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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2025-\_\_**

**INTRODUCED BY:**

Councilor Jamie Cassutt

Councilor Pilar Faulkner

**RED – AMENDMENT A – COUNCILOR CASSUTT**

**A RESOLUTION**

**AUTHORIZING AND DIRECTING THE WIDENING OF ZIA ROAD TO ACCOMMODATE A NECESSARY DECELERATION LANE, USING ADJACENT, UNIMPROVED LAND COMPRISING APPROXIMATELY ONE PERCENT (1%) OF CANDELERO PARK, ON ITS FAR NORTHERN BOUNDARY; AND DIRECTING THE CITY MANAGER TO DESIGNATE AN AGENT TO APPLY FOR A LOT LINE ADJUSTMENT AND ANY OTHER ADMINISTRATIVE STEPS REQUIRED AS THE GOVERNING BODY’S AGENT.**

**WHEREAS**, in 1978, Western Development Company dedicated a park site, now located at 2219 and 2223 Brillante St., which later became known as “Candelero Park”, via the plat dedication attached as Exhibit A (“Dedication Plat”); and

**WHEREAS**, Candelero Park consists largely of unimproved land with a smaller, landscaped playground area located on the far southern portion; and

**WHEREAS**, pursuant to NMSA 1978, Section 3-20-11, property within the boundaries of a municipality dedicated to the municipality “for public use” is public property, and fee vests in the municipality; and, pursuant to NMSA 1978, Section 3-18-18,

1 “[a]ny property acquired for park purposes is under the immediate control of the governing  
2 body”; and

3 **WHEREAS**, the City owns and has immediate control of Candelero Park; and

4 **WHEREAS**, Zia Road abuts the northern boundary of Candelero Park; and

5 **WHEREAS**, on April 9, 2021, the Governing Body approved Case #2020-2901, “Zia  
6 Station Preliminary Development Plan”; and

7 **WHEREAS**, the packet for the development plan included a staff memorandum from the  
8 City’s Planning and Land Use staff (“Staff Report”), attached as Exhibit B, and a traffic impact  
9 analysis (“TIA”), attached as Exhibit C; and

10 **WHEREAS**, the TIA found that “the St Francis and Zia signalized intersection does not  
11 operate at acceptable levels of service” and that “the eastbound thru/right movement is expected to  
12 worsen, particularly in the AM” including because of the proposed housing development. *See*  
13 Exhibit C at ~~45~~ 2; and

14 **WHEREAS**, the TIA recommended expanding Zia Road to include east and westbound  
15 right-turn “deceleration” lanes from Zia Road onto Galisteo Road designed to NMDOT State  
16 Access Management Manual (SAMM) deceleration lane standards. *See* Exhibit C at ~~45~~ 2; and

17 **WHEREAS**, expanding Zia Road to include the deceleration lanes according to  
18 SAMM standards requires the use of an undeveloped sliver of the north edge of Candelero Park,  
19 approximately one percent (1%) of its total area; and

20 **WHEREAS**, Land Use staff considered the TIA in its analysis and in its recommendation  
21 in the Staff Report, which recommended approving the development plan; however, the Governing  
22 Body approval did not take an express position regarding the deceleration lane or the impact on  
23 Candelero Park; and

24 **WHEREAS**, Zia Road is a heavily used roadway for commuters to travel from residential  
25 neighborhoods south of St. Francis Drive to access both Downtown Santa Fe and I-25; and

1           **WHEREAS**, construction on Zia Road to implement the Zia Station Preliminary  
2 Development Plan has begun and has a significant impact on the intersection of Zia Road and St.  
3 Francis Drive; an extended construction period will likely negatively impact use of the intersection  
4 by cars, bicycles, and pedestrians; and

5           **WHEREAS**, development plan contemplates improving the bike lane and sidewalk along  
6 Candelero Park and improving the median, with a high-intensity activated crosswalk signal with  
7 mid-street pedestrian refuge island (*see* Staff Report, Exhibit B), which will both increase  
8 pedestrian safety and overall access to Candelero Park; and

9           **WHEREAS**, according to the *City of Roswell v. Mitchell*, 1952-NMSC-027, ¶ 7, “[t]he  
10 power to regulate the use of the streets is a delegation of the police power of the state government  
11 and whatever reasonably tends to make regulation effective, is a proper exercise of that power”;  
12 and

13           **WHEREAS**, likewise, pursuant to NMSA 1978, Section 3-49-1, the City has broad  
14 authority to improve and expand City streets such as Zia Road; and

15           **WHEREAS**, because the City owns and controls Candelero Park, and has authority to  
16 expand Zia Road, it may apply for a lot line adjustment modifying the boundary of Candelero Park;  
17 and

18           **WHEREAS**, the Code allows the Land Use Director to review applications for “the  
19 adjustment of platted lot lines” (also known as resubdivisions or lot line adjustments) that increase  
20 or reduce the size of contiguous lots. *See* SFCC 1987, § 14-12.1 (“Definitions” and  
21 “Resubdivision”), and SFCC 1987, § 14-3.7 (D); and

22           **WHEREAS**, because the Land Use Director to review applications for lot line  
23 adjustments, the Director is the planning authority under the Code for the adjustment of platted lot  
24 lines, and the Governing Body, as property owner, may adjust the lot line of Candelero Park to  
25 make room for needed improvements to the Zia Road intersection; and

