

City of Santa Fe, New Mexico

Attachment C-3 County Road Approval

- 1. Extraterritorial Subdivision Regulations**
 - 2. EZC Minutes**
 - 3. BCC Minutes**

shoulder areas through ditches, swales, ponds or other such natural features, or through the use of curb and gutter as provided for in 3.5.6, infra. Pedestrian sidewalks or paths are required. (See Appendix D).

E. Collectors

A collector has two (2) driving lanes with a turning lane at major intersections. Parking can be allowed on one or both sides of the street when eight (8) foot parking lanes with curb and gutter are provided. It serves 60 to 199 dwelling units or single family lots and/or an average daily traffic volume of 600 to 2000 vehicles. Asphalt paving is required to a minimum depth of four (4) inches. Four (4) foot utility corridors on each side of the roadway are required within a minimum fifty (50) foot right-of-way. Pedestrian sidewalks or paths are required (See 3.5.7 infra.) Drainage shall be provided for in median or shoulder areas through ditches, swales, ponds or other natural features or the use of curb and gutter. (See Appendix D)

F. Local Streets and Roads

1. Local Sub collectors

A subcollector has two (2) driving lanes, four (4) foot utility corridors on each side within a minimum right-of-way of fifty (50) feet. It serves 30-59 dwelling units or lots and an average daily traffic volume of 300 to 600 vehicles. Subcollectors may be gravel roads but paving may be required where density (lots of one half (1/2) acre or less), on-street parking, or continuity of the streetscape demand it. Pedestrian sidewalks or paths are required. (See 3.5.7, infra.)

a. A paved subcollector has an asphalt roadway of twenty-four (24) feet, with a four (4) inch minimum depth of paving and two foot (2') curb and gutters on each roadway edge. (See Appendix D)

b. Gravel subcollectors have a minimum roadway of twenty-four (24) feet with a six (6) inch minimum surface thickness of crushed gravel base course material, provided it can be shown that such minimum thickness is adequate based on sub-grade soil conditions; a plasticity index of 8% to 12% is required. (See Appendix D)

2. Local Lane, Place or Cul-de-sac

a. A place or lane has two (2) driving lanes and serves up to 30 dwelling units, or an average daily traffic volume of 1-300 vehicles. It may be constructed of either gravel or asphalt.

(1) An asphalt lane or place must have a twenty (20) foot roadway with a three (3) inch minimum depth. It has seven (7) feet of parkway on each side of which a minimum of four (4) feet on each side shall be a utility corridor, and a minimum right-of-way of thirty eight (38) feet. Curb and gutter may be required because of lot size, drainage, on-street parking, or control of driveway access. See 3.5.6, infra.

(2) A gravel lane or place must have a roadway of twenty-two (22) feet and a six (6) inch minimum thickness of crushed gravel base course material. It has eight (8) feet of shoulder with drainage on each side and a minimum right-of-way of fifty (50) feet.

b. Cul-de-sacs (dead end streets) are allowed for roads or streets classified as either a lane or place and shall be designed to the appropriate standards.

(1) A cul-de-sac may be either gravel or asphalt and shall be no longer than 500 feet except as provided below. At the closed end there shall be a turn around having a radius of at least 42 feet of driving surface and a minimum right-of-way diameter of 100 feet.

(2) In order to accommodate circumstances such as difficult terrain, large lots (10 acres or more), or cluster subdivisions with large open space tracts, the EZC may allow cul-de-sacs of up to one thousand (1000) feet in length as long as the average daily traffic of 300 vehicles is not exceeded and the County Fire Marshal approves the plan for fire protection and public safety factors.

3. Common Access Roadways

a. It is the intent of these Regulations to require local roads or streets for all subdivisions. However, it is recognized that there are circumstances where provision of a fifty foot right-of-way or of a paved street on a 38 foot right-of-way cannot be achieved. Common access roadway standards may apply in those cases.

b. Common access roadways are allowed for residential subdivisions in the following circumstances:

(1) subdivisions of four (4) lots or less where no through access will be required in the future;

(2) family transfer subdivisions;

(3) subdivisions of parcels less than 120 feet wide which were in existence prior to the adoption of these Regulations.

approval but did not anticipate any problems in that.

There were no other questions nor speakers regarding this case.

Commissioner Anaya moved to approve EZ Case 99-4500 with the conditions and modification of condition one to read "Net barriers not to exceed 100 feet in height." His motion was seconded by Commissioner Van Peski.

Commissioner Alejandro asked whether the diameter of the pole will require adjustment due to the height increase. Mr. Walters said he would prefer condition two is eliminated entirely. He said a company that specializes in this type of netting will engineer the project and will meet whatever requirements to support the height of the net. Mr. Catanach said he would prefer not seeing the wood poles that currently exist there.

Commissioner Anaya recommended advising the applicant to advise his engineer that the county prefers to see fewer support poles.

Commissioner Anaya revised his motion to approve the request with conditions one, three, four and five. The revised motion passed by majority [3-2 voice vote] with Commissioners Anaya, Van Peski and Medrano voting for and Commissioners Mier and Alejandro against.

EZ CASE S 99-4010. Eco Seco Subdivision. Rob Althouse, agent for Ecological Design Group, request preliminary plat and development plan approval of the Eco Seco Subdivision, a ten-lot residential subdivision on 13 acres. The requests includes a variance to off-site and on-site road easements and driving surface width and a variance to the community sewer requirements for subdivisions with lots less than one acre in size. The property is located off West Alameda, within Sections 21 & 28, Township 17 North, Range 9 East within the two-mile EZ District.

Chairman Long recited the caption and Mr. Abeyta provided the summary of the staff report as follows:

"This land was previously subdivided by the applicant into four 2.5 acre tracts. The developer is no re-platting the property to create 1- lots on 13.1 acres. The property is located within the Santa Fe Urban area where the minimum lot size is one acre when a community water system is utilized. The applicant is requesting preliminary plat and development plan approval."

He indicated that the application was reviewed for density, access, water supply, liquid waste, terrain management, fire protection, archaeological and environmental review.

The EZC must review and determine whether a finding of facts can be made regarding the variance request. The applicant's response is attached hereto as Exhibit 99-4010 "1".

Mr. Abeyta concluded his report stating that staff can recommend approval of the preliminary plat with the requested variance subject to the following conditions:

1. Compliance with review comments from the following:
 - a. County Hydrologist
 - b. County Subdivision Engineer
 - c. County Public Works
 - d. County Fire Marshal
 - e. State Engineers Office
 - f. State ED
2. All subdivision roads must be granted for public use. This must be clearly stated on the final plat. Road names and rural addressing must be approved by the County Public Works Dept.
3. The developer must submit a solid waste fee of \$43,00 per lot in accordance with subdivision regulations.
4. The final Homeowners Covenants and disclosure statement are subject to approval by staff and should include but are not limited to the following:
 - a. The prohibition of guest houses
 - b. Maintenance of drainage channels/structures
 - c. Solid waste removal
 - d. Installation of sprinkler systems within the homes
5. The subdivision must connect to City water when the Coyote Ridge road main line is built or the main line in W. Alameda is extended to Camino Don Emilio.
6. The developer must submit a school impact report with the application for final plat approval.
7. A recreation/park area must be added to the final plat meeting the requirements of the EZ Subdivision Regulations. The park area must be developed with amenities such as trails, picnic area and recreational play area for the community.
8. All lots shall be subject to standard county water use restriction of .25 acre feet per year per lot, low flow fixtures, no swimming pools, limited non-native vegetation. County water restrictions shall be recorded and noted on the plat.
9. Disclosure statements shall be in current County approved format.
10. A terrain management plan, utilities, fire protection plan and slope analysis meeting the ESR requirements must be submitted with the final plat application.
11. These lots are subject to Santa Fe County Fire and Rescue Impact Fee. This shall be noted on the plat.
12. The variance for the roadway driving surface width shall only be for the off-site portion of the road. The entire roadway must be paved.
13. All lots shall have direct access to a road meeting county standards. A cul-de-sac shall be constructed at the southern end of Lot 10. All plans shall reflect this.
14. All existing utilities on the property shall be placed underground.
15. Net average on each lot excluding road and well easement shall be a minimum of 0.75 acres in size.
16. Disclosure statement must indicate the maximum number of allowable bedrooms in lots of less than one acre in size.
17. Submit an engineer cost estimate with financial surety for all requirement improvements upon approval of the final plat. Include schedule of compliance

projecting time period for completion of improvements. Upon completion, submit a certification by registered engineer that improvements have been completed according to the approved development plan.

Mr. Abeyta noted for the commissioners that the variance request for the roadway driving surface width was recommended for the outside portion of the road and the entire roadway be paved.

Mr. Alarid stated that the City had only one condition which was covered in the County's condition five. He added to the County's condition five as follows:

5. The subdivision must connect to City water when the Coyote Ridge road main line is built or the main line in W. Alameda is extended to Camino Don Emilio or when another suitable regional water main is within 1,000 feet of the subdivision. There were no questions of staff and the applicant was invited forward.

Duly sworn, Rob Althouse, 29 Camino Don Emilio, pointed out that only five new lots were being created from this request. Mr. Althouse said he was not in agreement with the County's condition number 12. The variance requests for a 16' basecourse driving surface. He indicated that he originally had a variance for the 16' gravel road both on- and off-site. His neighbors prefer a 16' wide road throughout the length of the subdivision to maintain a low speed and protect children playing within the subdivision.

Mr. Abeyta said per county standards, developments of this size are required to have paved roads. He said while Mr. Althouse is correct that he was granted this variance in the past, in the past the subdivision was four lots not ten as it appears today.

In response to Commissioner Gonzales' suggestion to increase the width of the road, Mr. Althouse stated that a wider road increases the speed of traffic and in a recent study by the Institute of Traffic Engineers that shows an 1000 percent increase in fatalities when speed is increased from 15 to 30 mph. He said the neighbors prefer the narrow road.

Commissioner Gonzales repeated his original question of why a variance was being requested in an area where additional land can be taken to provide for the road width. Mr. Althouse agreed it would be possible to increase the easement on-site and construct a gravel road; however, the lots are narrow and very long and he didn't want to reduce the size.

Responding to a question, County Fire Specialist Vogel stated the minimum road width is 20' so vehicles can pass one another. He indicated that the Fire Marshal was adamant that the remainder of the on-site road be at least 20'. He noted that although the slope is south facing a moist gravel-base road is exceeding difficult to access.

Duly sworn, Nathan Wero, Route 10, Box 86B, said he was present presenting Tony Montañó. He said the area residents have been in to address this case on many occasions. He said at one time there were two road easements next to each other and a solution was worked out through mediation. A 16' basecourse driving surface was agreed upon and a 22' easement with 16' driving surface and 3' bar ditch on each side.

Now, with this new request, staff is recommending paving and widening road thus

bringing in faster traffic.

Referring to the request for additional lots, Mr. Wero stated that it will attract even more traffic. He said he was working with the Alhouses to draft a "good neighbor" document.

Chairman Long commended the neighbors for working together on the road issue.

Mr. Alhouse indicated there would be 20 lots using the road.

Duly sworn, Santos Sandoval a neighbor to Mr. Alhouse, said while the neighbors are trying to resolve issues it hasn't happen yet. He said increasing the subdivision brings in more traffic and more problems for everybody. He expressed concern regarding fire safety.

Duly sworn, Pete Martinez, a neighbor of the proposed Eco Seco Subdivision, stated that the lots are very narrow and there will be many tiny roads going north to south. He said he lives in the area to get away from the City traffic and now Eco Seco is proposing 10 lots within 10 acres, 10' to 25' away from his home.

He expressed concern about the 30,000 gallon water tank and possible septic contamination.

Duly sworn, Nancy Kenney agreed with the other speakers that the area is lovely and rural surrounded with 1.25 acres lots. She said the speed on the road concerns her greatly. Eco Seco is looking for an alternative to a wide-paved road. She said Eco Seco decreased the size of the lots because the market calls for smaller lots. Ms. Kenney noted that it was better to have the proper infrastructure in at this point rather than later when family transfers occur.

She added that the average lot size is 1.3 acres which is consistent with the neighboring lots.

Commissioner Van Peski asked if the septic tanks were located an appropriate distance from existing wells and homes. Mr. Alhouse said yes.

Commissioner Medrano said he was comparing this road to Maes Road and commented that it is quite congested. Mr. Alhouse said the road is approximately 2,800. Mr. Abeyta informed the commissioner that the road is a cul-de-sac and 1,000 feet is the accepted code length for a cul-de-sac.

Mr. Abeyta indicated that a traffic support was submitted. Ms. Guerrerortiz stated the TIA shows no adverse impact on West Alameda.

Commissioner Medrano expressed concern regarding the lack of safety that the variance may foster.

There were no further questions nor additional speakers regarding this case.

Commissioner Medrano moved to approve EZ Case S 99-4010 in strict accordance with the County conditions and approve the variance request. Commissioner

Anaya seconded the motion which passed by majority [5-1] voice vote with Commissioner Gonzales voting against.

1693317

In response to Mr. Althouse, Commissioner Medrano said the motion included all staff conditions and he recommended the applicant meet with staff.

Mr. Althouse asked if he had the option of a 50' easement with a 20' gravel driving surface. Chairman Long responded that that was not the staff's position. Ms. Guerrerortiz pointed out that the option has presented would be in compliance with the current code. She said the developer could switch that out as long as the County approved his plans. There was general consensus that the developer could initiate that change.

Mr. Althouse asked if the off-site area by his neighbors could remain as a 16' gravel with 30' easement. Ms. Guerrerortiz responded, "No, it would have to be paved." Mr. Althouse said that wasn't what was approved in the past and Commissioner Medrano pointed out the applicant had fewer lots in the past and recommended he meet with staff.

EZ CASE Z 98-4110. Southwest Business Park. Richard Gorman, agent for Otis Beaty and Glenn Stewart requests master plan approval for a mixed use subdivision consisting of 18 commercial lots and 10 residential lots on 30 acres. The property is located off the Race Track Frontage Road within a designated Major Center Commercial District, within Section 24, Township 16 North, Range 8 East within the two-mile EZ District.

Chairman Long recited the caption and Mr. Abeyta requested that the staff report be entered into the record [Exhibit Z 98-4110 "1"].

Mr. Abeyta stated that staff recommends approval subject to the following conditions:

1. Light industry/manufacturing and wholesale, warehousing and distribution and nursery uses must be removed from the proposed use list prior to recording the master plan.
2. Approval of the master plan does not constitute subdivision plat approval. An application for subdivision plat and development plan approval must be submitted in accordance with the EZO requirements for EZC and BCC review and approval. This must be clearly noted on the master plan prior to recordation.
3. Comply with all review agencies comments relevant to the master plan prior to recordation of plat.
4. The requirements of Sections 10, 11 and 12 of the EZO must be complied with at the time of subdivision plat and development plan review and approval. This may include but is not limited to the addition or alteration of the master landscaping plan.
5. Santa Fe County Resolution 1998-13 must be complied with at the time of preliminary plat application.
6. The developer shall attempt to develop a single wastewater plan in conjunction with the Great Western Business Center. The proposed liquid waste system shall be subject to and ED discharge permit and must reduce nitrates to at least 14 milligrams per liter. At the time of preliminary plat submittal, a discharge permit application must be submitted.

172966

Cleotilda Noriega, is not well and is unable to work and is currently using the second dwelling unit."

Staff recommends that this appeal and variance be denied based on Article III, Section 10 and Article II, Section 4.3.5a of the County Code, which requires 6.25 acres of land per dwelling unit. The decision of the CDRC was to deny the appeal based on Article III, Section 10 of the Land Development Code. If the decision of the BCC is to overturn the CDRC's decision and recommend approval of the variance, staff recommends the conditions in Exhibit B be imposed.

Commissioner Trujillo asked if this was a hardship. Mr. White stated that the applicant is claiming hardship. He stated that the first home is hooked up to the septic system belonging to her brother on an adjoining property. The second is on an individual system.

Loretta Noriega, 54-C Pine East, Route 2, Box 627 was placed under oath and stated she was in agreement with staff conditions.

There was no one in the audience wishing to address this case.

Commissioner Anaya moved to approve CDRC Case #A/V 99-5601 with staff conditions. Commissioner Trujillo seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

VIII. D. 5. EZ Case #S 99-4380. Eco Seco Plat Approval and Variances. Rob Allhouse and Nancy Kenney, applicants, request a final plat/development plan approval and variances of the minimum road standards and the requirement for a community sewer system for a 10-lot residential subdivision on 13 acres. The property is located along Camino Don Emilio north of West Alameda, within the two-mile Extraterritorial District, Section 28, Township 17 North, Range 9 East.

The staff report was given by Review Specialist Joe Catanach as follows:

"The proposed lots range in size from .76 acre to 2.7 acres including .65 acre of common recreational open space. The overall gross density is one residential unit per 1.3 acres, which is in conformance with zoning for the urban area. Urban area zoning allows a one-acre density when utilizing a community water system.

172966

"An existing access road intersecting off West Alameda will be upgraded in accordance with the variances as recommended by the EZC. The off-site portion of the road not within the applicants' property will be a 30-foot easement with a 16-foot paved roadway. The on-site portion of the road within the applicants' property will be a 38-foot easement with a 20-foot paved roadway. The access road will be a dead-end cul-de-sac and exceeds 1,000 feet in length. The EZC also recommended a variance of this road standard.

"A single well will be utilized as a community water system and will be subject to meeting minimum design standards for a community water system as provided by the State Environment Department. Each lot will be restricted to .25 acre-feet of water per year and water conservation measures. Residential sprinkler systems and a 20,000 gallon community swimming pool with a hydrant will be required for fire protection.

"Septic systems will be utilized for liquid waste disposal. The EZC recommended a variance of the requirement for a community sewer system for subdivisions with lot sized less than one acre. The proposed subdivision will have two lots with lot sizes less than one acre.

"The homeowner covenants address use and development of the lots, including ownership, maintenance of roads, common areas and solid waste removal. The submittals also have addressed terrain management, open space, archaeology.

"The EZC recommended final plat/development plan approval and variances of the minimum standards for roads and a community sewer system subject to preliminary conditions, including the City condition, which was a condition for a future connection to the Sangre de Cristo Water System when it's within 1000 feet. Final conditions are as follows:

1. Community water system plans shall be certified by a registered engineer to meet minimum design standards specified in *Guidelines for Water Supply Systems and Treatment Works in New Mexico and Regulations Governing Water Supplies* provided by the State Environment Department. The certification shall include that the water system is compatible for future connection to the Sangre de Cristo Water system as required for the preliminary approval.
2. The community water system shall be registered as a public water supply as approved by the State Environment Department including water quality.
3. All lots shall have access to a road meeting minimum standards and this shall be shown on road plans and profiles.
4. Final plat to include but not limited to the following:

172966

- a. Development plan sheet shall be recorded with subdivision plat
 - b. Replat existing lots (1-C, 1-D) for the purpose of incorporating into the subdivision plat
 - c. Drainage easements shall be included in surveyor's certification of plat
 - d. Maintenance of roads is responsibility of homeowners association
 - e. Provide cross reference for recording covenants and disclosure statement
 - f. Permits for homes will not be issued until road, drainage and fire protection improvements have been completed as required by staff
 - g. Provide base flood elevation for Arroyo de las Trampas 100-year flood plain limits
 - h. Delineate 25-foot building setback from edge of flood plain limits
 - i. Delineate easements for drainage retention ponds
 - j. Compliance with plat checklist
5. Submit well-log to demonstrate compliance with well design as approved by County Hydrologist prior to releasing financial surety for water system improvements.
 6. Homeowner documents shall include by-laws and articles of incorporation.
 7. Provide pedestrian path with a minimum width of three feet and four-inch basecourse surface as required by subdivision regulations.
 8. Submit typical road section for T cul-de-sac.
 9. Compliance with preliminary conditions previously imposed.
 10. Disclosure statement shall include the following:
 - a. The pro-rated cost indicating minimum and maximum amounts per lot owner for extending the waterline for future connection to the Sangre de Cristo Water System, and including connection fees.
 - b. Estimate of fees per lot owner collected by the homeowners association for monthly operation, maintenance and repair charges associated with the community water system, including fees that would be required for compliance with the Environment Department drinking water regulations for a public water supply.
 11. The applicant shall address concerns submitted by area residents (Montanos and Sandovals) for the purpose of mutual resolution.

Mr. Catanach stated the applicant has addressed those conditions. He made reference to the eleventh condition citing concerns by area residents, which have been resolved.

Rob Althouse, 29 Camino Don Errilio was placed under oath and stated he was in agreement with the conditions. For the benefit of Commissioner Anaya he clarified that the neighbors had submitted a list of 16 points of concern. After a number of meetings with the neighbors and County staff agreement has been reached to address those concerns.

Duly sworn, Nathan Wero, Route 10, Box 86-B stated he was representing Tony Sandoval and Tony Montano. They were the ones that put the conditions together. He thanked Mr. Althouse and the County for their efforts in helping to reach a consensus. His major concern was that everything be done correctly and all standards met, as well as scheduling issues.

Commissioner Anaya noted that the neighbors would make sure that everything went according to agreement.

Commissioner Anaya moved to approve EZ Case #S 99-4010 with all conditions. Commissioner Duran seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

ADJOURNMENT

Chairman Grifé declared this meeting adjourned at approximately 7:40 p.m.

Approved by:


Board of County Commissioners
Joe S. Grifé, Jr., Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

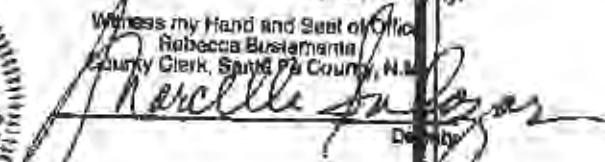
ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1104 175
COUNTY OF SANTA FE 155
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 11th day of January,
20 00, at 11:05 o'clock am
and was duly recorded in book 172966
page 6061 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.


Rebecca Bustamante
County Clerk, Santa Fe County, N.M.