410-944

SANTA FE COUNTY

GENERAL PLAN

APPROVED OCTOBER 28, 1980

For Public Use

469.373

OF SANTA FE)SS
NEW MEXICO)

I certify that this instrument was filed for record on the 2 day of Dec A.D., 1980, at 3:23 o'clock P M., and was duly recorded in book 416 page 944-999 AAA of the records of Santa Fe County.

Witness my Hand and Seal of Office
CAROLINA R. GONZALES
County Clerk, Santa Fe County, N.M.

Dolores K Aragon
Deputy

~~409123~~
410-945

RESOLUTION NO. 1980-33

A RESOLUTION ADOPTING THE SANTA FE COUNTY GENERAL PLAN

WHEREAS,

The Board of County Commissioners of Santa Fe County, New Mexico, has worked for the past six years to develop a comprehensive plan for land development in Santa Fe County; and

WHEREAS,

The Commission has conducted many studies, held many public hearings, and considered the results of these studies and hearings for many hours; and

WHEREAS,

The Plan is before the Commission this evening for final adoption.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Santa Fe County General Plan be and hereby is Adopted.

PASSED, ADOPTED, AND APPROVED this 28th day of October, 1980.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

Bennie J. Chavez
BENNIE J. CHAVEZ, Chairman

Jake Martinez
JAKE MARTINEZ, Member

John "Bouncer" Sena
JOHN "BOUNCER" SENA, Member

COUNTY OF SANTA FE) SS 467,718
STATE OF NEW MEXICO)

I hereby certify that this instrument was filed for record on the 4 day of Nov A.D., 19 80 at 10:18 o'clock A M., and was duly recorded in book 409 page 123 of the records of Santa Fe County.

Witness my Hand and Seal of Office
CAROLINA R. GONZALES
County Clerk, Santa Fe County, N.M.

Margaret LeBow
Deputy

ATTEST:

Carolina R. Gonzales
CAROLINA R. GONZALES
Santa Fe County Clerk

Approved as to form:

Earl W. Potter
EARL W. POTTER
Santa Fe County Attorney

410-946

LIST OF STUDIES
LEADING TO THE GENERAL PLAN

Water		
Geologic Units and Hydrologic Conditions	January	1974
County Water Report	April	1976
Preliminary Report		
Current Water Use and Availability		
Water Use and Availability		
Santa Fe Well Field Information and Buckman Water Report		
Water Availability and Land Use Policy	August	1975
Land Use Policies Related to Water Availability	August	1975
Environmental		
Environmental Considerations	August	1974
Computer Assisted Soils Interpretation Mapping	August	1974
Quality of Water Supply	November	1974
Zoning and Terrain Management as a Function of Soils, Geology and Slope	December	1975
Flood Plain Management	December	1975
Air Quality	December	1975
On Site Sewage Disposal	December	1975
Historic and Archaeologic Sites	December	1975
Mineral Resources	December	1975
Optimum Climatic Zone	December	1975
Land Use and Miscellaneous		
Reconnaissance Survey	June	1972
General Plan Progress Report for Fiscal Year 1972-73	July	1973
Land Use Issues	January	1974
Irrigated Agriculture in the Pojoaque and Santa Cruz Valleys	April	1974
Extent of Community Areas	April	1974
Subdivisions	June	1974

Ranching	August	1974
Putting Together the Plan	September	1974
Population Projections	September	1974
Road Report	November	1974
General Plan Status Report	November	1974
Notes Towards a Land Development Code	August	1975
A Proposed Zoning Enabling Law for New Mexico Counties	August	1975
Community Analysis	September	1975
Economic Plan	December	1975
Recreational Land and Open Space	December	1975

Draft Reports of the Plan

Santa Fe County General Plan	August	1976
Major Land Use Alternatives for Santa Fe County and their Water Resource Management Implications	November	1976
Policies for Residential Densities Proposed in the County General Plan	November	1976
Summary of the County General Plan Policies other than Policies for Residential Densities	December	1976

The reader of the General Plan is invited to refer to the preceding reports, which were prepared for Santa Fe County in the course of the General Plan, for more detailed data. They are available to be read at the Offices of the Santa Fe Planning Department, Santa Fe County Engineers Department, and the Santa Fe Public Library. Planning Department staff are the principal authors of all the reports except:

Consulting Professionals, Inc. . . . . (Charles Hagerman and Gordon VeneKlassen)	County Water Report
Charles Hagerman	Geologic Units and Hydrologic Conditions
Lee Wilson	Water Availability and Land Use Policy; all Environmental Reports
William Weismantel	Notes Towards a Land Development Code: A Proposed Zoning Enabling Law for New Mexico Counties: Economic Plan

410-948

ACKNOWLEDGEMENTS

We wish to acknowledge the assistance of many people in the preparation of the General Plan, principally Don Akin of the State Engineer's Office and James Folks of the Soils Conservation Service.

The General Plan has been prepared under the direction of the General Plan Advisory Committee, appointed by the County Commission and chaired by Arthur Trujillo, a member of the County Commission from 1974-1978. The members are:

Arthur Trujillo
James Alley
Bill Issacs
Joe Padilla
George Rivera
Amarante Romero
James Trujillo
Robert Weil
Ross Borrego

We also wish to acknowledge the contributions and assistance of the following:

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Land Use Administrator

Earl W. Potter
County Attorney

Angie Perez
Land Use Administration Secretary

Nancy Rodriguez
Land Use Administration Secretary
(9/79 to 8/80)

Former County Staff:

Gilbert Tercero
Land Use Administrator
(11/78 to 4/80)

James Garcia
Acting County Engineer
(10/74 to 10/78)

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Others:

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410-950

PREFACE

Santa Fe County is, and has been, in transition from a rural to an urban economy. A simple comparison of urban and rural population illustrates this change.

	URBAN	RURAL	TOTAL
1940	20,300	10,400	30,700
1950	27,300	10,900	38,200
1960	33,400	11,600	45,000
1970	43,000	10,800	53,800

The decline in the proportion of rural population to total County population has been coincident with the decline of the rural economy - especially irrigated agriculture and mining - and with the increase in employment opportunities in Santa Fe City, Los Alamos, and Espanola.

However, beginning about 1970, County rural population began to increase. From a survey of housing and land use conducted in 1973, the 1973 rural population was estimated to be 15,400, an increase between 1970 and 1973 of 4,600 persons. Reasons for this are varied, but they include such factors as the lack of housing in Los Alamos, the increasing cost of housing in Santa Fe, the development of many mobile home parks outside of the City of Santa Fe and in the Pojoaque Valley, the overspill of metropolitan Albuquerque into the Edgewood area, the preference of many new County residents for alternative rural, lifestyles and the general rise in the level of affluence of many residents which allows them to enjoy an exurban residential environment.

410-951

An alarming aspect of the changing situation in Santa Fe County has been the proliferation of land subdivision activity during the early 1970's. Land subdivisions raised fears ranging from environmental desecration and the depletion of scarce groundwater supplies, to the ability of the County to provide road maintenance and necessary community services to a widely distributed low density population. To a lesser extent the proliferation of mobile home parks raised the same issues. In 1971, the County adopted Land Subdivision Regulations* so that future subdivisions would be assured of adequate water supplies and minimum design standards, and that minimum land improvements would be provided. Mobile Home Park Regulations** were adopted by the County the following year, in 1972. A Flood Plain Ordinance has been adopted in 1975.

In 1974, the Board of County Commissioners contracted with the City of Santa Fe to have the City Planning Department prepare a County General Plan accompanied by zoning regulations. The Board also appointed a General Plan Advisory Committee to guide the staff in the preparation of the General Plan. This present document, based upon a score of technical studies presented to the Committee at public meetings during 1974 and 1975, contains the major land use policy recommendations of the Committee. Regulatory measures governing land use, land subdivision, and development in Santa Fe County are incorporated into the Land Development Code, as suggested by County Commission Meetings held in Edgewood, El Rancho, Cerrillos, and Santa Fe, and subsequent study sessions.

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*Current Land Subdivision Regulations were adopted in August, 1973 after the passage of State Enabling Legislation.

**Current Mobile Home Park Regulations were adopted in January, 1976 after the Counties in New Mexico received Ordinance Powers.

INTRODUCTION

The foundation of the Plan is the many technical studies listed on Pages i and ii. Studies of water availability, water quality, and the character of other natural resources such as soils, mineral deposits and archaeologic sites provide a natural science base for the Plan. The social science base is demonstrated by studies of population, economic activities, ranching, and irrigated agriculture.

From these supporting reports, it is possible to establish common sense guidelines for development in Santa Fe County. To explain these guidelines, this document is divided into three parts:

(1) "Where are the Best Locations for the Accommodation of Growth: How much growth may be expected?", which is an analysis of existing settlement patterns, economic conditions, and environmental constraints in order to help determine which parts of the County can support significant additional economic activity and population growth;

(2) "What Natural Conditions Constrain and Influence Site Development?" This is an environmental analysis, with special regard for factors which should be taken into account during the planning and design phases of development; and

(3) "Policies", which provides recommendations to guide future growth to the best locations in Santa Fe County, and will encourage planning and design which reflect natural conditions.

Concern for environmental quality, depletion of natural resources, and runaway demands for the provision of services provide the major themes of the County General Plan. Put positively, the Plan is a response to the question of how to best accommodate the real growth of the County, given the scarce resource base - especially groundwater, the fragile and sometimes inhospitable environment of the region, and the limited ability of the County to keep up with demands for services.

A. WHERE ARE THE BEST LOCATIONS FOR THE ACCOMMODATION OF FUTURE GROWTH: HOW MUCH GROWTH MAY BE EXPECTED?

I. EXISTING GROWTH PATTERNS

Most farms and villages in Santa Fe County are located in the river valleys where, historically, surface water has been available for the irrigation of fields and orchards. These communities are sited within a physical setting of mountains, semi-arid plains, and badlands dissected by rivers and arroyos. This early settlement pattern, augmented by mining towns and towns serving the County rangelands, has prevailed to the present. Over the course of time, Santa Fe and Espanola have become substantial cities in their own right, extending over the formerly irrigated fields which had supported the original settlements.

Existing settlements in Santa Fe County are:

Espanola Urban Area

Santa Fe Urban Area

Irrigated Valley and Agricultural Villages:

Santa Cruz:	Santa Cruz, La Puebla, Chimayo
Pojoaque:	El Rancho, Jacona, Pojoaque, Nambe
Tesuque:	Cuyamungue, Tesuque
Santa Fe River:	La Cienega, Cieneguilla, Agua Fria

Mountain Valley and Villages:

	Cundiyo, Rio en Medio, Chupadero, Canada de Los Alamos
Ranching Towns:	Stanley, Galisteo
Mining Towns:	Golden, Madrid, Los Cerrillos
Albuquerque Metro Influence:	Edgewood
Other:	Glorieta, Canoncito

Today, Santa Fe County presents a distinct contrast of urgan and rural areas. Four major urban areas -- Albuquerque, Santa Fe, Los Alamos and Espanola, are located within or immediately

adjoining the County. Yet the County remains dominated by Space. Much land lies within the public domain managed by the B.L.M., U. S. Forest Service, and State Land Office. Also, significant land areas in northern Santa Fe County fall within San Ildefonso, Santa Clara, Pojoaque and Tesuque Pueblos. Still, 700,000 acres of land lying within the County and outside of the Cities of Santa Fe and Espanola are in private ownership.

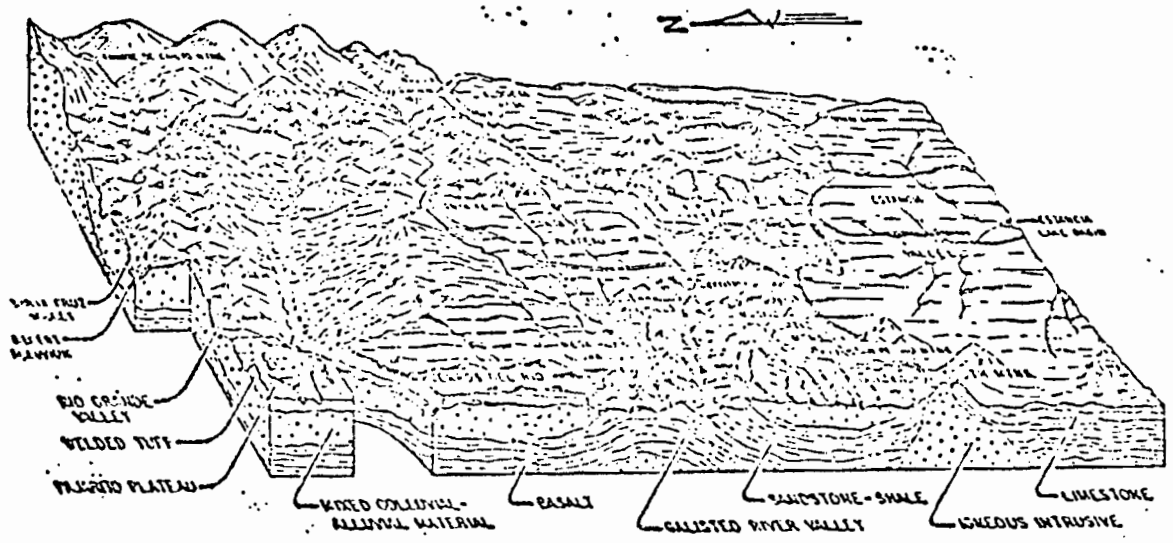
The County has a sparse resource base; not only are economic activities limited but the capabilities of water resources to support habitation are finite. Traditionally, the resource base supported small, stable agricultural populations. Now, as the County urbanizes, there is risk of adverse environmental impacts and depletion of limited resources.

It is in this perspective that the County General Plan has been formulated.

II. ANALYSIS OF THE COUNTY'S POTENTIAL FOR GROWTH

Environmental Limitations to Development:

The mountain and desert lands of Santa Fe County have a limited physical capacity to tolerate development without undue environmental damage. The soils, water quality, topography, climate, accessibility and water availability of these lands will constrain and influence future patterns of urbanization.



Natural conditions which have been analyzed and mapped on a County-wide basis are: soils (those rated by the Soils Conservation Service as being poorly suited for development or not suited for development), natural terrain (land with over 25 percent slope), and water quality (poor water with specific conductivity over 2,000 micromhos and very poor water with specific conductivity over 5,000 micromhos). A composite map shows areas where limitations to development exist due to one or more of the three factors.

Each of these three natural limitations has a particular effect on development. Many soils in Santa Fe County pose problems and limitations to development which can be overcome through good site planning and good terrain management practices. Some soils, however, are basically unsuited for development. Soils posing problems to development include soils subject to flooding, soils on steep slopes, and soils characteristic of badlands, cliffs, and mountains.

Water contained in the older sedimentary and igeneous rocks south of Los Cerrillos and Galisteo is naturally contaminated and often unfit to drink. Conductivity measured in micromhos is the index of dissolved solids and can be easily mapped where well data are available. Large areas of high conductivity water have been found in the County. In these areas water tastes unpleasant, is salty, and in some cases contains dangerous chemicals, such as arsenic. Development in such areas would burden future residents, and perhaps the taxpaying public, with the expense of water treatment or water hauling.

Construction on steeply sloping land usually results in excessive grading, erosion and tree loss. Because of the arid climate, erosion is rapid and the return of the tree cover may take several decades. Thus, grading scars become almost a permanent feature of the landscape. One approach to regulation of development on steep lands is to adjust required lot sizes upward with the increase in the slope of the site, thus reducing the total amount of disturbance in relation to the site area left in its natural state.

As will be seen, the locations shown on the composite map

of environmental limitations are often the same as those areas where ground water is especially scarce. Therefore, potential development outside of the Santa Fe and Estancia Basins faces both environmental constraints and limited water supplies. In such areas, there is little rationale for anything more than scattered low-density residential development.

Preferred Settlement Locations:

In order to help determine the best locations for growth in the County, it is possible to describe optimum, or "preferred" residential locations based upon environmental criteria and accessibility. Lands lying within an elevation range between 6500 and 8000 feet are above the dust, heat and aridity of the lower elevations, and below the most severe winter temperatures and heavy snowfall of the higher mountain elevations. The air is clear and views are long. Moreover, this range of elevations corresponds to the pinon-juniper habitat which is much preferred for aesthetic reasons as a locale for residences.

The northern valleys with their relative abundance of vegetation and surface water have assets which make them special life zones, as well, and are therefore recognized as preferred settlement locations. While the northern basin is too low in elevation for the optimum climate category, the populated valleys in that basin have farms and vegetation and a more pleasant microclimate than the adjacent badlands.

The relative accessibility of each of Santa Fe County communities to job concentrations in Santa Fe, Espanola, Los Alamos and Albuquerque has been calculated. Accessibility of a given rural community is determined on the basis of the distance between the rural community and locales of job concentrations, and the population of the job centers. It is assumed that households locating in the rural Santa Fe County in the future will tend to distribute themselves in proportion to accessibility. For example, since Galisteo has an accessibility

rating of 100 compared to Tesuque just north of Santa Fe with a rating of 1845, the implication is that for every new resident locating in Galisteo, Tesuque will gain 18 residents.

Accessibility, as used in the preferred settlement model, is an important determinant of future growth of rural land subdivisions. Locations with a rating of 250 or less, as shown on Map 8, are considered poor access locations. For a number of reasons, poor access locations are not the best places for proliferation of subdivisions. Housing located where there is low accessibility generates air pollution and transportation costs as a result of long trips to jobs, shopping and services. It is also generally costly to provide public facilities in these areas. Coincidentally, many areas of poor access also are subject to constraints to land development such as poor water quality and limited water in underground storage.

Development in rural locations is generally visually disruptive to character of the rural landscape. A sense of openness now characterizes rural Santa Fe County providing visual relief from the built up environment of the major cities as well as opportunities for hunting and recreation. Low intensity uses like ranching permit the pursuit of a rural lifestyle while this landscape is preserved.[1]

In sum, there are advantages to minimizing the geographic extent of future development. Recognition of geographic and environmental constraints to future development can help to maintain environmental amenities while helping to achieve high quality public services at a reduced public cost.

From the above, it appears that the preferred settlement locations within Santa Fe County are those which:

(1) do not have limitations to development due to steep slopes, poor soils or poor water quality;

[1] Ranches which are spread over one third of the entire County support only 100 families and the total income produced is indeed modest. Nonetheless, ranching may be the best use for locations which are remote from job concentrations and which have significant physical constraints to land use development.

(2) lie at elevations corresponding to the most favorable climatic conditions in Santa Fe County; and

(3) are accessible to concentrations of job opportunities in Santa Fe, Espanola, Los Alamos or Albuquerque.

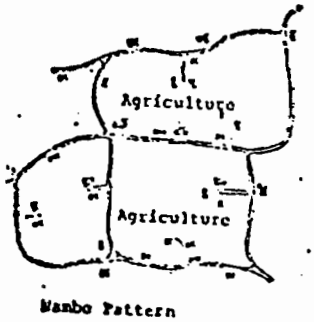
Areas meeting these criteria are: Edgewood, Madrid, Golden area; Santa Fe area, north and southeast of the City; and the major northern valleys of Santa Cruz, Pojoaque, and Tesuque.

Recent residential construction has occurred mainly in the central portion of Santa Fe County. While there has been growth in the other preferred settlements, almost all of the approved subdivisions in Santa Fe County have been located in Central Santa Fe County and Edgewood.

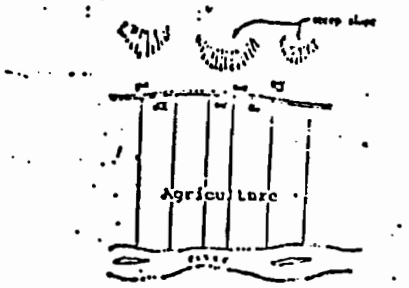
Small Communities:

The importance of small, traditional settlements in Santa Fe County far exceeds their combined population size. The irrigated fields and orchards and houses of these communities constitute an unique cultural and historic landscape. Moveover, extensive public and private investments have been made in housing, roads, acequia systems, community wells and other community facilities.

Existing settlements can support future growth although their capacity for growth is limited. Settlements which continue to grow may incur danger of "self-destructing" so that, at a certain point, communities lose their identity and lifestyle, farming becomes unpractical, and the small village feeling is gone.



Nambe Pattern



El Rancho, Cuarteles pattern

These trends are most evident in the valley settlements, where urban growth may be diverted to community and domestic uses.[1] This has happened at Santa Fe and in the north and south valleys of Albuquerque.

From the viewpoint of resource uses, only valley lands having alluvial soil, located at lower elevations than the irrigation canals, and having water rights can be irrigated for crops and orchards. These valuable irrigated lands are threatened by urbanization.

The signs of too much growth in communities include not only conversion of land from farm to home sites, but also the increase of traffic beyond the capacity of local roads, pollution of shallow water tables by too many septic tanks located too closely, and the erosion of the physical form and definition of villages.

Urban Areas:

The Santa Fe Urban Area, outside of the City proper, has the capacity to support considerable population growth. In the Santa Fe Urban Area General Plan, it is estimated that there is sufficient vacant land in this relatively compact area to support 30,000 additional persons, enough to support the City of Santa Fe's projected population increase for twenty-five years. The City's advantages for growth are demonstrated by market forces (four fifths of the County population already live here); by employment concentration (the U.S. Department of Commerce considers the City as the economic development center for north central New Mexico and bases its economic assistance accordingly); and by concentrated high levels of health and other governmental services, and water availability (with developed surface and underground water supplies as well as a source of water imported from outside the basin, the Buckman wells). These factors will help attract future growth to this urban area.

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[1]Workers commuting to Los Alamos contribute to the demand for housing in the valleys of Northern Santa Fe County.

Santa Fe County's other City--Espanola--is a business center, has residences built at a fairly high density, has developed City water and sewers, and has the capacity to expand its physical extent to include Santa Cruz, Sombrillo and perhaps Cuarteles. In other words, the portion of the Espanola urban area lying in Santa Fe County has a capacity to support significant additional population.

Foothills:

The foothills of the Sangre de Cristo Mountains--like the communities and irrigated valleys of Santa Fe County--have a limited capacity to support residential growth. Much of the foothill area is located in the optimum life zone. Home sites in the foothills are clearly preferred, especially by middle and upper income families, even if it means a longer trip to work, fewer services such as fire and police, and increased costs of development due to the lack of utilities. Witness Sunlit Hills and the subdivisions along the Las Vegas Highway and Old Pecos Trail.

While the demand for growth is considerable, the capacity of the foothills to support growth is limited. First, the attitudes of present residents tend to be conservationist, supporting large-lot zoning and restricted land subdivisions. Second, the foothills lack plentiful groundwater, the underlying rock being primarily Precambrian granite. Third, these locations have soils which are poorly suited for septic tanks and susceptible to erosion. Further, hillsides tend to be visible so road cuts become scars noticeable from far distances. Beyond a certain number or density, development ceases to be unobtrusive and the natural scenic quality is destroyed. The foothills, then, have a visual as well as a physical holding capacity.[1]

[1]The Sunlit Hills Subdivision viewed from the Las Vegas Highway is offered as an example of development close to or exceeding the visual holding capacity of that particular area.

Public Lands:

The land in public domain, managed by the U.S. Forest Service, Bureau of Land Management and State Land Office represents 422,000 acres or 35 percent of the land in Santa Fe County. When maps of public land are compared to maps showing natural conditions and accessibility (see Maps 6 and 9), most of the public lands are shown to have a combination of one or more of these constraints to development: poor soils, steep terrain, or low accessibility. There are abundant quantities of land in private ownership having more favorable characteristics for urbanization. Further, Federal and State public lands in Santa Fe County appear well suited to support grazing, timber, water recharge and storage, wildlife conservation and low intensity public recreation activities.

Summary of Non-water County Growth Considerations:

(1) Many lands in Santa Fe County have a limited physical capacity to tolerate development without undue damage.
(2) Preferred locations for rural settlement in Santa Fe County have a physical capacity for urbanization, have elevations which provide favorable climatic conditions, and are accessible to job concentrations in Espanola, Los Alamos, Santa Fe or Albuquerque.
(3) Poor access locations are poor places for subdivisions.
(4) For cultural, historic and economic reasons, small traditional settlements can continue to support rural growth, although they have a limited capacity for additional population.
(5) The Santa Fe Urban area has the capacity to support considerably more population and the Espanola urban area has the capacity to support some population expansion.
(6) The foothills of the Sangre de Cristos have a limited physical and visual holding capacity.

(7) Public lands are well suited to support recreational and resource uses, but are subject to major environmental constraints to development.

III WATER RESOURCE ANALYSIS

Both ground and surface water are important in Santa Fe County.

The amount of ground water physically available varies greatly: four different zones or regions can be identified. The only good aquifer (water-bearing rock unit) is the Santa Fe formation which consists of a thick central basin zone (the Santa Fe and Estancia Basins) surrounded by a thinner basin fringe zone. Two-thirds of the water in storage in the County is located in the basin zone. Smaller but still substantial supplies occur in the basin fringe. Total water in storage in Santa Fe County is conservatively estimated at 3.6 million acre feet.

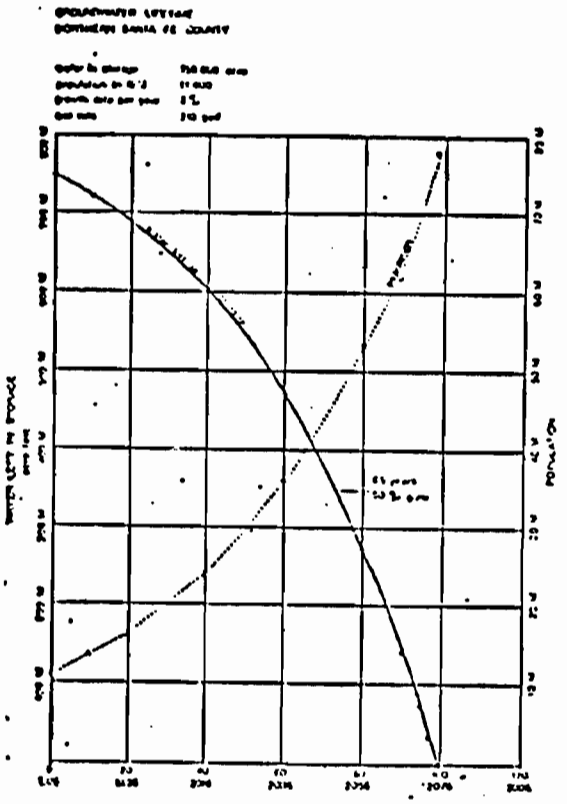
Ground water is much scarcer in the other two zones. In the mountain zone, underlain by Precambrain granite, small amounts of water are available from storage and from flow-through derived from precipitation in the higher elevations. The homestead zone is the area of poorest aquifers where ground water is very scarce or, as in the case where underlying rock is basalt, often not present at all. At best, wells in the homestead zone yield small to moderate quanitities of water.

Surface water is available in major river velleys where it is used for irrigation (Santa Cruz, Pojoaque, Tesuque, Galisteo drainages) or for municipal purposes (Santa Fe). All this water is fully committed at present under water right laws. Long term domestic water supplies could be obtained from surface flows only if large scale transfers of agricultural

water rights to urban uses would occur. Such transfers are not recommended in the County Plan since the loss of agricultural land, and with it associated historic and cultural values of the valley areas, would result.

Future supplies depend on ground water, at least in the short run. Two drainage basins--Estancia and Santa Fe--are mining water; that is, the water is being removed at a rate greater than it is being recharged. The State Engineer estimates a lifetime for major aquifers of as little as 40 years in the Estancia Basin and 40 to 60 years for portions of the Santa Fe drainage basin lying southeast of the City. Ground water is not being mined in the other major drainage basins, mainly because at present, well pumpage is very small. Increase pumpage - which would result from population growth - would gradually exceed the small amount replenished each year from recharge.

The figure on the following page shows the consequences of growth on the availability of ground water. Relatively modest increases in per capita consumption and in population could exhaust the water supply in 100 years. The estimates of water supply are intended to be conservative, and a supply for a longer period may exist.



Mining of ground water increases cost. These costs are first experienced as deeper wells need to be drilled. Then, when local ground water is depleted, water must be imported or surface water appropriated for urban use; which means high costs for the construction of dams, filtration plants and distribution systems. The City of Santa Fe has made these

investments although costs have been cut down because the size of the City provides economies of scale. However, the costs to citizens of Tesuque, Los Cerrillos, Pojoaque, and other small, rural communities in developing public water supplies by Santa Fe methods would be high and probably beyond their financial ability. In a subsequent chapter of this report, residential densities are recommended for both a steady state and for mining of the underground aquifers. In a steady state, water consumption is derived from recharge; water in storage, where available, will not be mined. Water consumption in a mining situation will deplete the stored water resources at a rate specified by the policies - for example a 40-year or 100-year lifetime of the aquifer.

It is assumed at this point that the Plan will exclude the extreme approach to water management that attempts to permit maximum growth while exploiting water resources to their full potential regardless of costs or environmental consequences. Further, there are four methods for reducing use of local ground water, which have not been incorporated in the Plan. While all of these are possible, for purposes of determining the best amounts and locations of future growth, it has been assumed that these methods will be little applied.

The methods are:

(1) importation of water from outside of the local basins--in the Plan only importation which utilizes the recently acquired San Juan-Chama project water rights (about 6,000 acre feet for Santa Fe and for Espanola) is assumed;

(2) development of land use policies curtailing future urbanization that uses local ground water;--this is not assumed in the Plan;

(3) direct curtailment of increased consumption of water as the population and economy of the County grows--while water conservation practices are advocated, it is not assumed that ground water usage will be significantly lessened due to conservation measures; and

(4) transfer of surface water now used by agriculture to urban uses -- it is assumed that agricultural lands in their present use will be retained and that only limited transfers will occur.

In sum, in planning for continued growth of the County, it is assumed that water for domestic use in rural areas will come almost entirely from ground water and that local ground water will be used in moderate amounts which will become depleted over time, in the cases where mining is permitted, and, in cases where a steady state is permitted, will be supported without depletion.

IV POPULATION PROJECTIONS

Amount of Growth:

Santa Fe County is a growth area of New Mexico, growing at a faster rate than the State.

Rural Santa Fe County experienced an unprecedented increase in population from 1970 to 1973 - from 10,770 to 15,350 persons - after many decades of near constant population. The relatively high rate of rural population growth is expected to continue from 1973 to 1990, reflecting sustained building activity, economic growth, reduced outmigration of native born residents as job opportunities increase, and continued immigration of new residents. Most rural growth has occurred in the outlying areas of the Santa Fe urban area with a lesser amount occurring in the traditional communities.

The growth rate of the Santa Fe urban area has remained remarkably steady for three decades, at about 30 percent per decade. This trend is expected to continue in the future. While the Espanola urban area is relatively small, it is projected to increase at a vigorous rate of fifty percent per decade.

Projections to the year 1990 are as follows:[1]

	1973	1990	Percent Increase
Santa Fe Urban	46,500	70,000	50
Espanola Urban	2,920	5,190	80
Rural	12,980	32,810	150
TOTAL	62,400	108,000	70

Population Distribution:

Future population projections have been distributed to non urban parts of Santa Fe County largely on the basis of accessibility of the areas to the regional employment centers, (Santa Fe, Espanola, Los Alamos, and Albuquerque) and inversely on the distance to these centers.[2]

High growth rates are projected for Aqua Fria, Tesuque Seton Village, Sombrillo, Arroyo Seco and communities with proximity to the employment centers, and low growth rates for places such as Stanley, Golden, Madrid and Galisteo, which are more isolated and which have experienced relatively little growth in the recent past.

The population distribution map shows that the major concentrations of existing settlement are located, in fact, in the preferred settlement areas identified on Map 5.

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[1]The appendix contains a table of projections to 1990 by communities and rural area within drainage basins. Projections to 1990 by drainage basin are listed on Page _____. The rate of increase for the Espanola Urban area is derived from the 1971 Comprehensive Plan report, Espanola Area by Kenneth Larsen.

[2]Accessibility is computed as the population of the employment center divided by the square of the road distance from each community to the employment centers.

Population projections derived by this method have been adjusted slightly from those derived from accessibility, as follows:

(1) Pojoaque Valley and the Arroyo Seco area projections are increased somewhat to reflect past growth trends and the demand for residences in these locations by commuters to Los Alamos.

Population Capacity Based on Water:

The amount of growth possible in Santa Fe County will vary considerably depending on whether the County attempts to implement a steady state or mining use policy with regard to local water resources.

Adoption of a steady state policy would permit only very limited population growth. The population capacity may be about 80,000 persons with most growth in the northern valleys and, by utilizing imported water, in Santa Fe. A virtual no growth situation would result elsewhere.

In order to determine the population capacity of the County that can be supported by moderate rates of mining of local ground water, calculations were made using the assumptions described previously. In addition, it was assumed that (1) the County would grow at a gradual rate until a population limit is reached, after which new development would virtually cease; and (2) a one hundred year ground water supply would be assumed sufficient to permit the projected growth of the County for the years 1975 to 2075. That population which will exhaust an area's ground water within a 100 year period measured from the present is defined as its population limit.

Accordingly, Santa Fe County is expected to reach a population capacity of 125,000 people in about the year 2020. A larger population is possible as local water is supplemented with imported water. By assuming the use of about 6,000 acre

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(Footnote #2 Cont.)

(2) The population projections for Espanola urban area--consisting of Espanola, Sombrillo, Santa Cruz and Cuarteles -- and to a lesser extent the projections for Rio Chiquito and Cundiyo are reduced to reflect land and water constraints.

(3) The Los Cerrillos area projection is increased slightly to reflect past trends of growth.

(4) Edgewood's 1990 population is increased to reflect recent trends related to the growth of the Albuquerque metropolitan area.

For each community's projection, see the appendix report "Population Projections".

feet of imported water derived from the San Juan-Chama project, Santa Fe County could support about an additional 25,000 persons, most of which would be in the Santa Fe area. The following table compares population projections to the year 1990 with saturation population based on local water resources:

Drainage Basin	1973 Population	1990 Population Projections	Population Based on Local Water Resources
Santa Cruz	4,640	10,000	15,000
Pojoaque, Tesuque	6,560	15,000	19,000
Santa Fe	48,450	77,000	82,000
Galisteo, Pecos	1,860	5,000	4,000
Estancia	890	5,000	6,000
	62,400	108,000	125,000

It may be assumed here that a steady state policy for the mountains and homestead zones will unsignificantly alter these populations.

The population capacity of Santa Fe County based on this gradual depletion of local water resources -- 125,000 persons -- is about double the existing population of 62,000. The County population projection to 1990 is 108,000 which is slightly less than capacity. Basically, local water resources and imported water now available permit the County to double its population in the next twenty years. This is not much capacity for growth. Moreover, this modest growth will increase the costs of water by a large amount and will lead to eventual exhaustion of the prime local ground water reserves.

It is expected that the Galisteo and Pecos drainage basins will reach capacity by 1990 and that other basins will reach capacity shortly thereafter. Within basins, the capacity based on local ground water is expected to be reached first in the vicinities of Tesuque and Santa Fe.

The Santa Fe Formation has the most water in underground storage. However, more water is being used now within the formation and more will be used in the future here than in other locations. As a result, these relatively water-rich locations of the County are expected to reach saturation development along with the relatively water-poor areas in about twenty years.

Imported water will sustain population growth later on, in the first part of next century. The City of Santa Fe, the Santa Fe metropolitan area, and the City of Espanola will use most of the imported water[1] and little will be available in other, outlying locations. As a result, preferred settlement locations which are not in the immediate vicinity of Santa Fe or Espanola, and which therefore are not expected to use imported water, will not have the capacity for sustained population growth. The Madrid and Golden areas are examples.

The decreasing availability of finite water resources will limit the continued population growth of Santa Fe County. Population projections have been prepared to the year 1990, showing 108,000 persons. If the trend of the past County population growth were to be extended beyond 1990, the County might reach a population of 250,000 to 280,000 by the year 2020. Such projections have been rejected, however, as being unreasonable in the light of the limited availability of water resources and the limited ability of small communities to import regional water supplies. These limitations will severely moderate long range growth.

V. SUMMATION

The scarcity of local water resources is the dominant influence on the location, amount and intensity of future urbanization in Santa Fe County.

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[1] It is these areas which have received use of about 6,000 acre feet of San Juan-Chama project water rights.

Few places in Santa Fe County may be considered optimum locations for future growth. These are the urban areas of Santa Fe and Espanola which have the market, economy, services and water at a scale to efficiently support considerable population growth. Other feasible growth areas are the "preferred" settlement locations in the immediate vicinity of Santa Fe and Espanola to the extent that these locations eventually utilize imported water via the urban area water systems.

The existing communities, the foothills and part of the rural countrysides, also have a capacity to sustain limited amounts of additional growth. Growth in these areas may be planned either in anticipation of eventual ground water depletion or, on the other hand, of a steady state policy. In either case, these locations will continue to contribute to the variety of living environments and life styles that now characterize Santa Fe County.

Ranches and low intensity public use are important Santa Fe County activities because they occupy land that could not support uses requiring more water or greater accessibility. While there are many lands which have poor accessibility, limited water resources and environmental constraints, the County affords adequate space for urbanization to locate elsewhere, in more favorable locations.

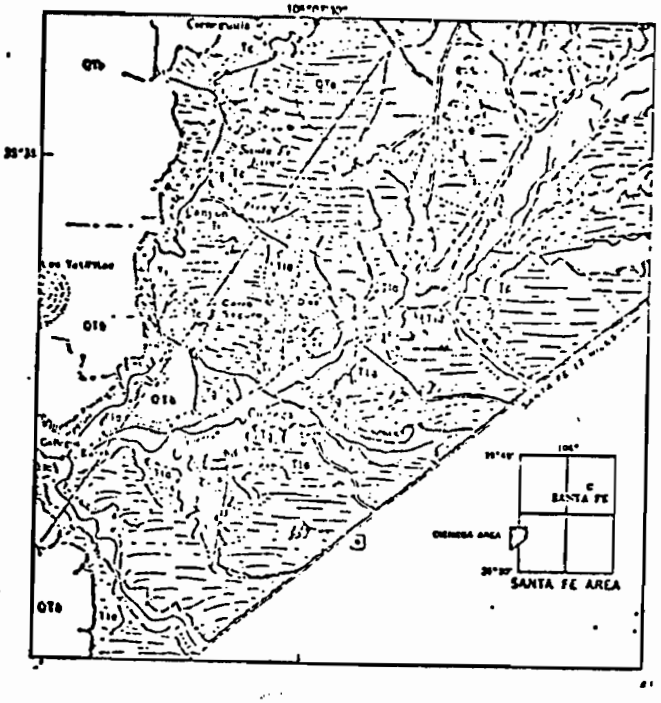
VI. OBJECTIVES OF THE PLAN

What does the Plan hope to accomplish? The Plan is designed to guide the future growth and development of the County in such a way as to help:

1) locate future populations in those environments must be suitable for habitation;
2) concentrate public and private investments in order to achieve high quality urban areas and to minimize the cost of providing necessary public services;
3) continue to make available meaningful choices in terms of alternative living environments and life styles to future residents of the County;

4) conserve and protect the County's resource base, especially groundwater;
5) protect the quality of the environment - including air, water and visual character - with degradation kept to a minimum;
6) selectively preserve and protect the visual, historical, and cultural attributes of the County; and
7) expand economic opportunities to permit access to a decent standard of living and to share in life's amenities.

B. WHAT NATURAL CONDITIONS CONSTRAIN AND INFLUENCE SITE DEVELOPMENT?



In the previous section, many factors, including natural conditions, were described as determinants of locations for future growth in Santa Fe County. In this section, natural conditions are examined from the point of view of how they affect development, regardless of location. Basically, these considerations relate to the design and layout of a site, rather than to the overall spatial distribution of future urbanization within the County. Water availability is not considered in this section.

410-972

Slope

Steep slopes impose limitations to development. On slopes of 8 to 25 percent it is good land planning practice to guard against environmental damage resulting from earth moving, vegetation removal, and alternation of drainage channels. Larger required minimum lot sizes can reduce adverse impacts and increase the chances of applying appropriate preventive or corrective measures. Problems are so severe on slopes over 25 percent, however, that the prohibition of building construction and of road networks is recommended.[2]

Soils

Many of the 100 soil types in Santa Fe County limit development. These include:

Clay rich soils	limited use for liquid waste disposal
Shallow soils	limited use for liquid waste disposal
Easily eroded soils . . .	minimal grading suggested
Rock Soils	foundation and road construction difficult and expensive
Bottom land soils	possible flooding

The U.S. Soils Conservation Service (SCS) has provided seven maps to show soils constraints for building activities.[1] The following chart shows how soils limitations may be expected to affect various types of development:

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[1] For maps 22 to 29, the soils within Santa Fe County have been combined in soils associations, as defined by the Soils Conservation Service.

[2] Exception, for construction of homes which are designed utilizing alternative energy sources such as, but not limited to, Solar, underground.

SCS SOIL MAP

[illegible]pment	Limits to Septic Tanks	Rate of Percolation	Surface Runoff	Limits to Building	Limit to Rds.	Depth Bedrock	Erosion
tic Tank	X	X				X	
d			X		X	X	X
lding			X	X	X	X	X
ding			X	X	X	X	X

ods

Buildings should be kept out of arroyo and stream bottoms which are subject to flooding, as any sizeable obstacles in a floodway aggravate the effects of flooding and endanger life and property.

Natural Water Quality

As water in storage is naturally contaminated in much of the south and central parts of Santa Fe County, it is necessary in these locations to treat the local water or to haul in other water. The per unit expense of treatment may be reduced by clustering development around common wells.

Mineral Exploration and Mining Activities

In recent times, Santa Fe County has traditionally been the historical heartland of the State, where the economy is oriented less strongly towards mineral extraction and more toward tourism, recreation, and retirement industries. Further, Santa Fe County is fortunate to contain a significant governmental employment base, and ,for the most part, always attracted and located "clean industries". These compose the primary "backbone" of our economy, while mining is secondary. These types of established industries should remain and prevail as the primary forces of our economy. Nevertheless, some limited mining activities should be allowed to occur, but only those activities which would not disrupt the culture and traditional lifestyles of our towns and villages, nor endanger

our air and water resources. The mining of coal and uranium, and in some cases, other minerals, poses a serious threat to the environmental quality of the air and water that we now embrace. Most mining activities require large scale excavation over large areas of land are water intensive, and involve production and disposal of hazardous and radioactive wastes. If not properly controlled, significant degradation to the air and water resources within Santa Fe County could occur.

Depletion and/or contamination of our water resources would have enormous impact on the social and economic fabric of Santa Fe County. The very foundation of the Land Development Code, its very heart, is water. The primary purpose and intent for the creation of the Land Development Code is predicated on the protection and preservation of our limited water resources.

The Mineral Uses Section of the Land Development Code should include specific measures which would insure that water resources, the environment, and the people of Santa Fe County are adequately protected.

Natural Features of Scenic, Recreational, Open Space and Scientific Value

These are noted on Plan Maps. They include vegetation and animals; rock formations; mountains and hills; streams and lakes; highway corridors; and areas which lead to public lands or to established public trails. Numerous advantages exist for bringing such sites into public ownership or into common ownership of nearby land users. Failing that, it is important to establish protection as the land is developed. In any case, the first step is identification and analysis of such natural features.

Air Pollution

Carbon monoxide exhaust from vehicles is the major source of County air pollution, with unhealthy levels of carbon monoxide

in a few parts of the City of Santa Fe. Dust, along with pollution, contributes to the loss of visibility, another important measure of air quality in Santa Fe County.

Noise

Airports and major highways generate noise. Airport noise zones have been mapped by the Federal Aviation Administration so that sensitive human activities can be separated from noise by means of zoning. Highway noise can affect residences as much as 100 feet from the Albuquerque portion of Interstate Highway 25 and as much as 200 feet from the Taos Highway between Santa Fe and Espanola.

Water Pollution

Locations where wells and septic tanks are concentrated in an urbanized area with a high water table create a risk that septic tanks and other liquid wastes will pollute underground waters. These locations are mapped. Implications are that present wells in these locations should be tested for quality and new individual waste disposal systems should be aerobic or other types of advanced systems.

Historic Landmarks, Archaeological Sites and Locations of Scientific Observatories

These locations have been mapped, as a first step toward their protection from disturbance.

Conclusion

The General Plan mapping of natural and human constraints and influences on future development, which has been described in this section, is complete in some matters, such as degree of slope, but is preliminary for other topics such as natural features of scenic, recreational and opens space value. Mapping of constraints and influences will be refined and expanded in the months and years ahead. However, even preliminary mapping of constraints and influences will be useful in the case-by-case decision process by which proposed changes in land use will be reviewed under the Development Code.

C. POLICIES

I. THE PLAN IN SUM

There are three major policy recommendations of the Plan:

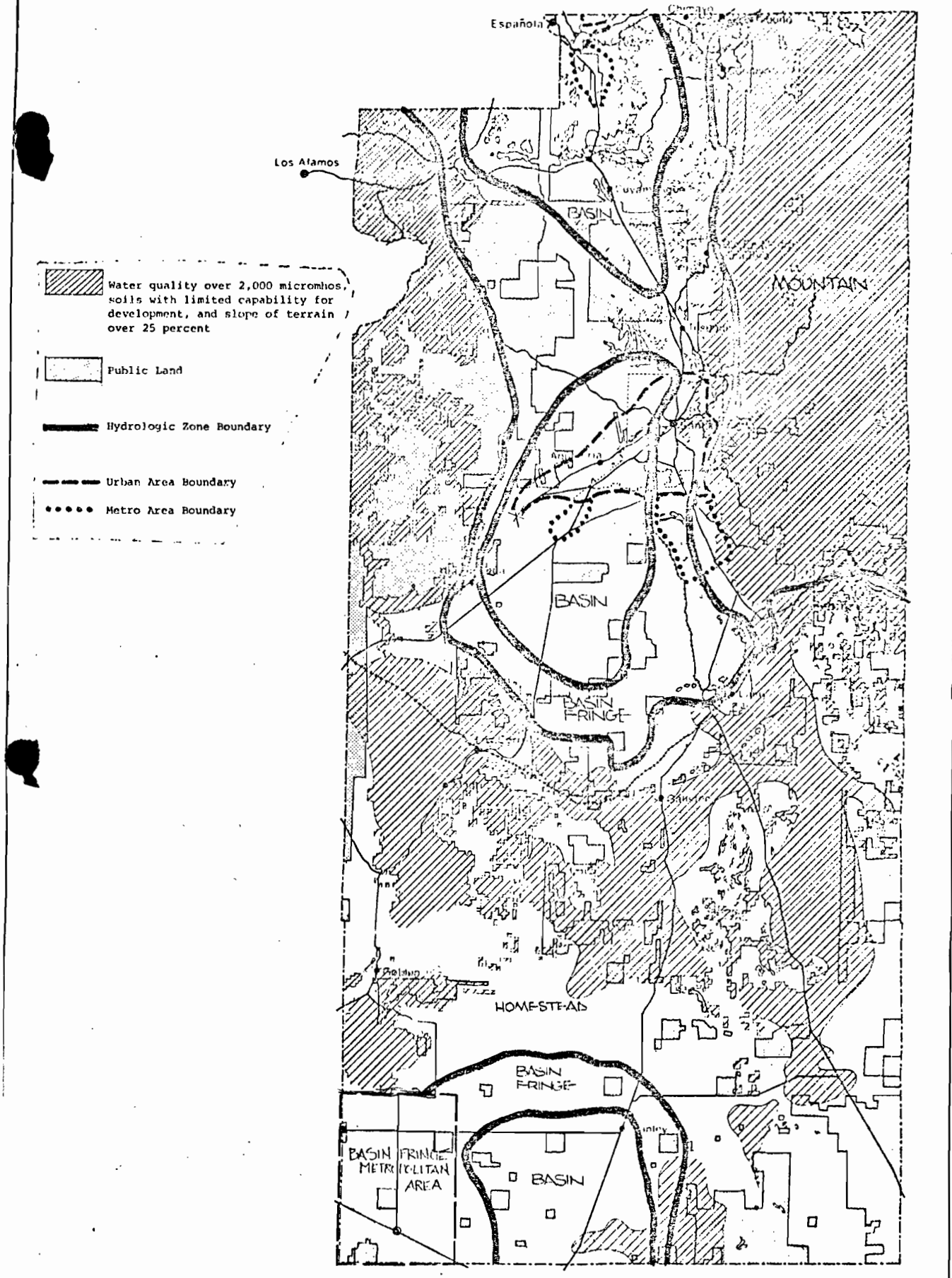
1. Future population growth is to be directed toward those geographic areas best suited for habitation and most able to accommodate growth;

2. The growth and density of future development is to be related to availability of water resources given a recognized need to accommodate some future growth; and

3. The environmental impact of all future development is to be assessed as part of a review and approval process.

A primary recommendation of the Plan is that future population growth should be encouraged to locate in the Santa Fe and Espanola urban areas, and to a lesser extent in their "metropolitan" extensions. This policy recommendation is in recognition that in the urban areas regional water supplies have already been developed, as in Santa Fe, or would be available from surface flow, as in Espanola. Equally important, public investments have already been committed to schools, roads and utilities. Moreover, environmental considerations do not constrain orderly growth in these urban areas.

410-977



The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

Santa Fe County Sketch Plan

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department •

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miles

Rural communities are considered to be preferred locations for limited population growth. Many existing communities have access to good water supplies and most contain some community facilities as well as private investments in lands and housing. Traditional communities in the County also embody cultural and historical values.

Outside of the communities in the rural area of the County, future population is to be discouraged or limited. Rural areas can sustain little additional growth without the incurrance of unacceptably large expenditures for community facilities and services, and without depletion of local water supplies.

Recognition of varying geographical, hydrological and environmental conditions leads to the identification of seven sub areas for which different land use policies apply. These separate sub areas or districts are shown in the accompanying land use plan map.

These areas are: (1) the urban areas of Santa Fe and Espanola; (2) the metropolitan extensions of the Santa Fe and Espanola urban areas, and metropolitan Edgewood; (3) the traditional communities of Santa Fe County; (4) rural areas lying in the Santa Fe Basin; (5) rural areas lying in the Santa Fe basin fringe areas of the County; (6) the mountain areas of Santa Fe County; and (7) the homestead area, consisting of the remaining lowland portion of Santa Fe County. The first three of the above reflect existing settlement patterns in Santa Fe County while the remaining four categories correspond to general hydrological and environmental conditions.

Urban and Metropolitan Residential Densities

Permitted densities of development are highest in the urban areas of Santa Fe and Espanola and somewhat lower in the two metropolitan extensions of these two urban areas. Lot sizes permitted in these areas will depend upon the availability of public water and sanitary sewerage services and also upon historical development patterns, with larger lot patterns prevailing in the metro, mountain, and foothills. Within metropolitan areas

not yet served by public water and sanitary sewers, the permitted density of residential lots will be determined by the ability of available ground water to supply projected populations over a forty year lifetime.

Densities and Critical Populations for Existing Communities

Critical populations have been determined for each community in Santa Fe County, based upon the amount of ground water available to support the population over a 100 year period. As a community or village approaches its critical size, which will occur in the next 10 to 40 years for most villages, the community must provide for long term water supplies through the development of surface supplies, or the importation of water, or the conservation of existing groundwater supplies. This will require that local communities develop community plans which incorporate growth policies and which coordinate land use and water management decisions, consistent with the desires of community residents.

In the interim, prior to the completion of such plans, development at moderate densities is proposed for the traditional communities, with lot sizes depending on the extent to which advanced on-site systems, public water or public sewer systems are used to control ground water pollution. In addition to density regulations, the plan provides guidelines for establishment of central water and sewer utilities in the communities.

Rural Areas

In the four rural areas - basin, basin fringe, mountain and homestead - the Plan proposes to adjust development densities to water availability. Growth will be most limited in the mountain and homestead zones because poor water supplies coincide with severe environmental limitations imposed by steep slopes, by fragile soils, and by natural ground water contamination. For these areas, management of ground water is recommended on a steady state basis, whereby the amount of water consumed on a long term average basis does not exceed the amount replenished by precipitation. For the

basin and basin fringe areas, ground water is more readily available. Further, because these areas have fewer environmental limitations and are more accessible, it is the intent of the Plan to manage ground water on the basis of mining and available supply over a 100 year period. Thus, more extensive development may occur in the basin and basin fringe than in the mountain and homestead, although the total population which can be supported will be small in comparison to the population living in urban areas.

Policies for Irrigated Lands

In the Plan, densities are designated for residential development of lands now used for irrigated agriculture in the Northern Valleys and in the Estancia Basin. In order to protect these valuable open spaces and resources, relatively large lot sizes are proposed for these lands, in comparison with those which would otherwise apply.

Environmental Impact and Site Planning Review

The Plan recommends establishment of guidelines and review procedures to assess the environmental impact of site development. Of primary importance will be the assessment of pollution problems, such as degradation of ground water or air quality, and of flood or other hazards to property and public safety. Specific site planning regulations will protect against soil erosion, excessive removal of vegetation, and loss of recreational, scenic, historic or archaeological resources. Site Plan review will also protect the County from needless loss of economically valuable mineral resources.

Other Policies of the Plan

In addition to the policies of the Plan which have been summarized above, the Plan recommends: The preservation of public lands in their present state, with the exception of the Arroyo Seco vicinity where some land sales would be appropriate in order to support growth in the Espanola Metropolitan area; staging of subdivisions; control of mobile home and mobile home parks; and regulation of the location, siting and development criteria for economic activities.

II. HYDROLOGICAL CONSIDERATIONS

As indicated in the discussion of density policies, lot sizes for individual wells in the rural and metropolitan areas are based on estimated availability coupled with the assumption of either a steady state or mining policy for ground water.

The lot size determination involves several steps. The first step is a calculation of water availability and demand:

1) The amount of ground water in storage is determined for each aquifer by using available data regarding geologic conditions and well characteristics;

2) the amount of ground water recharge is estimated by using precipitation data and geologic and topographic considerations; and

3) the annual amount of water demand is estimated based on population projections, on historic and projected water usage for typical residential households, and on known or projected irrigation, mining and other needs.

All calculations are made on a very conservative basis, and are unlikely to significantly underestimate supply or overestimate demand.

The second step is to determine the basis for water management in a given area. Two different policies have been recommended:

1) In areas where municipal water services are relatively accessible (Metropolitan Areas), it is the policy of the Plan to allow depletion of ground water in storage over the period of 40 years, in anticipation that water service will ultimately be provided by imported water through an expanded metropolitan supply system.

2) In the remaining areas, the policy is to allow depletion of ground water over the period of 100 years, with recognition that because of conservative estimates of water supply a longer lifetime of the aquifer is likely, and with recognition that ultimate exhaustion of local water resources will require technological solutions to reduce demand to minimal levels.

The population capacity of each area is determined by comparing the projected demand against the available supply. This population capacity divided by the area of each aquifer gives the acceptable

residential density.

The base densities so calculated assume that the annual water use per household will be approximately one acre foot including both indoor and outdoor usage. In practice, many rural households utilize less water; with careful conservation measures, it is easily possible to limit annual water use to one quarter acre foot per household, or even less. Therefore, the plan proposes to permit higher densities whenever a proposed development includes provisions which will reduce water use below the one acre foot per year value. A restriction on water use may occur through conservation measures set forth in the Land Development Code.

In these cases, where water conservation measures are instituted, as much as a four fold increase in density is allowed. This applies to all rural and metropolitan areas.[1]

It is important to stress that the Plan is based on development of an imported water supply for the Santa Fe area and that, even with this supply, the lifetime of the underground water supply in the area is likely to be mined within a 40 year period. This point is clarified in the next three paragraphs.

The calculations of densities in the Santa Fe area reflect the division of the area into two parts. One part includes the City of Santa Fe and those immediately adjoining areas which the Plan designates as Urban and Metropolitan. In this portion of the area ground water is already being mined rapidly and in some locations the local aquifer has a lifetime which may be no more than 40 years. The plan calls for the Urban and Metropolitan area to be served by a regional water system within the next 40 years. The regional system should develop in the immediate future and will expand quickly into the growing portions of Santa Fe County near the City. All increases in water demand in both the City and the Urban-Metropolitan areas are to be met with imported water, most likely water which originates from the Rio Grande in the Buckman area. The importation of water will prevent the mining of the local

[1]Homestead, Mountain, Basin, Basin Fringe and Metropolitan. This does not apply to urban, communities, and the Estancia Valley.

aquifer from becoming even more rapid and, it is hoped, will extend the lifetime to at least 40 years. For deep wells a longer lifetime could occur while for some shallow domestic wells the life time may be a few decades or less, even with an imported water supply.

The second part of the Santa Fe area includes the remaining land outside the portion designated Urban and Metropolitan. In this portion mining is also occurring at present, but at a slower rate. Lot sizes have been established by the Plan in order to provide a maximum potential lifetime of 100 years for the water supply which remains in the Santa Fe aquifer. However, in the event a regional water system using imported water is not developed in the Santa Fe area, then a shorter lifetime may occur and the Plan will need to be revised to call for much larger lot sizes, or, if extensive development has already occurred, further growth will need to be curtailed.

It is expected that the Metropolitan Water Board, or its successor, will be the primary agent for developing a regional water supply. To help ensure that water will be imported for such a supply, the County will continue to participate in the functions of the Board and will continue to expend money for San Juan-Chama Project water which can be used in the regional system. Further, the County will use its resources to oppose the development of extensive new water supplies within the City of Santa Fe and the surrounding portions of the County, except such supplies which involve the redistribution of previously developed water and not the increased use of water from the Santa Fe aquifer.

In addition to allowing increased densities where water conservation measures are implemented, the Plan provides that densities may be altered if well tests and hydrology reports demonstrate that the water available to a particular development exceeds the conservative estimates used by the Plan. Table 1 illustrates the Lot Size Requirements of the Land Development Code.

Relationship of Lot Sizes to Water Policies.

Future population growth in the County should be supported by adequate long term water availability and concentrate population growth in urban and metropolitan areas and traditional communities. Development within these areas will generally be served by one or more regional water systems, or community water systems. Development outside of urban, metropolitan areas and traditional communities using domestic wells (Section 72-12-1 wells) should consider

estimated long term water availability and protect water resources for existing county residents having domestic wells.

Development may also be permitted if the Applicant for a Development permit demonstrates that he/she has water rights excluding rights permitted under 72-12-1 NMSA 1978 or 75-11-1 NMSA 1953, recognized and permitted by the Director of Water Resources Department of Natural Resources Division of the State of New Mexico which are approved for transfer by the Director of Natural Resources Division to the site of the Development, and the permitted water rights are sufficient to support the proposed development.

Water Policies Governing Lot Sizes Where the Development Will Utilize Permitted Water Rights. Applicants seeking a Development permit may base their application on water rights authorized and permitted by the Director of Water Rights Division of the Natural Resources Department of the State of New Mexico, (with the exception of water rights permitted under Section 75-11-1 NMSA 1953 or 75-12-1 NMSA 1978). The applicant shall provide evidence that he/she owns or has an option to purchase the permitted water rights in an amount adequate to meet the needs of the proposed Development. The minimum lot size permitted shall be 2.5 acres, unless the proposed development is within an Urban, or Metropolitan Area or a Traditional Community, in which case further adjustments of the lot size shall be permitted.

Water Policies Governing Lot Sizes Where Developments Will Not Utilize Permitted Water Rights.

BASIN ZONE: Minimum lot size shall be calculated based upon ground water storage only. Water that is in storage beneath the lot in the Basin Zone may be depleted over a 100-year supply of water without consideration of recharge of the ground water.

BASIN FRINGE ZONE: Same as Basin Zone.

HOMESTEAD ZONE: Minimum lot size shall be calculated based either upon ground water storage or recharge of ground water, but not both. Water that is in storage beneath the lot in the Homestead Zone may be depleted over a 100-year lifetime. The lot must be large enough to have ground water in storage beneath the

lot for a 100-year supply of water. Recharge should be sufficient to supply water over a 100-year lifetime. However, studies done in the development of the General Plan indicate that in most areas of the Homestead Zone minimum lot sizes based on storage in this Zone would be larger than those based on recharge.

MOUNTAIN ZONE: Same as Homestead Zone.

Santa Fe Metropolitan Areas

The Santa Fe Metropolitan Areas are adjacent to the Santa Fe Urban Area along the Las Vegas Highway and the Albuquerque Highway and consist of locations that are already committed to urban development. Unlike the urban areas, these areas are not likely to be annexed by the City. However, the metropolitan areas are close enough to be included in extension of the city water distribution systems, so that regional water supplies may replace local ground water as the latter becomes depleted.

Because water supplies are limited and regional distribution is costly, it is the intent of the Plan that metropolitan areas be relatively compact and it is recommended that there be no significant increases in the size of the metro areas.

METROPOLITAN AREAS BASIN AND BASIN FRINGE:

For Basin and Basin Fringe Zones within a Metropolitan area as shown on Code Map 37 and 38, it is anticipated that regional water systems will eventually be developed. Therefore, water that is in storage beneath a lot within a metropolitan area may be depleted over a 40-year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 40-year supply of water without consideration of recharge of the ground water.

METROPOLITAN AREAS--HOMESTEAD AND MOUNTAIN ZONE:

For Homestead and Mountain Zones within a Metropolitan area, the minimum lot size shall be calculated based either upon ground water storage or recharge of ground water, but not both. Water that is in storage beneath the lot in the Homestead Zone may be depleted over a 40-year lifetime. However, studies done in the development of the General Plan indicate that in most areas of the Homestead Zone minimum lot sizes based on storage in this zone would be larger than those based on recharge.

Densities are reduced for community systems in the metro

mountain zone, in order to encourage community systems in an area that eventually will be served by regional water systems. Maximum permitted density is one unit per 5 acres. This is an approximation of existing average lot sizes in this geographic sector.

Metropolitan Area - Community Water Systems

Where a community water system provides water service to a development within the Metropolitan areas, as shown on Code Maps 12, 14 and 15, the minimum lot sizes shall be:

BASIN ZONE:	1 acre
BASIN FRINGE ZONE:	2.5 acres
MOUNTAIN ZONE:	5 acres

Santa Fe Urban Area

The Santa Fe Urban Area is delineated according to the ability to service the area with gravity flow sanitary sewage. The Urban Area, so defined, has been adopted in the City's Urban Area General Plan. The County Plan is in conformance with this definition except that the area south of Interstate Highway 25 is designated as a metropolitan area rather than as an urban area. It is the intent of the County Plan to encourage much of the County's growth in this urban area for, among other reasons, populations in these locations are already dependent upon the use of regional water supplies.

A Rural Holding Zone has been created as part of the City of Santa Fe Zoning Ordinance with the intent that it apply to the portion of the urban area outside the existing city limits. The RHZ zone is planned for eventual urban development and extension of city utilities and services. However, until the RHZ area is served by city water and city sewers, the maximum residential density is 1 unit per 2 1/2 acres. This will serve to limit development prior to the planned extension of city water and city sewers.

Recommended Minimum Lot Sizes in Urban Areas

The minimum lot size in Urban Areas shall be 2.5 acres, except as follows:

1 acre	- Where community water or community liquid waste disposal systems are utilized.
.50 acres	- Where community water and community sewer systems are utilized.

Espanola Urban Area

The Espanola urban area has been delineated to include the City of Espanola and the built up portions of Sombrillo, Santa Cruz and Cuarteles. The city has recently been zoned. The Plan recommends that residential development in the Espanola Urban Area may occur at urban densities when utilizing city water and city sewer facilities.

Espanola Metropolitan Area

Maximum densities for this area, located in the vicinity of Arroyo Seco, are the same as for the Santa Fe Metro Basin -- one house per four acres for individual wells, one house per 2 1/2 acres for clustered wells, and one house per acre for community water systems. It has been assumed that local water in storage will be mined on the basis of a 40 year supply and that eventually regional water systems will be used.

It is expected that development of Arroyo Seco as a metropolitan area will help relieve some of the excessive pressure for urbanization anticipated to occur in the Pojoaque and Santa Cruz Valleys. For that reason, the County may actively participate in the planning, and perhaps development, of this area. Future planning for Arroyo Seco may involve lease or purchase of land from the U. S. Bureau of Management or State of New Mexico. This would be the only exception to the policy against development of public lands in Santa Fe County. The recommended densities are the same as those in the Santa Fe Metropolitan area.

Traditional Communities

The Plan recommends maximum densities for all communities with more than 15 households; there are 18 communities plus those that

comprise the Pojoaque Valley. Maximum densities of one unit per .75 acres are proposed. Permitted densities of one unit per 5 acres are recommended for lands with irrigated agricultural water rights in order to protect open space and the quality of environment. Locations of agricultural parcels with recognized water rights for the Santa Cruz, Pojoaque and Tesuque drainage basins are designated on the Hydrologic Survey Maps prepared by the State Engineer and on file in the Office of the County Land Use Administrator.

Development with Imported Water

Developments which import water from outside Santa Fe County to rural locations in Santa Fe County can be regulated by criteria in regard to the impact of the development on traffic generation, energy consumption, provision of public facilities and services and compatibility with adjoining residences. These developments would not be required to meet other density requirements.

For new communities separate from existing community infrastructure, residential lot sizes are recommended to be the same as for other types of rural development in Santa Fe County. However, it is recommended that residential densities of new communities using regional water that are adjoining existing community infrastructure be the same as the densities recommended for metropolitan areas. Further, the development of these new communities should be rigorously staged to correlate with actual house construction.

Staging of Subdivisions

Staging of development of subdivisions will be required, to curtail overplatting of subdivision lots in the County. In the past, many more lots have been subdivided than needed. In

fact, ninety percent are undeveloped. Vacant lots (3,739 as of June, 1974) could accommodate over 11,000 persons, which is almost all the projected rural population growth of the County to 1990.

Public Lands

The County General Plan recommends that all State and Federal lands in Santa Fe County be retained in public ownership and that they continue to be managed for non-urban purposes. The only exception is for lands related to the Arroyo Seco metropolitan area. Further, the County Plan recommends that the management of public lands in Santa Fe County be used for the benefit of County residents in regard to water storage, recreation, runoff and environmental impact.

Critical Community Population Sizes

These are established for over twenty communities in the County in order to provide a preliminary estimate of a population size beyond which the use of local water resources will be over-extended. A policy statement for critical population sizes is intended to serve as a "red flag" warning to communities that their local water resources cannot be expected to serve continued growth. Communities which plan to exceed these critical populations may need to import water, develop surface or deeper ground water supplies or implement conservation practices, and also, should develop a detailed land use and utility plan.

COMMUNITY	EXISTING POPULATION	CRITICAL POPULATION SIZE	AREA IN ACRES
La Puebla	540	1,100	310
Chimayo	590	1,900	530
Rio Chiquito	70	200	60
Cundiyo	120	200	60
Pojoaque Valley (Pojoaque, Nambe, Jacona, Jaconita, El Rancho, San Ildefonso)	4,070	13,000	3,610
Chupadero	110	300	80
Rio en Medio	50	200	60
Tesuque	1,220	2,300	640
Cuyamungue	310	1,400	390
La Cienega	320	600	170
Canada de Los Alamos	80	200	60
Glorieta	410	550	150
Lamy	90	240	70

410-990

COMMUNITY	EXISTING POPULATION	CRITICAL POPULATION SIZE	AREA IN ACRES
Galisteo	170	280	80
Los Cerrillos	290	500	140
Golden	80	300	80
Madrid	60	200	60
Stanley	60	300	80
Edgewood	430	3,900	1,080

Community Boundaries

The boundaries delineate the locations within which development at community residential densities may occur. In determining the boundaries, an acreage for each community was established which corresponds to critical population size.[1] Then, boundary lines were drawn that encompass that acreage or more including the sites of existing community settlement.

Residential development may occur within the Community boundaries until the critical population is reached. When the critical population is reached, further development may not be permitted, unless it is in accordance with a Plan developed by the community.

Development of Community Plans

The Plan recommends that residents of communities prepare community plans, in conjunction with the Board of County Commissioners, well before a community reaches its critical population size. The plan will establish community policies for land use, water consumption and utility layout.

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[1] The Methodology to determine critical population size and acreage is as follows: The critical population size of each community was calculated by first determining the groundwater in storage for each of the County's seven drainage basins. This entailed an estimate of a 100 year lieftime of local groundwater resources and an assumption of no importation of regional water. Eighty percent of the water in storage was allocated for potential community use in all cases.

Finally, the critical population size was derived by assuming on the average that a household consists of 3.6 persons, annual household water consumption is 1 acre foot and lot size is 1 acre. The acreage within the Plan's Community boundaries consists of more than enough acreage to accommodate the critical population size.

As the County does not necessarily have funds to carry out local community plans, local communities must be willing to participate in funding. The County Commissioners will determine priorities for financially aiding the development of community plans by considering the urgency of the problems of population growth, water availability and contamination of ground water existing in the community.

Central Systems

Central systems are permitted in communities provided that a project conforms to a community land use and utility plan.

Mobile Homes

The Plan recommends no change in the control of mobile home park developments now enforced by the Santa Fe County Mobile Home Park Ordinance. Mobile homes utilized as single family residences shall be subject to the same density requirements as conventional single family homes.

Urban Area Bypasses

Bypass throughfares are recommended around Santa Fe to the west and around Espanola to the east.

Resubdivision of lands in Urban and Metropolitan Areas

The initial layout of residential development for onsite well water supplies should leave spaces for resubdivisions to smaller lot sizes in the future when water lines and liquid waste disposal lines are extended from central water sources and to sewage treatment plants.

Economic Activities

It is recommended that economic activities which locate in the communities and rural areas meet shopping and service needs of rural residents rather than stimulate residential settlement of non-urban areas.

Major centers of economic activities are recommended for four locations outside the urban areas. These are: 1) Arroyo Seco; 2) Pueblo Plaza; Buckman Road at the northwest bypass; 3) Albuquerque Highway at Interstate Highway 25 (with goods handling locations also in the vicinity of the airport); Lamy Turnoff at Interstate Highway 25; and 4) Edgewood at Interstate Highway 40. The uses in these centers may consist of offices; goods handling uses such as manufacturing, warehousing, truck terminals and building materials services; and highway travellers' services, which includes restaurants, service stations, motels and campgrounds. Controls will specify the siting and development criteria.

The Plan also permits other economic activities -- travellers' services and neighborhood centers (these have been identified by specific locations) as well as farms, ranches, recreation, mining and neighborhood business.

III ENVIRONMENTAL SITE REVIEW POLICIES AND PROCEDURES

A series of maps pertaining to environmental features in Santa Fe County have been prepared for the County General Plan. Environmental areas and zones have been designated, which in some cases overlap each other.

The Terrain management and site plan review procedures and submittals will be required (as determined by the environmental zone) in the cases of subdivisions and commercial developments. For most smaller residential developments, environmental data will be advisory. These procedures are detailed in the Land Development Code.

Terrain management plans are recommended to insure that grading and construction activities will not create slope instability, nor increase runoff and erosion, nor visually mar the aesthetic value of a landscape. Development proposals will be reviewed against soils limitations.

Flood Plain regulations are recommended in areas with flood hazards. The type of uses, buildings, land fills, utilities, roads and water supply systems in flood areas will be regulated.

It is recommended that all mining exploration and extraction activity be regulated by special permit. Issuance of a permit would be based on economic and environmental evaluations, based on considerations such as: water supply and water rights; vegetation removal, terrain modification, and land restoration plans; potential generation and disposal of waste materials.

An Open Space Advisory Committee is recommended to be appointed to develop methods for the protection of the County's natural features.

For historic landmarks, archaeological sites and location of scientific observations, the plan recommends protection of these locations by mapping, appointment of an advisory committee, case by case site review of development proposals, and permanent acquisition of land.

Highway Corridors are established where Interstate or Federal Highways traverse rural or metropolitan areas. There will be building setbacks and controls of site development, in order to maintain highway corridors as visually open and scenic and to alleviate noise hazards.

Airport Noise zones have been mapped. In these, permitted land uses are stipulated.

In areas with poor quality groundwater, treatment or hauling of water will be required if the water supply is unable to meet State and Federal water quality standards.

In areas shown to have potential water pollution, it is recommended that well owners request that the EIA test their wells.

Air Pollution may be minimized by use of highway buffer zones, paving of collector roads in subdivisions, control of construction activities, and control of emissions from point sources.

410-994

LIST OF MAPS

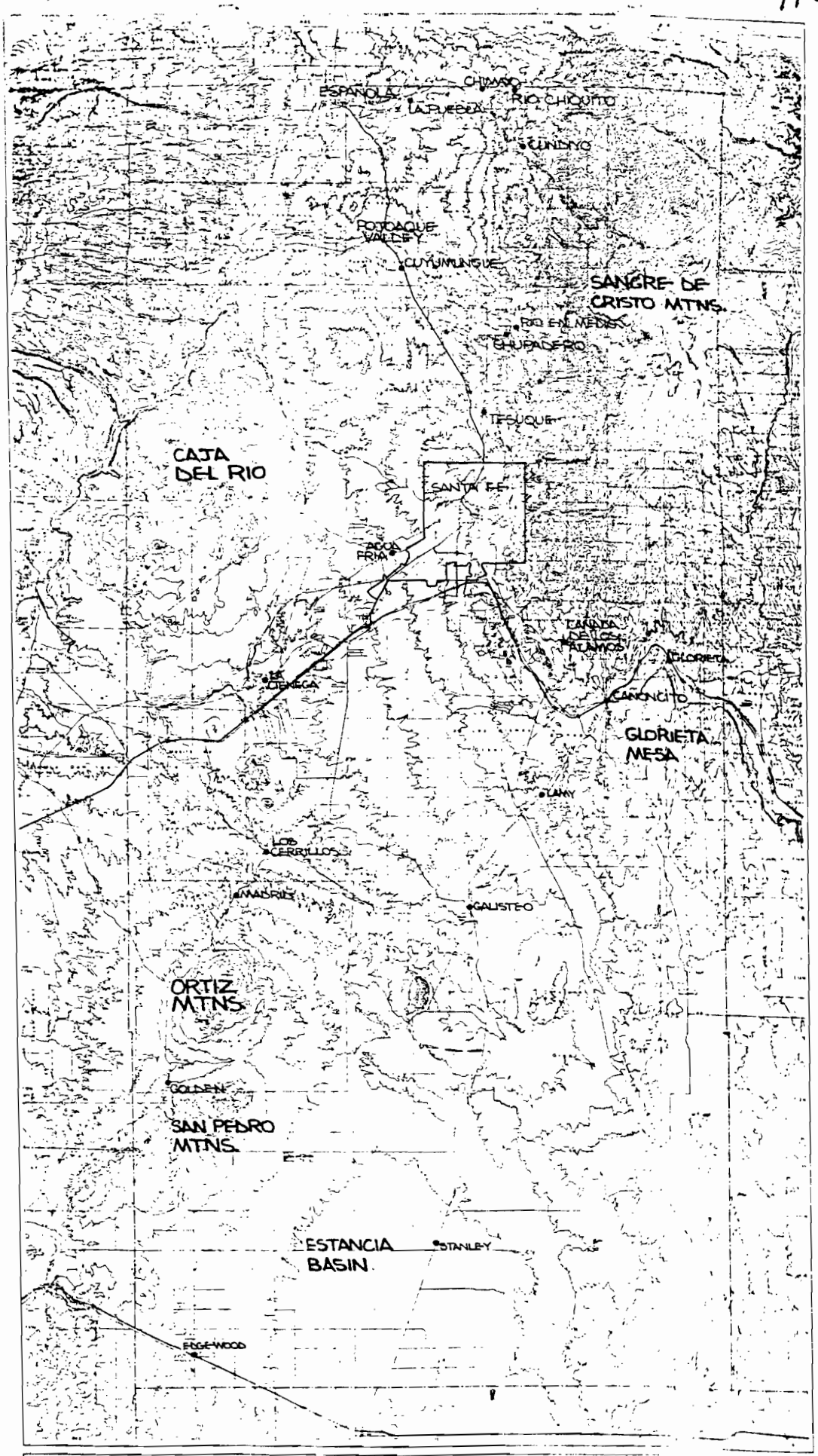
1. Geography/Settlements
2. Slope
3. Water Quality
4. Environmental Limitations Composite
5. Preferred Life Zones
6. Santa Fe County-Composite (A)
7. Santa Fe County-Composite (B)
8. Santa Fe County - Large Ranches
9. Santa Fe County - Accessibility
10. Central Santa Fe County Subdivision
11. Santa Fe Urban Area
12. Santa Fe Metropolitan Area
13. Espanola Urban Area
14. Espanola Metropolitan Area
15. Edgewood Metropolitan Area
16. Public Lands
17. Hydrologic Zones
18. Drainage Basins
19. Population Distribution
20. Soils Ratings - Slope
21. Soils Ratings - Limitations to Septic Tanks
22. Soils Ratings - Rate of Percolation
23. Soils Ratings - Surface Runoff
24. Soils Ratings - Limitations to Building Foundations
25. Soils Ratings - Limitations to Roads
26. Soils Ratings - Depth to Bedrock
27. Soils Ratings - Erosion
28. Soil Resource Capability (1)
29. Soil Resource Capability (2)
30. Mining Districts
31. Airport Noise Zones
32. Water Pollution
33. Historic Sites
34. Archaeological Sites
35. Lands with Irrigated Agricultural Water Rights Estancia Basis
36. Legend for Community Maps
37. La Puebla
38. Chimayo
39. Rio Chiquito
40. Cundiyo
41. Pojoaque
42. Cuyamungue
43. Chupadero/Rio en Medio
44. Tesuque
45. La Cienega
46. Canada de Los Alamos
47. Glorieta
48. Lamy
49. Galisteo
50. Los Cerrillos

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LIST OF MAPS CONTINUED

51. Golden
52. Madrid
53. Stanley
54. Arroyo Seco
55. Agua Fria
56. Edgewood
57. Edgewood Legend

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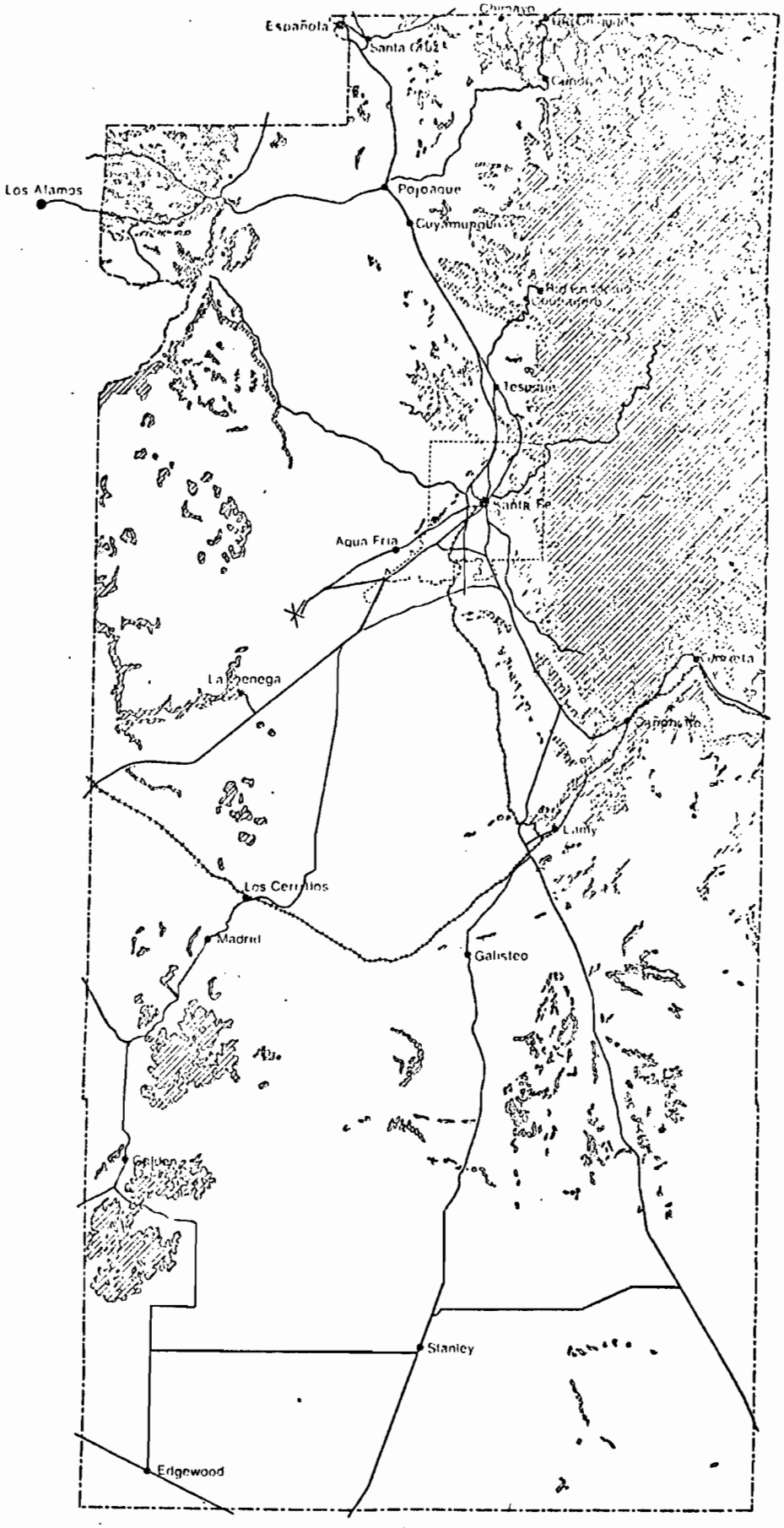


SANTA FE COUNTY - GEOGRAPHY AND SETTLEMENTS

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

1

410-997



Slope of Terrain

over 25 per cent slope

2

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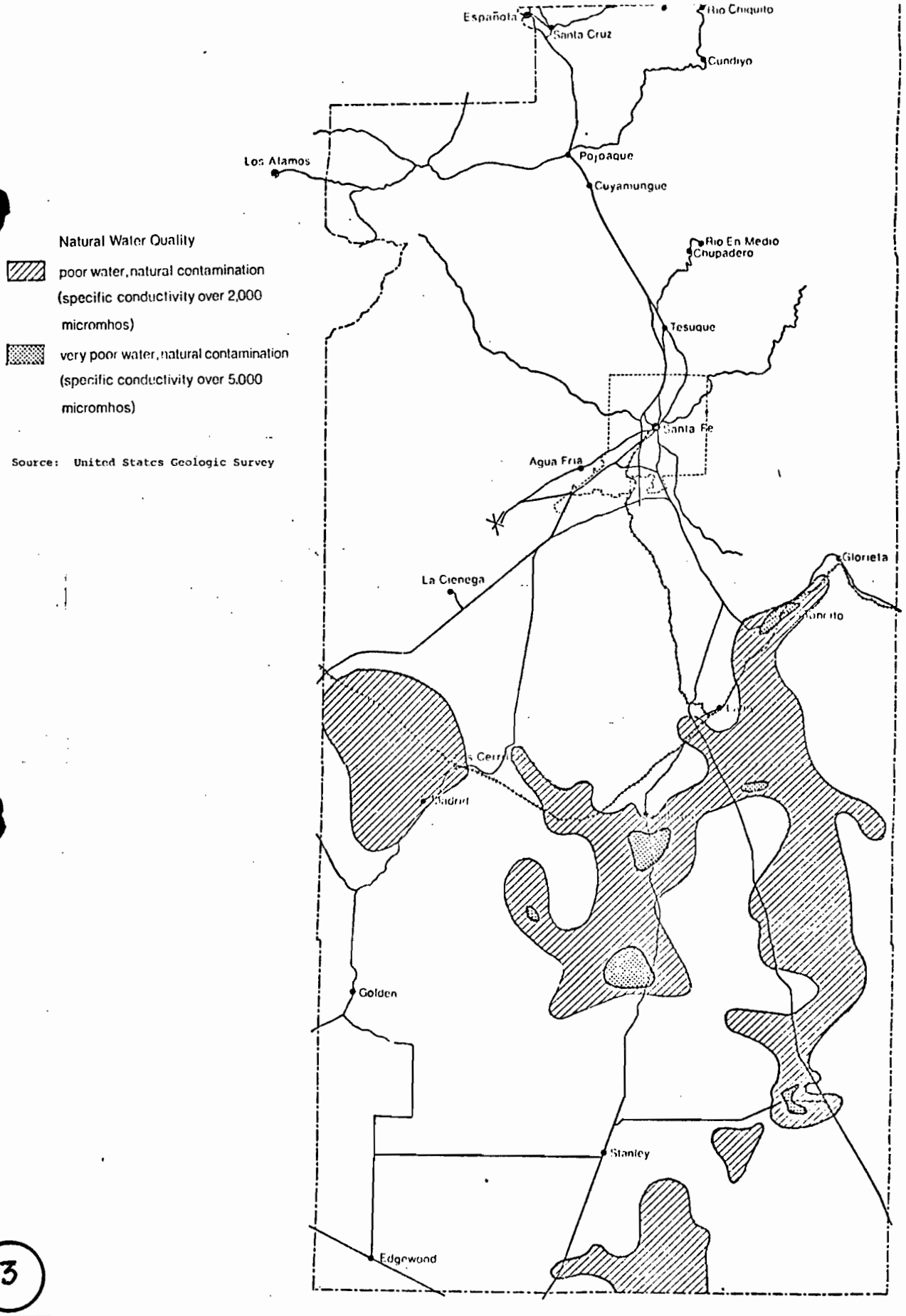
Santa Fe County - Slope

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

0 9

miles

410-928



3

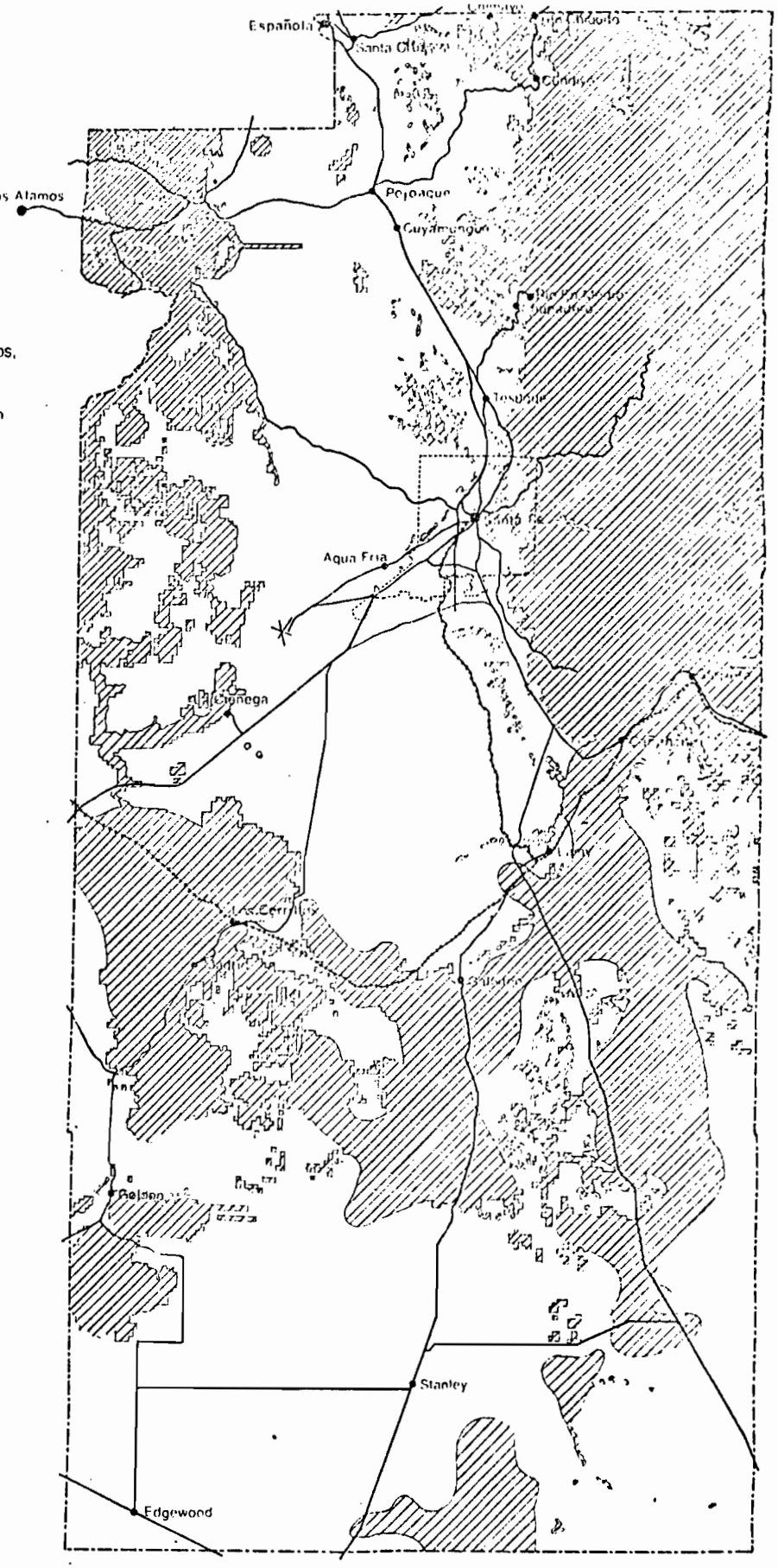
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Santa Fe County - Water Quality

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

0 miles

410-999



Composite Map of Environmental Limitations:

water quality over 2,000 micromhos, soils with limited capability for development, or slope of terrain over 25 percent.

4

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Santa Fe County

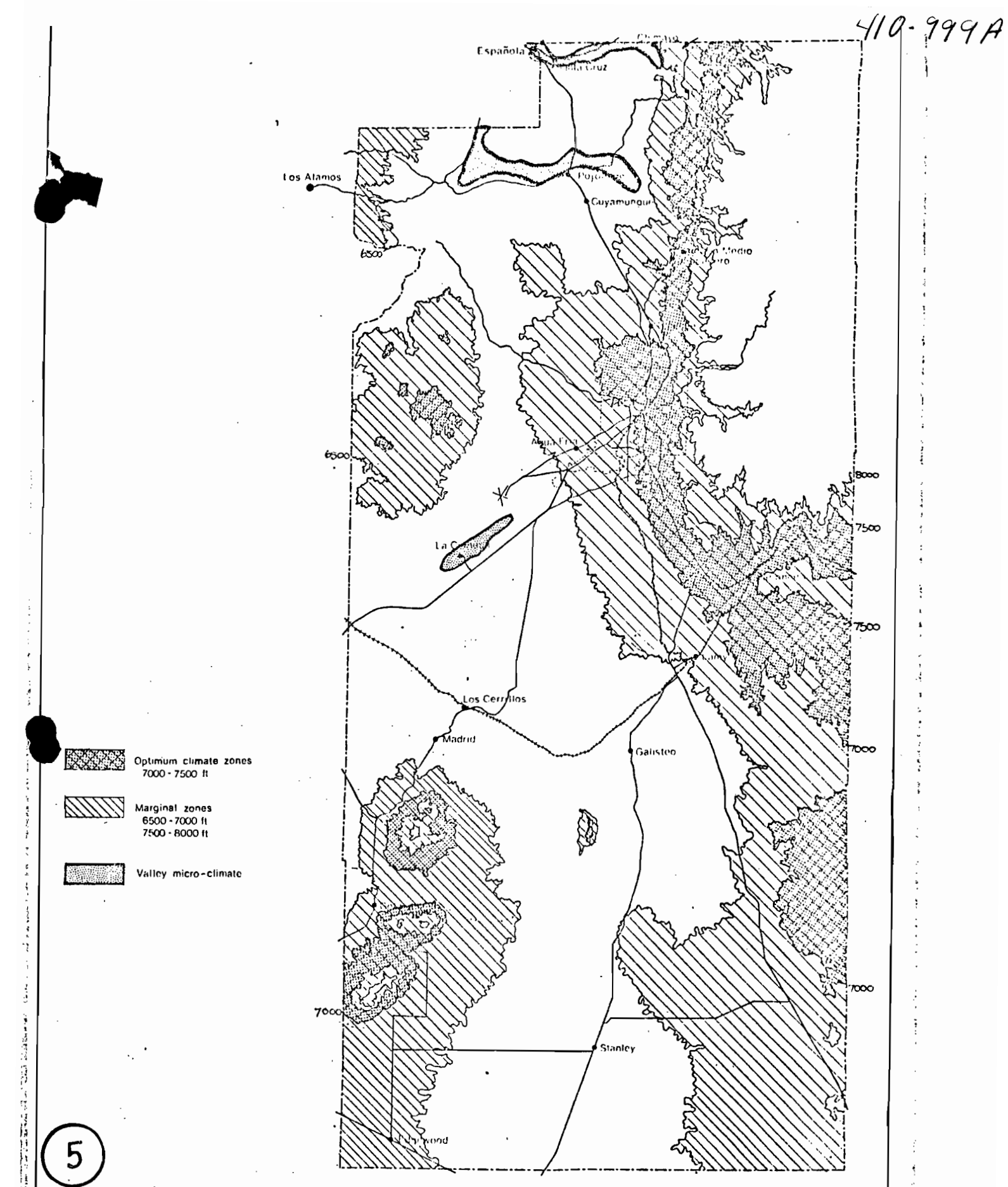
Environmental Limitations Composite

0 9

miles

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

410-999A



5

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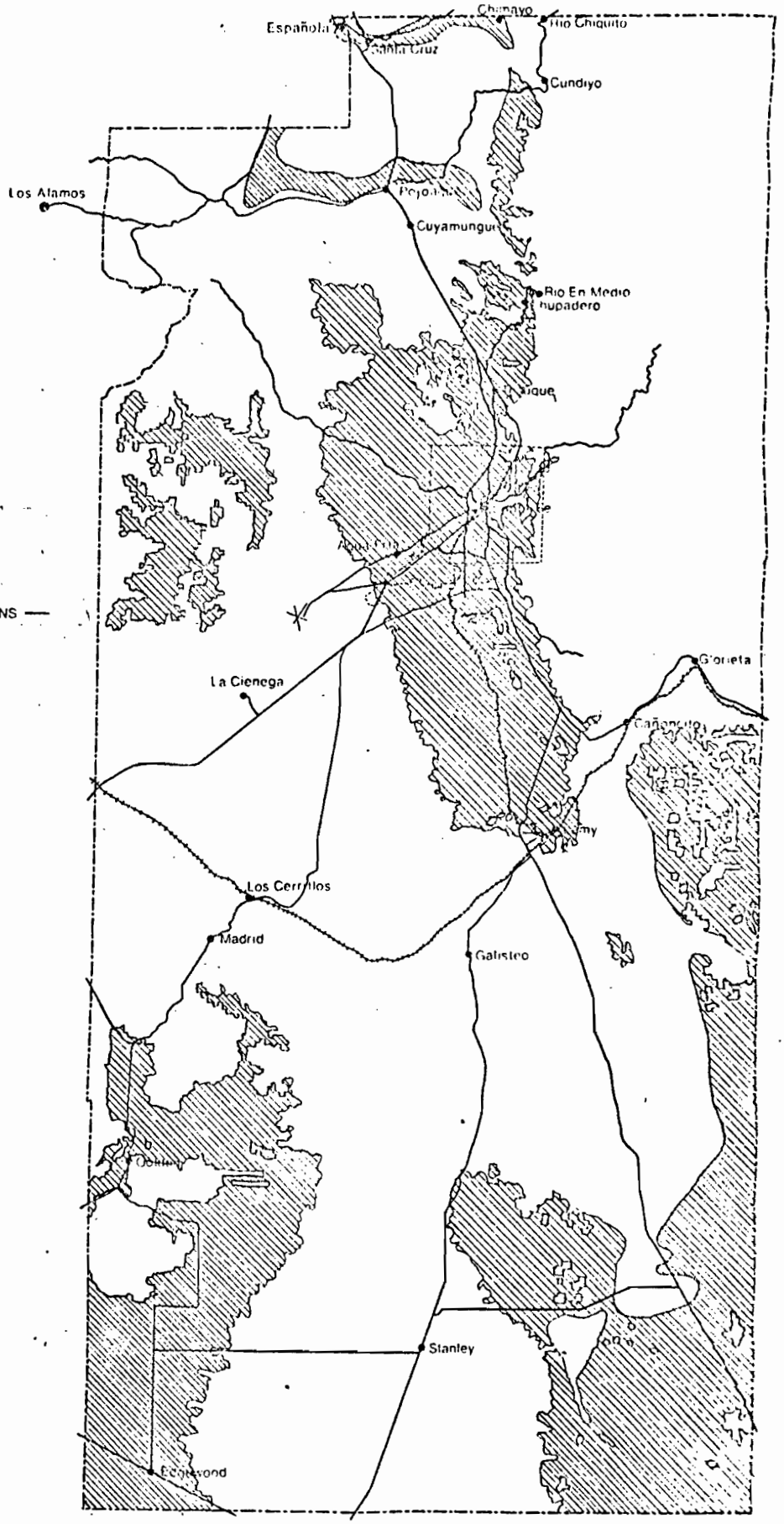
Santa Fe County - Preferred Life Zones

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

0 9

miles

410-999B



PREFERRED LIFE ZONES and
LACK OF ENVIRONMENTAL LIMITATIONS —
COMPOSITE

6

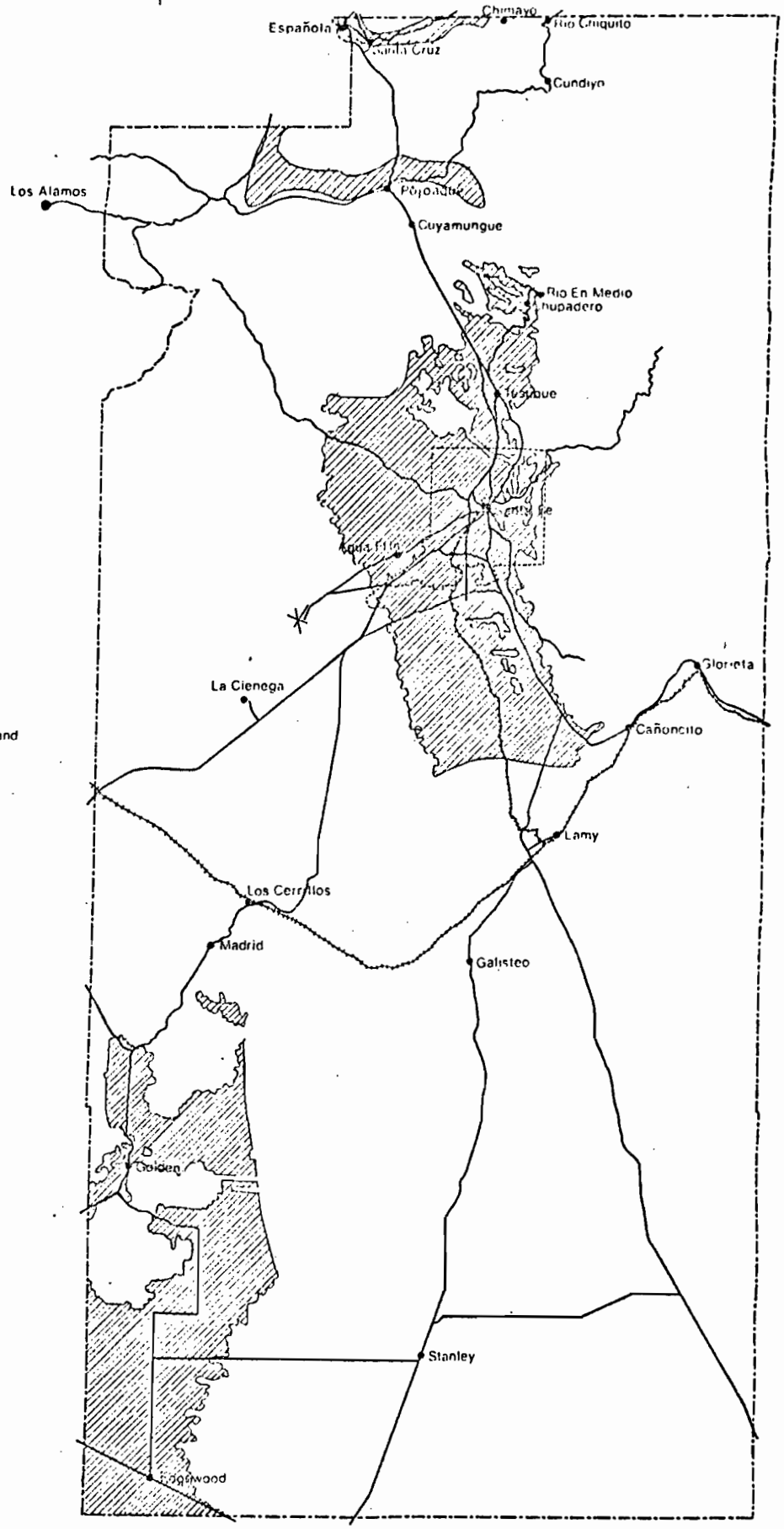
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Santa Fe County Composite – A

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

0 miles

410-999C



PREFERRED LIFE ZONES,
LACK OF ENVIRONMENTAL LIMITATIONS, and
HIGH ACCESSIBILITY — COMPOSITE

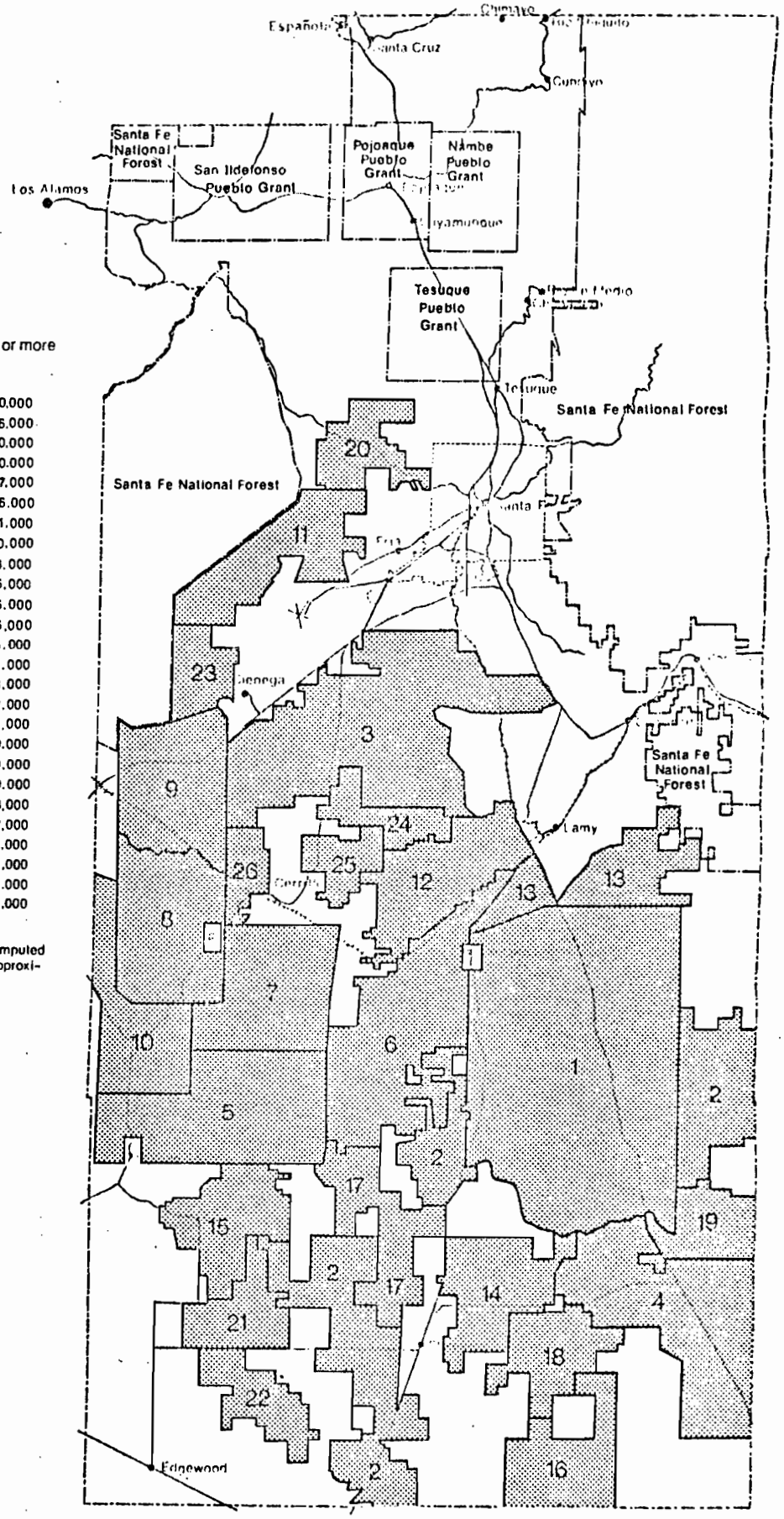
7

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Santa Fe County Composite – B

0 miles

410-999L



Santa Fe County Ranches- 5,000 or more acres, including leased land.

1	Buddy Brannon	80,000
2	King Brothers	46,000
3	Bernice Jarrott	40,000
4	Buck Harvey	30,000
5	Glen Lloyd Ranch	27,000
6	Phillip McKee	26,000
7	Macintosh Ranch	21,000
8	Mesita Ranch	20,000
9	Southwest Land Corp.	18,000
10	Edmund Ball	16,000
11	Antonio Baca	16,000
12	Bluford Thornton	16,000
13	Frank Ortiz y Davis	15,000
14	Leroy H. Fisher	14,000
15	Simmon Brothers	13,000
16	Cuervo Ranch Co.	12,000
17	Benjamin Godec	12,000
18	Marshall Rowley	9,000
19	Lloyd J. Herman	9,000
20	Bob Weil	9,000
21	Beryl Van Scoyk	8,000
22	E.C. Fullingim	7,000
23	Alejandro Gallegos	7,000
24	Select West Lands Inc.	6,000
25	Frank Calvin - J. Russell Agency	5,000
26	Jane Sanchez	5,000

Source:
Soil Conservation Service. Acreages computed by Santa Fe Planning Department are approximate.

8

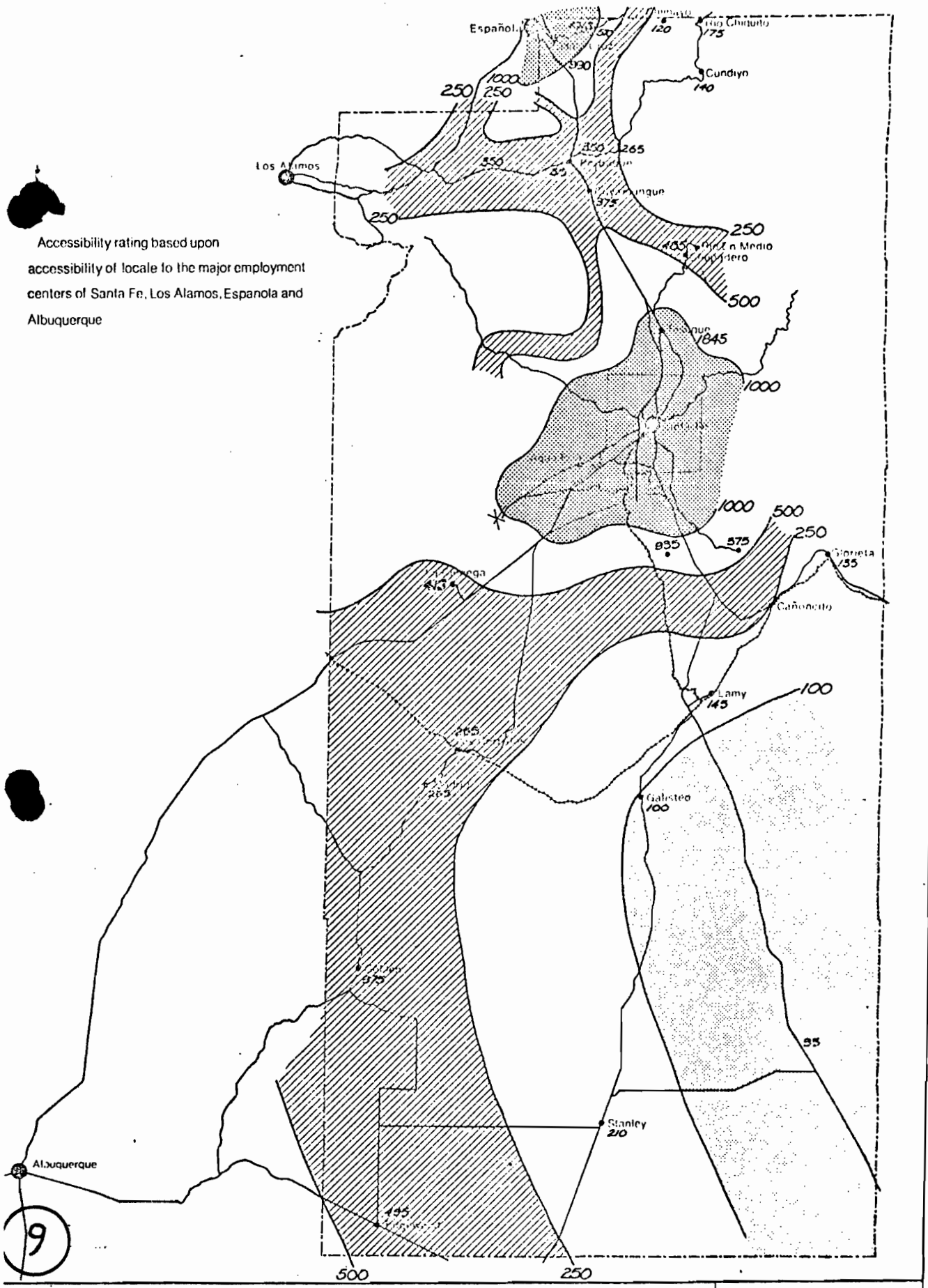
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Santa Fe County-Large Ranches

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

0 4.5 9
miles

410-999E



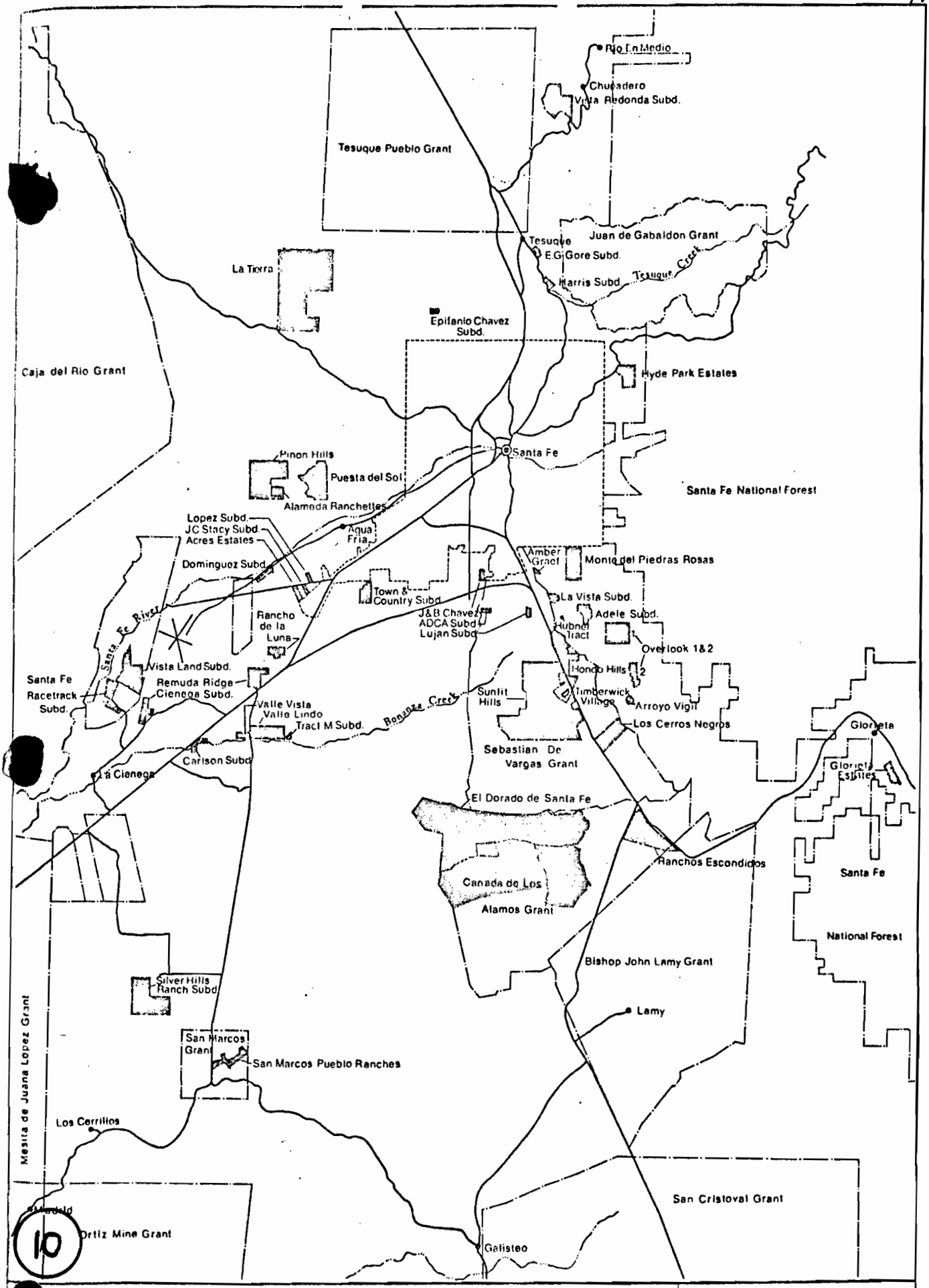
e preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban evelopment

anta Fe County-Accessibility

nta Fe County Planning Area • Santa Fe, New Mexico Planning Department

miles

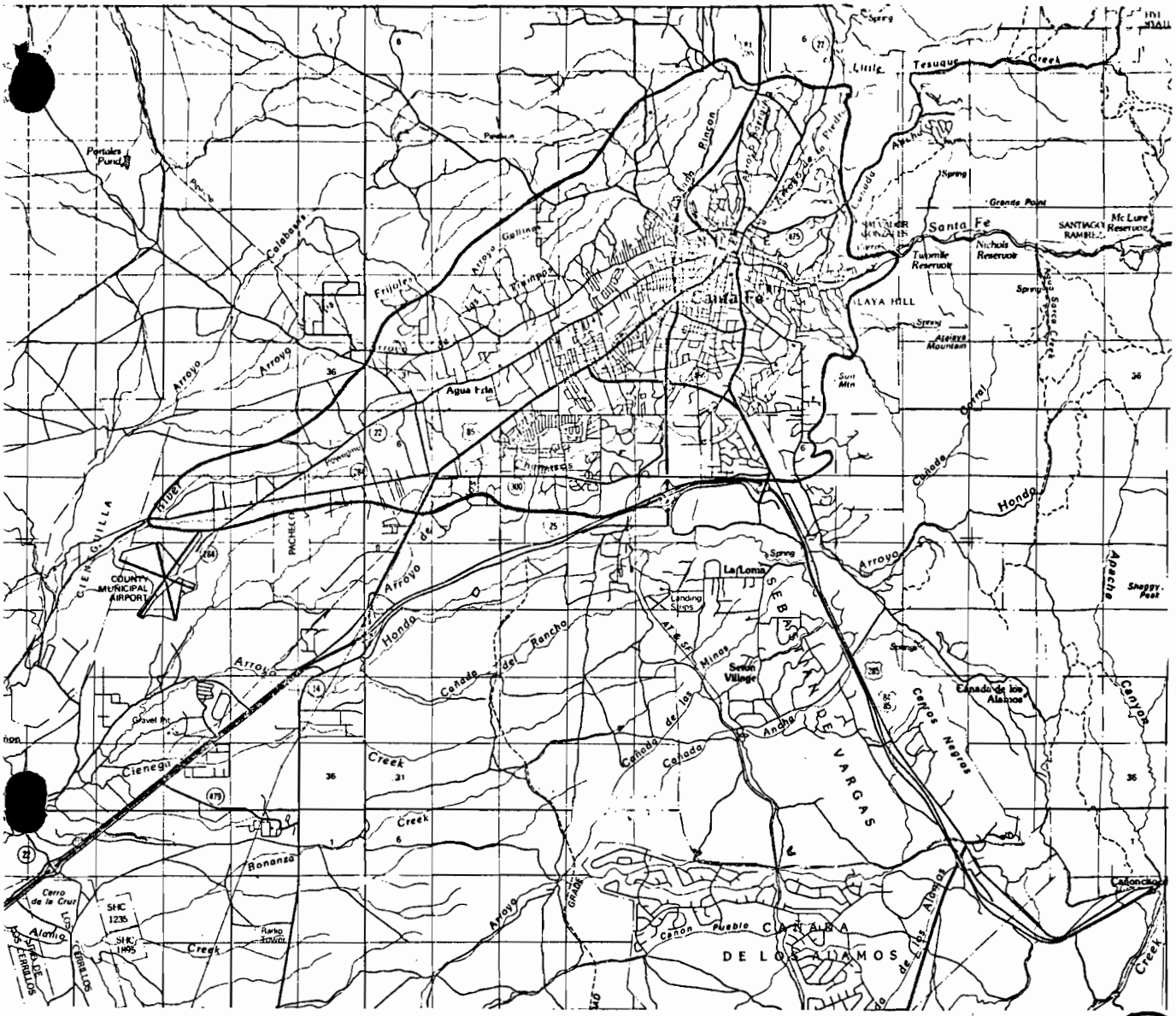
410-999F



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Central Santa Fe County - Subdivisions

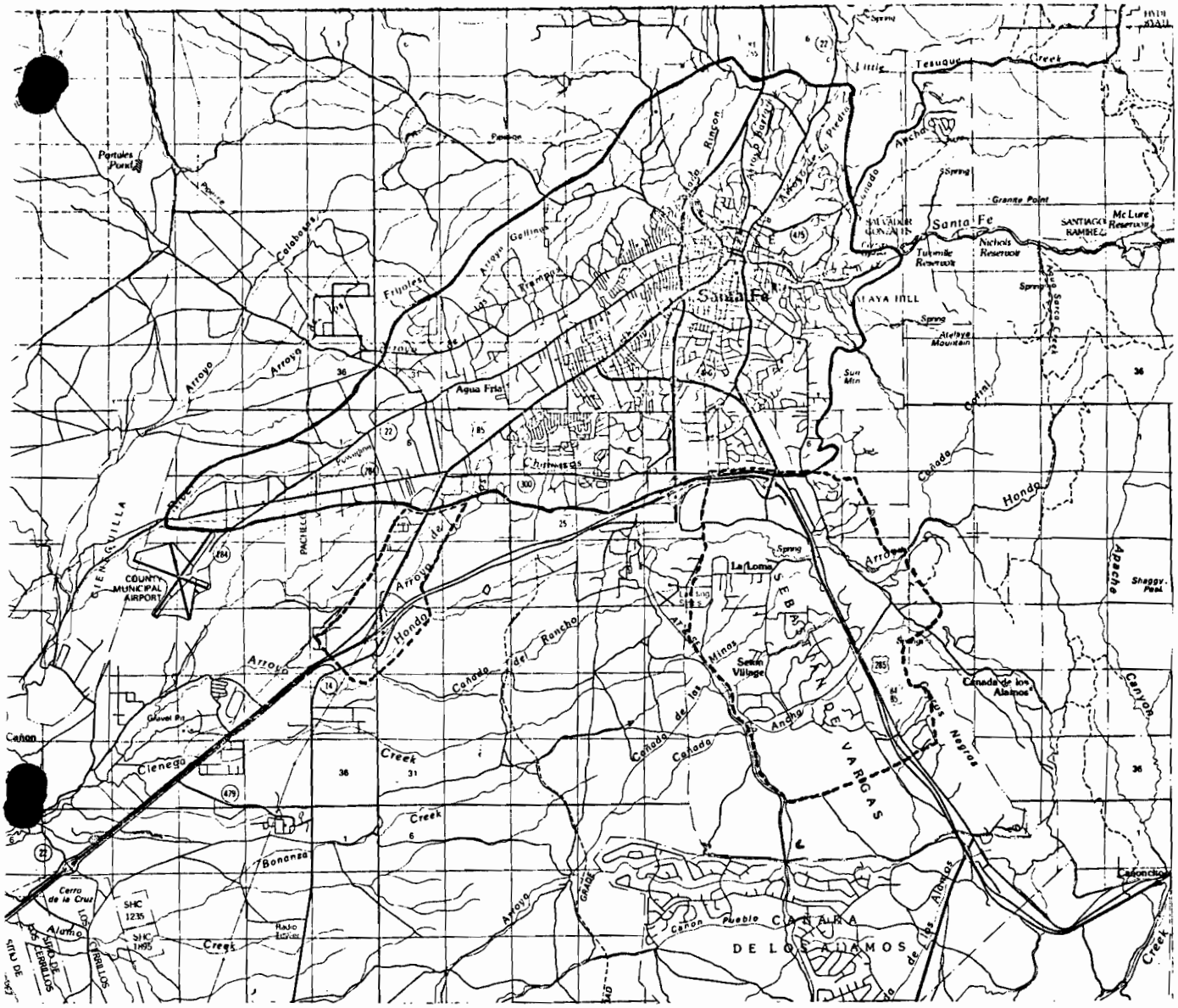
410-999 G



SANTA FE URBAN AREA

Urban Area Boundary

410-999 H

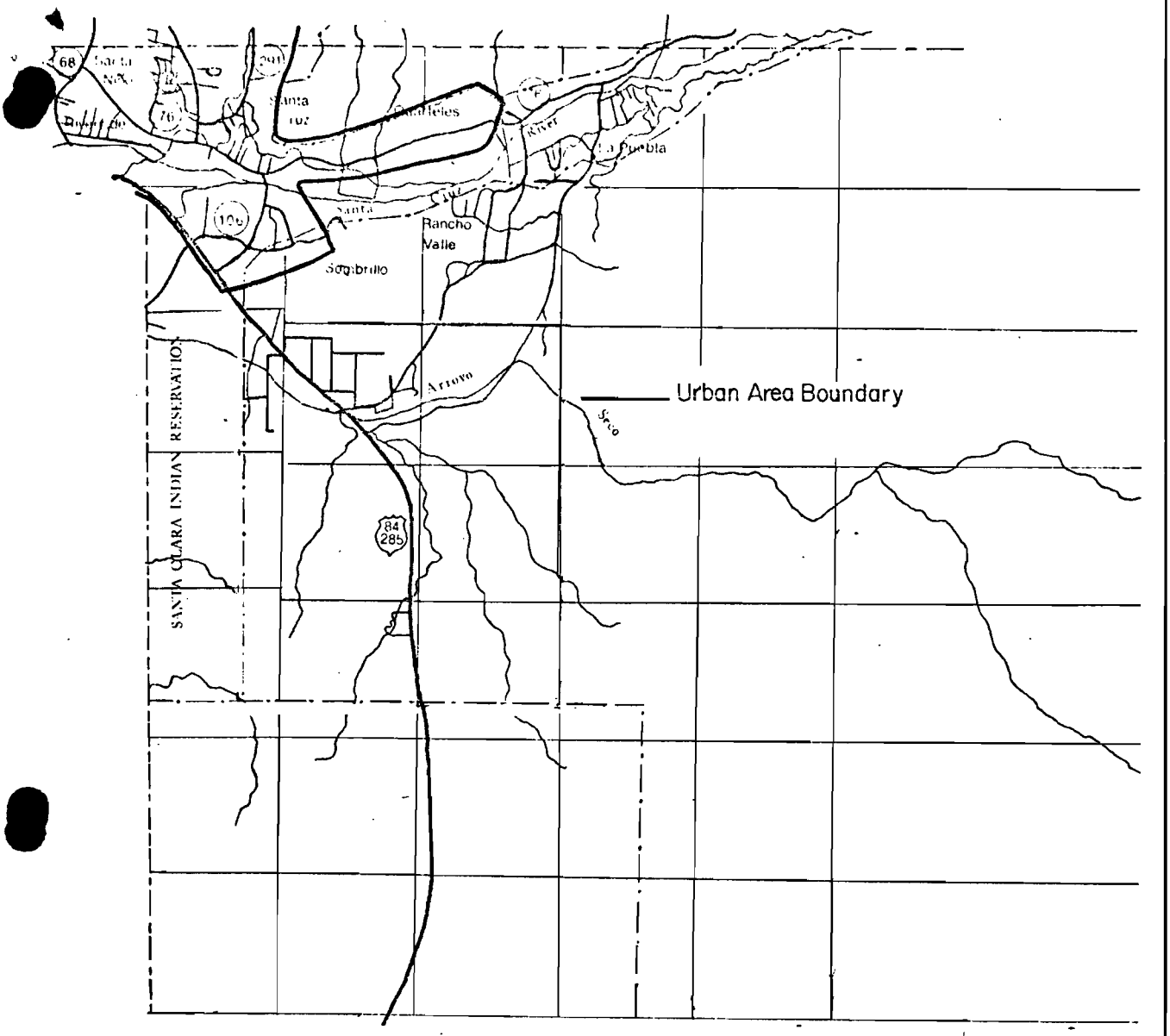


SANTA FE METRO AREA

Urban area boundary ———
Metro area boundary – – – –

12

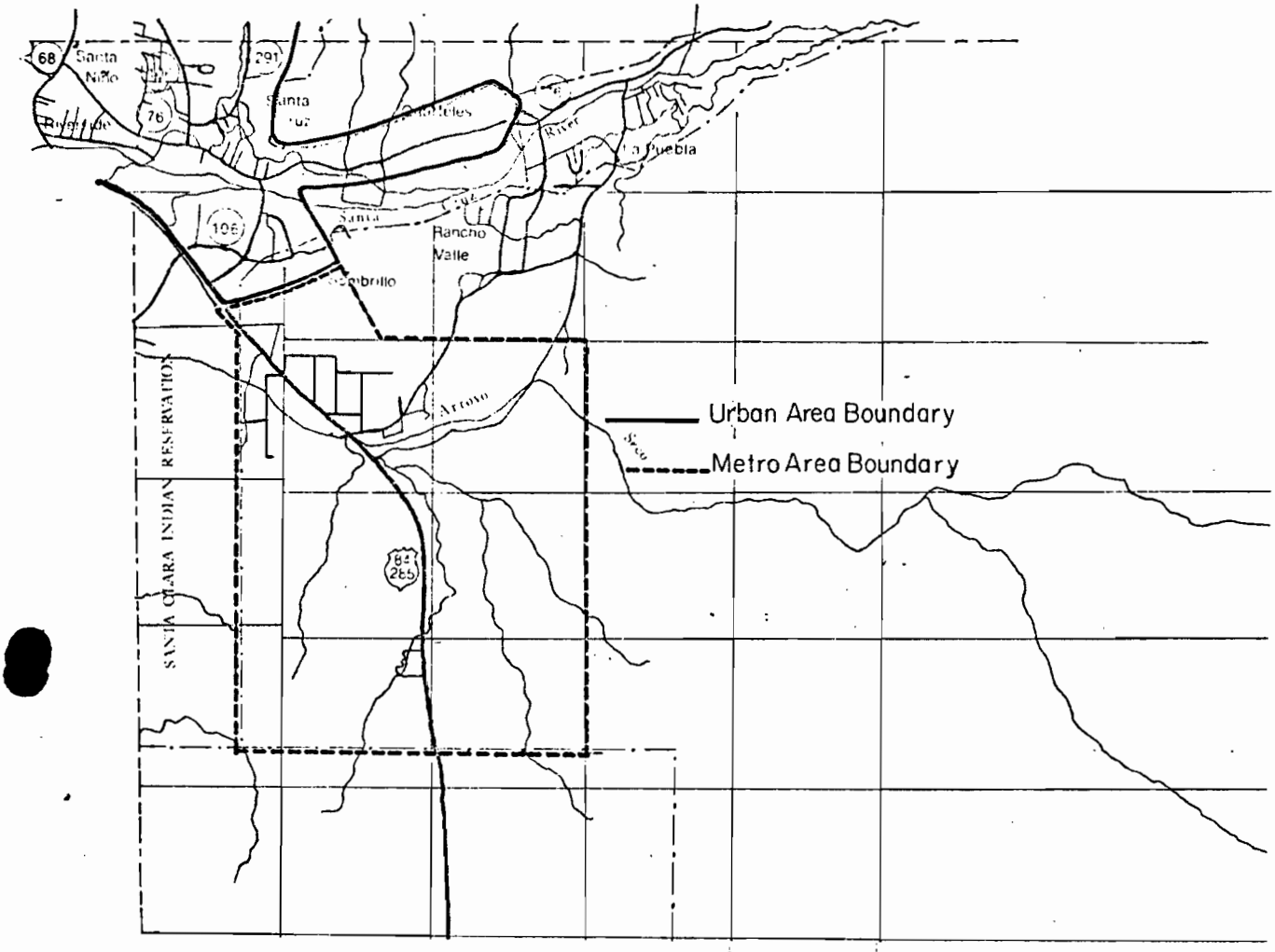
410-999 I



ESPANOLA URBAN AREA

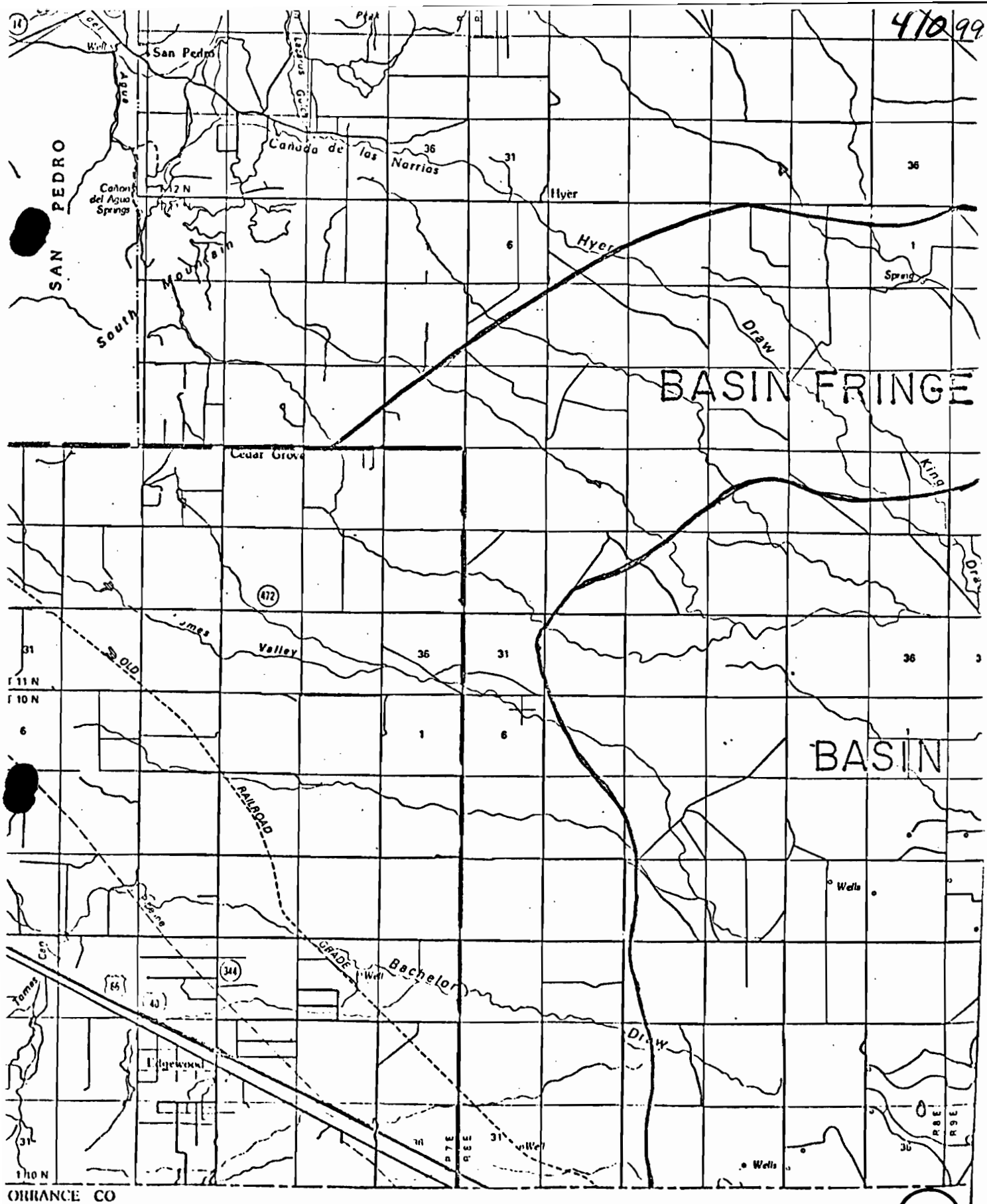
13

410-999 J



ESPANOLA METRO AREA

14

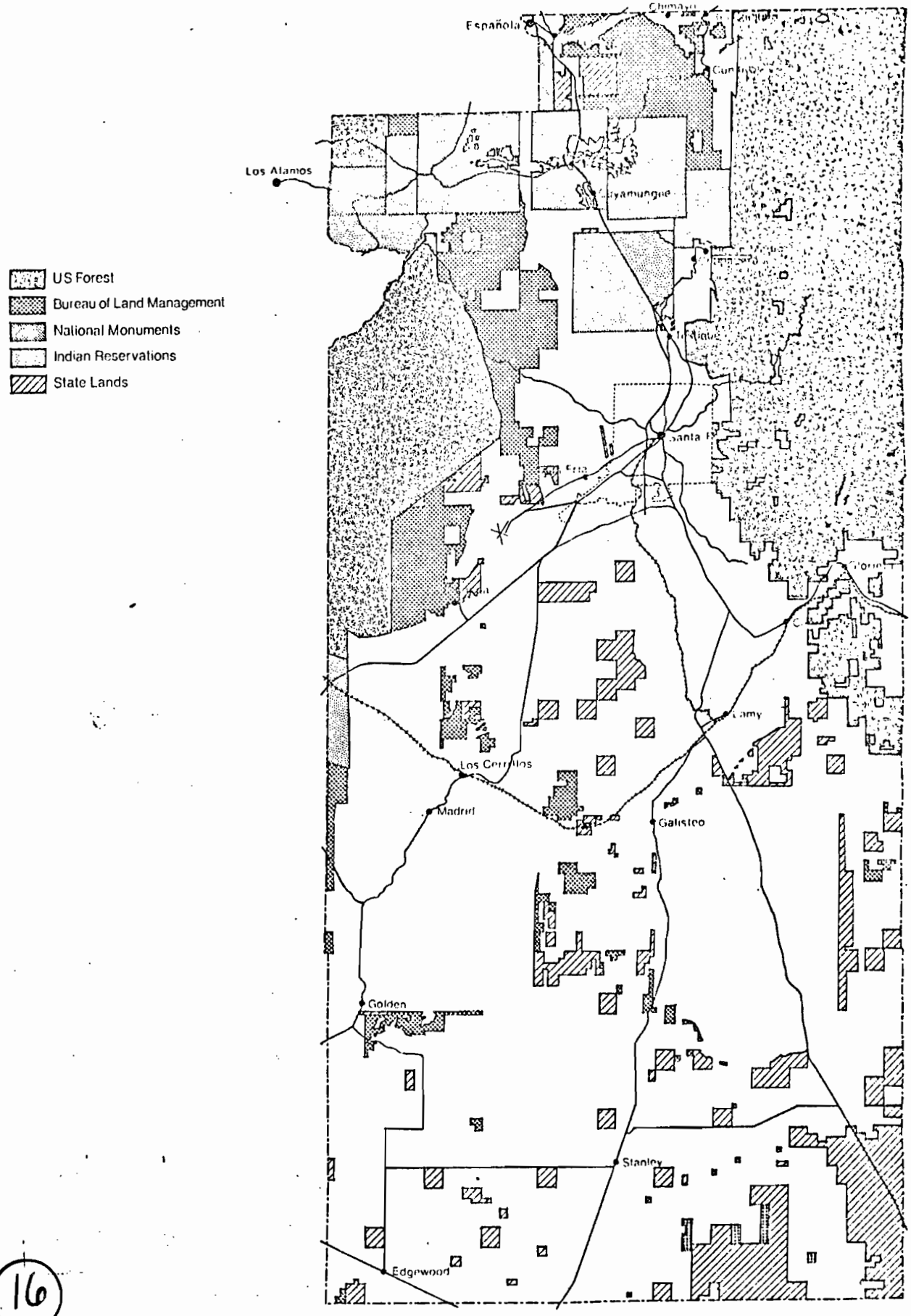


15

EDGEWOOD METROPOLITAN AREA

BOUNDARY — — — — —

410-999L



16

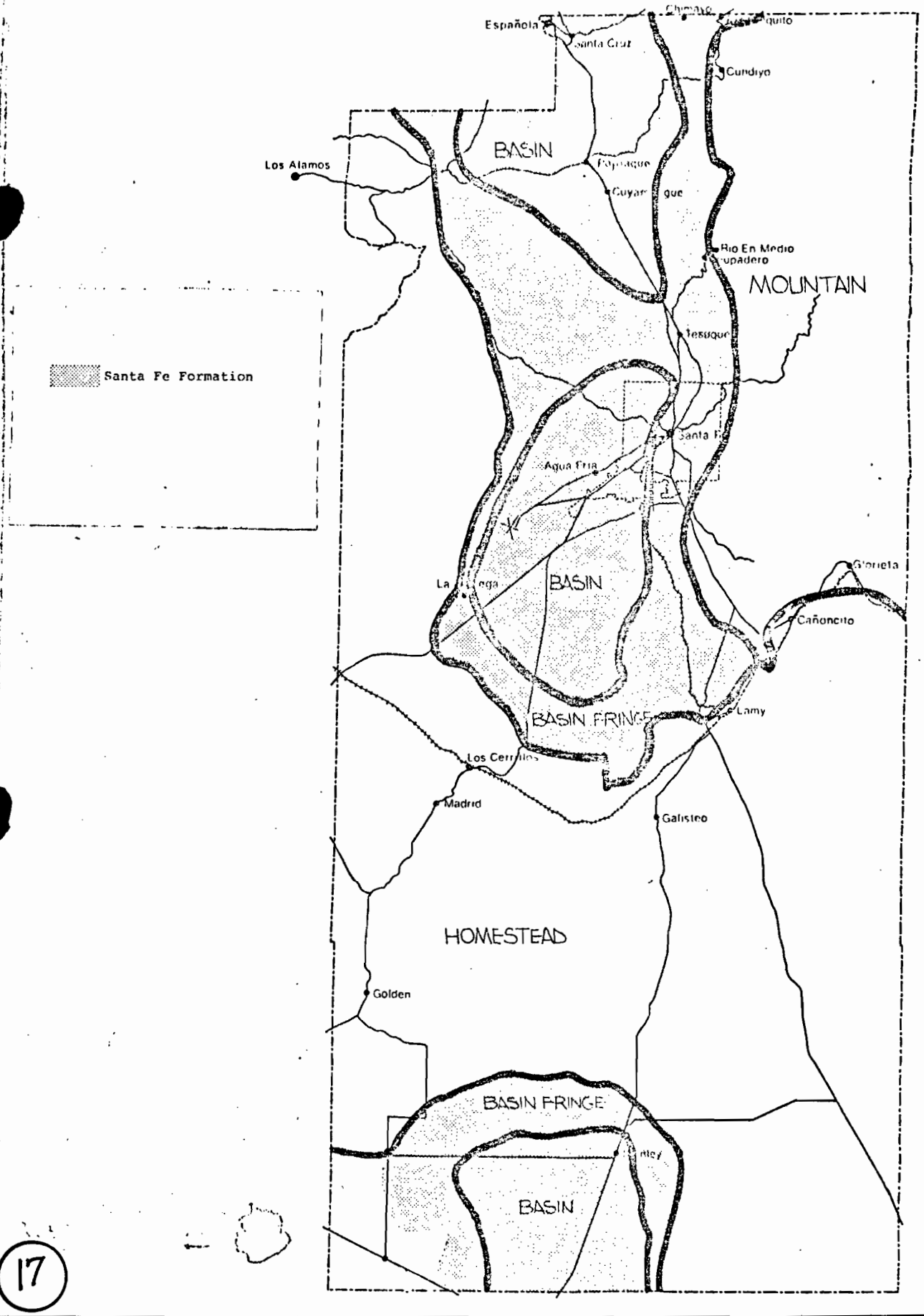
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Santa Fe County-Public Lands

0 miles

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

410-999M



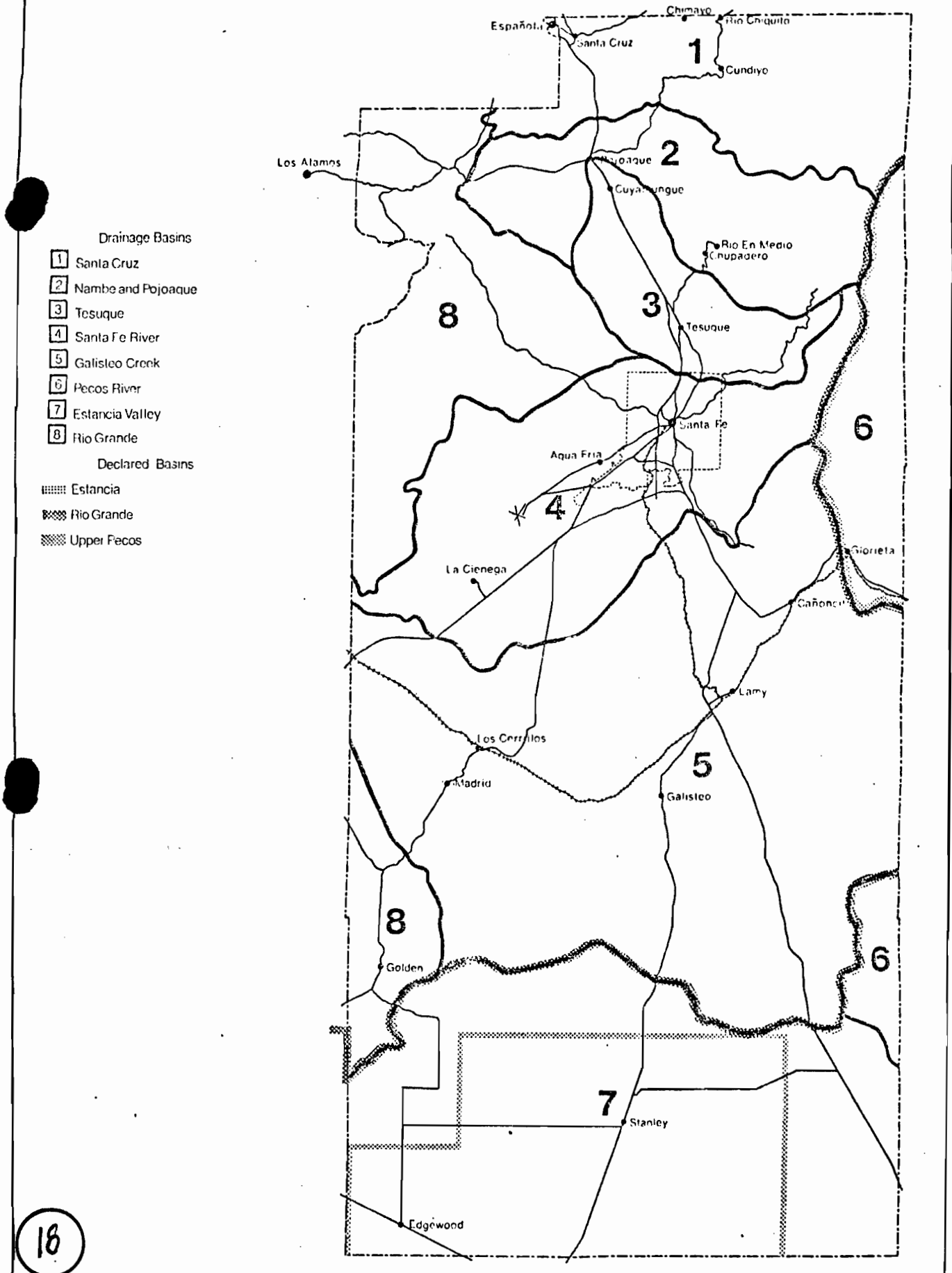
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Santa Fe County – Hydrologic Zones

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410-999N



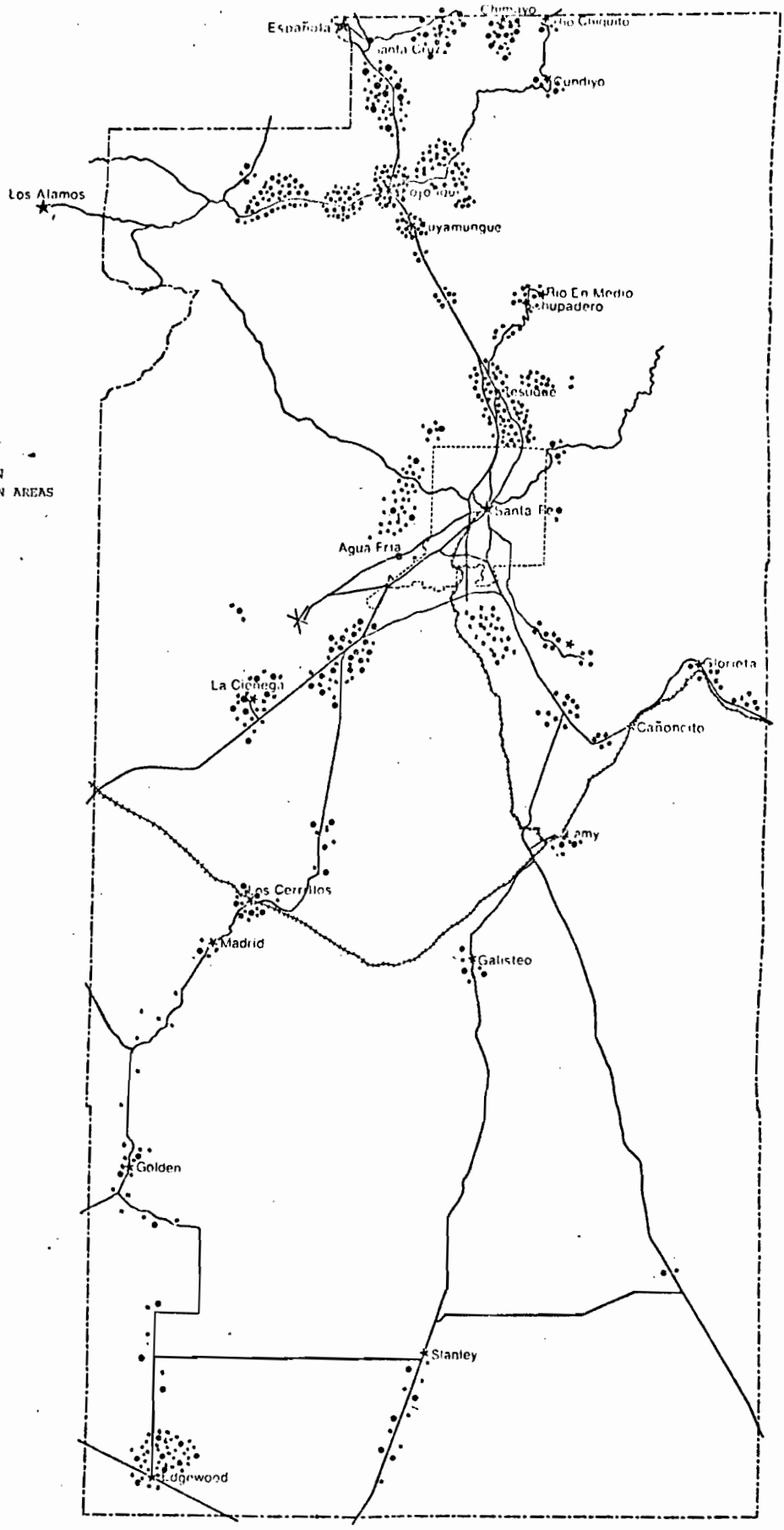
18

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Santa Fe County-Drainage basins

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

410-4990



RURAL POPULATION DISTRIBUTION
OUTSIDE SANTA FE AND ESPANOLA URBAN AREAS

each symbol = 50 persons

• present
• future

★ community

19

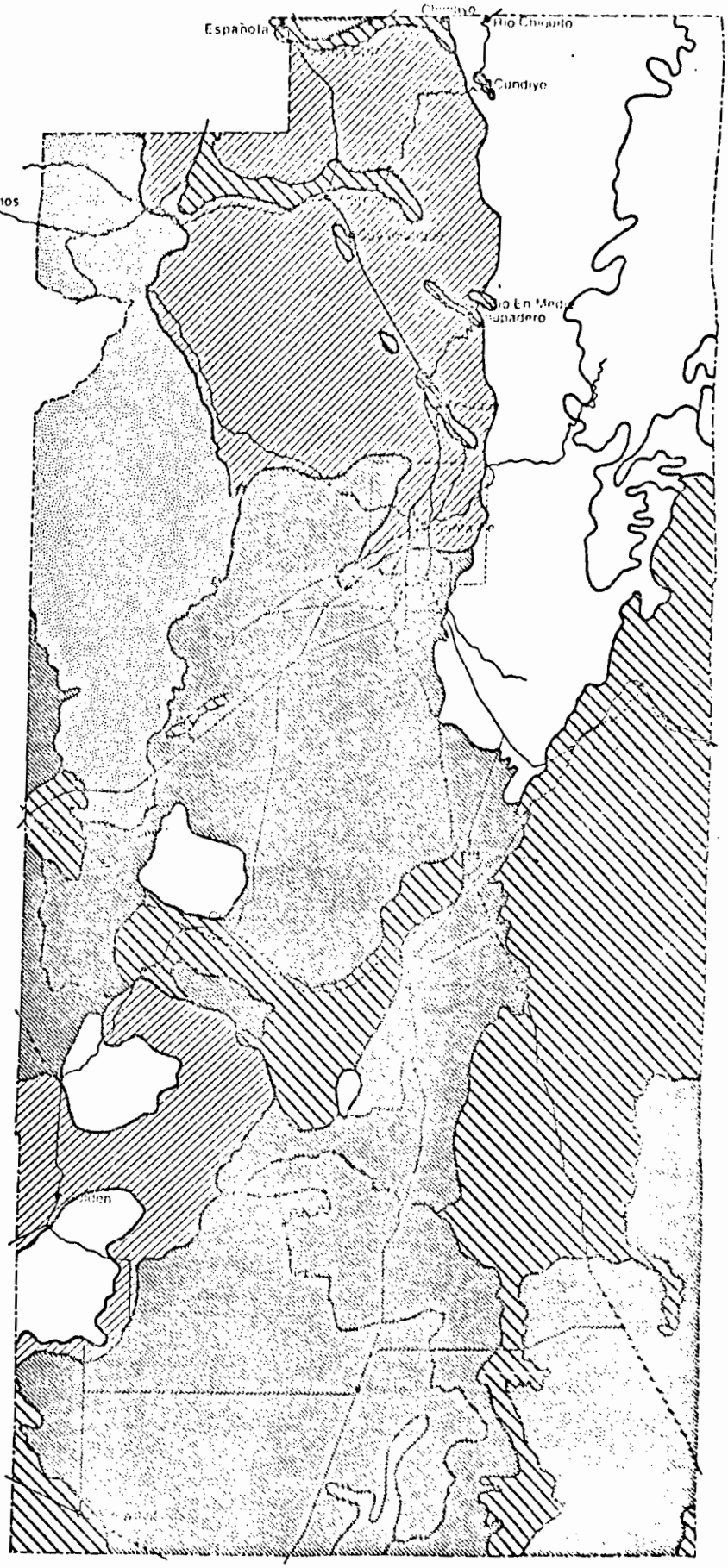
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Santa Fe County - Population Distribution

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

0 5 10
miles

410-999 P



Slope

- less than 8%
- less than 8% with local steep slopes
- generally more than 8%, locally very steep
- generally more than 15%, locally very steep
- generally more than 25%, always very steep

Source: Soil Conservation Service

20

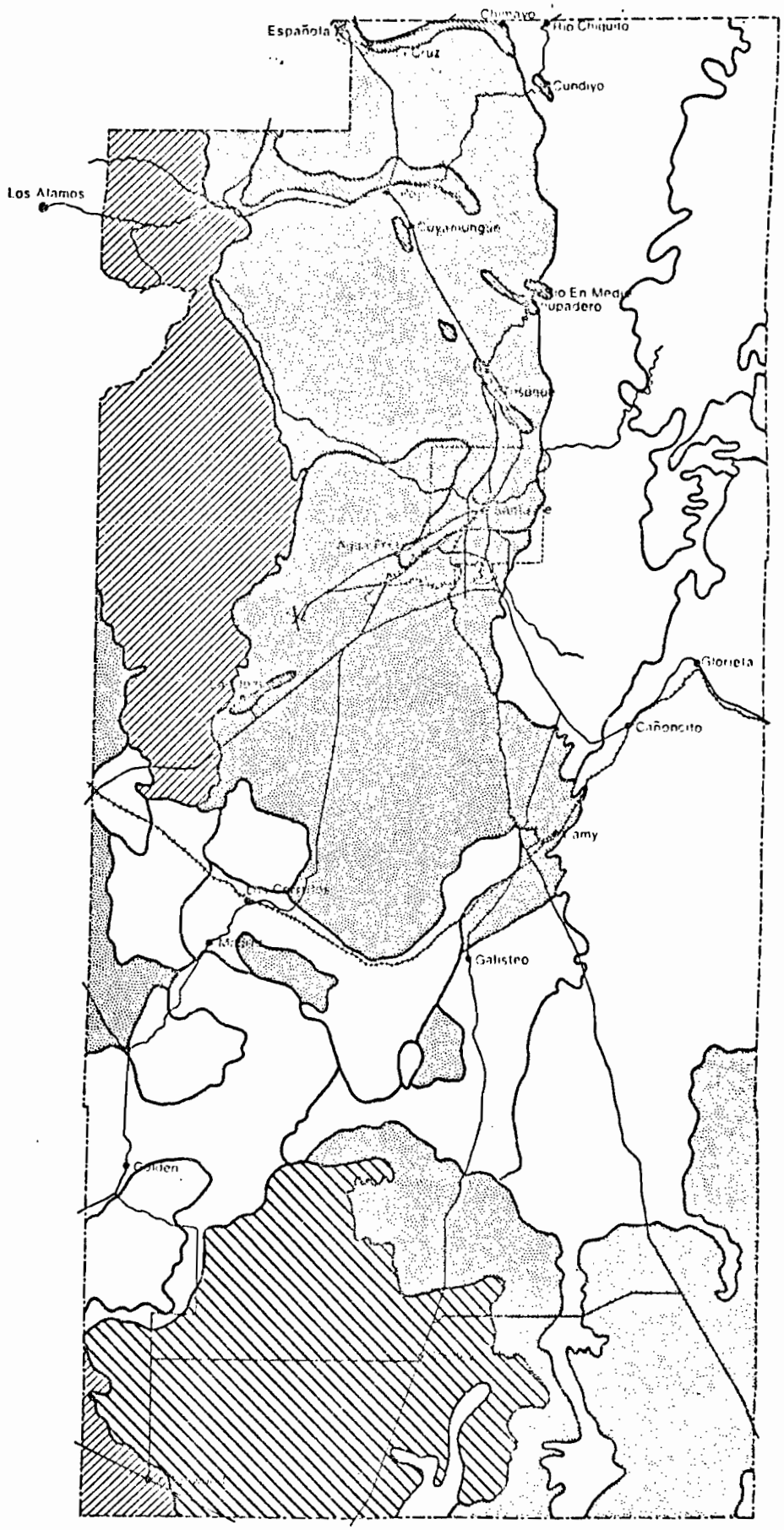
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Santa Fe County - Soils Ratings

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

0 miles

410-999 Q



Limitations to septic tanks

- moderate–slight
- moderate
- moderate–severe
- severe–moderate
- severe

Source: Soil Conservation Service

21

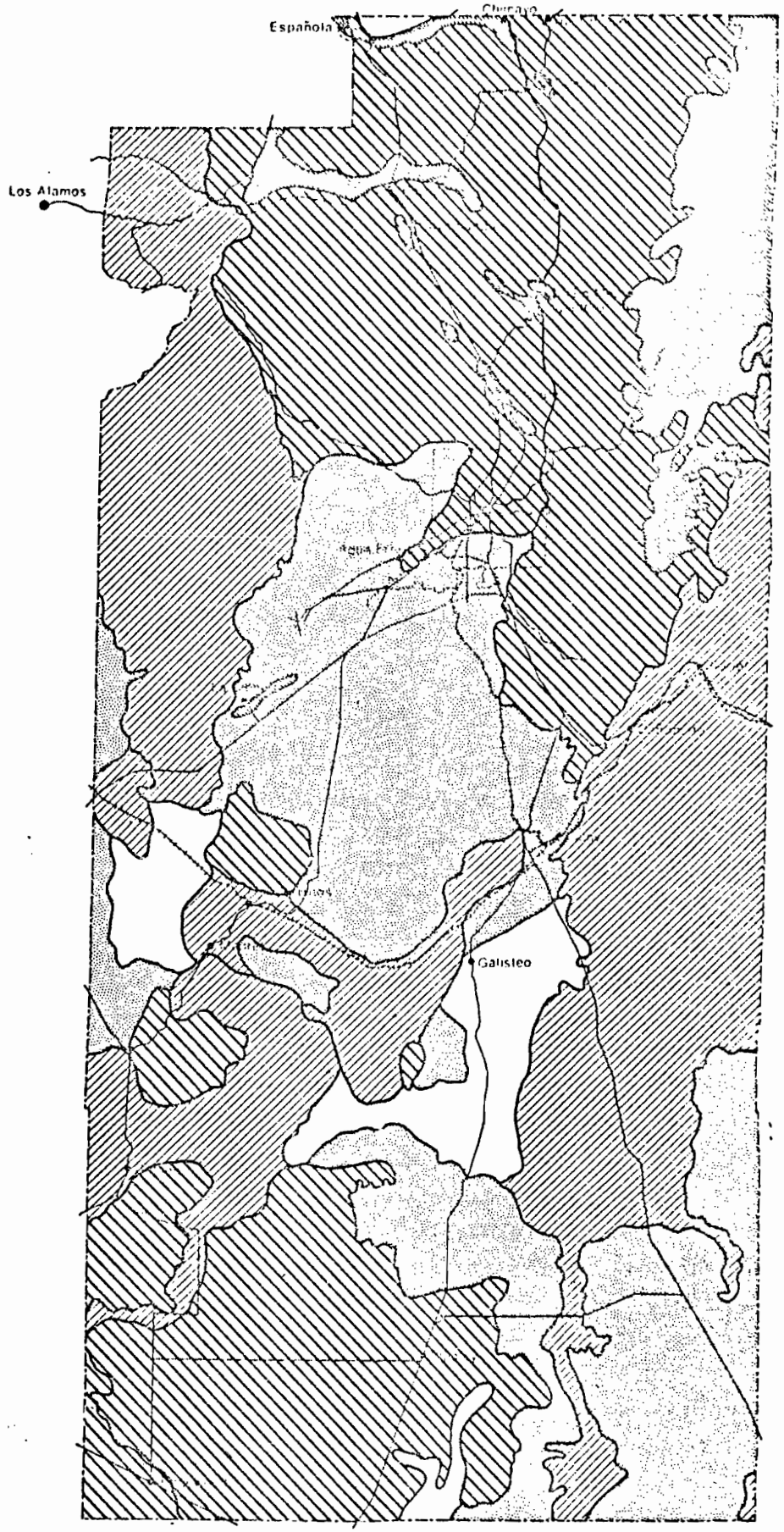
The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

Santa Fe County-Soils Ratings

0 9

miles

410-999R



Rate of percolation

- moderate-slight
- moderate
- moderate-severe
- severe-moderate
- severe

Source: Soil Conservation Service

22

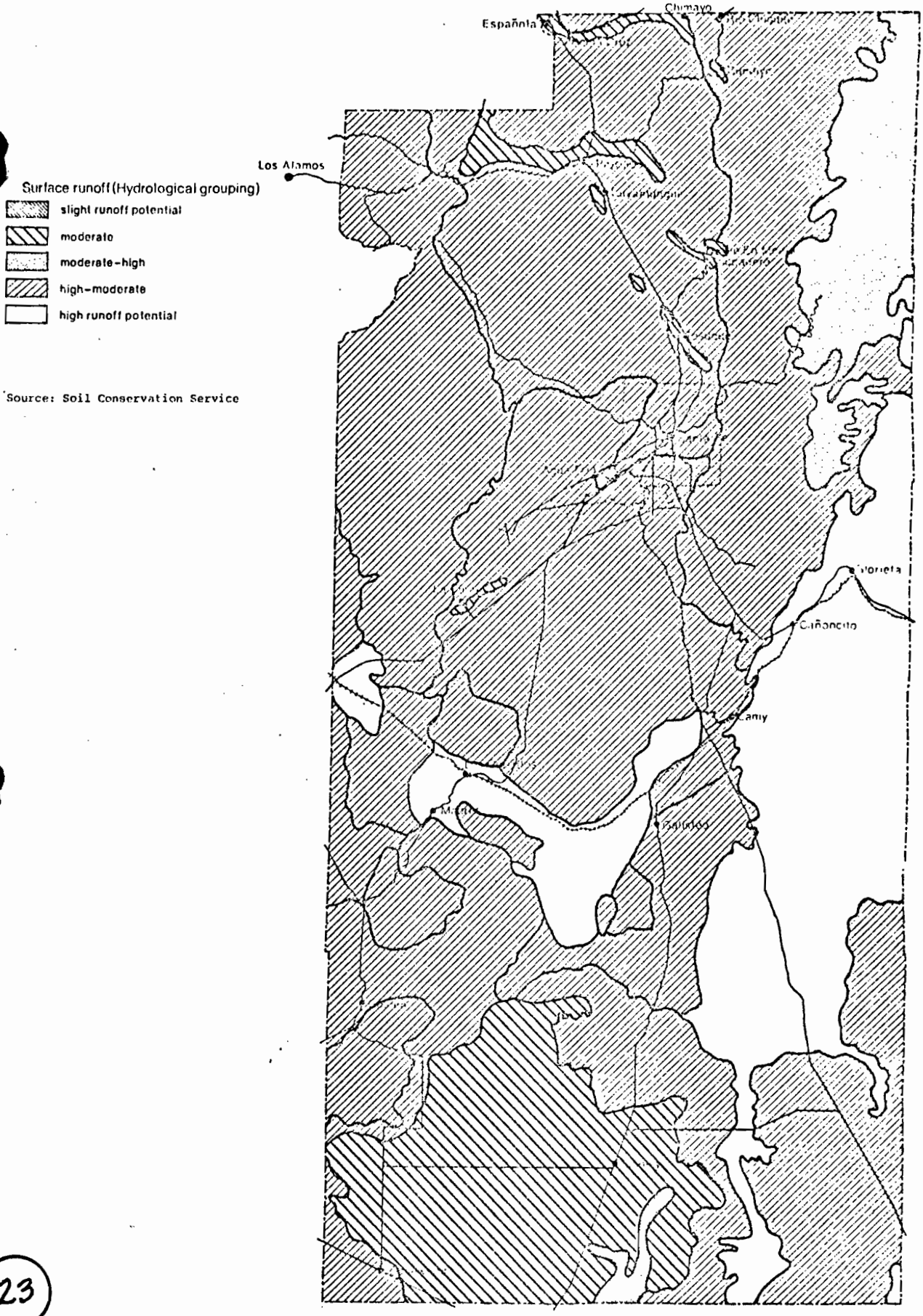
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Santa Fe County - Soils Ratings

0 miles

Santa Fe County Planning Area, Santa Fe, New Mexico Planning Department

410-9995



23

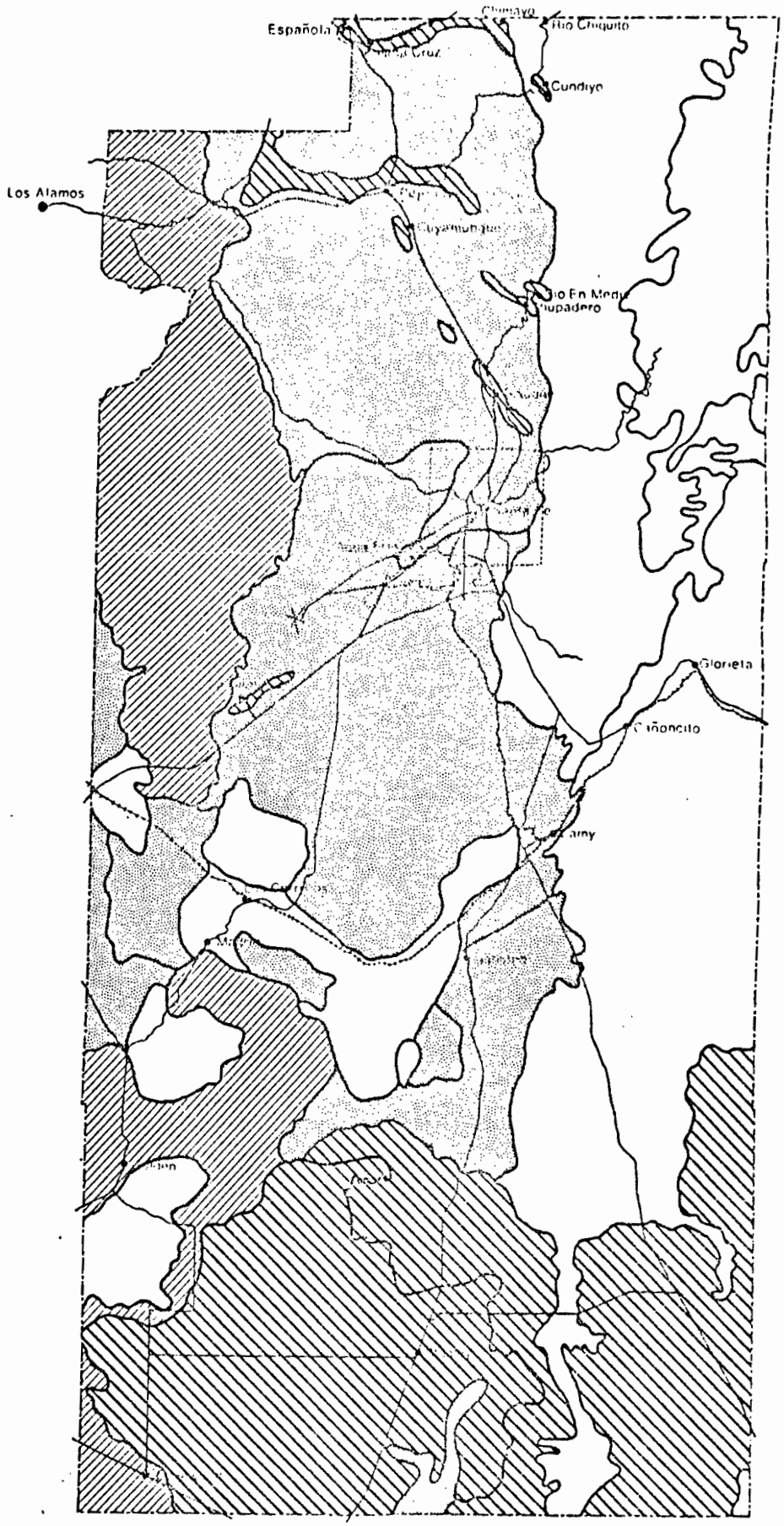
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Santa Fe County - Soils Ratings

0 miles

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

410-999T



Limitations to building foundations

- moderate-slight
- moderate
- moderate-severe
- severe-moderate
- severe

Source: Soil Conservation Service

24

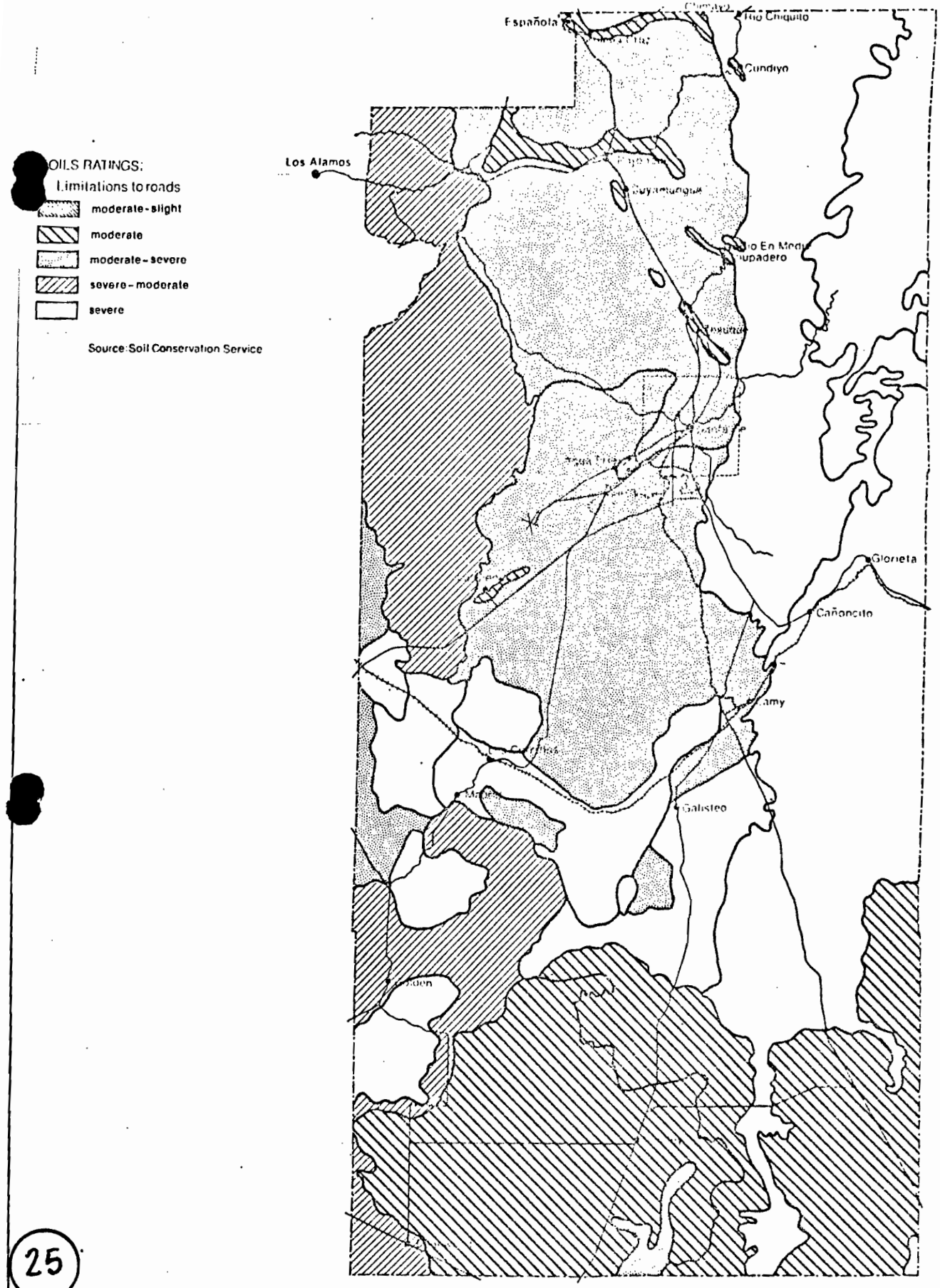
The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

anta Fe County-Soils Ratings

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

0 miles

410-9996



25

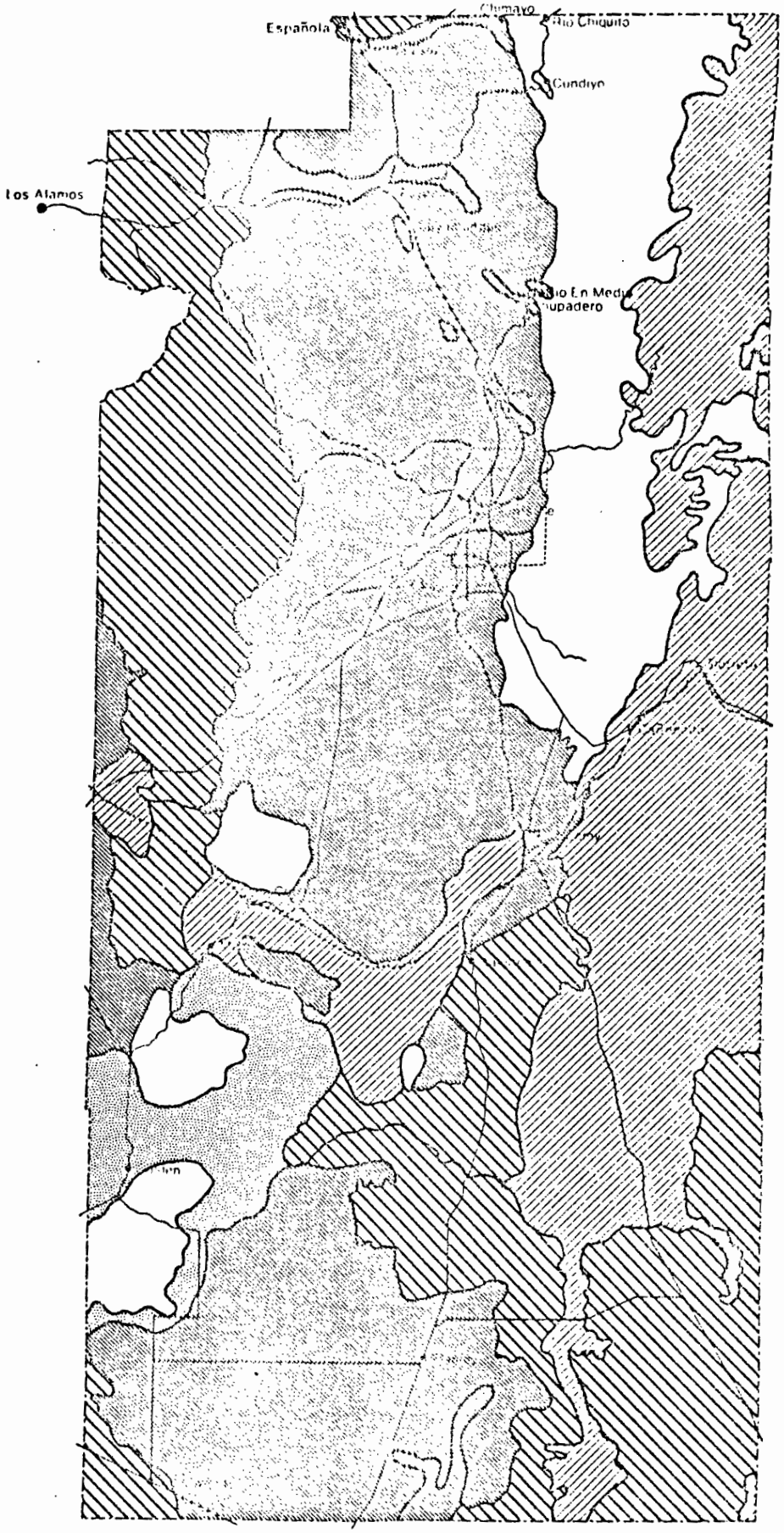
The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

Santa Fe County - Soils Ratings

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

0 miles

4/10-999V



Depth to bedrock

- greater than 6 feet
- varied, most greater than 6 feet
- varied, 4-6 feet average
- varied, most less than 4 feet
- less than 4 feet

Source: Soil Conservation Service

26

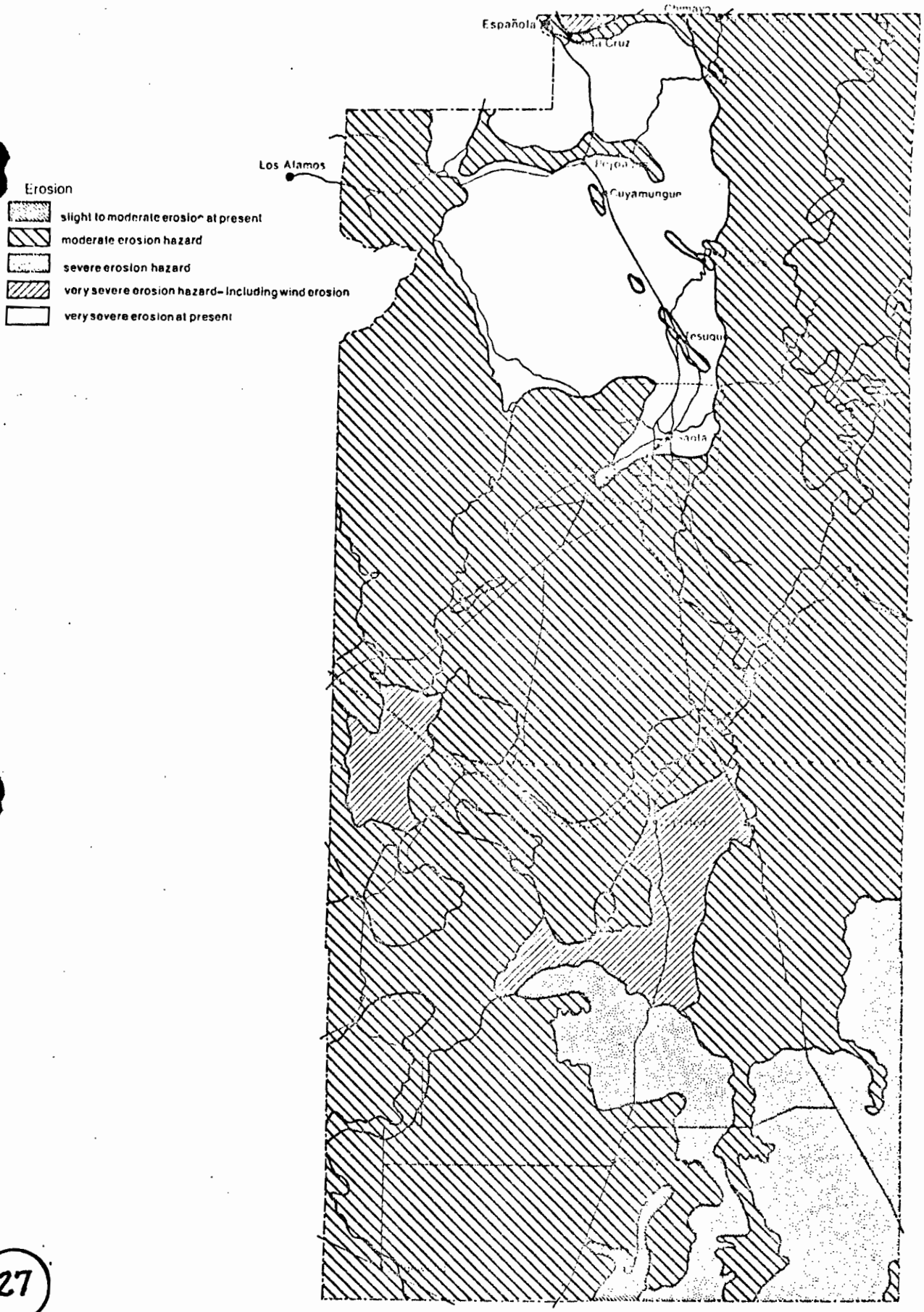
The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

Santa Fe County - Soils Ratings

Santa Fe County Planning Area - Santa Fe, New Mexico Planning Department

0 miles

410-999W



27

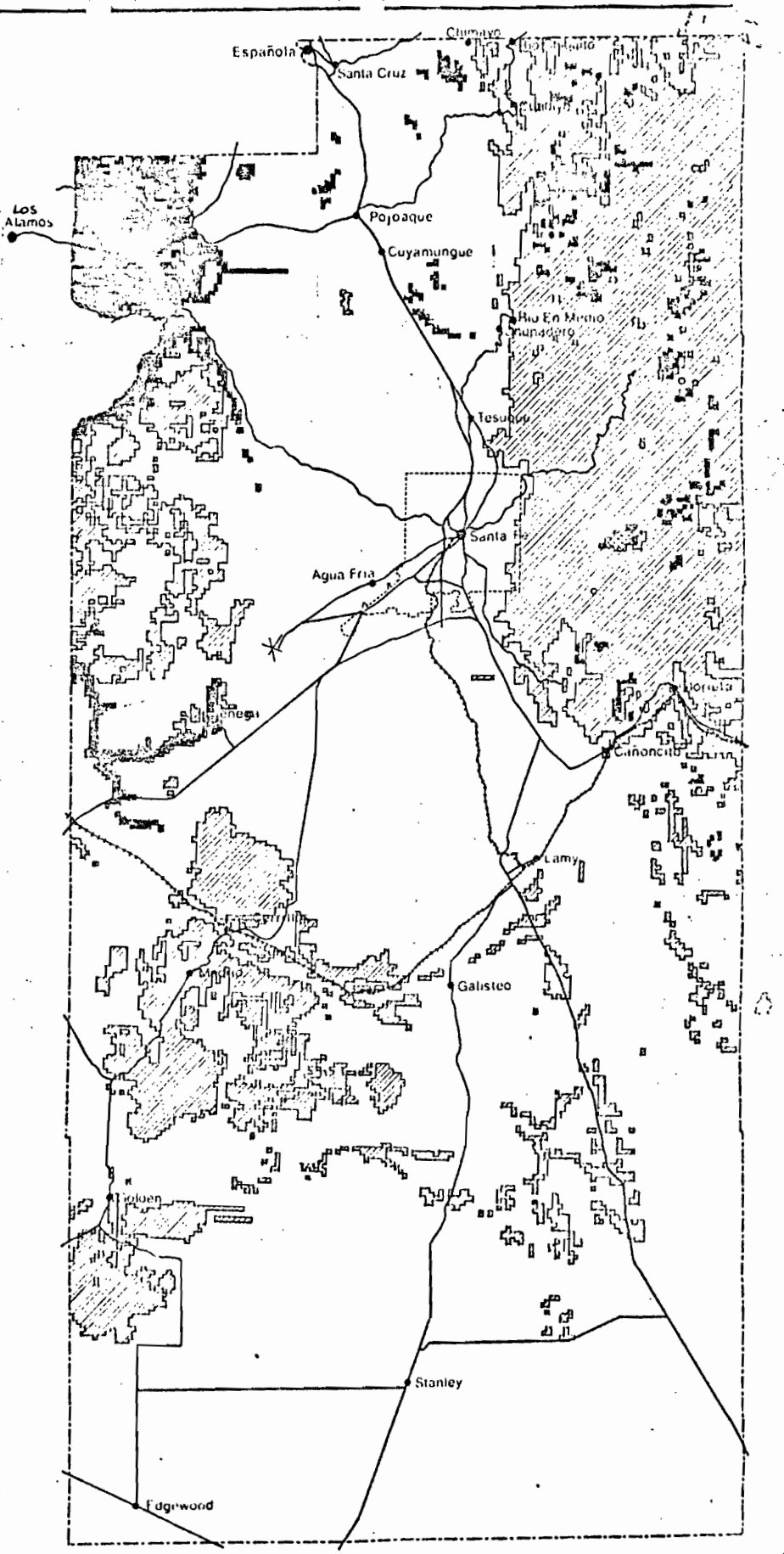
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Santa Fe County - Soils Ratings

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

0 miles

410-999 X



SOILS RESOURCE CAPABILITY—

Soils with shallow bedrock; adverse engineering properties; excess slope; or flood hazards.

- poorly suited for development
- not suited for development

28

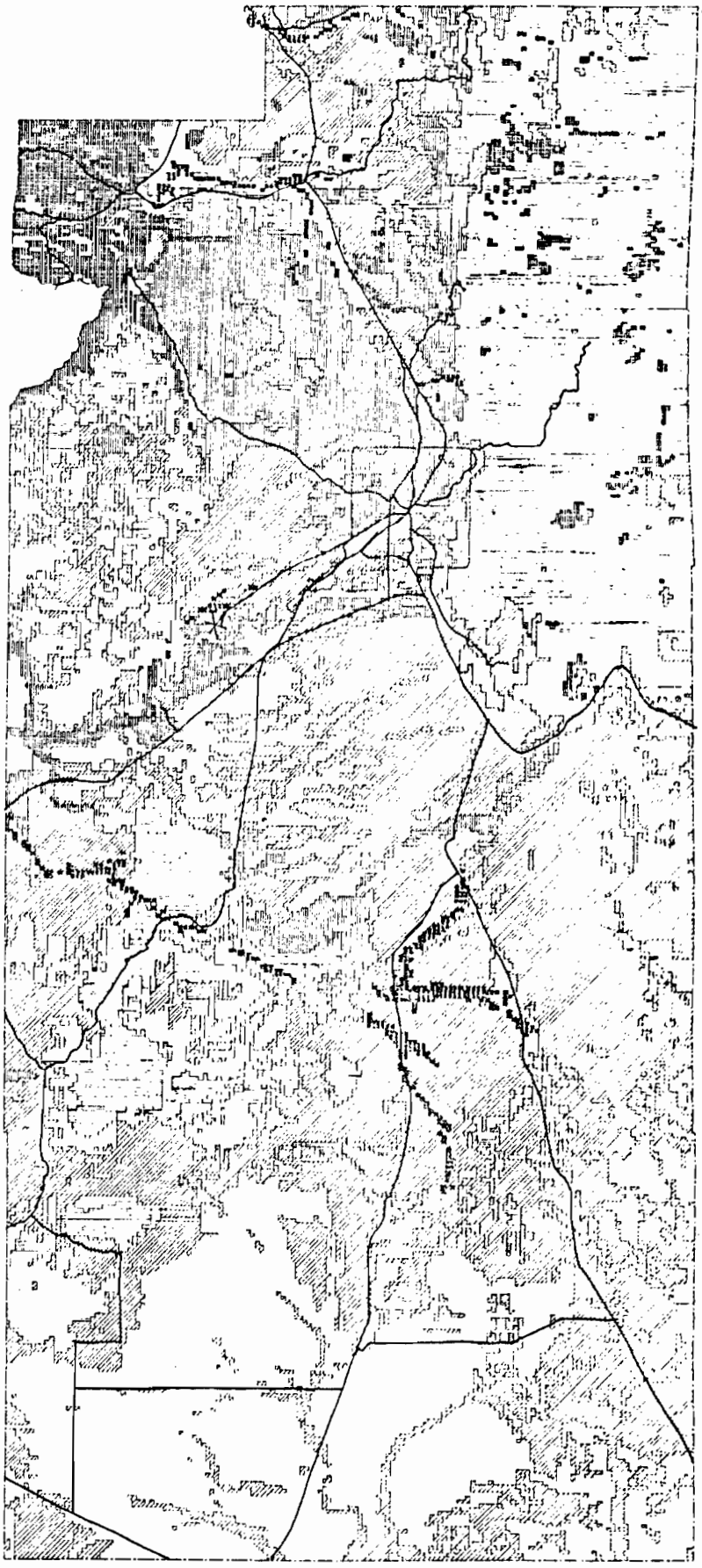
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development

Santa Fe County- Soils Limitations

410-999Y

SOIL RESOURCE CAPABILITY -2

- general site review
- special review: liquid waste disposal
- special review: terrain
- special review: flooding
- poorly suited for development
- not suited for development



29

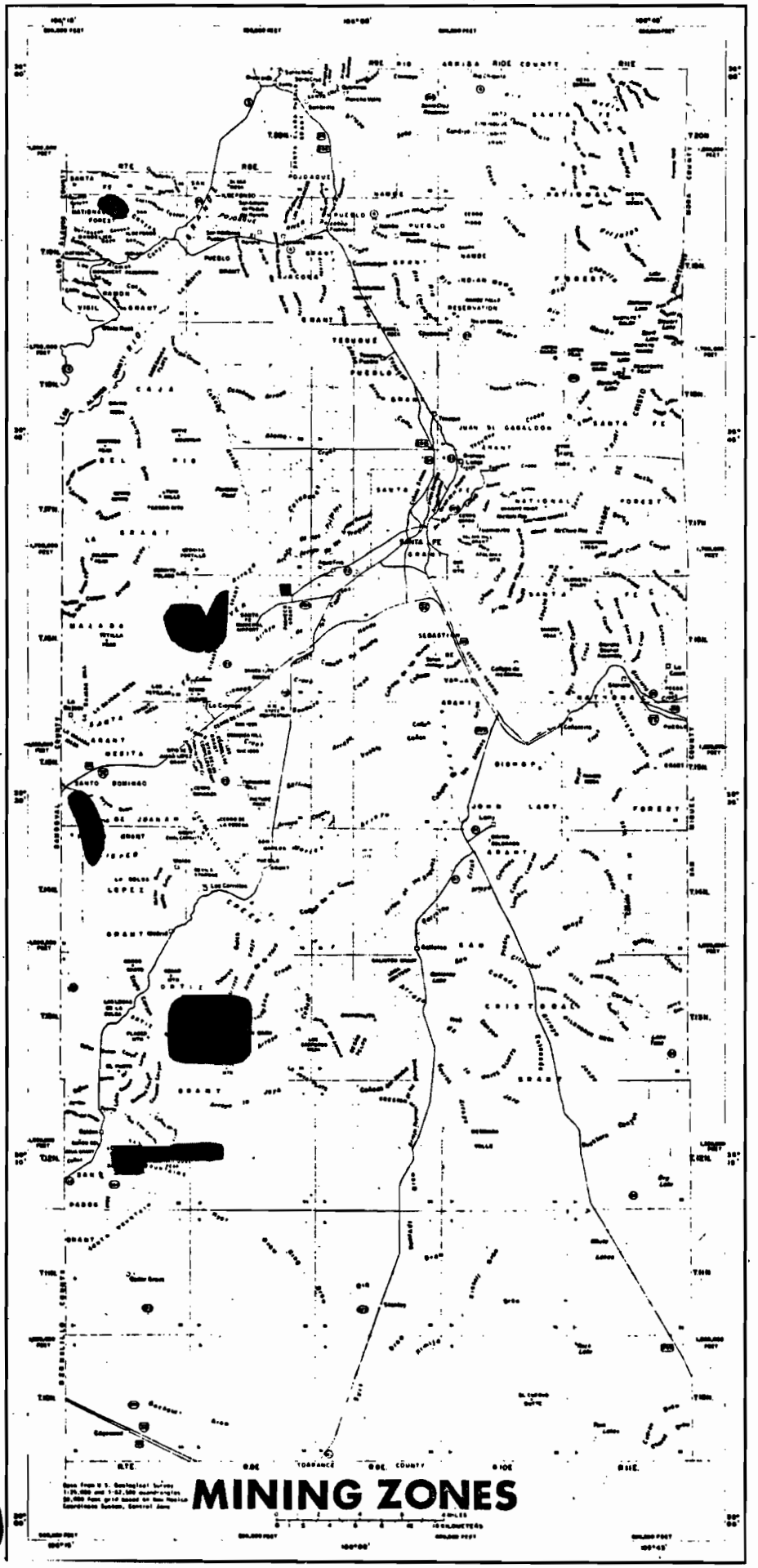
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Santa Fe County Soil Resource Capability

Santa Fe County Planning Area • Santa Fe, New Mexico Planning Department

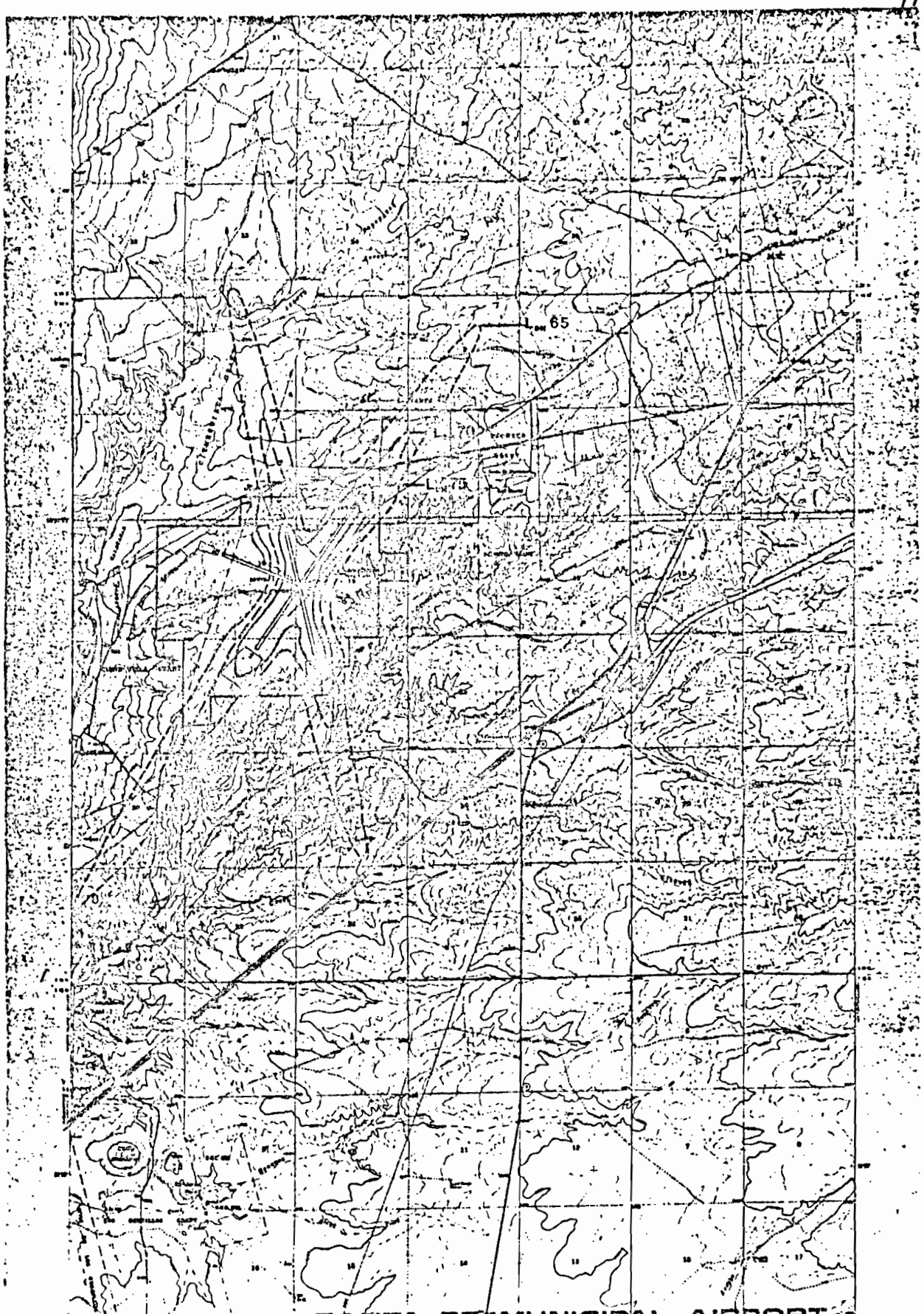
0 4.5 9 miles

410-9992



30

410-999AA

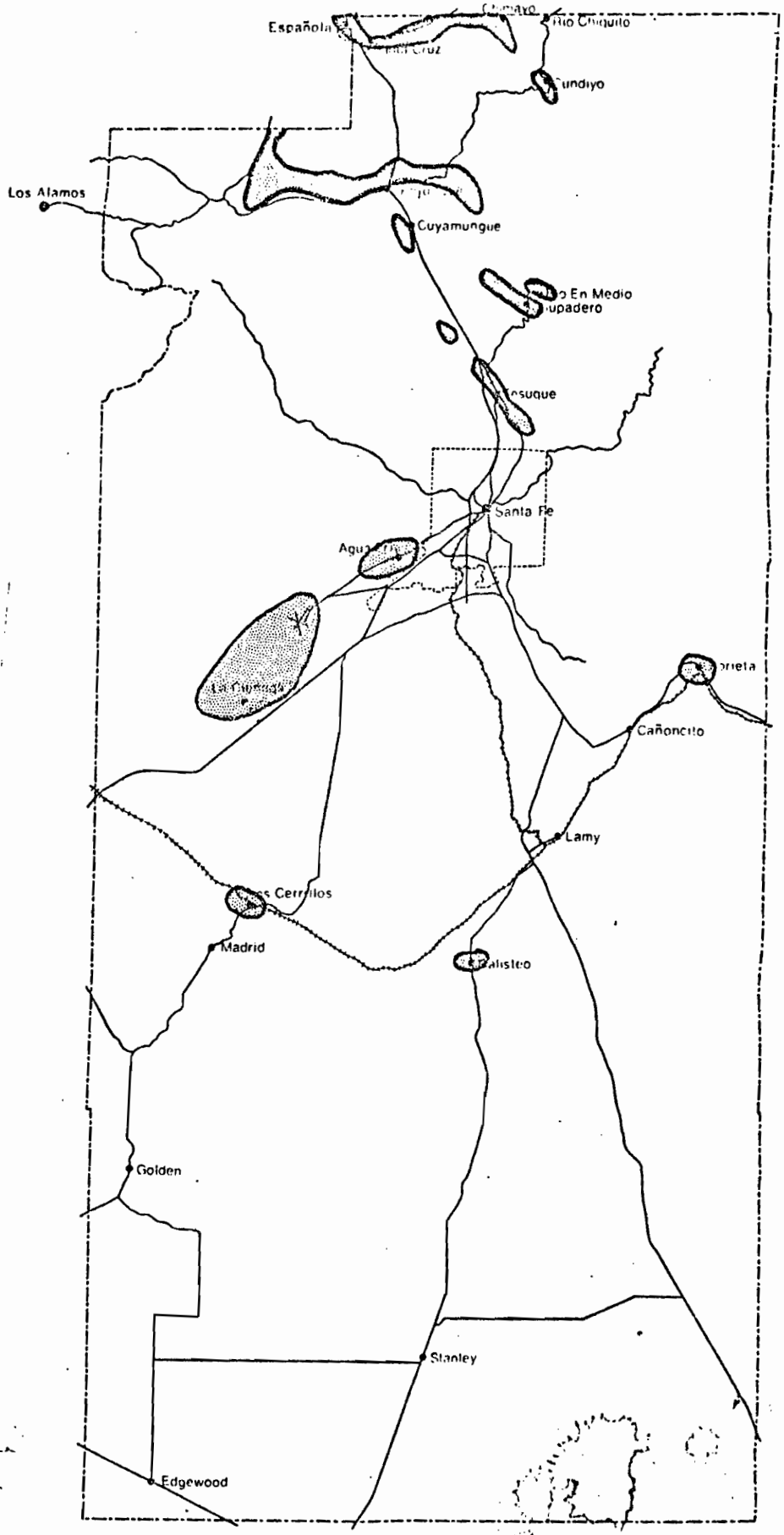


SANTA FE MUNICIPAL AIRPORT

2000 L_{DN} NOISE CONTOURS

PMM & CO. NOVEMBER 18, 1977

410-999BB



AREAS WITH POTENTIAL MAN-MADE WATER POLLUTION PROBLEMS

Inferred on basis of waste disposal practices, soils, and ground water hydrology.

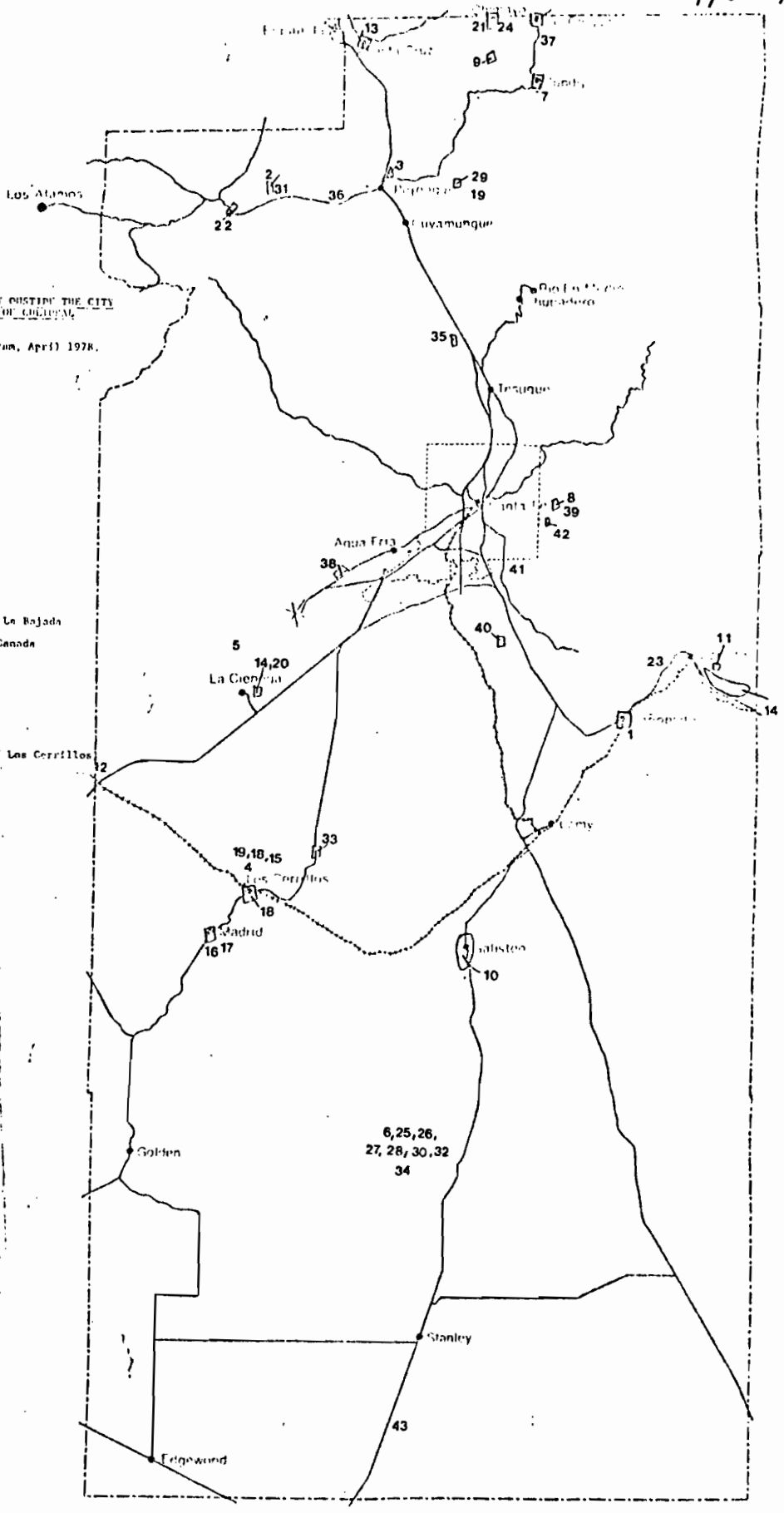
32

The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

Santa Fe County - Water Pollution

miles

410-999 cc



INVENTORY OF PROPERTIES IN SANTA FE COUNTY OUTSIDE THE CITY
[REMAINDER OF TITLE ILLEGIBLE]

Source: State Historic Preservation Program, April 1978.

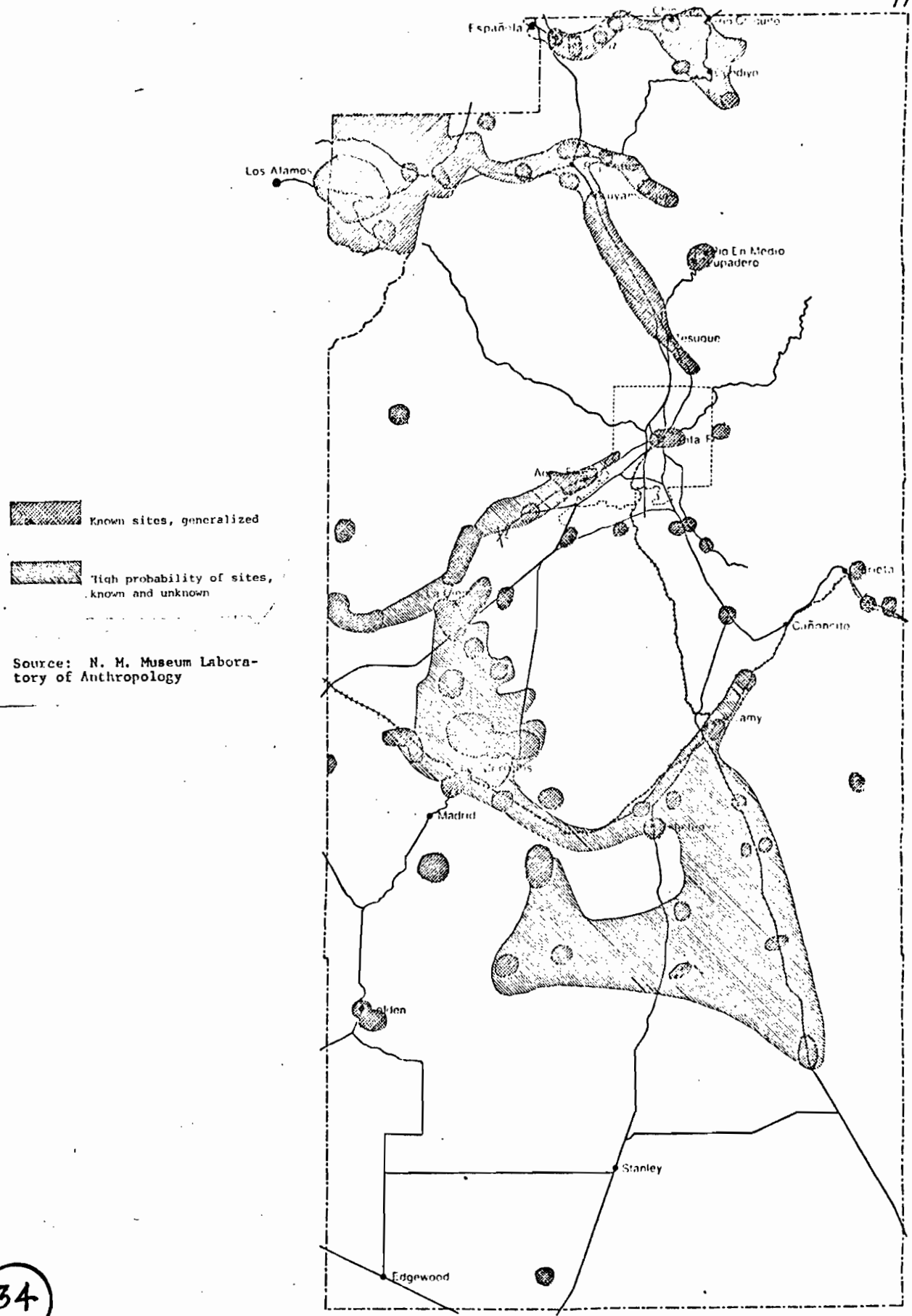
1. Apache Canyon Railroad Bridge, Canoncito
2. Black Mesa (Tuyoo), near San Ildefonso
3. Bonquet Ranch, Pojoaque
4. Cerrillos Opera House (Clear Light)
5. Cieneguille
6. Colina Verde, Galisteo Basin
7. Cundiyo
8. Davey(Randall) House, Upper Canyon Road
9. El Santuario de Chimayo and Collections
10. Galisteo Historic District
11. Glorieta Pass Battlefield
12. La Bajada Ruin, US Forest, near Village of La Bajada
13. La Iglesia y La Plaza de Santa Cruz de la Canada
14. Las Golondrinas Ranch Site, La Cienega
15. Los Cerrillos Mining District
16. Madrid Boarding House
17. Madrid Historic District
18. Mount Chalchihuitl Turquoise Mine, north of Los Cerrillos
19. Nambe Archeological District
20. Old Cienega Village Museum
21. Oratorio de San Buenaventura, Chimayo Plaza
22. Otowi Historic District, on the Rio Grande
23. Pigeon's Ranch, near Glorieta
24. Plaza del Cerro, Chimayo
25. Pueblo Blanco, Galisteo Basin
26. Pueblo Colorado (north), Galisteo Basin
27. Pueblo Largo, Galisteo Basin
28. Pueblo of Galisteo, Galisteo Basin
29. Pueblo of Nambe
30. Pueblo of San Cristobal, Galisteo Basin
31. Pueblo of San Ildefonso
32. Pueblo of San Lazaro, Galisteo Basin
33. Pueblo of San Marcos
34. Pueblo of She, Galisteo Basin
35. Pueblo of Tesuque
36. Roybal (Ignacio) House, Jacona
37. Santa Cruz Dam
38. Santa Fe River Sites, south of Agua Fria
39. Santa Fe Waterworks Reservoir
40. Seton Castle
41. Sol y Sombra (Los Llanos), Old Santa Fe Trail
42. Spanish Log Cabin, Upper Canyon Road
43. West Otto Site

33

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Santa Fe County HISTORICAL SITES

410-999DD



34

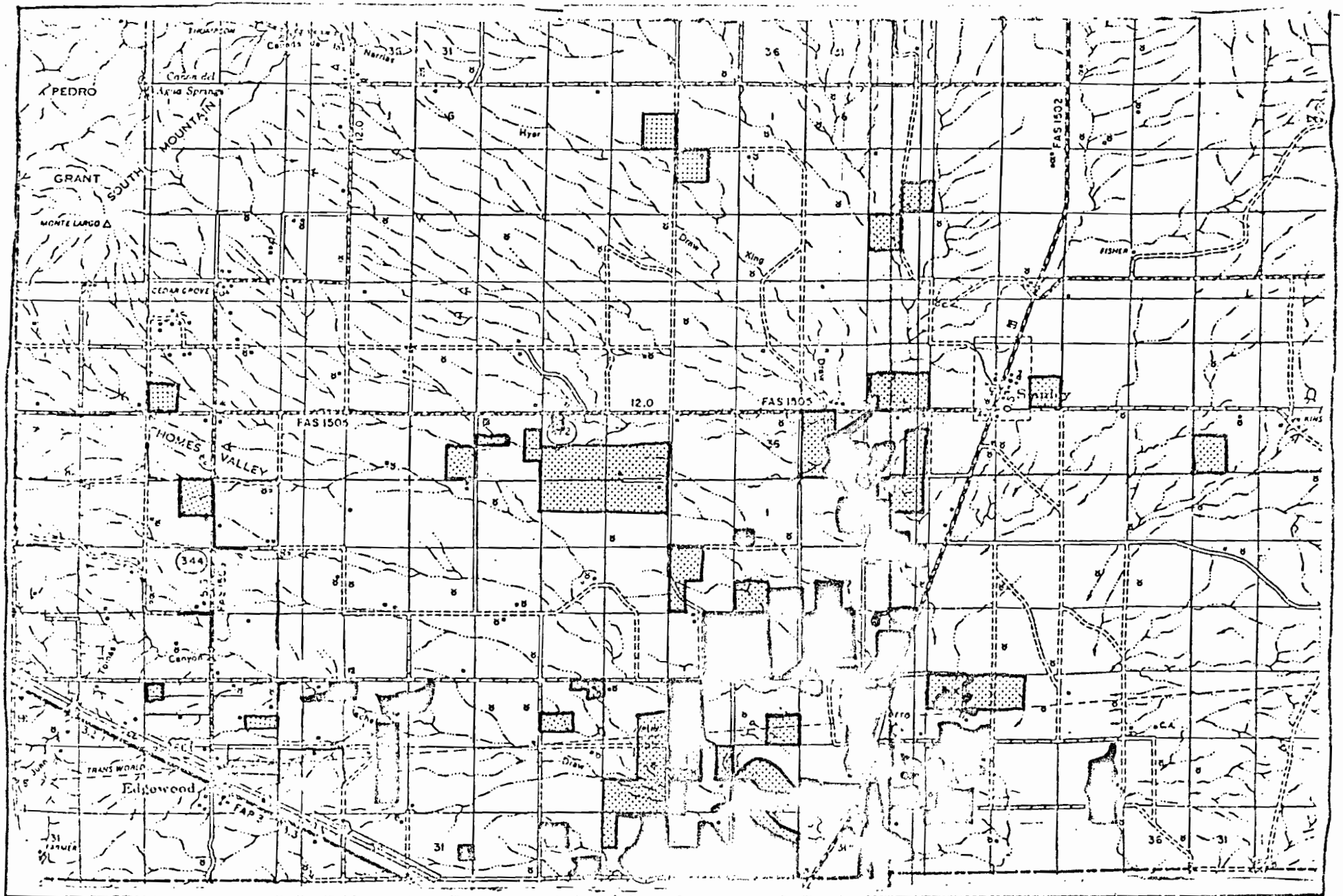
The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

Santa Fe County - Archeological Sites

Compiled by New Mexico Planning Department

miles

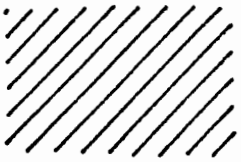
E 4076



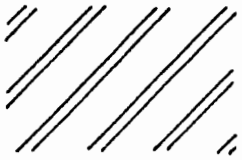
LANDS WITH IRRIGATED AGRICULTURAL WATER RIGHTS, ESTANCIA BASIN

410-999FF

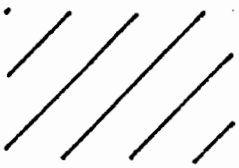
LEGEND FOR THE FOLLOWING COMMUNITY MAPS



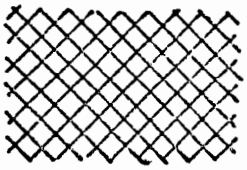
Bureau of Land Management Land



State Land



Indian Land



Santa Fe National Forest

Critical Community Size



house



trailer



public, semi-public



commercial

water tank and water line

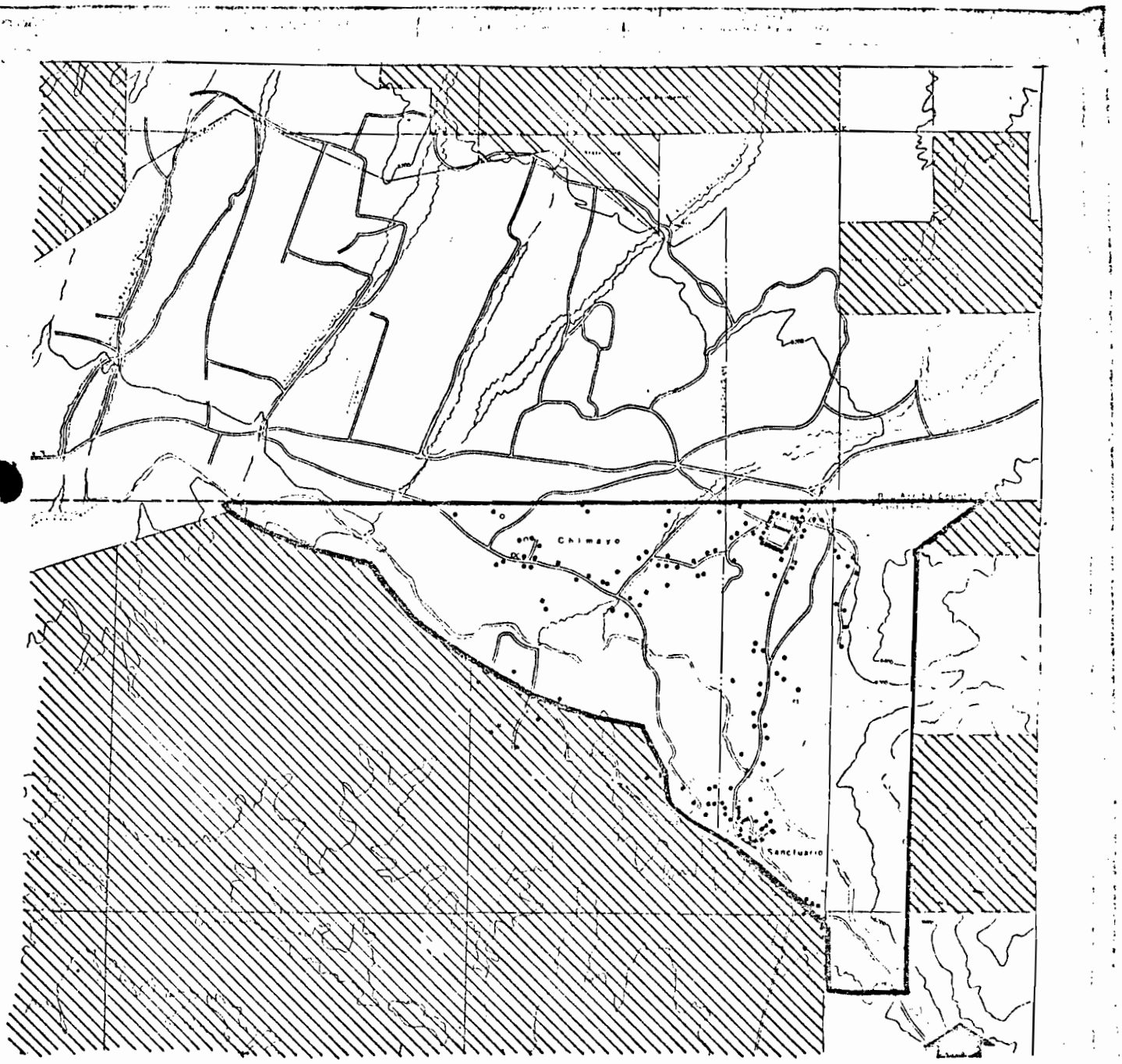
36

410-999 GG



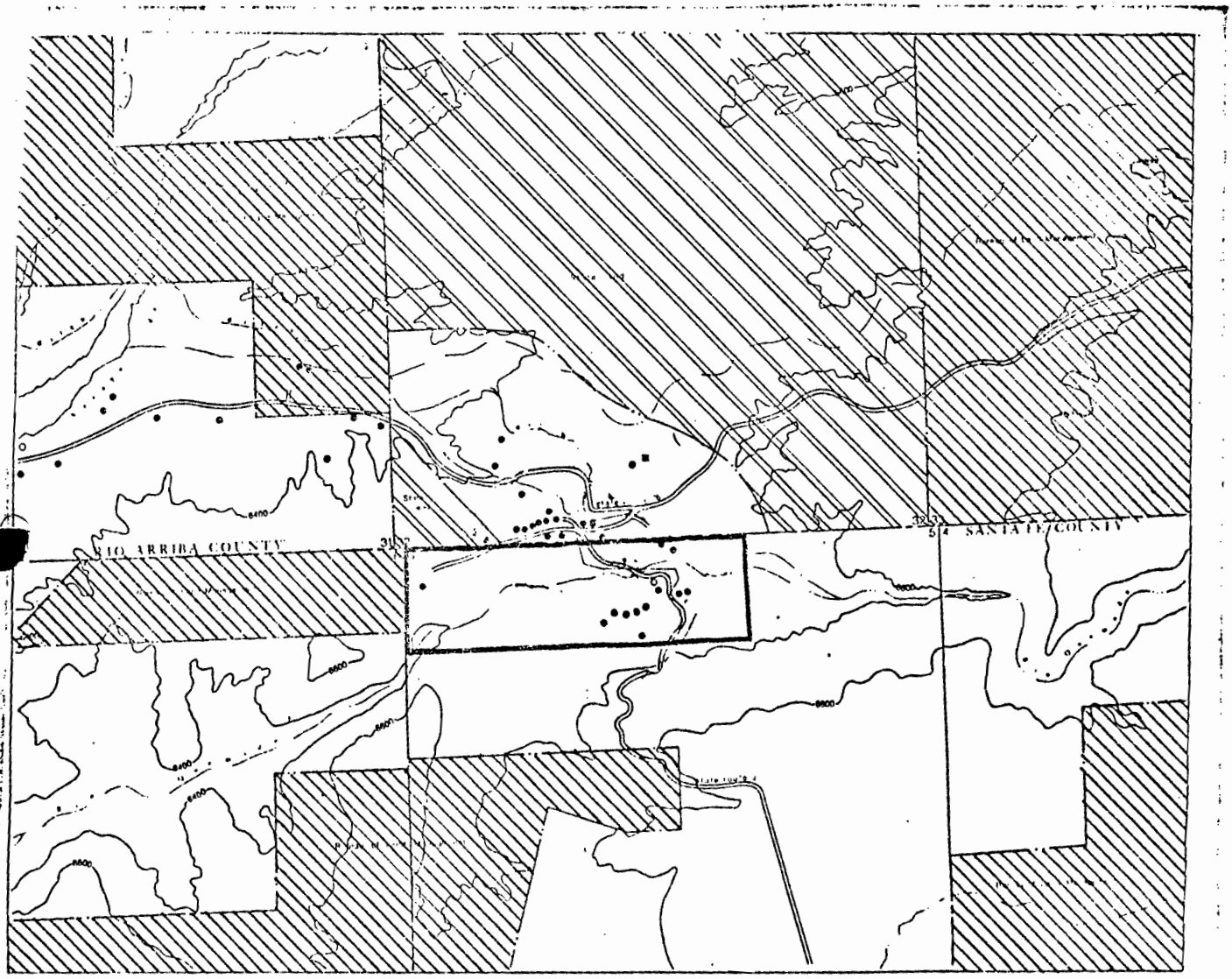
37

410-999HH



Chimayo

410-999-II

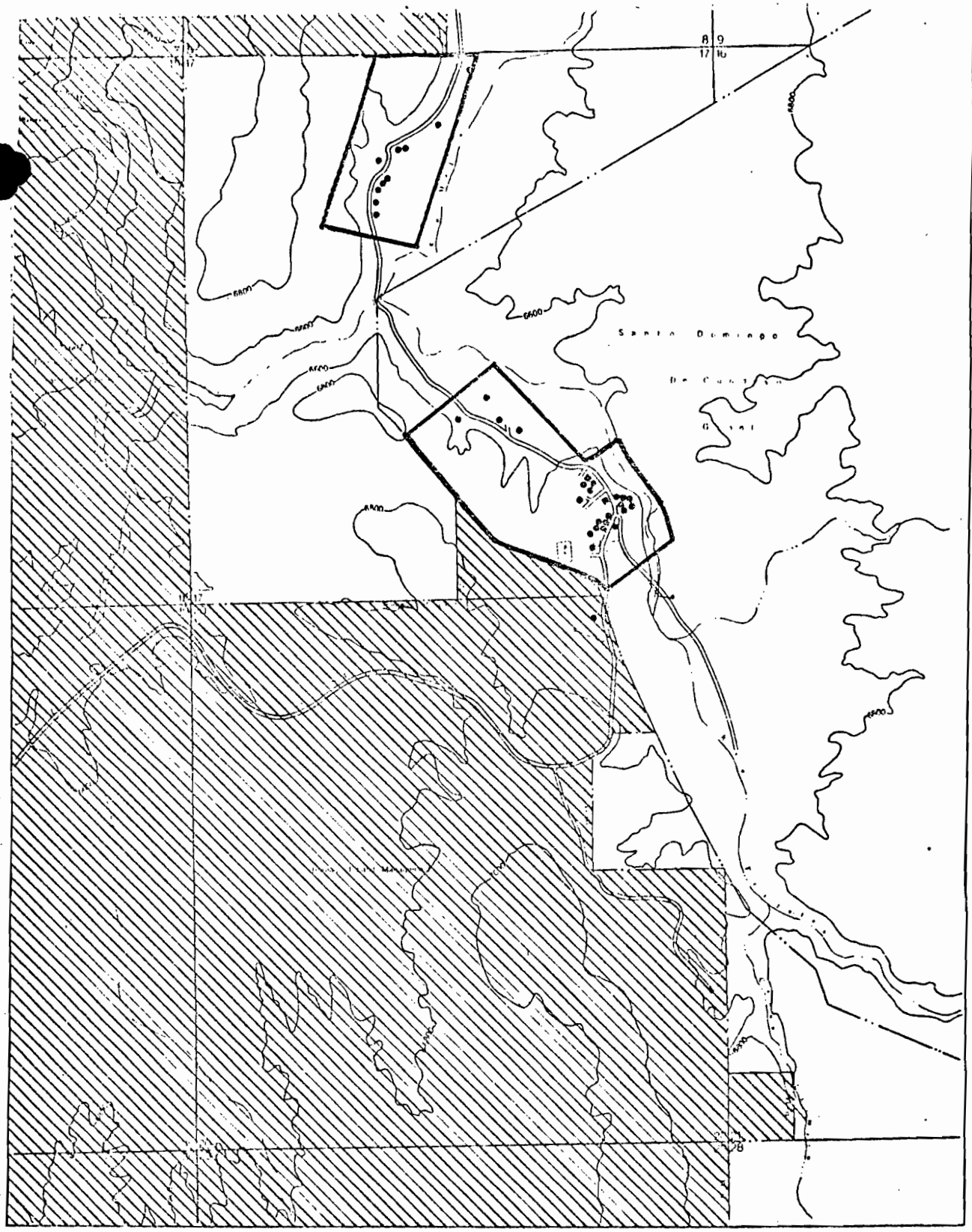


Rio Chiquito

Base Map Information

39

410-9995



Cundiyo

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Base Map Information

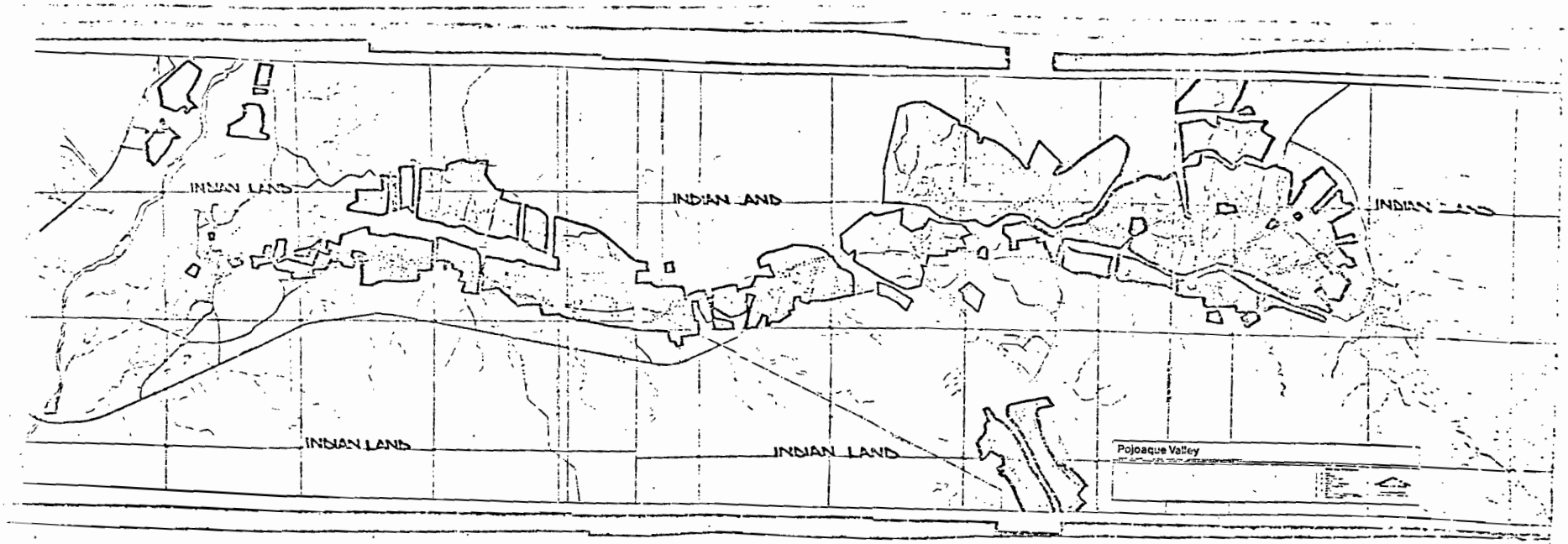
- house
- mobile home
- public semi-public
- commercial
- water tank and water line
- pump house

Road information courtesy of the Santa Fe Planning Department and the U.S.F.S. Base maps and planning information courtesy of the Bureau of Land Management

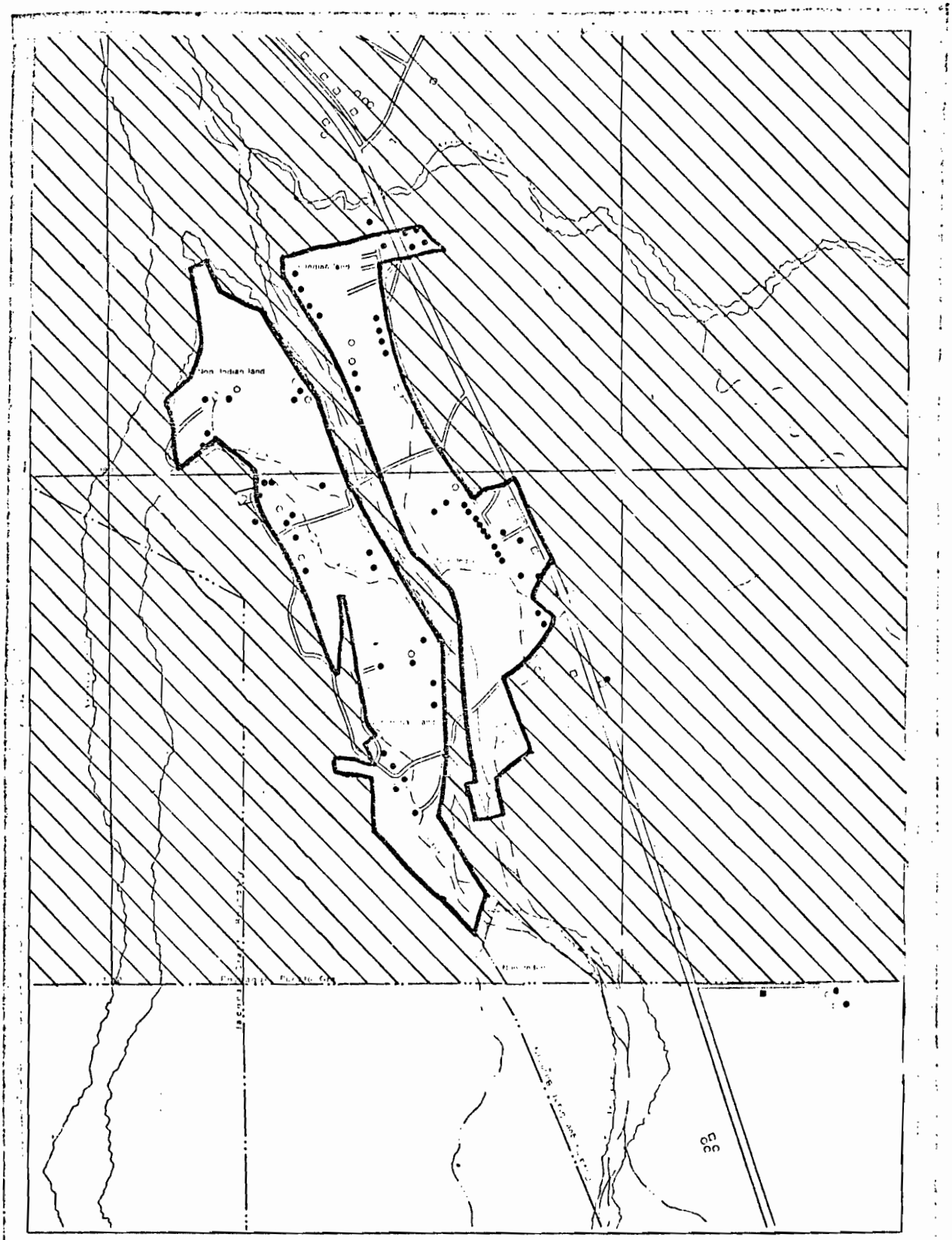
0 1 2

40

410-999 KK


INDIAN LAND
INDIAN LAND
INDIAN LAND
INDIAN LAND
INDIAN LAND
Pojoaque Valley

410-999 LL

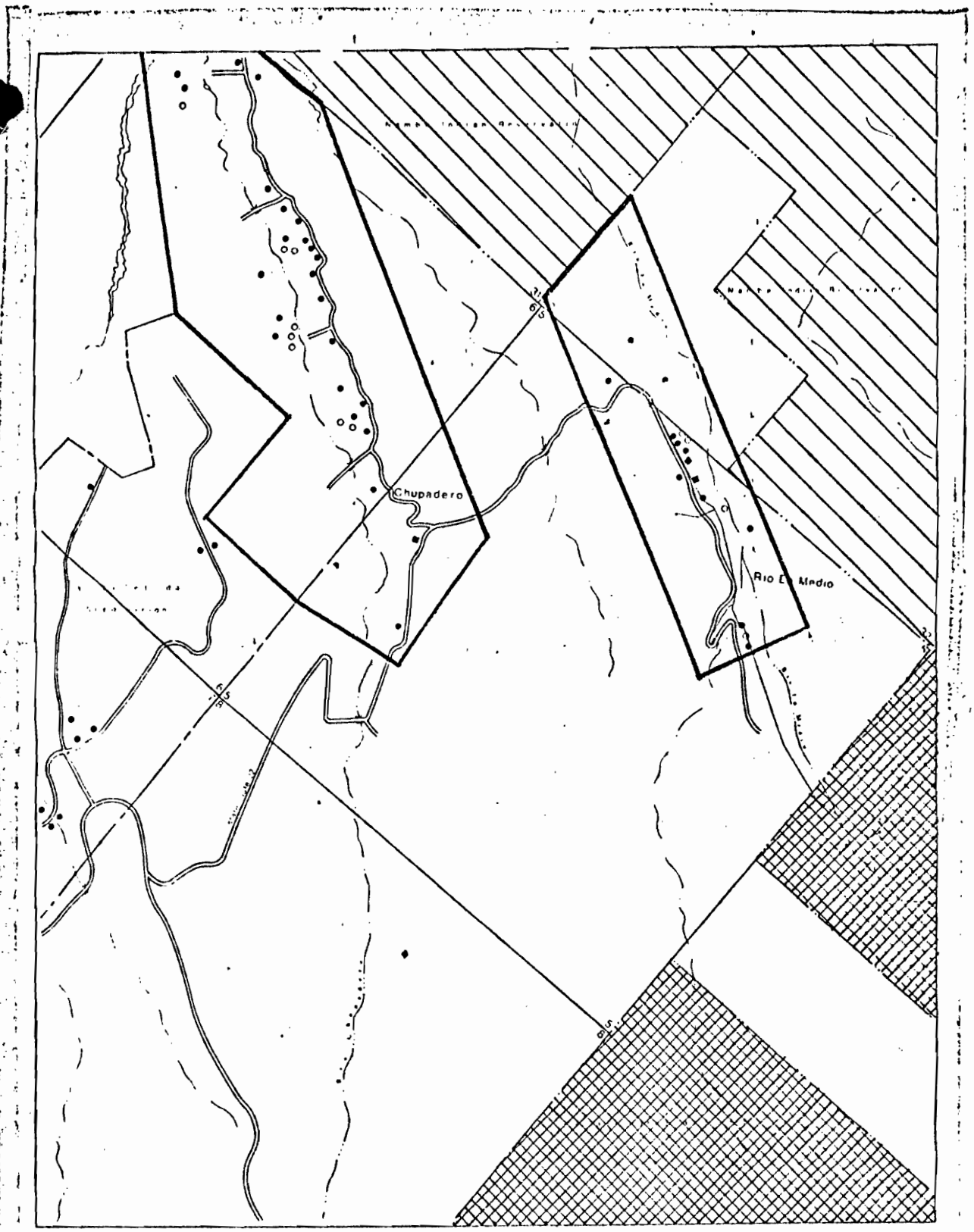


Cuyamungue

42

Base Map Information

410999 mm



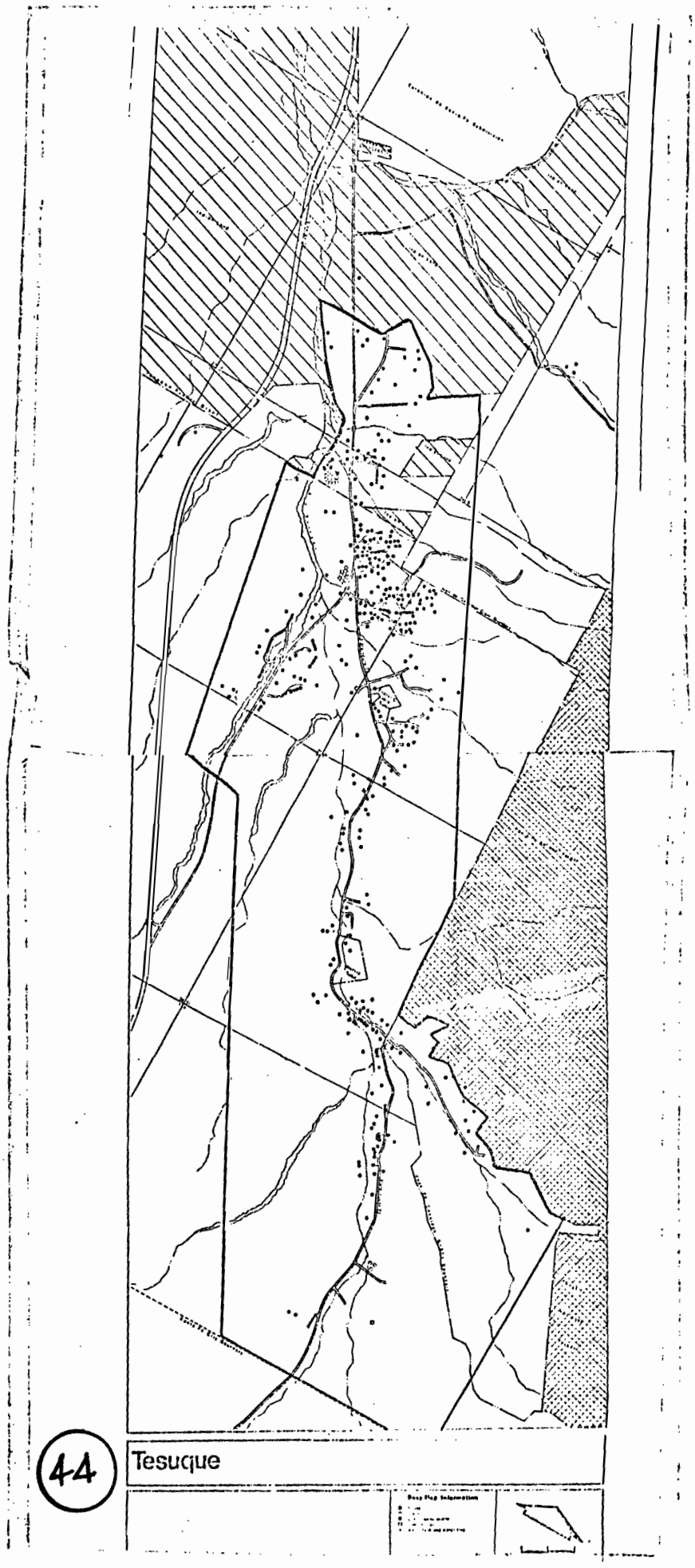
Chupadero-Rio En Medio

43

Base Map Information

- house
- trailer
- public, semi-public
- commercial
- water tank and water line

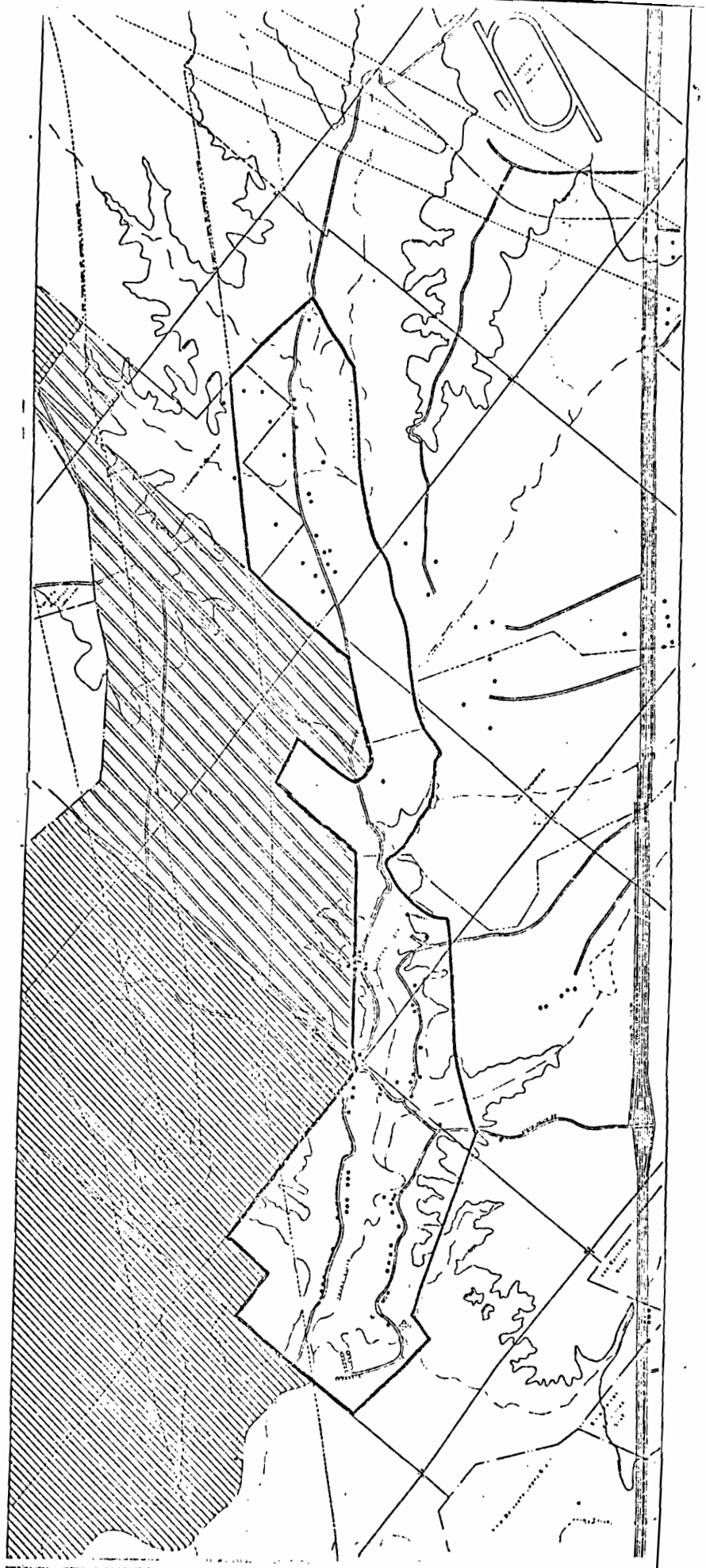
410-999 NM



44

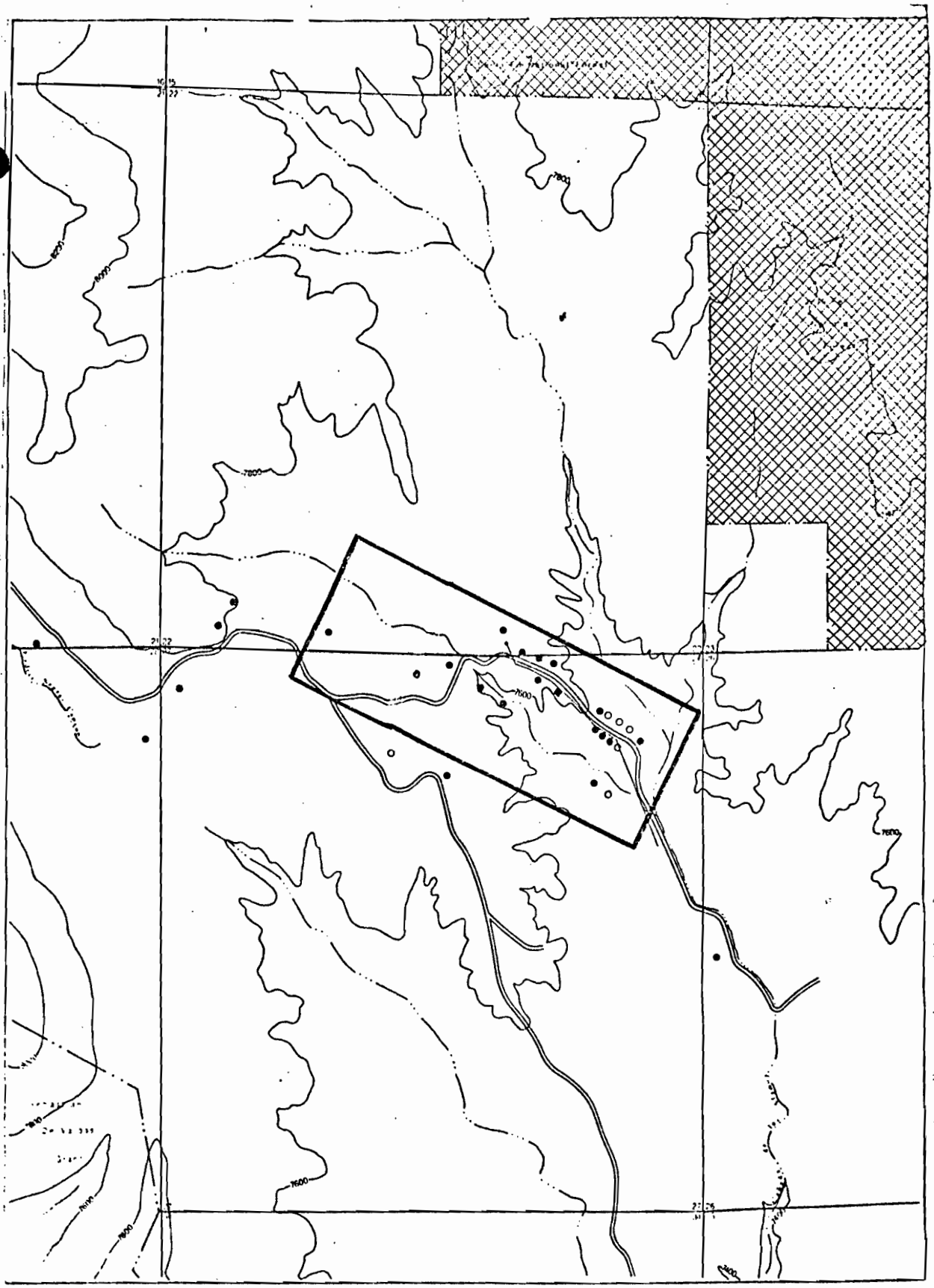
Tesuque

410-999-00



La Cienega

410-999 PP



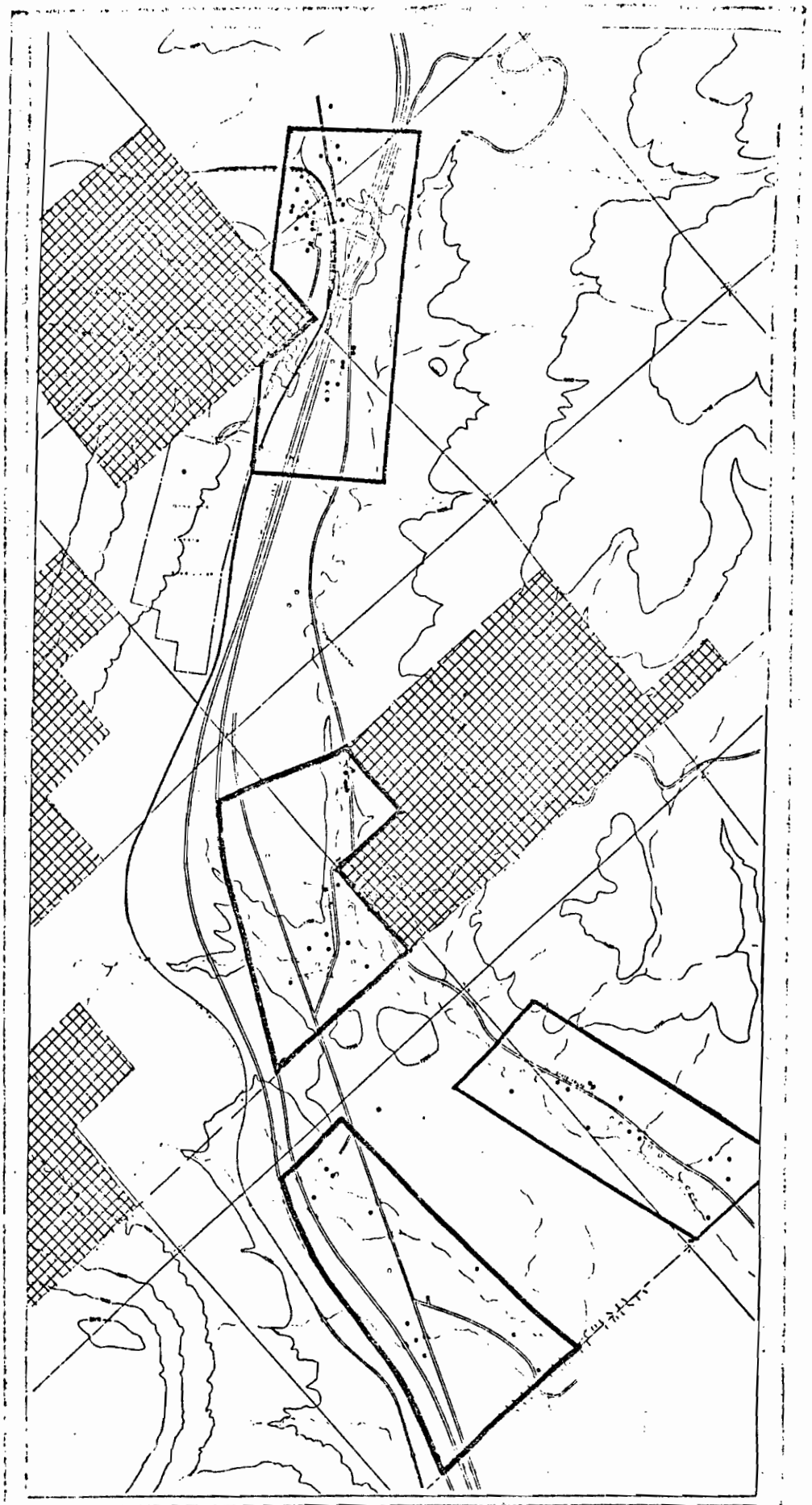
Cañada de Los Alamos (46)

...comprehensive planning grant from the Department of Housing and Urban Development

Base Map Information

- House
- Mobile home
- Public semi-public
- Water and waterline

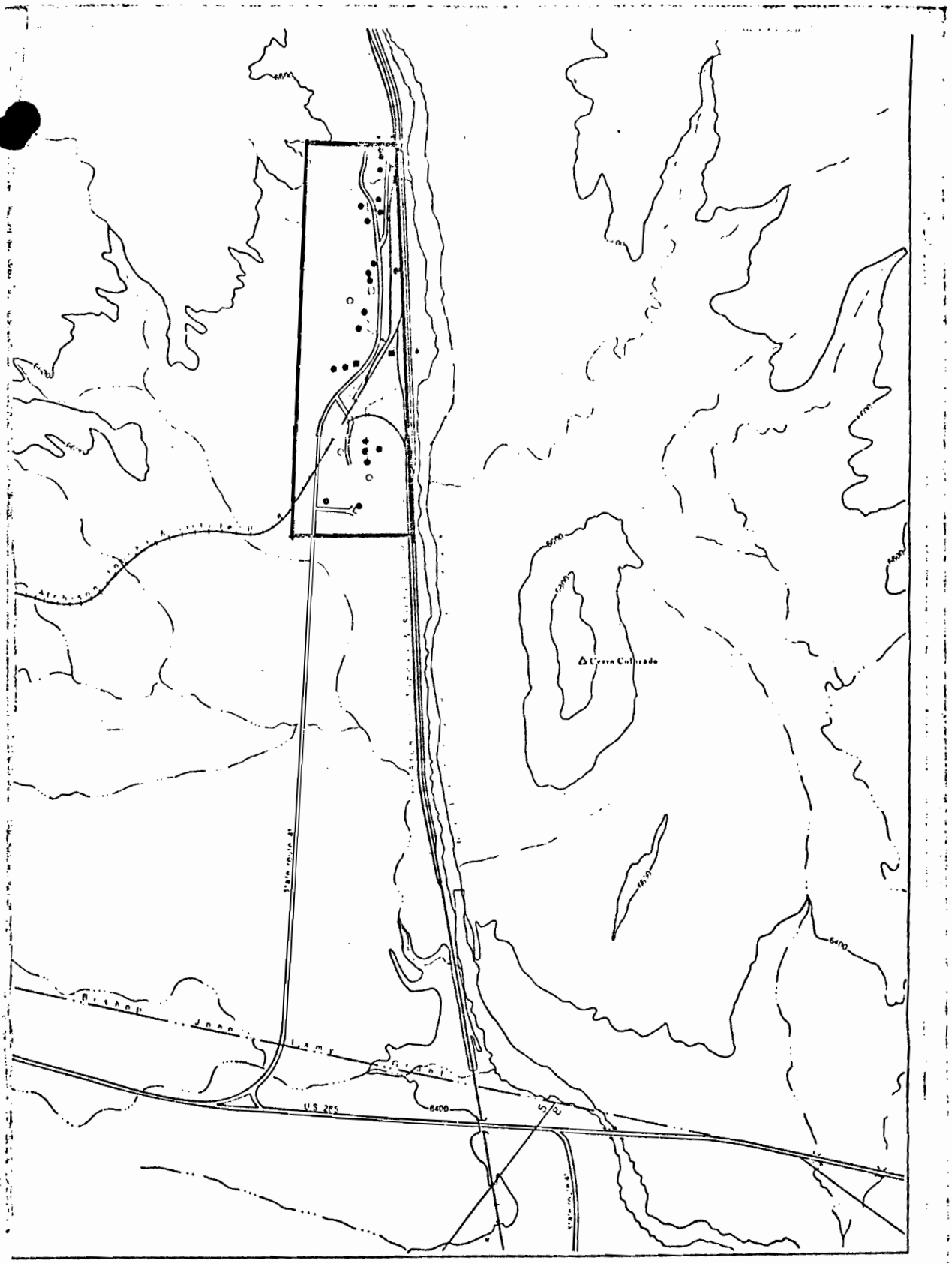
410-999 QQ



Glorieta

47

410-999 RR



Lamy

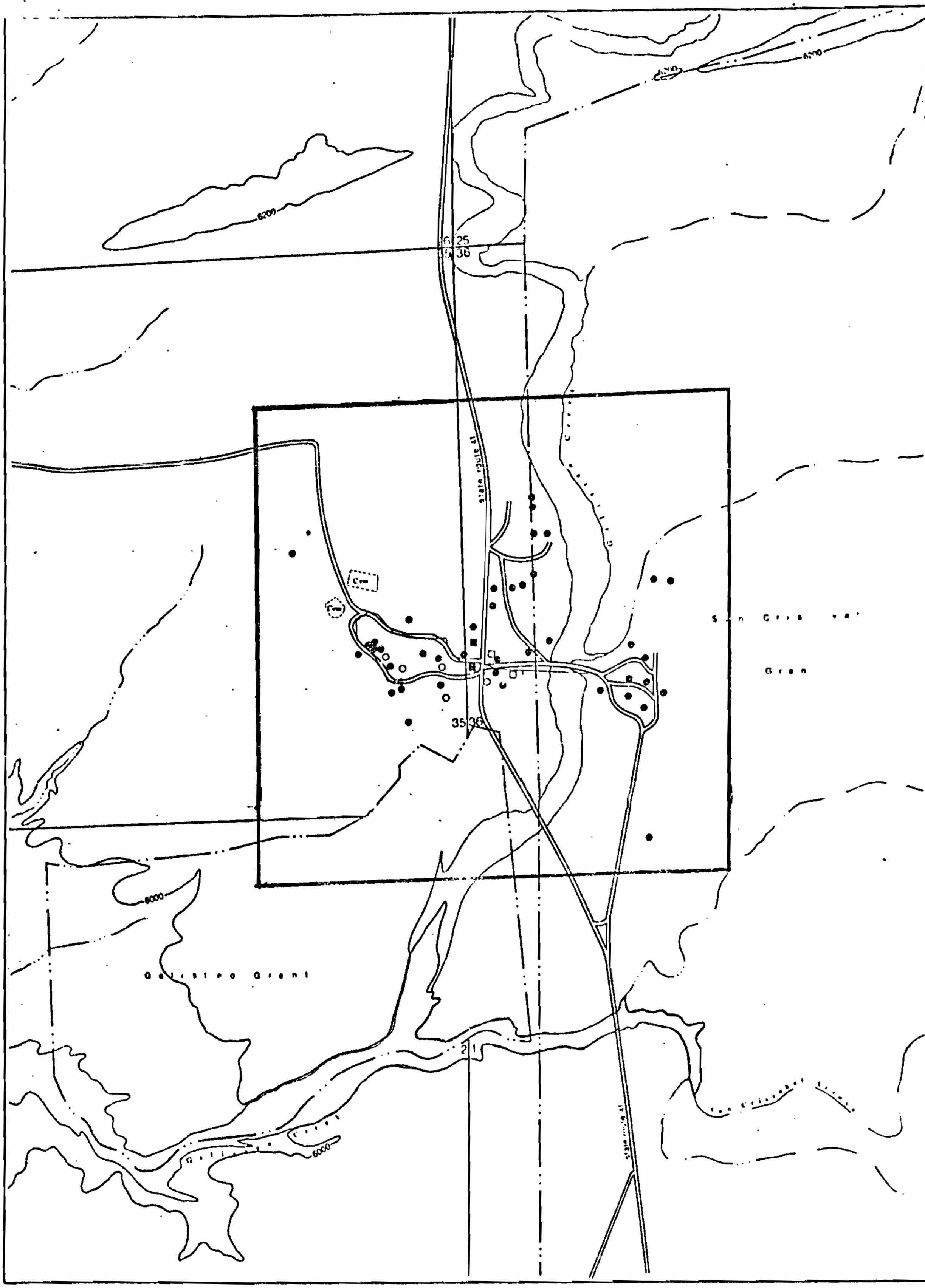
The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

48

Base Map Information

- house
- mobile home
- public semi-public
- commercial
- water tank and water line
- sewer line

410-999 SS



Galisteo

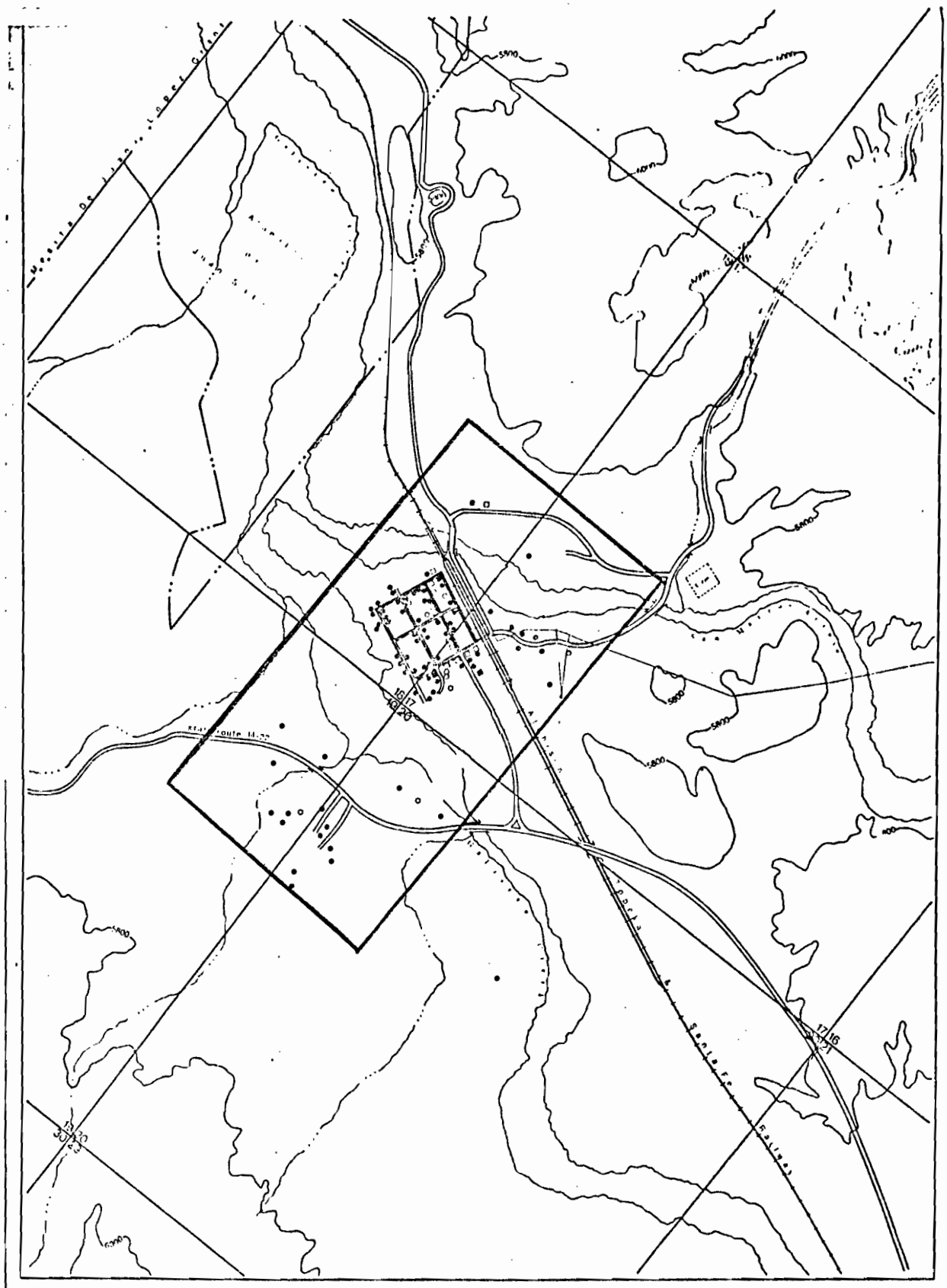
The preparation of this map was financed in part through a comprehensive planning grant from the Department of Housing and Urban Development

Base Map Information

- ● house
- ○ mobile home
- ■ public semi public
- □ commercial
- water tank and water line

0 1 2

410-999 TT



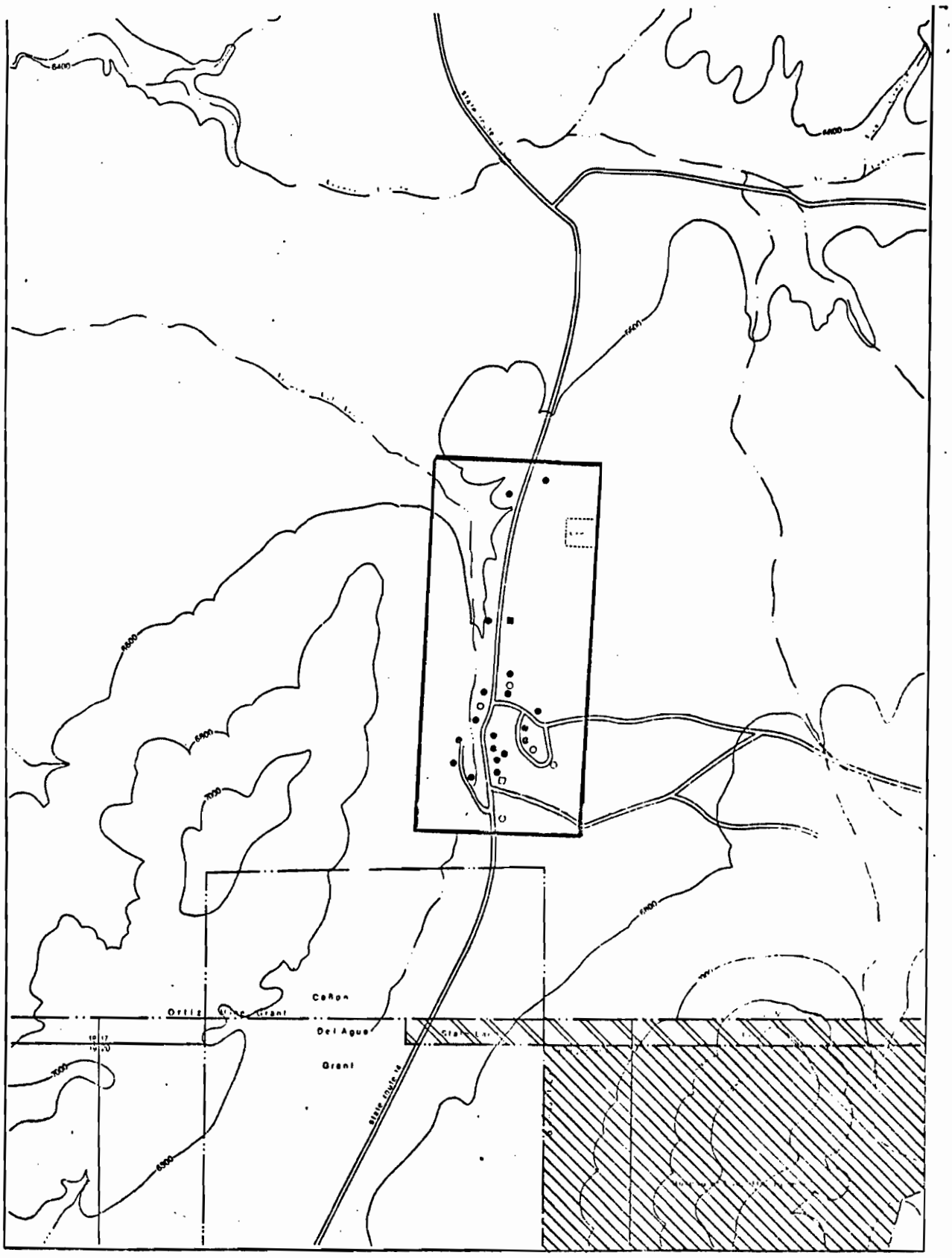
Los Cerrillos

50

Base Map Information

- house
- mobile home
- public, semi-public
- commercial
- water tank, water line

410-999 UU



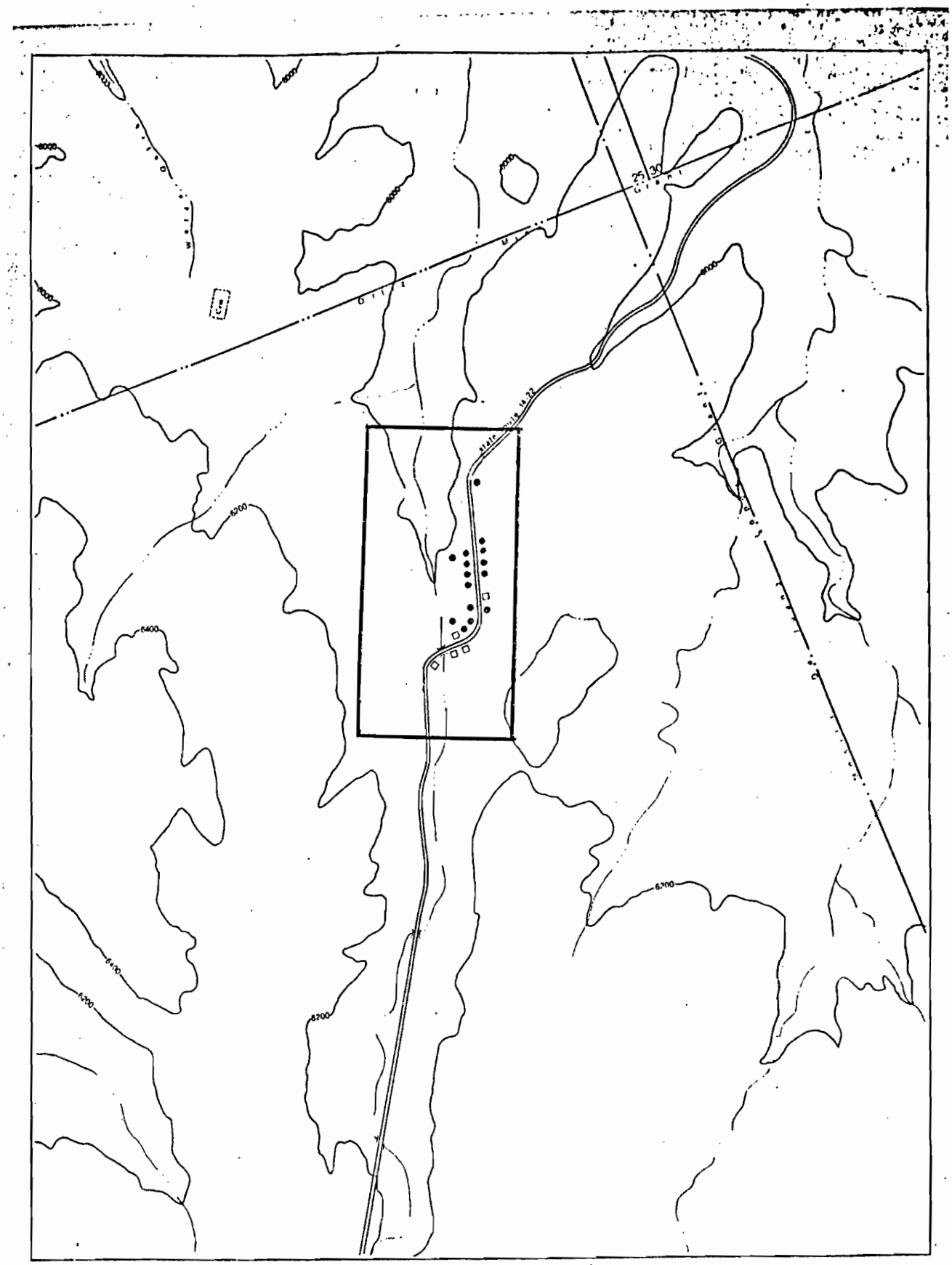
Golden

51

Base Map Information

- House
- mobile home
- public semi public
- commerical

4110-999 V V

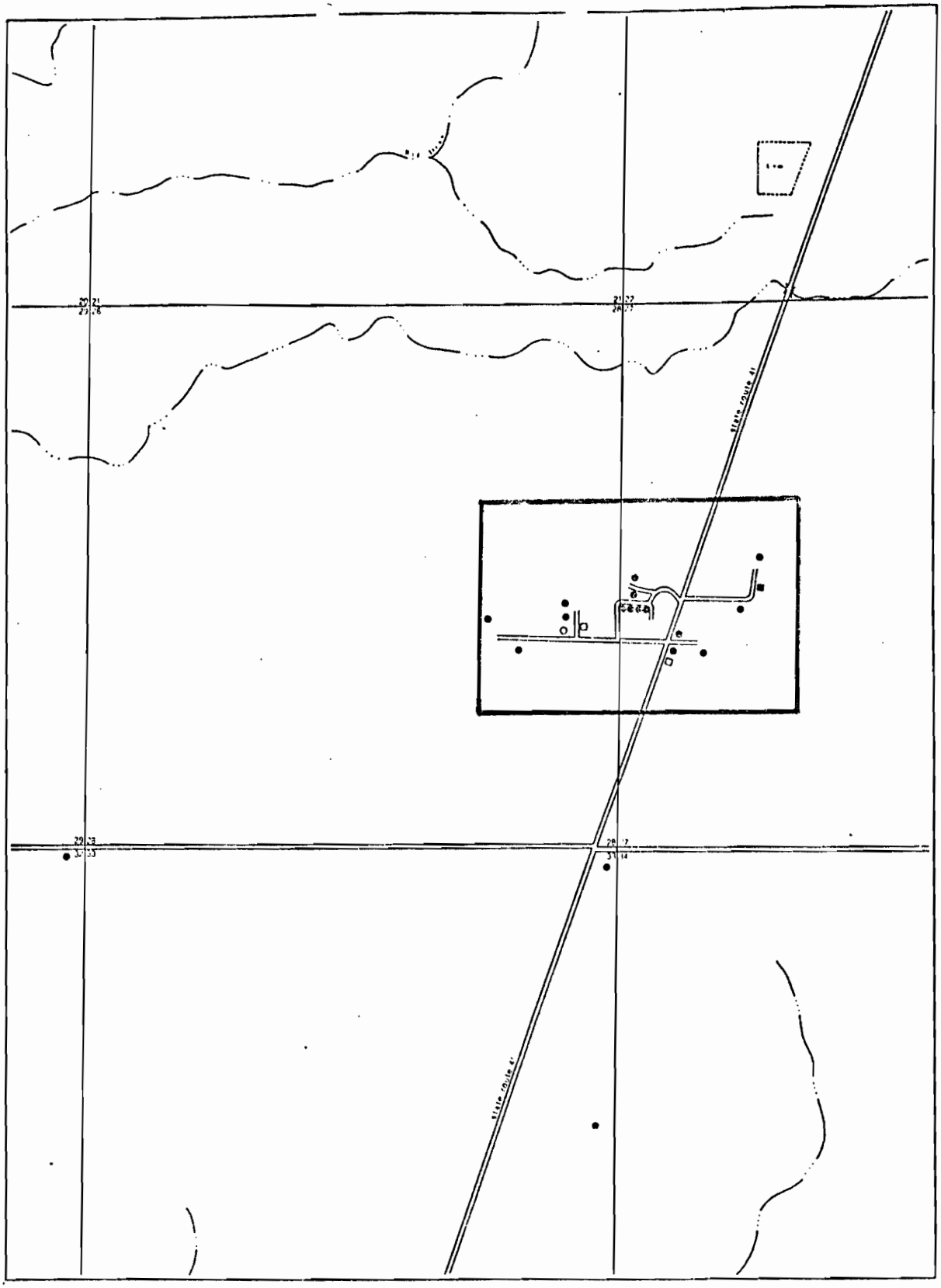


Madrid

52

Base Map Information

410-999 WW

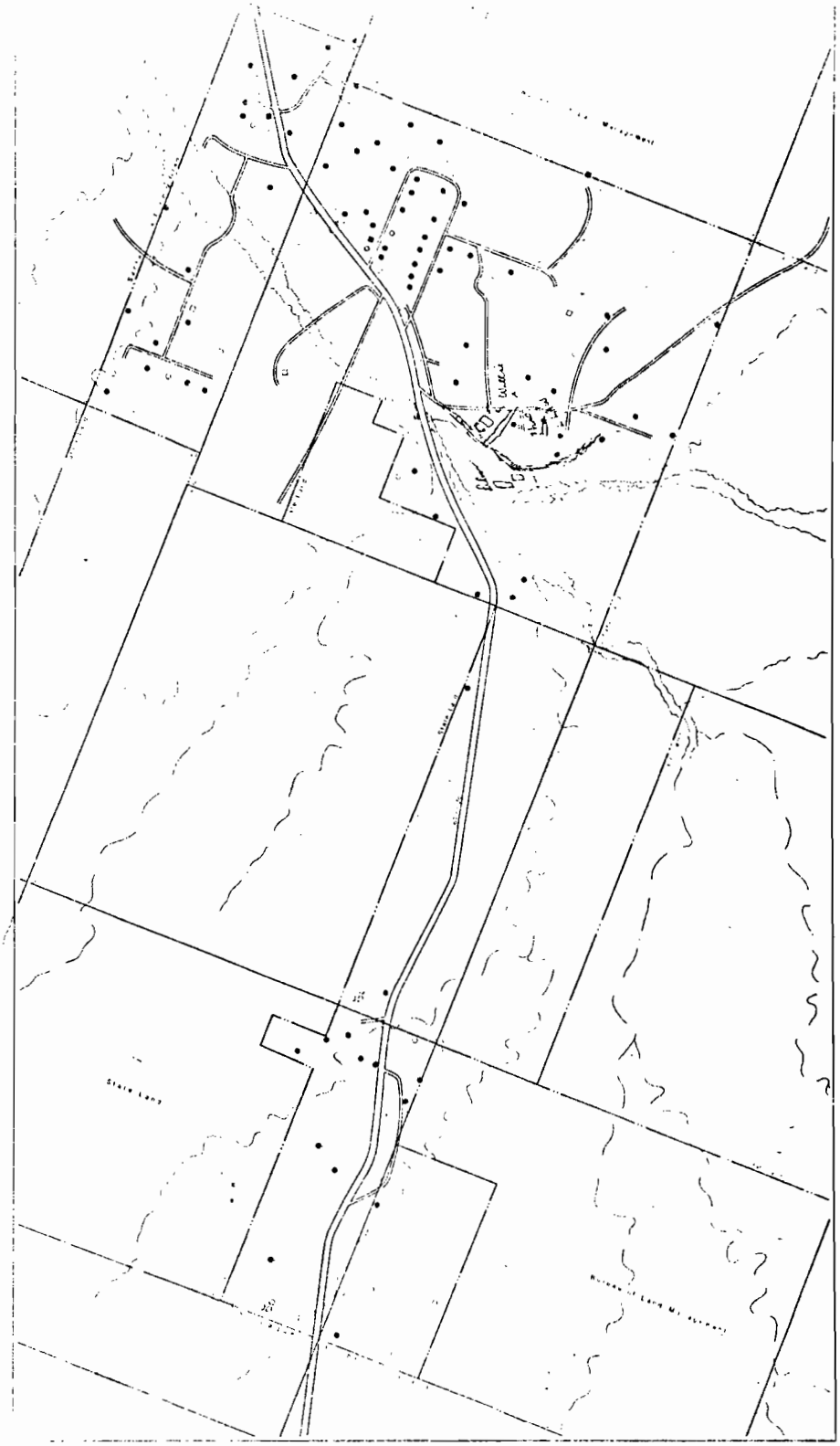


Stanley

53

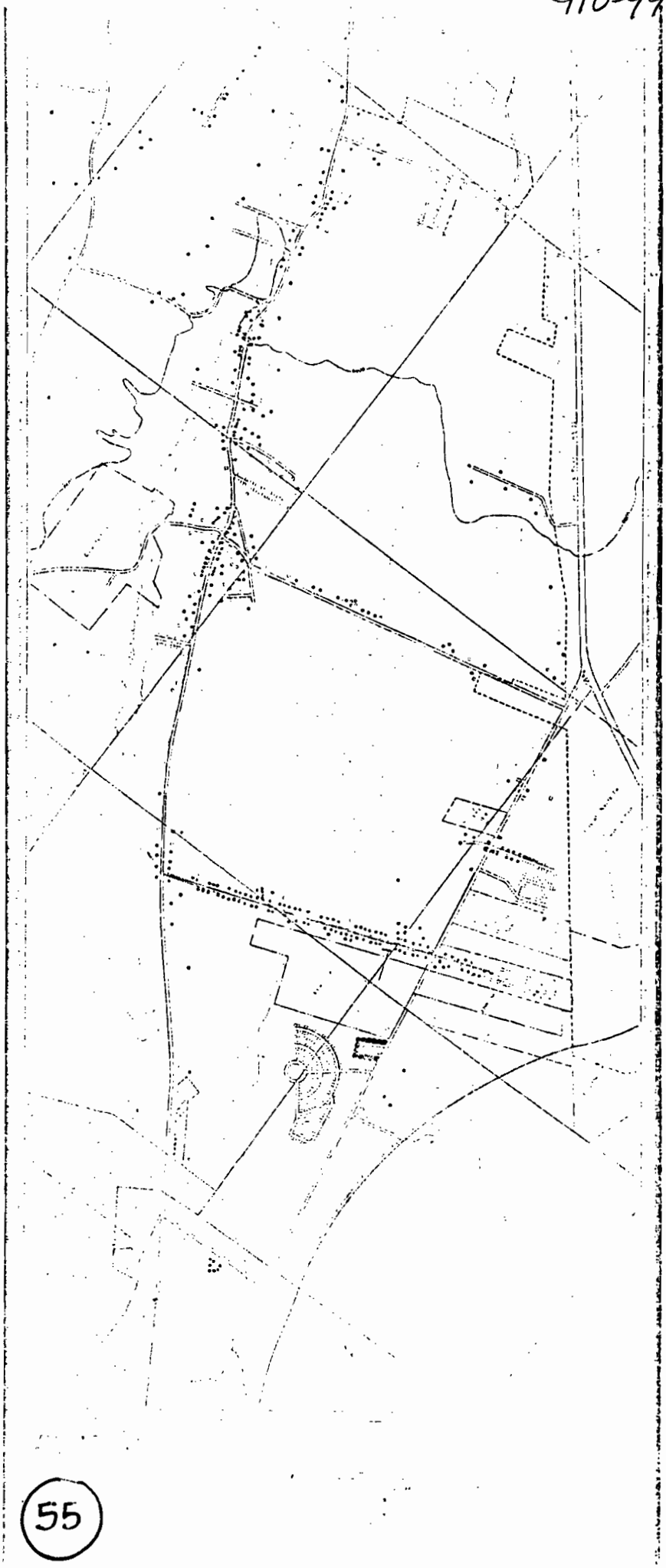
Base Map Information

410-999-XX

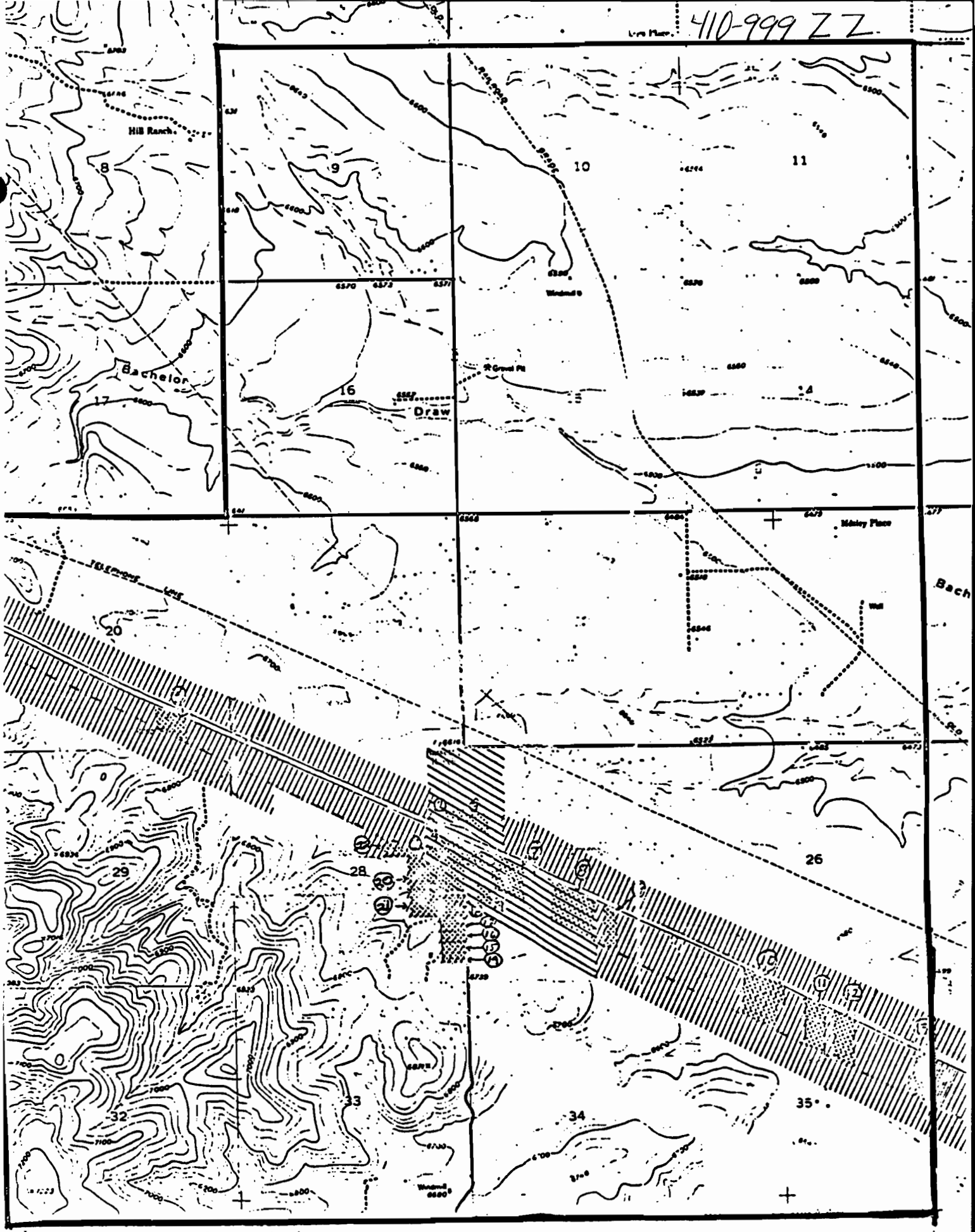


54

410-999 YY



55



• EDGEWOOD •
TRADITIONAL COMM.

56

410 999 AAA

EXISTING BUSINESS
OR
APPROVED COMMERCIAL

1. Garage & Auto Parts
2. Gas Station
3. Gas, Restaurant, Gift Shop
4. Gas, Restaurant, Gift Shop
5. Office
6. Gas, Restaurant, Gift Shop
7. Grocery, Antiques
8. Camp Ground, Travel Trailer Park
9. Geauty Shop
10. Gas, Food, General Store
11. Equipment Rental
12. Old Trading Post
13. Manufacturing Facility
14. Office
15. Horse Boarding & Training
16. Purchased for Church Site
17. Construction & Materials Storage & Office
18. Office
19. Office
20. Vacant Land Approved by County for Commercial Use on Master Plan for Subdivision "Rancho Sandia"
21. Same as Above (20.)
22. Approved by County for Commercial Use in Tierra Linda Subdivision

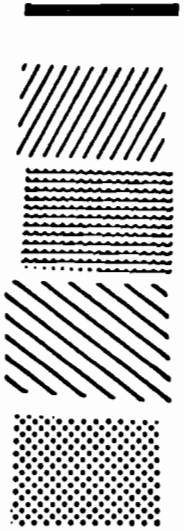
TRADITIONAL COMMUNITY BOUNDARY

MAJOR CENTER DISTRICT

NEIGHBORHOOD CENTER DISTRICT

TRAVELER CENTER (Service Dists.)

EXISTING BUSINESS
OR
APPROVED COMMERCIAL



410-999 AAA

411001

SANTA FE COUNTY

L A N D D E V E L O P M E N T C O D E

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS

ON OCTOBER 28, 1980

EFFECTIVE JANUARY 1, 1981

469.374

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)

I hereby certify that this instrument was filed for record on the 2 day of Dec A.D., 19 80, at 3:24 o'clock P M., and was duly recorded in book 411 001-202 page of the records of Santa Fe County.

Witness my Hand and Seal of Office
CAROLINA R. GONZALES
County Clerk, Santa Fe County, N.M.

Dolores K Aragon
Deputy

COUNTY CLERK
SANTA FE COUNTY, NEW MEXICO

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411005

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ARTICLE I

GENERAL

SECTION 1 - SHORT TITLE

This Ordinance, as amended from time to time, may be cited as "The Santa Fe County Land Development Code". It is hereinafter referred to as "The Code".

SECTION 2 - ENACTMENT

The Code was passed, approved and adopted by the Board of County Commissioners of Santa Fe County as Ordinance No. 1980-6 on October 28, 1980.

SECTION 3 - EFFECTIVE DATE

The Code shall become effective on the 30th day after recording of the Code in the County Ordinance Book except that the provisions of the Code amending the Subdivision Regulations shall become effective 30 days after filing of the Code with the County Clerk and the State Records Administrator.

SECTION 4 - INCORPORATION OR REPEAL OF OTHER ORDINANCES

The "Santa Fe County, New Mexico, Subdivision Regulations" adopted by the Board of County Commissioners Resolution No. 1973-55 on August 27, 1973, hereinafter referred to as "The Subdivision Regulations", are incorporated into the Code as Article V, as amended by the amendments to the Subdivision Regulations set forth in Article V. The "Santa Fe County Mobile Home Park Ordinance", Ordinance No. 1976-1, approved and adopted by the Board of County Commissioners on January 10, 1976, and the "Santa Fe County Flood Plain Ordinance", Ordinance No. 1975-1, adopted by the Board of County Commissioners on November 3, 1975, are hereby repealed.

SECTION 5 - PURPOSES

The purposes of the Code are to implement the policies of the Santa Fe County General Plan and to combine the regulation of various aspects of land development and use of natural resources into a common system of administration and appeals, in order to simplify the application process for the public and conserve personnel resources of County government.

It is the intention of the Board in adopting and enforcing the Code to exercise all relevant powers conferred on it by the laws of the State of New Mexico, including where applicable, but not limited to the following sections of NMSA 1978 as they may be amended: Sections 4-37-1 through 4-37-9 (powers granted to counties, including powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of a county and its inhabitants); Sections 4-57-1 through 4-57-3 (planning for the purpose of guiding development); Sections 47-6-1 through 47-6-29 (subdivision); Sections 47-5-1 through 47-5-8 (land subdivision); Section 3-18-6 (building construction; Section 3-18-7 (flood-prone areas); Section 3-18-10 (sanitary facilities); Sections 3-19-1 through 3-19-12 (planning and platting); Sections 3-21-1 through 3-21-12 (zoning); Sections 3-22-1 through 3-22-5 (historic district zoning); Sections 3-39-16 through 3-39-27 (airport zoning); Section 3-49-1 (streets); Sections 3-53-1 through 3-53-5 (water use and water facilities).

SECTION 6 - LIBERAL INTERPRETATION

The Code shall be liberally interpreted to carry out the objectives of the County General Plan and the purposes and intents specified in the Code.

SECTION 7 - SEVERABILITY

If any part of the Code or the application thereof to any person or circumstance is held invalid, the remainder of the Code and its application to other persons or circumstances shall not be affected thereby.

SECTION 8 - APPLICATION

8.1 Zoning Provisions

Article III of the Code applies to all land located in the County

but outside areas within the territorial limits of a municipality, unless an area is zoned pursuant to the provisions of Sections 3-23-3 and 3-23-4, N.M.S.A., 1978 (Extraterritorial Zoning). Article III of the Code shall not apply to lands owned by the Federal Government, nor to State Trust Lands administered by the Commissioner of Public Lands.

8.2 Flood Plain Provisions

Article VII, Section 1 of the Code applies to all land located in the County, but outside the territorial limits of a municipality.

8.3 Other Provisions

All provisions of the Code not mentioned in Sections 8.1 and 8.2 above apply to all land located within the County.

SECTION 9 - INCORPORATION OF CODE MAPS

All Code Maps referred to in the Code are fully incorporated in and made a part of the Code. Code Maps contained in the County General Plan or in a Community Land Use and Utility Plan are referred to by the numbers they bear in the County General Plan or the Local Land Use and Utility Plan, respectively.

SECTION 10- CONFLICTING PROVISIONS

Where there exists a conflict between any limitation or requirement in the Code and any applicable limitation or requirement contained elsewhere in this Code or in any other ordinance, regulation, or law, the more restrictive limitation or requirement shall prevail.

SECTION 11 - PENALTIES

In addition to any penalty or other remedy provided by law, any person who is found to have committed a violation of any provision of the Code, shall be punished by a fine of up to $300.00 or imprisonment up to 90 days, or both a fine and imprisonment. Each day on which the Code is violated shall constitute a separate violation of the Code.

SECTION 12 - NONCONFORMING USE

12.1 General

A non-conforming use may continue until it is removed, abandoned, or otherwise ceases, but it is not the intention of the Code

to encourage the survival of Nonconforming Uses. A nonconforming Use may not be (1) substantially enlarged upon, expanded, or extended; (2) reconstructed after major damage except when the damage is caused by a catastrophe; or (3) used as a reason for adding other structures or uses prohibited where a Nonconforming Use is located.

A nonconforming use may continue so long as it remains otherwise lawful provided that the nonconforming use shall not be enlarged, intensified, increased, moved, or extended to (1) occupy a substantially greater area of land than was occupied on the effective date of the Code; or (2) substantially enlarge, extend, or construct a structure; or (3) reconstruct a structure after major damage except when the damage is caused by a catastrophe. A nonconforming use which is replaced by development permitted under the Code shall not be resumed.

12.2 Effect on Safety

Nothing in the Code shall be deemed to prevent the strengthening or restoration to a safe condition, upon order of an official charged with protecting public safety, of any structure or part thereof declared to be unsafe by that official.

12.3 Exception for Actual Construction

Nothing in this Section shall be deemed to require a change in the plan, construction, or intended use of a new structure on which actual construction was lawfully begun before the effective date of the Code and upon which actual construction has been diligently carried on. "Actual construction" means (1) permanently fastening construction materials in permanent position; or (2) substantial demolition or removal of an existing building or other structure preparatory to construction of a replacement,

if in case of either (1) or (2) above work is diligently carried on until completion of construction; provided, however, that construction of the structure is completed within 2 years of the effective date of the Code.

SECTION 13 - CUMULATIVE REQUIREMENTS

The requirements of the Code are cumulative. If an application for a development permit involves more than one type of development, the applicant must comply with the requirements of the Code for each type of development prior to engaging in that type of development. The County may approve any part of an application and approve other parts in stages or deny other parts.

SECTION 14 - At least once each calendar year, the Board of County Commissioners shall hold a public hearing to determine if any amendments should be made to the Code or County General Plan. The Code Administrator shall make recommendations to the Board for approval concerning proposed changes to the Code and Plan. Any interested persons or groups may also make recommendations to the Board for amending the Code and Plan.

ARTICLE II
ADMINISTRATION

SECTION 1 - APPOINTMENTS AND AUTHORITY

1.1 Code Administrator

1.1.1 Appointment

The County Manager shall recommend to the Board any person to be considered for employment as the Code Administrator. The Board shall appoint a Code Administrator, pursuant to the County Personnel Ordinance and Regulations, after considering the recommendations of the County Manager.

1.1.2 Duties

The Code Administrator shall:

1.1.2a Perform the duties that are assigned throughout the Code to the Code Administrator and such other duties as may be determined by the Board or the County Manager.

1.1.2b Keep copies of each application filed, each plat submitted, and each development permit issued, filed by legal description of the land to which the development permit applies and also by name of applicant.

1.1.2c Make recommendations to the Board for amendments to the Code.

1.1.2d The Code Administrator shall give written reports as directed by the Board or as requested by the County Development Review Committee and approved by the Board, listing all applications, Code Administrator decisions and recommendations, County Development Review Committee decisions, and appeals from Code Administrator or County Development Review Committee decisions that have been filed since the last Code Administrator report; provided, however, that such reports shall be made at least once a month and shall be submitted to the Board and the County Development Review Committee.

1.2 County Development Review Committee

1.2.1 Appointment

The Board shall appoint a County Development Review Committee consisting of not less than 5 members. At least one member shall reside within the limits of the City of Santa Fe, at least one member shall reside outside the limits of the City of Santa Fe in Board District 1 and at least one member shall reside outside the limits of the City of Santa Fe in Board District 3. The other two members shall be residents of the County but shall reside outside the limits of the City of Santa Fe. Terms of members, all appointments to the Committee, and removal of members shall be made by the Board as set forth in Section 3-19-2 N.M.S.A., 1978, as it may be amended. The County Development Review Committee shall establish policies concerning notice and conduct of its meetings and a copy of such policies shall be posted in the Code Administrator's Office. Election of chairperson, meetings, and keeping of records, shall be as set forth in Section 3-19-3 N.M.S.A., 1978, as it may be amended. A majority of the members shall constitute a quorum at any meeting of the County Development Review Committee. If a quorum is present, the affirmative vote of the majority of the members present at the meeting shall be the act of the County Development Review Committee, unless otherwise required by law. There shall be no proxy voting.

1.2.2 Authority

The County Development Review Committee shall have the authority provided for in the Code and other authority as determined from time to time by the Board. The County Development Review Committee is hereby established as a planning commission, and is hereby delegated the power, authority, jurisdiction and duty as set forth in the Code to exercise the County's legal authority relating to the matters regulated by the Code, including without limitation,

planning, platting, zoning and subdivision regulation. The County Development Review Committee is designated to act as a zoning commission, pursuant to Section 3-21-7, N.M.S.A. 1978, as it may be amended.

1.3 Local Development Review Committee

1.3.1 Appointment

1.3.1a If the Board approves a Local Land Use and Utility plan as provided for in Article VI, Section 5 of the Code for a Traditional Community or any other region within the County, the Board shall appoint a Local Development Review Committee for the Traditional Community or region.

1.3.1b A Local Development Review Committee shall consist of not less than 5 members. Terms of members, all appointments to the Committee and removal of members shall be made by the Board as set forth in Section 3-19-2, N.M.S.A. 1978, as it may be amended. A Local Development Review Committee shall establish policies concerning notice and conduct of its meetings and a copy of such policies shall be posted in the Code Administrator's Office. Election of chairperson, meetings and keeping of records shall be as set forth in Section 3-19-3, N.M.S.A. 1978, as it may be amended. A majority of the members shall constitute a quorum at any meeting of the Local Development Review Committee. If a quorum is present, the affirmative vote of the majority of the members present at the meeting shall be the act of the Local Development Review Committee, unless otherwise required by law. There shall be no proxy voting.

1.3.2 Authority

A Local Development Review Committee shall have the same authority as the County Development Review Committee with

respect to development within the geographic boundaries of the Traditional Community District or region for which the Local Development Review Committee was formed. With regard to any application for a development permit within the jurisdiction of a Local Development Review Committee, the Local Development Review Committee shall exercise all powers and perform all duties which would otherwise be exercised or performed by the County Development Review Committee except that the action of a Local Development Review Committee shall be deemed to be a recommendation to the County Development Review Committee. Any reference to the County Development Review Committee in the Code shall be construed as a reference to the appropriate Local Development Review Committee in cases where the application involves land within the jurisdiction of a Community Development Review Committee, except for references to review by the County Development Review Committee of decisions of a Local Development Review Committee. If the County Development Review Committee does not decide to review the action of the Local Development Review Committee within 30 days from the date the decision concerning the action was filed or is not instructed to perform such a review by the Board within 30 days from the date the decision concerning the action was filed with the Code Administrator, the decision of the Local Development Review Committee shall be deemed to be the decision of the County Development Review Committee. If the County Development Review Committee reviews the action of a Local Development Review Committee, any action taken by the County Development Review Committee shall supersede the action of the Local Development Review Committee.

SECTION 2 DEVELOPMENT PERMITS

No person may engage in development within the County until such person has obtained a development permit for such development meeting the requirements of the Code.

2.1 Extent of Activities Authorized by a Development Permit

The following limitations shall apply to all development permits issued under the Code:

2.1.1 A development permit shall specify the development permitted and the location at which the development may occur.

2.1.2 Development allowed by a development permit is limited by:

2.1.2a The provisions of the Code;

2.1.2b Any conditions indicated on or attached to the development permit. Conditions may include a requirement of compliance with any plan or other submittal required under the Code or a time of expiration, and

2.1.2c The application, which includes all materials submitted by an applicant to the Code Administrator, the County Development Review Committee, or the Board in support of a request for a development permit.

2.2 Development Permit Fees and Copies

The amount of the fee for the development permit shall be determined by resolution of the Board, which may establish different fees for different types of development. Fees established under the Code are not refundable. The Code Administrator shall make copies of any fee schedule adopted by the Board available to the public in his office and shall post in his office a copy of all current fee schedules. An applicant for a development permit may file an application with the Code Administrator upon paying the fee determined by the Board.

2.3 Procedure to be Followed by Code Administrator

2.3.1 Decision Procedure

2.3.1a By using the following procedure, the Code Administrator may approve or deny development permit applications for the following types of development without referring the application to a Development Review Committee or the Board, except that applications for a development involving zoning shall comply with the procedure provided for in Section 2.6 of this Article II:

- Any home occupation;
- The division of land not constituting a subdivision, lot splits, or;
- Any residential development or related development accessory to residential development not constituting a subdivision, large-scale residential use, institutional use or resort use, provided that this procedure shall not apply to a subsequent application by the owner, his agent or nominee or any of the same dwellings or lots which were the subject of a prior application, and which considering both the initial and subsequent applications results in a subdivision large-scale residential use, institutional use or resort use.

2.3.1b The Code Administrator shall review the application for compliance with the requirements set forth in the Code, and shall make and file a decision approving or disapproving the application or approving the application with conditions or modifications within fifteen (15) working days from the date the application was completed.

2.3.1c Within two (2) working days from the date of filing of an application, the applicant shall post notice of the filing of the application prominently on the land, dwelling or other structure which is the subject of the application, and shall provide written certification of the posting of the notice to the Code Administrator.

2.3.1d The Code Administrator may hold an informal conference with the applicant and any interested person at any time prior to the making of his decision. The Code Administrator shall give at least three (3) days' notice either orally or in writing to the applicant who has requested in writing that he receive notice of any informal conference held under this subsection.

2.3.1e The Code Administrator may refer an application to an appropriate agency or official of the State of New Mexico for an opinion concerning whether the application should be disapproved or approved with conditions or modifications. The opinion of the state agency or official shall be advisory. The Code Administrator may delay the making and filing of his decision for five (5) working days after he receives the requested opinion, if he believes that such a delay is in the public interest.

2.3.1f A decision of the Code Administrator on an application shall become final five (5) days after the decision is filed, unless within the five (5) days an appeal from the decision has been filed or the Board, on its own initiative, has decided to review the decision of the Code Administrator or has referred the application to the County Development Review Committee for a decision or recommendation.

2.3.2 Recommendation Procedure

The following procedure applies to any application for a development permit permitting development of a type that is not listed in Section 2.3.1a above, except that for application for a development permit involving a subdivision, the applicant shall also comply with the procedures provided for in Section 2.7 of this Article II and applications for a development permit involving zoning shall also comply with the procedures provided for in Section 2.6 of this Article II.

2.3.2a The Code Administrator shall review the application for compliance with the requirements of the Code, and shall make and file a report to the County Development Review Committee evaluating the application and recommending that the County Development Review Committee approve or disapprove the application with modifications or conditions, within thirty (30) working days from the date the application was completed.

2.3.2b The Code Administrator may hold an informal conference with the applicant and any interested person at any time prior to the making of his recommendation. The Code Administrator shall give at least three (3) days' notice, either orally or in writing, to the applicant or any interested person who has requested in writing that he receive notice of any informal conference held under this Subsection b.

2.3.2c Within two (2) working days from the date of filing of an application, the applicant shall post notice of the filing of the application prominently on the land, building, or other structure which is the subject of the application, and shall provide an affidavit of the posting of the notice to the Code Administrator.

2.3.2d In addition to any requirement under the Subdivision Act that an application be referred to a state agency, the Code Administrator may refer an application to an appropriate agency or official of the State of New Mexico for an opinion concerning whether the application would be disapproved or approved with conditions or modifications. Unless otherwise required by law, the opinion of the state agency or official shall be advisory. The Code Administrator may delay the making and filing of his recommendation for up to thirty (30) days to await the opinion if he believes that such a delay is in the public interest.

2.3.2e A decision of the Development Review Committee on an application shall become final ten (10) days after its decision is filed, unless within the ten (10) days an appeal from the decision has been filed or the Board, on its own initiative or upon recommendation of the County Manager has decided to review the decision.

2.3.2f The County Development Review Committee shall act with respect to a Code Administrator recommendation according to the procedure set forth in Section 2.4.2, below, for an appeal from a Code Administrator decision.

2.3.3 Time Limits

If a decision is not made within the time limits specified in this Section 2.3, the application shall be deemed to be approved, except that any of the time limits established in this Section 2.3 may be extended by mutual agreement of the applicant and the Code Administrator.

2.4 Appeals

2.4.1 Filing an Appeal

All appeals under the Code shall be filed in writing with the Code Administrator. The Code Administrator shall immediately transmit a copy of any appeal filed to the County Manager or his designee.

2.4.2 Appeal from Code Administrator Decision to the County Development Review Committee

2.4.2a Any person aggrieved by a decision of the Code Administrator may file an appeal to the County Development Review Committee. Within two (2) months after the date the appeal is filed, or in the case of a recommendation of the Code Administrator, or referral to the County Development Review Committee by the Board, within two (2) months of the date of filing of the Code Administrator's recommendation or referral, the County Development Review Committee, after a public hearing, shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications.

2.4.2b A decision of the County Development Review Committee on an application shall become final one (1) month after the decision is filed, unless within that month an appeal from the decision has

been filed, or the Board on its own initiative has decided to review the decision.

2.4.3 Appeal of Development Review Committee Decisions to the Board

2.4.3a Any person aggrieved by a decision of a Development Review Committee may file an appeal in writing to the Board within one (1) month of the date of the decision of the Development Review Committee. Within sixty (60) days after the date the appeal is filed, the Board, after a public hearing, shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications or declining to review the decision of the Development Review Committee.

2.4.3b All decisions of any Development Review Committee concerning subdivisions shall be transmitted to and reviewed by the Board. The Board may not approve the plat of any subdivision which does not conform to the New Mexico Subdivision Act and Article V of this Code (Subdivision Regulations).

2.4.3c The decision of the Board shall become final on the date when the decision is filed.

2.5 Notice and Conduct of Public Hearing

2.5.1 Manner of Giving Notice of Public Hearing

Except as specified elsewhere in this Section, notice of a public hearing on the application to be held by a Development Review Committee, or the Board, shall be given as provided by resolution of the Board and as otherwise required by law. Copies of the public notice policies shall be posted in the Code Administrator's Office. In addition, notice shall be posted prominently by the applicant at the land or building, or other structure which is the subject of the application, at least seven (7) days prior to the date of the hearing. The applicant shall provide an affidavit of the posting of the notice to the Code Administrator. The cost of any notice by publication shall be paid by the applicant.

2.5.2 Manner of Conducting Public Hearing

2.5.2a Public hearings of the County Development Review Committee, a Local Development Review Committee or the Board, shall be conducted as provided by policies established by the body holding the hearing or as required by law.

2.5.2b All interested persons shall be allowed a reasonable opportunity to be heard at a public hearing held under the Code.

2.6 Zoning

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

2.7 Subdivisions

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

2.8 Other Requirements

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements under the Code.

SECTION 3 - VARIANCES

3.1 Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that

these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with the Code provision at issue will result in an arbitrary and unreasonable taking of property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purposes of the Code would be nullified.

3.2 In no case shall any variation or modification be more that a minimum easing of the requirements.

3.3 In granting variances and modification, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

SECTION 4 - SPECIAL PROCEDURE FOR APPROVAL OF DEVELOPMENT ON LOTS WHICH DO NOT MEET LOT SIZE REQUIREMENTS OF CODE

4.1 Dwellings and customary accessory structures may be erected on a lot which does not meet the lot size requirement of the Code, provided that:

4.1.1 The lot was in existence on the effective date of the Code, or;

4.1.2 The land is a lot which is part of a subdivision, the preliminary plat of the subdivision has been approved by the Planning Commission as of the effective date of the Code, or;

4.1.3 If the lot has been created by Inheritance or Family Transfer, the requirements of Section 4.3 are met, and;

4.2 All other requirements of the Code not involving the size of the lot are met.

4.3 Inheritance and Family Transfer

Dwellings and customary accessory structures may be erected on a

lot created by Inheritance or Family Transfer, even though the lot does not meet the lot size requirement of the Code.

4.3.1 A lot is created by Inheritance if it is created by a Will or by Order of a Court in probate proceedings for the purpose of transmitting property to heirs, but not for the purpose of sale or lease.

4.3.2 A lot is created by Family Transfer if it is transferred by father or mother to their children, natural or adopted, or grandchildren, or it is transferred by a person who has performed the function of their father, grandfather, or grandmother to an individual for whom that person had performed the function provided that the person transferring the lot files an Affidavit with the County Clerk containing the following:

4.3.2a A legal description of the property being transferred, and;

4.3.2b A statement that he or she has not made any transfers of any other lots to the person receiving it which would require the filing of an Affidavit pursuant to this Section.

4.4 Procedure for approval of lots created prior to the effective date of the Code which do not meet the lot size requirements of the Code.

4.4.1 If the applicant has a notarized document, the applicant shall submit the document to the Code Administrator. The Code Administrator shall determine if the notarized document establishes the existence of the lot on the effective date of the Code.

4.4.2 If the applicant has evidence which does not include a notarized document, the evidence shall be submitted to the appropriate Development Review Committee. The Development Review Committee shall determine if the evidence establishes the existence of the lot on the effective date of the Code.

ARTICLE III

ZONING REGULATIONS, SUBMITTALS & REVIEWS

SECTION 1 - AGRICULTURAL, GRAZING, AND RANCHING USES

Agricultural, grazing and ranching uses and construction of fences and accessory Structures related to those uses are permitted anywhere in the County, provided the use of the land or the fence or accessory Structure complies with the requirements of other Sections of the Code, including but not limited to the density regulations of the Code. Application for a Development Permit is not required for these uses, unless the provisions of other Sections of the Code apply. For purposes of this Section, commercial feedlots are not considered to be agriculture, grazing or ranching uses.

SECTION 2 - RESIDENTIAL USES

2.1 Location of District

Residential uses are allowed anywhere in the County, provided all of the requirements of the Code are met.

2.2 Lot Requirements for Residential Use

Residential uses are permitted under the following circumstances:

2.2.1 The density requirements of Section 10 of this Article III are met; or

2.2.2 The Lot or Parcel meets the requirements of Article II, Section 4.

2.3 Height Restrictions for Dwellings

The maximum height of a Dwelling shall be 36 feet from the highest point of the surface of the ground at the perimeter of the Dwelling.

2.4 Submittals and Review

2.4.1 Construction of One Dwelling

2.4.1a The following submittals and review shall apply to an Application for a Development Permit involving the construction, alteration or repair of one Dwelling or construction, alteration or repair of an accessory Structure.

(i) Submittals

The Applicant shall fill out a Development Permit Application on a form provided by the Code Administrator. The Application shall be accompanied by the following:

(a) Proof that the Applicant owns the Parcel on which the Dwelling will be constructed;

(b) Two sets of plans and specifications for the proposed Dwelling;

(c) Name of the contractor and sub-contractor, if any. If a contractor or sub-contractor is used, each shall have a valid and current State Contractor's License.

(d) If the Applicant proposes to use an individual liquid waste system, an EID septic tank registration certificate or other evidence of compliance with Article VII, Section 2 must be submitted.

(ii) Lot Size Requirement Review

If a lot requirement review has not previously been made concerning the Parcel, the Code Administrator shall review the Application for compliance with the lot requirements of the Code.

(iii) Special District Review

The Code Administrator shall check the location of the proposed Dwelling, and if the location of the proposed Dwelling is within a Highway Corridor District, Airport Noise District, Historic, Cultural or Arachaeological District, or Traditional Community District, shall inform the applicant of any additional submittals, requirements or reviews required, if any, and make the applicable review.

(iv) Environmental Review

The Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII, Section 1 - Flood Hazards and Section 2 - Liquid Waste Disposal.

(v) Siting Review

The Code Administrator shall review the Application for compliance with the siting requirements for Dwellings under the Code and may require additional submittals in connection with the siting.

(vi) Building, Mechanical and Electrical Code Review

The Code Administrator shall cause the submitted plans and specifications to be reviewed for compliance with Article IV - Construction Codes - of the Code and for engineering design.

(vii) Commencement of Development

Construction must begin within one year of the date of issuance of Development Permit, or the Development Permit is void and a new Application shall be made prior to any Development.

2.4.2 Division of a Parcel of Land

2.4.2a The following submittals and review shall apply when an application for a Development Permit involves the division of a Parcel if the division is not a Subdivision and does not involve the construction alteration or repair of a Dwelling or other Structure:

(i) Submittals

The Application shall be accompanied by two (2) copies of a plat, which shall:

(a) indicate the Lots to be created;

(b) be drawn at a scale of one (1) inch equals one hundred feet, or larger, or other appropriate scales approved by the Code Administrator;

(c) refer to permanent monuments;

(d) accurately describe each Lot, number each Lot in progression, give its dimensions and the dimensions of all land dedicated for public use or for the use of the owners of Lots fronting or adjacent to the Parcel;

(e) show improvements, including but not limited to, the location of liquid waste disposal systems, wells, structures and roads;

(f) be certified by an engineer or land surveyor, who shall be licensed in accordance with the laws of the State of

New Mexico, certifying to the accuracy of the survey and plat, and that the same has been prepared by him;

(g) contain a certification of title showing that the applicant is the owner of the land, and that the Lots created by the plat are created with the free consent and in accordance with the desires of the owner, which certification shall be signed by the owner;

(h) indicate its title, scale, true and magnetic north arrows, and date;

(i) provide a signature line for approval by the Code Administrator; and

(j) indicate required dimensions to the nearest one hundredth of a foot and angles to the nearest minute.

(ii) Lot Requirement Review

The Code Administrator shall review the Application for compliance with the density regulations of the Code.

(iii) Special District Review

The Code Administrator shall review the location of the Lots indicated on the plat and, if a Lot is located in a Special Review District, will inform the Applicant of any additional submittals or reviews required and make the applicable review.

(iv) Environmental Review

The Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII, Section 1 - Flood Hazards and Section 2 - Liquid Waste Disposal and Section 3.

(v) Approval

After a decision approving an Application under this Section has become final, the Code Administrator shall stamp and sign the plat submitted under this Section, copy, and the applicant shall record the plat in the records of the County Clerk and return a copy with recording information to the Code Administrator.

2.4.3 Construction of More than One Dwelling on a Parcel

When an Application for a Development Permit involves the construction, alteration or repair of more than one Dwelling or will result in the location of more than one Dwelling but not more than four Dwellings on one Parcel, the applicant must comply with the requirements, review procedures and submittals required by Sections 2.4.1a (i), (v), (vi) and (vii) and 2.4.2a (ii), (iii) and (iv) of Article III.

SECTION 3 - HOME OCCUPATIONS

The requirements of this Section 3 of Article III apply to Home Occupations.

3.1 Location of District

Home Occupations are allowed anywhere in the County, provided all of the requirements of the Code are met.

3.2 Performance Standards

A Development Permit involving a Home Occupation may be approved only if the following standards are met:

3.2.1 Not more than six (6) persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the Home Occupation;

3.2.2 The use of the Dwelling for the Home Occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 50% of the floor area of the Dwelling including accessory buildings shall be used in the conduct of the Home Occupation;

3.2.3 There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the Home Occupation, except for one non-illuminated name plate sign not more than nine square feet in area;

3.2.4 Parking for employees and for customers or clients of the Home Occupation as required by Section 9 of this Article III shall be provided off the street;

3.2.5 No equipment or process shall be used in the Home Occupation which significantly interferes with the existing use of property in the adjacent area.

3.3 Submittals

The Application shall be submitted on a form provided by the Code Administrator which shall include a description of:

3.3.1 activities involved;

3.3.2 materials and equipment use;

3.3.3 methods of operation;

3.3.4 number of employees;

3.3.5 type of product to be produced, serviced or repaired;

3.3.6 mechanical and electrical equipment necessary to the conduct of the Home Occupation Use;

3.3.7 amount, location and method of storage of supplies and/or equipment;

3.3.8 location of parking;

3.3.9 type and amount of traffic generated.

SECTION 4 - COMMERCIAL AND INDUSTRIAL USES

Commercial and industrial uses are allowed in Major Center Districts, Traveler Service Districts, Neighborhood Center Districts, and Mining Districts, provided that the specific proposed use is permitted within the District. Except as provided in Article VI, Section 5 of the Code concerning Traditional Communities and in this Article III, Section 4, the uses specified for each of those districts shall be allowed in those districts only and shall not be allowed elsewhere in the County. It is not the intent of the Code to encourage or facilitate strip commercial or industrial use areas.

ARTICLE III

4.1 MAJOR CENTER DISTRICTS

4.1.1 - Uses

The following uses are allowed in Major Center Districts:

a. eating and drinking establishments;
b. automobile service stations and repair garages;
c. motels;
d. offices, including government offices;
e. industrial uses;
f. manufacturing;
g. motor freight terminals;
h. wholesale trade;
i. building materials sales;
j. warehousing and distribution, including outdoor storage lots and yards;
k. retail business establishments;
l. establishments providing services to businesses.

These uses are permitted within Major Center Districts, which locations are determined by the Code Administrator using the criteria set forth in Sections 4.1.2 and 4.1.3, provided that the other requirements of this Section and the Code are met.

4.1.2 - General Location of Existing Districts

Major Center Districts are generally located at four locations where accessibility to Interstate Highways or U. S. Highways is combined with proximity to centers of population. These locations are Arroyo Seco (part of the Espanola Metropolitan Area), the intersection of the Albuquerque Highway with Interstate #25 (part of the Santa Fe Metropolitan Area), in the community of Edgewood near Interstate #40 (part

of the Edgewood Metropolitan Area), and the Pojoaque-Los Alamos Interchange Area. See Code Map 15 for Edgewood Area.

4.1.3. Locational Criteria for New Districts.

The following criteria shall be utilized in creating new Major Center Districts:

1. Accessibility to Interstate or U. S. Numbered highways.

2. Proximity to centers of population at locations peripheral to such centers of population.

3. Compatibility with surrounding land use i. e. do not disrupt or be in conflict with established residential communities.

4. Major Center uses should be located on contiguous parcels where possible, i. e. do not encourage uses to locate in strips along major highway frontages unless this is the consensus of the local community.

4.1.4 - Standards

4.1.4a In addition to the other requirements of the Code, an Application for a Development Permit proposed within a Major Center District, the following standards will be applied in the review process:

(1) Traffic Generation

The amount of traffic generated by the Development shall not at any time impede traffic flow, or cause public road to operate at over capacity.

(2) If a fair and substantial showing is made that the development will increase the burden on inadequate public roads, utilities or other services, the Major Center use may be denied, or the developer may be required to undertake the full cost of improvements to the public road or other services in order to meet the test of adequacy.

(3) Performance Standards

The proposed Development shall utilize standard techniques available to the use involved in order to minimize noise, vibration, smoke and other particulate matter; odorous matter, toxic or noxious matter; radiation hazards; fire and explosive hazards; or electromagnetic interference. The Code Administrator may refer an Application to the New Mexico Environmental Improvement Division for comment concerning the performance standards. "Minimize" as used in this sub-section (3) means utilize standard techniques available to the use.

If a substantial showing is made that the Development will create any dangerous, injurous, noxious or otherwise objectionable condition; noise or vibration; smoke, dust, odor, or other form of air pollution; electrical or other disturbance; glare or heat; in a manner as to substantially adversely affect the adjacent areas, the Major Center use may be denied.

(4) Screening

Outdoor storage and loading areas which are visible from public roads or from abutting public lands or residences shall be screened.

(5) Buffer Zones

Uses authorized in Major Center Districts that adjoin Parcels on which Dwellings are located within 100 feet of the property line adjacent to the Parcel on which the Major Center use is located shall be set back 100 feet from the property line. In the 100 foot setback area, existing vegetation shall be preserved and natural topographic features or planting shall be used to keep buildings, parking or outdoor storage unobtrusive. The setback area may be used to meet the off-street parking requirement of Section 9 of Article III except that no parking shall be provided within 25 feet of the property line.

(6) Maximum Height

Structures shall be limited to a maximum height of 36 feet from the highest point of the surface of the ground at the perimeter of the Structure.

4.2 - Travelers Services Districts

4.2.1 - Uses

Travelers Services Districts are suitable for traveler service uses because their locations have optimum accessibility to interstate or other major highways. The following uses are allowed in Travelers Service Districts:

a. eating and drinking establishments

b. automobile service stations and repair garages

c. motels.

4.2.2 General Location of Existing Districts

Travelers Services Districts are hereby established at locations with optimum access to Interstate, U. S. numbered, or State Highways.

These locations are at the intersections of Interstate #25 with State Route 41 (San Sebastian); at the intersection of Interstate #25 with the Glorieta exit; on State Route 41 at White Lakes; and at the Interchange of Interstate 40 with State Route 344 (See Code Map 56 for Edgewood District).

4.2.3 Locational Criteria for New Districts

1. Accessibility to interstate, U. S. numbered, and State Highways;

2. Locations convenient to the travelling public;

3. Compatibility with surrounding land use; (i.e. do not disrupt or be in conflict with established residential communities);

4. Travelers services uses should be located on contiguous parcels, (i.e. as not to encourage uses to locate in strips along major highways unless this is the consensus of the local community);

4.2.4 Standards

The Standards in Section 4.1.4 of this Article III shall apply to Travelers Services Uses.

4.3 Neighborhood Center Districts

4.3.1 Location of Districts

Uses provided for in this Section are allowed in (1) a Traditional Community District; or (2) a Neighborhood Center District created upon request in an Application for a Development Permit.

4.3.2 The following uses are allowed in Neighborhood Center Districts:

a. retail establishments;
b. automotive services;
c. eating and drinking establishments;
d. personal service establishments.

4.3.3 Creation of Neighborhood Center Districts

A Neighborhood Center District may be created if the following criteria are met:

4.3.3a The District is accessible to and intended to serve local residents (generally within five miles of the proposed center).

4.3.3b The District is located on a Parcel of such size and shape as to enable development of well organized commercial facilities with proper access, off-street parking and loading space, and setbacks so as to minimize development of strip commercial uses along streets.

4.3.3c The District is located on a Parcel of a size related to the population of the trade area or market area to be served by the proposed center.

4.3.4 Standards

The Standards set forth in Section 4.5 concerning small-scale commercial uses shall apply to neighborhood center uses.

4.4 Submittals and Reviews for Major Center Districts, Travelers Services Districts and Neighborhood Center Districts

4.4.1 Submittals

If the proposed Development involves a use authorized only in a Major Center District, Travelers Service District or if the Application involves the creation of a Neighborhood Center District, the applicant shall fill out a Development Permit Application on a form provided by the Code Administrator, and

the application shall be accompanied by:

4.4.1a Vicinity Map: A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing contours at twenty (20) feet intervals showing the relationship of the site to its general surroundings, and the location of all existing drainage channels, water courses and water bodies within one mile of the Development site.

4.4.1b Existing Site Data: A description of existing conditions on or adjacent to the site. Maps shall be at a scale of one (1) inch to one hundred (100) feet or larger and shall include the following:

(1) Boundary lines, bearings and distances: The error or closure shall be of a third order survey, and no discrepancy between computed and measured distances shall exceed one (1) part in 1,280 parts.

(2) Easements: Location, width and purpose.

(3) Streets on and immediately adjacent to the tract, name and right-of-way width.

(4) Utilities on and immediately adjacent to the tract.

(5) Owners of record of unplatted land and existing subdivision plats by name and recordation, shall be shown for property within one-thousand (1,000) feet of that tract.

(6) Title and certificates: Present tract designations according to official records in the County Clerk's Office, title under which the proposed Development is to be recorded with name and address of owner, notation stating acreage scale, true and magnetic north arrow, U.S.G.S. datum and benchmarks, if any, certification of the engineer or land surveyor licensed in accordance with the laws of the State of New Mexico who prepared the plat.

4.4.1c Preliminary Development Plan

The preliminary development plan shall be drawn to a scale of one (1) inch to one hundred (100) feet, or larger, and shall show to scale the following:

(1) proposed arrangement of buildings;
(2) proposed off-street parking and loading facilities;
(3) proposed access to the site and internal vehicular circulation;
(4) existing and proposed landscaping;
(5) proposed location and type of fences, walls, and signs; and
(6) drainage and grading plan indicating existing and proposed contours.

4.4.1d A report to the Code Administrator containing estimates of the water use of the proposed Development and any information required by Article VII, Section 6 - Water Supply. The estimated use of water and the size of the site must be consistent with the density requirements of the Code.

4.4.1e Final Development Plan

After the Development Review Committee has approved the preliminary development plan, the applicant shall prepare a final development plan to be followed in construction operations, and submit it to the Development Review Committee for approval, together with (1) other legal instruments pertinent to the implementation of the development plan; (2) two sets of plans and specifications for the construction of any Structure. The final development plan may be submitted separately for the first and each successive stage of development. The final development plan (or successive stages thereof) as approved becomes the final plat and the basis for issuance of Development Permit and for acceptance of public dedications.

4.4.2 Density Review

The Code Administrator shall review an Application for Development Permit for Development of a Parcel of land provided for in this Section 4.4 in compliance with the density requirements of the Code. No Application shall be approved unless it is determined that the density requirements of the Code will be met.

4.4.3 Special District Review

The Code Administrator shall check the location of the proposed use and shall inform the Applicant of any additional submittals or reviews required because of location of the proposed use within a Special Review District and make the applicable review.

4.4.4 Environmental Review

The Code Administrator shall review the proposed Development and shall inform the Applicant of the additional submittals or reviews required under Article VII - Environmental Regulations - of the Code and make the applicable review.

4.4.5 Conformance to Building, Mechanical and Electrical Codes

The Code Administrator shall review the submitted plans and specifications for compliance with the building, mechanical, and electrical provisions of the Code and for engineering design. If all of the requirements of the Code are met and a Development Permit is issued, construction must begin within one year of the date of issuance, or the permit becomes void and a new Application must be made.

4.5 Small Scale Commercial Uses

4.5.1 Location

Small scale commercial uses are those uses permitted in Major Center Districts, Travelers Service Districts, and Neighborhood Center Districts, (Sections 4.1.2, 4.2.2, and 4.3.2) located on a Parcel of less than one acre of land and in a Structure of a total of less than 8,000 square feet in size. Small scale commercial uses are allowed anywhere in the County provided that standards set forth in this Section 4.5 are met.

4.5.2 Standards

In addition to other requirements of the Code, an Application for a Development Permit for a small scale commercial use shall meet the following standards:

4.5.2a Traffic Generation

The amount of traffic generated by the small scale commercial use shall not at any time impede traffic flow, or cause a public road to operate at over capacity.

4.5.2b Performance Standards

No use may be allowed which will significantly interfere with the use of the property in the adjacent area.

4.5.2c Buffer Zones

Small scale commercial uses that adjoin Parcels on which Dwellings are located within 100 feet of the property line shall be set back 25 feet from the property line. In the 25 foot setback area, existing vegetation shall be preserved and natural topographic features or planting shall be used to keep buildings, parking or outdoor storage unobtrusive. The setback may be used to meet the off-street parking requirement of Section 8 of Article III except that no parking shall be provided within 5 feet of the property line.

4.5.2d Maximum Height

Structures shall be limited to a maximum height of 24 feet from the highest point of the surface of the ground at the perimeter of the Structure.

4.5.2e Accumulation of Uses

The Development Review Committee shall review an application in order to insure that a proposed new use shall not cause a greater than small scale commercial impact on that vicinity.

4.5.3 Submittals and Reviews

4.5.3a Submittals

If the proposed Development involves a small scale commercial use provided for in this Article III, Section 4, the applicant shall fill out a Development Permit Application on a form provided by the Code Administrator; and the Application shall be accompanied by:

(1) Vicinity Map

A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing the location of the proposed small commercial use.

(2) Existing Site Data

A description of existing conditions on or adjacent to the site. Maps shall be a scale of one (1) inch to one hundred (100) feet or larger and shall include the following:

(i) A Plat certified by Surveyor containing Area: Boundary line, Bearings and Distances.

(ii) Easements; Location, width and purpose.

(iii) Streets on and immediately adjacent to the tract, name and right-of-way width.

(iv) Utilities on and immediately adjacent to the tract.

(v) Location of drainage areas, water bodies, water courses, flood ways, flood fringes, flood plains and water and erosion control structures.

(3) Preliminary Development Plan

The preliminary development plan shall be drawn to a scale of one (1) inch to one hundred (100) feet.

(i) The proposed arrangement of Structures;

(ii) Proposed off-street parking and loading facilities;

(iii) Proposed access to the site and internal vehicular circulation;

(iv) Proposed location and type of fences, walls and signs;

(v) Drainage and grading plan indicating existing and proposed contours.

(4) Final Development Plan

After the Development Review Committee has approved the preliminary development plan for the proposed small commercial use, the applicant shall prepare a final development

plan to be followed in construction and operation, and shall submit it to the development review committee for approval, together with:

(i) Final drafts of all agreements, contracts, deed restrictions and other legal instruments pertinent to the implementation of the development plan;

(ii) Two sets of plans and specifications for the construction of any Structure.

4.5.3b Density Review

The Code Administrator shall review an Application for Development Permit for Development of a Parcel of land provided for in this Section 4.5 in compliance with the density requirements of the Code. No Application shall be approved unless it is determined that the density requirements of the Code will be met.

4.5.3c Special District Review

The Code Administrator shall check the location of the proposed small scale use and shall inform the Applicant of any additional submittals or reviews required because of location of the proposed use within a Special Review District and make the applicable review.

4.5.3d Environmental Review

The Code Administrator shall review the proposed Development and shall inform the Applicant of the additional submittals or reviews required under Article VII, Section 1 - Flood Hazards, Section 2 - Liquid Waste, and Section 3 - Terrain Management and make the applicable reviews.

4.5.3e Conformance to Building, Mechanical and Electrical Codes

The Code Administrator shall cause the submitted plans and specifications to be reviewed for compliance with the building, mechanical and electrical provisions of the Code and for engineering design. If all of the requirements of the Code are met and a Development Permit is issued, construction must begin within one year of the date of issuance, or the permit becomes void and a new Application must be made.

4.5.3f Parking Review

The Code Administrator shall review the Application for compliance with the parking requirements for small scale commercial uses under Article III, Section 9 of the Code and may require additional submittals in connection with the parking review.

SECTION 5 - MINERAL EXPLORATION AND EXTRACTION

5.1 Mining Uses

Mineral exploration activity shall be allowed anywhere in the County, provided the requirements of this section are met. Mining uses shall be allowed in Mining Zones established on Code Map 30 provided the requirements of this section are met. New Mining Zones may be created, provided that the requirements of Section 5.2, Location Standards, and 5.3 are met.

5.1.1 Special Uses. Industrial, manufacturing and related office uses not related to mining uses are allowed in Mining Zones, provided they meet the requirements of the Code.

5.2 Location Standards for Creation of New Mining Zones.

The Mining Zones shown on Code Map 30 are deemed to meet the Location Standards set forth in this subsection. New Mining Zones may be created by the Board if they satisfy the following Location Standards:

5.2.1 Demonstrated existence of significant mineral resources.

5.2.2 Use of the land for mining uses is reasonably compatible with other uses in the area affected by the mining use; including but not limited to, traditional patterns of land use, recreation uses and present or planned population centers or urban and metropolitan areas.

5.2.3 A history of significant mining activity in the area, if mining has been conducted in the area (not required for creation of new Mining Zones).

5.2.4 The area designated is particularly suited for mining uses, in comparison with other areas of the County, as set forth in Sections 5.2.1, 5.2.2 and 5.2.3.

5.3 Submittals Required for Creation of Mining Zones

In addition to submittals required by Section 5.4, an applicant seeking the creation of a Mining Zone shall submit information showing that the proposed Zone meets the Locational Standards set forth in Section 5.2.

5.4 Submittals for Mining Uses

5.4.1 Submittals for Mineral Exploration Uses

All persons or operators desiring to engage in Mineral Exploration shall file an application for a Development Permit to engage in mineral exploration activity with the Code Administrator. The Application shall contain:

5.4.1a The name, address and telephone number of the person or operator engaging in the mineral exploration activity.

5.4.1b The name, address and telephone number of the local representative responsible and in the employ of the person or operator.

5.4.1c The description of the lands subject to exploration activity by township, range and section, including the estimated acreage of surface area which will be disturbed as a result of the mineral exploration activity.

5.4.1d The anticipated date upon which mineral exploration activity would commence.

5.4.1e A description of the physical mineral exploration operations, including but not limited to drilling from surface locations, trenching, shaft sinking, and bulk sampling.

5.4.1f A certification that the abandonment and plugging procedures of all surface drill holes shall conform to all applicable New Mexico State laws and regulations.

5.4.1g A brief description of the measures to be taken to reclaim the land disturbed by the mineral exploration activities.

5.4.1h The date by which reclamation of the mineral exploration activity will be completed.

5.4.1i Any additional submittals required by the Code Administrator.

5.4.2 Submittals for Mining Uses

All applications for Mining Uses shall contain:

5.4.2a Vicinity Map. A Vicinity Map showing the Mine Site and the area within a three mile radius of the Mine Site drawn on a U.S.G.S. topographic quadrangle map.

5.4.2b Existing Site Data. A map for the Mine Site, general survey, aerial photograph or any combination of the foregoing shall be at a scale of one (1) inch to five hundred (500) feet, or such other scale as approved by the Code Administrator, and shall include the following:

(1) A description of existing structures and improvements including streets and utilities on and within two hundred (200) feet of the Mine Site unless otherwise required by the Code Administrator.

(2) A survey of the Mine Site showing the exterior boundary lines, bearings, and distances which, unless otherwise specified by the Code Administrator, shall be determined to a degree of precision such that no discrepancy between computed and measured distances shall exceed one (1) part in one thousand two hundred and eighty (1,280) parts.

(3) A notation stating acreage, scale, true and magnetic north arrow, U.S.G.S. datum and bench marks, if any; certification of a professional engineer or a qualified land surveyor or other qualified person who prepared the existing site data.

(4) The location, width and purpose of any known or visible easements, right of way or access to the Mine Site.

(5) Present tract designations or other identification according to official records in the County Clerk's office, if any; the name and address of the owner of the property on which the Mine Site is located; the name and address of the Mineral owner of the property on which the Mine Site is located.

(6) Owners of record of property adjacent to the Mine Site.

(7) A plan to provide for reclamation of the Mine Site. For mining uses involving open pit mining operations the mining operator shall be required to submit a plan for the reseeding of the mine site when the property has been mined and abandoned.

The plan for reseeding shall not require seeding or reseeding of the open pit, but it shall require a plan to reseed the remaining disturbed areas of the mine site, excluding roads, with reasonable allowances to

recognize areas that cannot be practically seeded or vegetated because of slope, rock conditions or other limitation factors, in an attempt to provide roughly comparable vegetation to that which existed in the area prior to mining, through a single reasonable effort. The Board may require security for completion of the reclamation required under the section. The security may be in the form of a (1) surety bond issued by an insurance company which is rated "A" or better by Standard and Poors or a comparable rating service; or (2) by a letter of credit in a form approved by the Board, issued by a state or national bank whose deposits are insured by the Federal Deposit Insurance Corporation; or, if approved by the Board, (3) by a corporate undertaking issued by the applicant corporation or its parent corporation listed on the New York or American Stock Exchange or major foreign stock exchange.

(8) A description of hazardous waste materials produced by the operation, and a plan for disposal of the wastes, including comments by the New Mexico Environmental Improvement Division.

(9) An estimate of the average annual number of employees, annual payroll, ad valorem taxes, gross receipts and other economic benefits for the proposed mining use.

(10) A listing of the permits required to be obtained to engage in the Mining Use on the Mine Site. Upon obtaining copies of the required permits, submission of a copy of each of these permits to the Code Administrator. Copies of the submittals or other data presented in support of obtaining required permits shall be provided to the Code Administrator upon request and the listing of the regulatory agency under which this permit is required.

(11) The Code Administrator or the County Development Review Committee may recommend to the Board of County Commissioners and the Board of County Commissioners <u>may</u> require that the applicant provide an Environmental Impact Statement for the proposed Mining Use. No Impact Statement shall be required until specific regulations are adopted by the Board setting forth the requirements for the scope, format, and content for Environmental Impact Statements.

5.4.2c. Exceptions and Substitutions for Submittals. Upon request of the applicant and approval of the Code Administrator, submittals may be substituted for submittals required by the Code. Upon request of the applicant and the approval of the Code Administrator, submittals required in this section may be omitted or modified.

5.5 Performance Standard. No mining use or mineral exploration activity will be permitted if it is determined that the use will have a significant adverse affect on health, safety, morals or general welfare of the County or its residents.

5.5.1 Reviews for Mineral Exploration Uses. The Code Administrator shall review the submittals and the Performance Standard and make recommendations according to the procedure set forth in Article II, Section 2.3.2.

5.6 Reviews for Mining Uses. Except as provided in this Section 5.6.1, Mining Uses shall not be subject to the provisions of Article III, Section 10, Lot Size Regulations of the Code. The applicant shall submit evidence that the applicant has obtained an adequate water supply as evidenced by appropriate permits issued by the Water Resource Department of the Natural Resources Division of the State of New Mexico.

5.6.2 Special District Review. The Code Administrator shall check the location of the proposed use and shall inform the applicant of any additional submittals or reviews required because of location of the proposed use within a Special Review District and make the applicable review.

5.6.3 Environmental Review. Except as provided in this Section 5.6.3, Mining Uses and Mineral Exploration Uses shall not be subject to the Code. The Applicant shall submit evidence of planned compliance with all federal and state environmental laws and rules and regulations, including but not limited to permits required by the U.S. Environmental Protection Agency, State of New Mexico, Environmental Improvement Division of the Human Services Department;

Water Quality Control Commission of the New Mexico Environmental Improvement Division of the Human Services Department and other appropriate federal and state agencies. In addition, the Applicant shall be subject to the following Sections of Article VII, Environmental Requirements of the Code:

a. Section 1, except, Sections 1.2.3c, d, f; 1.2.4b, d, e, f, h; 1.2.5; 1.4.1; 1.4.2; 1.4.3; 1.4.4, 1.4.4a, c, d, e, f, g; and 1.4.5.
b. Section 2.
c. Section 3, except Sections 3.2.1c; 3.2.3b, c, d, f, g, h,; 3.2.6; 3.3.1; 3.3.2b, c, d, e, f, g, h, i, j, k; 3.3.3; 3.2.3e.
d. Section 4.
e. Section 6 does not apply if the Mining Use will utilize permitted water rights for its water supply.
f. Section 7.

5.6.4 Conformance to Building, Mechanical and Electrical Codes.

The Code Administrator shall review the submitted plans and specifications for compliance with the building, mechanical, and electrical provisions of the Code and for engineering design. Upon approval of a building permit, construction must begin within one year of the date of the issuance of the building permit, or it becomes void and a new application for a building permit must be made.

5.6.5 General Review. The Code Administrator shall review the submittals, and the Performance Standard, and make recommendations according to the procedures set forth in Article II, Section 2.3.2, 2.3.4 and 3.1.

5.7 Continuance of Existing Mining Uses.

The provisions of Article I, Section 12, shall not apply to Mining Uses in existence on the effective date of the Code. Mining Uses in existence as of the effective date of this Code shall not be subject to the requirements of the Code. A Mining Use shall be permitted to continue as a non-conforming use until it is abandoned. Mining uses and mining operations shall be deemed to be in existence on the Mine Site on the effective date of this Code if actual construction has commenced on a

substantial portion of any structures and improvements subsequently used in the Mining Use and/or a substantial portion of the planned mining operation has begun. However, an operator of a Mining Use or mining operation shall submit copies of any of its permits or approvals which it holds from the United States Environmental Protection Agency, the State of New Mexico Environmental Improvement Division, the State of New Mexico Natural Resources Division, Water Resources, and the County of Santa Fe Blasting Permit, if any of these are required by the applicable governmental agency. Mining Uses in Mining Districts in existence on the effective date of the Code may be enlarged upon, expanded or extended without obtaining a Development permit as long as the enlargement, expansion or extension is a reasonable continuation of the development of the Mining Use which is designed to extract the then remaining minerals from the Mine Site, provided however that any construction commenced after the date of the Code shall be subject to the building permit requirements of the Code.

SECTION 6 - LARGE SCALE RESIDENTIAL USES

6.1 Location

Large Scale Residential Uses include Multi-Family Residential Uses, Institutional-Residential Uses and Resort Uses and are allowed anywhere in the County provided the requirements of the Code are met.

6.2 Uses

6.2.1 Multi-family residential uses include the following having five (5) or more dwelling units.

6.2.1a apartments
6.2.1b residential condominiums
6.2.1c residential cooperatives
6.2.1d mobile home parks which are not subdivisions

6.2.2 Institutional-Residential Uses include the following having five (5) or more units intended to be used for overnight occupancy:

6.2.2a hospitals
6.2.2b universities
6.2.2c boarding schools
6.2.2d facilities owned or used by any governmental entity
6.2.2e nursing and rest homes
6.2.2f retirement homes
6.2.2g facilities owned or used by religious organizations

6.2.3 Resort uses include any of the following having five (5) or more units intended to be used for overnight occupancy:

6.2.3a summer camps
6.2.3b resort cabins
6.2.3c guest ranches
6.2.3d campgrounds for tents or campers

6.3 Standards

6.3.1 Required Improvements

Except for resort uses, the following improvements for large scale residential uses are required:

Streets

6.3.1a The applicant shall provide for access to the nearest City, County or Federal Highway by roadway to be constructed to the standards set forth below:

Number of Dwelling Units	Surface Requirements as Shown in Subdivision Regulations, Appendix B
5 - 25	A-4
25 - 100	A-3
100 or more	A-2

Internal streets shall also be constructed to these specifications. In addition, the design of all streets shall comply with the standards set forth in Article V, Section 8.2 (Subdivision Regulations).

6.3.1b The applicant shall provide a community water system and a community liquid waste system conforming to the requirements of Article VII, Section 2, Liquid Waste and Section 6 - Water Supply.

6.3.1c Solid Waste Disposal

The applicant must either provide for collection of solid waste or be located within five (5) miles of an existing Sanitary Landfill licensed by the Environmental Improvement Division or construct and maintain a landfill operation according to a solid waste management plan approved by the Environmental Division (See Article VII for requirements).

6.3.1d Drainage Structures

Drainage structures shall be required in conformance with an applicant's storm drainage plan. They shall be designed to contain a flood with a frequency of once in every 25 years.

6.3.1e Parks and Recreation

For multi-family residential uses and institutional-residential uses having 25 or more dwelling units, open space shall be provided for parks and recreation on a ratio of ten (10) acres per 1,000 residents; provided, however, that no such open space shall contain less than 1 acre per use. These open spaces shall be suitable for a park development.

6.3.2 Performance Standard

No use may be allowed which will significantly interfere with the existing use of the property in adjacent areas.

6.3.3 Buffer Zones

Structures involving Large Scale Residential uses shall be set back 50 feet from the property line. In the setback area, existing vegetation shall be preserved and natural topographic features or planting shall be used. The setback area may be used to meet the off-street parking requirement of subsection 5 of this Section except that no parking shall be provided within 5 feet of the property line.

6.3.4 Maximum Height

Structures shall be limited to a maximum height of 36 feet from the highest point of the surface of the ground at the perimeter of the structure.

6.3.5 Parking

The parking requirements of Article III, Section 9 shall be met.

6.4 Submittals and Review

6.4.1 Submittals

If the proposed Development involves a Large Scale Residential Use provided for in this Article III, Section 6, the application shall fill out a Development Permit Application on a form provided by the Code Administrator, and the application shall be accompanied by:

6.4.1a Vicinity Map. A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing contours at twenty (20) foot intervals showing the relationship of the site to its general surroundings, and the location of all existing drainage channels, water courses and water bodies not located on the Parcel but within three miles of the Parcel.

6.4.1b Existing Site Data: A description of existing conditions on or adjacent to the site. Maps shall be at a scale of one (1) inch to one hundred (100) feet or such smaller scale as include the following:

(1) Boundary lines; bearings and distances. The error of closure shall be of a third order survey, and no discrepancy between computed and measured distances shall exceed one (1) part in 1,280 parts.

(2) Easements: Location, width and purpose.

(3) Streets or Roads on and immediately adjacent to the tract, name and right-of-way width.

(4) Utilities on and immediately adjacent to the tract.

(5) Owners of record of unplatted land and existing subdivision plats by name and recordation, and the locations of all Federal, State or County Roads shall be shown for property within one-thousand (1,000) feet of that tract.

(6) Title and certificates: present tract designations according to official records in the County Clerk's Office, title under which the proposed Development is to be recorded with name and address of owner, notation stating acreage scale, true and magnetic north arrow, U.S.G.S. datum and bench-marks, if any, certification of the engineer or land surveyor licensed in accordance with the laws of the State of New Mexico who prepared the plat.

6.4.1c Preliminary Development Plan

The preliminary development plan shall be submitted and shall be drawn to a scale of one (1) inch to one hundred (100) feet, or larger, and shall show to scale the following:

(1) proposed arrangement of buildings;
(2) proposed off-street parking and loading facilities;
(3) proposed access from Federal, State and County Roads to the site and internal vehicular circulation;
(4) existing and proposed landscaping;
(5) proposed location and type of fences, walls, and signs; and
(6) drainage and grading plan indicating existing and proposed contours.

6.4.1d Final Development Plan

After the Development Review Committee has approved the preliminary development plan, the applicant shall prepare a final development plan to be followed in construction operations, and submit it to the Development Review Committee for approval, together with (1) final drafts of all agreements, contracts, deed restrictions and other legal instruments pertinent to the implementation of the development plan; (2) two sets of plans and specifications for the construction of Structures; (3) the valuation of the proposed Structures. The final development plan may be submitted separately for the first and each successive stage of development. The final development plan (or successive stages thereof) as approved becomes the final plat and the basis for issuance of a Development Permit and for acceptance of public dedications; (4) a certificate by the Code Administrator that the applicant has either:

(a) Installed all improvements required by the Code, or

(b) Filed a surety bond or other security acceptable to the Board, in a sufficient amount, based on cost estimates to insure completion of all required improvements within 18 months of the approval of the application.

6.4.2 Density Review

The Code Administrator shall review an Application for Development Permit for Development provided for in this Section 6 in compliance with the density requirements of the Code. No Application shall be approved unless it is determined that the density requirements of the Code will be met.

6.4.3 Special District Review

The Code Administrator shall check the location of the proposed Large Scale Residential Use and shall inform the Applicant of any additional submittals or reviews required because of location of the proposed use within a Special Review District and make the applicable review.

6.4.4 Environmental Review

The Code Administrator shall review the proposed Development and shall inform the Applicant of the additional submittals or reviews required under Article VII - Environmental Regulations - of the Code and make the applicable review.

6.4.5 Conformance to Building, Mechanical and Electrical Codes

The Code Administrator shall cause the submitted plans and specifications to be reviewed for compliance with the building, mechanical, and electrical provisions of the Code for engineering design. If all of the requirements of the Code are met and a Development Permit is issued, construction must begin within one year of the date of issuance, or the permit becomes void and a new Application must be made.

SECTION 7 - COMMUNITY SERVICE FACILITIES

Community Service Facilities are facilities which provide services to a local community organization. These may include governmental services such as police and fire stations, elementary and secondary day care centers, schools and community centers, and churches.

7.1 Standards

Community Service Facilities are allowed anywhere in the County, provided all requirements of the Code are met, if it is determined that:

7.1.1 the proposed facilities are necessary in order that community services may be provided for in the County.

7.1.2 The Use is compatible with existing Development in the area and is compatible with Development permitted under the Code.

7.2 Submittals and Review

The submittals and reviews for Community Service Facilities shall be those provided for in Article III, Section 4.5 concerning small scale commercial uses.

SECTION 8 - OTHER DEVELOPMENT

8.1 Uses Permitted

All uses not otherwise regulated by the Code are permitted anywhere in the County. Such uses specifically include, but are not limited to: utilities, parking facilities, cemetaries.

8.2 Submittals, Reviews and Standards

Uses regulated by this Section 8 shall be considered large scale if they involve the grading and/or clearing of 10 or more acres, contiguously or cumulatively, and small scale if less disturbance of the land is involved. Large scale uses shall be subject to all submittals, reviews and standards required for Development in Major Centers as provided in Section 4 of this Article. Small scale uses shall be subject to all submittals, reviews and standards set forth regarding small scale Commercial Uses, as provided in Section 4 of this Article.

8.3 A Development Permit shall not be required for, and provisions of the Code shall not apply to, utility easements, utility rights of way, and construction utility line extensions.

In addition to the above requirements, any Development involving a water or sewer utility must be in conformance to an adopted Community Land Use and Utility Plan, unless system capacity is limited to that needed to serve existing Development.

SECTION 9 - PARKING REQUIREMENTS

The following parking requirements are established for the types of Development listed:

Type of Use	Number of Parking Spaces*
Wholesale	1 per 1 employee plus 1 per 500 sq. ft.
Office & Community Facilities	1 per 1 employee plus 1 per 300 sq. ft.
Medical Offices	1 per 1 employee plus 1 per 250 sq. ft.

Type of Use	Number of Parking Spaces
Retail Centers	1 per 1 employee plus 1 per 200 sq. ft.
Restaurants	1 per 1 employee plus 1 per 150 sq. ft.
Bars	1 per 1 employee plus 1 per 150 sq. ft.
Gas Stations	1 per 1 employee plus 1 per 300 sq. ft. of garage space
Small Scale Commercial Home Occupations and Neighborhood Centers	1 per 1 employee plus 1 per 400 sq. ft. of space used for Commercial space
Large Scale Residential Institutional Residential Resorts	2 per dwelling unit

*Minimum size of a parking space shall be: 300 square feet which includes the parking stalls and aisles.

SECTION 10 - LOT SIZE REQUIREMENTS

10.1 Relationship of Lot Sizes to Water Policies.

The General Plan sets forth the policy that future population growth in the County should be supported by adequate long term water availability and concentrate population growth in Urban and Metropolitan Areas and Traditional Communities. Development within these areas will generally be served by one or more regional water systems, or community water systems. Development outside of Urban, Metropolitan Areas and Traditional Communities using domestic wells (Section 72-12-1 wells) should consider estimated long term water availability and protect water resources for existing county residents having domestic wells.

Development may also be permitted if the Applicant for a Development permit demonstrates that he/she has water rights, excluding rights permitted under 72-12-1 NMSA 1978 or 75-11-1 NMSA 1953, recognized and permitted by the Director of Water Resources Department of Natural Resources Division of the State of New Mexico which are approved for transfer by the Director of Natural Resources Division to the site of the Development, and the permitted water rights are sufficient to support the proposed development.

10.1.1 Water Policies Governing Lot Sizes Where the Development Will Utilize Permitted Water Rights. Applicants seeking a Development permit may base their application on water rights authorized and permitted by the Director of Water Rights Division of the Natural Resources Department of the State of New Mexico, (with the exception of water rights permitted under Section 75-11-1 NMSA 1953 or 75-12-1 NMSA 1978). The applicant shall provide evidence that he/she owns or has an option to purchase the permitted water rights in an amount adequate to meet the needs of the Development as shown by Article VII, Section 6.6.2, Water Budgets and Conservation Covenants. Any Development permit approved and issued by the County shall be expressly conditioned upon the Applicant obtaining final non appealable order or final non appealable approval from the Director of Water Rights

Division of the Natural Resources Department of the State of New Mexico authorizing the change in use and change in point of diversion to meet the needs of the proposed Development. The minimum lot size permitted by this Section shall be 2.5 acres, unless the proposed development is within an Urban, or Metropolitan Area or a Traditional Community, in which case further adjustments of the lot size shall be permitted as provided by Sections 10.4, 10.5.2 and 10.5.3.

10.1.2 Water Policies Governing Lot Sizes Where Developments Will Not Utilize Permitted Water Rights.

BASIN ZONE: Minimum lot size shall be calculated based upon ground water storage only. Water that is in storage beneath the lot in the Basin Zone may be depleted over a 100-year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 100-year supply of water without consideration of recharge of the ground water.

BASIN FRINGE ZONE: Same as Basin Zone.

HOMESTEAD ZONE: Minimum lot size shall be calculated based either upon ground water storage or recharge of ground water, but not both. Water that is in storage beneath the lot in the Homestead Zone may be depleted over a 100-year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 100-year supply of water. Calculation of recharge in any specific case shall be done in a manner approved by the County Hydrologist. Recharge should be sufficient to supply water over a 100-year lifetime. However, applicants should be aware that studies done in the development of the General Plan indicated that in most areas of the Homestead Zone minimum lot sizes based on storage in this zone would be larger than those based on recharge.

MOUNTAIN ZONE: Same as Homestead Zone.

METROPOLITAN AREAS BASIN AND BASIN FRINGE:

For Basin and Basin Fringe zones within a Metropolitan area as shown on Code Maps 12, 14, and 15, it is anticipated that regional water systems will eventually be developed. Therefore, water that is in storage beneath a lot within a Metropolitan Area may be depleted over a 40-year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 40-year supply of water without consideration of recharge of the ground water.

METROPOLITAN AREAS--HOMESTEAD AND MOUNTAIN ZONE:

For Homestead and Mountain Zones within a Metropolitan area, the minimum lot size shall be calculated based either upon ground water storage or recharge of ground water, but not both. Water that is in storage beneath the lot in the Homestead Zone may be depleted over a 40-year lifetime. The lot must be large enough to have ground water in storage beneath the lot for a 40-year supply of water. Calculation of recharge in any specific case shall be done in a manner approved by the County Hydrologist. Recharge should be sufficient to supply water over a 40-year lifetime. However, applicants should be aware that studies done in the development of the General Plan indicated that in most areas of the Homestead and Mountain Zones, minimum lot sizes based on storage in these zones would be larger than those based on recharge.

10.2 Calculation of Minimum Lot Size. Calculation of the minimum lot size under 10.1.2 shall be determined by the formula:

$$\text{Minimum Lot Size (Acres)} = \frac{\text{Use } \left(\frac{\text{Acre Feet}}{\text{Year}}\right) \times \text{acres}}{\text{Water Available in acre feet per acre/yr}}$$

$$MLS = \frac{U \times \text{acres}}{A}$$

Where:

MLS is the Minimum Lot Size in acres; it is the size of a lot needed to supply anticipated water needs.

U is the anticipated water needs for the lot; it is the use of water which will occur from the intended development of the lot, measured in acre-feet per year. The standard values listed for A

were derived using the procedures set forth in the water appendix of the Code. The standard value for U is set forth in Section 10.2.2. A is the amount of water available in the aquifers which are beneath the lot, measured in acre-feet per acre per year using recharge or storage as described in 10.1.2.

10.2.1 Standard Values for A and Adjustments.

The standard values for A shall be as follows:

BASIN ZONE:	0.1 acre-feet per acre per year
BASIN FRINGE ZONE:	.02 acre-feet per acre per year
MOUNTAIN ZONE:	.0125 acre-feet per acre per year
HOMESTEAD ZONE:	.00625 acre-feet per acre per year

The minimum lot sizes which result from the use of these standard values are as follows:

BASIN ZONE:	10 acres
BASIN FRINGE ZONE:	50 acres
MOUNTAIN ZONE:	80 acres
HOMESTEAD ZONE:	160 acres

The standard values of A may be adjusted if the applicant submits a Hydrology Report, either a detailed report (see Section 6.4 of Article VII), or a Reconnaissance Report (see Section 6.7 of Article VII). Values of A determined in such reports shall be reviewed by the County Hydrologist, who shall recommend to the Code Administrator whether or not the value is reasonable, and if not, shall recommend a value appropriate for the use in determining minimum lot size.

The actual value of A used shall be based on the information submitted by the applicant, by the County Hydrologist or by others submitting information. If water conservation measures are used, as provided in Section 10.2.4b, and an actual value of A is determined, in most cases minimum lot sizes will be reduced below those listed in Section 10.2.1.

However, applicants are advised that because of varying geologic conditions in Santa Fe County there is no assurance that a hydrology report will determine that the water supply in an area is more abundant than indicated by the standard value of A. In cases where the actual study shows a value of A which is less than the standard value (that is, there is less water available than assumed by the standard value), minimum lot size requirements may be increased beyond those indicated in this Section.

10.2.2 Calculation of Use

U shall have a standard value of 1.0 acre-feet per year per dwelling unit for residential use. For all other uses U shall be equal to the actual anticipated consumptive use for the Development.

The standard value for residential use may be adjusted if an applicant proposes to utilize water conservation measures. There shall be no adjustments for conservation in Urban, Traditional Community and Agricultural Valley Areas.

The Code Administrator shall maintain an application form upon which are listed potential water conservation measures. This form shall indicate the effect of each conservation measure of the value of U. As a minimum, the measures shall include: Restrictions on use of water for irrigation purposes (including watering of lawns, gardens and shrubbery); restrictions on use of water for swimming pools; restrictions on the number of bathrooms per dwelling unit; restrictions on garbage disposal units; devices which reduce the utilization of water by appliances, kitchen fixtures, and bathroom fixtures; and pressure-reduction devices on incoming water lines.

Any applicant who uses the application form as a basis for proposing conservation measures shall be allowed to reduce U in accordance with the effectiveness of the measures proposed. The maximum reduction in U which shall be considered achievable using this approach shall be a reduction of U to no less than 0.25

acre-feet per year per dwelling unit. An applicant who proposes water conservation measures sufficient to reduce U to less than 0.25 acre-feet per year per dwelling unit shall be required to prepare a water conservation report; see Section 6.6 of Article VII.

The actual value of U, and the minimum lot sizes which result, will depend on the conservation measures proposed by the applicant. In general, applicants who substantially restrict the use of irrigation (lawn and garden) water will be assumed to have a U of 0.5 acre-feet per year per dwelling unit, while those who further restrict other types of water use will be assumed to require even less water. For reference purposes, the following lot sizes would be allowed if U is equal to 0.5 acre-feet per year per dwelling unit.

BASIN ZONE:	5 acres
BASIN FRINGE ZONE:	25 acres
MOUNTAIN ZONE:	40 acres
HOMESTEAD ZONE:	80 acres

For reference purposes, the following lots sizes would be allowed if U is equal to 0.25 acre-feet per year per dwelling unit.

BASIN ZONE:	2.5 acres
BASIN FRINGE ZONE:	12.5 acres
MOUNTAIN ZONE:	20 acres
HOMESTEAD ZONE:	40 acres

10.2.3 Special Standards for Calculation of Use for Small-Scale Commercial Development

Special standards which set forth specific limitations on use for small scale commercial developments are set forth in this subsection. Applicants who propose Small-Scale Commercial Development are required to prepare a written estimate of water use. The value of U shall be determined by that estimate unless

otherwise determined by the Code Administrator. The Code Administrator shall have on file, a list of standard water consumption requirements for commercial activities. The applicant may use these figures in lieu of the written estimate of water use.

Applicants may use standardized values for A as set forth in Section 10.2.2, or they may submit a hydrology report which contains an actual estimate of A for the land which is to be developed.

10.2.4 Special Standards for Calculation of Water Availability for Metropolitan Areas

Special standards which set forth limitations on water availability for metropolitan areas shown in Code Map 12,14,and15 are set forth in this subsection.

10.2.4.1 Standard Values of Water Availability

Because the policy for water management in Metropolitan areas allows for depletion of storage over a 40-year period, the standard values for A are as follows:

BASIN ZONE: .25 acre-feet per acre per year

BASIN FRINGE ZONE: .05 acre-feet per acre per year

MOUNTAIN ZONE: .0125 acre-feet per acre per year

The minimum lot sizes which result from the use of these standard values are as follows:

METRO BASIN ZONE	4 acres
METRO BASIN FRINGE ZONE	20 acres
METRO MOUNTAIN ZONE	80 acres

10.2.4.2 Adjustments for Water Conservation

For the division of land into four (4) or less lots, the minimum lot size may be adjusted using the procedures set forth in Section 10.2.2. For reference purposes, the minimum lot sizes which result if U = 0.25 acre-feet per year per dwelling unit or commercial use are:

BASIN ZONE:	2.5 acres
BASIN FRINGE ZONE:	5 acres
MOUNTAIN ZONE:	20 acres

10.3 Exceptions to Minimum Lot Size Requirements

The minimum lot sizes calculated under 10.1 and 10.2 shall not apply to the areas described in this Section and the minimum lot size contained in this Section shall control.

10.3.1 Metropolitan Area - Community Water Systems

Where a community water system provides water service to a development within the Metropolitan Areas, as shown on Code Maps 12, 14, and 15, the minimum lot sizes shall be:

BASIN ZONE:	1 acre
BASIN FRINGE ZONE:	2.5 acres
MOUNTAIN ZONE:	5 acres

10.3.2 Agricultural Areas

In the Estancia Valley Agricultural Area, minimum lot sizes shall be 50 acres for the Basin Fringe Zone and 10 acres for the Basin Zone. Adjustments for water conservation and water availability will not be allowed. In the Northern Valley Agricultural Area, the minimum lot size for lands with permitted water rights shall be 5 acres. Adjustments to lot sizes in these areas are conditioned on the finding in each case by the County Development Review Committee that it is in the best interest of the County to convert water rights from agricultural to commercial or residential use.

10.3.3 Traditional Communities

The minimum lot size in traditional communities as shown on Code Maps 40-57, shall be .75 acres, except as follows:

14,000 sq. ft.	- Where community water service and community sewer service systems are utilized, or a Local Land Use and Utility Plan is adopted.

10.3.4 Urban Areas

The minimum lot size in Urban Areas shall be 2.5 acres, except as follows:

1 acre	- Where community water or community liquid waste disposal systems are utilized.
.50 acres	- Where community water and community sewer systems are utilized.

10.4 Density Transfer

The minimum lot sizes specified in this section 10 shall be taken as gross figures for the purposes of determining the total number of dwellings allowed in a particular development. The arrangement of dwellings in clusters or in such locations as to take advantage of topography, soil conditions, avoidance of flood hazards, access and reduced cost of development, shall not violate the lot size requirements of the Code so long as the total number of acres per lot conforms with the requirements of the Code.

SECTION 11 - IMPORTING OF WATER

11.1 Location Requirements

Developments which import water from the surface Rio Grande or other locations outside Santa Fe County to any location in Santa Fe County designated in the Development Code as other than urban or metropolitan locations are permitted to locate anywhere in the County provided they meet all requirements of the Code, except that in lieu of the density requirements as specified in Article III, Section 10, the proposed development shall meet the following criteria.

11.2 Criteria

The following criteria may be used to determine the density of a development which imports water:

11.2.1 Traffic Generation

The amount of traffic generated by the proposed activity shall not at any time impede traffic flow, cause a public road to operate at over capacity, nor contribute to excessive air pollution. The Code Administrator may refer an Application to the New Mexico Environmental Improvement Division for their comments on the impact of additional Development upon air quality.

11.2.2 Energy Consumption

Proposed Development which is not near employment or shopping facilities shall serve to minimize commuting and shopping trips by such methods as reducing density, provision of employment and shopping in the proposed Development, and provision of mass transit facilities.

11.2.3 Provision by Local Government of Public Facilities and Services

The proposed Development shall not cause undue burden to the local government in the provision of public facilities and services.

11.2.4 Compatibility with Adjoining Residences

The proposed Development shall be of a character and density that will not be intrusive to the adjoining

Residential areas as they now exist or may develop as permitted by the Development Code.

The Development:

11.2.4a shall correlate with the residential life style of adjoining residences as expressed in intensity of use and size of Structures;

11.2.4b shall provide a sense of the open space of rural areas that corresponds to adjoining locations;

11.2.4c shall generate corresponding amounts of vehicular traffic.

ARTICLE IV

CONSTRUCTION CODES

SECTION 1 - ADOPTION OF NEW MEXICO CONSTRUCTION CODES

The following codes adopted by the New Mexico Construction Industries Division under the New Mexico Construction Industries Licensing Act, Sections 67-35-1 through 67-35-63, New Mexico Statutes Annotated (1953 Comp.), as it may be amended, are hereby adopted as codes of the County:

Code Title	Date of Adoption
Uniform Building Code, as amended (1979 Edition)	May, 1980
National Electrical Code, as amended (1978 Edition)	January, 1978
State of New Mexico Electrical Code (1978 Edition)	January, 1978
Uniform Mechanical Code, as amended (1979 Edition)	April, 1980
Uniform Plumbing Code, as amended (1979 Edition)	April, 1980
Uniform Swimming Pool Code, as amended (1979 Edition)	April, 1980
Uniform Solar Energy Code, as amended (1979 Edition)	April, 1980

A copy of each of these codes shall be available for inspection at the Office of the Code Administrator during regular business hours.

SECTION 2 - STATE APPROVAL OF COUNTY INSPECTORS

Inspectors who make Construction Code inspections shall first have been certified as provided by law.

ARTICLE V

SANTA FE COUNTY, NEW MEXICO

SUBDIVISION REGULATIONS

A REGULATION TO PROMOTE IN ACCORDANCE WITH PRESENT AND FUTURE NEEDS, THE SAFETY, MORALS, ORDER, CONVENIENCE, PROSPERITY, AND GENERAL WELFARE OF THE CITIZENS OF SANTA FE COUNTY, NEW MEXICO, AND TO PROVIDE FOR EFFICIENCY AND ECONOMY IN THE PROCESS OF DEVELOPMENT, FOR CONVENIENCE OF TRAFFIC AND CIRCULATION OF GOODS, FOR GOOD CIVIC DESIGN AND ARRANGEMENT, AND FOR ADEQUATE PUBLIC UTILITIES AND FACILITIES BY PRESCRIBING RULES AND STANDARDS FOR THE SUBDIVISION OF LAND AND FOR THE ACCOMPLISHMENT OF SAID PURPOSES TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT HEREOF.

SECTION 1. TITLE AND AUTHORITY

These regulations shall be known, referred to, and cited as "Santa Fe County, New Mexico, Subdivision Regulations". These regulations are passed, adopted and approved by the Board of County Commissioners of Santa Fe County by Resolution No. 1973-55 on August 27, 1973, as authorized by and in accordance with the New Mexico Subdivision Act, Chapter 348 of the Laws of 1973, 31st Legislature, First Session, the Legislature of the State of New Mexico, and amended by Resolution adopted _____.

SECTION 2. PURPOSE

These regulations are to promote the general health, safety and welfare of the citizens of Santa Fe County by providing for the harmonious development of areas within Santa Fe County not within the boundaries of a municipality; ensure the efficient use of water resources; ensure appropriate and adequate liquid and solid waste disposal systems; provide for appropriate terrain management plans; provide for the coordination of streets within subdivisions and other existing or planned

streets or with other features of the Comprehensive Plan of Santa Fe County; provide for adequate open spaces for traffic which will tend to create conditions favorable to health, safety convenience and prosperity.

SECTION 3. JURISDICTION

These "Subdivision Regulations" shall govern all platting or replatting of areas within Santa Fe County not within the boundaries of a municipality except that, when land proposed for subdivision lies within the extraterritorial jurisdiction of an incorporated municipality, the more stringent subdivision regulations will apply.

SECTION 4. GENERAL POLICY REQUIREMENTS

4.1 - Acceptance of Public Lands

Approval of a subdivision by the County Development Review Committee shall not constitute an acceptance by the County, of the streets, alleys or other public ways or easements, and parks or other public lands dedicated on the subdivision plat by the owners. The dedication of any of these lands for public use of any nature within the County shall be accepted by the County only by action of the Board of County Commissioners.

4.2 - Community Assets

All features such as natural vegetation, erodable soils, drainage courses, historical sites and structures, and similar community assets shall be preserved in the opinion of the Board of County Commissioners and/or the County Development Review Committee if they will add attractiveness and value to the area or to the County or avoid unwarranted deterioration and destruction of these natural, historic or other community assets.

4.3 - Suitability of the Land for Subdivision

The County Development Review Committee or the Board of County Commissioners shall not approve the subdivision of land

if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public health, safety or welfare the land is not suitable for platting and development purposes of the kind proposed.

Criteria for determining land unsuitable for subdivision shall include land subject to periodic flooding, land unsuited for development because of topography, soils subject to excessive erosion, land subject to seasonally high water tables, soils which due to shallow depth or slow percolation rates are unsuitable for sewage absorption fields, inadequate water supply for the requirements of the fully developed subdivision, and other criteria specifically mentioned in guidelines for subdivision regulations prepared by the New Mexico Environmental Improvement Division, New Mexico State Engineer's Office and the local Natural Resource Conservation Districts.

4.4- Development Plan

If the proposed plat is the first part of a larger scale development, then the proposed plat shall not be considered by the County Development Review Commission until a Development Plan has been submitted for approval by the County Development Review Committee. The Development Plan shall conform with the requirements of Section 7.

4.5-Staging

For large scale developments and large subdivisions (Type I, Type II and Type IV), the County Development Review Committee and/or Board of County Commissioners may grant approval of an initial development stage only; and further, the County Development Review Committee may set criteria for development of the first stage as a condition for approval of subsequent stages.

4.6 - Conflicts with Other Regulations

Whenever there is a discrepancy or conflict between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official rules and regulations of the County and/or the State of New Mexico, applicable for land within the County, the highest or most restrictive standard shall apply.

4.7 - Consulting Other Agencies

Before acting on preliminary plat, the County Development Review Committee and/or the Board of County Commissioners shall request a report from any person or agency as required by the New Mexico Subdivision Act or by these regulations to assist in determining whether or not a subdivider can fulfill the proposals contained in his disclosure statement and in determining whether or not the subdivider's provisions for a subdivision conform with County regulations.

SECTION 5 - PROCEDURES

5.1 - Pre-Application Procedures

a. Previous to the filing of an application for approval of a preliminary plat, the subdivider shall confer with the County Manager to become acquainted with these Subdivision Regulations. At this pre-application conference, the subdivider shall be advised of the following:

1. Submittals required by the Code and by these regulations in the filing of an application for approval of a preliminary plat.

2. A determination will be made as to the type and/or class of the proposed subdivision.

3. Individuals and/or agencies that shall review the required submittals.

4. The required improvements.

5. Whether a Development Plan is required as described in Section 7.

b. Upon determination of the type of subdivision proposed as defined in the New Mexico Subdivision Act, the subdivider shall be informed of his review options. The subdivider may elect to proceed with a "Concept Approval" application with submittal of plans and data required by Section 5.2; or, the subdivider may elect to proceed with a preliminary plat application with submittal of all required plans and data (Section 5.3). If the subdivider elects to submit a "Concept Approval" application only with all of the required submittals, then these materials shall be reviewed by the Code Administrator or his authorized representative, and presented to the County Development Review Committee to determine the feasibility of the proposed subdivision, provided, however, that the consent of the subdivider, the Code Administrator may send the Concept Approval application to the appropriate State Agencies for review and comment prior to review by the County Development Review Committee.

If the Subdivider elects to proceed with the complete preliminary plat application, the subdivider shall provide or cause to be prepared a preliminary plat, together with improvement plans and other supplemental material as required in Preliminary Plat Procedures.

5.2 - Concept Approval Procedure. If the Subdivider desires, he may elect to obtain concept approval for his development according to the procedures set forth in this Section. The purpose of this Section is to provide a means for the subdivider to obtain guidance from the County Development Review Committee and the County Commission concerning its proposed subdivision without the necessity of expending large sums of money for the submittals required for a Preliminary and Final Plat approval.

The subdivider shall provide:

5.2.1 A general site plan at a scale of 1 inch=100 feet showing the overall layout of the proposed subdivision to include the following:

a. Approximate location of lot lines, streets, other

proposed improvements, (i.e.) parks

b. Water courses

c. Existing topographical and natural features

5.2.2. Vicinity Map

scale 1 into 1000 feet or as determined by the Code Administrator showing relationship of site to general surroundings

5.2.3. A brief report stating the manner in which the subdivider intends to meet the requirements of the code concerning water supply, water quality, terrain management, liquid waste disposal, solid waste disposal.

5.2.4. A plan showing community facilities, if any (parks, day care centers, etc.).

5.3. Preliminary Plat Approval

Copies of the preliminary plat and supplemental material required and a written application for approval of the preliminary plat shall be submitted to the Code Administrator or his authorized representative. A cashier's check, made payable to Santa Fe County in the amount required in the schedule of fees for preliminary plat review, must accompany the application for approval.

A plat shall not be considered to have been submitted or an application completed until all submittals, in completed form required by these regulations, have been delivered to the Code Administrator, and all required or requested State agency reviews have been received.

5.3.1 Submittals

a. Preliminary Plat Format - As part of the application for preliminary plat approval, the subdivider shall submit a specified number of blueline or blackline copies of the preliminary plat as agreed to in the pre-application conference, which shall be drawn at a scale of one (1) inch equals one hundred (100) feet. The preliminary plat shall be

presented on a sheet or sheets twenty-four (24) inches wide by thirty-six (36) inches long within which are borders one-half (1/2) inch wide on all sides. Where necessary the plat may be on more than one (1) sheet of the same size, showing the entire subdivision.

b. Preliminary Plat Content - The plat shall show all proposals including the following:

1. Streets: Names, right-of-way widths, grades and distance between intersections and curve radii.
2. Proposed right-of-way easements: Location, width and purpose.
3. Dimensioned lot lines, lot and block numbers
4. Sites to be reserved or dedicated for public use
5. Minimum building set-back lines, if such information is required by the Planning Commission.
6. Site data: total acreage: the number of lots, the minimum and typical lot area and lot frontage and the acreage proposed for public uses.
7. A disclosure statement in accordance with the New Mexico Subdivision Act and these regulations.

c. Supplementary Plans and Data - All plans shall contain the subdivider's name and address and the Disclosure Statement and a schedule of compliance.

i. Vicinity Map: A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing contours at twenty (20) foot intervals showing the relationship of the site to its general surroundings, and the location of all existing drainage channels, water courses and water bodies within three miles of the subdivision site.

ii. Existing Characteristics: A description of existing conditions on or adjacent to the site. Maps shall be at the same scale as the preliminary plat one (1) inch to one hundred (100) feet and shall include the following:

a. Boundary lines: bearings and distances. The error of closure shall be of a third order survey, and no discrepancy between computed and measured distances shall exceed one (1) part in five-thousand (1,280) parts.

b. Easements: Location, width and purpose

c. Streets on and immediately adjacent to the tract, name and right-of-way width and location, type, width and elevation of surfacing and legally established centerline elevations, sidewalks, curbs, gutters, culverts, etc.

d. Utilities on and immediately adjacent to the tract: location size, and invert elevation of sanitary storm and sanitary sewers location and size of water mains; location of gas lines if water mains and sanitary sewers are not located on or adjacent to the tract, the direction, distance and size of closest utilities showing invert elevation of sewers shall be indicated.

e. Owners of a record of unplatted land and existing subdivision plats by name and recordation, shall be shown for property within one-thousand (1,000) feet of that tract.

f. Zoning on and within one-thousand (1,000) feet of the tract.

g. Title and certificates: present tract designations according to official records in the County Clerk's Office, title under which the proposed

subdivision is to be recorded with name and address of owner, notation stating acreage scale, true and magnetic north arrow, U.S.G.S. datum and benchmarks, if any, certification of the engineer or land surveyor licensed in accordance with the laws of the State of New Mexico who prepared the plat, which certifications is mandatory and a metes and bounds description of the tract.

iii. Topographical and Natural Features. As required by Article VII, Sections 1 and 3 of the Code.

iv. Soil Survey. As required by Article VII, Section 3 of the Code.

v. Street Plans*

vi. Terrain Management Plan. As required by Article VII, Section 3 of the Code.

vii. In approving a subdivider's plat, the Commissioners may as a condition of approval require fills, dikes, levies or other diversion measures approved by the local district to protect the subdivision from flooding.

viii. Water Supply - As required by Article VII, Section 6 of the Code.

ix. Liquid Waste Disposal Plan-As required by Article VII, Section 2 of the Code.

x. Solid Waste Plan - As required by Article VII, Section 7 of the Code.

xi. Community Facilities Plan. The Community Facilities Plan shall contain the type, location and size of proposed facilities. Responsibility for development and maintenance will be stated.

a. Parks and recreation facilities.
b. Schools.
c. Fire and police.
d. Gas and power, telephone.

*Profiles showing existing ground surface and proposed street grades and typical cross sections of the proposed grading.

e. Medical facilities, related services

xii. Environment and Economic Impact Statement - The County Development Review Committee may recommend to the Board of County Commissioners and the Board of County Commissioners may require that the subdivider provide an environmental and/or economic impact statement for the proposed subdivision. If an environmental impact statement is required, it shall be in such form and contain such information as the Board of County Commissioners may request in order for them to be able to fully assess the cumulative and long range impact of the proposed subdivision on the environment of Santa Fe County.

If an economic impact statement is required, it shall be in such form and contain such information as the Board of County Commissioners may request in order for them to be able to fully assess the cumulative and long range impact of the proposed subdivisions:

a. Additional services that will be required of the governmental entities within Santa Fe County, including but not limited to services such as public schools, fire and police protection.

b. Additional sewers to be provided by utility companies.

c. Additional medical services and/or facilities.

d. The economy of Santa Fe County.

If an environmental and/or economic impact statement is required by the Board of County Commissioners, no final plat approval shall be granted to such subdivisions until such requested statement or statements for the subdivision is approved by the Board of County Commissioners with recommendations from the County Development Review Committee.

xiii. Community facilities may be required, which are reasonably necessary for and related to, the projected population of the subdivision.

5.3.2. Reviews.

a. Density Review

The Code Administrator shall review the Application for compliance with the density regulations of the Code.

b. Special District Review

The Code Administrator shall review the location of the Lots indicated on the Plat and will inform the applicant of any additional submittals or reviews required because of a location within a Special District and make the applicable review.

c. Environmental Review

The Code Administrator shall review the location of the Lots indicated on the Plat and shall inform the applicant of the additional submittals or reviews required under Article VII - Environmental Regulations - of the Code.

d. In determining whether or not a subdivider can fulfill the proposals contained in his disclosure statement and in determining whether or not the subdivider's provisions for a subdivision conform with County regulations, the Code Administrators may, and in the case of a Type I or II Subdivision, shall request opinions from:

i. The State Engineer and the County Hydrologist to determine:

(a) whether or not a subdivider can fulfill the proposals in his disclosure statement concerning water for the subdivision, excepting water quality; and

(b) whether or not the subdivider's water proposals conform with county regulations:

ii. the Environmental Improvement Division of the Health and Environment Department to determine:

(a) whether or not the subdivider can fulfill

the proposals contained in his disclosure statement for liquid and solid wastes; and

(b) whether or not the water proposed is of an acceptable quality to conform with County regulations; and

(c) whether or not the liquid and solid waste disposal proposals conform with County regulations;

iii. The State Highway Department detailing the requirements of state highway access when the Board of County Commissioners determines this to be of importance; and

iv. the Soil and Water Conservation District to determine:

(a) whether or not the subdivider can fulfill the proposals contained in his disclosure statement concerning terrain management; and

(b) whether or not the subdivider's proposals for terrain management conform with County regulations.

e. If, in the opinion of each appropriate state agency, a subdivider can fulfill the proposals contained in his disclosure statement concerning water, liquid and solid waste disposal, and terrain management, and the subdivider has conformed with County regulations in his subdivision proposal, then the Board of County Commissioners and the County Development Review Committee shall weigh these factors in determining whether or not to approve the subdivision plat.

f. If, in the opinion of the State Engineer, the subdivider's water proposals do not conform with County regulations for a type-one subdivision or, if the State Engineer does not have sufficient information upon which to base an opinion, the subdivider shall be notified of this fact by the Board of County Commissioners and the procedure set out below shall be followed:

i. if the State Engineer has rendered an adverse opinion, the Board of County Commissioners shall give the subdivider a copy of the opinion;

ii. the subdivider shall be given forty-five days from the date of notification to submit additional information to the State Engineer through the Board of County Commissioners;

iii. if, within sixty days of notification to the subdivider, the state engineer does not change his opinion or issue a favorable opinion when one has been withheld because of insufficient information, the Board of County Commissioners shall not approve the subdivider's plat unless:

(a) the subdivider requests the appointment of three qualified water scientists to be chosen by the Water Quality Control Commission and paid by the subdivider; and

(b) a majority of the water scientists chosen do not agree with the State Engineer's opinion that the subdivider's water proposals do not conform with county regulations;

iv. if a majority of the water scientists do not agree with the State Engineer's opinion that the subdivider's water proposals do not conform with county regulations, then their opinions shall be submitted to the Board of County Commissioners which may utilize the opinions in its final determination approving or disapproving the subdivision plat.

g. If, in the opinion of the State Engineer, the subdivider's water proposals do not conform with county regulations for a type-two subdivision, or if the state engineer does not have sufficient information upon which to base an opinion, the subdivider shall be notified of this fact by the Board of County Commissioners and the procedures set out below shall be followed:

(1) if the state engineer has rendered an adverse opinion, the Board of County Commissioners shall give the subdivider a copy of the opinion;

(2) the subdivider shall be given forty-five days from the date of notification to submit more information to the State Engineer through the Board of County Commissioners;

(3) if, within sixty days of the date the subdivider was notified, the State Engineer does not change his opinion or issue a favorable opinion when one has been withheld because of insufficient information, the Board of County Commissioners shall hold a public hearing devoted solely to determining whether or not the subdivider's water proposals conform with county regulations.

h. If, in the opinion of the appropriate state agency, a type-one or type-two subdivision proposal does not conform with county regulations for water of an acceptable quality, liquid and solid waste disposal, highway access, terrain management, or if the appropriate state agency does not have sufficient information upon which to base an opinion on any one of these subjects, the subdivider shall be notified of this fact by the Board of County Commissioners, and the procedure set out below shall be followed:

(1) if the appropriate state agency has rendered an adverse opinion, the Board of County Commissioners shall give the subdivider a copy of the opinion;

(2) the subdivider shall be given forty-five days from the date of notification to submit more information to the state agency through the Board of County Commissioners;

(3) if, within sixty days of the date of notification to the subdivider, the state agency does not change its opinion or issue a favorable opinion, when it has withheld one because of insufficient information, the

Board of County Commissioners shall hold a public hearing devoted solely to determining whether or not the subdivider has conformed with the applicable county regulation concerning which the state agency has rendered an unfavorable opinion or withheld an opinion because of insufficient information.

i. Hearings on Adverse Agency Reports, Types I and II Subdivisions only.

Whenever a hearing is required because of an adverse report from a state agency that a subdivider's proposal does not meet a specified county regulation, or because a state agency has not furnished an opinion due to insufficient information, the Board of County Commissioners shall adhere to the following requirements concerning the hearing:

(1) Notice of the hearing shall be given at least thirty days prior to the hearing date and shall state:

(A) the subject of the hearing;

(B) the time and place of the hearing;

(C) the manner in which interested persons may present their views; and

(D) where interested persons may secure copies of the adverse opinion and of the subdivider's proposal on the subject covered by the state agency's opinion or the opinion request. The Board of County Commissioners may impose a reasonable charge for the costs incurred in reproducing and mailing the opinion and proposal to those persons requesting copies.

(2) The notice shall be published in a newspaper of general circulation in the county.

(3) Reasonable effort shall be made to give notice to all persons who have made a written request to the Board of County Commissioners for advance notice of its hearings. Notice shall also be given to the state agency that prepared the adverse report or withheld a report on the basis of insufficient information.

(4) At the hearing, the Board of County Commissioners shall allow all interested persons a reasonable opportunity to submit data, views or arguments, orally or in writing, and to

examine witnesses testifying at the hearing.

5. The Board of County Commissioners shall approve or disapprove the subdivision plat within thirty days of the termination of the hearing at a public meeting of the Board of County Commissioners.

j. The Code Administrator shall cause the proposed preliminary plat to be reviewed by the County Development Review Committee and the Board according to the procedures set forth in Article II, Section 2.3.2 and the decision of the County Development Review Committee shall be reviewed by the Board as provided in Article II, Section 2.4.3(b) of this Code.

k. Approval or conditional approval of a preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed as an expression of approval by the County Development Review Committee and the Board, of the layout submitted on the preliminary plat as a guide to the preparation of the final plat which will be submitted for approval to the County Development Review Committee and the Board of County Commissioners for recording upon fulfillment of the requirements of these regulations and the conditions, if any, of a conditional approval of the preliminary plat.

5.4. Final Plat Procedures

5.4.1. The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that part of the approved or conditionally approved preliminary plat which he proposes to record and develop at the time, provided however, that such part conforms to all requirements of these regulations, and provided further, that the County Development Review Committee may require the subdivider to include or exclude whatever part of the preliminary plat the final platting of which at the time it deems necessary for orderly

development consistent with the purpose of these regulations, the Code, and the County General Plan. The final plat shall comply with the New Mexico Subdivision Act and these regulations.

5.4.2. Application for approval of the final plat shall be submitted in writing to the Board of County Commissioners not less than twenty-one (21) days prior to the County Development Review Committee meeting at which it is to be considered. Conditions of preliminary plat approval must have been met at this point. The Code Administrator shall also determine that all required filing and review fees have been paid in full. A cashier's check made payable to Santa Fe County in the amount required in the schedule of fees for the final plat approval will accompany the final plat application. The Code Administrator shall submit a written report of its findings together with a recommendation to approve or disapprove the final plat at the same time the final plat is submitted for consideration by the County Development Review Committee.

5.4.3. The original drawing of the final plat and four blueline or blackline copies thereof and all other exhibits required for approval shall be prepared as specified in Article V, Section 5.4.6 and shall be submitted with the application for final plat approval within twelve months after approval or conditional approval of the preliminary plat; otherwise such approval or conditional approval shall become null and void unless an extension of time is applied for in writing by the subdivider and granted by the County Development Review Committee. If an extension of time is applied for, such application shall be submitted to the County Development Review Committee not less than seven (7) days prior to the County Development Review Committee meeting at which it is to be considered.

5.4.4. If the final plat is approved by the Board of County Commissioners, such approval shall be recorded on the face of the original drawing of the final plat and on two copies thereof and such approval shall be dated and verified thereon

by the signatures of the Chairman of the Board of County Commissioners and the Code Administrator, the Chairman and Secretary of the County Development Review Committee and the appropriate utility companies in the space provided for such and such date and signatures shall be affixed by the use of black india ink; or if the final plat is denied by the Board of County Commissioners, the reasons for the denial shall be referenced and attached to two (2) copies of the final plat and such action shall be dated and verified by the signatures of the Chairman of the Board of County Commissioners and the Code Administrator affixed to said copies. In either event, one of said signed copies shall be returned to the subdivider and the other shall become a part of the files of the Code Administrator's Office; and, if such plat is approved, the original drawing of the same shall be used in part for recordation purposes and thereafter retained in the files of the Code Administrator or if the final plat is denied, the original drawing shall be returned to the subdivider. None of the requirements of this paragraph shall be modified or waived.

5.4.5 Final plat shall be recorded only by the County Clerk, and the Code Administrator or his authorized representative shall notify the subdivider of the date of such recording. Final plats shall be recorded within ten (10) working days after the acceptance by the Board of County Commissioners, of the public dedications, if any, shown thereon, but not until such acceptance of a public dedication by the County does not necessarily imply the maintenance of such dedication.

5.4.6. Plats and Data for Final Plat Approval.

5.4.6a Final Plat Format - The original drawing of the final plat shall be in black india ink, on tracing cloth or drafting film such as "mylar" or acetate. Sheets shall be twenty-four (24) inches wide and thirty-six (36) inches long, one half (1/2) inch wide borders, drawn at a scale of one (1) inch to one-hundred (100) feet. The external boundary of the tract shall be drawn in red india ink. If the plat is drawn on more than two (2) sheets, they shall be accompanied by an index sheet of the same size showing the entire subdivision. The original

drawing and four (4) blueline or blackline copies shall be submitted with the application for approval of the final plat.

5.4.6b Final Plat Content - The final plat shall show and be accompanied by the following information:

i. Primary control points, approved by the County Engineer or descriptions and "ties" to such control points to which all dimensions, angles, bearings and similar data shall be referred.

ii. Location and description of all monuments.

iii. Tract boundary lines, right-of-way streets, easements, and other rights-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves.

iv. Name and width of each street or other right-of-way and centerlines of street rights-of-way with dimensions between intersection centerlines or tract boundary lines; location, dimensions and purposes of any easements.

v. Location, dimensions and purposes for which public sites, if any, are to be dedicated or reserved.

vi. Number to identify each block and each site or lot block numbers shall appear within a circle.

vii. Minimum building setback line on all lots and other sites, if such is required by the County Development Review Committee.

viii. Name of record of landowners of adjoining unplatted land.

ix. Copies of all covenants, deeds or homeowners association by-laws for development and maintenance of subdivision.

x. The final plat will meet all the requirements of a final disclosure as required by the New Mexico Subdivision Act and these regulations.

xi. Reference to recorded subdivision plats of adjoining platted land by record name and date.

xii. Certification of a licensed land surveyor, who shall be licensed in accordance with the laws of the State of New Mexico, certifying to the accuracy of survey and plat, and that the same has been prepared by him.

xiii. Certification of title showing that the subdivider is the landowner, and that the subdivision as it appears on the plat is with the free consent and in accordance with the desires of the subdivider, which certification shall be signed by the subdivider.

xiv. Planning and platting affidavit.

xv. Signed statement by the subdivider dedicating streets and other right-of-way, granting easements for public use and dedicating any sites for public use.

xvi. Title, scale, true and magnetic north arrows, and date.

xvii. Certification for approval by the County Development Review Committee.

xviii. Certification of approval by the appropriate utility companies.

xix. Certificate of acceptance by the Board of County Commissioners, of the dedications of streets and other right-of-way and dedications of any sites for public use.

5.4.6c Required dimensions shall be shown to the nearest one-hundredth of a foot and angles to the nearest one-half minute.

5.4.6d All signatures shall be written with black india ink.

5.4.6e Dedications of public right-of-ways, easements, and public sites shown on a subdivision plat shall be a part thereof and shall not be dedications separate therefrom.

5.4.6f All plans, preliminary plats and changes in these plans become part of the final plat and its approval.

5.4.6g A certificate by the County Clerk or Code Administrator certifying that the subdivider has complied with one of the following:

i. That all improvements have been installed in accordance with the requirement of these regulations.

ii. A surety bond or other security acceptable to the Board of County Commissioners has been filed with the County Clerk in sufficient amount to assure completion of all required improvements. The surety bond shall be based on engineering cost estimates. The improvements shall be installed and ready for acceptance within eighteen months.

5.4.6h Other data: such other certificates, affidavits, endorsements, or deductions as may be required by the Planning Commission, in the enforcement of these regulations, or as may be specified elsewhere herein.

5.5 - Summary Procedure

For Type III Subdivisions containing five parcels of land, the smallest of which is not less than two acres in size, and for all Type V Subdivisions, the Code Administrator shall follow the procedures set forth in Article II, Section 2.3.2, unless he determines that the proposed subdivision does not require the review of the County Development Review Committee, in which case he shall refer consideration of approval directly to the Board, with his recommendation.

SECTION 6. FEES AND LEVIES

6.1 Subdividers submitting an application of preliminary plat or an application of final plat for approval shall pay a subdivision review fee according to the following schedule and rate:

Preliminary subdivision plat - $15.00 per lot
Final subdivision plat - $25.00 per lot

6.2 Additional fees for unusual circumstances - where additional review by the County is required above and beyond normal review requirements due to complex, unforeseen, or unique circumstances relating to the proposed plan or plat, such as complex hydrological considerations, then the County may charge an additional review fee to defray the cost of such review.

Review fees shall be only for professional services rendered to the County in the case that the County does not have qualified personnel to assist in reviewing such reports, plans and plats. When an additional fee is deemed necessary, the fee shall be arrived at between the County and the applicant.

SECTION 7 - DEVELOPMENT PLAN REQUIREMENTS

7.1. The Subdivider shall provide the following information:

7.1.1. A color coded Development Plan Map superimposed on topography with contours at intervals appropriate to the scale and land slope.

a. Legend interpreting the map.

b. Written report explaining map interpretation of residential, commercial, recreational, industrial, educational and other functional areas.

c. Criteria used in determining the size and location (2) above.

d. Location map.

7.1.2. Total acreage to be developed.

a. How will units be phased out?

7.1.3. Number of Lots.

a. Under one acre

b. Over one acre but less than two and one-half acres

c. Two and one-half acres and over

7.1.4. Development Plan policies relative to:

a. Residential - Architectural design and quality of homes to be constructed.

i. Single family units

ii. Multi-family units

b. Parks, open space

i. Dedicated park areas for neighborhood - community recreation.

ii. Bridle path-arroyo systems

iii. Natural or "wild" areas

c. Community facilities (number, location, who will develop and when, who will maintain and when); criteria used in determining size and location.

i. Parks and recreation facilities

ii. Schools

iii. Fire and police

iv. Gas and power, telephone

v. Medical facilities, related services

d. Transportation Plan

e. Commercial areas - number, location, type restrictions and development and maintenance schedules; criteria used in determining size and location.

f. Industrial areas - number, location, type restrictions (number, location, who will develop and when, who will maintain and when); criteria used in determining size and location.

7.1.5 Water Supply Plan - Water System - As required by Article VII, Section 6 of the Code and Schedule B, of Section 9.3 of this Article.

7.1.6 Solid Waste Disposal Plan - As required by Article VII, Section 7 of the Code.

7.1.7 Liquid Waste Plan - As required by Article VII, Section 2 of the Code.

7.1.8 Timing and Staging of Development

1. Unit priorities and projections (5, 10 years)

7.1.9 Copy of Deed restrictions, protective covenants.

SECTION 8. DESIGN STANDARDS

These design standards are intended to be a guide to the subdivider. Deviation from these standards may be made by the County Development Review Committee and/or the County Commissioners upon presentation of documented justification.

8.1 General

8.1.1 The arrangement, character, extent, width, grade and location of all streets shall conform to topographical conditions to public convenience and safety and in their appropriate relation to the proposed use of the land to be served by such streets.

8.1.2 The proposed street layout shall be made according to

sound land planning practice for the type of development proposed, and shall be coordinated with the street system of the surrounding areas. All streets must provide for the continuation of appropriate projections of principal streets in surrounding areas and provide reasonable means of ingress and egress for surrounding acreage tracts.

8.1.3 The dedication of half streets at the perimeter of a new subdivision is prohibited. If circumstances render the dedication of full street right-of-way impracticable, then adequate provision for the concurrent dedication of the remaining half of the street must be assured by the subdivider. Where there exists a half street in an adjoining subdivision, the remaining half shall be provided by the proposed development.

8.1.4 Where land is subdivided into extra large tracts where the potential for future subdivision exists, such tract shall be arranged so as to allow for the provision of future streets and a logical further resubdivision pattern.

8.1.5 Where a proposed subdivision contains lots abutting or adjacent to a major highway, it shall be planned so as to avoid having lots fronting on the highway. The subdivision shall be laid out to have a minimum number of intersections with highways. The "sight distance" at any intersection must provide for adequate "stopping distance". Where the subdivision contains or is adjacent to a state or federal highway, the subdivision must satisfy the New Mexico State Highway Department Guidelines for land subdivision.

8.1.6 Along County, State or Federal designated scenic corridors, a "greenbelt" or "scenic casement", of a width deemed appropriate by the County Development Review Committee or the Board of County Commissioners shall be reserved from development.

8.2 Street Design

8.2.1 Street grades shall not exceed the following (allowing for vertical curves):

Type A and D Roadways (60 m.p.h.) - 4 Lane	6%
Type B and D Roadways (30 to 50 m.p.h.) - 2 Lane	10%
Type C and D Roadways (25 m.p.h.) - 2 Lane	15%

No street grade shall be less than 0.5%

All streets shall be located so as to minimize areas of cut and fill and in general all streets shall be located to conform to good terrain management principles as contained in the Terrain Management Guidelines prepared by the Local Natural Resource Conservation Districts.

Grade approaching street intersections shall not exceed 6% for a distance of not less than 200 feet each way from the intersection.

8.2.2 Curve Radii and Superelevation - Vertical and horizontal curves and the superelevation of the horizontal curves shall conform to the requirements as set forth in the American Association of State Highway officials publication "A Policy on Geometric Design of Rural Highways".

A tangent of at least 100 feet long shall be provided between horizontal curves.

8.2.3 Intersections - Streets shall be laid out to intersect each other as nearly as possible at right angles, under no condition shall intersection angle be less than 70°.

No two opposing street intersections shall be less than 125 feet between centerlines.

Property lines at street intersections shall be rounded with a minimum radius of 25 feet.

8.2.4 Cul-de-Sacs - Cul-de-Sacs (dead end streets) shall not be longer than 500 feet and there shall be provided at the closed end a turn-around having a radius of at least 50 feet to the outside edge of the outside driving lane.

8.2.5 Minimum street right-of-way widths shall not be less than the following:

60 m.p.h. Design	110 feet
35 m.p.h. Design	70 feet
25 m.p.h. Design	50 feet
Cul-de-Sacs at turn-around	125 feet

8.3 Blocks

The length of blocks shall be between 400 and 1,500 feet. The width of the block shall be sufficient to provide two (2) rows of lots. A block may be one lot in depth where a single tier of lots is required to separate residential development from a major street or a non-residential use.

8.4 Lots

8.4.1 Shapes and location of lots shall be governed by topographic conditions, use and surrounding or adjacent areas.

8.4.2 Every lot shall have egress and ingress to a public thoroughfare.

8.4.3 Double frontage lots should be avoided. Backing a lot up to an existing high traffic road is not considered as double frontage.

8.4.4 Side lot lines shall be substantially at right angles or on a radial line to street lines.

8.4.5 Whenever there is a conflict between these standards and those contained in a zoning ordinance, building code or other official regulations, the highest standards shall apply.

8.4.6 Caution should be exercised in the layout of lots adjacent to a highway with a large traffic count and adjacent to a railroad, because of the noise level and night lights. Normally, these lots should be deep.

8.4.7 When a commercial or industrial area is a part of or all of a subdivision, consideration must be given to provide off street parking when sizing the lots.

8.5 Easements and Right-of-Way

8.5.1 Utility easements centered on rear or side of lot lines shall have a minimum width of 12 feet. These easements must be approved by the local utility companies.

8.5.2 When a subdivision is traversed by a watercourse, drainage way, channel or storm drainage, the plat must provide a right-of-way conforming with the lines and flood plan of such watercourse.

8.6 Buffer Strips

It is required that in residential districts a buffer strip at least one hundred (100) feet in depth in addition to the normal lot depth required be provided adjacent to all railroad right-of-ways, limited access highway right-of-ways and commercial developments. This strip may be a part of the platted lots, but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees or shrubs by the developer or owner --- the building of structures hereon is prohibited". This shall not apply to marginal access (service) roads.

8.7 Parking

Depth and width of properties reserved or laid out for commercial use and industrial purposes shall be adequate to provide for the off-street services and parking facilities required by the type of use and development contemplated as specified in the provisions of the Code.

8.8 Group Development

The standards and requirements of these regulations may be modified by the Board of County Commissioners in the case

of a plan and program for a complete group development, which in the judgment of the County Development Review Committee provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.

SECTION 9. REQUIRED IMPROVEMENTS

9.1 Monuments:

All subdivision boundary corners and the intersections of street centerlines shall be marked with permanent monuments at that point or with offset marking. A permanent monument shall be deemed to be concrete with a minimum dimension of four inches extended three feet below the finished grade.

9.2 Streets:

Required street improvements depends upon the number of lots within the proposed subdivisions and minimum lot size as specified in Schedule A.

SCHEDULE A

REQUIRED STREET IMPROVEMENTS BY TYPE*

Lot Size in Acres

ber of Lots	Less Than 1.0 Acres	1.0-2.5 Acres	2.5-5.0 Acres	5.0 or more
5 - 100	A - 1	A - 2	A - 3	A - 4
or more	A - 1	A - 2	A - 2	A - 3

9.3 Water and Sewer Systems:

9.3.1 Community water and sewer systems shall be required according to the number and size of lots in the proposed subdivision as specified in Schedule B as follows:

SCHEDULE B

REQUIRED IMPROVEMENTS FOR COMMUNITY WATER AND SEWER SYSTEMS					
NUMBER OF LOTS	MINIMUM LOT SIZE IN ACRES				
	LESS THAN 1	1 to 2½	MORE THAN 2½ to 10	MORE THAN 10 to 40	MORE THAN 40
5-24	A B	A	-	-	
25-99	A B	A	A	-	
100	A B	A B	A	A	

*For cross sections and surface requirements see Appendix B .

A = Community Water Systems
B = Community Liquid Waste Disposal Systems.

9.3.2 Individual water systems or individual sewage disposal systems shall be approved only when meeting the requirements of the Environmental Improvement Agency and State Engineer's Office review and County Development Review Committee approval, as specified in these Subdivision Regulations, and the Code.

9.4 Utilities:

All utilities shall be placed under ground.

9.5 Solid Waste Disposal

The subdivider shall comply with the requirements of Article VII, Section 7 of the Code.

9.6 Drainage Structures

The subdivider shall comply with the requirements of Article VII, Section 3.3.5, of the Code.

9.7 Parks and Recreation

1. For subdivisions of 25 lots or more, open spaces shall be provided for parks and recreation on a ratio of 10 acres per 1,000 residents; provided, however, that no such open spaces shall contain less than one (1) acre per subdivision. Said open spaces shall be of a nature suitable for park development.

SECTION 10. DISCLOSURE STATEMENT REQUIREMENTS

10.1 Prior to the time of purchase or lease, the Subdivider must provide to the purchaser or prospective purchaser or leasee a written disclosure statement.

10.2 Minimum requirements for a disclosure statement in a subdivision with 5 or more parcels but not more than 24 parcels will include:

10.2.1. The name of the subdivision.

10.2.2. Name and address of the subdivider and the name and address of the person in charge of sales or leasing in New Mexico.

10.2.3. The proposed uses of water, if any.

10.2.4. A statement disclosing whether the subdivider is to provide domestic water supply or the prospective purchaser or lessee will be required to provide his own domestic water supply.

10.2.5. If the prospective purchaser or lessee is to provide his own domestic water supply, then the subdivider must state:

a. Average, maximum and minimum depth to ground water within the subdivision.

b. Recommended total depth of wells.

c. Estimated yield in gallons per minute of wells completed to recommended total depth.

d. Life expectancy of the water supply under full development of the subdivision.

e. Recommended pump settings and size.

f. Lithologic character of formations through which well is to be completed.

10.2.6. If the subdivider is to provide water for any proposed use, the disclosure statement shall contain the following information:

a. A description of the means of water delivery.

b. The minimum daily quantity of water to be provided for each parcel, if needed, and each proposed use.

c. The date at which water will be made available at each parcel, if needed, and each proposed use.

d. Whether or not the prospective purchaser or lessee will be required to pay for extension of the water system to his parcel, if he desires water prior to the date scheduled under paragraph 6-c of this section.

e. Life expectancy of the water supply under full development of the subdivision and the surrounding area.

10.2.7. The quality of water for the proposed use, if any, of the subdivision.

10.2.8. Each maximum allowable water quality parameter exceeded with the Environmental Improvement Division approval and the name of the element or compound that has exceeded the limit.

10.2.9. The means of liquid waste disposal for the proposed use of the subdivision.

10.2.10. The precise type of liquid waste disposal system that has been approved for use within the subdivision including a statement that the purchaser or the prospective purchaser may use no other system other than the approved system or may use one of greater value.

10.2.11. The means of solid waste disposal for the proposed use of the subdivision.

10.2.12. The subdividers provisions for terrain management.

10.2.13. The location of all lots located on slopes in excess of eight percent (8%).

10.2.14. The location of all lots within a flood plain, flood fringe and floodway.

10.2.15. The suitability of the soils for residential use, seasonal or permanent.

10.2.16. The surface drainage for all lots; the subsurface drainage for all lots.

10.2.17. The type and installation date of any storm drainage systems.

10.2.18. The type and installation date for all roads.

10.2.19. The date on which all roads and parking areas will be surfaced including a description of the type of surfacing to be used.

10.3 For a subdivision with 25 or more parcels, the subdivider shall include in his disclosure statement all the information required in subsection B above in addition to the requirements of the New Mexico Subdivision Act for subdivisions of twenty-five (25) or more parcles but less than one-hundred (100) parcels as well as for subdivisions with one-hundred or more parcels.

10.4 Disclosure statements shall be in the form as set forth in Appendix C or D of these regulations. Each disclosure form shall contain all the information as set forth in Appendix C or D of these regulations including the introductory statement.

SECTION 11. RESERVATION OF JURISDICTION

A. Upon approving a subdivision plat, the Commission expressly reserves jurisdiction to subsequently determine whether plat approval should be suspended or revoked because of:

1. Any material misstatement or error of fact in the disclosure statement or any information upon which the commission relied.

2. A subsequent failure to comply with a material provision of the disclosure statement or a subsequent failure to comply with county regulations.

APPENDIX A
SOLID WASTE MANAGEMENT PLAN

A. Requirements for all solid waste management proposals:

1. The amount of land to be set aside or obtained for a disposal site shall be determined according to the nomograph in this Appendix. The population number to be used in the nomograph shall be established by calculating the greatest population projection for the subdivision based upon four persons per household.

2. The collection of solid waste shall be a once weekly service in subdivisions with a population of over 3,000 persons. Transportation shall be in leakproof, covered vehicles.

3. The subdivider must provide for a modified landfill operation at the disposal site at the time of first occupancy in the subdivision. The modified landfill operation must meet the following criteria:

   a. Fencing to preclude large animal entry.

   b. A gate or cattle guard at the entrance.

   c. Adequate methods to prevent uncontrolled blowing of solid waste.

   d. Trench for deposit of refuse, the bottom of which is at least 20 feet from above the ground water level at all times.

   e. A separate trench for dead animal disposal.

   f. Adequate measures which preclude entrance of runoff water into the fill site.

   g. Signs for location of the fill site and deposition instructions.

   h. Covering of refuse with at least six inches of soil at least once each week from April 1 through October 31 and once each two weeks from November 1 through March 31 with a final cover of at least two feet when a section of the fill is completed except when the popula-

tion of the subdivision reaches 3,000 or more persons, the covering of solid waste after compaction with at least six inches of soil will take place each day with a final cover of at least two feet when a section of the fill is completed.

i. Adequate plan of management, including a delineation of official responsibility.

j. The capability to prevent and readily extinguish fires.

k. Daily cleanup of the disposal area to place any blown or spilled solid waste into fill.

l. An individual on duty at the disposal site at all times when it is open for solid waste deposition, when the population using the disposal site reaches 3,000 people.

m. No scavenging.

B. Submittals for all solid waste management proposals:

1. A legal description of the solid waste disposal site.

2. The equipment which will be used for the collection and disposal of solid waste and state the periods of operation of the equipment.

3. The number of individuals to be devoted to collection and to disposal.

4. The distance from the surface of disposal site to the water table.

5. The access from the subdivision to the disposal site.

6. The projected population of the subdivision based upon four persons per household.

7. A subdivision improvements agreements guaranteeing:

a. The construction and operation of any solid waste collection and disposal service required as shown in the final plat documents and plans.

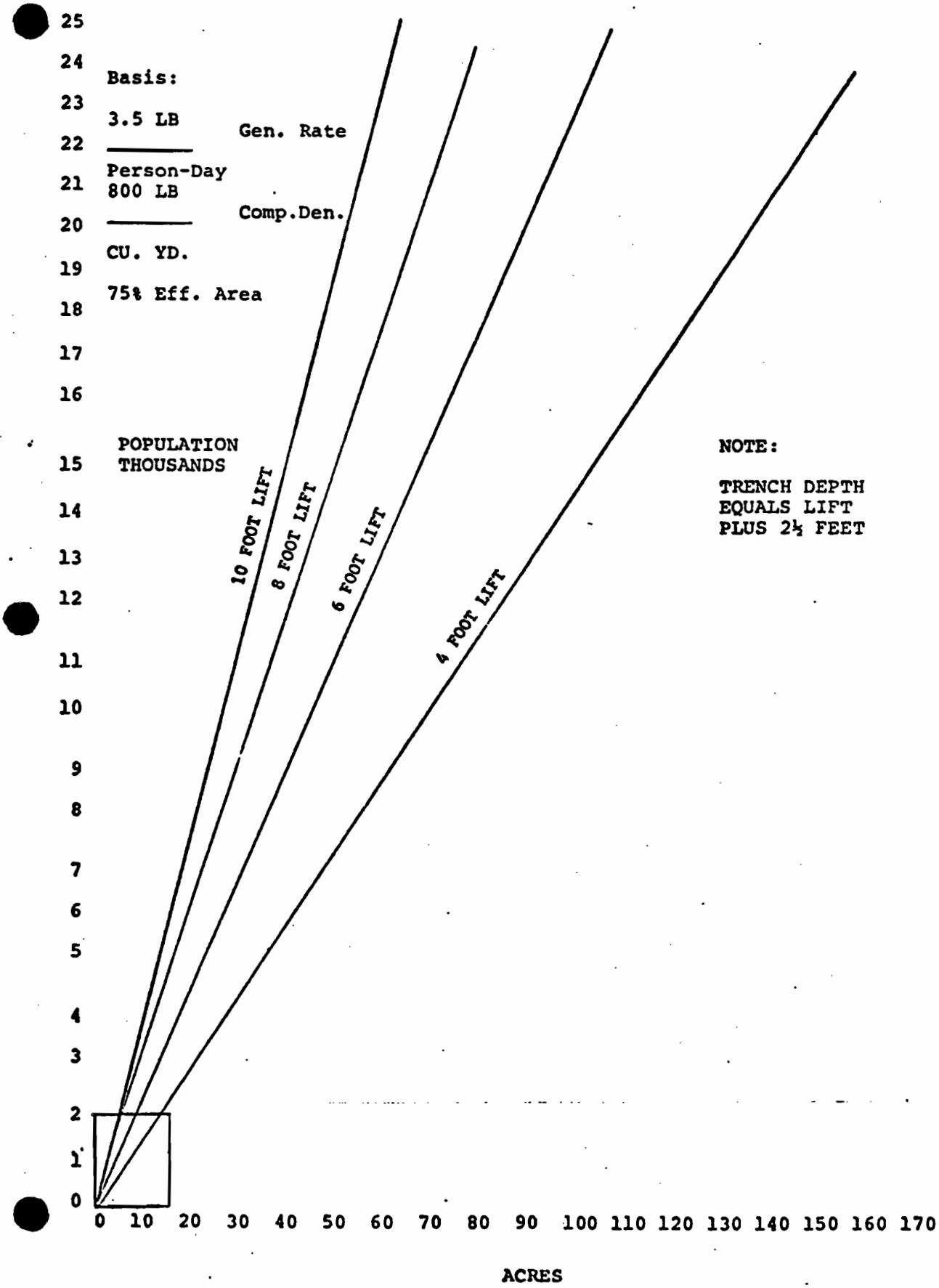
b. Collateral in the form of a performance bond or means to adequately assure the completion and operation of the systems in accordance with

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design and time specifications.

c. Involvement as prescribed by a Homeowners Association or Solid Waste Association.

20 YEAR ACREAGE REQUIRED FOR SOLID WASTE DISPOSAL (RESIDENTIAL + COMMERCIAL)



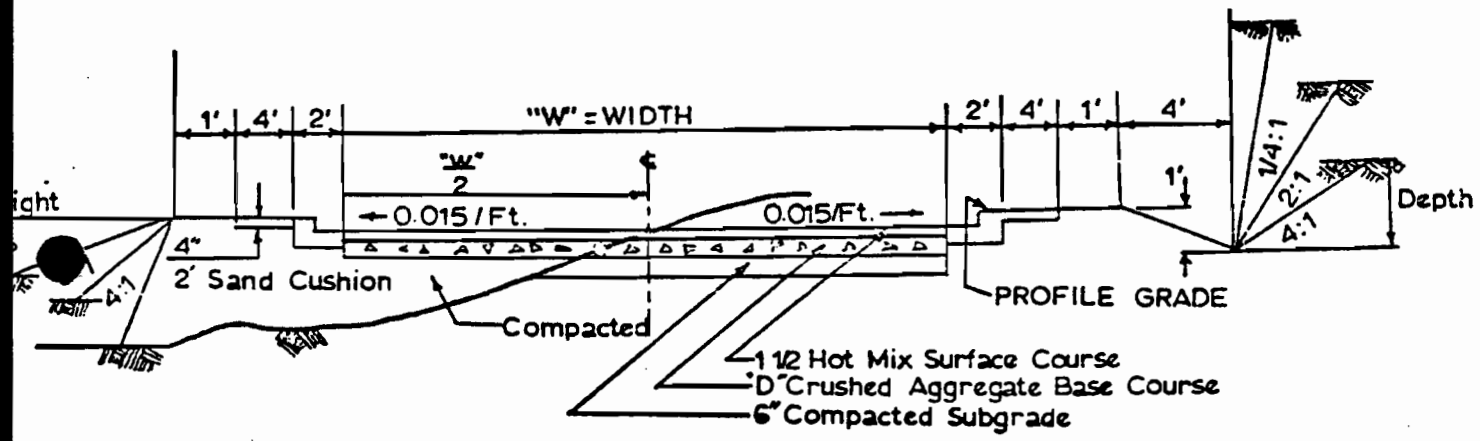
411-113

APPENDIX B

TYPE A-1 ROADWAY

INCLUDING 1½" HOT MIX SURFACE COURSE

NUMBER OF LOTS SERVED	"D"	"W"	DESIGN SPEED M.P.H.
5 to 29	6"	32'	25
30 to 49	6"	32'	25
50 to 99	6"	32'	30
100 to 499	6"	32'	35
500 to 1099	8"	44'	60



FILL SLOPES

6:1 0' to 2' Height
4:1 2' to 5' Height
2:1 over 5' Height

CUT SLOPES

4:1 0' to 5' Depth
2:1 over 5' Depth
¼:1 Rock

APPENDIX B

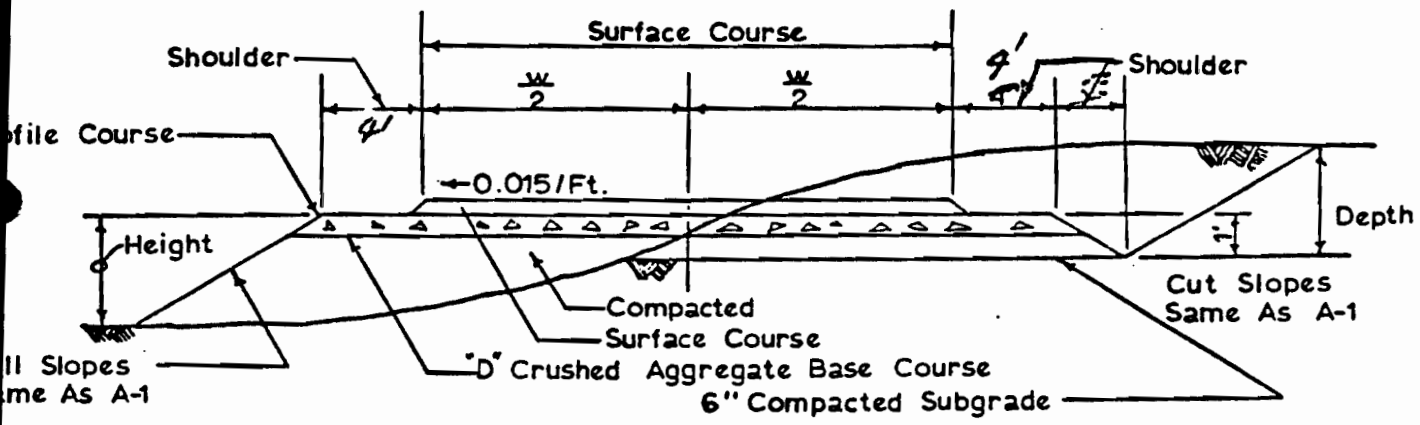
TYPE A-2 ROADWAY

1½" HOT MIX SURFACE COURSE

TYPE A-3 ROADWAY

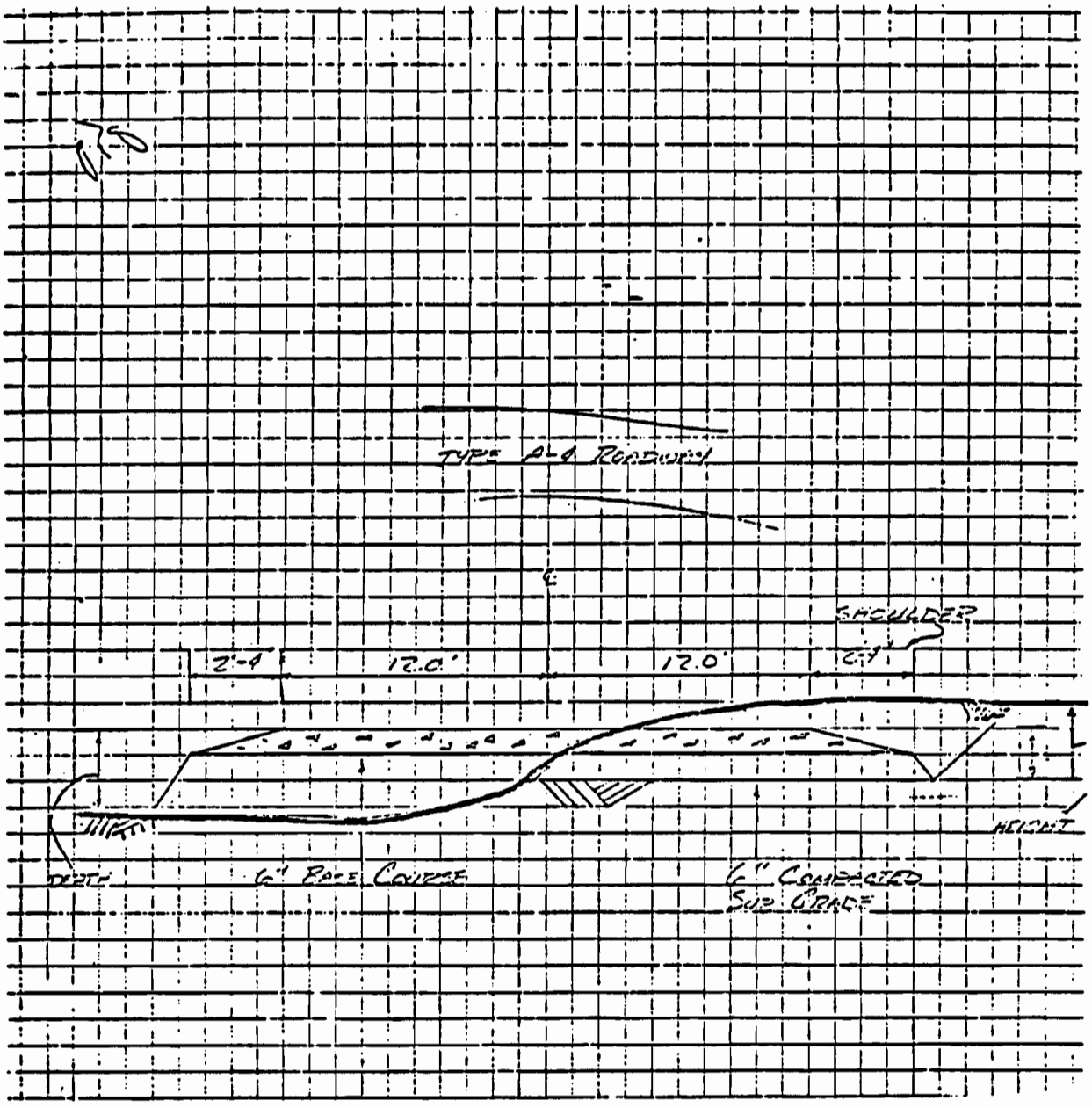
DELETE HOT MIX SURFACE COURSE

NUMBER OF LOTS SERVED	"D"	"W"	DESIGN SPEED M.P.H.
5 to 29	6"	32'	25
30 to 49	6"	32'	25
50 to 99	6"	32'	30
100 to 499	6"	32'	35
500 to 1099	8"	44'	60



APPENDIX B

TYPE A-4 ROADWAY



APPENDIX C

PLEASE READ THIS DISCLOSURE STATEMENT

BEFORE YOU

SIGN ANY DOCUMENTS OR AGREE TO ANYTHING

DISCLOSURE STATEMENT

This disclosure statement is intended to provide you with enough information to permit you to make an informed decision on the purchase or lease of property described in this statement. You should read carefully all of the information contained in this statement before you decide to buy or lease the described property. You should be aware of the fact that various state agencies may have issued opinions, on both the subdivision proposal and what is said in this disclosure statement about the proposal. These opinions, when required to be issued, whether favorable or unfavorable, are contained in this disclosure statement and should also be read carefully.

The Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can satisfy what he has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. Further,

this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

Finally, the Board of County Commissioners recommends that you see the property before buying or leasing it. However, if you do not see the property prior to purchasing or leasing it, you have six months from the time of purchase or lease to inspect the property. Upon inspecting the property, you have three days from the date of inspection to rescind the transaction and receive all of your money back from the subdivider. You must give the subdivider notice of your intent to rescind within three days of your inspection of the property.

ALL SUBDIVISIONS CONTAINING 25 OR MORE PARCELS OF LAND MUST COMPLETE EACH ITEM SET FORTH IN PARENTHESIS BELOW

1. NAME OF SUBDIVISION

(name of subdivision)_____

2. NAME AND ADDRESS OF SUBDIVIDER

(name)_____

(address)_____

2A. Name and address of owner of mineral rights if different from subdivider.

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES OR LEASING IN NEW MEXICO

(name)_____

(address)_____

4. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED

Present	Anticipated
(number of parcels)_____	(number of parcels)_____
(number of acres in subdivision)_____	(number of acres in subdivision)_____

5. SIZE OF LARGEST PARCEL OFFERED FOR SALE OR LEASE WITHIN THE SUBDIVISION

(size of largest parcel in acres_____

6. SIZE OF SMALLEST PARCEL OFFERED FOR SALE OR LEASE WITHIN THE SUBDIVISION

(size of smallest parcel in acres)

7. PROPOSED RANGE OF SELLING OR LEASING PRICES

($ =lowest amount) (size of parcel sold or leased)
($ =highest amount) (size of parcel sold or leased)

8. FINANCING TERMS

(interest)

(time price differential)

(amount paid as a discount)

(service charges)

(premium for credit life or other insurance if it is a condition for giving credit)

(closing costs)

(any other information required by the Truth in Lending Act if not set forth above)

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE

(name of person who is recorded as having legal title)

(address)

9A. Name and address of owner of mineral rights, if different from holder of legal title.

NOTE: IF ANY OF THE PERSONS NAMES ABOVE IS A CORPORATION, PLEASE SET OUT HERE THE NAME AND ADDRESSES OF ALL OFFICERS IN THAT CORPORATION.

10. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE

(name of person recorded as having equitable title)

(address)

NOTE: IF ANY OF THE PERSONS NAMED ABOVE IS A CORPORATION, PLEASE SET OUT HERE THE NAME AND ADDRESSES OF ALL OFFICERS IN THAT CORPORATION.

11. CONDITION OF TITLE

Include here at least the following information where applicable:

(number of mortgages)

(name of each mortgagee)

(balance owing on each mortgage)

(summary of the release provisions in each mortgage)

(name of each person holding a real estate contract as owner of the subdivided land for which the subdivider is making payments as a purchaser)

(balance owing on each real estate contract)

(summary of the release provisions in each real estate contract)

(statement of any other conditions relevant to the state of the title)

(statement of any other encumbrances on the land)

12. STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OR RECORD SUBJECTING THE SUBDIVIDED LAND TO ANY UNUSUAL CONDITIONS AFFECTING ITS USE OR OCCUPANCY

(include here all deed and plat restrictions affecting the subdivided land)

13. ESCROW AGENT

(name)

(address)

(statement about whether or not the subdivider has any interest or financial ties with the escrow agent)

14. UTILITIES

(name of entity providing phone service, if available	(estimated cost)
(name of entity providing electrical service, if available	(estimated cost)
(name of entity providing gas service, if available)	(estimated cost)
(name of entity providing water if available)	(estimated cost)

15. INSTALLATION OF UTILITIES

Include here the date each utility will be available for use by the owner if the subdivider is providing for utilities.

(water)	(date)
(phone)	(date)
(electricity)	(date)
(gas)	(date)
(liquid waste disposal)	(date)
(solid waste disposal)	(date)

16. UTILITY LOCATION

(If all utilities are to be provided to each parcel in the subdivision, please make that statement here)

(If utilities are to be provided, but not for all parcels within the subdivision, please enumerate those parcels which will not be provided with a particular utility.

(State here if each of the utilities to be provided will be located above or underground)

17. WATER USE

Include here whether or not there will be water for domestic use, commercial use or recreational use and include any limitation, physical or legal, anticipated for each use indicated.

(domestic use)	(limit, if any)	(indicate whether the subdivider or owner will provide the water)
(commercial use)	(limit, if any)	(" " ")
(residential use)	(limit, if any)	(" " ")

18. AMOUNT OF WATER

If the subdivider is to provide water for any use, he shall provide the following information:

(minimum daily quantity of water to be provided for each parcel and for each proposed use)

(the date on which water will be made available to each parcel and for each proposed use)

19. WATER DELIVERY

(describe the means of water delivery within the subdivision)

20. WATER SYSTEM EXTENSION

(state what the prospective owner will be required to pay for the extension of water to his parcel if he wants water prior to the date scheduled by the subdivider)

21. LIFE EXPECTANCY OF THE WATER SUPPLY

Include the life expectancy of each source of water supply under full development of the subdivision

(source)	(life expectancy)

22. *WELLS NOTE: PROSPECTIVE OWNERS MUST PROVIDE THEIR OWN WELL

(average, maximum and minimum depth to water in the subdivision if water is available only from subterraneal sources)

(recommended total depth of well)

(estimated yield in gallons per minute of wells completed to recommended total depths)

(recommended pump settings and size)

(lighological characteristics of formations through which well is to be completed)

23. *SURFACE WATER

(state the source and yield of the surface water supply)

24. STATE ENGINEER'S OPINION ON WATER

Include here the approved summary of the opinion received by the Board of County Commissioners from the State Engineer on:

(whether or not the subdivider can satisfy the proposals contained in this disclosure statement concerning water -- except water quality)

(whether or not the subdivider is conforming with the county's regulations on water -- except water quality)

25. WATER QUALITY

(describe any quality which would make the water unsuitable for use within the subdivision)

(state each maximum allowable water quality parameter that has been exceeded with commission approval and the name of the element, compound, or standard that has exceeded that parameter)

* NOT APPLICABLE FOR TYPE I AND TYPE II SUBDIVISIONS, OR FOR TYPE IV SUBDIVISIONS WHERE THE SUBDIVIDER INTENDS TO PROVIDE WATER FOR DOMESTIC USE.

26. ENVIRONMENTAL IMPROVEMENT DIVISION'S OPINION ON WATER QUALITY

Include here the approved summary of the opinion received by the Board of County Commissioners from the Environmental Improvement Division on:

(whether or not the subdivider can satisfy the water quality proposals made in this disclosure statement)

(whether or not the subdivider is conforming with the County's regulations on water quality)

27. LIQUID WASTE DISPOSAL

(describe the precise type of liquid waste disposal system that is proposed and that has been approved by the Commission for use within the subdivision)

NOTE: NO OTHER LIQUID WASTE DISPOSAL SYSTEM MAY BE USED IN A SUBDIVISION OTHER THAN THE SYSTEM APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.

28. ENVIRONMENTAL IMPROVEMENT DIVISION'S OPINION ON LIQUID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the Environmental Improvement Division on:

(whether or not the subdivider can satisfy the liquid waste disposal proposals made in this disclosure statement)

(whether or not the subdivider is conforming with the County's regulations on liquid waste disposal)

29. SOLID WASTE DISPOSAL

(describe the means of solid waste disposal that is proposed for use within the subdivision)

30. ENVIRONMENTAL IMPROVEMENT DIVISION'S OPINION ON SOLID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board of County Commissioners from the Environmental Improvement Division on:

(whether or not the subdivider can satisfy the solid waste disposal proposals made in this disclosure statement)

31. TERRAIN MANAGEMENT

(describe the suitability of the soils in the subdivision for residential use whether permanent or seasonal)

(give the location of all lots within floodways, flood fringes, and flood plains)

(give the location of all lots located on slopes in excess of 8%)

(describe the subsurface drainage for all lots)

(describe the surface drainage for all lots)

(describe all storm drainage system including the completion date of any required to be constructed)

32. NATURAL RESOURCES CONSERVATION DISTRICT'S OPINION ON TERRAIN MANAGEMENT

Include here the approved summary of the opinion received by the Board of County Commissioners from the Natural Resources Conservation District on:

(whether or not the subdivider can satisfy the terrain management proposals made in this disclosure statement)

(whether or not the subdivider is conforming with the County's regulations on terrain management)

33. SUBDIVISION ACCESS

(name of town nearest subdivision)

(distance from town to subdivision)

(name of highway or state road over which distance is computed)

(if access to subdivision is available by conventional vehicle, please state that fact here. If it is not, please state that fact)

(if property is ordinarily accessible in all seasons and under all weather conditions, please state so. If it is not, please state that fact also.

(describe the width and type of surfacing of all roads)

(give the date on which all roads will be completed)

(state whether the roads within the subdivisions have been accepted for maintenance by the County)

(state the date on which all roads will be surfaced)

34. STATE HIGHWAY DEPARTMENT'S OPINION ON ACCESS

Include here the approved summary of the opinion received by the Board of County Commissioners from the State Highway Department on:

(whether or not the subdivider can satisfy the access proposals made in this disclosure statement)

(whether or not the subdivider is conforming with the county's regulations on access)

35. DEVELOPMENT

Include here all homes, recreation structures, and other community improvements to be provided by the subdivider in the subdivision and not previously mentioned in this disclosure statement. Give the dates on which these items will be completed.

(improvements)	(estimated date of completion)

36. MAINTENANCE

(state the owner's maintenance and construction responsibilities)

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37. ADVERSE CONDITIONS

(state any activities or conditions adjacent to or nearby the subdivision such as feedlots, cement plants, and the like, which would subject the subdivided land to any unusual conditions affecting its use or occupancy)

38. RECREATIONAL FACILITIES

(describe all recreational facilities, actual and proposed, in the subdivision

39. FIRE PROTECTION

(distance from subdivision)

(route over which distance is computed)

(indicate whether the fire department is staffed by volunteers or a full-time staff)

POLICE PROTECTION

Include here the various police units that would patrol the subdivision:

(sheriff's department, if applicable)

(municipal police, if applicable)

(state police, if applicable)

41. PUBLIC SCHOOLS

(name of nearest elementary school)

(distance of nearest elementary school and route over which distance is computed)

(distance of nearest secondary school and route over which distance is computed)

42. HOSPITALS

(name of nearest hospital)

(distance of nearest hospital and route over which distance is computed)

(number of beds in nearest hospital)

43. SHOPPING FACILITIES

(distance of nearest shopping facilities and route over which distance is computed)

(number of stores in the nearest shopping facility)

44. PUBLIC TRANSPORTATION

Include here whether the subdivision is served on a regular basis by:

(bus)

(plane)

(other means of transportation)

45. COMPLETION DATES

(state here the projected dates upon which any of the items mentioned in #38 through #44 above will be available if they are not yet available)

APPENDIX D

PLEASE READ THIS DISCLOSURE STATEMENT

BEFORE YOU

SIGN ANY DOCUMENTS OR AGREE TO ANYTHING

This disclosure statement is intended to provide you with enough information to permit you to make an informed decision on the purchase or lease of property described in this statement. You should read carefully all of the information contained in this statement before you decide to buy or lease the described property.

The Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can satisfy what he has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. Further, this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

Finally, the Board of County Commissioners recommends that you see the property before buying or leasing it. However, if you do not see the property prior to purchasing or leasing it, you have six months from the time of purchase or lease to inspect the property. Upon inspecting the property, you have

three days from the date of inspection to rescind the transaction and receive all of your money back from the subdivider. You must give the subdivider notice of your intent to rescind within three days of your inspection of the property.

ALL SUBDIVISIONS CONTAINING 5 OR MORE PARCELS OF LAND BUT NOT MORE THAN 24 PARCELS MUST COMPLETE EACH ITEM SET FORTH IN PARENTHESIS BELOW

1. NAME OF SUBDIVISION

(name of subdivision) _____

2. NAME AND ADDRESS OF SUBDIVIDER

(name) _____

(address) _____

2A. Name and address of owner of mineral rights if different from subdivider.

3. NAME AND ADDRESS OF PERSON IN CHARGE OF SALES OR LEASING IN NEW MEXICO

(name) _____

(address) _____

4. WATER USE

Include here whether or not there will be water for domestic use, commercial use or recreational use and include any limitation, physical or legal, anticipated for each use indicated.

(domestic use) (limit, if any) (indicate whether the subdivider or owner will provide the water)

(commercial use) (limit, if any) (" " ")

(residential use) (limit, if any) (" " ")

5. AMOUNT OF WATER

If the subdivider is to provide water for any use, he shall provide the following information:

(minimum daily quantity of water to be provided for each parcel and for each proposed use)

(the date on which water will be made available to each parcel and for each proposed use)

6. WATER DELIVERY*

(describe the means of water delivery within the subdivision)

7. WATER SYSTEM EXTENSION*

(state what the prospective owner will be required to pay for the extension of water to his parcel if he wants water prior to the date scheduled by the subdivider)

8. LIFE EXPECTANCY OF THE WATER SUPPLY

Include the life expectancy of each source of water supply under full development of the subdivision.

(source) (life expectancy)

9. WELLS ** NOTE: PROSPECTIVE OWNERS MUST PROVIDE THEIR OWN WELLS

(average, maximum and minimum depth to water in the subdivision if water is available on from subterranean sources)

(recommended total depth of well)

(estimated yield in gallons per minute of wells completed to recommended total depths)

(recommended pump settings and sizes)

(lithological characteristics of formations through which well is to be completed)

10. SURFACE WATER **

(state the source and yield of the surface water supply)

11. WATER QUALITY

(describe any quality which would make the water unsuitable for use within the subdivision)

(state each maximum allowable water quality parameter that has been exceeded with commission approval and the name of the element, compound, or standard that has exceeded that parameter)

12. LIQUID WASTE DISPOSAL

(describe the precise type of liquid waste disposal system that is proposed and that has been approved by the Commission for use within the subdivision)

NOTE: NO OTHER LIQUID WASTE DISPOSAL SYSTEM MAY BE USED IN A SUBDIVISION OTHER THAN THE SYSTEM APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.

13. SOLID WASTE DISPOSAL

(describe the means of solid waste disposal that is proposed for use within the subdivision)

14. TERRAIN MANAGEMENT

(describe the suitability of the soils in the subdivision for residential use whether permanent or seasonal)

(give the location of all lots within floodways, flood fringes, and flood plains)

(give the location of all lots located on slopes in excess of 8%)

(describe the subsurface drainage for all lots)

(describe the surface drainage for all lots)

(describe all storm drainage systems including the completion date of any required to be construction)

15. SUBDIVISION ACCESS

(describe the width and type of surfacing of all roads)

(give the date on which all roads will be completed)

(state the date on which all roads and parking areas will be surfaced)

* Not applicable if the subdivider does not intend to provide water for domestic use.

** Not applicable if the subdivider intends to provide water for domestic use.

ARTICLE VI

SPECIAL REVIEW DISTRICTS

All applications for Development permits located within a Special Review District shall comply with the procedures and standards set forth for the Special Review District.

SECTION 1 - HIGHWAY CORRIDOR DISTRICTS

1.1 Location of Highway Corridor Districts

Highway Corridor Districts shall consist of all land within 150 feet of the right-of-way of a Federal Highway in the County but not in an Urban Area as shown on Map 11 or 13, nor in a Major Center District, nor in a Travelers Services Center District, nor in a Traditional Community District.

1.2 Design Standards

In addition to the other requirements of the Code, any Development within Highway Corridor Districts must meet the following standards:

1.2.1 All structures shall be set back 150 feet from the outer edge of road pavement of a Federal highway.

1.2.2 In the 150-foot setback, efforts shall be made to preserve any existing vegetation and natural topographic features.

1.2.3 A parcel located partly or wholly within Highway Corridor Districts is not to be divided by metes and bound survey, subdivided or otherwise developed with parcels parallel to the highway dependent upon the highway for access to each parcel.

1.2.4 The number of streets providing access from the highway to parcels shall be minimized. 1,500 or more feet between such access streets is desirable. Development of frontage roads parallel to the highway between access points is permitted.

SECTION 2 - AIRPORT LAND USE REGULATION DISTRICTS

2.1 Location of Airport Land Use Regulation District

2.1.1 In order to carry out the provisions of this Article VI, Section 1, the Airport Land Use Regulation District shall be divided into the following zones:

(1) Ldn Zone 1

(2) Ldn Zone 2

(3) Ldn Zone 3

(4) Ldn Zone 4

2.1.2 The boundaries of the Airport Land Use Regulation District and the above zones are hereby established as shown in the Code Map 31 entitled "Airport Land Use Regulation Map for the Santa Fe Airport".

2.1.3 The boundaries of the above zones established expected airport area intermittent noise levels, based on averaged ambient conditions and existing and projected aircraft operations. The effect of noise generated by any other specific use is not reflected in the Ldn contours. No assurance is made or intended, nor should it in any way be interpreted, that a specific use considered compatible within a Ldn Zone area will meet the noise safety standards, and no use determined compatible shall be allowed unless it is determined that the use will meet the noise safety standards for that zone.

2.2 Land Use Regulations

2.2.1 Any Development which is proposed that is in more than one zone shall be limited to the more restrictive zone.

2.2.2 No designation of compatible use contained in this Section 1 shall be construed to abrogate or contravene the other provisions of the Code or any other local, state or federal regulation and uses provided in this Section 1 are allowed only if allowed under the other provisions of the Code.

2.2.3 The following are designated compatible uses in Ldn Zone 4, and all other uses are designated incompatible uses in LDN Zone 4:

2.2.3a Open Space

2.2.3b Mining, fishing and agriculture except mink and poultry production.

2.2.4 The following are designated as compatible uses in Ldn Zone 3, and all other uses are declared incompatible in Ldn Zone 3:

2.2.4a All uses designated as compatible in Ldn Zone 4.

2.2.4b Playgrounds and parks, including amusement parks.

2.2.4c Golf courses, tennis courts, riding and hiking trails and cemeteries.

2.2.4d Commercial establishments including wholesale, manufacturing, transportation, communication and utilities, but excluding outdoor theaters, stadiums and retail trade establishments.

2.2.4e Other agriculture.

2.2.5 The following are designated as compatible uses in Ldn Zone 2, and all other uses are designated incompatible uses in Ldn Zone 2:

2.2.5a All uses designated as compatible in Ldn Zone 3.

2.2.5b Retail trade establishments.

2.2.5c Hotels and motels, provided that construction techniques provide ten decibels extra noise reduction over the industry average for similar structures and that such reduction is certified to by a qualified architect, structural engineer or acoustical engineer registered in the State of New Mexico; and further provided that airport hazard insurance is available to the establishments.

2.2.6 Ldn Zone 1 shall be all the areas outside the Airport Land Use Regulation District established by this Article VI, Section 2 of the Code.

SECTION 3 - HISTORICAL, CULTURAL AND ARCHAEOLOGICAL DISTRICTS

3.1 Location of Historical and Cultural Districts

The following Historical and Cultural Districts are established at the following specific sites:

3.1.1 Apache Canyon Railroad Bridge, Canoncito; Black Mesa (Tunyo), near San Ildefonso; Bouquet Ranch, Pojoaque, Cerrillos Opera House (Clear Light); Cieneguilla; Colina Verde, Galisteo Basin; Cundiyo; Davey (Randall) House, Upper Canyon Road; El Santuario de Chimayo and Collections; Galisteo Historic District; Glorieta Pass Battlefield; La Bajada Ruin, U. S. Forest, near Village of La Bajada; La Iglesia y La Plaza de Santa Cruz de la Canada; Las Golondrinas Ranch Site, La Cienega; Madrid Boarding House; Madrid Historic District; Mount Chalchihuitl Turquoise Mine, north of Los Cerrillos; Nambe Archaeological District; Old Cienega Village Museum; Oratorio de San Buenaventura, Chimayo Plaza; Otowi Historic District on the Rio Grande; Pigeon's Ranch, near Glorieta; Plaza del Cerro, Chimayo; Pueblo Blanco, Galisteo Basin; Pueblo Colorado (north), Galisteo Basin; Pueblo Largo, Galisteo Basin; Pueblo of Galisteo, Galisteo Basin; Pueblo of San Ildefonso; Pueblo of San Lazaro, Galisteo Basin; Pueblo of San Marco; Pueblo of She, Galisteo Basin; Pueblo of Tesuque; Roybal (Ignacio) House, Jacona; Santa Cruz Dam; Santa Fe River Sites, south of Agua Fria; Santa Fe Waterworks Reservoir; Seton Castle; Sol y Sombra (Los Llanos), Old Santa Fe Trail; Spanish Log Cabin, Upper Canyon Road; and West Otto Site.

3.1.2 Any parcel located in the County on which a Structure is located which has been, or is after the effective date of the Code, placed on the official register of cultural properties maintained by the New Mexico Cultural Properties Review Committee.

3.1.3 The Historical or Cultural Districts established by any local land use and utility plan.

3.1.4 Other areas of exceptional historical, archaeological or cultural interest or value hereafter designated by the Board as Historical Cultural Districts.

3.2 Location of Archaeological Districts

All areas shown on Code Map 34 as having known or probable archaeological sites are hereby designated as archaeological districts.

3.3 Submittals and Requirements for Applications for Development Permits Involving Non-Residential or Large-scale Residential Development affecting a Historical or Cultural District

3.3.1 The applicant shall file the following submittals as part of any Application for a Development Permit permitting Development involving a Subdivision, or Non-Residential or Large-scale Residential Development in or affecting an Historical or Cultural District. The submittals shall be prepared by a professional specialist, experienced in archaeological and historical research:

3.3.1a The survey map at the same scale as required for other maps showing the location of the Historical or Cultural District, accompanied by a table providing a generalized description of it and the location of the proposed Development;

3.3.1b Identification of the person or persons who performed the survey on which the survey map is based, the dates of the survey, and the methods used;

3.3.1c A description of all proposed changes to Structures and Cultural Sites located within the District to be undertaken as part of the Development in the District, and a description of the methods by which the applicant proposes to protect, preserve, or salvage the Structures or Cultural Sites within the District.

3.3.1d Design standards to be used to make the proposed Development aesthetically compatible with the Structures and Cultural Sites within the District.

3.3.2 The Code Administrator shall refer the Application to the State Historian or State Archaeologist for review and comment concerning the adequacy of the proposed Development and Design Standards to protect and preserve the Structures or Archaeological Sites within the District. After receiving the comments of the State Archaeologist and State Historian, the Code Administrator shall refer the application to the County Development Review Committee for a decision as to whether further surveys or plans are needed and whether, in order that Development may be controlled and supervised, applicant should apply for a Development Permit permitting excavation. If the comments of the State Historian or State Archaeologist are not received by the Code Administrator within 30 days of the date the Application was submitted to the State Historian or State Archaeologist, the Code Administrator shall continue the review procedure and make his referral without the comments of the State Historian or State Archaeologist.

3.4 Application for Development Permit Involving Residential Development or Home Occupations in or Affecting an Historical or Cultural District

If an Application is filed for a Development Permit involving construction of one or more Dwellings, Division of Land not a Subdivision, or a Home Occupation in or affecting an Historical or Cultural District, the Applicant shall comply with Section 2.2.1 above.

3.5 Submittals and Requirements for Applications for Development Involving Large-scale Development in or Affecting an Archaeological District.

If an Application is filed for a Development Permit involving Development which shall directly cause the clearing or grading of 10 or more surface acres, the Code Administrator

shall so advise the Applicant and shall give the Board, the State Archaeologist and State Historian written notice that the Application has been filed. If within 30 days of the filing of the Application the Board determines that the Development would present a clear and present danger to an Archaeological District, then the Applicant shall comply with Section 3.3.1 above.

3.6 Criteria

A Development Permit permitting Development in or affecting an Historical, Cultural or Archaeological District shall be granted only if it is determined that permitting the proposed Development would carry out the provisions, purposes and policies of the Code and the County General Plan and would protect and enhance the District involved by preserving the qualities of the District, and the appearances which preserve its property values, and attract tourists and residents to it.

3.7 Public Use

If the owner of an archaeological, historical, or cultural resource site located in an Historical, Cultural or Archaeological District intends to make the premises open to the public or charge user fees to the public for visiting the site, the Code Administrator may impose conditions on advertising, paving, Structures, number of employees and other measures of intensity of visitor use in order to preserve the qualities of the District, and the appearances which preserve its property values and attract tourists and residents to it.

SECTION 4 - TRADITIONAL COMMUNITY DISTRICTS

4.1 Boundaries of Traditional Community Districts

La Puebla, Chimayo, Rio Chiquito, Cundiyo, the Pojoaque Valley (including Pojoaque, Nambe, Jacona, Jaconita,

El Rancho and San Ildefonso), Chupadero, Rio en Medio, Tesuque, Cuyamunque, La Cienega, Canada de Los Alamos, Glorieta, Lamy, Galisteo, Los Cerrillos, Golden, Madrid, Stanley and Edgewood are established as Traditional Community Districts, in the locations shown on Code Maps 40 through 57. (The boundaries for Rio en Medio and Tesuque are to be amended according to the Las Tres Villas Plan.)

4.2 Alteration of Traditional Community Boundaries

The Board may alter the boundaries of a Traditional Community. If an interested party or parties applies for a Development Permit involving a change in the boundary of a Traditional Community District, in addition to the other requirements of law for amending the Code, the Board shall consider any existing approved Local Land Use and Utility Plan and shall seek the advice of the Community Development Review Committee, if any.

4.3 Local Land Use and Utility Plan

4.3.1 Residents of a Traditional Community District or other area, may cause a Local Land Use and Utility Plan to be prepared for a Traditional Community. In order to be considered by the Board for approval, a Local Land Use and Utility Plan for a Traditional Community shall:

4.3.1a establish policies and provisions for land use and the providing of water and liquid waste disposal services;

4.3.1b establish policies and provisions for water consumption, community layout, improvement and maintenance of utilities, critical community population size based on a refined analysis of the County General Plan critical size, environmental impact, if any, of Development, housing, roads, open space and recreation, and historic, cultural and archaeologic preservation;

4.3.1c not include Development that might use or deplete a greater amount of local water resources than is provided for under the water policies of the Code and the County General Plan, unless the Plan demonstrates that water in an amount sufficient to adequately serve the additional population is available;

4.3.1d be consistent with any applicable State statutes or any County ordinances.

4.3.2 The Board may, after public hearing, approve a Local Land Use and Utility Plan for a Traditional Community. After approval by the Board, a Local Land Use and Utility Plan shall constitute an amendment to the County General Plan as it applies to the Traditional Community. To the extent that a Local Land Use and Utility Plan amends the Code, the procedures for adopting ordinances shall be followed in connection with adoption of a Local Land Use and Utility Plan.

4.4 Critical Community Population Sizes

When a Traditional Community has reached its critical population size, as established in the County General Plan, the County shall grant no Development Permits under this Section unless (1) water is imported; (2) a hydrology report establishes that ground water sources in addition to those water sources described in the County General Plan are available; (3) water conservation practices provided for in the Code to reduce the use of local ground water are made legally enforceable in the Traditional Community District; or (4) the policy is established to utilize existing irrigation water rights and supplies for the purposes of supporting urbanization.

4.5 Neighborhood Center Uses in Traditional Communities

Uses allowed in Neighborhood Center Districts are allowed anywhere within the boundaries of a Traditional Community provided that any requirements of the Code, other than requirements concerning location of Neighborhood Center Districts, are met.

ARTICLE VII

ENVIRONMENTAL REQUIREMENTS

SECTION 1 - FLOOD HAZARDS

1.1 Requirements for a Flood Hazard Analysis

All Applications for a Development Permit shall be reviewed by the Code Administrator to determine if the proposed Development involves land located in Flood Hazard Areas as defined in Section 1.3 of this Article VII. If the proposed Development involves activities in a Flood Hazard Area which are not permitted by Section 1.4 of this Article III, the Development Permit Application shall be denied.

1.2 Procedures and Submittals

1.2.1 Large-Scale Development

An Applicant for a Development Permit involving a Subdivision, a use authorized and located in a Major Center District or Travelers Service District, a Large-Scale Residential Development, or Mining Uses, shall submit a map showing the location of all Floodways, Flood Fringe Areas, Flood Plains and Flood Hazard Areas within the property which is the subject of the Application except that if no Development is proposed within the Flood Hazard Area, then only the Flood Hazard Area shall be mapped. The map will be at the same scale as other detailed maps required under the Code, and shall be prepared as set forth in Section 1.3 of this Article. If the proposed Development is located within a Flood Hazard Area, Submittals as required in Section 1.2.3 are required in a report prepared by a Professional Engineer registered in the State of New Mexico, demonstrating that adequate drainage is provided to reduce exposure to flood hazards shall be submitted.

1.2.2 All Other Uses

An Applicant for a Development Permit not governed by Section 1.2.1 above shall be required to make the submittals required in Section 1.2.3 of this Article VII, if the Code Administrator determines that the proposed Development is located in a Flood Hazard Area.

1.2.3 Submittals if Development is Proposed in a Flood Hazard Area

If an applicant proposes development within a Flood Hazard Area, then required submittals shall include the following:

1.2.3a A flood hazard analysis as described in Section 1.3 of this Article;

1.2.3b Plans drawn to scale showing the location, dimensions and elevation of proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to the flood way, flood fringe, flood plain and flood hazard area.

1.2.3c Elevation in relation to mean sea level, of the lowest floor including the basement of all proposed structures;

1.2.3d Elevation in relation to mean sea level to which any non-residential structure shall be floodproofed;

1.2.3e Description of the extent to which any water-course or natural drainage will be altered or relocated as a result of proposed Development; and

1.2.3f Additional submittals as necessary to establish conformance with Section 1.4 of this Article VII.

1.2.4 Special Submittals for Appeal Procedures

If an Application for a Development Permit is denied at the first level of review under this Section, the Code Administrator or his designee, shall perform a field inspection of the site if requested by the Applicant. If the Code Administrator upholds denial of the Permit, based on the reasonable possibility of a flood hazard to the Development, the Applicant may appeal the decision following the procedures set forth in Article II of the Code.

The Applicant shall be required to submit a detailed report, prepared by a Professional Engineer registered in the State of New Mexico, which addresses the following relevant factors:

1.2.4a The danger to life and property due to flooding or erosion damage.

1.2.4b The susceptibility of the proposed Development and its contents to flood damage and the effect of such damage on the individual owner.

1.2.4c The danger that materials may be swept onto other lands to the injury of others.

1.2.4d The compatibility of the proposed Development with existing and anticipated Development to adjacent properties.

1.2.4e The safety of access to the property in times of flood for ordinary and emergency vehicles.

1.2.4f The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems.

1.2.4g The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site of the Development.

1.2.4h The availability of alternative sites, not subject to flooding or erosion damage, for the proposed Development.

1.2.5 Review by State and Federal Agencies

All submittals for Subdivisions which are required under this Article VII, Section 1, shall be reviewed by the local Natural Resource Conservation District and must conform to any standards and requirements set by that District. All other submittals may, at the discretion of the Code Administrator, be subject to review by a State or Federal agency having authority over matters pertaining to flood hazard areas, including, but not necessarily limited to: the Natural Resource Conservation District; the U. S. Soil Conservation Service; the U. S. Army Corps of Engineers; the Federal Insurance Agency; and the New Mexico State Engineer.

1.3 Location of Flood Hazard Areas

1.3.1 Flood Hazard Boundary Maps

1.3.1a Flood Hazard Areas identified by the Federal Insurance Administration on its Flood Hazard Boundary Maps for Santa Fe County, Community No. 350069, dated December 20, 1977, and any revisions thereto are hereby adopted by reference and incorporated as part of the Code.

1.3.1b Where interpretation is needed as to the exact location of the boundaries of a Flood Hazard Area, for example, where there appears to be a conflict between a mapped boundary and actual field conditions, the Code Administrator shall determine whether the proposed Development is located in a Flood Hazard Area.

1.3.2 Other Flood Hazard Studies

In areas for which a flood information map or study has been professionally prepared, for example, by the U. S. Army Corps of Engineers, such a map or study shall be an acceptable source of definitive information, provided that it can be interpreted to delineate Flood Hazard Areas, and that it provides no irreconcilable conflict with the maps described in Section 1.3.1.

1.3.3 Other Analysis

In areas for which inadequate or no flood hazard information is available, it will be acceptable to delineate floodways, flood fringes or flood plains by (a) using Soil Conservation Service soils ratings; (b) a simplified hydrologic model such as described in the Environmental Appendix to the County General Plan; or (c) an engineering analysis pursuant to Section 1.3.4 of this Article VII.

1.3.4 Engineering Analysis

If approved by the Board, a flood hazard analysis of any portion of the County may be performed by a Professional Engineer, registered in New Mexico. Such analysis shall: utilize recognized techniques for quantifying flood runnoff and flood plain dimensions; take into account probable land use changes in upstream regions; and take into account possible changes in channel configuration above or below the site being evaluated which may be caused by potential Development.

1.3.5 Other Methods

In the event that the Federal Insurance Administration requires that methods other than those described above are to be utilized in a determining special flood hazard areas, then such procedures shall take precedence over those which are set forth here. In the event that all the above methods fail to

resolve the question as to the extent of a flood hazard area, the technical assistance of an agency such as the U. S. Army Corps of Engineers may be sought.

1.3.6 Modification of Flood Hazard Boundary Maps

If the Board determines that modification of the Flood Insurance Administration Flood Hazard Boundary Maps is desirable, then the maps will be modified, with approval of the Flood Insurance Administration. Techniques used may include the rational method, the Soil Conservation Service method cited in the Appendix for Santa Fe County General Plan; Environmental Chapter on Flood Plain Management, the U. S. Geological Survey method cited in said reference, or any other technique which is approved by the Code Administrator. The technique used must reflect future land use conditions, including probable Development upstream of the site being analyzed, and documentation must be provided as to all input data utilized, including topography, vegetation, soils, precipitation and stream channel characteristics; all calculations used regarding runoff dimensions and channel capacities must also be presented.

1.4 Development Allowed Within Flood Hazard Areas

1.4.1 General

Applicants are encouraged to treat Flood Hazard Areas as aesthetic open space zones to be used for purposes such as recreation (hiking, riding trails), agriculture, wildlife habitat and water recharge zones. All portions of a Flood Hazard area may be included in considering density regulation for any type of Development.

1.4.2 Floodway Areas

No Development is permitted in Floodway Areas.

1.4.3 Flood Fringe Areas

Flood Fringe Areas may be used for purposes as described in Section 1.4.1 of this Article. No Structure may be

erected in a flood fringe, including a structure for the permanent sheltering and confinement of animals, with the following exceptions: arterial crossings for traffic or utilities; special public facilities such as gauging station or flood control structures. Such structures must meet requirements set forth in Section 1.4.5 of this Article.

1.4.4 Flood Plains and Flood Hazard Areas

Flood Plains and Flood Hazard Areas may be used for purposes as described in Section 1.4.1 of this Article. Streets, parking lots and recreational facilities (except overnight camping) are permitted provided that the requirements of Section 1.4.5 are met. Development involving construction of a Dwelling or other Structure within a Flood Plain area may be approved if the following requirements are met:

1.4.4a The property does not contain a site on which the Dwelling or other Structure could be built outside the Flood Plain Area.

1.4.4b All Structures and other improvements shall be anchored to prevent flotation, collapse or lateral movement. All Structures and other improvements shall be constructed by methods and practices that minimize flood damage or erosion. All Structures and improvements shall be constructed with materials and equipment resistant to flood damage.

1.4.4c New and replacement water supply systems and sanitary sewage systems shall be designed to minimize infiltration of flood waters into the system, or discharges from the systems into flood waters.

1.4.4d On-site wastewater and solid waste disposal are prohibited.

1.4.4e Dwellings shall be required to have the lowest floor, including basement, elevated to one foot above the elevation of the boundary of a Flood Hazard Area. A Professional Engineer, Registered in the State of New Mexico, shall submit a certification to the Code Administrator that this requirement will be met.

1.4.4f Dwellings shall be flood-proofed so that any construction within the Flood Plain Area is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A Professional Engineer, registered in the State of New Mexico, shall submit a certification to the Code Administrator that this condition will be met.

1.4.4g Mobile homes are not permitted.

1.4.5 Special Requirements

1.4.5a Any Development Permit which authorizes development within a Flood Hazard Area may be conditioned upon the requirement that the applicant provide runoff control measures which are approved by the local Natural Resource Conservation District for the purposes of preventing or reducing flood hazards.

1.4.5b All arterial crossings other than concrete dip sections must be designed to allow adequate passage for runoff which results from a storm having a return period of once per 100 years, and shall have their lowest horizontal structures placed at least one (1) foot above the level which would be reached by such runoff, after consideration is given to the flow-by such runoff, after consideration is given to the flow-retarding effects of the structure. All such crossings must be designed by a Professional Engineer, Registered in the State of New Mexico.

1.4.5c The hydraulic properties of any Flood Hazard Area which is projected to carry a flow of no less than 100 cubic feet per second due to runoff which results from a storm having a return period of once per 100 years shall not be modified unless the up and downstream effects of the modification are addressed in a report submitted to the Code Administrator, and prepared by a Professional Engineer registered in the State of New Mexico. Except at arterial crossings, no modification of these properties will be permitted which alters the cross-section, slope roughness, recharge potential, or hydraulic capacity of a Flood Hazard Area unless such a change can be demonstrated to reduce flood hazards both up and downstream of the modification.

1.4.5d No Development shall result in any materials being placed in a Flood Hazard Area which may more easily be eroded or dislodged by flood waters than the native material in the Flood Fringe Area.

1.4.6 Mining Uses and Mineral Exploration shall be permitted within Flood Hazard Areas provided that it is determined by the Code Administrator or the Board, that there is no significant danger that materials or hazardous wastes may be swept onto the other land to the injury of others.

1.5 Variances

Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in this Section.

1.6 Specific Administrative Procedures.

The Code Administrator shall:

1.6.1 notify adjacent communities and the State Engineer prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;

1.6.2 assure that maintenance is provided within the altered or relocated portion of the watercourse so that the flood carrying capacity is not diminished;

1.6.3 when flood elevation data has not been provided in accordance with Section 1.2.3 of this Article, obtain and reasonably utilize flood elevation data from another source, in order to administer the provisions of this Article; and

1.6.4 maintain a record of all actions involving an appeal and report variances to the Federal Insurance Administration upon request.

SECTION 2 - LIQUID WASTE DISPOSAL

2.1 Basic Procedures and Requirements

Application for Development Permits shall be reviewed by the Code Administrator to determine if liquid waste and the manner of disposal of liquid waste produced by the Development meet the requirements of the Code. The determination shall be based upon submittals and criteria set forth in this Section. No Development Permit shall be issued unless the requirements set forth in this Section are met.

2.2 Required Liquid Waste Disposal Facilities, by Development Type

The following table indicates the types of facilities required for liquid waste disposal:

Development Type	Disposal Facilities Required
Parcel adjoining a street in which a sewerage system exists which is available for use by the owner of the Parcel.	Hookup to the existing sewerage system is required, subject to the provisions of Section 2.3 of this Article VII.
A single residence on an existing Parcel, other than included in the above category.	Use of Individual On-site Liquid Waste Disposal Systems, subject to the provisions of Section 2.4 of this Article VII.
Development involving division of land not a subdivision or construction of more than one but less than five dwellings on one Parcel, other than included in any above category.	Use of Individual On-site liquid Waste Disposal Systems, subject to the provisions of Section 2.5 of this Article VII.
Subdivisions containing one or more Parcels less than one acre in size.	Construction of a Community Liquid Waste Disposal System, subject to the provisions of Section 2.6 of this Article VII.
Subdivisions other than the above, containing 100 or more Parcels, any one of which is less than 2.5 acres in size.	Construction of a Community Liquid Waste Disposal System, subject to the provisions of Section 2.6 of this Article.
All other subdivisions.	Use of Individual On-site Liquid Waste Disposal Systems subject to the provisions of Section 2.7 of this Article VII.
Large-scale Residential Uses.	Construction of a Community Liquid Waste Disposal System, subject to the provisions of Section 2.6 of this Article, or construction of a Central On-site System subject to Sections 2.4.2 and 2.4.3 of this Article VII.
Commercial Development other than included in any category above.	Construction of a Community Liquid Waste Disposal System, subject to the provisions of Section 2.5 of this Article or use of Individual On-site Liquid Waste Disposal Systems subject to the provisions of Section 2.7 of this Article VII.

2.3 Requirements for use of Existing Community Liquid Waste Disposal Systems

2.3.1 The Development conforms to the Plumbing Code Adopted in Article IV of the Code;

2.3.2 The Applicant submits a legally binding agreement with the owner of the sewerage system to be used allowing the Applicant to dispose of liquid wastes from the Development into the sewerage system; and

2.3.3 There is no evidence available to the Code Administrator which indicates that the sewerage system to be used is not properly operating and/or that the system does not have capacity sufficient to process the additional liquid waste. The Code Administrator may refer the Application to the New Mexico Environmental Improvement Division for review and comment concerning the operating condition and capacity of the sewerage system.

2.4 Requirements for Construction of an Individual Liquid Waste Disposal System

Where an Application for a Development Permit involves construction of an Individual Liquid Waste Disposal System, the following submittals and requirements apply:

2.4.1 For a system with a capacity and expected discharge of 2,000 gallons per day or less, a copy of the completed and signed registration certificate issued by the New Mexico Environmental Improvement Division must be submitted by the Applicant prior to issuance of a Development Permit.

2.4.2 For a system with a capacity or expected discharge greater than 2,000 gallons per day, a copy of a discharge permit issued by the Director of the New Mexico Environmental Improvement Division must be submitted by the Applicant prior to issuance of a Development Permit.

2.4.3 No individual Liquid Waste Disposal System registration certificate or discharge permit shall be accepted by the Code Administrator where the disposal system is intended for use on a parcel of less than 1.0 acre unless the disposal system discharges

effluent containing no more than 45 milligrams per liter nitrate to the surface or to the subsurface. Discharge to an evapotranspiration field underlain by a permanent impermeable liner shall be considered to discharge no more than 45 milligrams per liter nitrate to the surface and subsurface, provided that the system is otherwise approved by the New Mexico Environmental Improvement Division. All other systems including conventional septic tank with drainfield, and aerated tank with drainfield, shall be considered to discharge more than 45 milligrams per liter nitrate to the surface or to the subsurface, unless the applicant can demonstrate otherwise. This requirement may be waived by the Code Administrator for areas where Environmental Improvement Division states that use of a conventional disposal system will not, in conjunction with other systems in the area, lead to significant pollution of ground or surface water.

2.5 Requirements for Division of Land not a Subdivision or Construction of More Than One but Less Than Five Dwellings on One Parcel, Where use of Individual Liquid Waste Disposal Systems are Proposed

In addition to the requirements set forth in Section 2.4, where creation of less than five parcels is proposed or where more than one but less than five dwellings are proposed for a single parcel, the Developer must submit the following proof of disposal capabilities prior to issuance of a Development Permit:

2.5.1 Evidence that soils are suitable for the proposed liquid waste disposal needs according to Soil Conservation Service suitability ratings;

2.5.2 Evidence that the lot size requirements of Section 10 of Article III of the Code are met.

2.6 Requirements for Community Liquid Waste Disposal Systems for Subdivisions and Other Developments

2.6.1 Requirements

A Community Liquid Waste Disposal System shall meet the following requirements:

2.6.1a Design and complete construction of the system, by the time required in the approved plan, in compliance with all applicable New Mexico Water Quality Control Commission Regulations in effect at the time of final plat approval.

2.6.1b Connection to the Community system for the occupants of the Subdivision or other Development in accordance with the requirements of the approved plan.

2.6.1c Provisions for the operation, maintenance and expansion of the system to meet the growth in population of the subdivision or other Development in a manner consistent with the approved plan and consistent with all applicable Water Quality Control Commission Regulations in effect at the time of plat approval.

2.6.1d If an Applicant is required to provide a Community Liquid Waste Disposal System, he must:

(i) Meet the requirements stated above by the time of plat approval; or

(ii) File with the County Clerk a surety bond or other security acceptable to the County in sufficient amount to assure completion of all required improvements.

2.6.2 Submittals

The following are required to be submitted as part of an Application for a Development Permit involving the construction of a Community Liquid Waste Disposal System:

2.6.2a A legal description of the location of all construction easements, and rights-of-way necessary for the installation of the Community Liquid Waste Disposal System.

2.6.2b Plans and specifications, prepared by a professional engineer registered in New Mexico, for the construction of the system.

2.6.2c The time when the Community Liquid Waste Disposal System is proposed to be completed.

2.6.2d If the proposal is to connect to an existing Community Liquid Waste Disposal System, plans and specifications for the proposed liquid waste collection system and the existing system, and a description of the existing system.

2.6.2e Written confirmation from the Director of the Environmental Improvement Division that the proposed system complies with all state regulations applicable to the system.

2.6.2f An improvement agreement which guarantees:

(i) The construction and operation of any liquid waste treatment system approved by the County and shown in the plat documents and plans.

(ii) Collateral in the form of a performance bond or other security to adequately assure the complete construction and operation of the system in accordance with design and specifications.

(iii) Written confirmation from the Environmental Improvement Agency that the operator of the system has met all of the requirements of the New Mexico Utility Operators Certification Board.

(iv) Copies of documents establishing a legal entity with authority to operate and maintain the system.

2.6.2g A report which indicates alternatives to the system which were considered, if any, and reason for not selecting the alternatives.

2.7 Requirements for Subdivisions and Large-Scale Residential Development Proposing Individual Liquid Waste Disposal Systems.

The following submittals must accompany an Application for a Development Permit for a Subdivision or Large-Scale Residential Development for which Individual Liquid Waste Disposal Systems are required:

2.7.1 A copy of the subdivider's disclosure statement relating to liquid waste disposal.

2.7.2 The location or proposed distance separation of all proposed and existing wells, sewerage absorption areas, community sewerage systems, and community water supply systems within the proposed Subdivision or Large-Scale Residential Development and existing wells and drainfields within 300 feet of the proposed Subdivision or Large-Scale Residential Development boundary.

2.7.3 The location of all arroyos, drainage areas and bodies of water within the proposed subdivision or development and within 300 feet of the proposed Subdivision or Development boundary.

2.7.4 The soil depth throughout the area of the proposed Subdivision or Development.

2.7.5 Soil classification or percolation tests, or both.

2.7.6 The depth to seasonal high water table.

2.7.7 The slope of the ground within the proposed Subdivision or Development.

2.7.8 The flood frequency of areas within the proposed Subdivision or Development.

2.7.9 A detailed description of the kind of individual liquid waste disposal systems, if any, that are to be used by the occupants of the Subdivision or Development.

2.7.10 The projected population of the Subdivision or Development.

2.7.11 The direction of movement of ground water of the Subdivision or Development.

2.7.12 An analysis which indicates that individual liquid waste disposal systems can be used for each lot in compliance with all applicable Environmental Improvement Division regulations in effect at the time the application is made, without need for any variance from their requirements.

2.7.13 At the discretion of the Board of Commissioners, an applicant for a Development Permit involving a Subdivision of 100 or more lots any one of which is less than 10 acres or 25 or more lots any one of which is less than 2.5 acres, may be required to analyze the effect of wastewater discharges on ground water quality over a 100-year time frame to demonstrate that potable water supplies now available to wells within one mile of the Development shall not be caused to be unpotable during the 100-year period as a result of the proposed development.

SECTION 3 - TERRAIN MANAGEMENT

3.1 Requirements for Terrain Management Plan

3.1.1 Construction of One Dwelling

The requirements of this Section 3 of Article VII shall not apply to an Application for a Development Permit involving

the construction of one Dwelling.

3.1.2 Large Scale Development

An Application for a Development Permit involving a Subdivision, Large-Scale Residential Development or Non-Residential Development, including Mining Uses, shall include a Terrain Management Plan as described in Section 3.2 of this Article and shall engage in terrain management practices which meet the standards of Section 3.3 of this Article VII.

3.1.3 Other Development

For an Application for a Development Permit for Development not covered by Sections 3.1.1 and 3.1.2 of this Article VII, the Code Administrator may require a sketch Terrain Management Plan as described in Section 3.4 of this Article VII for Development of the referenced type which:

3.1.3a involves use of sensitive soil types, such as soils denoted by the numbers 5, 6, 7, 8, 9, or 10 in the County General Plan, Environmental Appendix, Chapter entitled Zoning and Terrain Management (Table 1); or

3.1.3b involves use of land with an average slope exceeding 15%; or

3.1.3c may adversely affect native vegetation and drainage, increase runoff and erosion or otherwise damage the natural landscape unless protective measures are taken to minimize or compensate for the effects of construction, grading, clearing or other development activites.

3.1.4 Reviews

All Terrain Management Plans submitted for Subdivisions shall be referred to the local Natural Resource Conservation District for review and approval.

All other Terrain Management Plans, including all sketch Terrain Management Plans, may be referred to the Santa Fe County Office of the U. S. Soil Conservation Service for review and comment.

3.2 Submittals for a Terrain Management Plan

3.2.1 Natural Features Map

A map of the Development (at the same scale as the preliminary map) showing directly or by overlay:

3.2.1a the boundaries of the Development for mining uses, this shall be the boundaries of the Mine Site.

3.2.1b the existing contours with intervals of not more than two feet where the slope is less than eight percent and not more than five feet where the slope is eight percent or greater, showing the slope in percentage throughout the site provided that where an applicant seeks a mining use on a tract of land in excess of 1000 acres, the contours shall be not more than 10 foot intervals or as otherwise agreed to by the Code Administrator and Applicant.

3.2.1c all areas with a natural slope of 25% or greater clearly recorded by scale, line or color; shown in increments approved by the Code Administrator.

3.2.1d the location of all drainage channels, watercourses, waterbodies, floodways, flood fringes, and floodplains.

3.2.1e the location of all major rock outcroppings, faults and geologic resources provided that Mining Uses will not be required to locate mineral geologic resources nor the location of major rock outcroppings, but will be required to locate major geologic rock types.

3.2.1f the location of the major vegetation types and cover density. The location of major vegetation types and cover density may be shown by an aerial photograph of reasonable clarity taken within the preceding 12 months, and be of a scale satisfactory to the Code Administrator to include an appropriate legend.

3.2.2 Soil Survey

A soil survey for the Development including:

3.2.2a an overlay of the natural features map showing the location of each different soil type;

3.2.2b a description of the soil types. Soil profiles may be required where found to be reasonably necessary by the Code Administrator;

3.2.2c interpretations of use limitations from a detailed soil survey;

3.2.2d areas of severe soil limitation for the intended use clearly shown on the soils overlay.

3.2.3 Grading Plan

The grading plan shall include:

3.2.3a an overlay of the natural features map showing the location of all proposed parcels, roads, bridges, water and erosion control structures, and utility easements in relation to the existing contours;

3.2.3b an overlay showing the finished contours of the Development after all proposals have been implemented using contour intervals equal to or less than those on the existing contour map; unless such contours are shown on other submittals;

3.2.3c the location of all cuts and fills, including the grades, lengths and depths thereof; unless shown on other submittals;

3.2.3d all areas where the natural elevation of the land will be changed by more than three feet;

3.2.3e all areas where the grading of land will disturb more than 1000 contiguous square feet, excluding areas which will be directly built upon or utilized for driveways or roads;

3.2.3f profiles showing existing ground surface and proposed street grades and typical cross-sections of the proposed grading;

3.2.3g description of methods of stabilization in areas of cut and fill, embankment, compaction, and revegetation on steep slopes;

3.2.3h a discussion of all measures to be taken to meet the requirements set forth in Section 3.3 of this Article VII with regard to grading.

3.2.4 Landscape Plan

The landscape plan shall identify, by overlay or separate map:

3.2.4a location and type of materials to be used in revegetation and slope stabilization;

3.2.4b location of all areas where vegetation will be preserved and a description of methods for vegetation protection;

3.2.4c duration of exposure of disturbed areas;

3.2.4d vegetation characteristics after revegetation;

3.2.4e for Mining Uses, a Reclamation Plan complying with Section 5, Article III shall be submitted instead of a Landscape Plan required by this Section.

3.2.5 Erosion and Drainage Plan

The erosion and drainage plan shall include:

3.2.5a storm drainage computations for the 100-year frequency storm, and of the estimated runoff from the site prior to and following completion of Development and presuming full Development;

3.2.5b quantities of water carried by major drainage courses and proposed treatment of major drainage courses;

3.2.5c the location, type and size of proposed drainage and erosion control structures;

3.2.5d the location of drainage easements;

3.2.5e an overlay indicating the depth to ground water in all areas where the seasonal high water table is within twenty feet of the ground surface;

3.2.5f all appropriate design details necessary to clearly explain the construction of all subsurface structures;

3.2.6 Construction Schedule

After issuance of a Development permit, and prior to commencing construction, the Code Administrator may require, if reasonably necessary, an estimated schedule of construction to include:

3.2.6a The start and finish of all clearing and grading activities;

3.2.6b Duration of exposure of disturbed areas;

3.2.6c Stabilization date for disturbed areas;

3.2.6d Installation date of storm drainage systems;

3.2.6e Installation date for all roads;

3.2.6f Paving date of roads and parking areas;

3.2.6g Installation date of each utility to be provided and whether said utilities will be above ground or below;

3.2.6h Installation date for homes, recreation structures and other community improvements.

3.3 Performance Standards

All Development subject to the requirement of filing a Terrain Management Plan shall be subject to the following performance standards:

3.3.1 Soils

3.3.1a Subdivisions must demonstrate the availability of soils for at least the following uses: building

foundation support, fill, road location, underground utilities, water control structures, and erosion control structures.

3.3.1b Where soils with severe limitations are proposed for development, the Terrain Management Plan or sketch plan must indicate how the limitations will be overcome.

3.3.2 Grading

3.3.2a All grading shall be performed in a manner which has no adverse effect on adjacent properties; except for Mining Uses and Mineral Exploration, clearing shall be kept to a minimum, and stabilization of bared surfaces shall begin promptly upon completion of construction activity.

3.3.2b The proportions of a Site to be graded shall be clearly marked on the Site prior to any grading or clearing. Construction equipment shall be permitted to grade only within marked areas. No grading is permitted within one foot of a property line, except for streets, roads and driveways.

3.3.2c A detailed grading schedule shall be followed. It is recommended that the maximum exposure of any area to be revegetated be four months, no more than forty-five days of which should occur in the months June-September. If longer exposures are necessary, it is recommended that a mulch be used as a temporary cover on land which is to be revegetated.

3.3.2d The top or bottom edges of slopes caused by an excavation or fill up to 10 vertical feet shall be at least three horizontal feet from property lines, unless within a permanent slope easement adjacent to a Street right-of-way line, in order to permit the normal rounding of the edges without encroaching on the abutting property. For cut or fill slopes greater than 10 vertical feet, the required horizontal setback shall equal at least 30% of the height of the cut or fill.

3.3.2e All Structures except retaining walls or soil stabilization improvements shall be set back from the crest of fills or the base of cuts for a minimum distance

equal to the depth of the fill or the height of the cut unless a structurally sound retaining wall is built for the cut or fill slope. Retaining walls may be part of a Dwelling.

3.3.2f Phased clearing shall be used whenever the total amount of clearing proposed exceeds 4000 square feet. This requirement shall not apply to surface which is to be permanently left in a graded or cleared condition, such as road, driveway or parking lot.

3.3.2g No on-site borrow is permitted except as part of necessary cuts; all excess soil and vegetation shall be disposed of at an authorized landfill, or other location acceptable to the Code Administrator.

3.3.2h Grading should round cut and fill edges and otherwise create a natural appearing terrain; no changes in natural drainage lines or flood plains should occur unless it is demonstrated that these will have no effect on the hydraulics of flood runoff.

3.3.2i It is recommended that the maximum unvegetated or disturbed area exposed to wind or water erosion at any one time shall be 2 acres, excepting roadways and driveways.

3.3.2j Street grades should not exceed 15% and no more than 6% within 200 feet of an intersection.

3.3.2k Slope stability, and slope of cut and fill surfaces shall comply with the Standards of the Uniform Building Code.

3.3.2l Dust control measures shall be utilized to control unnecessary dust from equipment operation within a parcel where such dust causes a hazard to vehicular traffic on a public road, or causes a substantial nuisance on adjacent or nearby property.

3.3.3 Landscape Plan

A landscape plan is required and shall demonstrate that on land to be revegetated, the revegetation will accomplish the same degree of ground cover and erosion control protection as the original vegetation.

3.3.4 Erosion and Drainage Control Plan

Erosion and Drainage Control Plan shall, in addition to meeting the standards set forth below, conform to all provisions regarding Flood Hazards as described in Article VII, Section 1, of the Code. Standards for erosion and drainage control plan shall include:

3.3.4a The natural drainage of any Site shall be preserved to the extent possible. Where 20% or more of the total area governed by the Development Permit will be covered by impervious surfaces (including, but not limited to roofs, concrete or paved surfaces, roadways and driveways), then all total and peak runoff from a 25-year storm which is in excess of the natural total and peak runoff shall be retained within the area, and preferably within each building site. Measures such as dry wells, on-lot ponding facilities and the like may be used for this purpose.

3.3.4b All storm runoff which is not contained on Site shall be delivered to a designated floodway. If a natural tributary system is utilized for such delivery, calculations shall be provided to demonstrate that the tributary system can safely carry the runoff from a 100-year storm without an increase in flood hazards.

3.3.4c Any natural or artificial drainageway which is tributary to a designated flood way and which receives the direct runoff from a roof, paved surface or graded surface shall be stabilized to prevent erosion, unless the velocity of the runoff within the drainageway will be less than 3 feet per second in response to a 100-year storm. This provision shall not apply to drainage ditches along roadways, driveways and cut and fill slopes.

3.3.4d Runoff shall be diverted from above any unstabilized, unvegetated cut or fill slope, or any cleared natural slope, and carried in a natural or artificial channel which can accommodate the 25-year peak runoff without accelerated erosion. If the water is disposed of in an infiltration basin

or dry well, the basin or dry well shall be sited in such a manner as to have no adverse effect on slope stability.

3.3.4e Any permanent artificial channels and drainage provisions shall be sized to accommodate the 25-year flow and all structures used to discharge runoff to a designated floodway shall be designed to prevent erosion in that drainage course.

3.3.4f Runoff control measures should be considered which will promote infiltration to ground water including use of small ponding areas on individual lots or in neighborhood parks.

3.3.4g Easements for all permanent or major cleared drainage facilities are required.

3.4 Sketch Terrain Management Plans: Submittals and Requirements

3.4.1 Submittals

A sketch Terrain Management Plan, when required by the Code Administrator, shall include, at a minimum:

3.4.1a A topographic map at a scale of one inch equals 2000 feet or larger, identifying major arroyos, native vegetation patterns, areas of steep slope and major land-forms, all shown in relationship to the proposed Development;

3.4.1b Any additional material that is required for a full terrain management plan if, in the opinion of the Code Administrator such material is essential in order to review the proposed development.

3.4.2 Requirements

All Development subject to the requirement of filing a sketch Terrain Management Plan shall not affect major arroyos, vegetation cover density, and areas of steep slope. In addition, the Development may be required to meet any of the specific criteria set forth in Section 3.3 of this Article if, in the opinion of the Code Administrator, such criteria are pertinent to proper Development in conformance to the General Plan.

SECTION 4 - AIR QUALITY

4.1 Basic Requirements

The Board, at its discretion, may determine that a Development involving a Commercial or Mineral Use

be required to limit increases in air pollution as measured at the property line of the Development.

4.2 Review Procedure

4.2.1 Initial Review

All applications for a Development Permit involving a Commercial Use or a Mineral Resource Use shall be reviewed by the Code Administrator for possible impacts on air quality. If the Code Administrator determines that the Development may result in increased air pollution, then he shall so advise the Board and the Board in its discretion may require the Applicant to prepare an Air Quality Management Plan. The plan shall be referred to the New Mexico Environmental Improvement Division for review and comment. If the Environmental Improvement Division comments are not received by the Code Administrator within 30 days of the date it was submitted to the Agency, the Code Administrator may proceed with his review and make a decision without the comments.

4.2.2 Air Quality Management Plan

An Air Quality Management Plan shall provide the following information:

4.2.2a An inventory of ambient air quality levels which may be raised as a result of the Development.

4.2.2b A discussion of projected concentrations of all pollutants at full development and their possible effects on public health and safety.

4.2.2c A description of all measures which will be taken to reduce the emission of air pollutants.

4.2.2d If the increase of any pollutant regulated by the State of New Mexico will be 5% or greater, compared to existing levels of that pollutant (measured on an average annual basis at the property line), then the Plan shall provide evidence indicating any benefits to the citizens of Santa Fe County which would offset such degradation.

SECTION 5 - NOISE

5.1 Application

An application for a non-residential Development shall be reviewed by the Code Administrator to determine if it is likely to produce unreasonably high temporary or long-term average levels of noise. Such levels may be projected or anticipated by the Code Administrator or an Applicant by using any recognized method approved by the U. S. Environmental Protection Agency or the U. S. Department of Transportation.

5.2 Requirements

Projected exceedance for average conditions over a 12-hour period, at the property line, of the following described limits may be considered grounds for denial of a development application:

	DAYTIME	NIGHTTIME
Major Centers and Travelers Service Centers	70 dBA or 10 dBA above ambient whichever is less	55 dBa or 5 dBA above the ambient level whichever is less
All Other Areas	55 dBa or 10 dBA above ambient. whichever is greater	45 dBA or 5 dBA above the ambient whichever is less

5.3 Exceptions

The Board in its discretion may waive these requirements for uses which are seasonal or periodic in nature and which involve generation of noise on no more than 20% of all days of the year, such as: fairgrounds; rodeo grounds; carnival grounds; drag strips; race tracks; provided, however, that applicants for such uses shall be required to provide a buffer area between the site of noise generation and the property line; and shall take such other measures as are appropriate to reduce the generation of annoying or harmful noise.

SECTION 6 - WATER SUPPLY

6.1 Review Procedures

All submittals regarding water supply shall be reviewed by the Code Administrator and, except as provided in this Section, by the County Hydrologist. All submittals regarding water supply for proposed Subdivisions shall be submitted to the

Water Resources Division and New Mexico Environmental Improvement Division. Submittals regarding water supply for other types of proposed Development may be referred to appropriate state agencies if in the opinion of the County Hydrologist and Code Administrator such referrals will provide information necessary to the determination of whether or not a proposed Development is in conformance with the provisions of this Code.

6.2 General Requirements and Submittals

The requirements and submittals associated with use of water supplies is dependent on the type and scale of Development and the size of water use, and are set forth in Sections 6.3 (community water systems); 6.4 (water availability); 6.5 (water quality) and 6.6 (water conservation) of Article VII. The following table indicates the applicability of these Sections to different types of Development.

Development Type	Appropriate Sections
Any Development which includes construction or expansion of a Community Water System	6.3, 6.5, 6.6
All subdivisions	6.4, 6.5, 6.6
All Large-scale Residential Development	6.4, 6.5, 6.6
All non-residential Development which obtains water other than through a well which is permitted under Section 75-11-1 NMSA, 1953 Comp. as it may be amended	6.4, 6.6
All Development which requests a density adjustment based on water availability	6.4
All Development which requests a density adjustment based on water conservation	6.6

A reconnaissance water availability report, as described in Section 6.7 of this Article VII can be substituted for a detailed availability report as described in Section 6.4 of this Article VII where all of the following circumstances prevail: 1) the total amount of water to be withdrawn by the Development will

not exceed 3 acre-feet per annum, as demonstrated in a water conservation report (Section 6.6); 2) no density adjustment due to water availability is being requested which increases the density as set forth in Section 3 of Article III by more than twofold; and 3) a. the development will consist of no more than 10 dwellings or parcels, b. each parcel will be no less than 2.5 acres in area unless a greater density is permitted by other Articles of this Code, c. water will be provided to the development from one well.

The reconnaissance hydrology report shall be submitted to the County Hydrologist for his review and comment prior to the consideration of the report by the County Development Review Committee.

If after considering the report and the County Hydrologist's comments, the County Development Review Committee finds that it has insufficient information from which to make a determination to water availability, then a water availability report in conformity with Section 6.4 shall be required.

6.3 Community Water Systems

6.3.1 Requirements to be met by a Community Water System

6.3.1a When a Community Water System is required the Developer shall provide water from existing or proposed Water Supply Systems for domestic use, fire protection, and any other use that the Developer proposes.

6.3.1b The Developer shall provide for the completion of the proposed Water Supply Systems, in accordance with applicable minimum design standards of the New Mexico Environmental Improvement Division and the Construction Industries Commission.

6.3.1c The Developer shall meet the fire flow requirements set forth in Article VII, Section 6.4.3 of the Code.

6.3.1d The Developer shall provide sufficient potable water for full Development of all properties within the proposed development that would be affected by drawdown or flow

through and in accordance with the water management policies set forth in Section 10 of Article III.

6.3.1e If the Developer is within a declared basin, the Applicant shall obtain a permit issued by the State Engineer for the use of the quantity of water required or provide a performance bond or other surety in the amount of estimated cost of acquired necessary water rights or rights to water under contract to the owner of water rights.

6.3.1f If the Development is in a Traditional Community District, the community water system shall be designed to minimize the use of local water resources. The Applicant shall obtain water rights as the State Engineer requires. The community water system shall be consistent with the local land use and utility plan, if any.

6.3.1g A Class I water supply system may not be approved unless the water supply source will be located:

(i) Safe distance from any contaminant source.

(ii) At least 200 feet from a liquid waste disposal site of less than 1,000 gallons per day.

(iii) At least 300 feet from a liquid waste disposal site of more than 1,000 gallons per day.

(iv) At least 150 feet from non-leakproof wastewater lines.

(v) At least 25 feet from wastewater lines which are leakproof.

(vi) At least 75 feet from a perennial stream.

(vii) At least 100 feet from other contamination sources such as landfills, stock yards and animal feed lots.

(viii) A Class I water supply system may not be approved unless the subdivider proposes to deliver water free of any disease-producing organism by means of proper disinfection.

6.3.1h A Class II water system may not be approved unless the water supply source will be located:

(i) Safe distance from any contaminant source.

(ii) At least 100 feet from a liquid waste disposal site of less than 1,000 gallons per day.

(iii) At least 200 feet from non-leakproof wastewater lines carrying more than 1,000 gallons per day.

(iv) At least 75 feet from non-leakproof wastewater lines carrying less than 1,000 gallons per day.

(v) At least 100 feet from non-leakproof wastewater lines carrying more than 1,000 gallons per day.

(vi) At least 25 feet from leakproof wastewater lines.

(vii) At least 75 feet from perennial streams.

(viii) At least 75 feet from other contamination sources such as landfills, stock yards and animal feed lots.

6.3.2 Submittals for Community Water Systems

The Applicant shall submit a water supply plan which demonstrates that the system will comply with the requirements of Section 6.3.1 of this Article VII. The water supply plan shall be prepared by or under the supervision of a professional engineer and shall include the following:

6.3.2a Information showing the volume and peak rate of production of water required in each month to supply each use at full use of the Development.

6.3.2b Plans and specifications for diversion, storage and distribution facilities and a time schedule for their completion prepared by or under the supervision of a registered professional engineer.

6.3.2c A legal description of the location of all construction, easements and rights-of-way necessary for the installation of the water supply system.

6.3.2d For all systems required under this Code, an agreement providing for:

(i) The construction and operation of the Class I Water Supply System as shown in the plat documents and plans.

(ii) Collateral in the form of a performance bond or other means to adequately assure the complete construction and operation of the system in accordance with design and time specifications.

(iii) Certification of the operator of the system.

(iv) Involvement as prescribed in the plat documents, such as a Homeowners Association Mutual Domestic Association or non-profit corporation for the purpose of operation and maintenance of the system.

6.3.3 Exceptions to Community Water System Requirements

Construction or expansion of a community water system shall not require a Permit, or be subject to requirements of this Section 6.3, if any one of the following conditions exist:

6.3.3a The system is part of a Subdivision or other development which water system has been approved under this Code, or under previous existing Subdivision Regulations, and the system conforms to all plans and requirements contained in that previous approval.

6.3.3b The system will serve an area for which a community land use and utility plan has been adopted under this Code, and the system conforms to all plans and requirements contained in that community plan.

6.3.3c The construction involves remedial or upgrading work only, such as repair, replacement or installation of a well, storage tank, chemical treatment works, distribution lines, hydrants or other facilities which will serve existing connections, and which do not involve an expansion of the service area of the utility system.

6.3.3d Expansion of the system is to serve persons who were entitled to receive such service as of the date of the adoption of this Code; such entitlement may be in the form of membership in a Mutual Domestic Water Users Association, a contract with the system or other such commitments.

6.3.3e The system is located in a traditional community in Santa Fe County and is expanding to serve a total number of dwelling units not greater than 110% of the units served at the time of adoption of this Code; provided that such

expansion does not require a new transfer of irrigation water rights and retirement of the irrigation use. In calculating the number of dwelling units which may be served, the existing dwelling units shall be multiplied by 1.1 and the results rounded upward to the nearest whole number.

6.3.3f The system is located in an urban or metropolitan area of Santa Fe County and is expanding to serve a total number of dwelling units not greater than 125% of the units served at the time of adoption of this Code; provided that such expansion does not require a new transfer of irrigation rights and retirement of the irrigation use. In calculating the number of dwelling units which may be served, the existing dwelling units shall be multiplied by 1.2 and the result rounded upward to the nearest whole number.

6.3.4 Review of Community Water Systems

In reviewing community water systems, the Board shall consider: the availability of water for the system; the potential for water conservation in areas served by the system; the relationship of the system to adopted local or county land use and utility goals; the proper disposal of wastewater from areas served by the system; and the conformance of the system to federal and state regulations. In general, the Board shall encourage the use of such systems, and shall approve them unless the indicated reviews demonstrate that such systems, or the expansion thereof, will substantially conflict with the policies and goals of the County General Plan and this Code.

6.4 Water Availability Report

A water availability report shall consist of a geo-hydrologic report, if all or part of the supply is to be obtained from ground water sources and/or a hydrologic report, if all or part of the supply is to be obtained from a surface water source. A fire protection plan shall be included in a water availability report for Subdivisions and Development involving more than

one commercial entity in Major Center Districts, Travelers Services Districts, Neighborhood Center Districts and in Mining Districts.

6.4.1 Geohydrologic Report

Submittals shall contain the following information:

6.4.1a Geologic maps, cross-sections and descriptions of the aquifer systems proposed for production including information concerning the hydrogeologic boundaries, intake areas and locations of discharge of those aquifers.

6.4.1b Maps and cross-sections showing the depth to water, water-level contours, direction of ground water movement and the estimated thickness of saturation in the aquifers.

6.4.1c Probable yields of the proposed wells (in gallons per minute and acre-feet per year) and probable length of time that the aquifer system will produce water in amounts sufficient to meet the demands under full occupation of the Development. This information shall be based on pump-test analysis, hydrologic boundaries, aquifer leakage and historic water-level changes, logs and yields of existing wells and when the County Development Review Committee deems necessary, test wells and aquifer performance tests. This information will give consideration to mutual interference of the proposed wells, and the interference of existing wells.

6.4.1d An estimate of water availability for the Development, suitable for calculating any proposed density adjustments utilizing the formula set forth in Section 10.2 of Article III, and specifically setting forth the value of the variable S. The estimate shall be made using procedures which are comparable to those used in the County General Plan, Hydrology Appendix. Acceptable procedures will be described in a report approved by the County Hydrologist and on file with the Code Administrator.

6.4.1e A schedule of the effects of the projected water withdrawals for the Development which corresponds to the water management policies set forth in Section 10, Article III.

6.4.1f A projection of drawdown or flow reductions on all properties which will be affected by the proposed withdrawals.

6.4.1g Well tests are required as follows:

Area as Shown on Code Map 1	Pumping Hours	Recovery Days	Additional tests for Large Areas
INDIVIDUAL WELLS			
1. Miscellaneous locations	48	5	one per 40 acres
2. Part of Santa Fe Formation	36	5	one per 160 acres
3. Cretaceous	24	5	one per 40 acres
COMMUNITY WELLS			
All areas	96	10	one per 40 acres

Tests made within one mile of the development may be utilized provided that the report demonstrates that the geologic conditions at the site of such tests are comparable to those within the development. For developments involving more than 160 acres, at least one test shall be within the development. Except where geologic conditions are complex, the well test requirement shall not be interpreted to require more than one test per 4 dwelling units. Where cluster wells are to be used throughout a development, the requirement should not be interpreted to require more than one test per 10 dwelling units. These well test requirements may be waived by the County Hydrologist; provided that for Subdivisions of Types I, II and IV and Subdivisions requiring community water systems, at least one test shall be made within the development.

6.4.2 Hydrologic Report

Submittals shall contain the following information:

6.4.2a Source of water supply.

6.4.2b Drainage area above the point of diversion.

6.4.2c Analysis of relevant historical runoff records.

6.4.2d Projected water supply available for the Development requirements.

6.4.3 Fire Protection Plan

The Developer shall provide a fire protection plan. The plan shall be designed to provide adequate fire flow and fire protection for the safety of the residents of the proposed subdivision. The plan shall include at least the following elements:

6.4.3a Storage capacity of the proposed water system;

6.4.3b Fire flow for the proposed water system in gallons per minutes;

6.4.3c The facilities the Developer intends to use to provide fire protection to the Development. If the Developer proposes to use an existing facility or fire district, the Plan must include a letter from the existing facility or fire district commenting on the plan. The Plan shall describe how the proposed Development will affect the existing fire system or district and shall detail the assistance the Developer intends to provide to the existing facility or fire district in order to assure adequate fire protection for the proposed Development; and

6.4.3d Insurance services office projected rating for the proposed Development.

6.5 Water Quality Requirements and Report

6.5.1 Water supply systems shall not be approved if the quality of the water exceeds the maximum allowable limit for any one or more of the following parameters:

	Maximum Allowable Limit
Arsenic	0.05 mg/l
Barium	1.0 mg/l
Cadmium	0.01 mg/l
Chromium	0.05 mg/l
Cyanide	0.2 mg/l
Fluoride - Variable by Average daily temperatures	
50.0 to 53.7°F	2.4 mg/l
53.8 to 58.3°F	2.2 mg/l
58.4 to 63.8°F	2.0 mg/l
63.9 to 70.6°F	1.8 mg/l
70.7 to 79.2°F	1.6 mg/l
79.3 to 90.5°F	1.4 mg/l

	Maximum Allowable Limit	
Lead	0.5	mg/l
Mercury	0.002	mg/l
Total Nitrogen	10.0	mg/l
Selenium	0.01	mg/l
Silver	0.05	mg/l
Sodium (must be noted in disclosure statement if over 20 mg/l)	250.0	mg/l
Organic carbon absorbable		
Carbon alcohol extract	3.0	mg/l
Carbon chloroform extract	0.7	mg/l
Pesticides		
Aldrin Plus Dieldrin	0.001	mg/l
Chlordane	0.003	mg/l
DDt	0.05	mg/l
Endrin	0.005	mg/l
Heptachlor	0.0001	mg/l
Heptachlor Epoxide	0.0001	mg/l
Lindane	0.005	mg/l
Methoxychlor	0.1	mg/l
Toxaphene	0.0005	mg/l
Organophosphates and carbomates	0.1	mg/l
Chlorophenosy Herbicides		
2, 4-D	0.2	mg/l
2, 4, 5, TP or Silvex	0.03	mg/l
Radioactive Substances		
Gross beta (in absence of alfa emitters and Stronium 90)	1,000	uuc/liter
Radium 226	3	uuc/liter
Strontium 90	10	uuc/liter

6.5.2 Except as provided in Subsection 4 of this section, water supply systems may not be approved if the water to be used exceeds the maximum allowable limit for each of the following parameters:

Bicarbonate	700.	mg/l
Calcium	200.	mg/l
Carbonate	300.	mg/l
Chloride	250.	mg/l
Color	15.	units
Copper	1.	mg/l
Forming Agents	0.5	mg/l
Hardness	250.0	mg/l
Hydrogen Sulfide	0.5	mg/l
Iron	0.3	mg/l

Magnesium	125.0 mg/l
Manganese	0.05 mg/l
Odor	Absent
Phenols	0.001 mg/l
Sulfate	250.0 mg/l
Surfactants (LAS)	0.5 mg/l
Total Dissolved Solids	1,000 mg/l
Zinc	5.0 mg/l
Turbidity (5 TU may be allowed by State approval)	None Between 6 and 9

6.5.3 The maximum allowable limits contained in the previous section may be exceeded if the Developer demonstrates to the satisfaction of the Environmental Improvement Division that alternative water supply sources are not reasonably available and that treatment of the water supply to bring it within the maximum allowable limits is not feasible, and public health will not be endangered. However, the Developer must state in his disclosure statement which limits are being exceeded.

6.5.4 A Developer need only demonstrate that the quality of the water supply he proposes for use will not exceed the maximum allowable limits for those parameters included in the minimum water quality analysis unless the Board or Environmental Improvement Division requires demonstration regarding other parameters.

6.5.5 A water quality report shall contain:

6.5.5a the identity of the person who prepared the report;

6.5.5b a description of the methods used; and

6.5.5c a description of concentrations or characteristics of the following parameters: sodium, calcium, magnesium, iron, manganese, chloride, fluoride, nitrate, bicarbonate, carbonate, sulfates, total hardness, alkalinity, surfactants, PH, odor, color, turbidity, conductance and total dissolved solids.

6.6 Water Conservation Report

6.6.1 General Requirements

A water conservation report shall contain a water budget for the proposed Development, indicating the type and

amount of water withdrawals and consumption projected at full Development; and it shall contain a list of any water conservation measures which are adopted by covenant or other similar means which are intended to restrict water use to specified levels. Only water conservation measures which have been adopted in a form which, in the opinion of the County Attorney, is legally binding upon any person using water on the Parcel shall be deemed to meet the requirements of the Code. The report will be reviewed by the Code Administrator and need not be submitted to the County Hydrologist. This report shall be suitable for establishing the value of variable U, which is described in Section 10 of Article III.

6.6.2 Water Budgets and Conservation Covenants

Densities set forth in Section 10 of Article III of the Code are based on an average residential water use of 1.0 acre-foot per year per dwelling unit. Residential Development involving greater or lesser water use may have these densities varied accordingly. Non-residential Development must establish estimates of water use. In all cases where the subject of water use is part of an Application for Development, the Applicant shall submit a water budget, which shall be a listing of all activities within the Development which will utilize water, and the amount of water so used. The Code Administrator shall maintain a file of representative water budgets. The applicant may be required to adopt covenants or to take other measures necessary to ensure, with reasonable prospects of success, that the estimated water budget will be achieved. The Code Administrator will maintain a file of acceptable covenants. The Board may deny an application if, after review of the budgets or covenants proposed, the Board determines that the budgets and covenants will not reduce usage of water to the extent proposed. The following are examples of water conservation measures which may be approved:

6.6.2a Restrictions on water use which result from installation of watersaving bathroom and kitchen fixtures or recycling units;

6.6.2b Restrictions against outdoor water use, for pools, landscaping, or irrigation;

6.6.2c Limitation of water use and measurement of the limitation by clustering of dwelling units on a metered well, with the annual meter reading reported to the State Engineer, or hookup to a metered community water system;

6.6.2d The use of cisterns to collect water which falls on a site and/or the use of collected rainwater for outdoor purposes.

6.7 Reconnaissance Hydrology Report

Where permitted under Section 6.2 of this Article VII, a reconnaissance Hydrology report may be substituted for the Geohydrology report requirement of Section 6.4 of this Article VII. The report shall contain the following:

6.7.1 A log for an existing well which is located on the parcel for which the Development Permit is requested, which log indicates geologic conditions similar to those found in a nearby well which has been described in a detailed geo-hydrology report, and which indicates that the well on the parcel provides a yield adequate for the use proposed.

6.7.2 A summary of the findings of a detailed geohydrology report which includes date from pump tests made within one mile of the parcel for which the Development Permit is requested, which summary indicates the availability of water for the Development.

6.7.3 A description of measures the Applicant will take to inform any person who may purchase the property as to the findings of the County General Plan regarding water availability and as to the water budget and conservation covenants which were included in the application for the Development Permit.

SECTION 7 - SOLID WASTE MANAGEMENT

7.1 Requirement

The Developer of any Subdivision, Large-Scale Residential Development, or other Development involving non-Residential uses conducted on the same Parcel by more than one entity must either provide a system for collection and disposal of solid waste or be located within five (5) miles of an existing sanitary landfill with a valid permit issued by the Environmental Improvement Division or construct and maintain a landfill operation according to a Solid Waste Management Plan approved by the Environmental Improvement Division. Any such Landfill operation must meet the requirements of Appendix A of the Subdivision Regulations, of Article V of the Code.

ARTICLE VIII

SIGN REGULATIONS

These regulations apply to signs within the County.

SECTION 1 - ILLUMINATION

1.1 Sign illumination shall not flash, blink, vary in intensity, revolve or otherwise appear to be in motion.

1.2 Sign illumination shall be either indirect with the source of the light concealed from direct view or shall be through translucent light-diffusing materials; electrically activated gas tubing excepted.

SECTION 2 - MOVABLE PARTS

No sign shall have movable parts; except those signs or marquees having design construction features for changing of legend or inscription may be approved.

SECTION 3 - ADVERTISING PERMITTED

The advertising on any sign shall pertain only to a business, industry or pursuit conducted on or within the premises on which such sign is erected or maintained.

SECTION 4 - PUBLIC PROPERTY

No sign shall be erected or maintained on or over public property, except as specifically authorized by the Board.

SECTION 5 - DISTANCE FROM POWER LINES

Signs shall not be located with less than 6-feet horizontal nor 12-feet vertical clearance from overhead electric conductors.

SECTION 6 - OBSTRUCTIONS

No signs shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

SECTION 7 - TRAFFIC HAZARD

No sign or other advertising structure as regulated by this Code shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where by reason of position, shape or color which may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP", "LOOK", "DANGER", or any other word, phrase, symbol or character, in such a manner as to interfere with, mislead or confuse traffic.

SECTION 8 - OBSCENE MATTER PROHIBITED

It shall be unlawful for any person to display upon any sign or other advertising structure, any obscene, indecent, or immoral matter.

SECTION 9 - SIGN AREA

The area of any one sign located within 150 feet of a state or federal highway not regulated by Federal Law shall not exceed 80 sq. ft. and the total area of all signs displayed by any business or occupancy located within 150 feet of a state or federal highway shall not exceed 150 sq. ft. A sign displayed beyond the 150 feet of the boundary of a state or federal highway shall not exceed 30 sq. ft. and all signs displayed by any business or occupancy located beyond 150 feet from a state or county highway shall not exceed 50 sq. feet. The area of a double-faced sign shall be computed for one face only.

SECTION 10 - SIGNS, REMOVAL

10.1 Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, lot or Structure upon which such sign may be found. Upon failure to

comply with this provision the Code Administrator is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the premises.

SECTION 11 - SIGNS, DIRECTIONAL AND INFORMATIONAL, EXEMPT

The following Signs are exempt from the Provisions of this Code:

11.1 Any sign less than 4 square feet in area.

11.2 Any directional or informational or traffic sign erected by a Federal, State or County Unit of government.

SECTION 12 - SPECIAL SIGN REGULATIONS

12.1 Wall Signs

Wall signs, including signs painted on walls shall not exceed eighty (80) sq. ft. in sign area, nor shall wall signs exceed twenty percent (20%) of the area of the wall on which they are displayed. Wall signs shall not project more than one (1) foot from the wall on which they are displayed.

12.2 Clocks and Thermometers

Clocks and thermometers, when constructed within or as a part of a sign or when displayed as a separate sign, shall, in addition to other regulations herein for signs, conform to the following special regulations and exceptions.

12.2.1 The hands of the clock and the motive mechanism will not be classed as moving parts.

12.2.2 Illuminated numerals will not be classed as blinking or flashing lights.

12.2.3 Clocks and thermometers shall not exceed 40 inches in either vertical or horizontal dimensions.

12.2.4 All clock signs shall keep accurate time and all theremometer signs shall accurately record the temperature. If these conditions are not complied with, the instruments shall be promptly repaired or removed.

ARTICLE IX

MOBILE HOME PARKS

SECTION 1 - SUBMITTALS

1.1 Mobile Home Parks which are Subdivisions:

All mobile home parks which are subdivisions shall submit all submittals required by Article V and this Section.

For all mobile home parks, the applicant shall submit a Development Plan which:

1.1.1 depicts proposed land use for the entire land area set forth in the Application.

1.1.2 encompasses the entire boundaries of the tract proposed for Development and indicates existing conditions and Development for the additional surrounding area at least two hundred feet (200') from the exterior tract boundaries;

1.1.3 is drawn at a scale of either fifty feet (50') or one hundred feet (100') to the inch and which indicates topography at a two-foot (2') contour interval; and

1.1.4 depicts, with appropriate dimensions, an arrangement of buildings and their uses, off-street parking and loading facilities, internal automobile and pedestrian circulation, ingress and egress from adjoining streets, roads or highways, service area and facilities, drainage system, landscaping, fences and walls, and the size, location orientation and type of all signs proposed.

SECTION 2 - Protests: In case of a protest filed with the Code Administrator in writing against any proposed Mobile Home Park signed by the owners of twenty per centum (20%) or more, either of the area of:

a. The lots and lands included in such proposed Mobile Home Park or

b. Those immediately adjacent in the rear thereof extending 200 feet therefrom or

c. Those directly opposite thereto extending 200 feet from the

street or road frontage of such opposite lots or lands.

SECTION 3 - PERFORMANCE STANDARDS.

Such Mobile Home Park shall not be approved if it will significantly interfere with the existing use of property in the adjacent area.

SECTION 4 - DESIGN STANDARDS

All Mobile Home Parks shall comply with the following design standards and a Subdivision which is a Mobile Home Park shall be reviewed for compliance with the following design standards. For Mobile Home Parks which are Subdivisions, the design standards set forth in this Article shall apply and the design standards set forth in Section 9 of Article V (Subdivision Regulations) shall not apply.

4.1 Location of the Mobile Home Park on a well-drained site, properly graded to insure rapid drainage of this site;

4.2 Provision of spaces that are well-defined and delineated, with a minimum lot size per mobile home unit of thirty-five hundred (3,500) square feet; if a variance from the density requirements of the Code is obtained.

4.3 Each mobile home shall be supported in such manner as provided in the rules and regulations specified by the New Mexico Mobile Housing Commission;

4.4 A maximum of ten (10) mobile home spaces per acre within a Mobile Home Park;

4.5 Location of mobile homes on each space so as to provide:

4.5.1 At least a twenty-foot (20') clearance between the mobile homes;

4.5.2 Not less than twenty feet (20') clearance with respect to mobile homes parked end-to-end;

4.5.3 Location of mobile homes not closer than ten feet (10') from any building within the park, not to include small individual storage units, or any property line of the park which does not abut upon a public street or highway;

4.5.4 Location of mobile homes not closer than twenty-five feet (25') from any property line of the park abutting upon a public street or highway, or such other distance as may be established by ordinance or regulation as a front yard or setback requirement with respect to conventional buildings in the district in which the Mobile Home Park is located; and

4.6 Provision of two (2) off-street parking spaces for each mobile home space, which such parking places shall be paved in concrete or asphalt;

4.7 Provision of walkways from all mobile home spaces to all common areas within the Mobile Home Park, which such walkways shall not be less than thirty-six inches (36") in width and constructed of any hard surface material (e.g., concrete, asphalt, brick or flagstone);

4.8 All Mobile Home Parks shall be adequately lighted at night.

4.9 Provision that:

4.9.1 Private streets shall have a minimum six (6) inch base course and a minimum width of twenty-four feet (24');

4.9.2 Private collector streets shall have a minimum six (6) inch base course and a minimum width of thirty feet (30'); and

4.9.3 Public dedicated streets shall observe right-of-way requirements and subdivision design standards set forth in Article V, Sections 8.2 and 8.5 and Appendix B, of the Santa Fe County Subdivision Regulations;

4.10 The perimeter of the park shall be landscaped to blend as closely as possible with the surrounding land contours and vegetation.

4.11 Provision of a porch and step pad which such pad is to be located adjacent to the mobile home stand and constructed of hard surface material (e.g. concrete, asphalt, brick or flagstone, with a minimum area of seventy-two (72) square feet and a minimum thickness of four inches (4"); and

4.12 Entrance roadways to the Mobile Home Park shall be designed in accordance with current traffic engineering criteria and shall be subject to the approval of the Code Administrator.

4.13 Service buildings, if provided, shall comply with the standards prescribed by the New Mexico Mobile Housing Commission and the New Mexico Construction Industries Commission.

4.14 All service buildings and grounds of the Mobile Home Park shall be maintained in a clean, sightly condition and kept free of any conditions that will menace the health or safety of any occupant and the public and shall not constitute a nuisance.

SECTION 5 - DISCLOSURE STATEMENT

5.1 Prior to renting or leasing any space within a Mobile Home Park, the Developer shall provide the prospective tenant or lessee with a written disclosure statement in order that the prospective tenant or lessee may make an informed decision whether or not to rent or lease the space or property in the Mobile Home Park.

5.2 The disclosure statement shall be headed in the manner and form substantially as shown on the following form. The Disclosure Statement requirements of Article V do not apply to Mobile Home Parks.

ARTICLE X

DEFINITIONS

SECTION 1 - DEFINITIONS OF WORDS AND PHRASES USED IN THE CODE

The following definitions apply to words and phrases used in the Code:

1.1 "Absorption field" means an area in which open joint or perforated piping is laid in gravel-packed trenches or excavations for the purpose of distributing the effluent discharged from a tank used as a part of an individual liquid waste disposal system for absorption into the soil.

1.2 "Aerobic disposal system" means a tank where air is introduced to the liquid waste by mechanical means, together with an absorption field.

1.3 "Airport" means an area of land designated for the landing and taking off of aircraft and utilized or to be utilized by the public as a point of arrival or departure by air.

1.4 "Area of Land" means any land which is divided or proposed to be divided, whether contiguous or not, as part of a common promotional plan and where land is offered for sale or lease by a single developer, or a group of developers acting in concert, and such land is contiguous or is known, designated, or advertised as a common unit or by a common name such land shall be presumed without regard to the number of lots covered by each individual offering, as being offered for sale or lease as part of a common promotional plan.

1.5 "Application means all materials required to be submitted by an applicant to the Code Administrator, a Development Review Committee, or Board in support of a request for a Development Permit.

1.6 "Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

1.7 "Block" means the distance measured along a street between intersection streets from center line to center line and where the context requires, it also means the enclosed area within the perimeter of the streets or property lines enclosing it.

1.8 "The Board" means the Board of County Commissioners of Santa Fe County, State of New Mexico.

1.9 "Body of Water" means all water situated wholly or partly within or bordering upon this State, whether surface or subsurface, public or private.

1.10 "Buffer Strip" means the land:

1. Adjoining a watercourse or drainage channel with a vertical bank of at least 45 degrees, and

2. Extending perpendicularly from the vertical bank of the watercourse or drainage channel to a distance three times the depth of the watercourse or drainage channel measured from the bottom of the watercourse or drainage channel to the top of the vertical bank;

3. The area adjoining highways or railroads.

1.11 "Building line" means a line on a plat between which line and a street no building or structure may be erected.

1.12 "Class I Water Supply System" means a water supply system serving eleven or more parcels.

1.13 "Class II Water Supply System" means a water supply system serving ten (10) or less parcels.

1.14 "Cluster Well" means a well which provides water to more than one dwelling but which is not part of a community water system.

1.15 "Code Administrator" means the Code Administrator of the County, appointed and having authority as set forth in Article II of the Code.

1.16 "Code Map" means an original map approved by the Board and on file with the Code Administrator, of which a smaller scale facsimile reproduction appears in the County General Plan, a Map approved by a county or local Development Review Committee and by the Board as part of the Code, or any other map specifically identified in the Code.

1.17 "Community Liquid Waste Treatment System" means a system serving two or more parcels for the collection and treatment of liquid waste.

1.18 "Community Water System" means a water supply system which serves five or more dwelling units or commercial units through facilities which are under central or common ownership and/or management.

1.19 "Compatible Use" as used in Article VI means a use which is presumed to be compatible for the Ldn Zone in which it is proposed and may be permitted pursuant to the Code. A compatible use shall not be regarded as a use by right.

1.20 "The County" means Santa Fe County, New Mexico.

1.21 "The County Assessor" means the County Assessor of Santa Fe County, State of New Mexico.

1.22 "The County Clerk" means the County Clerk of Santa Fe County, State of New Mexico.

1.23 "County Engineer" means the county engineer for Santa Fe County, State of New Mexico, or his duly authorized representative.

1.24 "County Manager" means the county manager of Santa Fe County, State of New Mexico.

1.25 "County Surveyor" means the County Surveyor of Santa Fe County, State of New Mexico.

1.26 "County General Plan" means the comprehensive master plan for the land in the County which has been adopted pursuant to New Mexico law and shall include without limitation any Local Land Use and Utility Plan which has been incorporated as part of the County General Plan.

1.27 Except where the context otherwise requires, "Development" means the making of any material change in the use or appearance of any Structure or land or the performance of any building or terrain modification, including, without limitation:

1.27.1 construction, reconstruction, alteration, repair, addition to or location of a Structure;

1.27.2 use of land or a Structure;

1.27.3 division of the surface area of land;

1.27.4 Installation of water, sewer or other sanitation utility facilities; except wells for which a permit is obtained under Section 75-11-1 NMSA (1953 Comp) as it may be amended and individual on-site liquid waste systems.

1.27.5 erection, alteration or destruction, within Historic Districts, of the exterior features of a Structure which are subject to public view from any public thoroughfare or place; or

1.27.6 use of water which is inconsistent with the water management policies of the Code and the General Plan.

1.28 "Development Permit" means any permit issued by the County under the Code, whether or not so denominated, including a permit customarily called a building permit or a zoning permit or other action taken by the County having the effect of permitting Development as defined in this Code.

1.29 "Drainage Channel" means any depression into which storm water flows along a defined course.

1.30 "Dwelling" means (1) a Structure or portion thereof used, or intended to be used, exclusively by one family for Residential use only, (2) a Mobile Home, or (3) each unit occupied by a single family in any Structure or portion thereof used or intended to be used for Residential purposes only by more than one family.

1.31 "Easement" means a right or privilege that a person or persons may have in another's land, such as the right of passage.

1.32 "Engaged in the Sale or Lease of Subdivided Land" means ownership of any interest in subdivided land which is offered for sale or lease, or assisting in the sale or lease of subdivided land.

1.33 "Engineering Interpretations" means the evaluation of soil properties that might affect intended uses.

1.34 "Erosion" means soil movement due to wind or water.

1.35 "Erosion Control Structure" means any man-made device preventing or controlling erosion.

1.36 "Estancia Valley Agricultural Area" means agricultural land within the Estancia Valley water basin but not within the Edgewood Metropolitan Area where water rights are permitted or declared.

1.37 "Floodway" means that part of a Special Flood Hazard Area which would be inundated by water or mud to a depth of 6 inches or more in response to a storm event having a return period of once in 25 years.

1.38 "Flood Fringe" means that part of a Special Flood Hazard Area which would be inundated by water or mud to a depth of 6 inches or more in response to a storm event having a return period of once in 50 years.

1.39 "Flood Hazard Area" means an area within a Floodway, Flood Fringe or Flood Plain.

1.40 "Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Insurance Administration, where the areas within the boundaries of special flood hazards have been designated as Zone A.

1.41 "Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Insurance Administration has delineated both the areas of special Flood Hazards and the risk premium zones applicable to the community.

1.42 "Flood Insurance Study" is the official report provided by the Federal Insurance Administration. The report contains flood profiles, the water surface elevation of the base flood, as well as the Flood Hazard Boundary-Floodway Map.

1.43 "Flood Plain" means that part of a Special Flood Hazard Area which would be inundated in water or mud to a depth of 6 inches or more in response to a storm event having a return period of once in 100 years.

1.44 "Geohydrologic Report: means a report on subsurface water availability.

1.45 "Hydrologic Report" means a report on surface water availability.

1.46 "Home Occupation" means an occupation conducted within a Dwelling, or on a Parcel on which a Dwelling is located by the occupant of the Dwelling.

1.47 "In the County", "Within the County" or similar phrases mean within the boundaries of the County, but not within the limits of any incorporated municipality.

1.48 "Individual Liquid Waste Disposal System" means a disposal system which services an individual dwelling or parcel and includes, but is not limited to, septic tank systems, aerobic disposal systems and evapotranspiration systems.

1.49 "Incompatible Use" as used in Article VI means a use which shall not be permitted in the Ldn Zone where it is proposed.

1.50 "Lease" means to lease, or offer to lease, land.

1.51 "Liquid Waste" means domestic, commercial or industrial wastewater containing human excreta or other liquid-carried waste.

1.52 "Ldn" means day/night equivalent sound level computed to United States Environmental Protection Agency Standards and Procedures.

1.53 "Ldn Zone 1" means a designated area over which the noise rating is less than 65 Ldn.

1.54 "Ldn Zone 2" means a designated area over which the noise rating is between 65 and 70 Ldn.

1.55 "Ldn Zone 3" means a designated area over which the noise rating is between 70 and 75 Ldn.

1.56 "Ldn Zone 4" means a designated area over which the noise rating exceeds 75 Ldn.

1.57 "Local District" means any Natural Resource Conservation District within the County in which the proposed subdivision is located.

1.58 "Lot" means a Parcel of land, a plat of which prepared by a licensed land surveyor has been filed and recorded in the records of the County Clerk.

1.59 "mg/l" means milligrams per liter.

1.60 "Mine Site" means the area of land in which the mine, mill recovery plant, crushers, buildings, structures, improvements, wells, excavations, dumps, waste piles, tailings ponds and other features normally utilized in mining operations are located and shall include all of the area of land containing the same, similar or related mineral bodies or deposits which the mine operator may excavate and mine which is lying within the same or contiguous Mining Zone.

1.61 "Mineral" means an inanimate constituent of the earth solid, liquid, or gaseous state which when extracted from the earth, is useable in its natural form or is capable of conversion into a useable form of metal, or metallic compound, a non-metal, a non-metallic compound, a chemical, an energy source, or a raw material for manufacturing, road building or construction material or oil, oil shale, natural gas, geothermal resources, but shall not include surface or subsurface water.

1.62 "Mineral Exploration Uses" means the prospecting, geophysical and geologic surveying and sampling techniques, which include but are not limited to core or rotary drilling or making an excavation, performed in the search and evaluation of valuable mineral deposits when as a result of such activities minerals are not products for commercial sale.

1.63 "Mining Use" means a drilling drillholes, establishment or operation of placer mine, shaft, open pit mine, removal of overburden or other excavation from which minerals, ore or other mineral substances are to be removed or taken and the processing of minerals, ore or mineral substances.

1.64 "Mobile Home" means any vehicle or transportable structure without motive power, that is equipped with wheels and axles, is designed with bathroom and kitchen facilities, and is intended for occupancy as a Dwelling for unlimited periods of time.

1.65 "Mobile Home Park" means any area of land upon which five or more Mobile Homes, occupied for Dwelling or sleeping purposes are located, and where a charge is made for such accommodation or where Mobile Homes are proposed to be located and a charge made.

1.66 "Mobile Home Park Drive" means any street located within a mobile home park which is utilized for ingress or egress by the residents of the mobile home park and authorized members of the public.

1.67 "Mobile Home Space" means an area of land, within a Mobile Home Park, designed for the accommodation of one Mobile Home in accordance with the requirements set forth in the Code.

1.68 "Mobile Home Stand" means that portion of the Mobile Home Space intended for placement of the Mobile Home proper consisting of an area of ground of dimensions adequate to accommodate the size and weight of the Mobile Home to be accommodated.

1.69 "Non-Residential Use" means any use which does not involve the use of a structure as a dwelling.

1.70 "Nonconformity" means Development which does not comply with the Code or a future amendment and which lawfully existed on the effective date of the Code or future amendment.

1.71 "Northern Valley Agricultural Area" means agricultural land north of the Santa Fe Metropolitan Area and South of the Espanola Metropolitan Area on which permitted or declared water rights are being put to beneficial use for agricultural purposes.

1.72 "Owner" means any person or his successor in interest who purchases or leases land within a subdivision from a subdivider.

1.73 "Parcel" means a quantity of land not dedicated for public or common use capable of being described with such definiteness that its location and boundaries may be established, and includes but is not limited to lots.

1.74 "Parcel, double frontage" means a continuous (through) parcel of the same depth as the width of a block and which is accessible from both of the streets upon which it fronts.

1.75 "Parcel, single tier" means a parcel which backs upon a limited access highway, a railroad, a physical barrier, or a non-residential use and to which vehicular access from the rear is usually prohibited.

1.76 "Permitted Rights" means the right to appropriate water to beneficial use as authorized by a permit issued by the Director of the Water Resources Department of the Natural Resources Division other than a permit issued under the provisions of Section 72-12-1 NMSA 1978.

1.77 "Person" includes an individual partnership, association, corporation, Indian tribe, the State, any political subdivision of the State and its agencies or any other entity.

1.84 "Residential" means arranged, designed, and used as a Dwelling.

1.85 "Sediment" means soil or other surface material transported by wind or surface water as a product of erosion.

1.86 "Septic tank system" means a tank which is designed and constructed to separate solids from the liquid and digest organic matter through a period of detention together with an absorption field.

1.87 "Site" means the location of a Lot or Parcel.

1.88 "Soil Survey" means a national cooperative soil survey conducted by the United States Department of Agriculture in cooperation with the State Agriculture Experiment Station and other federal and state agencies or any other survey containing information of comparable quality and detail approved by the Natural Resource Conservation District.

1.89 "Solid Waste" means any solid or semi-solid discarded material which results from household, commercial, industrial or other operations, but does not include water-carried waste in sewage systems.

1.90 "Street" means all real estate dedicated or intended for public use for access to abutting lands or subject to public easements therefor, whether improved or unimproved and whether designated as a street, highway, thoroughfare, parkway, throughway, expressway, road, alley, avenue, boulevard, lane, place, circle or however otherwise designated, and including median and divider strips, sidewalks, curbs, gutters and borrow ditches.

1.91 "Street, collector" means a street that serves as a connection between several local streets and one or more arterial streets.

1.92 "Street, cul-de-sac" means a local street with only one outlet and culminated by a turnaround.

1.93 "Street, local" means a street of relatively short length that provides direct access to a limited number of abutting properties.

1.94 "Street, marginal access" means a local or minor (service) street which parallels and is immediately adjacent to

a major street or highway, and which provides access to abutting properties and protection from through traffic and control of intersections with major traffic streets.

1.95 "Street, roadway" means that portion of the street available for vehicular traffic and, where curbs are laid, the portion from back-to-back of curbs.

1.96 "State Engineer" means the duly authorized State Engineer of New Mexico whose office has jurisdiction over surface and subsurface water rights.

1.97 "State Environmental Improvement Division" means that duly authorized agency of the State of New Mexico whose agency has jurisdiction over water quality, water delivery systems, liquid waste disposal system and solid waste systems.

1.98 "State Highway Department" means that duly authorized agency of the State of New Mexico whose agency has jurisdiction over the construction and maintenance of all state and federal highways.

1.99 "Structure" means anything constructed or installed or portable, the use of which requires a location on, above or under a Parcel of Land, including without limitation a Dwelling, a movable Structure, while it is located on land, usable for housing, business, commercial, agricultural or office purposes either temporarily or permanently; advertising signs, billboards; poles; pipelines, transmission lines; and tracks; provided, however, that Structure does not include fences and signs used for advertising consisting of less than 3 square feet. "Structure" does not mean walls, fences, telephone booths, swimming pools, wells, septic tanks, drainfields, cesspools or privies.

1.100 "Subdivider" means any person creating a Subdivision, or any person engaged in the sale or lease of subdivided land which is being sold or leased by the owner in the ordinary course of business.

two (32) feet designed to be transported and intended for human occupancy as a dwelling for short periods of time and containing limited or no kitchen or bathroom facilities.

1.107 "Type I Subdivision" means any Subdivision containing five hundred or more parcels, any one of which is less than ten acres in size.

1.108 "Type II Subdivision" means any Subdivision containing not less than twenty-five but not more than four-hundred-ninety-nine Parcels, any one of which is less than ten acres in size.

1.109 "Type III Subdivision" means any Subdivision containing not less than five but not more than twenty-four parcels, any one of which is less than ten acres in size.

1.110 "Type IV Subdivision" means any Subdivision containing twenty-five or more Parcels, each of which is ten acres or more in size.

1.111 "Type V Subdivision" means any Subdivision containing not less than five Parcels and not more than twenty-four Parcels, each of which is ten acres or more in size.

1.112 "Water Conservation Covenant" means a covenant running with the land which requires the owner to observe certain water conservation practices.

1.113 "Watercourse" means any river, creek, spring, stream or any other like body having definite banks and evidencing the occasional flow of water.

1.114 "Water Supply System" means a system to provide water for domestic use or human consumption.

SECTION 2 - DEFINITIONS IN SUBDIVISION REGULATIONS.

The definitions provided in the Subdivision Regulations are incorporated as part of Article X of the Code and the definitions may be reproduced as part of Article X in any reproduction of the Code.

SECTION 3 - MISCELLANEOUS

When not inconsistent with the context, words used in the present tense include the future tense; words used in the plural form include the singular form. The word "Shall" is mandatory, and the word "may" is permissive.

411-202

PASSED, ADOPTED, AND APPROVED by the Board of County Commissioners of Santa Fe County, New Mexico as Ordinance No. 1980-6 to take effect on January 1, 1981

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

Bennie J. Chavez
BENNIE J. CHAVEZ, Chairman

This Ordinance was recorded in the Santa Fe County Ordinance Book on _____, 1980.

Sandra L. Fraker
Santa Fe County Clerk

(Land Development Code)