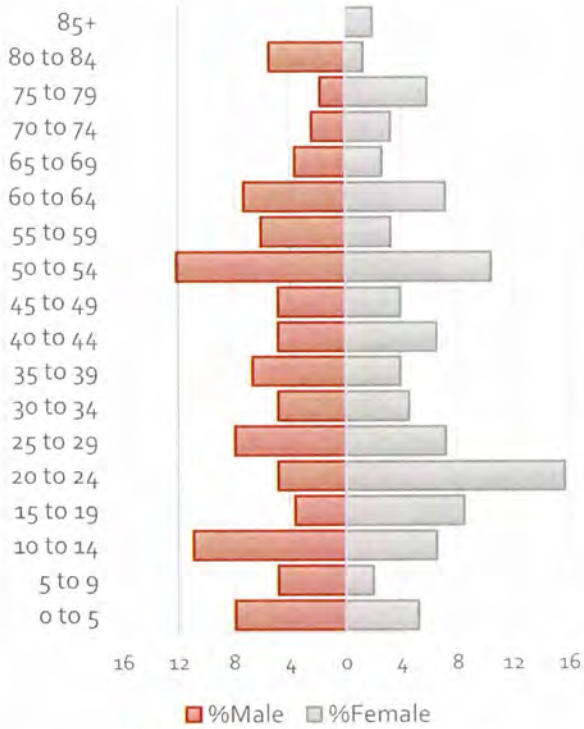
Source: US Census Bureau American Community Survey 5-year estimates Table S0101



Source: US Census Bureau American Community Survey 5-year estimates Table DP04

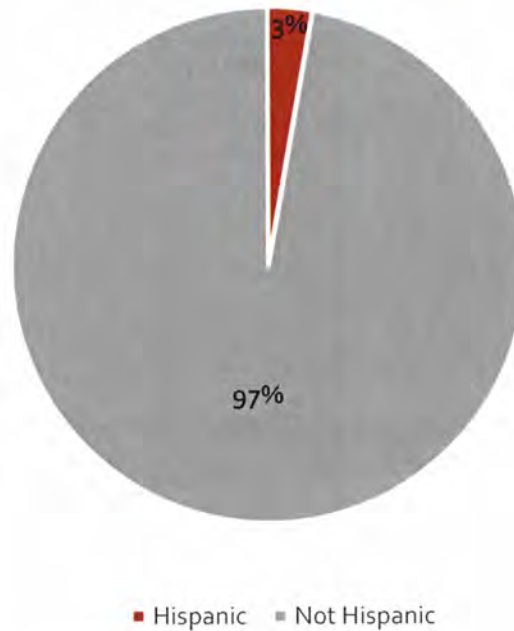
SFC CLERK RECORDED 12/13/2022

### Tesuque Pueblo Age and Sex 2019



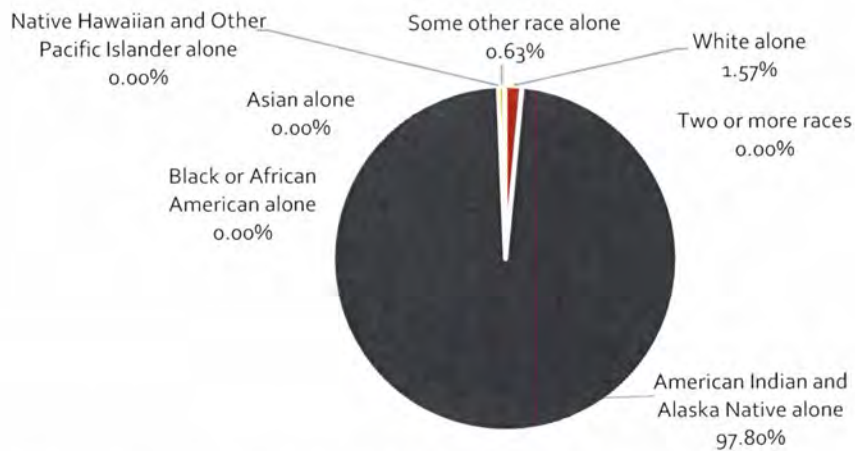
Source: US Census Bureau American Community Survey 5-year estimates Table S0101

### Tesuque Pueblo Hispanic Ethnicity 2019



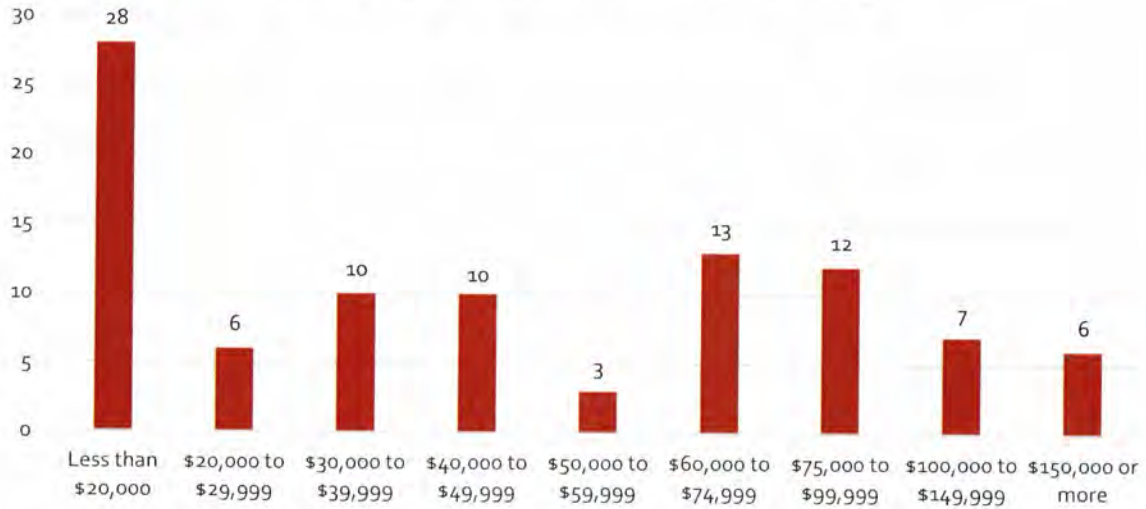
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Tesuque Pueblo Race 2019



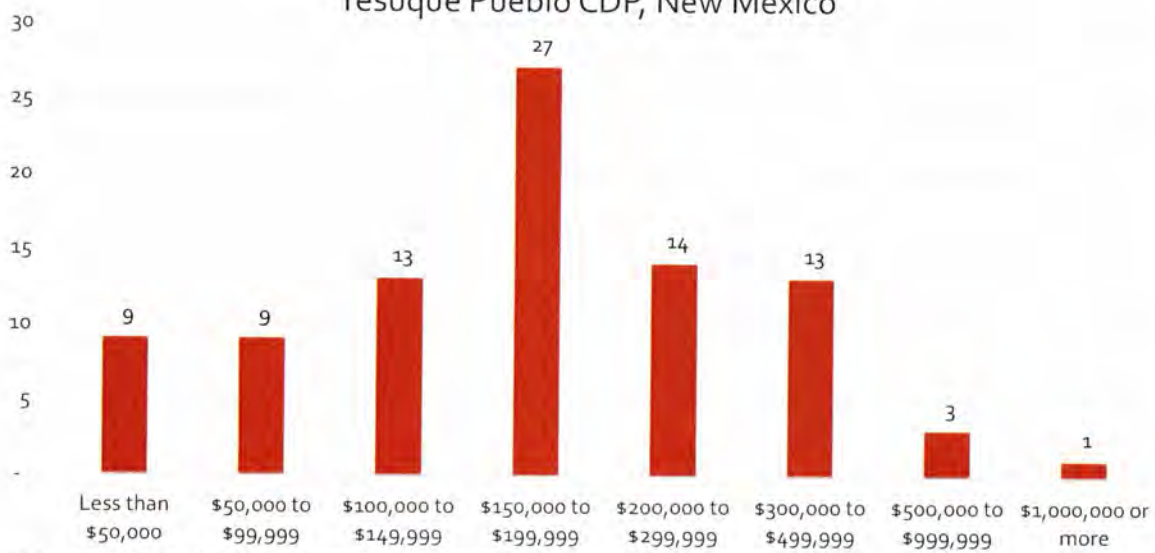
Source: US Census Bureau American Community Survey 5-year estimates Table DP05

### Tesuque Pueblo Household Income 2019



Source: US Census Bureau American Community Survey 5-year estimates Table DP03

### Value of Owner-Occupied Units Tesuque Pueblo CDP, New Mexico



Source: US Census Bureau American Community Survey 5-year est. 2019 Table DP04

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TABLE 17 - POPULATION ESTIMATES SANTA FE COUNTY AND SUB-COUNTY

| Official Est.<br>(blue)    | Population Estimate (as of July 1) |             |             |             |             |             |             |             |             |             |             |  |  |
|----------------------------|------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--|--|
|                            | 2009                               | 2010        | 2011        | 2012        | 2013        | 2014        | 2015        | 2016        | 2017        | 2018        | 2019        |  |  |
| ACS 5-year<br>est. (green) | 2004-2009                          | 2005-2010   | 2006-2011   | 2007-2012   | 2008-2013   | 2009-2014   | 2010-2015   | 2011-2016   | 2012-2017   | 2013-2018   | 2014-2019   |  |  |
| United States              | 306,771,529                        | 309,321,666 | 311,556,874 | 313,830,990 | 315,993,715 | 318,301,008 | 320,635,163 | 322,941,311 | 324,985,539 | 326,687,501 | 328,239,523 |  |  |
| New Mexico                 | 2,036,802                          | 2,064,552   | 2,080,450   | 2,087,309   | 2,092,273   | 2,089,568   | 2,089,291   | 2,091,630   | 2,091,784   | 2,092,741   | 2,096,829   |  |  |
| Santa Fe County            | 143,205                            | 144,522     | 145,847     | 146,722     | 147,465     | 147,782     | 148,098     | 148,758     | 149,491     | 149,761     | 150,358     |  |  |
| Santa Fe CCD               | 91,618                             | 85,858      | 85,774      | 86,053      | 86,694      | 87,149      | 88,122      | 88,019      | 88,665      | 89,457      | 89,498      |  |  |
| Santa Fe North CCD         | 16,422                             | 17,824      | 17,845      | 18,387      | 19,013      | 18,796      | 18,121      | 17,943      | 17,684      | 17,196      | 17,253      |  |  |
| Santa Fe South CCD         | 35,461                             | 38,020      | 39,434      | 39,769      | 39,693      | 40,416      | 40,865      | 41,358      | 41,165      | 42,264      | 42,542      |  |  |
| Agua Fria                  | 2,685                              | 3,234       | 3,405       | 3,081       | 2,769       | 3,255       | 2,857       | 2,887       | 2,969       | 2,959       | 2,734       |  |  |
| Canada de los Alamos       | 504                                | 632         | 417         | 436         | 335         | 340         | 229         | 245         | 287         | 416         | 511         |  |  |

CCD – Census County Division

Source: Population Estimate Program 2019 Vintage Estimates (only available for incorporated cities above population thresholds; 2009 data is Vintage 2010.), American Community Survey 5 Year Estimates Table S0101. Table by UNM Bureau of Business and Economic Research

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|                            |           | Population Estimate (as of July 1) |           |           |           |           |           |           |           |           |           |      |
|----------------------------|-----------|------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------|
| Official Est.<br>(blue)    |           | 2009                               | 2010      | 2011      | 2012      | 2013      | 2014      | 2015      | 2016      | 2017      | 2018      | 2019 |
| ACS 5-year<br>est. (green) | 2004-2009 | 2005-2010                          | 2006-2011 | 2007-2012 | 2008-2013 | 2009-2014 | 2010-2015 | 2011-2016 | 2012-2017 | 2013-2018 | 2014-2019 |      |
| Cedar Grove                | 567       | 561                                | 928       | 798       | 821       | 754       | 669       | 407       | 479       | 603       | 535       |      |
| Chimayo                    | 2,527     | 2,766                              | 2,721     | 2,795     | 2,882     | 2,572     | 2,369     | 2,144     | 2,680     | 2,459     | 2,641     |      |
| Chupadero                  | 238       | 371                                | 193       | 224       | 230       | 221       | 270       | 315       | 284       | 248       | 204       |      |
| Cuarteles                  | 418       | 480                                | 425       | 493       | 401       | 433       | 404       | 334       | 202       | 124       | 21        |      |
| Cundiyo                    | 122       | 101                                | 26        | 28        | 29        | 8         | 11        | 37        | 43        | 35        | 34        |      |
| Cuyamungue                 | 377       | 467                                | 507       | 545       | 559       | 568       | 548       | 530       | 525       | 476       | 431       |      |
| Cuyamungue<br>Grant*       |           | 144                                | 124       | 121       | 224       | 203       | 127       | 168       | 278       | 188       | 217       |      |
| Edgewood<br>town           | 3,710     | 5,902                              | 5,963     | 6,003     | 6,031     | 6,039     | 6,042     | 6,067     | 6,094     | 6,095     | 6,107     |      |
| Edgewood<br>town (SFC)     |           | 5,898                              | 5,959     | 5,999     | 6,027     | 6,035     | 6,038     | 6,063     | 6,090     | 6,091     | 6,103     |      |

|                            |  | Population Estimate (as of July 1) |           |           |           |           |           |           |           |           |           |           |
|----------------------------|--|------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Official Est. (blue)       |  | 2009                               | 2010      | 2011      | 2012      | 2013      | 2014      | 2015      | 2016      | 2017      | 2018      | 2019      |
| ACS 5-year est. (green)    |  | 2004-2009                          | 2005-2010 | 2006-2011 | 2007-2012 | 2008-2013 | 2009-2014 | 2010-2015 | 2011-2016 | 2012-2017 | 2013-2018 | 2014-2019 |
| El Rancho                  |  | 1,042                              | 1,296     | 972       | 1,055     | 1,261     | 1,180     | 1,219     | 1,185     | 1,180     | 1,088     | 1,183     |
| El Valle de Arroyo Seco    |  | 990                                | 1,367     | 1,443     | 1,160     | 1,461     | 1,414     | 1,291     | 1,447     | 1,665     | 1,721     | 2,009     |
| Eldorado at Santa Fe       |  | 5,973                              | 5,810     | 5,744     | 6,140     | 6,079     | 5,990     | 6,486     | 6,648     | 6,203     | 5,999     | 5,823     |
| Espanola city              |  | 10,174                             | 10,279    | 10,278    | 10,267    | 10,244    | 10,174    | 10,101    | 10,082    | 10,095    | 10,055    | 10,044    |
| Espanola city (SFCo. Part) |  | 3,267                              | 3,294     | 3,294     | 3,311     | 3,326     | 3,326     | 3,327     | 3,339     | 3,357     | 3,356     | 3,367     |
| Galisteo                   |  | 231                                | 318       | 338       | 192       | 281       | 209       | 194       | 290       | 302       | 275       | 234       |
| Glorieta                   |  | 681                                | 342       | 177       | 196       | 254       | 282       | 549       | 510       | 535       | 543       | 618       |
| Golden*                    |  | 23                                 | 23        | 28        | 21        | 42        | 66        | 38        | 33        | 39        | 21        | -         |
| Jacona*                    |  | 333                                | 413       | 413       | 457       | 480       | 437       | 449       | 437       | 442       | 377       | 387       |

|                            |           | Population Estimate (as of July 1) |           |           |           |           |           |           |           |           |           |  |  |  |
|----------------------------|-----------|------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--|--|--|
| Official Est.<br>(blue)    | 2009      | 2010                               | 2011      | 2012      | 2013      | 2014      | 2015      | 2016      | 2017      | 2018      | 2019      |  |  |  |
| ACS 5-year<br>est. (green) | 2004-2009 | 2005-2010                          | 2006-2011 | 2007-2012 | 2008-2013 | 2009-2014 | 2010-2015 | 2011-2016 | 2012-2017 | 2013-2018 | 2014-2019 |  |  |  |
| Jaconita                   | 282       | 203                                | 207       | 290       | 346       | 503       | 476       | 421       | 387       | 426       | 323       |  |  |  |
| La Cienega                 | 2,874     | 3,330                              | 3,367     | 3,234     | 3,035     | 3,004     | 2,884     | 3,130     | 3,194     | 3,526     | 3,732     |  |  |  |
| La Cueva*                  |           | 105                                | 88        | 90        | 102       | 124       | 113       | 109       | 137       | 142       | 137       |  |  |  |
| La Puebla                  | 1,275     | 1,218                              | 775       | 948       | 1,081     | 996       | 1,000     | 1,095     | 1,010     | 1,005     | 952       |  |  |  |
| Lamy                       | 87        | 334                                | 298       | 286       | 137       | 173       | 174       | 232       | 142       | 180       | 159       |  |  |  |
| Los Cerrillos              | 210       | 158                                | 53        | 81        | 211       | 301       | 421       | 485       | 418       | 260       | 182       |  |  |  |
| Madrid                     | 58        | 88                                 | 131       | 151       | 120       | 191       | 178       | 132       | 153       | 201       | 218       |  |  |  |
| Nambe*                     |           | 2,118                              | 2,014     | 2,062     | 2,118     | 2,150     | 1,906     | 1,902     | 1,876     | 1,814     | 1,820     |  |  |  |
| Peak Place*                |           | 356                                | 332       | 340       | 340       | 340       | 347       | 410       | 396       | 412       | 409       |  |  |  |
| Pojoaque                   | 1,322     | 1,925                              | 1,956     | 2,075     | 2,179     | 2,257     | 2,202     | 2,149     | 2,035     | 2,018     | 2,027     |  |  |  |
| Rio En Medio               | 101       | 38                                 | 38        | 81        | 110       | 239       | 196       | 208       | 200       | 205       | 89        |  |  |  |

|                                |           | Population Estimate (as of July 1) |           |           |           |           |           |           |           |           |           |      |  |
|--------------------------------|-----------|------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------|--|
| Official Est.<br>(blue)        |           | 2009                               | 2010      | 2011      | 2012      | 2013      | 2014      | 2015      | 2016      | 2017      | 2018      | 2019 |  |
| ACS 5-year<br>est. (green)     | 2004-2009 | 2005-2010                          | 2006-2011 | 2007-2012 | 2008-2013 | 2009-2014 | 2010-2015 | 2011-2016 | 2012-2017 | 2013-2018 | 2014-2019 |      |  |
| San<br>Ildefonso<br>Pueblo CDP | 547       | 539                                | 679       | 746       | 756       | 677       | 699       | 695       | 725       | 742       | 803       |      |  |
| San Pedro*                     | 88        | 113                                | 91        | 147       | 157       | 187       | 136       | 131       | 93        | 137       |           |      |  |
| Santa Cruz                     | 238       | 271                                | 278       | 302       | 293       | 345       | 351       | 350       | 321       | 261       | 249       |      |  |
| Santa Fe City                  | 67,824    | 81,012                             | 81,706    | 82,144    | 82,584    | 82,824    | 83,117    | 83,515    | 83,954    | 84,211    | 84,683    |      |  |
| Sombrillo                      | 150       | 254                                | 289       | 370       | 368       | 561       | 398       | 306       | 264       | 232       | 83        |      |  |
| Tesuque                        | 988       | 825                                | 931       | 979       | 893       | 867       | 961       | 894       | 824       | 837       | 1,008     |      |  |
| Tesuque<br>Pueblo CDP*         | 215       | 129                                | 105       | 133       | 176       | 243       | 267       | 286       | 260       | 318       |           |      |  |

\*Some Areas were not Census Designated Places before 2010. Golden's population estimate of 0 in 2019 has a margin of error of 12.  
CDP - Census Designated Place, which are statistical areas designed to provide data for unincorporated areas. Tribal Pueblo data is different than CDP.

TABLE 18- US, NM, SANTA FE COUNTY FULL TABLE CUMULATIVE ESTIMATES W COMPONENTS OF POPULATION CHANGE

| Cumulative Estimates of the Components of Population Change<br>April 1, 2010 to July 1, 2019 |                                            |                     |              |            |               |                            |          |
|----------------------------------------------------------------------------------------------|--------------------------------------------|---------------------|--------------|------------|---------------|----------------------------|----------|
| Area                                                                                         | Total<br>Population<br>Change <sup>1</sup> | Natural<br>Increase | Vital Events |            | Net Migration |                            |          |
|                                                                                              |                                            |                     | Births       | Deaths     | Total         | International <sup>2</sup> | Domestic |
| United States                                                                                | 19,481,418                                 | 11,621,558          | 36,275,313   | 24,653,755 | 7,859,860     | 7,859,860                  | 0        |
| New Mexico                                                                                   | 37,630                                     | 74,679              | 236,548      | 161,869    | -36,933       | 26,589                     | -63,522  |
| Santa Fe Co.                                                                                 | 6,126                                      | 1,686               | 12,092       | 10,406     | 4,578         | 2,090                      | 2,488    |
| Annual Estimates of the Components of Population Change<br>July 1, 2018 to July 1, 2019      |                                            |                     |              |            |               |                            |          |
| United States                                                                                | 1,552,022                                  | 956,674             | 3,791,712    | 2,835,038  | 595,348       | 595,348                    | 0        |
| New Mexico                                                                                   | 4,088                                      | 4,737               | 23,125       | 18,388     | -590          | 1,546                      | -2,136   |
| Santa Fe Co.                                                                                 | 597                                        | -2                  | 1,189        | 1,191      | 605           | 63                         | 542      |

\*Note Migration data note available by cities.

<sup>1</sup> Total population change includes a residual. This residual represents the change in population that cannot be attributed to any specific demographic component. See Population Estimates Terms and Definitions at <http://www.census.gov/programs-surveys/popest/about/glossary.html>.

<sup>2</sup> Net international migration for the United States includes the international migration of both native and foreign-born populations. Specifically, it includes: (a) the net international migration of the foreign born, (b) the net migration between the United States and Puerto Rico, (c) the net migration of natives to and from the United States, and (d) the net movement of the Armed Forces population between the United States and overseas. Net international migration for Puerto Rico includes the migration of native and foreign-born populations between the United States and Puerto Rico.

Note: The estimates are based on the 2010 Census and reflect changes to the April 1, 2010 population due to the Count Question Resolution program and geographic program revisions. All geographic boundaries for the 2019 population estimates are as of January 1, 2019. For population estimates methodology statements, see <http://www.census.gov/programs-surveys/popest/technical-documentation/methodology.html>.

TABLE 19 - SANTA FE COUNTY MORTGAGE OUTCOMES BY LOAN VALUE AND RACE 2019

| Loan Value   | American Indian or Alaska Native |          | Asian     |          | Black or African American |          | Native Hawaiian/Other Pacific Islander |          | White      |            | Information not provided |           | Not applicable (purchased) |            |
|--------------|----------------------------------|----------|-----------|----------|---------------------------|----------|----------------------------------------|----------|------------|------------|--------------------------|-----------|----------------------------|------------|
|              | Denied                           | Loaned   | Denied    | Loaned   | Denied                    | Loaned   | Denied                                 | Loaned   | Denied     | Loaned     | Denied                   | Loaned    | Denied                     | Loaned     |
| 1 to 99      | 100%                             | 0%       | 100%      | 0%       | 100%                      | 0%       | 100%                                   | 0%       | 97%        | 3%         | 100%                     | 0%        | 10%                        | 90%        |
| 100 to 199   | 100%                             | 0%       | 25%       | 75%      | 100%                      | 0%       | -                                      | -        | 80%        | 20%        | 93%                      | 7%        | 0%                         | 100%       |
| 200 to 299   | 71%                              | 29%      | 100%      | 0%       | 0%                        | 100%     | -                                      | -        | 66%        | 34%        | 79%                      | 21%       | 1%                         | 99%        |
| 300 to 399   | 0%                               | 100%     | 100%      | 0%       | 0%                        | 100%     | -                                      | -        | 67%        | 33%        | 82%                      | 18%       | 1%                         | 99%        |
| 400 to 499   | -                                | -        | 100%      | 0%       | 67%                       | 33%      | -                                      | -        | 53%        | 47%        | 61%                      | 39%       | 3%                         | 97%        |
| 500 to 599   | -                                | -        | 100%      | 0%       | 100%                      | 0%       | -                                      | -        | 59%        | 41%        | 78%                      | 22%       | 0%                         | 100%       |
| 600 to 699   | -                                | -        | 100%      | 0%       | 50%                       | 50%      | -                                      | -        | 94%        | 6%         | 100%                     | 0%        | 6%                         | 94%        |
| 700 to 799   | -                                | -        | -         | -        | -                         | -        | -                                      | -        | 78%        | 22%        | 100%                     | 0%        | 0%                         | 100%       |
| 800 to 899   | -                                | -        | -         | -        | -                         | -        | -                                      | -        | 100%       | 0%         | 67%                      | 33%       | 0%                         | 100%       |
| 900 to 999   | -                                | -        | -         | -        | -                         | -        | -                                      | -        | 83%        | 17%        | 100%                     | 0%        | 0%                         | 100%       |
| >1,000       | -                                | -        | -         | -        | 100%                      | 0%       | -                                      | -        | 91%        | 9%         | 100%                     | 0%        | 20%                        | 80%        |
| <b>Total</b> | <b>17</b>                        | <b>3</b> | <b>11</b> | <b>3</b> | <b>10</b>                 | <b>5</b> | <b>2</b>                               | <b>-</b> | <b>852</b> | <b>257</b> | <b>312</b>               | <b>45</b> | <b>9</b>                   | <b>563</b> |
| % of Total   | 85%                              | 15%      | 79%       | 21%      | 67%                       | 33%      | 100%                                   | 0%       | 77%        | 23%        | 87%                      | 13%       | 2%                         | 98%        |

Source: Federal Financial Institutions Examination Council Home Mortgage Disclosure Act Data

**TABLE 20 - SANTA FE COUNTY POPULATION PROJECTIONS**

| Age          | 2010           |               |               | 2015           |               |               | 2020           |               |               |
|--------------|----------------|---------------|---------------|----------------|---------------|---------------|----------------|---------------|---------------|
|              | Total          | Male          | Female        | Total          | Male          | Female        | Total          | Male          | Female        |
| 0 - 4        | 8,217          | 4,114         | 4,103         | 7,904          | 4,043         | 3,861         | 7,270          | 3,720         | 3,550         |
| 5-9          | 8,275          | 4,109         | 4,166         | 8,269          | 4,138         | 4,131         | 8,203          | 4,198         | 4,005         |
| 10-14        | 8,531          | 4,338         | 4,193         | 8,236          | 4,088         | 4,148         | 8,509          | 4,258         | 4,251         |
| 15 - 19      | 8,387          | 4,250         | 4,137         | 8,307          | 4,220         | 4,087         | 8,352          | 4,148         | 4,204         |
| 20 - 24      | 7,526          | 3,980         | 3,546         | 8,239          | 4,144         | 4,095         | 8,411          | 4,258         | 4,153         |
| 25 - 29      | 8,059          | 4,188         | 3,871         | 7,731          | 4,010         | 3,721         | 8,583          | 4,269         | 4,314         |
| 30 - 34      | 8,569          | 4,361         | 4,208         | 8,287          | 4,235         | 4,052         | 8,128          | 4,170         | 3,958         |
| 35 - 39      | 8,838          | 4,491         | 4,347         | 8,532          | 4,326         | 4,206         | 8,542          | 4,343         | 4,199         |
| 40 - 44      | 9,358          | 4,616         | 4,742         | 8,670          | 4,384         | 4,286         | 8,698          | 4,388         | 4,310         |
| 45 - 49      | 10,727         | 5,239         | 5,488         | 9,194          | 4,487         | 4,707         | 8,803          | 4,408         | 4,395         |
| 50 - 54      | 11,624         | 5,466         | 6,158         | 10,602         | 5,100         | 5,502         | 9,324          | 4,496         | 4,828         |
| 55 - 59      | 12,401         | 5,779         | 6,622         | 11,679         | 5,394         | 6,285         | 10,743         | 5,090         | 5,653         |
| 60 - 64      | 11,854         | 5,564         | 6,290         | 12,693         | 5,858         | 6,835         | 11,832         | 5,390         | 6,442         |
| 65 - 69      | 8,088          | 3,762         | 4,326         | 12,259         | 5,771         | 6,488         | 12,797         | 5,868         | 6,929         |
| 70 - 74      | 5,297          | 2,477         | 2,820         | 8,080          | 3,769         | 4,311         | 12,052         | 5,629         | 6,423         |
| 75 - 79      | 3,648          | 1,689         | 1,959         | 5,058          | 2,158         | 2,900         | 7,547          | 3,318         | 4,229         |
| 80 - 84      | 2,519          | 1,079         | 1,440         | 3,234          | 1,359         | 1,875         | 4,448          | 1,576         | 2,872         |
| 85+          | 2,252          | 755           | 1,497         | 2,834          | 1,062         | 1,772         | 3,581          | 1,308         | 2,273         |
| <b>Total</b> | <b>144,170</b> | <b>70,257</b> | <b>73,913</b> | <b>149,808</b> | <b>72,546</b> | <b>77,262</b> | <b>155,823</b> | <b>74,835</b> | <b>80,988</b> |

| Age     | 2025   |       |        | 2030   |       |        | 2035   |       |        |
|---------|--------|-------|--------|--------|-------|--------|--------|-------|--------|
|         | Total  | Male  | Female | Total  | Male  | Female | Total  | Male  | Female |
| 0 - 4   | 7,593  | 3,881 | 3,707  | 8,273  | 4,234 | 4,039  | 8,788  | 4,495 | 4,293  |
| 5-9     | 7,768  | 3,979 | 3,789  | 8,149  | 4,172 | 3,977  | 8,835  | 4,529 | 4,306  |
| 10-14   | 8,715  | 4,468 | 4,247  | 8,255  | 4,236 | 4,019  | 8,657  | 4,441 | 4,216  |
| 15 - 19 | 8,954  | 4,486 | 4,468  | 9,181  | 4,713 | 4,468  | 8,683  | 4,460 | 4,223  |
| 20 - 24 | 8,771  | 4,356 | 4,415  | 9,699  | 4,840 | 4,859  | 9,629  | 4,940 | 4,689  |
| 25 - 29 | 8,923  | 4,492 | 4,431  | 9,640  | 4,735 | 4,905  | 10,271 | 5,094 | 5,177  |
| 30 - 34 | 9,141  | 4,522 | 4,619  | 9,783  | 4,874 | 4,909  | 10,250 | 4,999 | 5,251  |
| 35 - 39 | 8,637  | 4,411 | 4,226  | 9,771  | 4,777 | 4,994  | 10,373 | 5,140 | 5,233  |
| 40 - 44 | 9,039  | 4,565 | 4,474  | 8,978  | 4,502 | 4,476  | 10,307 | 5,000 | 5,307  |
| 45 - 49 | 9,157  | 4,578 | 4,579  | 9,521  | 4,730 | 4,791  | 9,415  | 4,672 | 4,743  |
| 50 - 54 | 9,183  | 4,551 | 4,632  | 9,874  | 4,854 | 5,020  | 9,894  | 4,860 | 5,034  |
| 55 - 59 | 9,609  | 4,576 | 5,033  | 9,902  | 4,819 | 5,083  | 10,144 | 4,923 | 5,221  |
| 60 - 64 | 10,881 | 5,085 | 5,796  | 10,145 | 4,749 | 5,396  | 9,992  | 4,796 | 5,196  |
| 65 - 69 | 11,708 | 5,257 | 6,451  | 11,018 | 5,090 | 5,928  | 10,000 | 4,602 | 5,398  |
| 70 - 74 | 12,291 | 5,527 | 6,764  | 11,117 | 4,895 | 6,222  | 10,531 | 4,760 | 5,771  |

|              |                |               |               |                |               |               |                |               |               |
|--------------|----------------|---------------|---------------|----------------|---------------|---------------|----------------|---------------|---------------|
| 75 - 79      | 11,093         | 5,064         | 6,029         | 10,552         | 4,544         | 6,008         | 10,097         | 4,320         | 5,777         |
| 80 - 84      | 6,413          | 2,736         | 3,677         | 8,365          | 3,573         | 4,792         | 8,833          | 3,674         | 5,159         |
| 85+          | 4,751          | 1,632         | 3,119         | 6,387          | 2,595         | 3,792         | 8,960          | 3,607         | 5,353         |
| <b>Total</b> | <b>162,627</b> | <b>78,171</b> | <b>84,456</b> | <b>168,610</b> | <b>80,932</b> | <b>87,678</b> | <b>173,659</b> | <b>83,312</b> | <b>90,347</b> |

| Age          | 2040           |               |               | 2045           |               |               | 2050           |               |               |
|--------------|----------------|---------------|---------------|----------------|---------------|---------------|----------------|---------------|---------------|
|              | Total          | Male          | Female        | Total          | Male          | Female        | Total          | Male          | Female        |
| 0 - 4        | 9,051          | 4,630         | 4,421         | 9,182          | 4,699         | 4,483         | 9,364          | 4,791         | 4,573         |
| 5-9          | 9,386          | 4,808         | 4,578         | 9,661          | 4,948         | 4,713         | 9,803          | 5,024         | 4,779         |
| 10-14        | 9,390          | 4,822         | 4,568         | 9,972          | 5,117         | 4,855         | 10,265         | 5,266         | 4,999         |
| 15 - 19      | 9,105          | 4,678         | 4,427         | 9,882          | 5,081         | 4,801         | 10,494         | 5,392         | 5,102         |
| 20 - 24      | 9,105          | 4,673         | 4,432         | 9,544          | 4,901         | 4,643         | 10,361         | 5,322         | 5,039         |
| 25 - 29      | 10,196         | 5,196         | 5,000         | 9,637          | 4,914         | 4,723         | 10,098         | 5,154         | 4,944         |
| 30 - 34      | 10,922         | 5,382         | 5,540         | 10,847         | 5,494         | 5,353         | 10,253         | 5,197         | 5,056         |
| 35 - 39      | 10,866         | 5,270         | 5,596         | 11,581         | 5,676         | 5,905         | 11,504         | 5,799         | 5,705         |
| 40 - 44      | 10,942         | 5,382         | 5,560         | 11,463         | 5,515         | 5,948         | 12,216         | 5,941         | 6,275         |
| 45 - 49      | 10,813         | 5,190         | 5,623         | 11,476         | 5,588         | 5,888         | 12,022         | 5,723         | 6,299         |
| 50 - 54      | 9,779          | 4,797         | 4,982         | 11,233         | 5,329         | 5,904         | 11,917         | 5,735         | 6,182         |
| 55 - 59      | 10,157         | 4,927         | 5,230         | 10,034         | 4,860         | 5,174         | 11,530         | 5,401         | 6,129         |
| 60 - 64      | 10,236         | 4,896         | 5,340         | 10,250         | 4,902         | 5,348         | 10,127         | 4,834         | 5,293         |
| 65 - 69      | 9,853          | 4,652         | 5,201         | 10,097         | 4,749         | 5,348         | 10,113         | 4,756         | 5,357         |
| 70 - 74      | 9,573          | 4,308         | 5,265         | 9,439          | 4,359         | 5,080         | 9,681          | 4,455         | 5,226         |
| 75 - 79      | 9,577          | 4,209         | 5,368         | 8,726          | 3,818         | 4,908         | 8,613          | 3,866         | 4,747         |
| 80 - 84      | 8,456          | 3,488         | 4,968         | 8,012          | 3,389         | 4,623         | 7,307          | 3,072         | 4,235         |
| 85+          | 10,605         | 4,167         | 6,438         | 11,231         | 4,328         | 6,903         | 11,269         | 4,341         | 6,928         |
| <b>Total</b> | <b>178,012</b> | <b>85,475</b> | <b>92,537</b> | <b>182,267</b> | <b>87,667</b> | <b>94,600</b> | <b>186,937</b> | <b>90,069</b> | <b>96,868</b> |

Source: UNM Geospatial Population Projections Nov. 2020

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TABLE 21 - SANTA FE COUNTY IN-MIGRATION CHARACTERISTICS 2019

|                                            | Estimate | Median Age | Median income (dollars) | Below 100 percent of the poverty level | 100 to 149 percent of the poverty level | At or above 150 percent of the poverty level |
|--------------------------------------------|----------|------------|-------------------------|----------------------------------------|-----------------------------------------|----------------------------------------------|
| Santa Fe County                            | 149,712  | 47.4       | 31,142                  | 19,088                                 | 13,592                                  | 114,375                                      |
| Same house 1 year ago:                     | 131,073  | 48.8       | 30,872                  | 16,049                                 | 13,194                                  | 100,162                                      |
| Moved in same county:                      | 7,192    | 39.5       | 34,507                  | 1,023                                  | 77                                      | 6,036                                        |
| Moved from diff. county within same state: | 4,353    | 35         | 28,482                  | 756                                    | 148                                     | 2,819                                        |
| Moved from diff. state:                    | 6,364    | 41.1       | 40,608                  | 979                                    | 173                                     | 4,909                                        |
| Moved from abroad:                         | 730      | 38.3       | 36,048                  | 730                                    | 281                                     | 0                                            |
| Total moved from out NM:                   | 11,447   |            |                         |                                        |                                         |                                              |

Source: US Census Bureau American Community Survey 1-year Estimates 2019, Tables B07000, B07002, B07011, B07012

TABLE 22 - SANTA FE COUNTY IN-MIGRATION BY ETHNICITY

| Ethnicity                   | Percent |
|-----------------------------|---------|
| Not Spanish/Hispanic/Latino | 65%     |
| Hispanic (All types)        | 35%     |
| Mexican                     | 16%     |
| Puerto Rican                | 2%      |
| Honduran                    | 1%      |
| Chilean                     | 1%      |
| Colombian                   | 1%      |
| Spanish                     | 13%     |
| Others                      | 1%      |

Source: US Census Bureau PUMS 2019

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TABLE 23 - IN-MIGRATION TO SANTA FE COUNTY BY LOCATION

| From outside the state |              | From other NM Counties |               | Top 30 Countries Foreign Born |        |
|------------------------|--------------|------------------------|---------------|-------------------------------|--------|
| Total for 2019:        | Number       | Total for 2019:        | Number        | Population                    | Number |
| Alabama                | 164          | Bernalillo             | 1,116         | Mexico                        | 10,936 |
| Alaska                 | 215          | Chaves                 | 15            | Guatemala                     | 1,045  |
| Arizona                | 386          | Cibola                 | 66            | El Salvador                   | 919    |
| Arkansas               | 217          | Colfax                 | 23            | India                         | 550    |
| California             | 617          | Curry                  | 14            | Germany                       | 484    |
| Colorado               | 369          | Dona Ana               | 255           | Canada                        | 422    |
| Florida                | 49           | Eddy                   | 459 (+/- 429) | China                         | 302    |
| Hawaii                 | 255          | Guadalupe              | 46            | Philippines                   | 255    |
| Missouri               | 172          | Lea                    | 60            | England                       | 239    |
| Nevada                 | 55           | Los Alamos             | 52            | Korea                         | 140    |
| New Jersey             | 354          | Luna                   | 10            | Netherlands                   | 103    |
| New York               | 503          | McKinley               | 50            | Spain                         | 102    |
| Ohio                   | 104          | Otero                  | 26            | Italy                         | 101    |
| Oregon                 | 200          | Quay                   | 11            | South Africa                  | 94     |
| South Carolina         | 245          | Roosevelt              | 2             | Honduras                      | 94     |
| Tennessee              | 178          | Sandoval               | 205           | Kenya                         | 92     |
| Texas                  | 1,088        | San Juan               | 209           | Brazil                        | 91     |
| Virginia               | 274          | San Miguel             | 95            | France                        | 86     |
| Washington             | 543          | Sierra                 | 11            | Chile                         | 73     |
| Wisconsin              | 96           | Taos                   | 112           | Colombia                      | 69     |
| Puerto Rico            | 280          | Torrance               | 56            | Costa Rica                    | 66     |
| Western Europe, other  | 171          | Union                  | 13            | Romania                       | 62     |
| China                  | 285          | Valencia               | 78            | Switzerland                   | 57     |
| Japan                  | 17           |                        |               | Japan                         | 53     |
| Korea                  | 44           | <b>Total</b>           | <b>2,984</b>  | Pakistan                      | 50     |
| Vietnam                | 132          |                        |               | Hungary                       | 49     |
| Colombia               | 81           |                        |               | Venezuela                     | 48     |
| <b>Total</b>           | <b>7,094</b> |                        |               | Austria                       | 44     |
|                        |              |                        |               | Russia                        | 43     |

*Note: Margins of error are very large for this data and in many cases may exceed the estimate. Rio Arriba County is excluded due to a data collection error.*

Source: US Census Bureau ACS 1-year Estimates PUMS 2019 & ACS 1-year Estimates Table B07000

Source: US Census Bureau County-to-County Migration Flow ACS 2014-2018

Source: US Census Bureau ACS 5-year Estimates 2019 Table B05006

TABLE 24 - SANTA FE COUNTY UNITS IN HOUSING STRUCTURES COMPARISON

| Units in Structure  | Santa Fe County<br>Total Units | Units/ Percent<br>Santa Fe County | Units/ Percent<br>New Mexico | Units/ Percent<br>United States |
|---------------------|--------------------------------|-----------------------------------|------------------------------|---------------------------------|
| Total Housing Units | 73,550                         | 73,550                            | 94,8470                      | 139,686,209                     |
| 1-unit              | 53,233                         | 72.4                              | 68.2                         | 67.1                            |
| 2-units             | 1,453                          | 2.0                               | 1.9                          | 3.5                             |
| 3 or 4 units        | 2,070                          | 2.8                               | 3.6                          | 4.3                             |
| 5 to 9 units        | 1,993                          | 2.7                               | 2.8                          | 4.7                             |
| 10 to 19 units      | 1,892                          | 2.6                               | 2.3                          | 4.5                             |
| 20 or more units    | 2,040                          | 2.8                               | 4.3                          | 9.7                             |
| Mobile home         | 10,789                         | 14.7                              | 16.8                         | 6.1                             |
| Boat, RV, van, etc. | 80                             | 0.1                               | 0.2                          | 0.1                             |

Source: American Community Survey 1-year Estimates 2019

TABLE 25 - HOUSING BY NUMBER OF BEDROOMS

|                            | United States      | Pct.  | New Mexico     | Pct.  | Santa Fe Co.  | Pct.  |
|----------------------------|--------------------|-------|----------------|-------|---------------|-------|
| Median rooms               | 5.5                |       | 5.3            |       | 5.2           |       |
| <b>Total housing units</b> | <b>139,686,209</b> |       | <b>948,470</b> |       | <b>73,550</b> |       |
| No bedroom                 | 3,650,241          | 2.6%  | 28,075         | 3.0%  | 2,172         | 3.0%  |
| 1 bedroom                  | 15,323,800         | 11.0% | 79,635         | 8.4%  | 6,409         | 8.7%  |
| 2 bedrooms                 | 35,938,436         | 25.7% | 241,162        | 25.4% | 18,904        | 25.7% |
| 3 bedrooms                 | 54,597,644         | 39.1% | 437,958        | 46.2% | 34,034        | 46.3% |
| 4 bedrooms                 | 23,707,809         | 17.0% | 139,971        | 14.8% | 10,117        | 13.8% |
| 5 or more bedrooms         | 6,468,279          | 4.6%  | 21,669         | 2.3%  | 1,914         | 2.6%  |

Source: US Census Bureau American Community Survey 1-year Estimates 2019

TABLE 26 - ANNUAL ABSORPTION OF NEW APARTMENT UNITS

| Area                 | Year | Total   | Percent absorbed within |          |          |           |     |
|----------------------|------|---------|-------------------------|----------|----------|-----------|-----|
|                      |      |         | 3 months                | 6 months | 9 months | 12 months |     |
| <b>United States</b> |      |         |                         |          |          |           |     |
|                      | 2019 | 279,800 | 56                      | 76       | 87       | 93        |     |
|                      | 2018 | 277,800 | 54                      | 76       | 88       | 94        |     |
|                      | 2017 | 294,800 | 54                      | 76       | 87       | 93        |     |
|                      | 2016 | 266,300 | 55                      | 76       | 88       | 94        |     |
|                      | 2015 | 268,300 | 60                      | 80       | 91       | 96        |     |
|                      | 2014 | 218,500 | 61                      | 82       | 92       | 96        |     |
|                      | 2013 | 134,200 | 63                      | 82       | 92       | 96        |     |
|                      | 2012 | 104,500 | 63                      | 81       | 90       | 94        |     |
|                      | 2011 | 74,700  | 59                      | 73       | 83       | 88        |     |
|                      | 2010 | 89,100  | 61                      | 79       | 87       | 92        |     |
|                      | 2009 | 163,000 | 51                      | 71       | 82       | 90        |     |
|                      | 2008 | 146,400 | 50                      | 68       | 79       | 87        |     |
| <b>West</b>          |      |         |                         |          |          |           |     |
|                      | 2019 | 84,090  | 56                      | 76       | 88       | 93        | 30% |
|                      | 2018 | 77,070  | 59                      | 79       | 90       | 95        | 28% |
|                      | 2017 | 69,850  | 61                      | 83       | 91       | 95        | 24% |
|                      | 2016 | 66,710  | 64                      | 84       | 92       | 96        | 25% |
|                      | 2015 | 71,060  | 66                      | 84       | 93       | 97        | 26% |
|                      | 2014 | 54,970  | 66                      | 85       | 94       | 97        | 25% |
|                      | 2013 | 29,900  | 64                      | 83       | 94       | 97        | 22% |
|                      | 2012 | 23,500  | 61                      | 80       | 91       | 96        | 22% |
|                      | 2011 | 6,400   | 54                      | 73       | 83       | 90        | 9%  |
|                      | 2010 | 24,100  | 55                      | 79       | 89       | 94        | 27% |
|                      | 2009 | 42,400  | 44                      | 64       | 76       | 84        | 26% |
|                      | 2008 | 32,100  | 51                      | 70       | 81       | 87        | 22% |

US Census Bureau Survey of Market Absorption of New Multifamily Units (SOMA)

<https://www.census.gov/programs-surveys/soma.html>

**TABLE 27 - DETAILS OF BUILDING NEW HOUSING UNIT RECOMMENDATION**

| <b>Occupied Units</b>             | <b>United States</b> | <b>% of US Total</b> | <b>Santa Fe County</b> | <b>% of SF Total</b> |
|-----------------------------------|----------------------|----------------------|------------------------|----------------------|
| <b>Owner (Value)</b>              | <b>78,724,862</b>    | <b>100.0%</b>        | <b>44,385</b>          | <b>100.6%</b>        |
| Less than \$50,000                | 4,911,653            | 6.2%                 | 3,635                  | 8.2%                 |
| \$50,000 to \$99,999              | 8,033,491            | 10.2%                | 1,209                  | 2.7%                 |
| \$100,000 to \$149,999            | 9,013,104            | 11.4%                | 2,528                  | 5.7%                 |
| \$150,000 to \$199,999            | 10,424,880           | 13.2%                | 4,572                  | 10.3%                |
| \$200,000 to \$299,999            | 16,079,298           | 20.4%                | 10,775                 | 24.3%                |
| \$300,000 to \$499,999            | 16,870,733           | 21.4%                | 10,902                 | 24.6%                |
| \$500,000 to \$999,999            | 10,294,023           | 13.1%                | 8,660                  | 19.5%                |
| \$1,000,000 or more               | 3,097,680            | 3.9%                 | 2,351                  | 5.3%                 |
| <b>Paying rent</b>                | <b>41,946,055</b>    | <b>100.0%</b>        | <b>16,357</b>          | <b>100.0%</b>        |
| Less than \$500                   | 3,855,102            | 9.2%                 | 1,977                  | 12.1%                |
| \$500 to \$999                    | 14,289,538           | 34.1%                | 5,924                  | 36.2%                |
| \$1,000 to \$1,499                | 12,560,699           | 29.9%                | 5,004                  | 30.6%                |
| \$1,500 to \$1,999                | 6,358,202            | 15.2%                | 1,584                  | 9.7%                 |
| \$2,000 to \$2,499                | 2,617,659            | 6.2%                 | 1,073                  | 6.6%                 |
| \$2,500 to \$2,999                | 1,149,118            | 2.7%                 | 361                    | 2.2%                 |
| \$3,000 or more                   | 1,115,737            | 2.7%                 | 434                    | 2.7%                 |
| <b>No Rent (incl. for totals)</b> | <b>2,131,935</b>     | <b>4.8%</b>          | <b>1,440</b>           | <b>8.1%</b>          |
| <b>All Units</b>                  | <b>122,802,852</b>   |                      | <b>62,182</b>          |                      |

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|                               | SF Growth     | Diff.        | SF Growth<br>+Gap | Diff.         |
|-------------------------------|---------------|--------------|-------------------|---------------|
| <b>Owner (Value)</b>          | <b>48,007</b> | <b>3,622</b> | <b>55,624</b>     | <b>11,239</b> |
| Less than \$50,000            | 2,995         | -640         | 3,470             | -165          |
| \$50,000 to \$99,999          | 4,899         | 3,690        | 5,676             | 4,467         |
| \$100,000 to \$149,999        | 5,496         | 2,968        | 6,368             | 3,840         |
| \$150,000 to \$199,999        | 6,357         | 1,785        | 7,366             | 2,794         |
| \$200,000 to \$299,999        | 9,805         | -970         | 11,361            | 586           |
| \$300,000 to \$499,999        | 10,288        | -614         | 11,920            | 1,018         |
| \$500,000 to \$999,999        | 6,277         | -2,383       | 7,273             | -1,387        |
| \$1,000,000 or more           | 1,889         | -462         | 2,189             | -162          |
| <b>Paying rent</b>            | <b>17,809</b> | <b>1,452</b> | <b>20,864</b>     | <b>4,507</b>  |
| Less than \$500               | 1,637         | -340         | 1,917             | -60           |
| \$500 to \$999                | 6,067         | 143          | 7,107             | 1,183         |
| \$1,000 to \$1,499            | 5,333         | 329          | 6,248             | 1,244         |
| \$1,500 to \$1,999            | 2,700         | 1,116        | 3,163             | 1,579         |
| \$2,000 to \$2,499            | 1,111         | 38           | 1,302             | 229           |
| \$2,500 to \$2,999            | 488           | 127          | 572               | 211           |
| \$3,000 or more               | 474           | 40           | 555               | 121           |
| No Rent (included for totals) | 1,440         | 0            | 1,440             | 0             |
| <b>All Units</b>              | <b>65,816</b> | <b>5,074</b> | <b>76,488</b>     | <b>15,746</b> |

Source: US Census Bureau American Community Survey 1-year Estimates 2019 Table DP04

TABLE 28 - WEIGHTED AVERAGE VACANCY RATES BY APARTMENT TYPE

Weighted Average Vacancy Rates by Apartment  
Type in Santa Fe County (Survey Fall 2020)

|            | Unit<br>Count | Vacancy<br>Count | Vacancy<br>Rate |
|------------|---------------|------------------|-----------------|
| Efficiency | 553           | 25               | 4.52%           |
| 1-BR       | 621           | 12               | 1.93%           |
| 2-BR       | 975           | 33               | 3.38%           |
| 3-BR       | 392           | 3                | 0.77%           |
| 4+BR       | 36            | 0                | 0.00%           |
| Overall    | 2,577         | 73               | 2.87%           |

TABLE 29 - COMPARISON AFFORDABLE TO MARKET-ONLY PROPERTIES

Santa Fe County Fall 2020 Survey

Rental Revenue (in \$)

| Property Type | Efficiency | 1-BR   | 2-BR    | 3-BR    | 4+ BR  | Total Rental Revenue | Total Units | Weighted Average |
|---------------|------------|--------|---------|---------|--------|----------------------|-------------|------------------|
| Affordable    | -          | 20,416 | 53,450  | 23,902  | -      | 97,768               | 89          | \$1,099          |
| Affordable    | -          | 34,400 | 65,152  | 47,840  | 25,660 | 173,052              | 164         | \$1,055          |
| Affordable    | 130,536    | -      | 108,447 | -       | -      | 238,983              | 279         | \$857            |
| Affordable    | -          | 40,015 | 47,488  | -       | -      | 87,503               | 106         | \$826            |
| Affordable    | -          | 12,080 | 81,536  | 9,216   | -      | 102,832              | 116         | \$886            |
| Affordable    | 13,088     | -      | 6,408   | 17,901  | -      | 37,397               | 35          | 1,068            |
| Market Rental | 129,960    | -      | -       | -       | -      | 129,960              | 171         | \$760            |
| Market Rental | -          | 79,530 | 137,200 | 20,400  | -      | 237,130              | 176         | \$1,347          |
| Market Rental | -          | 67,136 | 201,120 | 97,128  | -      | 365,384              | 296         | \$1,234          |
| Market Rental | -          | -      | 103,600 | 108,500 | 25,600 | 237,700              | 160         | \$1,486          |
| Market Rental | -          | 36,504 | 51,750  | 5,328   | -      | 93,582               | 127         | \$737            |
| Market Rental | 163,200    | 57,420 | 62,440  | 3,000   | -      | 286,060              | 286         | \$1,000          |
| Market Rental | -          | 23,200 | 27,200  | -       | -      | 50,400               | 64          | \$788            |
| Market Rental | 27,440     | 49,500 | 60,630  | -       | -      | 137,570              | 120         | \$1,146          |
| Market Rental | -          | 91,622 | 106,112 | 70,339  | -      | 268,073              | 156         | \$1,718          |

TABLE 30 - UNITS ACCESSIBLE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

Santa Fe County Fall 2020 Survey

| Total Units | ADA Units | % of ADA Units |
|-------------|-----------|----------------|
| 20          | 20        | 100%           |
| 87          | 20        | 23%            |
| 100         | 100       | 100%           |
| 171         | 50        | 29%            |
| 156         | 0         | 0%             |
| 164         | 6         | 4%             |
| 279         | 16        | 6%             |
| 106         | 12        | 11%            |
| 176         | 4         | 2%             |
| 160         | 8         | 5%             |
| 60          | 60        | 100%           |
| 127         | 40        | 31%            |
| 64          | 32        | 50%            |
| 48          | 4         | 8%             |
| 240         | 60        | 25%            |
| 12          | 12        | 100%           |
| 35          | 2         | 6%             |
| 1970        | 444       | 23%            |

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# Appendix

|                                                                     |     |
|---------------------------------------------------------------------|-----|
| Santa Fe County Population Projections Methodology                  | A-1 |
| Santa Fe Apartment Survey Methodology                               | A-2 |
| Survey                                                              | A-3 |
| National Association of Home Builders 2019 Construction Cost Survey | A-4 |

## Santa Fe County Population Projections Methodology

Data inputs (each was separate for Hispanic and non-Hispanic):

- 2010 census population (and age distribution)
- 2018 Age-specific Fertility Rates
- 2010-2018 TFRs
- NE Region Age-specific mortality rates
- Estimated Net Migration\*

For Santa Fe County, the non-Hispanic population is declining, as there was net positive in-migration for Hispanic individuals in both the 2000s and 2010s. Consequently, the growth in Santa Fe County is largely due to the in-migration of Hispanic people. Projections were done for the non-Hispanic and Hispanic populations separately and then merged them for the county projection. (see Table 6)

The approach was to combine the 2000s and 2010s migration patterns, as neither are likely to represent future migration consistently. During the 2000s, there were high levels of migration followed by low periods of migration for the 2010s. The estimated net migration was done using the life table method (how many people would be in the population count based on survival and births vs. observed population) for both 2000-2010 and 2010-2015. Ideally, migration should be estimated using the Decennial Census, but of course, we know patterns were different in the 2000s from current trends. UNM GPS's 2015 population estimates were used as being more realistic and then the Census data was used for the other time points. This was used to calculate age-specific migration. Migration from 2010-2015 was mostly negative and migration for 2000-2010 was high. These calculations were done for the state as a whole and the counties individually. When done for the counties individually, the total state migration (aggregated across counties) was substantially higher in the 2000s than when calculated for the state as a whole. County migration was adjusted by the ratio of the county aggregate state total. This allowed the unique county patterns to remain and have a sensible total. Then the 2000s and 2010s migration for each county was averaged. Using these net migration numbers, I calculated the age-specific migration rates and held the rates stable over the projection period. My goal here was to allow for both times of high and lower migration, without the ability to know when those times would come and to allow different counties to have different patterns.

## Santa Fe Apartment Survey Methodology

The Albuquerque-area and Santa Fe markets are covered extensively in apartment surveys by CB Richard Ellis (CBRE) (the latest was Jan. 2020) and the Apartment Association of New Mexico. However, data from these surveys did not cover all the data needs of Santa Fe County. Because of the need to do the survey quickly, the survey was conducted by phone with an option to answer online through SurveyMonkey if that was preferred by the apartment contacts.

### Design

UNM BBER has done several apartment surveys in New Mexico over the years. We started with the base questions done on those prior surveys to capture unit inventory, apartment types, age, vacancies, and rents. Then added questions to capture additional information on utilities and market needs. The final survey had 11 questions and is brief to ensure the highest possible response rate. You can see the survey tool on the next page.

The survey process included creating an apartment property contact list from a variety of sources. This included UNM BBER in-house contacts, internal lists from Santa Fe County, a list of section eight housing, internet searches using Zillow, apartment.com, and others.

All apartments were contacted initially by phone starting October 19, 2020, and continuing until December 18, 2020. All apartments on the list received at least one phone call. If the contact did not want to answer the survey over the phone they were then offered the link to the survey on SurveyMonkey. Because of COVID-19 restrictions, UNM BBER staff observed restricted hours and followed UNM COVID-19 procedures during the time in the office.

### Response

The contact list had 51 apartments on it. Although we had more on the list initially, UNM BBER staff realized that some properties did not offer apartments for rent. Some properties on the list had non-working phone numbers (5) and an online search was unable to locate working phone numbers. In addition, 11 properties had only voicemails set up and did not return phone calls. Five properties opted out via phone and nine properties opted to complete via email but did not respond to the SurveyMonkey invitations and reminders that were sent. However, UNM BBER was able to collect 21 responses via phone interviews and e-mails.

To maintain confidentiality for individual properties, the data were aggregated.

## Survey

### Santa Fe County Apartment Assessment Survey

1. What is the name and/or address of this property?

Name

Address

Postal Code

2. What type of rental property is this?

- Family
- Senior 55+
- Elderly 62+
- Adult with Disabilities

3. How old is this property? (Year built)

4. Are you a market rental only, affordable or mix?

- Market Rental
- Affordable
- Mix

5. Does this apartment have a wait list? If yes:

How many people are on the wait list?

Approximately how many months do you expect before anyone on the list can be contacted for an opening?

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6. How many total units do you have? And by type of unit?

|                         |                      |
|-------------------------|----------------------|
| Efficiencies            | <input type="text"/> |
| 1 Bedroom units         | <input type="text"/> |
| 2 Bedroom units         | <input type="text"/> |
| 3 Bedroom units         | <input type="text"/> |
| 4 or more Bedroom units | <input type="text"/> |
| Total                   | <input type="text"/> |

7. How many vacancies do you have this month? (If they don't have a wait list)

|                         |                      |
|-------------------------|----------------------|
| Efficiencies            | <input type="text"/> |
| 1 Bedroom units         | <input type="text"/> |
| 2 Bedroom units         | <input type="text"/> |
| 3 Bedroom units         | <input type="text"/> |
| 4 or more Bedroom units | <input type="text"/> |

8. What is the average rent by unit types?

|                         |                      |
|-------------------------|----------------------|
| Efficiencies            | <input type="text"/> |
| 1 Bedroom units         | <input type="text"/> |
| 2 Bedroom units         | <input type="text"/> |
| 3 Bedroom units         | <input type="text"/> |
| 4 or more Bedroom units | <input type="text"/> |

9. How many units are accessible under the ADA definition?

10. Are you interested in the Santa Fe County Affordable Housing Plan? Can I have your e-mail to send you the plan information when it is available?

11. Please provide us with your average annual physical occupancy in 2019 and 2020 through September.

12. Please provide us with your average annual vacancy loss and bad debt as a percentage of gross potential income in 2019 and 2020 through September.

Average annual vacancy loss

Average annual bad debt

13. Are utilities included in the monthly rent?

Yes

No

14. If utilities are not included in the monthly rent, what is the average monthly cost of utilities by bedroom size?

Efficiencies

1 Bedroom units

2 Bedroom units

3 Bedroom units

4 or more Bedroom units

15. Would you be interested in the Santa Fe Housing Plan report? If yes, please provide us with an e-mail address to send the updated information to. Your e-mail address will only be used for this purpose.

## National Association of Home Builders 2019 Construction Cost Survey

| <b>Table 1. Single Family Price and Cost Breakdowns</b>            |                        |                                   |
|--------------------------------------------------------------------|------------------------|-----------------------------------|
| <b>2019</b>                                                        |                        |                                   |
| <b>National Results</b>                                            |                        |                                   |
|                                                                    | Average Lot Size:      | 22,094                            |
|                                                                    | Average Finished Area: | 2,594                             |
| <b>I. Sale Price Breakdown</b>                                     | <b>Average</b>         | <b>Share of Price</b>             |
| A. Finished Lot Cost (including financing cost)                    | \$89,540               | 18.5%                             |
| B. Total Construction Cost                                         | \$296,652              | 61.1%                             |
| C. Financing Cost                                                  | \$8,160                | 1.7%                              |
| D. Overhead and General Expenses                                   | \$23,683               | 4.9%                              |
| E. Marketing Cost                                                  | \$4,895                | 1.0%                              |
| F. Sales Commission                                                | \$18,105               | 3.7%                              |
| G. Profit                                                          | \$44,092               | 9.1%                              |
| <b>Total Sales Price</b>                                           | <b>\$485,128</b>       | <b>100.0%</b>                     |
| <b>II. Construction Cost Breakdown</b>                             | <b>Average</b>         | <b>Share of Construction Cost</b> |
| <b>I. Site Work (sum of A to E)</b>                                | <b>\$18,323</b>        | <b>6.2%</b>                       |
| A. Building Permit Fees                                            | \$5,086                | 1.7%                              |
| B. Impact Fee                                                      | \$3,865                | 1.3%                              |
| C. Water & Sewer Fees Inspections                                  | \$4,319                | 1.5%                              |
| D. Architecture, Engineering                                       | \$4,335                | 1.5%                              |
| E. Other                                                           | \$719                  | 0.2%                              |
| <b>II. Foundations (sum of F to G)</b>                             | <b>\$34,850</b>        | <b>11.8%</b>                      |
| F. Excavation, Foundation, Concrete, Retaining walls, and Backfill | \$33,511               | 11.3%                             |
| G. Other                                                           | \$1,338                | 0.5%                              |
| <b>III. Framing (sum of H to L)</b>                                | <b>\$51,589</b>        | <b>17.4%</b>                      |
| H. Framing (including roof)                                        | \$40,612               | 13.7%                             |
| I. Trusses (if not included above)                                 | \$6,276                | 2.1%                              |
| J. Sheathing (if not included above)                               | \$3,216                | 1.1%                              |
| K. General Metal, Steel                                            | \$954                  | 0.3%                              |
| L. Other                                                           | \$530                  | 0.2%                              |
| <b>IV. Exterior Finishes (sum of M to P)</b>                       | <b>\$41,690</b>        | <b>14.1%</b>                      |
| M. Exterior Wall Finish                                            | \$19,319               | 6.5%                              |
| N. Roofing                                                         | \$9,954                | 3.4%                              |
| O. Windows and Doors (including garage door)                       | \$11,747               | 4.0%                              |
| P. Other                                                           | \$671                  | 0.2%                              |
| <b>V. Major Systems Rough-ins (sum of Q to T)</b>                  | <b>\$43,668</b>        | <b>14.7%</b>                      |

|                                               |                 |              |
|-----------------------------------------------|-----------------|--------------|
| Q. Plumbing (except fixtures)                 | \$14,745        | 5.0%         |
| R. Electrical (except fixtures)               | \$13,798        | 4.7%         |
| S. HVAC                                       | \$14,111        | 4.8%         |
| T. Other                                      | \$1,013         | 0.3%         |
| <b>VI. Interior Finishes (sum of U to AE)</b> | <b>\$75,259</b> | <b>25.4%</b> |
| U. Insulation                                 | \$5,184         | 1.7%         |
| V. Drywall                                    | \$10,634        | 3.6%         |
| W. Interior Trims, Doors, and Mirrors         | \$10,605        | 3.6%         |
| X. Painting                                   | \$8,254         | 2.8%         |
| Y. Lighting                                   | \$3,437         | 1.2%         |
| Z. Cabinets, Countertops                      | \$13,540        | 4.6%         |
| AA. Appliances                                | \$4,710         | 1.6%         |
| AB. Flooring                                  | \$11,998        | 4.0%         |
| AC. Plumbing Fixtures                         | \$4,108         | 1.4%         |
| AD. Fireplace                                 | \$1,867         | 0.6%         |
| AE. Other                                     | \$923           | 0.3%         |
| <b>VII. Final Steps (sum of AF to AJ)</b>     | <b>\$20,116</b> | <b>6.8%</b>  |
| AF. Landscaping                               | \$6,506         | 2.2%         |
| AG. Outdoor Structures (deck, patio, porches) | \$3,547         | 1.2%         |
| AH. Driveway                                  | \$6,674         | 2.2%         |
| AI. Clean Up                                  | \$2,988         | 1.0%         |
| AJ. Other                                     | \$402           | 0.1%         |
| <b>VIII. Other</b>                            | <b>\$11,156</b> | <b>3.8%</b>  |

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## Short Term Rentals and Access to Housing in Santa Fe

Kelly O'Donnell PhD  
O'Donnell Economics & Strategy

June 2019





This study is sponsored by Homewise, Inc.  
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[www.thornburgfoundation.org](http://www.thornburgfoundation.org)

## FINDINGS:

The number of STRs in Santa Fe has increased markedly since 2014.

STR growth is slowing, suggesting that Santa Fe's STR market is nearing saturation.

About 60 percent of Santa Fe's 1,444 active whole-unit STRs are registered with the City.

Santa Fe's 646 STR hosts earned \$54 million from their Santa Fe properties in 2018, an average of over \$80,000 per host per year.

Although 80 percent of hosts list only one STR property, over 100 Santa Fe hosts list two or more entire homes. The city's top 15 hosts account for 381 active STRs, over one-quarter of the Santa Fe market.

Non-compliance with the Lodgers and Gross Receipts taxes by STR hosts is costing the City of Santa Fe \$3.8 million annually.

Non-compliance with the gross receipts tax, which appears to be almost universal among STR hosts, is costing the City \$1.6 million each year.

Fifteen percent of single family homes listed on Santa Fe County's tax rolls have owners who reside outside New Mexico. In central Santa Fe the percentage of absentee owners exceeds 20 percent. The city's current STR registry does not include registrants' primary address, thus it is difficult to determine how many STRs are 'hosted' by out-of-state entities.

Incentives to construct new Accessory Dwelling Units (ADUs) or use ADUs as long term rentals can help to increase Santa Fe's housing supply, but such policies, even if very successful, can make only a small dent in Santa Fe's profound shortage of affordable housing and must therefore be part of a larger package of housing reforms and investments.

## RECOMMENDATIONS:

**Enforce** registration requirements. Ensure that all active STRs are registered with the City by actively seeking out unregistered properties and punishing non-compliance.

**Educate** STR hosts about their obligation to pay both the Lodgers Tax and the Gross Receipts Tax, even if the platform(s) on which they list their properties cannot, or will not, automatically collect and remit one or both taxes. The City can improve GRT compliance by requiring STR hosts to supply a CRS number at registration and advising hosts of the correct NAICS code under which to report their STR gross receipts. At the state level, rescinding property tax breaks for second homes can make taxes more equitable and generate additional revenue for affordable housing.

**Invest** in affordable housing. All additional revenue attributable to enforcement of the GRT and Lodgers tax should be dedicated to the City's Affordable Housing Trust Fund. The City can take advantage of recent legislation de-earmarking certain local option gross receipts taxes to direct more gross receipts tax revenue to housing.

**Reduce** barriers to construction of affordable housing by:

- Reducing costs associated with permitting, impact fees and water rights for affordable housing developers.
- Revising zoning standards to eliminate conflicting requirements and encourage development of mixed-used affordable housing projects.
- Streamlining the development approval process to expedite affordable housing approvals while ensuring adequate community input.
- Reducing regulatory barriers to ADU construction.

**Support** state legislative proposals that fund affordable housing and promote tax fairness:

- Limit the 3 percent cap on annual valuation increases to owner-occupied homes so that the property tax on vacation homes and STRs is based upon true market value and tax burden is distributed more equitably.
- Authorize local governments to impose an occupancy surtax on STRs to fund affordable housing.

Lack of affordable housing is one of the greatest challenges facing Santa Fe in 2019. Recent proliferation of short term rentals (STRs) marketed on platforms like Airbnb has contributed to the rapid escalation of home prices and rents. Although additional regulation of STRs may be called for at some point, enforcement of existing regulations and taxes is a critical first step toward minimizing the impact of STRs on access to affordable housing. More vigorous enforcement of STR registration requirements and increased Gross Receipts and Lodger's Tax compliance by STR hosts could generate as much as \$3.8 million in annual revenue that the City *could and should* put toward affordable housing.

### Short Term Rentals in Santa Fe

There are over 1,600 active short term rentals (STRs) in the City of Santa Fe. Ninety percent of the city's STRs (1,444 units) are entire houses or apartments. Over half of Santa Fe's whole-unit STRs are available all year, indicating that they serve solely as short-term rentals.

Table 1: 2018 revenue whole-unit STRs by zip code

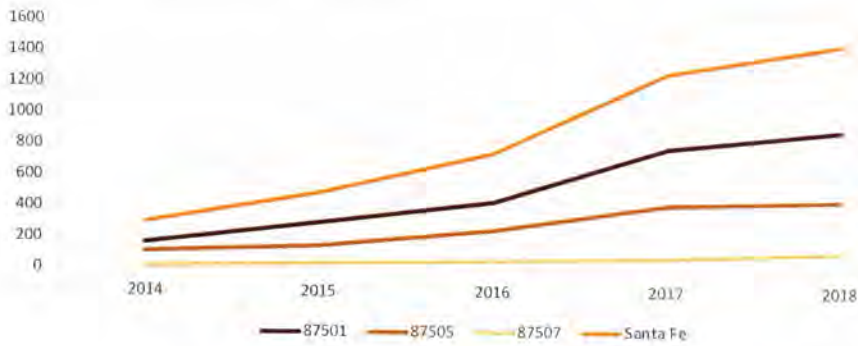
| Zip Code    | 2018 Revenue |
|-------------|--------------|
| 87501       | \$33.8 MM    |
| 87505       | \$17.3 MM    |
| 87507       | \$2.9 MM     |
| Grand Total | \$54.0 MM    |

Figure 1: Santa Fe city limits and zip code boundaries



Between December 2014 and December 2018 the number of whole-unit STRs increased 380 percent, climbing from roughly 300 to 1,444 (Figure 2).

Figure 2: Whole house/apartment STRs, Santa Fe 2014-18



Source: AirDNA (See: "Data Used in this Analysis" at the end of this report)

As of March 2019, the STR registry maintained by the City of Santa Fe listed 871 STRs, or about 60 percent of active whole-unit properties.

#### STR Hosts and Market Concentration

The 1,444 whole-unit STRs currently active in Santa Fe are operated by approximately 646 individual hosts. Although 80 percent of hosts list only one STR property, over 100 Santa Fe hosts list two or more entire homes. The city's top 15 hosts account for 381 active STRs, over one-quarter of the Santa Fe market.

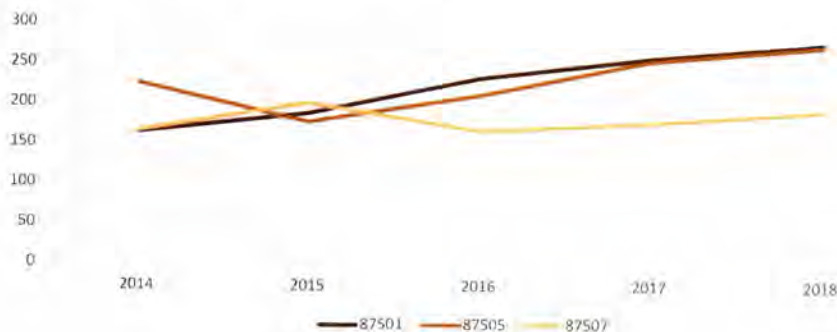
#### STR Revenue and Market Saturation

Santa Fe's STR market generated over \$54 million in revenue in 2018, an average of \$83,591 per host.

STR rates are determined by supply and demand. When demand for a particular type of property exceeds supply, hosts can charge more. As the supply of STRs increases, competition among hosts drives prices down. Average daily revenue is thus one indicator of STR market saturation.

Despite recent dramatic increases in the number of STRs active in Santa Fe, average daily revenue continues to increase faster than inflation, indicating that Santa Fe's STR market is maturing but has yet to reach saturation (Figure 3).

Figure 3: STR average daily revenue by zip code



Source: AirDNA

## Tax Collections

Non-compliance with the Lodgers and Gross Receipts taxes by STR hosts is costing the City of Santa Fe \$3.8 million annually. Although Lodgers tax compliance has improved recently, the City is still collecting less than half of the revenue it appears to be entitled to. Non-compliance with the gross receipts tax, which appears to be almost universal among STR hosts, is costing the City \$1.6 million annually.

Short term rentals are subject to Santa Fe's 7 percent Lodgers Tax and the New Mexico Gross Receipts Tax, which currently totals 8.44 percent within the city limits.

Lodger's tax is voluntarily collected and remitted to the city by some, but not all, short term rental platforms. In 2018 the City collected \$1.6 million in lodgers tax from STRs, or about 42 percent of the tax due on \$54 million in receipts.

Revenue from the gross receipts tax is shared by city, county and state governments. City local option tax increments account for 1.81 percentage points of the GRT and the state returns an additional 1.225 percentage points of GRT collections to the City in the form of a municipal credit, bringing the City's share of the GRT collected within city limits to 3.04 percentage points, or 36 percent of total collections.

Although Airbnb voluntarily collects and remits Santa Fe's Lodger's Tax, none of the STR platforms currently collect New Mexico's GRT. **The lack of automated collections does not exempt STR hosts from GRT, but very few Santa Fe hosts appear to be paying the tax.** In fact, review of data from the New Mexico Taxation and Revenue Department (TRD) indicates that Santa Fe STRs paid \$95,225 in GRT in fiscal year 2018, about 2 percent of the \$4.6 million in GRT due on \$54 million in receipts.

Figure 4 shows the gross receipts tax due on \$54 million in STR receipts by taxing jurisdiction. Full compliance with the GRT by STR hosts would generate \$1.6 million for the City, over \$800,000 for Santa Fe County and over \$2 million for the State of New Mexico.

Figure 4: Gross receipts taxes due on 2018 Santa Fe STR revenue



Table 2 shows the full fiscal impact on the City of Santa Fe of non-compliance with existing taxes by STR hosts.<sup>1</sup>

Table 2: Fiscal impact of STR tax non-compliance

|                   | GRT         | Lodgers      | Total        |
|-------------------|-------------|--------------|--------------|
| Total Due         | \$1,640,336 | \$3,780,197  | \$5,420,533  |
| Collections       | -\$34,281*  | -\$1,600,000 | -\$1,634,281 |
| Net Fiscal Impact | \$1,606,055 | \$2,180,197  | \$3,786,252  |

\*Source: New Mexico Taxation and Revenue rp80 FY 2018  
City of Santa Fe NAICS code 72119 and 721199

The estimate of foregone GRT is based on analysis of TRD's Quarterly RP-80 reports, which provide data on taxable gross receipts by local government jurisdiction and industrial sector. TRD classifies businesses using six-digit North American Industry Classification System (NAICS) codes. Short term rentals fall under NAICS code 721199 which comprises "establishments primarily engaged in providing short-term lodging (except hotels, motels, casino hotels, and bed-and-breakfast inns)."

Sometimes taxpayers inadvertently report gross receipts under the wrong NAICS code. This is particularly true for taxpayers who engage in multiple types of taxable business activity. It is possible that some of the GRT revenue not showing up under 721199 is being reported under a different NAICS code.

#### Lodgers Surtax

State law earmarks all Lodgers Tax revenue for promotion of tourism.<sup>2</sup> Legislation considered by the 2019 New Mexico State Legislature<sup>3</sup> would have authorized the imposition of an occupancy surtax of up to 2 1/2 percent of the gross taxable rent on STRs. The new surtax would be added onto the lodgers taxes STR hosts are already required to pay, but the additional revenue would be dedicated to affordable housing.

#### Impact on Affordable Housing

The conversion of houses and apartments into short-term rentals reduces the supply of housing, putting upward pressure on rents and home prices citywide. Since December 2014, the number of STRs in Santa Fe has increased by an average of 50 percent per year. During that same period, rents increased by an annual average of 4.9 percent and median home prices rose by an annual average of 10 percent.

The extent to which STRs have contributed to the rapid escalation of Santa Fe's housing costs is not known with certainty; but, based on results of a national study, it appears that about 20 percent of the city's housing cost growth since 2014 can be attributed to the proliferation of STRs.

<sup>1</sup> Note that collections of GRT in Table 3 reflect only the City's 36 percent share of GRT revenue generated within city limits.

<sup>2</sup> 3-28-21 NMSA 1978

<sup>3</sup> S.B. 7, 54th Legislature, 2019 Reg. Sess. (NM)

Bill text and analysis available at: <https://www.nmlegis.gov/Legislation/Legislation?Chamber=5&LegType=B&LegNo=7&year=19>

Table 3: Santa Fe housing stock by zip code

|                                       | 87501  | 87505  | 87507  |
|---------------------------------------|--------|--------|--------|
| Total Housing Units                   | 10,374 | 17,382 | 20,019 |
| Owner Occupied                        | 5,125  | 8,830  | 12,697 |
| Renter Occupied                       | 2,878  | 6,171  | 5,914  |
| Vacant homes                          | 2,371  | 2,381  | 1,408  |
| Entire house/apt<br>STRs (12/18)      | 889    | 447    | 108    |
| STRs as a percent<br>of housing stock | 8.6%   | 2.6%   | 0.5%   |

\*Includes vacation homes

The immediate impact of STRs is concentrated in the areas of town most popular with tourists. Table 3 shows the supply of housing and the number of whole house/apartment STRs by zip code. Not surprisingly, Santa Fe's STRs are clustered in the downtown area. Over 60 percent of STRs are located in zip code 87501. STRs also consume a far larger share of the total housing stock in 87501 than they do in either 87505 or 87507.

Also noteworthy are the large number of homes in 87501 and 87505 classified as 'vacant.' These houses are primarily second homes.<sup>4</sup> According to the Santa Fe County Assessor's Office, 15 percent of single family homes listed on the County's tax rolls have owners who reside outside New Mexico. In central Santa Fe the percentage of absentee owners exceeds 20 percent. The city's current STR registry does not include registrants' primary address, thus it is difficult to determine how many STRs are 'hosted' by out-of-state entities.

#### Property Tax Subsidies for Vacation Homes & STRs

Provisions of New Mexico's property tax code originally intended to help low and moderate income homeowners stay in their homes now subsidize the purchase of second homes and STRs by out-of-state residents. In 2001, the State enacted a law prohibiting assessors from raising the valuation of residential property by more than 3 percent annually, provided that the property did not change owners. The law was intended to prevent long-time resident homeowners from being forced from their homes by high property taxes, however its provisions also apply to residential property that is not the owner's principal place of residence (e.g. vacation homes and STRs.) Limiting the 3 percent cap to primary residences has been suggested as a way to both decrease the property tax burden on state residents and raise additional funds that could be put toward affordable housing.

<sup>4</sup> The Census Bureau classifies homes that are not a primary residence as vacant

Figure 5 shows the growth in number of whole-unit STRs by housing type. Growth in the number of single family homes being used as STRs appears to be leveling off while the number of STRs in multi-family developments continues to increase rapidly.

Figure 5: Santa Fe whole-unit STRs by type



Source: AirDNA

The City of Santa Fe permitted the construction of 587 new residential units in between March 2018 and 2019 (Table 5). During the same period, about 170 whole houses/apartments were added to the city's inventory of STRs, diminishing net growth in the housing stock by about 29 percent.

Table 5: Residential Building Permits, City of Santa Fe  
3/2018 – 3/2019

| Type                                 | Units      |
|--------------------------------------|------------|
| Guesthouse (Accessory Dwelling Unit) | 19         |
| New Single Family housing            | 248        |
| Units in Multifamily developments    | 320        |
| <b>Total housing stock additions</b> | <b>587</b> |

Source: City of Santa Fe

Downtown and eastside property values and rents are already quite high and thus few low- or moderate-income Santa Fe residents are directly displaced by STR conversions. However, the loss of long term housing in affluent neighborhoods increases the demand for housing in other parts of the city, creating a domino effect that ultimately results in higher housing costs citywide.

The size of this impact is hard to pinpoint and likely varies by location. A recent national study found that every 1 percent increase in the number of STRs produces a .024 percent increase in rents and a .037 percent increase in housing prices.<sup>5</sup> Since December 2014, the number of STRs in Santa Fe has increased by an average of 50 percent per year. During that same period, rent for a single family home increased by an annual average of 4.9 percent and median home prices rose by an annual average of 10 percent. If Santa Fe follows the trend observed nationally, this level of STR growth would translate into a 1.2 percent annual increase in rents and a 1.8 percent annual increase in home prices over the four-year period.

Home prices and long-term rents both rose substantially between December 2014 and December 2018. Table 6 shows the percent growth in purchase price and monthly rents for single family homes in Santa Fe.

Table 6: Santa Fe Single Family Homes, Percent Change in Housing Costs by Zip Code 12/2014 - 12/2018

| Zip code | Purchase Price | Median Rent |
|----------|----------------|-------------|
| 87501    | 28%            | 19%         |
| 87505    | 48%            | 22%         |
| 87507    | 41%            | 15%         |

Data acquired from Zillow.com/data on April 1, 2019.

<sup>5</sup> Barron, K., Kung, E. and Proserpio, D., The Sharing Economy and Housing Affordability: Evidence from Airbnb (March 29, 2018). Available at SSRN: <http://dx.doi.org/10.2139/ssrn.3006832>

### Accessory Dwelling Units

An accessory dwelling unit (ADU) is a second dwelling unit on the same property as the main house. The ADU is owned by the owner of the main house and the two houses cannot be bought or sold separately. When ADUs are used as long-term rentals (LTRs) they are additions to the housing stock that provide low density housing and alternatives to large scale apartment complexes.

ADUs constituted about 3 percent of new residential units permitted by the City of Santa Fe between March 2018 and March 2019 (Table 5). Increasing the number of ADUs used as long-term housing could help to increase the supply of housing available to Santa Fe residents. In a 2018 report, the Santa Fe Housing Action Coalition, a group of business interests and non-profits that includes many Santa Fe affordable housing providers, recommended that the City remove regulatory barriers to ADU construction by minimizing parking requirements when adequate on-street parking is available, allowing second story ADUs where permitted by zoning, permitting flexible setbacks and reducing lot coverage requirements, and eliminating owner-occupancy requirements for long-term rental units.<sup>6</sup>

While incentives to construct new ADUs or/and utilize ADUs as long-term rentals can help to increase Santa Fe's housing supply, such policies, even if very successful, can make only a small dent in Santa Fe's profound shortage of affordable housing and must therefore be part of a larger, more ambitious package of affordable housing reforms and investments.

### RECOMMENDATIONS:

The results of this analysis have important policy implications for the City of Santa Fe. Although more stringent regulation of STRs may be called for at some point, rigorous enforcement of current law is an essential first step toward minimizing the negative impact of STRs and generating revenue with which to offset those effects.

**Enforce** registration requirements. Ensure that all active STRs are registered with the City by actively seeking out unregistered properties and levying fines for non-compliance.

**Educate** STR hosts about their obligation to pay both the Lodgers Tax and the Gross Receipts Tax, even if the platform(s) on which they list their properties cannot, or will not, automatically collect and remit one or both taxes. The City can improve GRT compliance by requiring STR hosts to supply a CRS number at registration and advising hosts of the correct NAICS code under which to report their STR gross receipts.

**Invest** in affordable housing. Additional revenue attributable to enforcement of the GRT and Lodgers tax should be dedicated to the City's Affordable Housing Trust Fund. State law enacted in 2019 de-earmarked a number of municipal and county local option taxes, allowing local governments greater discretion in allocating GRT revenue. The City of Santa Fe can take advantage of this new flexibility to

<sup>6</sup> Santa Fe Housing Action Coalition (2018) Casitas Build Community Accessory Dwelling Unit Regulatory Recommendations. Retrieved from: <https://santafehousingaction.org>

direct additional GRT revenue from STRs to affordable housing.<sup>7</sup> At the state level, rescinding property tax breaks for second homes can make taxes more equitable and generate additional revenue for affordable housing.

**Reduce** barriers to construction of affordable housing by:

- Reducing compliance costs associated with permitting, impact fees and water rights.
- Revising zoning standards to eliminate conflicting requirements and encourage development of mixed-used affordable housing projects.
- Streamlining the development approval process to expedite affordable housing approvals while ensuring adequate community input.
- Reducing barriers to ADU construction by amending the City's ADU ordinance to:
  - Allow parking requirements to be met with on-street parking, when available.
  - Replace the current requirement that ADUs be "of the same architectural style as the main house" with the requirement that ADUs follow existing neighborhood design guidelines.
  - Allow for two-story casitas if already permissible in the neighborhood.
  - Discourage the use of ADUs for STRs by requiring that the homeowner live on the property.
- Encourage the use of ADUs for long term rentals by eliminating owner-occupancy requirements for long-term rental units.

**Support** state legislative proposals that fund affordable housing and promote tax fairness:

- Limit the 3 percent cap on annual valuation increases to owner-occupied homes so that the property tax on vacation homes and STRs is based upon true market value and tax burden is distributed more equitably.
- Authorize local governments to impose an occupancy surtax on STRs to fund affordable housing.

### Data Used in This Analysis

This analysis utilizes a property performance dataset purchased from AirDNA in March 2019.<sup>8</sup> AirDNA is a data analytics company that aggregates data from STR platforms using a process known as web scraping and uses algorithms to sort through the data and identify unique properties and STR hosts. The resulting data present a generally accurate picture of the STR market but can be somewhat imprecise at the individual property level. To enhance accuracy, estimates derived from the AirDNA data were cross-checked against aggregate results for the City of Santa Fe produced by Host Compliance, another major purveyor of STR data.

Additional data sources utilized in this report include the US Census American Community Survey (ACS), Zillow, New Mexico Taxation and Revenue Department, the Santa Fe County Assessor's Office, and the

<sup>7</sup> 2019 N.M. Laws, ch. 274.

<sup>8</sup> <https://www.airdna.co/custom-vacation-rental-reports>

City of Santa Fe Land Use Department. ACS data were used to estimate baseline housing supply. Data acquired from Zillow.com were used to track property values and rents over time. The Assessor's Office provided data on all properties listed on the Santa Fe County tax rolls from 2015 through 2019. The City's Land Use Department provided access to the STR registry and provided a listing of residential building permits issued since 2014.

**SFC CLERK RECORDED 12/13/2022**