

**Santa Fe County  
SLDC 6 Month Review Draft Changes  
Sustainable Land Development Code**

**August 2016**



***Public Comments***



**From:** Kevin Box [<mailto:kevin@outsidetheboxstudio.com>]

**Sent:** Thursday, August 11, 2016 2:13 PM

**To:** Vicki Lucero; Penny Ellis-Green; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal

**Subject:** Amendments to Gravel mining restrictions within the new county code

My name is Kevin Box and I am a small business owner in Santa Fe county working hard to grow our local, creative economy while preserving the characteristic beauty that is the source of our collective wealth in this region. I am a long standing board member of the Santa Fe Studio Tour and The Turquoise Trail Association. The TTA wrote the grants responsible for establishing NM 14 as a National Scenic Byway and I stand by the corridor management plan that was created in that process by local leadership, the community and its stakeholders with this mission:

“To achieve an environmentally clean, scenic corridor with managed growth and have the ability to provide travelers with an interesting, educational, recreational, cultural, historic, and natural experience.”

I welcome you to learn more about this comprehensive planning that was done and recognize how gravel mining does not fit into this vision by reading the corridor management plan online at: <http://www.turquoisetrail.org/nsb/cmp.html>

Please adjust the current proposal to NOT allow gravel mining or allow it on a more restricted level to protect our scenic corridor like the following:

Requirements under Code section 10.19. Small Scale Sand and Gravel Extraction as well as those for DCIs, Section 11.10. appear strong and directive. However there are several areas we would like to see clarified in order to maintain the character of rural residents:

§ **set-backs:** the current Code allows for sand & gravel operations with *only 200 foot setbacks* from property lines, etc. I think it should be at minimum 1,000 feet.

§ **duration:** the current Code has *no time limit* on how long a sand & gravel business can operate. I believe there should be a 2 year maximum;

§ **size of operation:** the current Code separates sand & gravel operations into 2 categories - under 10 acres, and 10 or more acres. I believe they should be under 5 acres and 5 or more acres.

To inspire and be inspired,  
not necessarily in that order.....

Kevin Box  
Box'Studio LLC.  
land: 505-471-4688  
air: 505-946-8508  
see: [www.outsidetheboxstudio.com](http://www.outsidetheboxstudio.com)  
[www.origamiinthegarden.com](http://www.origamiinthegarden.com)



From: Nancy Tapp [<mailto:nancy@carlantapp.com>]  
Sent: Saturday, August 06, 2016 10:51 AM  
To: Vicki Lucero  
Subject: Comments for SLCD

It was my personal experience trying to open a small business along HWY 14 that I became acquainted with the Sustainable Land Development Code that went into effect January 2016. The new rezoning and unreasonable regulations made it impossible for us to go ahead with our plans.

After studying the overlay of what businesses are permitted and not permitted in Los Cerrillos and Madrid I found the new rezoning and regulations to be a flagrant use of censorship and discrimination by Santa Fe County. I understand not permitting businesses that have a negative impact on the environment or a distraction along HWY 14, but not to be able to open a gallery, etc. (the list is too long to include here) And what about rezoning Madrid from commercial/residential to traditional village? That alone will eventually destroy Madrid's honest, welcoming diversity. Not only is this shocking it's unconstitutional.

What is Santa Fe County's vision here? Is it to create a tidy homogenized area void of the diverse culture that has made this county what it is? If the handful of people who are behind SLDC don't want us riff-raff along HWY 14 I suggest you move to Scottsdale.

Nancy Tapp

**From:** Nancy Tapp [<mailto:nancy@carlantapp.com>]  
**Sent:** Sunday, August 28, 2016 4:31 PM  
**To:** Robert Griego  
**Subject:** Re: SLDC Public Comment

On 8/26/16, 9:46 AM, "Robert Griego" <[rgriego@santafecountynm.gov](mailto:rgriego@santafecountynm.gov)> wrote:

Dear Robert,

Thank you for your email. BTW, you're the first person that has ever answered any of my emails or phone calls. I hope the following scenario helps your office understand what it's like for an individual or mom and pop to do business in Santa Fe County:

A girl wants to open a lemonade stand in Santa Fe County. Her property is zoned residential/commercial. She's told she needs a business license and goes into the county office to get one. She finds out that before she can get a license she has to go before a board and that cost \$285. Several board members don't like lemonade and vote her request down (censorship). She's then told she needs to do a traffic and water use study even though she anticipates only foot traffic and will be using no more than a couple of gallons of water a day to make lemonade. It doesn't matter she's told—those are the rules. She doesn't have the financial resources for those studies (discrimination). She leaves the meeting \$285 poorer and out of business before she could even open

her stand. Whatever happened to free enterprise? Whatever happened to life, liberty and the pursuit of happiness?

I don't know what else to say. My husband and I had an unbelievable experience with your office. I've managed 2 small businesses in Santa Fe for 14 years and couldn't believe the brick wall we hit with the SLDC when we tried to open our own outside the city limits. Your office has made it next to impossible unless one has an ENORMOUS budget. These new rules are fine to control large developments that impact the area's natural resources and traffic but they're ridiculous for the rest of us.

The only reason I took the time to write this is in hopes it may help somebody else in the future. We're looking elsewhere.

Nancy Tapp

**From:** STEPHEN SHEPHERD [<mailto:esteban69@prodigy.net>]

**Sent:** Friday, August 12, 2016 7:38 PM

**To:** Vicki Lucero; Penny Ellis-Green; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal

**Subject:** Subject: Amendments to "Small Scale Sand and Gravel Extraction"

I am a Madrid landowner and volunteer firefighter since 1999. My 48 acre parcel and home is next to one of Madrid's most famous landmarks: the large tipple pile that was used for the movie "The Man Who Fell To Earth". I fully support the recommendations to set back, duration and size of operation on Code Section 10.19 and Section 11.10. Please don't let our beautiful town of Madrid fall prey to big business and greedy individuals who do not care about our town.

Requirements under Code section 10.19. Small Scale Sand and Gravel Extraction as well as those for DCIs, Section 11.10. appear strong and directive. However there are several areas we would like to see clarified in order to maintain the quiet enjoyment of rural residents:

- **set-backs:** the current Code allows for sand & gravel operations with *only 200 foot setbacks* from property lines, etc. We think it should be at minimum 1,000 feet;
- **duration:** the current Code has *no time limit* on how long a sand & gravel business can operate. We believe there should be a 2 year maximum;
- **size of operation:** the current Code separates sand & gravel operations into 2 categories - under 10 acres, and 10 or more acres. We believe they should be under 5 acres and 5 or more acres.

Sincerely yours

Steve Shepherd  
2770 State Highway 14 N  
Madrid, NM 87010



Name:

Code Section: 7.11.11.4 No. 3  
.5

Comment: The small community such as Cuarteles, where parcels of land are narrow, and are used for farming and have water rights, cannot be held to the 38 ft. easement. I do intend to give my sons some land to build homes, but 38 ft. takes more than half the property.

Thank you  
Cuarteles Land owner Charlie Ezquerra 753-9635







**Reader View: Last-minute amendment bad for county**

<http://www.santafenewmexican.com/content/tncms/live/4>

Posted: Saturday, February 20, 2016 7:00 pm

By Susan C. Martin

Late last year, the Santa Fe County Commission adopted the 2015 Sustainable Land Development Code after years of public review process and comment. The commission and its staff are to be commended for developing a code intended to protect environmental, historical and cultural resources, reduce air and water pollution, and assure and conserve water resources. The code accommodates community-planning processes while retaining regulatory protections for our land and water resources.

At the Dec. 8 meeting, the commission said the code would be revisited in July 2016 to examine its implementation and make corrections. Commission Chairman Robert Anaya opened the public hearing noting that the December hearing was not a time for major revisions or amendments. He said that he, however, had an amendment and would reserve his comments on it for later. Only after he ended the public's opportunity to participate did Anaya reveal that his proposal would apply to agricultural and ranch zoning and would largely increase the number of allowable family lot splits. While this may sound benign, it could result in nonplanned subdivisions that would strain currently limited water resources and heavily traveled rural roads. The county is already dealing with problems resulting from such lot splits.

Commissioner Kathy Holian, who has long supported the adoption of the new land-use code, spoke against the amendment, stating that the public review process stipulated that some land tracts in agricultural areas must remain intact for wildfire, water and wildlife protections, as well preservation of other archaeological and cultural resources. The amendment passed on a vote of 4-1, with Commissioner Holian casting the only vote in opposition to this development loophole.

Commissioner Anaya's sudden amendment enables large and significant areas of the county to be developed, evading the master plan process, and is ripe for negative unintended consequences and abuse.

The Sierra Club Northern New Mexico Group represents more than 2,000 members in Santa Fe County who commend the county staff and

administration for their years of collaborative work on the Sustainable Land Use Development Code.

We are extremely disappointed with those commissioners who voted for this proposal to undermine the code's protections.

*Susan C. Martin is a 33-year resident of Santa Fe County and an attorney. She has worked as counsel to the U.S. House Energy and Commerce Committee, the Natural Resources Defense Council and the New Mexico Environment Department. Currently she is political chairwoman, Northern New Mexico Group, Rio Grande Chapter, Sierra Club.*

**From:** Carmen Payne [<mailto:carmenepayne@windstream.net>]

**Sent:** Monday, August 01, 2016 7:38 AM

**To:** Henry P. Roybal

**Cc:** Shirley; Gilberto Madrid; Josie Atilano; Anita Padilla; Gilbert Martinez; Diana Bryer; Judy Deaquero-Pippin; Ray Matthew; Mr. Q; Robert Griego; Ron Martinez; Sarah B. Ijadi

**Subject:** SLDC AMENDMENT REQUEST for Cuarteles and traditional communities

Dear Commissioner Roybal:

You may remember me as the person who spearheaded the petition to return Cuarteles back to its original "Traditional Community" status in 2014. We are elated that the Commission listened to us and adopted our request.

We are back to ask for the Commission's help again. In reviewing the SLDC adopted in December 2015, we noticed that the road standards were not modified to include a provision for communities such as ours. The current provisions jump from a driveway with a maximum of two dwellings to a road that has average daily traffic of 300. The 38' easement requirement is still the requirement for rural traditional communities such as Cuarteles. We still believe this is a totally onerous and unacceptable requirement for communities such as ours.

With the understanding from the County website that the Commission is going to entertain amendments to the SLDC in the next months, we wrote a letter to the Commissioners (see copy attached) and sent it to the your staff with a couple of proposed amendments to the road requirements (copies also attached).

As the Commissioner representing our district, I am sure you are familiar with the realities of the lanes/driveways/roads in Cuarteles. Please consider supporting one or the other amendment to the SLDC as the current road requirements are impractical for traditional communities.

We humbly request your support of our request for amendments that more realistically reflects our old, long-standing, traditional community. Please let me know what we can do to further this cause along.

Sincerely,  
Carmen E. Payne  
505-753-2691



Carmen E. Payne and Shirley L. Madrid  
281 State Road 76, PO Box 1305  
Santa Cruz, NM 87567  
Phone: 505-753-2691  
[carmenepayne@windstream.net](mailto:carmenepayne@windstream.net)

July 18, 2016

Board of County Commissioners  
Santa Fe County  
Attn: Growth Management Department  
PO Box 276  
Santa Fe, County 87504-0276

**RE: SLDC CHAPTER 7 ROAD REQUIREMENT CODES**

Dear Esteemed County Commissioners:

First, on behalf of the community of Cuartelez, we wish to express our appreciation that the Commission approved our petition to return Cuartelez to its previous Traditional Community (TC) status on the recently adopted Santa Fe County Zoning Map.

In our presentation to the Commission and staff at the Commission's Special Zoning meeting held on September 16, 2014 in Pojoaque, New Mexico, our group also presented comments regarding the proposed Road Classification and Design standards (p. 18 of those minutes). We argued for the need of modification of the proposed standards to reflect the existing "reality" of our rural, TC areas in the County.

In reviewing the SLDC adopted by the Commission in December 2015, and which became effective in January 2016, we find that the road standards were not modified and that road requirements continue to NOT reflect the reality of the traditional community of Cuartelez (hereinafter referred to simply as Cuartelez). We note an exception was granted for the community of Galisteo (Chapter 9, p. 9-198).

In anticipation of the amendment process taking place beginning July 2016, we are hereby attaching proposed changes to potentially address what we see is an outstanding and vital issue for Cuartelez with regard to the current road requirements, specifically with the limitation of the classification of "Driveways", Code 7.11.12.

We can say with certainty that the developed land in Cuartelez contains many driveways that serve more than two lots. May we respectfully suggest doing a Google Earth search for Cuartelez, NM so that you can see for yourselves the veracity of these statements. The remaining undeveloped land consists predominantly of long, narrow strips of land, and the land available in these parcels for home construction will be significantly reduced due to the current mandate of 38 feet of road easement.

It must also be noted that electric, natural gas, telephone and cable utilities have, for the most part already been installed in Cuartelez as dictated by the utility companies. The most common approach being lines that run adjacent to property fence lines and not necessarily by or under the driveway or lane easements serving these properties.

As previously stated to the Commission at the September 2014 meeting, the community of Cuartelez is served by NM State Road 76. This heavily traveled roadway does not have 38 feet of road and easement in numerous locations. It is impossible to accept that residents of Cuartelez are being required to access their properties by providing 38 feet of road and easement when the major arterial road from which their properties are accessed are in many cases narrower than what the codes requires them to have and maintain on their properties.

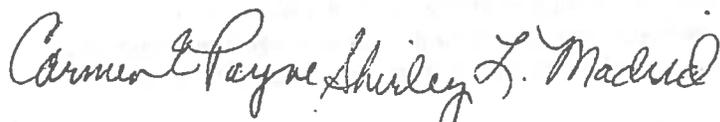
Although our proposal is specific to Cuartelez, it may serve other Traditional Communities as well. The advantage of our proposed amendments to the SLDC "Driveways" code will surely provide benefits to present and future residents of Cuartelez. The current requirement precludes current owners from selling, and potential new owners from acquiring/buying, land in Cuartelez.

Furthermore, the 38 feet road easement requirement is onerous, *and it does not meet the SLDC purpose of providing for livable residential and mixed-use environments; nor does it allow for economy of land use, construction, and maintenance in Cuartelez (Code 7.11.1).*

Failure to approve a fair and realistic amendment to the current road requirements for Cuartelez will continue to result in abandoned homes and properties. The Commission should also consider that with the approval of this proposal, the land transfers/sales to new owners will result in increased tax revenue to Santa Fe County.

Esteemed Commissioners, we appreciate any suggestions and guidance from your Staff and hold expectation of consideration and subsequent acceptance of these proposed amendments. We are also open to any language amendments that the Commissioners or Staff may propose to provide a fair and workable solution to this important issue. We are prepared to answer questions or concerns that may arise and to work with the Commission and its Staff to arrive at an acceptable resolution.

Respectfully,



Carmen E. Payne and Shirley L. Madrid

Attachment: Proposed SLDC Amendments



July 18, 2016

Zoning\_Comm\_A1\_Rural\_Turq zoning\_map\_sdc\_adopted\_12\_8\_15\_ord\_2015\_12

AdoptedSLDC:2015 - Parcels

Residential Estate, RES-E (1 dwelling per 2.5 acres base density)

Traditional Community, TC (1 dwelling per 0.75 acres base density)

Federal and State Lands (not under County zoning jurisdiction)

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),



## **Traditional Community Road Easement PROPOSAL #1**

### **Chapter 7 – Sustainable Design Standards**

#### **Section Contents Page**

7.4 Access and Easements .....	97
7.11 Road Design Standards .....	124

#### **7.4. ACCESS AND EASEMENTS.**

**7.4.1. General Access Requirement.** All development shall provide access for ingress and egress, utility service, and fire protection whether by public access and utility easement or direct access to a public right-of-way.

##### **7.4.2. Access and Utility Easements.**

**7.4.2.1. Access Easements.** Except as provided in § 5.8, legal access shall be provided to each lot through an appropriate easement, deed or plat dedication.

**7.4.2.2. Utility Easements.** Easements shall be provided for utility services including, but not limited to, water, sanitary sewer, gas, electric, and communications (cable/internet/phone). Utility easements shall have a minimum width of seven and ~~onehalf~~ **one-half** (7½) feet, except where a transformer or other facility is required, in which case adequate provision for that facility or transformer shall be made. Where multiple utilities share the same easement, additional width sufficient to avoid conflict shall be provided. Easements shall be established to provide continuity of alignment throughout the area to be served and to adjoining areas. Utility easements shall be located such that each lot can be served by all proposed utilities.

**7.4.6.3.** This requirement may be waived were unusual site conditions render such an easement of no reasonable benefit to adjoining properties or to public safety: **, or when utility company(ies) have dictated otherwise.**

#### **7.11. ROAD DESIGN STANDARDS.**

**7.11.1. Purpose and Findings.** These regulations are designed to:

**7.11.1.1.** Ensure that the design of roads conforms to the policies of the SGMP;

**7.11.1.2.** Provide for the safety for both vehicular and pedestrian traffic;

**7.11.1.3.** Provide for livable residential, mixed-use and commercial environments;

**7.11.1.4.** Provide for economy of land use, construction, and maintenance; and

**7.11.1.5.** Provide safe and efficient access to property.

**7.11.2. Applicability.** The standards of this § 7.11 shall apply to all development. Tables 7-12 and 7-13 provide road design standards. Urban road standards shall apply to all roads within SDA-1 and SDA-2, and to all planned development and mixed-use zoning districts. Rural road standards shall apply to all roads within SDA-3.

**Table 7-13: Rural Road Classification and Design Standards (SDA 3).**

	Avg. daily traffic	# of driving lanes	Lane width (ft)	Non-vehicular side path	Bike lanes	Minimum ROW (ft)	Design Speeds (mph)	Max % Grade	Min. agg. Base course	Double penetration chip seal with fog coat	Min. bit. Pavement	Max % Super-elev.
Major Arterial or Highway	5000 +	2-4	12	n/a	Two 5 Ft on-road	150	Level: 70 Rolling: 70 Mount: 50-60	5%	6"	n/a	6"	8%
Minor Arterial	2000 to 4999	2-4	12	n/a	Two 5 ft on-road	120	Level: 60-75 Rolling: 50-60 Mount: 40-50	5%	6"	n/a	5"	8%
Collector	401 to 1999	2	11	n/a	n/a	80	Level: 40-60 Rolling: 20-50 Mount: 20-40	8%	6"	n/a	4"	8%
Local	201-400 0-200	2	10	n/a	n/a	50	Level: 30-50 Rolling: 20-40 Mount: 20-30	9%	6"	n/a	n/a	n/a
Cul-de-Sac	0 to 300	2	10	n/a	n/a	38	Level: 30-50 Rolling: 20-40 Mount: 20-30	9%	6"	n/a	n/a	8%
<u>Traditional Community (TC) Multi-Family Driveways</u>	<u>0 to 50</u>	<u>1</u>	<u>14</u>	<u>n/a</u>	<u>n/a</u>	<u>20</u>	<u>n/a</u>	<u>10%</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
Driveway	n/a	1	14	n/a	n/a	20	n/a	10%	n/a	n/a	n/a	n/a

**7.11.12.2. Additional Standards for Residential Driveways.**

1. Residential driveways, **with the exception of Traditional Community (TC) multi-family driveways**, shall serve no more than two (2) lots.
2. Lots within residential subdivisions shall be limited to a single access point or driveway. **The Administrator may allow circular driveways if the lot size permits.**

**7.11.13 Traditional Community (TC) Multi-Family Driveways**

7.11.13.1. Traditional community multi-family driveways shall not serve more than twelve (12) dwelling units.

7.11.13.2. Each dwelling unit lot shall provide a turn-around area for emergency vehicles. The Administrator, in consultation with the Fire Marshal, may approve a suitable alternative such as a hammerhead or turnaround.

7.11.13.3. All turn around areas shall be designed to protect existing vegetation and steep terrain.

**ALTERNATIVE PROPOSAL, #2**

**Chapter 7 – Sustainable Design Standards**

**Section Contents Page**

7.4 Access and Easements .....97  
 7.11 Road Design Standards .....124

7.4.6.3. This requirement may be waived were unusual site conditions render such an easement of no reasonable benefit to adjoining properties or to public safety: **, or when utility company(ies) have dictated otherwise.**

**Table 7-13: Rural Road Classification and Design Standards (SDA 3).**

	Avg. daily traffic	# of driving lanes	Lane width (ft)	Non-vehicular side path	Bike lanes	Minimum ROW (ft)	Design Speeds (mph)	Max % Grade	Min. agg. Base course	Double penetration chip seal with fog coat	Min. bit. Pavement	Max % Super-elev.
Major Arterial or Highway	5000 +	2-4	12	n/a	Two 5 Ft on-road	150	Level: 70 Rolling: 70 Mount: 50-60	5%	6"	n/a	6"	8%
Minor Arterial	2000 to 4999	2-4	12	n/a	Two 5 Ft on-road	120	Level: 60-75 Rolling: 50-60 Mount: 40-50	5%	6"	n/a	5"	8%
Collector	401 to 1999	2	11	n/a	n/a	80	Level: 40-60 Rolling: 20-50 Mount: 20-40	8%	6"	n/a	4"	8%
Local	201-400 0-200	2	10	n/a	n/a	50	Level: 30-50 Rolling: 20-40 Mount: 20-30	9%	6"	n/a	n/a	n/a
Cul-de-Sac	0 to 300	2	10	n/a	n/a	38	Level: 30-50 Rolling: 20-40 Mount: 20-30	9%	6"	n/a	n/a	8%
Driveway	n/a	1	14	n/a	n/a	20	n/a	10%	n/a	n/a	n/a	n/a

**7.11.12.2. Additional Standards for Residential Driveways.**

**1. Residential driveways shall serve no more than two (2) lots: lots, with the exception that the Traditional Community (TC) of Cuarteles' residential driveways shall serve no more than twelve (12) lots.**

2. Lots within residential subdivisions shall be limited to a single access point or driveway. **The Administrator may allow circular driveways if the lot size permits.**

APR 2015

which cannot meet the terrain management performance standards shall not be further subdivided or re-platted in a manner which creates an additional number of non-conforming lots or parcels. Additionally, lot line adjustments shall not result in a conforming lot becoming non-conforming based on terrain management performance standards.

**2. Reviews**

**(a) Lot Size Requirement Review.**

The Code Administrator shall review the application for compliance with the Density regulations in Article IIJ, Section 10 of the Code. If the application is for a Small Lot Inheritance Transfer or a Small Lot Family Transfer, the lot size standards in Article II, section 4 shall apply.

**(b) 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, pursuant to Article VI of the Code, will inform the applicant of any additional submittals or reviews required and make the applicable review.

**(c) Environmental Review.**

The Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII, Environmental Requirements.

**(d) Other Reviews**

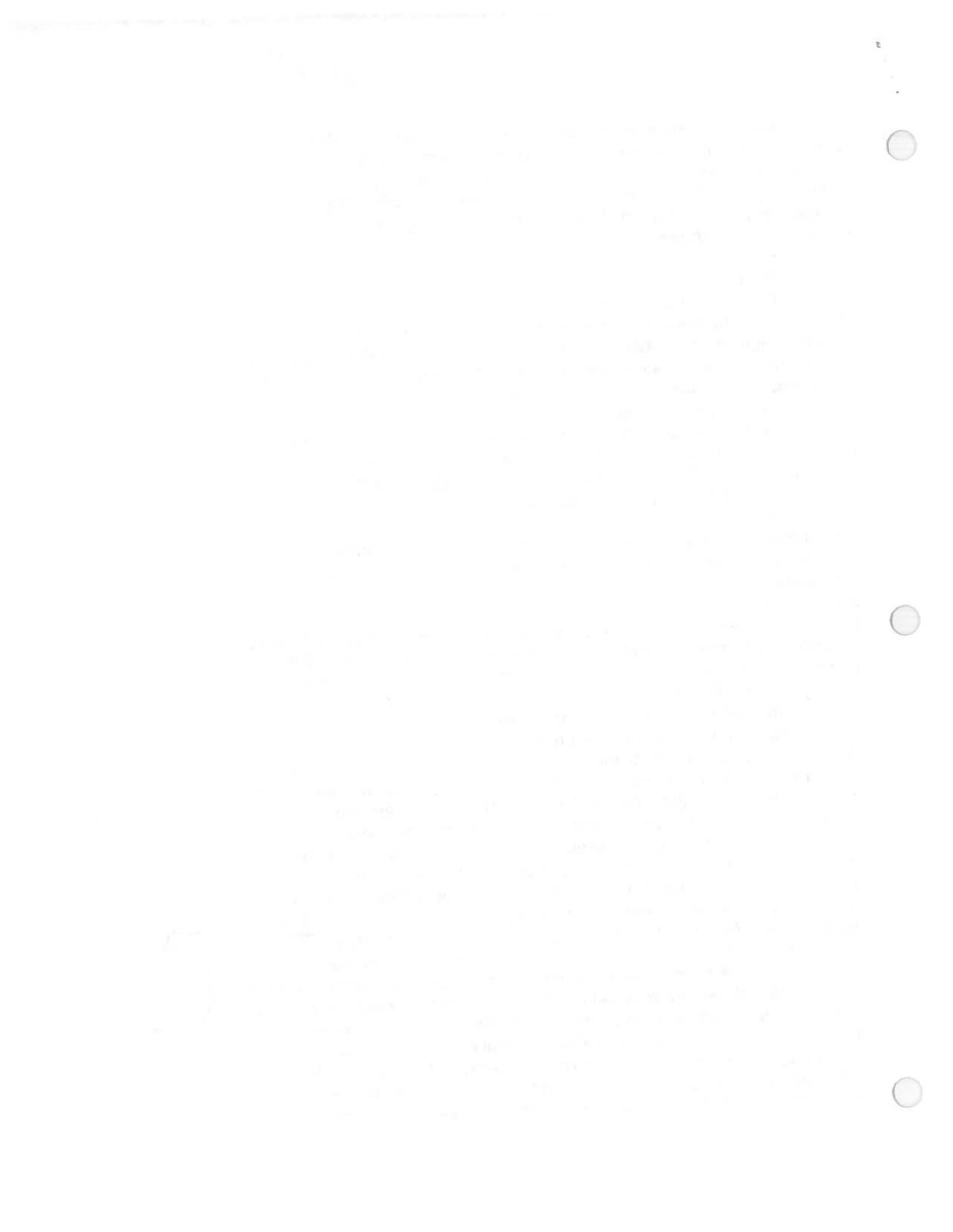
For summary review subdivisions, the Code Administrator shall review the disclosure statement to determine whether the sub-divider can fulfill the proposals contained therein, and whether the disclosure statement is consistent with this Code.

**3. Required Improvements and Standards**

**(a) Roads and Access-On-site and Off-site**

**(1)** Except as provided below in paragraphs (6) - (9) of C this Subsection, all lots created under this Section shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by a road meeting county requirements constructed within an easement and utility easement or by direct access to a public right-of-way. All on and off-site roads shall meet the design standards for a local road as set forth in Appendix 5.8.3, except that the minimum width of any easement created or access purposes shall be no less than twenty (20) feet for access to two (2) lots and no less than thirty-eight (38) feet for access to three (3) or more lots. However, for off-site roads the Code Administrator may reduce the road easement width to no less than twenty (20) feet if adequate drainage control is provided and may allow the road surface to be hard packed dirt with a compaction of ninety-five percent (95%) of the maximum density. All roadways and access shall be subject to the provisions of Section 10.207 of the Uniform Fire Code and to the policy established by the County Fire Marshall Regarding fire apparatus access roads under Section 10.207. Provision of





**From:** cindy and Frank Lux [<mailto:forbeslux@aol.com>]

**Sent:** Saturday, August 13, 2016 11:30 AM

**To:** Vicki Lucero; Penny Ellis-Green; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal

**Subject:** Amendments to "Small Scale Sand and Gravel Extraction"

Commissioners:

Requirements under Code section 10.19. Small Scale Sand and Gravel Extraction as well as those for DCIs, Section 11.10. appear strong and directive. However there are several areas we would like to see clarified in order to maintain the quiet enjoyment of rural residents:

- **set-backs:** the current Code allows for sand & gravel operations with *only 200 foot setbacks* from property lines, etc. We think it should be at minimum 1,000 feet;
- **duration:** the current Code has *no time limit* on how long a sand & gravel business can operate. We believe there should be a 2 year maximum;
- **size of operation:** the current Code separates sand & gravel operations into 2 categories - under 10 acres, and 10 or more acres. We believe they should be under 5 acres and 5 or more acres.

Sincerely yours

Cynthia and Frank lux

52A Las Tres, Galisteo



**From:** Clinton Anderson [<mailto:clint.anderson.10622@gmail.com>]

**Sent:** Saturday, August 13, 2016 3:34 PM

**To:** Miguel Chavez; Liz Stefanics; Kathy S. Holian; Robert A. Anaya; Vicki Lucero; Penny Ellis-Green

**Subject:** Proposed amendments to land-use ordinance

Dear Commissioners and Staff,

Thank you all for the opportunity to give public input on the county code.

Concerning Section 10.19. SMALL SCALE SAND AND GRAVEL EXTRACTION, I am in favor of the proposed amendments, in particular:

1) I agree that a setback requirement of 1000 feet is better than a setback requirement of only 200 feet from the property line. I believe that most Santa Fe County residents would feel that being 200 feet from a sand-and-gravel pit is too close.

2) I agree that a two-year time limit on operations is reasonable. Most of us can tolerate disruptions, such as construction on roads we often use, as long as we know that they won't go on forever.

3) As our northern neighbor Rio Arriba County defines a "small" mine as one less than 2 acres, I support redefining a "small" mine as one less than 5 acres.

Thank you for the opportunity to give input toward balancing the needs of both industry and the rights of residents on these matters, and for all your hard work in getting the county's land-use code to be as good as it is overall.

With appreciation,

Clinton Anderson

P.O. Box 872 (13 Back Road)

Madrid, NM 87010

[Clint.Anderson.10622@gmail.com](mailto:Clint.Anderson.10622@gmail.com)



**From:** Kathryn Toll [<mailto:kathryntoll@gmail.com>]

**Sent:** Saturday, August 13, 2016 6:25 PM

**To:** Vicki Lucero; Penny Ellis-Green; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal

**Subject:** SLDC: Amendments to "Small Scale Sand and Gravel Extraction"

Dear Commissioners and County Staff,

I am planning on attending the public meeting for the 6 month review of the SLDC but would like to go on record with what I see as important changes.

Requirements under Code section 10.19. Small Scale Sand and Gravel Extraction as well as those for DCIs, Section 11.10. appear strong and directive. However there are several areas of concern that should be clarified in order to maintain the quiet enjoyment of rural residents:

- **set-backs:** the current Code allows for sand & gravel operations with *only 200 foot setbacks* from property lines, etc. Please consider at minimum 1,000 feet;
- **duration:** the current Code has *no time limit* on how long a sand & gravel business can operate. That is unreasonable as it allows unsightly scars on the land indefinitely. Please consider a 2 year maximum;
- **size of operation:** the current Code separates sand & gravel operations into 2 categories - under 10 acres, and 10 or more acres. Please consider changing that to under 5 acres and 5 or more acres.

Thank you for all that you do,  
Kathryn Toll

Kathryn Toll  
mobile: 801-560-8014  
home: 505-466-1909

65 Camino Acote  
Santa Fe, NM 87508



**From:** e. [<mailto:trevoroch@aol.com>]

**Sent:** Sunday, August 14, 2016 11:45 AM

**To:** Vicki Lucero; Penny Ellis-Green; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal

**Subject:** Amendments to "Small Scale Sand and Gravel Extraction"

**Subject: Amendments to "Small Scale Sand and Gravel Extraction"**

Requirements under Code section 10.19. Small Scale Sand and Gravel Extraction as well as those for DCIs, Section 11.10. appear strong and directive. However, there are several areas we would like to see clarified in order to maintain the quiet enjoyed by rural residents:

- **Set-backs:** The current Code allows for sand & gravel operations with *only 200 foot setbacks* from property lines, etc. We think it should be at minimum 1,000 feet;
- **Duration:** The current Code has *no time limit* on how long a sand & gravel business can operate. We believe there should be a 2 year maximum;
- **Size of operation:** The current Code separates sand & gravel operations into 2 categories - under 10 acres, and 10 or more acres. We believe they should be under 5 acres and 5 or more acres.

Sincerely yours,

Trevor Burrowes

2836 State Highway 14 N

Madrid, NM 87010



**From:** Chuck Norman [mailto:chuck@vetris.com]

**Sent:** Tuesday, August 16, 2016 3:03 PM

**To:** Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal; Vicki Lucero; Penny Ellis-Green

**Subject:** SLDC Six Month Review Input

Dear Commissioners and Staff,

Thank you all for the opportunity to give public input on the county code.

Concerning Section 10.19. SMALL SCALE SAND AND GRAVEL EXTRACTION, this has shortcomings of a technical nature that need strengthening. I strongly recommend for the protection of our county's rural residents, the following:

1) The mining setbacks of only 200 feet from property lines are clearly NOT adequate protection from negative impacts upon resident's welfare. Instead, a separation distance from residential property lines of at least 1,000 feet is needed to reduce the dust and nuisance noise of crushers and the many (~534) large trucks that are expected from these "small" mines;

2) There are no specified time limits to such operations. The most common federal and state regulations for small mines limit production to 10,000 tons per year. Out of consideration for the County's rural residents who value the quiet peacefulness that life here affords, a two-year duration production limit is necessary and reasonable; and

3) An affected area and mine zone of under-five rather than 10 acres is a fit more compatible with the specified 20,000 ton extraction limit. An affected area (including staging) not exceeding 5 acres will lessen environmental impacts and reclamation needs. (Remember that other counties--Rio Arriba is one--in the attempt to likewise safeguard residents, stipulate that a small mine is one that does not exceed 2 acres, let alone 5

With appreciation,

Charles E. Norman, Jr.





**Santa Fe County  
SLDC 6 Month Review Draft Changes  
Sustainable Land Development Code**

**Public Review Draft Changes**

Name:

Jeffrey & Kathy Lewellen

Physical Address:

133 Major Lads SFNM

Community or Area:

Sun Ranch

SLDC Code Section:

7.13.11.7

Date:

8-16-16

Comment:

We agree with the proposed  
changes related to water harvesting  
and residential catchment  
requirements.

Contact Info:

lfoma@santafecountynm.gov  
Planning Division c/o Lucy Foma  
102 Grant Ave  
Santa Fe, NM 87504





Santa Fe County  
SLDC 6 Month Review Draft Changes  
Sustainable Land Development Code

Public Review Draft Changes

Name:

Ross Lockridge

Physical Address:

123 Waldo St, Cerrillos, NM 87010

Community or Area:

SLDC Code Section:

mainly chapters 10 + 11

Date:

8/16/16

Comment:

There is considerable confusion in the sand + gravel mining regs over definitions + new terms are needed including "mining zone", "separation distance". The internal setbacks of 200 feet don't work mathematically + the results risk unnecessary environmental impacts to the entire 10 acres.

Setbacks from residential structures need to be a minimum of 1,000 feet.

The duration of small mines should be a 2-year maximum. the size of a small mine to work must be under 5 acres.

Contact Info:

[lfoma@santafecountynm.gov](mailto:lfoma@santafecountynm.gov)

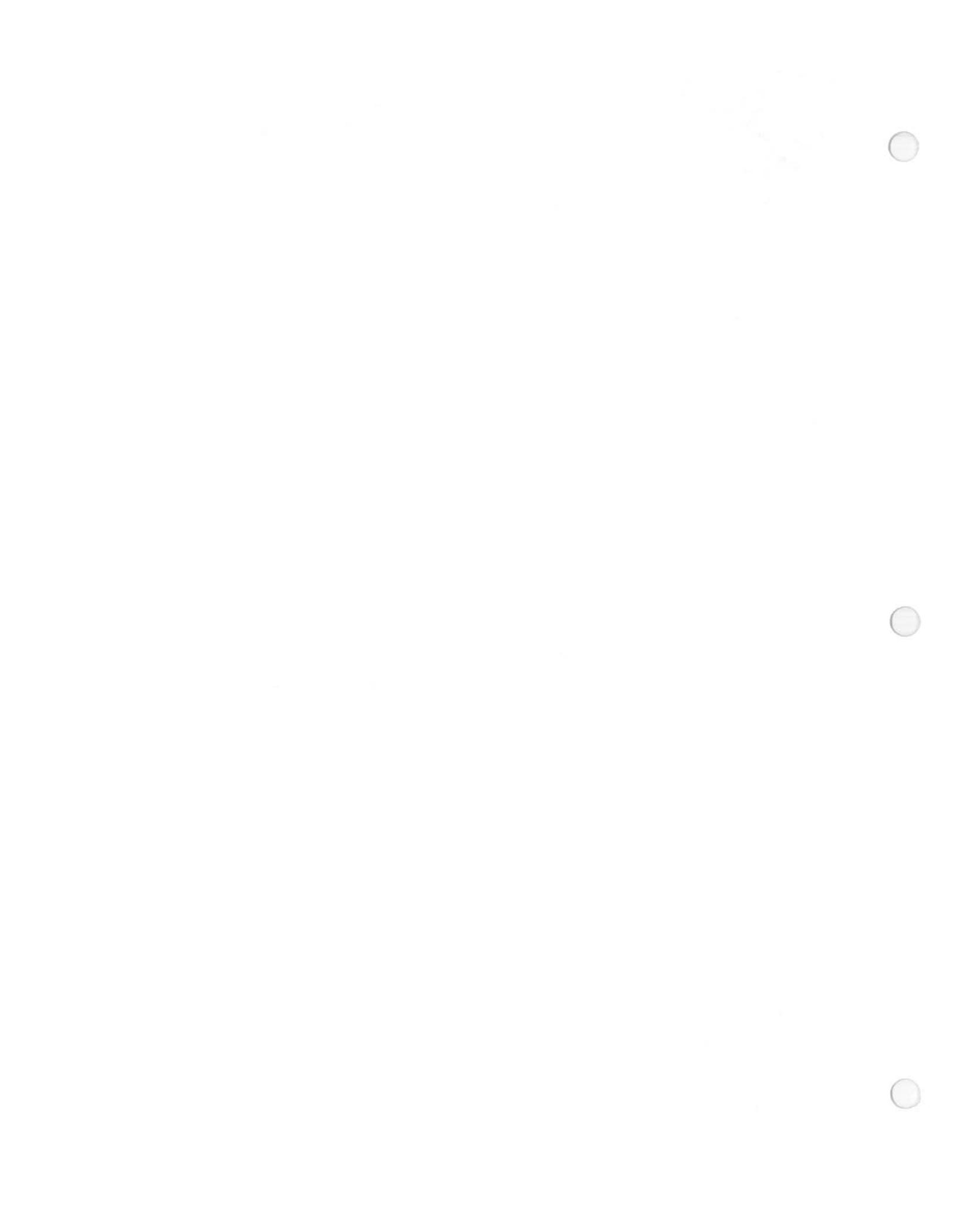
Planning Division c/o Lucy Foma

102 Grant Ave

Santa Fe, NM 87504

I'll send more information on these points.

Thanks, Ross



## **DRAFT AMENDMENTS ON SETBACKS FROM MINES**

For the 6-Month SLDC Review, August 31, 2016

From the RCA, POB 245, Cerrillos, NM 87010

Here are draft amendments, starting with setbacks. In a separate mailing, we'll send amendments on Size (or Scale), Duration and Definitions.

To give setback distances some down-home meaning, the distance in from NM14 on CR57 (Main St.) to the turnout that leads to the Cerrillos Clinic & Post Office is 405 ft. One thousand feet in from NM14 is only a little over *half way* to the intersection of Main and 1st street. The sound of NM14 traffic still quite audible. The 2,000 foot mark reaches the State Park Headquarters flag pole. Sound from NM14 buffered by buildings. Another 540 ft from there to 3rd street all adds up to ~1/2 mile from NM14 to 3rd street. Noise level of NM14 traffic from 3rd street more dependent of wind and weather. I, rl, had measured how many strides it took to walk 100 feet (~37). So these numbers are approximations.

**Notice that the Small Scale mine setback regs use letters a,b,c, whereas the DCIs regs use numbers.**

**DRAFT SETBACKS AMENDMENTS are listed here.** Please read the arguments below them:

- b. 1,000 feet from all public road rights-of-way, public recreational easements, environmentally sensitive lands.
- d. 1,000 feet separation distance from residential structures.
- 2. 1,000 feet from all public road rights-of-way, public recreational easements, environmentally sensitive lands.
- 4. One half mile from parks.
- An edit: c. All vegetation outside of the mining zone boundary and affected area shall be preserved and supplemented, as necessary, for mitigation of negative impacts. ....

**FOR REFERENCE, THE SETBACKS AS CURRENTLY WRITTEN ARE LISTED HERE:**

**Currently 10.19. Small Scale Sand and Gravel Extraction has the following on Setbacks:**

### **10.19.3.17. Setbacks [Small Scale S&G]**

- a. 200 feet from all property lines.
- b. 200 feet from all public road rights-of-way, public recreational easements, and environmentally sensitive lands.
- c. Vegetation within the setbacks from the property boundary shall be preserved and supplemented, as necessary, for mitigation of negative impacts. Existing native vegetation on the entire operation site shall be preserved to the maximum extent possible.

## **ARTICLE XVII DEVELOPMENTS OF COUNTYWIDE IMPACT (DCIs)**

### **10.3.18. Sand and Gravel Operation Setbacks.**

#### **10.3.18.1. Sand and gravel operations shall be setback:**

- 1. 500 feet from all property lines;
- 2. 500 feet from all public road rights-of-way, public recreational easements, and environmentally sensitive lands; and
- 3. One half mile from residential structures.

Unlike with the S&G DCI regs, there is no mention of "residential" setbacks in the Small S&G regs. The DCI regs do have, like the Small S&G regs, a separate setback from "all property

lines”.

The DCI S&G regs list separately setbacks from “all property lines” and from “residential structures”.

What’s needed at the *very least* (see [Kuipers](#) on setbacks) from small mines is 1,000 feet from a residential structure, a new item to 10.19.:

**d. 1,000 feet separation distance from residential structures.**

We would like the same setback from the Turquoise Trail NSB and other scenic roads, & one half mile from parks (note that Buffalo Mountain is ~1,500 feet from CHSP).

It’s interesting to note that rather than a single setback to *all* property lines, Robert Freiligh’s **Table 7-4** lists different Minimum Distances to the edge of 3 different adjacent zones: Residential, Commercial, and Industrial. The county has painted with a broad brush. Small: 200 / DCI: 500 feet to property lines.

Here’s a draft amending Small mines, #b. :

**b. 1,000 feet from all public road rights-of-way, public recreational easements, environmentally sensitive lands.**

Here’s a draft amending DCIs #2.:

**2. 1,000 feet from all public road rights-of-way, public recreational easements, environmentally sensitive lands.**

**Note that “c.” above** doesn’t specify a setback distance. Rather it must be concerned with an interpretation of item “a” where they were assuming there would be internal mining zone setbacks from an affected area. As we are questioning the workability of having 200 foot setbacks within the zone between the affected area and boundary of the mine zone, and replacing the “less than 10” with “less than 5” as a remedy, perhaps the first sentence of the “c” item can be amended:

**c. All vegetation within the setbacks from the property outside of the mining zone boundary and affected areas shall be preserved and supplemented, as necessary, for mitigation of negative impacts. Existing native vegetation on the entire operation site shall be preserved to the maximum extent possible.**

Again the land outside of a “less than 5 acre” mine zone would be off limits to mining and c. should be amended to address that.

Next I’ll be forwarding draft amendments for Scale, Duration, and Definitions.

Ross Lockridge, for the RCA

## Amendments Part 2: DURATION AND ACREAGE & DEFINITIONS Concerning mines

For the 6-Month SLDC Review, August 31, 2016

From the RCA, POB 245, Cerrillos, NM 87010

Ross Lockridge

Both duration and acreage amendments can be made in the first item of **10.19. Small Scale Sand and Gravel Extraction**. This change will likewise require **Article XVII Developments of Countywide Impact (DCIs)** to be amended to "less than 5".

**10.19.1. Applicability.** This section applies to any mineral extraction activity for construction materials, including but not limited to, stone, sand, gravel, aggregate, or similar naturally occurring construction materials that affects less than ~~10 acres~~ **5 acres** of land and extracts less than 20,000 tons of construction material and does not use blasting. Such activity shall be allowed where permitted by the Use Table, Exhibit B, **for a period limited to 2 years duration of extraction activities**, and subject to approval of a conditional use permit (§ 14.9.6.) and the additional requirements of this section.

There is the need to consider some additional text on duration. Consider placing this under **10.19.3.2.2.** as noted below:

**DRAFT AMENDMENT Concept (underlined).** (The SLDC may also have language for temporary time extensions).

### **10.19.3.2.2. Hours and Duration of Operation.**

**10.19.3.2.2.** Hours of operation are limited to the period between sunrise or 7:00 a.m. whichever is latest, and sunset or 6:00 p.m., whichever is earliest, Monday through Saturday. The 2-year duration limit shall not include either the initial staging set-up for the extraction project nor the closure activities including reclamation, but shall encompass the period from startup of extraction, crushing, and transport of the extracted materials until either the 20,000 ton limit is reached or 2 years have passed since the start of extraction activities. The 2 year extraction period may be extended if both, 1) the limit in tonnage has not been reached, and 2) the public is given notice for input of the applicant's written request for an extension. The Code Administrator then has the discretion to extend or not, a period of extraction not to exceed 6 months.

## Amendments to Article **XVII** Developments of Countywide Impact (DCIs)

### **SAND & GRAVEL MINING**

#### **Section 10. Regulations for Sand and Gravel Extraction. (p. 18)**

Concerning acreage, there are 3 places in 10.2.1. where the number 10 needs to be amended **from 10 to 5**. For rationales, see **Jim Kuipers, P.E.**

### **10.2. Applicability.**

**10.2.1.** This Section 10 applies to the extraction and processing of any sand and gravel extraction operation that affects ~~10~~ **5 or more acres** of land or extracts more than 20,000 tons of earth materials, or utilizes blasting. Small, incremental increases of an approved extraction operation by the same owner or operator that effectively avoid the application and approval requirements of this ordinance are prohibited. No applicant, operator or owner, whether individually or as an agent or corporate officer of any business entity, who has been granted an approval to operate a sand and gravel extraction operation of **less than 10 5 acres** of land or less than 20,000 tons of earth material shall be granted approval to operate an expanded or similar extraction

operation on the same or contiguous property, where the total of any additional operation increases the extraction operation to one **in excess of 10 5 acres** of land, or to one in excess of 20,000 tons of earth material. Instead, any such additional operation shall be treated as a DCI and shall require application and processing under this Ordinance.

=====

## DEFINITIONS

Here are 4 new definitions needed to supplement the amendments.

Concerning **Setback**, the internal mining zone setbacks are impractical, unworkable, and too complex *within* a less than 10 acre zone. What is workable will be a "less than 5 acre" **Mine zone** with separation distances out from an **Affected area** or mine zone.

Therefore the definition of Setback becomes more like Robert Freilich's for Separation distance. Here we use Freilich's definition in defining **Setback (mining)**, drafted below. The SLDC has other definitions of setback that are not relevant to mining. Fyi, we have pasted them in below for reference. We are *not* suggesting that they be replaced.

---

## NEW DEFINITIONS:

**Affected Area (mining):** means the area where existing resources are directly impacted by exploration, excavation, extraction, or other specific on-site mining land uses, and including operational space for stockpiling, material processing and handling, parking, roads and associated structures.

**Buffer:** means a planted, bermed, or structural barrier approved by the county for reducing impacts such as noise, dust, or glare.

**Mine Zone or Overlay:** any approved, surveyed and GPSed area identified by a boundary defining the affected area of specific on-site mining land uses.

**Setback (mining):** a required minimum separation distance of specific on-site activities for quarries, and, or gravel excavation or substantial land alteration from adjacent property zoned residential, commercial, and industrial. *[From R. Freilich]*

=====

## DEFINITIONS FOR REFERENCE ONLY NOW IN THE SLDC (the first on mining):

**Sand and Gravel Mining:** mineral extraction activity for construction materials, including but not limited to, stone, sand, gravel, aggregate, or similar naturally occurring loose rocks and materials such as granite, basalt, shale, slate and sandstone. Producing gravel like materials by blasting and breaking solid rock shall be included in this definition.

**Setback (Required Setback):** the minimum distance from the property line to where a structure may be built, as established by the provisions of subsection 7.3.3. Setback establishes the minimum required yard and governs the placement of structures and uses on the lot.

**Setback Line:** the line that establishes the required setback; the distance from which a building or structure is separated from a designated reference point, such as a property line.

Hi Folks,

Sorry to miss the meeting last night in El Dorado. I support the proposed revisions to the rainwater catchment requirements. As an individual who has over 1700 gallons of rainwater barrels plus two pumice wicks routed directly to my landscape I was surprised to learn about the requirement to install a cistern upon remodel of a house. Cisterns may make sense for new construction but would be overkill for a situation similar to mine. They require significant capital expense, electric pumps and more rigorous maintenance requirements. Simple low carbon and flexible solutions are the best and large high quality rain barrels along with wicks meet the need to capture rain water. My rain barrels adequately capture water from all but 20 square feet of my roof area. Any surplus gets routed to my pumice wicks.

In addition to having captured rain water since 2011, I have been a rain, hail and snow observer for a national group (CoCoRAHS) of volunteers since 2012. I have yet to observe any event that my system could not handle.

I applaud the county for promoting rain water harvesting and support the proposed changes to the SLDC.

Kind Regards,

Mike Schneider  
10 Fonda Court  
Santa Fe, NM 87508



As I read the revision to the Ordinance it requires a well use reduction even for a lot line adjustment. This seems unfair, to me, and seems to constitute a "taking" in the context of the Aamodt Settlement.

With some 40 + years of study of the NPT Basin it has been determined by numerous experts and a Federal Judge that the basin now has adequate water for the existing users, both Pueblo and non-Pueblo. No new users are allowed though, except those that connect to a regional system that will import water.

So based on the findings of experts the system is "in balance". Great care has been assigned to each well to make this happen and the Pueblos who have "first right" to the water are in agreement. Much money, time and a great deal of study have determined this to be true.

Under the proposed revision to the ordinance, if I want to move my property line to say accommodate an encroachment by a neighbor or myself, it will be the County's position that I must reduce the use in my well to .25 acre feet after all the experts, the judges, and the Pueblos agree that my current use has no effect on the priority user and all my neighbors. I am creating no new demand and in fact under the settlement I cannot. So I do not understand how the general welfare and safety of the public as whole is affected by my lot line adjustment. If the County wants the water that the experts and a Federal Judge say is an adequate allocation to me then it would appear to me to be a "taking".

That is my burning question but the other thing that seems silly and expensive is all the water catchment stuff required if I do any remodel in my house- considering I am in a Valley Floor along a river with irrigation rights.

The part about the whole thing that makes me scratch my head is how are they going to enforce this stuff?



**From:** Barbara J Briggs [<mailto:15bfirststreet@gmail.com>]

**Sent:** Thursday, August 11, 2016 9:23 PM

**To:** Vicki Lucero; Penny Ellis-Green; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal

**Subject:** Changes to SLDC Code Amendments to "Small Scale Sand and Gravel Extraction"

TO: [vlopez@santafecountynm.gov](mailto:vlopez@santafecountynm.gov), [pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov), [ranaya@santafecountynm.gov](mailto:ranaya@santafecountynm.gov), [lstefanics@santafecountynm.gov](mailto:lstefanics@santafecountynm.gov), [kholian@santafecountynm.gov](mailto:kholian@santafecountynm.gov), [mchavez@santafecountynm.gov](mailto:mchavez@santafecountynm.gov), [hproybal@santafecountynm.gov](mailto:hproybal@santafecountynm.gov)

**Subject: Amendments to "Small Scale Sand and Gravel Extraction"**

Requirements under Code section 10.19. Small Scale Sand and Gravel Extraction as well as those for DCIs, Section 11.10. appear strong and directive. However there are several areas we would like to see clarified in order to maintain the quiet enjoyment of rural residents:

- **set-backs:** the current Code allows for sand & gravel operations with *only 200 foot setbacks* from property lines, etc. **We think it should be at minimum 1,000 feet;**
- **duration:** the current Code has *no time limit* on how long a sand & gravel business can operate. **We believe there should be a 2 year maximum;**
- **size of operation:** the current Code separates sand & gravel operations into 2 categories - under 10 acres, and 10 or more acres. **We believe they should be under 5 acres and 5 or more acres.**

Sincerely yours,

Barbara J Briggs  
Cerrillos Station LLC  
15B First Street  
Cerrillos NM 87010  
[15bfirststreet@gmail.com](mailto:15bfirststreet@gmail.com)  
505 474-9326



**From:** ROBERT R ROMERO [<mailto:PMRRROMERO@msn.com>]  
**Sent:** Tuesday, August 16, 2016 12:25 PM  
**To:** Robert Griego; Penny Ellis-Green  
**Cc:** Carl Dickens; Jose Varela-Lopez; Paul Olafson  
**Subject:** Re: Religion versus Traditional Historic

Robert Greigo,

Why doesn't the SLDC plan restrict this type of land use especially when it comes to an established community with a community plan? Should not the County be protecting our plan by keeping this area residential as planned? Taking these multi million dollar properties out of the tax base has a direct effect on the rest of us Santa Fe County tax payers. Why should religious groups get a free ride and not have to go through the process at the very least? Once again where is my community protection under the religious freedom act? La Cienega has long been established as a Christian community . If this type development is allowed to continue unchecked it won't be long before our community and its identity is lost to an influx of religious fanatics migrating here because of this precedent being set. If this group was serious about becoming part of the community why wasn't involved with the community planning process they have been here for a number of years there's no excuse for them not to have been involved and to have brought their plan to the table then. From my perspective what they're proposing is not welcome and contrary to our community plan I have always been a strong defender of private property rights, this is unfair to the rest of us Santa Fe County taxpayers. What's the point in community planning if the county is going to go ahead and decide what's best for us anyway and allow development like this to occur without at the very least a public hearing so this applicant could at least face their intrusion into our community and possibly realize the effects of their plan on our Traditional Historic Community.

It is unfair for some of us who spent decades on a plan for the La Cienega community just so someone can come in overnight and establish themselves in such a way contrary to the La Cienega community plan which calls for residential in this area and not some fly-by-night conference center catering to religious beliefs which don't even reside in the community.

Robert R Romero 3/R

PS, My comments are my own and although members of my community share my concern, they should not be affiliated with any organization that I am involved with at this time . I believe this is why our country is so screwed up, because of religion been impose on people who do not even subscribe to such a thing. I believe "Faith" is the guiding force in our lives and it is what I am fast losing in my Santa Fe County.

---

**From:** Robert Griego <[rgriego@santafecountynm.gov](mailto:rgriego@santafecountynm.gov)>  
**Sent:** Tuesday, August 16, 2016 2:50:31 PM  
**To:** ROBERT R ROMERO; Penny Ellis-Green  
**Cc:** Carl Dickens; Jose Varela-Lopez; Paul Olafson  
**Subject:** RE: Religion versus Traditional Historic

Robert,

The SLDC does not allow Community Overlay Districts to restrict religious institutions (SLDC section 8.11.3.5 copied below). Therefore, the Use Table for La Cienega and La Cieneguilla is the same as the County for religious facilities which is a permitted use.

**8.11.3.5. Community Overlay District Regulations.**

**2. A community overlay district shall not restrict the following:**

**g. religious institutions;**

*Robert Griego, AICP  
Planning Manager  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87504  
Phone: 986-6215*



**From:** ROBERT R ROMERO [<mailto:PMRRROMERO@msn.com>]

**Sent:** Saturday, August 13, 2016 8:24 AM

**To:** Penny Ellis-Green; Robert Griego

**Cc:** Robert A. Anaya; Liz Stefanics; Miguel Chavez; Kathy S. Holian; Henry P. Roybal; Carl Dickens; Jose Varela-Lopez

**Subject:** Re: Religion versus Traditional Historic

Penny and Robert

Thank you for your response, I plan on attending the SLDC meeting at the Rancho Veiejo fire station on 24 August where I will express my discontent with your overlay plan on my community. I believe your plan caters to developers and those who can afford to meet the county stringent requirements and does nothing to protect the traditional ranching and farming communities that have been here in Santa Fe County for centuries and it won't be long before the agricultural community of La Cienega becomes just another Canyon Road or Agua Fria, swallowed up by development and invaded by tourist.

Best regards,

Robert R Romero 3/R

PS you can include this email in the packet as well, thank you

---

**From:** Penny Ellis-Green <[pengreen@santafecountynm.gov](mailto:pengreen@santafecountynm.gov)>

**Sent:** Friday, August 12, 2016 9:58:00 PM

**To:** ROBERT R ROMERO

**Cc:** Robert Griego

**Subject:** RE: Religion versus Traditional Historic

Robert

I will include this email in the file.

The Community Overlay allows any religious facility as a permitted use. If the development complies with code requirements it will be approved in accordance with the SLDC.

We will inform you of a final decision.

Penny

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

**From:** ROBERT R ROMERO [<mailto:pmrromero@msn.com>]

**Sent:** Thursday, August 11, 2016 12:09 PM

**To:** Penny Ellis-Green

**Cc:** Robert A. Anaya; Robert Griego; [estancia1966@gmail.com](mailto:estancia1966@gmail.com); [jimtrujillo@msn.com](mailto:jimtrujillo@msn.com); Miguel Chavez; Henry P. Roybal; Liz Stefanics; Kathy S. Holian

**Subject:** Religion versus Traditional Historic

Dear Penny,

I'm writing you regarding the public notice given below. It is my opinion that allowing this religious facility or any other to establish itself at the entrance of the La Cienega Village would be contrary to established Traditional Historic Community of La Cienega provided by New Mexico State law. I believe it is also contrary to our community plan which I have had over 20 years of involvement, in which "the plan" predominately expresses the intent of the community to remain agricultural and residential this use does not conform. This type of use also could present restrictions on surrounding properties should the community decide to change its plan to allow commercial or other use in this area in the future. I believe that any group imposing itself on the La Cienega community in such away is unacceptable especially when there is been an established religion in the La Cienega community for well over 400 years (where is our protection under the religious freedom act?) this application should be denied or at the very least be given a public hearing at the applicants expense so more notice can be given and the existing community can be heard before the new community begins to establish itself. Please inform me of your decision I understand I have five days to request a public hearing on your administrative decision on this application once it has been made, Considering the far-reaching implications this application and others like it may have on Santa Fe County you may consider bringing this to public hearing yourself if it's within your ability and concern. Thank you.



**From:** Lois Lockwood [mailto:lokinlo@cybermesa.com]

**8.16.16**

**To:** Penny Ellis-Green

**Subject:** SLDC Comment

Lois Lockwood (Eldorado) does not want parking lots and parking garages combined on the US285 use list (section 9.10)



**From:** Robert Kreger [mailto:kregerdesignbuild@msn.com]

**8.16.16**

**To:** Penny Ellis-Green

**Subject:** SLDC Comment

Robert Kreger – Hers 70 rating (Section 7.14), wants to add that 3<sup>rd</sup> party verification is required at each stage of development and to require a final certification



**From:** Nambe Community Center

**8.9.16**

**To:** Penny Ellis-Green

**Subject:** SLDC Comment

Nambe area meeting (I did not get a name) 7.13.11.2 should apply to new landscaping on all lots (not existing landscaping).



**From:** Nambe Community Center  
**8.9.16**  
**To:** Penny Ellis-Green  
**Subject:** SLDC Comment

Nambe area meeting (group discussion) 7.11.11.4.3 should apply to offsite ad on-site roads for these exemptions.



**From:** ryan touns [mailto:findingrien@yahoo.com]

**Sent:** Tuesday, August 23, 2016 9:28 PM

**To:** Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal; Vicki Lucero; Penny Ellis-Green

**Subject:** SMALL SCALE SAND AND GRAVEL EXTRACTION

Dear Commissioners and Staff,

Thank you all for the opportunity to give public input on the county code.

Concerning Section **10.19. SMALL SCALE SAND AND GRAVEL EXTRACTION**, this has shortcomings of a technical nature that need strengthening. I strongly recommend for the protection of our county's rural residents, the following:

- 1) The mining setbacks of only 200 feet from property lines are clearly NOT adequate protection from negative impacts upon resident's welfare. Instead, a separation distance from residential structures of at least 1,000 feet is needed to reduce the dust and nuisance noise of crushers and the many (~534) large trucks that are expected from these "small" mines;
- 2) There are no specified time limits to such operations. The most common federal and state regulations for small mines limit production to 10,000 tons per year. Out of consideration for the County's rural residents who value the quiet peacefulness that life here affords, a two-year duration production limit is necessary and reasonable; and
- 3) An affected area and mine zone of under five rather than 10 acres is a fit more compatible with the specified 20,000 ton extraction limit. An affected area (including staging) not exceeding 5 acres will lessen environmental impacts and reclamation needs. (Remember that other counties--Rio Arriba is one--in the attempt to likewise safeguard residents, stipulate that a small mine is one that does not exceed 2 acres, let alone 5.)

Thank you for the opportunity to give input toward balancing the needs of both industry as well as the rights of residents on these technical issues critical to the success of the code.

With appreciation,

Ryan Touns



**From:** Marie Harding [<mailto:mharding@synergianch.com>]

**Sent:** Wednesday, August 24, 2016 3:16 PM

**To:** Miguel Chavez; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Henry P. Roybal; Vicki Lucero; Penny Ellis-Green

**Subject:** SLDC Six Month Review Input

Dear Commissioners and Staff,

Concerning Section **10.19. SMALL SCALE SAND AND GRAVEL EXTRACTION**, which has shortcomings of a technical nature that need strengthening. Please consider for the protection of our county's rural residents, the following inputs:

1) The mining setbacks of only 200 feet from property lines cannot be considered adequate protection from negative impacts of mining upon resident's welfare. A minimum of 1,000 feet is barely adequate to reduce the dust and harsh nuisance noise of crushers and the many (~534) large trucks that are expected from these what are being labelled "small" mines;

2) There are no specified time limits to such operations. The most common federal and state regulations for small mines limit production to 10,000 tons per year. Out of consideration for the County's rural residents who value the quiet peacefulness that life here affords, a two-year duration production limit is necessary and reasonable; and

3) An affected area and mine zone of under five rather than 10 acres is a fit more compatible with the specified 20,000 ton extraction limit, and is somewhat more compatible with being called a "small mine". An affected area (including staging) not exceeding 5 acres will lessen environmental impacts and reclamation needs. (Remember that other counties--Rio Arriba is one--in the attempt to likewise safeguard residents, stipulate that a small mine is one that does not exceed 2 acres, let alone 5.)

Thank you for the opportunity to give input toward balancing the needs of both industry as well as the rights of residents on these technical issues critical to the success of the code.

With appreciation,

Marie Harding

Synergia Ranch  
26 Synergia Road  
Santa Fe, NM 87508  
Tel: 505 471 2573  
Web: [www.synergianch.com](http://www.synergianch.com)



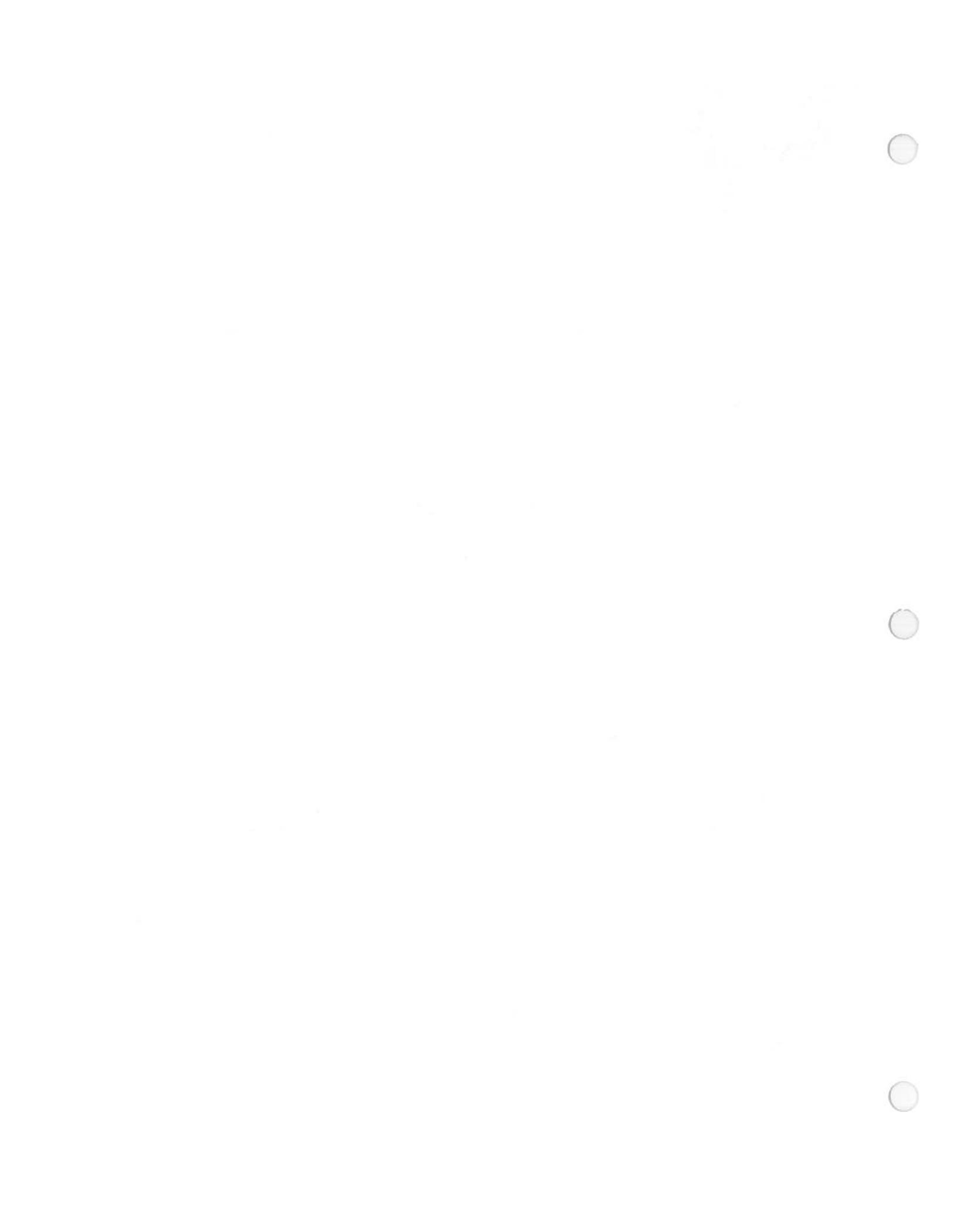


Santa Fe County  
SLDC 6 Month Review Draft Changes  
Sustainable Land Development Code

Public Review Draft Changes

Name: ALLYN McCRAY  
 Physical Address: 181 SAN MARCOS LOOP, SANTA FE, NM 87508  
 Community or Area: RANCHO SAN MARCOS  
 SLDC Code Section: \_\_\_\_\_  
 Date: 8/24/16

Comment: from our HOA, Canyon Gate,  
IN RESPONSE to 2 EMAILS people, IN OUR COMMUNITY  
have received regarding PROPOSED SAND and  
GRAVEL mining operations IN OUR AREA (RANCHO  
SAN MARCOS), I SPEAK ON behalf of THE  
residence of some 90 <sup>estate</sup> properties THAT  
we oppose such mining IN THE RANCHO  
SAN MARCOS or Rancho Viejo AREAS. ~~FOR~~ THESE  
residential areas ~~AREAS~~ SERVE to protect AGRICULTURAL and  
ENVIRONMENTAL interests in Santa Fe County  
I was advised to write down this concern  
even though I was advised at the meeting  
that this proposal has not been brought to  
 Contact Info: light concerning Rancho San Marcos  
and Rancho Viejo.  
 lfoma@santafecountynm.gov  
 Planning Division c/o Lucy Foma  
 102 Grant Ave  
 Santa Fe, NM 87504



## Comments/Questions Regarding the Staff Proposed SLDC Changes

COMMENT ID 27,28,29

### 1.11.3 Permits and Approvals with Vested Rights

Proposed addition of language as follows:

**“Vested rights must establish that there was an 1) issuance of written approval to the applicant for the proposed project: and 2) a substantial change in position by the applicant in reliance upon such an approval.”**

Question/comments for Staff:

- Does this mean, for example, that where we have received written approvals for our Village West Master Plan, have completed Phase 1, and are ready to start the next phase, that we would be required to show a “substantial change in position” if there has been a subsequent change in the SLDC, an applicable county ordinance or other law?
- If the answer to the above question is yes, then it appears that the addition of this language defeats the purpose of vested rights and is actually in conflict with the definition of vested rights (included below).
- If the answer to the above question is no, then the statement is unnecessary and confusing because it adds a requirement of proof of an equitable estoppel element to an already existing basic vested right resulting from county approval of a development plan.

The SLDC currently defines vested rights as:

“Vested Rights: right to initiate or continue the use or occupancy of land, buildings or structures, or to continue construction of a building, structure or initiation of a use, pursuant to a prior lawful development approval obtained in good faith, where such use, occupancy of land, or construction is currently prohibited by the SLDC or other applicable county ordinance, statute, judicial decision or regulation in effect. Vested rights include rights obtained under principles of equitable or quasi-equitable-estoppel.”

SLDC, Appdx. A, Pt. 2.

### 6.6.7 Expiration of TIA

Proposed addition of language as follows:

**“The Administrator may require an update or a revision to the TIA before it expires if it is determined that there are significant changes in traffic conditions since the creation of the TIA.”**

Question/comments for Staff:

- Does this place new mitigation burdens on a developer after development plan approval?

## Comments/Questions Regarding the Staff Proposed SLDC Changes

- If so, it creates financial uncertainty and risk for the developer. Pursuant to the current SLDC, the developer has already committed to at least the following based upon the original TIA submitted for an approved development:

At a minimum, the applicant shall be required, at the time of development approval, to pay for applicant's roughly proportional share of the cost for construction, operation and maintenance of all roads in the CIP for transportation facilities for the area in which development project is located. If such roughly proportional share is insufficient to meet traffic adequacy, the applicant may, through a voluntary development agreement, voluntarily advance the cost of additional roadway system improvements and shall be reimbursed when and as additional development projects are approved.

SLDC, 6.6.5.10.

### 7.17.3 Buildable Area

**Proposed addition of language as follows:**

**“A buildable area shall be identified for all lots on any plat and on any site development plan.”**

**Question/comments for Staff:**

- The proposed requirement that a buildable area be identified for all lots on a plat seems unnecessary for large lots and lots reserved for open space or recreation.
- On large lots where multiple areas may be appropriate for buildings, the proposed requirement that a buildable area be identified does not seem practical or useful, particularly as the type of structure(s) to be built may not be known.
- This new requirement may also create a problem in conjunction with 7.17.3.2. which requires that a buildable area “shall include the footprint of the proposed structure.” For certain lots, the footprint of structure(s) may be unknown at the time of the development plan.

**From:** [colorlight@qwestoffice.net](mailto:colorlight@qwestoffice.net) [mailto:colorlight@qwestoffice.net]

**Sent:** Tuesday, August 30, 2016 11:19 AM

**To:** Vicki Lucero; Penny Ellis-Green; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Miguel Chavez; Henry P. Roybal

**Subject:** Gravel Operations on the south end of the town of Madrid

For 20 years I have lived in Madrid, NM and worked in Retail Art Sales in the town of Madrid. 13 of those years in my own business, "color & light".

Madrid's economy (therefore the economy of the State of New Mexico) is directly related to the landscape of New Mexico and SPECIFICALLY TO THE LANDSCAPE OF MADRID.

Madrid was a mining town and visitors to our town have an interest in this unique landscape created by Coal Mining.

The coal slag is the first thing I am asked about when someone comes into my Gallery.

The Coal Slag (RedDog, Gob Pile, etc) is immediately evident as stand-out proof that this town of Madrid has HISTORY.

Taking down any (or if a precedent is set, a great deal) of this history will have a direct negative impact on the economy, health, welfare and history of Madrid and New Mexico.

One small pit = years of more pits spreading throughout Madrid = loss of our unique landscape.

State Highway 14 North is a National Scenic Byway.

Dump Trucks carrying gravel on this National Scenic Byway would be detrimental to the beauty of this Byway and to the community of Madrid as well as the communities south of Madrid.

**I strongly support the Turquoise Trail Regional Alliance Amendments to "Small Scale Sand and Gravel Extraction" as stated below:**

Requirements under Code section 10.19. Small Scale Sand and Gravel Extraction as well as those for DCIs, Section 11.10. appear strong and directive. However there are several areas we would like to see clarified in order to maintain the quiet enjoyment of rural residents:

- **set-backs** : the current Code allows for sand & gravel operations with *only 200 foot setbacks* from property lines, etc. We think it should be at minimum 1,000 feet;
- **duration** : the current Code has *no time limit* on how long a sand & gravel business can operate. We believe there should be a 2 year maximum;
- **size of operation**: the current Code separates sand & gravel operations into 2 categories - under 10 acres, and 10 or more acres. We believe they should be under 5 acres and 5 or more acres.

Sincerely yours,

Susan M. Kelly

2770 State Highway 14 North

Madrid, NM 87010

**From:** karen yank [<mailto:hamonyank@cybermesa.com>]

**Sent:** Tuesday, August 30, 2016 10:55 AM

**To:** Miguel Chavez; Robert A. Anaya; Liz Stefanics; Kathy S. Holian; Henry P. Roybal; Vicki Lucero; Penny Ellis-Green

**Subject:** 6-month SLDC technical review recommendations from the TTRA and its member groups

August 30, 2016

## **THE TURQUOISE TRAIL REGIONAL ALLIANCE**

PO Box 23775, Santa Fe, NM 87502-3775

**Re: The 6-month SLDC technical review, recommendations from groups and residents for changes in sand and gravel mining regulations for the welfare of rural county residents.**

Dear Commissioners and Staff,

There are excellent features under **10.19 Small Scale Sand and Gravel Extraction** as well as those for **DCIs, Section 11.10**. However we--the listed community organizations--have a strong concern for the welfare of rural residents in the issues below, and recommend:

**1) That the mining setbacks in 10.19 of only 200 feet** from property lines, public road rights-of-way, public recreational easements, and environmentally sensitive lands, with no reference to rural residential areas, **are NOT adequate** for the protection of rural residents' health, safety and welfare. We are providing technical evidence and precedence for a minimum of 1,000 feet.

**2) That a two-year duration for small scale mines is necessary** out of consideration for rural residents who value the quiet that life in our very unique County affords; and

**3) That a clearly marked mine zone of the affected area must be confined to under five acres, not ten.** The County consultants once thought that with 200-foot internal

setbacks within a 10-acre zone, the affected area would be less than 5 acres, but this is proving to be mathematically unworkable and can't be maintained in the code. **An "under 5 acres zone" as the Small Scale / DCI cutoff is a better fit using external setbacks and more compatible with the specified limits of tonnage.** With an under 5-acre mine zone, environmental and reclamation concerns could then be better focused and managed. Designing an operation will consequently be more practical for the mining companies to envision and follow, and for the County to enforce.

**4) That DCI mines must also have greater setbacks of at least 1,000 feet** from all public road rights-of-way, public recreational easements, and environmentally sensitive lands; and a one half mile setback from parks.

#### **Precedence for greater setbacks:**

There are plenty of examples of 1,000-foot setbacks from residential property lines. **Robert Freilich, the County consultant who directed the writing of the county's oil/gas ordinance, recommends a "separation distance" of 1,000 feet with or without buffer** (from his book, *21st Century Land Development Code*); 1,000 feet from sand & gravel mines is also used in Rio Arriba County's Ordinance 2000-02; Jim Kuipers, P.E. mining engineer retained by citizens to aid Staff and County consultants, notes that Olathe City, Kansas too supports the 1,000 foot setback and he states that "everything [he] knows suggests that should be a minimum for a variety of reasons". Staff has been provided (July 18 & 21) with the source documents of this precedence.

Also concerning the need for sufficient setbacks from the affected area, it is necessary to have an understanding of the numbers of trucks that will be needed. In particular, the number of "trucks and pups (trailers)" one way trips that would be required to remove 20,000 tons of sand & gravel. **Using Mr. Kuipers estimate of 38.2 tons carrying capacity per truck, we calculate to be ~524 vehicle loads.** But he notes that it may take more, as crushed material that fits in the truck might not equate to the trucks maximum carrying capacity.

#### **Size and duration precedence:**

Mr. Kuipers has also provided information and knowledge describing the acreage generally needed for the extraction of 20,000 tons which, when depth of extraction is considered, appears to be well under 5 acres, let alone 10 (see math: Volume / depth per acre); and **concerning duration he notes that "[the most common federal and state regulations for small miners limit production to 10,000 tons per year"]**.

**Volume / depth per acre:**

Input from Mr. Kuipers: "110#/cubic ft. is a relatively standard figure for density of sand or gravel. For one acre, 20,000 tons x 2000#/ton x cubic ft./110# x acre/43,560 square ft. = 8.4 ft. depth. If they then mine the same volume from five acres you spread out the operations and get 1/5th the depth or 1.7 ft. depth. Keep in mind that the same acreage also has to apply to any roads, stockpiles or other areas, so as a rule of thumb I'd suggest 50% of the area is actually mined at any given time. So that would mean double the depths calculated above as a result."

**Summary:**

Please adopt these recommendations: to increase the setbacks for small mines to reasonable distances of 1,000 feet from residential structures, empathize with rural residents for the need of a specified duration for a period of 2 years, focus the affected area of mining to under 5 acres, and concerning DCI operations, extend the buffers from 500 feet to 1,000 as noted, and one half mile from parks.

**SIGNED:**

**The Board of the Turquoise Trail Regional Alliance** (Michael Madden, President; Karen Yank, Vice-President; Marc Choyt, Secretary; Toni Olson, Treasurer; Roger Taylor, Member)

**The following Neighborhood and Civic Organizations have endorsed and approve this set of recommendations:**

- Galisteo Community Association
- 285 South Alliance
- No Crude Oil in Lamy
- The Turquoise Trail Association
- The Madrid Merchants Association
- Wild Earth Guardians
- East Mountain Regional Trail Counsel

Earthworks Action  
Rural Conservation Alliance  
San Marcos Association  
Rancho San Marcos HOA  
Concerned Citizens of Cerrillos  
Las Candelas De Los Cerrillos  
San Pedro Neighborhood Association  
Hamaatsa  
Cerrillos Hills Park Coalition  
Coalition for La Bajada Mesa

From: Barbara Briggs [<mailto:15bfirststreet@gmail.com>]

Sent: Tuesday, August 30, 2016 2:17 PM

To: Robert Griego

Subject: Public comment period

Does the public comment period only pertain to some previously proposed amendments to the SLDC that Erin Ortegoza sent out recently or is all of the language of the SLDC open for public comment, in person at the meetings or in writing?

As you know, the county Land Use Department has come up with ongoing requirements for me to convert two small rooms to commercial use at my project in Cerrillos. I have satisfied everything, including paying \$3300.00 for an apron that Miguel Romero approved at 20" wide by 23" deep. He dictated his approval to my staff member after verbally agreeing to shorten the driveway with my husband, with another person present on speaker phone, and then Petra Nalini-Palmer wrote down everything he said. Unfortunately, we did not record by a tape or I phone his words and he has since reneged on his word. Jose is now requiring a variance to shorten the driveway from 30" wide to 50" feet long, about a \$15,000 - \$20,000 project which I cannot afford. He says the variance will take months and he requires all the documentation that we already provided for the SDP. He also requires all the same documents to apply to have a food truck once a month and months of public hearings which is not included in the language of the SLDC. I am sure some other things will be added as well.

Kyle Harwood, in partnership with Representative Brian Egolf, got nowhere moving my application along. My husband had two strokes over it all, trying to help me.

Signed,

Barbara Briggs.

cc Robert Griego, Katherine Miller



**From:** Lynn Pickard [<mailto:lynnpickard1@yahoo.com>]  
**Sent:** Monday, August 29, 2016 10:35 AM  
**To:** Liz Stefanics  
**Cc:** Margo Cutler  
**Subject:** SLDC 6 Month Review Draft Changes

Dear Liz,

I am writing because the Community Organization that I chair, the Tesuque Valley Community Association, is very concerned about many of the draft changes to the Sustainable Land Development Code. Mostly, we are concerned with the vast amount of material (about 100 pages) and the little time between notice (August) and proposed consideration by the BCC (September). This simply does not give the TVCA committee that is charged with reviewing and commenting on the matter enough time to do so, especially considering that the end of summer is when people are vacationing or getting ready for school.

There are many substantive issues that members of our committee are concerned with. To give you an idea of their concerns, I will mention a few.

There are a number of instances where the pertinent language has been changed to cover "all lots" within the county or "all development." It seems to our members that this should be limited to "new" lots or development. Similar problems might arise when the amendments are proposed to apply whenever there is a change, however slight, to a lot line.

Also, a number of the provisions regarding water conservation do not seem to apply to the valley floor in Tesuque and could be inconsistent with various water rights that have been litigated in the Aamodt litigation, as well as inconsistent with the Tesuque Community Plan and Overlay that the BCC already adopted. These documents emphasize preservation of the rural, agricultural nature of Tesuque. Xeriscaping and other water conservation measures appropriate in other areas of the county would not seem to apply to Tesuque.

Members are also concerned with the requirement of well metering by county approved meters when there is no list of approved meters and many people have already installed meters, either for purposes of showing actual use for litigation or for conservation without regard to legal requirements. There is also concern about the cost of and requirements for rainwater catchment, especially on the valley floor.

We ask that you postpone consideration of the changes until our committee has had a chance to go over the proposed changes with county staff and hopefully agree to language that would be satisfactory to all concerned. We are suggesting not considering these amendments for at least another 90 days.

Sincerely,  
Lynn Pickard, co-chair  
Tesuque Valley Community Association





**Santa Fe County**  
**SLDC 6 Month Review Draft Changes**  
**Sustainable Land Development Code**

**Public Review Draft Changes**

Name: Katherine Mortimer

Physical Address: 31 Encantado Loop

Community or Area: Eldorado

SLDC Code Section: 7

Date: 8/31/16

Comment:

The side setbacks in Eldorado were increased to 25 feet which makes many, if not most, of the homes there existing non-conforming. I am the chair of the Architecture Committee and we have had to alert many applicants to possible inability to get a permit once they get our approval. It is not clear how this, or any other, increased side setback benefits the community, particularly how it advances sustainability. Larger distances between buildings on a street reduces the ability to create sustainable neighborhoods or even a feeling of neighborhoods at all. Some of the lots in Eldorado are pie-shaped with the point at the street. These increased setbacks result in people having to build much further back on their property and in some cases resulting awkward building areas with very long driveways and disturbing much more soil, removing more trees, and creating more impervious surface areas. I respectfully request that you reconsider the side setback and return it to its former requirement. Below please find Table 7-A with the side setbacks I would recommend. Also I have suggested deleting a sentence from the note at the end of the table.

Thank you.

**Table 7-A: Setback Table**

Zoning District	Front Setback (Min) ft	Front Setback (Max) ft	Side Setback (Min) ft	Rear Setback (Min) ft
Agriculture/Ranching	25	n/a	10	50

<b>(A/R)</b>				
Rural ( <b>RUR</b> )	25	n/a	5	25
Rural Fringe ( <b>RUR-F</b> )	25	n/a	5	25
Rural Residential ( <b>RUR-R</b> )	20	n/a	5	25
Residential Fringe ( <b>RES-F</b> )	10	n/a	5	25
Residential Estate ( <b>RES-E</b> )	10	n/a	5	25
Residential Community ( <b>RES-C</b> )	5	n/a	5	5
Traditional Community ( <b>TC</b> )	5	n/a	5	5
Commercial General ( <b>CG</b> )	5	20	0	30
Commercial Neighborhood ( <b>CN</b> )	5	20	0	30
Industrial ( <b>I</b> )	20	n/a	10	30
Mixed Use ( <b>MU</b> )	0	n/a	0*	5
Public/Institutional ( <b>PI</b> )	5	n/a	10	25

\*No interior side setbacks are required in the MU district. If a commercial use in an MU district abuts a residential zone adjacent to the MU district, then the setback shall be equal to that of the adjacent residential zone.

---

Contact Info:

[Lfoma@santafecountynm.gov](mailto:Lfoma@santafecountynm.gov)

Planning Division c/o Lucy Foma

102 Grant Ave

Santa Fe, NM 87504

**Lucy G. Foma**

---

**From:** Pam Henline <phenline@comcast.net>  
**Sent:** Sunday, September 04, 2016 12:03 PM  
**To:** Lucy G. Foma  
**Subject:** SLDC setback

The Eldorado (ECIA) side and back setback is 20 feet, which we would like to see in your revisions rather than 25 feet.

Pam Henine  
ECIA Board Vice President

