Agenda **Regular Meeting of the Planning Commission**
June 18, 2026 at 6:00 PM
Council Chambers, City Hall
200 Lincoln Avenue

Procedures for Planning Commission Meeting

Viewing: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel at https://www.youtube.com/user/cityofsantafe . The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

Live Public Comment: Members of the public may provide public comment in person during the public comment portion of the public hearing.

Virtual Public Comment: Members of the public may provide public comment virtually during the public comment portion of the public hearing by joining the Zoom meeting by internet or phone using the following link: https://santafenm-gov.zoom.us/j/85309915775

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Written Comment: Members of the public may submit public comments by 5 p.m. on the Monday before the meeting via: https://santafenm.gov/land-use/current-planning/public-comment.

Comments will then be published after this deadline. The agenda and packet for the meeting will be posted at https://santafenm.portal.civicclerk.com/

1. Call to Order
2. Pledge of Allegiance
3. Roll Call

4. Approval of Agenda
5. Approval of Consent Agenda
6. Approval of Minutes
7. Approval of Findings/Conclusions
8. Consent
9. Staff Communications
    a. Status Report on the General Plan Update: "Santa Fe Forward" (Janice Biletnikoff, Long-Range Strategic Planner; jbiletnikoff@santafenm.gov).
10. Old Business
11. New Business
    a. **Case #2024 – 9461. 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle, Rezoning.** NM Land Solutions, LLC, Agent, for Larry Boylan, Owner, requests approval for a rezoning of a 5.96-acre lot located from R1 (Residential- one dwelling unit per acre) to C-2 (General Commercial). The property is located within the River and Trails Archaeological Review district and West Santa Fe River Corridor (Joel Cruz-Haber, Case Manager, Jacruzhaber@santafenm.gov). **(POSTPONED FROM JUNE 4, 2026)**
    b. **Case #2025-11164. 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle, General Plan Amendment.** NM Land Solutions, LLC, Agent, for Larry Boylan, Owner, requests approval to amend the General Plan Future Land Use Map from Transitional Mixed-Use to General Commercial on a 5.96-acre lot. The property is located within the River and Trails Archaeological Review district and West Santa Fe River Corridor (Joel Cruz-Haber, Case Manager,jacruzhaber@santafenm.gov). **(POSTPONED FROM JUNE 4, 2026)**
12. Matters from the Commission
13. Adjourn

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

Planning and Land Use Department
Planning Commission Staff Report

Case Nos: 2024-9461 & 2025-11164

Hearing Date: June 18, 2026

Agent: NM Land Solutions, LLC

Owner: Larry Boylan

Request: General Plan Amendment and Rezoning

Location: 1372 Boylan Lane, 2743 Boylan Circle, 2745 Boylan Circle

Case Mgr: **Joel Cruz-Haber**

Zoning: R1 (Residential)

Future Land Use: Transitional Mixed-Use

Overlays: Rivers and Trails Archeological District; West Santa Fe River Corridor

Master Plan: None

Pre-app Mtg: June 13, 2024

ENN Mtg: September 26, 2024

Applicant Proposal: The applicant requests approval for a General Plan Amendment from Transitional Mixed/Use to Community Commercial and a Rezoning from R1 (Residential) to C-2 (General Commercial).

Site Map



Case #2025 – 11164. General Plan Amendment at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle. NM Land Solutions, LLC, Agent, for Larry Boylan, Owner, requests approval to amend the General Plan Future Land Use Map from Transitional Mixed Use to General Commercial on a 5.96- acre lot. The property is located within the River and Trails Archaeological Review district and West Santa Fe River Corridor. (Joel Cruz-Haber, Case Manager, jacruzhaber@santafenm.gov).

Case #2024 – 9461. Rezoning at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle. NM Land Solutions, LLC, Agent, for Larry Boylan, Owner, requests approval for a rezoning of a 5.96-acre lot located at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle from R1 (Residential) to C-2 (Commercial) (Joel Cruz-Haber, Case Manager, jacruzhaber@santafenm.gov).

I. STAFF RECOMMENDATIONS:

a. City Planning and Land Use Department staff ("Staff") recommends **the Planning Commission recommend the Governing Body *deny* Case #2025 – 11164, General Plan Amendment from Transitional Mixed Use to Community Commercial**.

b. City Planning and Land Use Department staff ("Staff") recommends **the Planning Commission recommend the Governing Body approve Case #2024 – 9461, Rezoning to a less intensive zoning designation of C-1 (Office and Related Commercial District) subject to Santa Fe City Code 1987 §14-3.4(B)(2)(b).**

c. City Planning and Land Use Department staff ("Staff") recommends **the Planning Commission recommend the Governing Body approve Case #2024 – 9461, Rezoning to a less intensive zoning designation of MU (Mixed Use) subject to Santa Fe City Code 1987 §14-3.4(B)(2)(b).**

Option Motion language: Ranked by staff's preference

1. *Recommend the Governing Body approve or deny Case #2024-9461 Rezoning from R-1 (One Dwelling Unit Per Acre) to C-1.*

2. *Recommend the Governing Body approve or deny Case #2024-9461 Rezoning from R-1 (One Dwelling Unit Per Acre) to MU.*

II. EXECUTIVE SUMMARY:

This application was submitted on November 12, 2024, and is being reviewed under the Land Development Code ("Code") that was in effect prior to January 1, 2026. The 5.96-acre property is located at 1372 Boylan Lane, 2743 Boylan Circle, and 2745 Boylan Circle (the "Property"). The Property is located just north of Agua Fria Street, and approximately ½ mile east of the Siler and Agua Fria intersection. The Property is currently a mix of vacant land as well as a small mobile home park (approximately 15 units). New Mexico Land Solutions (the "Agent") on behalf of the property owner, Larry Boylan (the "Owner") requests the Planning Commission recommend that the Governing Body approve a General Plan Amendment (the "Amendment") to the Future Land Use Map ("FLUM") designation for the Property from Transitional Mixed Use ("TMXU") to Community Commercial ("CCOM"). In addition, the Agent requests a rezoning of the Property from R-1 (1 Dwelling Unit Per Acre) to C-2 (General Commercial District) (the "Rezoning").

Staff's analysis finds that the Amendment and Rezoning as submitted by the applicant, are not in compliance with the relevant approval criteria (see Tables 6, 7, and 8) and recommends denial of the proposed General Plan Amendment. However, as provided for in Santa Fe City Code 1987 ("SFCC") §14-3.5(B)(2)(b),[1] Staff requests the Planning Commission recommend the Governing Body approve a rezoning in compliance with the General Plan, to a less intensive zone district than requested by the Agent. Staff finds that a rezoning from R-1 to C-1 (Office and Related Commercial District) or to MU (Mixed Use) would meet the required rezoning approval criteria and negate the need for a General Plan Amendment as the C-1 and MU zone districts are compatible with the Site's FLUM designation of Transitional Mixed Use and the vision for the Property as articulated in the West Santa Fe River Corridor Plan.

Subject to SFCC § 14-3.1(E) a pre-application meeting was held on June 13, 2024. Thereafter, a virtual Early Neighborhood Notification ("ENN") was held on September 26th, 2024, via Zoom pursuant to SFCC §14-3.1(F). A General Amendment and Rezoning application was submitted to the Land Use Department on November 13th, 2024, and transmitted to the Departmental Review Team ("DRT").

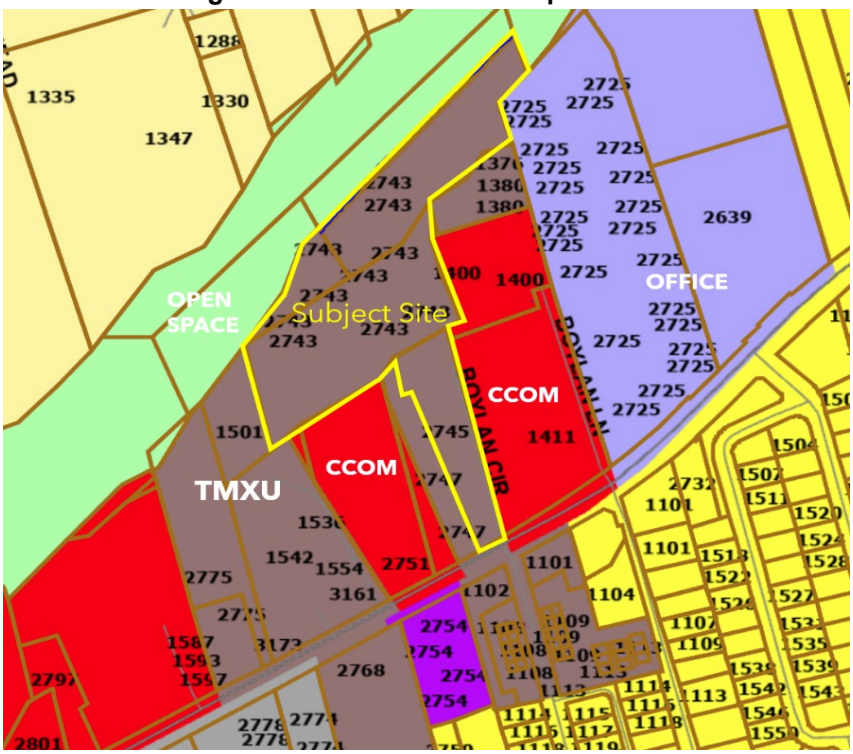
Subject to SFCC 14-2.5, the notice requirements for the June 18th, 2026 Planning Commission ("Commission") public hearing were duly notified; the Agent sent notice of public hearing via certified mail to neighbors within 100' of the Property, first class mail for the remaining 200' of neighbors and posted a notice of public hearing sign on May 20th, 2026. In addition, a legal ad with the notice of public hearing was posted in the New Mexican on May 20th 2026. At the June 2nd, 2026 public hearing, the Planning Commission voted to postpone hearing the Agent's request to June 18th, 2026.

[1] *The governing body may approve a rezoning to a less intensive zone district than originally requested by the applicant . In such cases, no re- application or re-processing of the original application shall be required.*

III. PROJECT ANALYSIS

A. General Plan & Future Land Use Map

Figure 1 Future Land use Map "FLUM"



The rezoning approval criteria require the Planning Commission and the Governing Body to make complete findings of fact that all criteria have been met before recommending or approving any rezone One such finding of fact is that all rezonings be consistent with the applicable policies of the 1999 General Plan ("General Plan"), including the Future Land Use map. According to the Future Land Use Map (see Figure 1: *"Future Land Use Map"*) the Site is currently designated as TMXU. TMXU designation allows for a *"mixing of compatible land uses within the same tract which may include such uses as residential, including single-family and multi-family residential where the scale and intensity are deemedappropriate…and appropriately scaled retail/services that are intended to primarily serve the residential uses as an added local amenity." – Mixed Use & Transitional Definitions. (Attachment A)*

While the Applicant is requesting an amendment to the General Plan to accommodate their desired zoning, other more compatible zone districts are available which will both facilitate a desirable redevelopment of the property and the support the vison for this area of Santa Fe as articulated in the General Plan and the West Santa Fe River Corridor Plan. An amendment to the GP is unjustified and approval of an unencumbered rezone to C-2 will open the door to a number of incompatible uses of the property including vehicle service and repair, gas stations, cannabis testing, research, and manufacturing (see Table 5).

A rezone to C-2 is inconsistent with the Transitional Mixed Use ("TMXU") designation because C-2 zoning permits certain uses, as outlined in Table 5, that are not "appropriately scaled retail/services that are intended to primarily serve the residential uses as an added local amenity". The intensity of these uses could have negative impacts on neighboring existing uses and are not consistent with the intent of the General Plan or the West Santa Fe River Corridor Plan for this Property.

The nearby properties zoned C-2 at 1400 and 1411 Boylan (Ord. 2014-32) and 2751 and 2749 Agua Fria (Ord. 2015-34) achieved their zoning in 2014 and 2015 respectively, prior to the adoption of the West Santa Fe River Corridor Plan. The Acequia Lofts residential development to the east of the Property is zoned C1-PUD and the mixed-use development across the street with Escondido is zoned Mixed-Use.

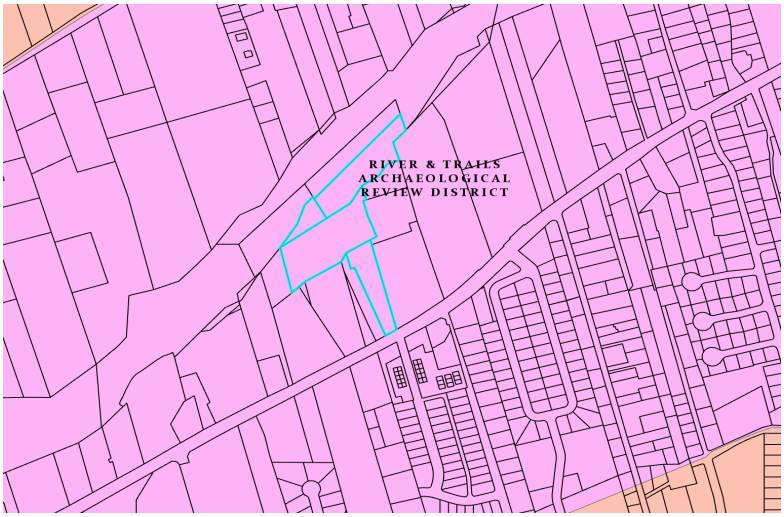
The properties surrounding the Site have a range of designations on the Future Land Use Map. To the east and west of the Site, the properties are designated as Community Commercial (CCOM), Transitional Mixed Use (TMXU), and Office. The properties across Agua Fria Street to the south are designated as Transitional Mixed Use (TMXU). The Site to the north is the Santa Fe River and designated as Open Space.

When the applicant requested a C-2 zone district, staff expressed concern regarding the wide variety of uses that would be incompatible with surrounding uses. During review, Staff recommended that the Agent include a Master Plan or Development Plan with the Amendment and Rezone to constrain development of the Property. A Master Plan could have been used to limit certain uses, ensuring compatibility with the General Plan, the West Santa Fe River Corridor Plan and surrounding developments. A Master Plan or Development Plan would have allowed for the review the site's feasibility to connect to City infrastructure or to measure consistency with the surrounding neighborhood uses and could have potentially led to a positive recommendation for approval. However. due to this deficiency in the Agent's application, staff cannot discern whether future development of the Property will be consistent with the Transitional Mixed Use land use category and the overall vision for this area as articulated in the General Plan and West Santa Fe River Corridor Plan. Therefore, staff recommends denial of the General Plan Amendment, and recommends approval of a rezoning to either C-1 or MU, but not to C-2. The C-1 and MU zone districts are consistent with the existing future land use category.

B. Overlay Districts

The Property lies within the River and Trails Archaeological Review District Overlay and the West Santa Fe River Corridor Overlay.

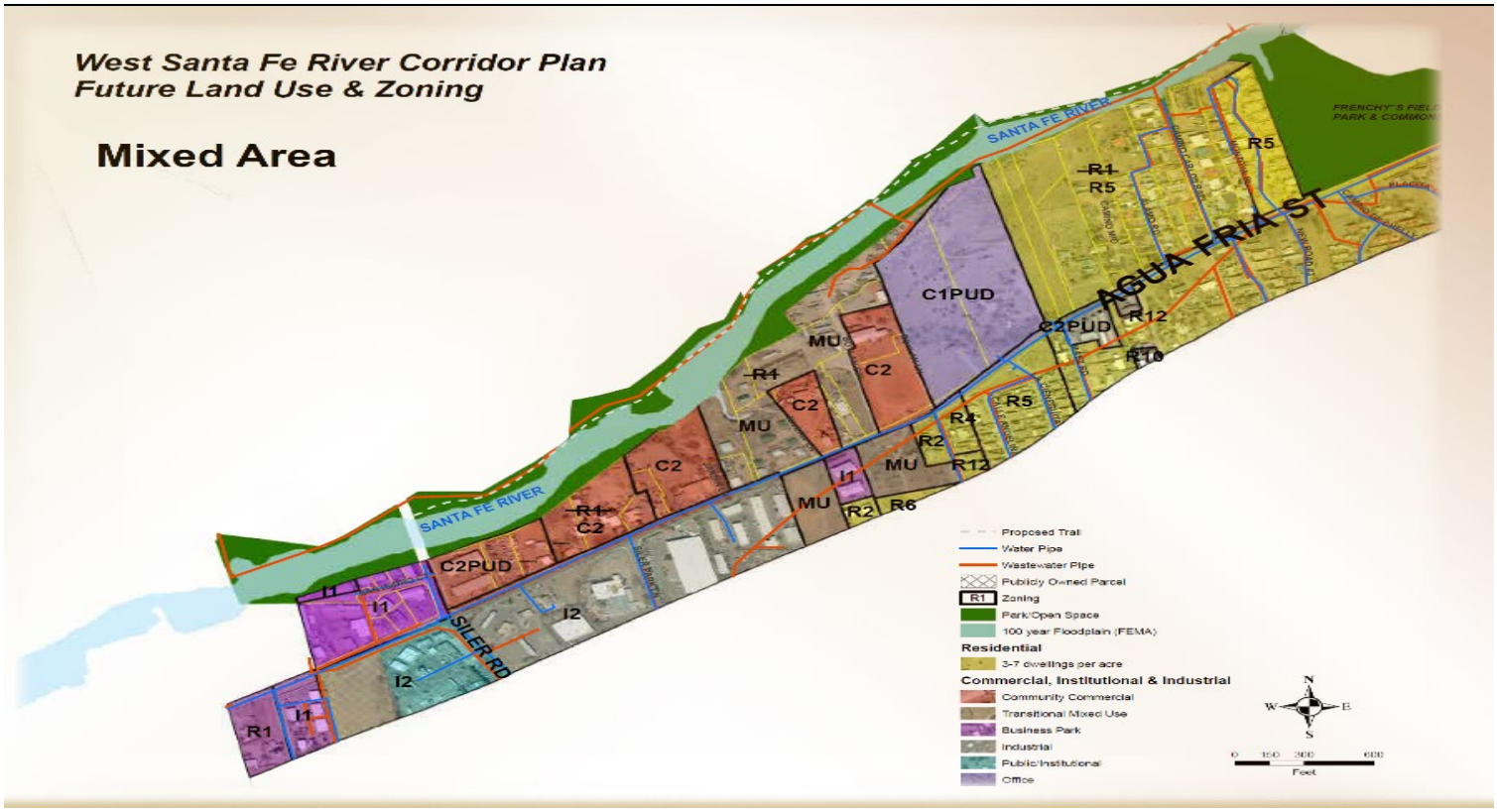
Figure 2 River and Trails Archeological Review District



1. Rivers and Trails Archeological Review District

Subject to SFCC 1987 §14-5.3(D) and §14-3.13(B)(2), an archeological clearance permit shall be provided at the time of development when located in the Archeological Review District. An archeological clearance permit is not required for a rezoning when a development plan or plat are not proposed.

Figure 3 West Santa Fe River Corridor Plan

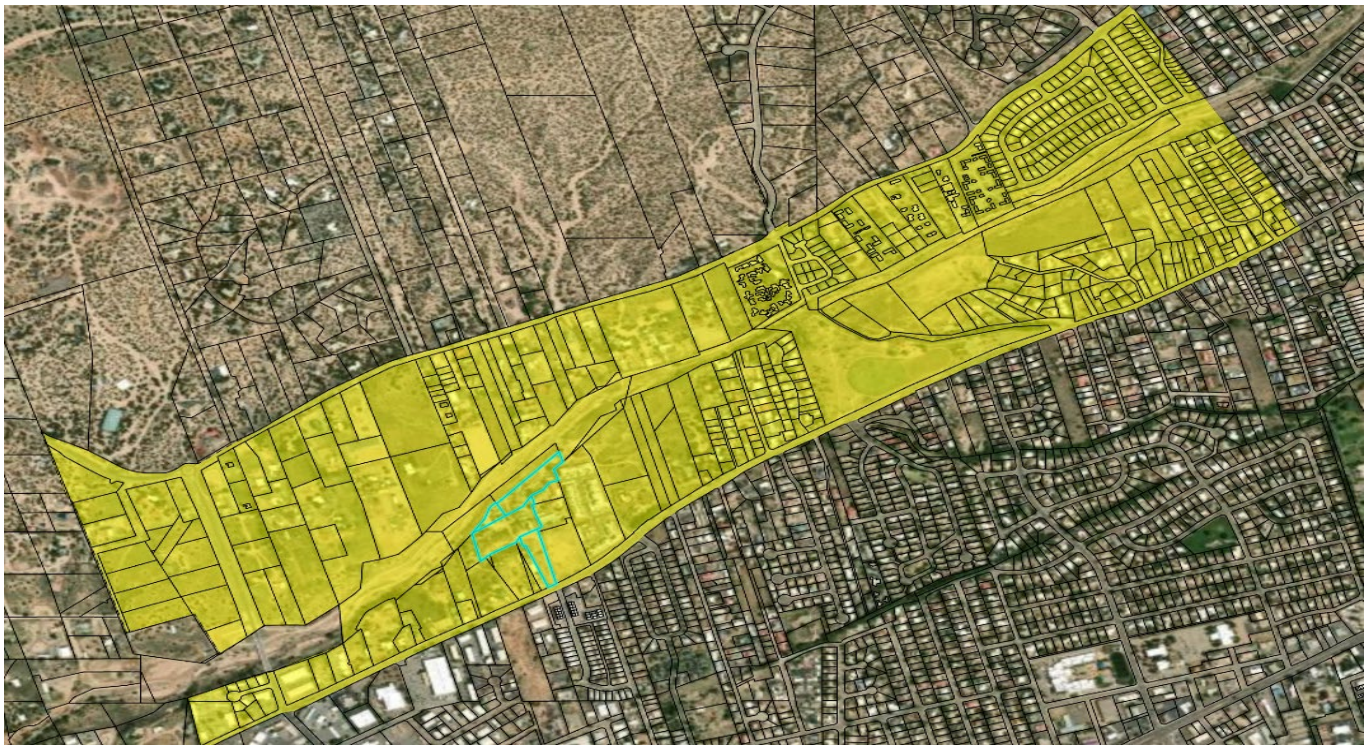


2. West Santa Fe River Corridor Plan and Overlay

On December 13, 2017, the Governing Body adopted the West Santa Fe River Corridor Plan (the "Plan") (Resolution 2017-87), the result of a year's long collaboration between multiple city departments and a citizen's working group of "local residents, business owners, architects, Planning Commission and members of the Agua Fria Traditional Historic Community". There was robust engagement including 22 weekly meetings with City staff and the working group and several open houses to allow local residents an opportunity to review and discuss the plan recommendations.

The Plan led to the adoption of the West Santa Fe River Corridor Overlay district (Ord. 2017-25) which sets specific development standards for the plan area. The Property under review is located within the Plan's "Mixed Area" (see Figure 3). The Plan acknowledges that the city's default zoning of R1 is, "not appropriate for the Mixed Area as many of the parcels already contain business uses and because warehouses with industrial zoning are located directly across Agua Fria Street." The Plan proposes re-zoning to, "create a reasonable transition from more intense commercial uses near Siler Road to less intense residential uses near Frenchy's Park." Further the Plan specifies that Parcels zoned R-1 with a Future Land Use as Transitional Mixed Use should be rezoned to Mixed-Use.

Figure 4 West Santa Fe River Overlay with Property



The Plan led to the adoption of the West Santa Fe River Corridor Overlay (see Figure 4) which ensures future development adheres to the design criteria and purpose of the River Corridor Plan. The Overlay design criteria include setbacks to Agua Fria and the Santa Fe River, limits to building height, and additional open space requirements as described in Table 1. The West Santa Fe River Corridor Overlay will be the primary guide for design and the base zoning district will address other

dimensional standards related to lot coverage and density as described in Table 3 or 4 of this report.

Table 1: West Santa Fe River Corridor Overlay Requirements

Maximum Height	*28'*
Setbacks From Street	*In the case of residential development, the setback applies when proposing a minimum of two lots or two housing units. Minimum setbacks from the street for new developments and new subdivisions fronting:* *1.Agua Fria Street: 30 feet, or 20 percent of lot depth, whichever is less, from the Agua Fria Street frontage property line.* *2. West Alameda Street: 50 feet from the West Alameda Street frontage property line.*
Building Setbacks from Santa Fe River	*A minimum of fifteen (15) feet from whichever one of the following is the most restrictive:* *(1) River Greenway Boundary, or* *(2) 100-year Floodplain Boundary (FEMA), or* *(3) City code setback measurement for streams and watercourses, [14-8.2 (D)(4)(e)(i)].*
Minimum Frontage Width for Development along West Alameda St.	*Minimum street frontage width of two hundred and fifty (250) feet along West Alameda Street is required for any subdivision, unless approved by the traffic engineer.*
Common Area Open Space	*In lieu of park dedication to the city, residential subdivisions or developments with a density of five (5) dwellings per acre or greater, or a minimum of twenty-five (25) total housing units or lots, shall have a minimum of ten (10) percent of the total land area of the proposed subdivision or development reserved as common area open space. [See also Land Development Code, "Residential Common Open Space Standards," 14-7.5(B)].*

C. Zoning and Dimensional Standards

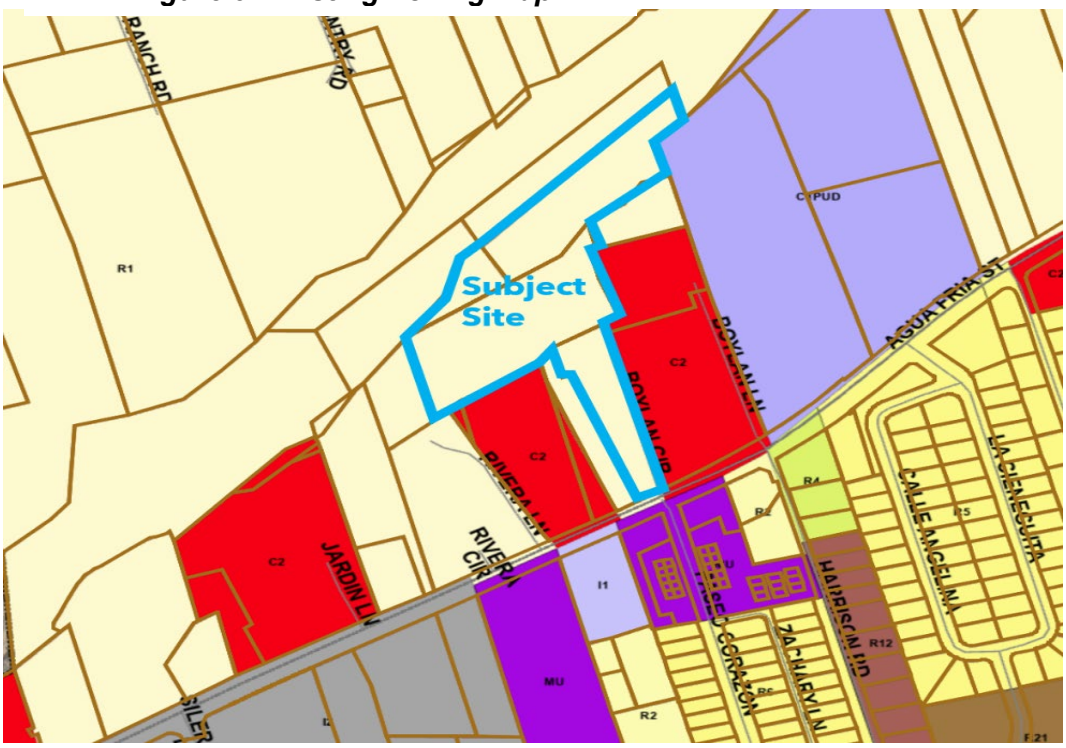
The Property was a part of the City initiated annexation located in Area 2 phase 1 in 2013 as described in Ordinance 2013-36 (Attachment A). When annexed, the Property was given an R-1 zoning district designation and has remained the same, "*Figure 5: Existing Zoning.*" 'The R-1 zoning district allows for 1 dwelling unit per acre and a number of accessory uses which are compatible with low density residential development.

Table 2 below describes the zoning and existing land uses in the area surrounding the Site.

Table 2: Adjacent Zoning and Land Uses

Direction	Zoning	Existing Land Use
North	R-1 (Residential)	Santa Fe River and River Trail
West	C-2 (Commercial) and R-1 (Residential)	Variety of residential uses (both single family and multifamily) and commercial uses (offices and service-oriented businesses)
East	C-2 (General Commercial) and C-1 PUD (Commercial)	Vacant land and multifamily residential (Acequia Lofts)
South (across Agua Fria Street)	MU (Mixed-Use)	Residential uses (single family and multifamily) and commercial uses (Escondido Restaurant)

Figure 5: Existing Zoning Map



If the Amendment is approved as requested by the Applicant, the requested C-2 zone Rezoning would not be consistent with the Future Land Use Map or the West Santa Fe Corridor River plan. Staff's recommendation to rezone from R-1 to C-1 or MU zoning district is consistent with the current FLUM designation of Transitional Mixed-Use (TMXU) and if followed would not require an amendment to the General Plan.

Table 3. Residential and Non-Residential Dimensional Standard Differences Between C-1 and C-2 per Table 14-7.2-1 & 14-7.3-1 (Old Code)

Standard Type	C-2	C-1
Height (feet)*	45’	36’
Setbacks **	Street: 15’ Rear: 10’ Side: 0’	Nonresidential Uses: Street : 10 Side: 5 Rear: 10 Residential Uses: Same as for R-21 district. (Established through Development Plan)
Open Space*** (Square Feet)	250 SF/ dwelling unit	Single-family dwellings or multiple-family dwellings : 250 square feet of common and/ or private open space for each unit (Defers to R:21 Open Space).
Lot Coverage	60% maximum	Nonresidential Uses: 60% (Non-residential Open Space subject to 14-7.5(D). Residential Uses: 40%
Density	None (Density is determined as a result of max. height, setbacks, lot coverage, and parking)	R-10=10; R-12, R-21 and R-29=10 or per development plan or special use permit approval (see 14-7.2(F)). If public sewer and water are not provided, see Note 15: *The maximum gross density in districts that permit residential use is 0.4 dwelling units per acre if neither public sewer or water is provided, and one dwelling unit per acre if either public sewer or water is provided, and 0.8 dwelling units per acre if the lot was created through an inheritance or family transfer subdivision that resulted in only one additional lot .*

* Height of structures shall be 28’ when located in West Santa Fe River Corridor Overlay. (Table 1)

** Setbacks shall also adhere to Santa Fe River and Street backs defined in West Santa Fe River Corridor Overlay. (Table 1)

*** Additional Common open space standards shall be met for future development. (Table 1)

Table 4. Residential and Non-Residential Dimensional Standards for Mixed Use 14-7.3-1 (Old Code)

Standard Type	Mixed Use
Height (feet)	A maximum height of 35 feet shall be permitted where two or more *stories* are included in a *building* ; where the *mixed-use development* is located adjacent to *residential* uses or *residential zoning*, all *buildings* and *structures* within 70 feet of the adjoining *residential property* line shall not exceed 25 feet in height. Also see §14-7.3(B)(1) for step-back requirements.
Setbacks	**Street :** Equivalent to the minimum yard requirements in any adjoining residential zoning district if not separated by a street ; otherwise none is required. **Side:** 30 feet from property line when abutting a residential district; 5 feet from property line if not abutting a residential district. Right of way may be counted as part of setback . **Rear:** 30 feet from property line when abutting a residential district; 10 feet from property line if not abutting a residential district. Right of way may be counted as part of setback . Also see §14-7.3(B)(1) for separation requirements.
Open Space	Each *dwelling unit* shall be provided with a minimum of two hundred fifty (250) square feet of qualifying private or *common open space* .

Lot Coverage	None, except as may be needed to satisfy other limitations applicable to a MU district Also see §14-7.3(B)(1) for footprint requirements and residential requirements
Density	*Buildings* of twenty-five (25) feet or less in height shall not exceed a maximum of twelve (12) *dwelling units* per acre and *buildings* of between twenty-five (25) feet and thirty-five (35) feet or less in height shall not exceed fourteen (14) *dwelling units* per acre. Each *dwelling unit* shall be provided with a minimum of two hundred fifty (250) square feet of qualifying private or *common open space* .

Additional Mixed-Use Standards include the following;

- Architecture Step-Backs
  - Third floors shall have a step-back (balcony or roof area) of a minimum of five (5) feet from all the building's facades at ground level.

- Separation of Uses
  - Where any of the following uses exist on an adjoining site, group living or household living uses shall be separated from the following uses by a minimum distance of fifty (50) feet:
    - a drive-through use or facility, including gas stations, car washes, restaurants and banks;
    - animal hospitals or clinics with external overnight boarding;
    - child day care facilities with more than thirty children;
    - outdoor storage of material;
    - restaurants and bars operating between the hours of 10:00 p.m. and 7:00 a.m.;
    - liquor stores;
    - hotels and motels ; and
    - any land use that the planning commission determines will produce environmental impacts, processes or products that are incompatible with residential uses, and that is noted on the approved master plan or development plan.

- Building Tenant Space
  - No single commercial tenant space shall exceed a total of twenty thousand (20,000) square feet.

- Residential Uses
  - Residential uses shall consist of at least forty percent of the development's total floor area if located adjacent to residentially zoned districts. If not, residential uses shall consist of at least twenty percent of the development's total floor area. The master plan, plat and development plan shall show this residential /commercial mix.

- Formerly Zoned Industrial Park
  - Any property previously zoned industrial park with master plan approval on or before the date of adoption of the BIP zoning district shall be governed by and subject to the approved master plan. Where a conflict exists between the approved master plan and the requirements of this Section 14-7.3, the more lenient standard shall prevail.
  -
- The Mixed-Use district standards address the mitigation of potential negative impacts on adjacent residential uses, which is why the regulatory framework of Mixed-Use was set forth in the West Santa Fe River Corridor Plan.

D. C-1 vs C-2 Uses

The Applicant's request to Rezone to C-2 did not include a master plan, or development plan request which would have provided in staff and the DRT an opportunity to make conditions of approval to ensure compliance with compatible uses, ity infrastructure, transportation and traffic requirements, and emergency service improvements. As a result, staff is unable to determine if the site can accommodate the level of improvements needed for future developments within the requested C-2 zone district.

Therefore, staff is recommending a less intensive zone district of C-1 or MU to ensure consistency with the Future Land Use Map designation of Transitional Mixed Use and the West Santa Fe River Corridor Plan. All future development shall adhere Summary Use Table set forth in Santa Fe City Code 2026 ("SFCC 2026"), §14-5.2(D) Table 5-1. Table 5, shows a handful of uses that are not allowed, permitted, or require conditional use permit comparing MU, C-1 and C-2.

Table 5. Comparison Summary of Allowed Uses – MU vs C-1 vs C-2

Use	MU	C-1	C-2
Light Assembly Manufacturing	Not Allowed	Not Allowed	Permitted
Service and Repair Garage, including Gas Station	Not Allowed	Not Allowed	Permitted
Tire recapping and retreading	Not Allowed	Not Allowed	Permitted
Continuing Care Community	Permitted	Permitted	Conditional Use Permit
Foster Home	Permitted	Permitted	Not Allowed
Group Residential Care Facility, Large or Small	Permitted	Permitted	Conditional Use Permit
Cannabis Manufacturing Light	Not Allowed	Not Allowed	Permitted
Cannabis Producer Micro-business	Not Allowed	Not Allowed	Permitted/ Conditional Use Permit
Cannabis Producer	Not Allowed	Not Allowed	Conditional Use Permit
Cannabis Testing or Research Laboratory	Not Allowed	Not Allowed	Permitted
Commercial Cannabis Retailer	Permitted with Use Specific Standards	Not Allowed	Permitted

E. Legal Lot of Record

The Applicant has provided documentation confirming that the subject properties are legal lots of record. See Attachment C: "Applicant Submittals"

F. Infrastructure

Figure 6: Utility Connections



The City Code requires that infrastructure be able to accommodate the impacts of the proposed development. "[T]he existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development." SFCC 1987, § 14-3.5(C)(1)(e). The Property is located within the County Fire District and approximately 1.12 miles from Fire Station No.3 located at the intersection of Third and Cerillos. When a development project is reviewed, Santa Fe Fire Department shall provide site specific recommendations based on the intensity and type of use being proposed in the future. For example, future development would likely require fire hydrants be placed and water connections be made to the City's public water system. The site does not currently connect to City water however, it does access City wastewater services from the Santa Fe River via a private water line shown in red in Figure 6 of this report. The Property's wastewater needs are currently serviced by an 8-inch PVC sewer line that is privately owned and will need a new public sewer line when development is proposed.

The Development Review Team's ("DRT") review of the rezoning request concluded that City resources and infrastructure are available to the Site. The types of uses allowed in C-1 or MU zoning can likely be accommodated in this location, subject to specific requirements and improvements that will be identified during Development Plan review. *See* Attachment A: "DRT Comments".

GENERAL PLAN AMENDMENT APPROVAL CRITERIA

Section 14-3.2(E) and (E)(2) SFCC 2001 sets forth approval criteria for General Plan Amendment as follows:

(1) The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:

Table 6: General Plan Amendment Approval Criteria

Criterion a (14-3.2(E)(1)(a)): consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;	**Criterion Met: (Yes/No) NO**

Applicant's Response:

The proposed General Plan Amendment is consistent with Chapter 3-1 of the Land Use Themes as provided below:

- **Quality of Life:** The proposed General Plan Amendment has the potential to enhance the quality of life at the time the property is redeveloped from the existing non-conforming mobile home park that was established prior to the 1981 adoption of the Santa Fe County Code.

- **Economic Diversity:** The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial uses. This is consistent with the General Plan's economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city.

- **Sustainable Growth:** The existing homes on the property are served by two private wells along with a private sewer line which is connected to the trunk line located north of the property across the Santa Fe River and eventually flows into the city's system.

  As with the non-conforming mobile home park, the two water wells that are currently feeding the existing homes is not sustainable. Redevelopment will require capping of the two wells allowing the diversion of ground water in the amount of a total of 6.0 afy of water per year. Capping of the wells directly conserves groundwater, which is a natural resource and has been severely depleted over time by the existing drought. Connection the city's water system will also require an approved water budget that will assist on restriction of water along with collection of revenue by the city for use of water.

  The existing private sewer line was installed over 40 years ago and will need to be

adequately sized and upgraded to city standards for future dedication to the City to ensure proper construction and maintenance.

- **Mixed Use:** Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 2.19%. The proposed general plan amendment from Low Density Residential to Community Commercial zoning will allow for a mix of commercial and or high-density residential uses which is consistent with the mix of uses established in this area after the City/County annexation occurred in 2009. The proposed General Plan Amendment allows flexibility to re-develop the property consistent with the area by providing the ability to establish a range of permitted uses without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation flexibility supports the City's economic development goals.

Transportation and Mobility: The proposed development also aligns with the General Plan's transportation goals by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.

- **Infrastructure and Public Services:** The proposed amendment is consistent with the General Plan's goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies. The new sewer system, which will be installed to meet city standards and maintained by the city after one year, is also consistent with the General Plan's commitment to ensuring adequate, sustainable public services and infrastructure to support growth.

  The amendment is also consistent with the guiding policies within Chapter 4 of the 1999 General Plan, specifically regarding the promotion of infill development, efficient use of existing infrastructure, and recognition of water demand and conservation. By aligning with these policies, the amendment contributes to the balanced growth of Santa Fe, promoting both residential development and new employment opportunities in a sustainable manner.

  Additionally, the proposal is consistent with the existing land use conditions, including the availability of access and infrastructure.

Staff Response:

The Applicant has not provided sufficient evidence to address this approval criteria. Staff finds that the criteria is not met and recommends denial of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to Community Commercial. The General Plan and the West Santa Fe River Corridor Plan were adopted after extensive data analysis, rigorous public engagement and represents the community's collective vision for development of this area. The property is currently lacking

in sufficient infrastructure to support the non-conforming 15 mobile home units, but redevelopment of the property can occur without amending the existing FLUM designation of Transitional Mixed Use. A rezoning to a less intense zone district such as C-1 or Mixed-Use would allow for a diverse set of compatible residential, commercial and office uses, without the need to amend the City's General Plan. Furthermore the less intense MU zone district is the preferred district as articulated in the City's adopted West Santa Fe River Corridor Plan.

Criterion b (14-3.2(E)(b)): consistency with other parts of the general plan ;	**Criterion Met: (Yes/No) NO**

Applicant's Response:

The proposed General Plan Amendment is consistent with several key elements of the Santa Fe General Plan, Specifically the Guiding policy described in Chapter 3 of the 1999 General Plan and provided below:

Guiding Policy 3-G-3 States "There shall be infill development at densities that support the construction of affordable housing and designated mix of land uses that provide an adequate balance service retail and employment opportunities to address residential growth throughout the Urban Area, including the Railyard property"

The subject property is considered as infill located within the Urban Area as describe in the 1999 General Plan and has the potential to redevelop at higher residential densities and or other commercial uses that could create employment opportunities.

Staff Response:

The Applicant has not provided sufficient evidence to address this approval criteria. Staff finds that the criteria is not met and recommends denial of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to Community Commercial. The General Plan and West Santa Fe River Corridor Plan were adopted after extensive data analysis, rigorous public engagement and represents the community's collective vision for development of this area. The site is currently lacking in sufficient infrastructure to support the non-conforming 15 mobile home units, but redevelopment of the site can occur without amending the existing FLUM designation of Transitional Mixed Use. A rezoning to a less intense zone district such as C-1 or Mixed-Use would allow for a diverse set of compatible residential, commercial and office uses, without the need to amend the City's General Plan.

Criterion c (14-3.2(E)(1)(c)): the amendment does not: **(i)allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or** **(ii)affect an area of less than two acres, except when adjusting boundaries between districts; or** **(iii)benefit one or a few landowners at the expense of the surrounding landowners or the general public;**	**Criterion Met: (Yes/No) NO**

Applicant's Response:

(i.) The proposed amendment does not introduce uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. Over time, particularly following the city/county annexation, the area has undergone significant changes ,allowing for the future redevelopment of infill properties with access to city utilities as well access to sufficient city maintained roadways. Many of the surrounding properties have been rezoned within the past fifteen years to accommodate higher-density residential uses, including multifamily apartment buildings, reflecting the city's growth and evolving urban landscape.

Currently, the area includes a mix of residential and commercial uses. Some commercial properties are legal non-conforming, while others were established through previous general plan amendments and rezonings.

The proposed general plan amendment is consistent with this pattern of development, as it allows for a combination of residential and commercial uses that align with the existing mix of land uses in the area. The amendment would further complement the surrounding properties by providing additional opportunities for both residential and commercial growth, without significantly altering the established character of the neighborhood.

Thus, the amendment is in keeping with the area's ongoing transition and growth, and it aligns with the existing mix of residential and commercial uses that have developed over time. The proposed change is not a dramatic departure from the current land use pattern but rather a continuation of the evolving character of the area.

(ii.) There are four adjoining legal lots of record with a total of 5.96 acres.

(iii.) The proposed amendment will provide benefits not only to the applicant but also to the surrounding landowners and the broader community. The property in question is currently occupied by an aging mobile home park that has been in place for over forty years, predating the Santa Fe County Code and prior to being annexed into the City of Santa Fe.

This property is in need of redevelopment to address current deficiencies and enhance the area’s overall character. The existing site is encumbered by several electric power poles and a large stockpile of dirt along the Agua Fria Street frontage, both of which negatively impact the aesthetics and functionality of the area.

The proposed amendment will facilitate a sustainable and diverse redevelopment that connects the property to city utilities, addressing key infrastructure challenges. Specifically, the redevelopment will allow for the relocation and undergrounding of electric services, improving both the visual appeal and safety of the area. These infrastructure improvements will directly benefit the surrounding landowners by reducing existing eyesores and enhancing the overall neighborhood environment.

Additionally, by redeveloping the site, the amendment creates the potential for a more vibrant and well-integrated community with better access to essential services. The redevelopment is designed to integrate seamlessly with surrounding properties, offering opportunities for both residential and commercial growth that will benefit the area as a whole, not just a select few.

This approach ensures that the amendment does not disproportionately benefit one landowner at the expense of others but instead supports the broader public interest by improving infrastructure, enhancing the built environment, and contributing to the neighborhood's long-term sustainability and growth.

Staff Response:

Through the General Plan and the West Santa Fe River Corridor Plan the city has articulated a vision for development of this Property. The Applicant's request to amend that collective vision in support of a single property owners request has not been justified. Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to Community Commercial, but supports a Rezone to a more compatible zone district such as MU or C-1, which would not necessitate a GP Amendment.

The proposed amendment would permit uses that are significantly different from or inconsistent with the prevailing use and character in the area. Existing areas that were permitted to be rezoned to C-2 were rezoned prior to the adoption of the West Santa Fe River Corridor plan and likely were the impetus for the development of the corridor plan.

Criterion d (14-3.2(E)(d)): an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;	**Criterion Met: (Yes/No) NO**

Applicant Response:

The proposed amendment is in conformance with Subsection 14-3.2(E)(1)(c) as stated in the above responses (c) i,ii,iii.

Staff Response:

Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial and finds that the current designation of Transitional Mixed use continues to promote the general public welfare. The Applicant has not provided sufficient evidence to justify the Amendment.

Criterion e (14-3.2(E)(1)(e)): compliance with extraterritorial zoning ordinances and extraterritorial plans;	**Criterion Met: (Yes/No) NO**

Applicant's Response:

This criterion is no longer relevant since the adoption of Subdivision Platting and Planning Zoning Ordinance (SPPaZO), and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.

Staff Response: Not Applicable.

Criterion f (14-3.2(E)(f)): contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development ; and	**Criterion Met: (Yes/No) NO**

Applicant's Response:

The proposed amendment will contribute to the coordinated, harmonious development of Santa Fe by addressing both current and future needs, and it will promote health, safety, and general welfare of the community. The existing mobile home park, currently designated as transitional mixed-use, does not comply with the current land use regulations and is limited in its ability to undergo meaningful upgrades or redevelopment due to its non-conforming status. This limitation restricts opportunities for investment, which in turn can lead to deterioration and neglect of the site.

By encouraging the redevelopment of this property, the amendment will not only provide an opportunity to modernize the site but also help prevent blight and disrepair, thereby improving the overall quality of life for residents and the surrounding community.

Redevelopment will ensure that the site is brought into compliance with modern land use standards, improving both the physical and environmental aspects of the area. These improvements will enhance public safety, aesthetics, and infrastructure, contributing to the general welfare of the neighborhood.

The amendment also aligns with the City of Santa Fe's long-term growth goals by supporting infill development and more efficient use of land. The proposed redevelopment is consistent with the city's vision of creating sustainable, vibrant, and diverse neighborhoods that meet the needs of both current and future residents. By facilitating development that connects to city utilities and enhances the surrounding infrastructure, the amendment helps promote efficiency and economy in the development process, aligning with the city's broader planning objectives for growth and sustainability.
In summary, the proposed amendment will foster a coordinated and harmonious development that supports Santa Fe's growth objectives, improves public health and safety, and contributes to the economic and social well-being of the community.

Staff Response:

Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial. The Applicant has not provided sufficient evidence to counter the collective vision for the future needs of the city as articulated in the General Plan and the West Santa Fe River Corridor Plan.

Criterion g (14-3.2(E)(1)(g)): consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.	**Criterion Met: (Yes/No) NO**

Applicant's Response:

The City has a policy of promoting a mix of land uses, this property is located within an area where there is a mix of residential, retail and entertainment. The recent changes to the City code now permit residential uses within a C-2 commercial district.
Staff Response: Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial. The request is contrary to the vision articulated in the West Santa Fe River Corridor Plan as adopted by the Governing Body and endorsed by the community.

(2) In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties . The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping or other means, and a finding must be made that:

Table 7: SFCC §14-3.2 (E)(2): Additional Criteria for Amendments to Land Use Policies

Criterion a (14-3.2(E)(2)(a)): the growth and economic projections contained within the general plan are erroneous or have changed;	**Criterion Met: (Yes/No) NO**
Applicant's Response: When the existing General Plan was adopted in 1999, it failed to recognize the complexity of land use of this part of the urban area. It is not a matter of the growth and economic projections being is an error as it is the failure to observe the diversity of existing land uses and assign a zoning district that best fit those land uses. Land use patterns in this area have changed over time especially with the city/county annexation recognizing infill development that can provide greater housing densities and a variety of commercial uses that are consistent with the current land use patterns.	
Staff Response: Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial.	
Criterion b (14-3.2(E)(2)(b): no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or	**Criterion Met: (Yes/No) NO**
Applicant's Response: There are other locations in Santa Fe where general commercial is available, however the current zoning does not allow for the existing residential density associated with the existing mobile home park. The intent of the property owner is to redevelop the property with more options that will maintain a higher density residential component while having an option to develop both commercial and residential uses on the subject lot.	
Staff Response: Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial as it is inconsistent with the West Santa Fe River Corridor Plan.	
Criterion c (14-3.2(E)(2)(c): conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.	**Criterion Met: (Yes/No) NO**

Applicant's Response:
While the City continues to recognize the existing mobile home park as a legal non-conforming use, this grandfathered status is contingent upon no substantial improvements, expansion, or damage beyond repair. Should such circumstances arise, the property would revert to its R-1 zoning with a transitional mixed-use land use designation, which allows for only one (1) dwelling unit per acre, a density that no longer aligns with the area's evolving development patterns.

Over the past fifteen years, since the annexation of this property into the city, significant changes in land use patterns and zoning have occurred. The recent rezonings in the area, which have permitted higher-density multifamily residential and commercial uses, have notably increased the cost of land and shifted the market dynamics. These changes have rendered the existing mobile home park site less viable for long-term use under its current configuration, especially as surrounding properties have transitioned to more intensive uses.

Additionally, advances in building technology and changes in consumer preferences have further driven demand for higher-density housing and more diverse land uses. The costs associated with maintaining the existing mobile home park, particularly given the high land value in this growing area, make it increasingly difficult to sustain its non-conforming use. Redeveloping the property in accordance with the proposed general plan amendment will not only accommodate the evolving market but also provide a more efficient and sustainable use of the land, aligning with the city's current zoning and development goals.

This amendment is therefore a response to the changing land use patterns, market conditions, and technological advancements that have altered the feasibility of the existing mobile home park and support the need for a more appropriate and compatible development for this location.

Staff Response:

Staff does not recommend approval of the applicant's request to amend the General Plan's Future Land Use Map from Transitional Mixed-Use to General Commercial.

IV. REZONING APPROVAL CRITERIA

Section 14-3.5(A) and (C) SFCC 2001 sets forth approval criteria for rezoning: *(1) The Planning Commission and the Governing Body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning.*

*Staff has found that the Applicant's request to rezone to C-2 does NOT meet the approval criteria. The following staff findings are made in support of the rezoning to either Mixed-Use or C-1.

Table 8: Rezoning Approval Criteria

Criterion 1 (14-3.5(C)(1)(a)): one or more of the following conditions exist: **(i)** There was a mistake in the original zoning; **(ii)** There has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or **(iii)** A different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;	**Criterion Met: Yes***
Criterion 1(i): ***Applicant Response****: N/A*	
Staff Response (i.): *Staff finds that there is no mistake in the original zoning created by the annexation agreement in 2013 to establish R-1 zoning or compatible zoning, and was consistent with the standard that all annexed properties be assigned the R-1 zone district. (Attachment A)*	
Criterion 1(ii): ***Applicant Response****:* *With the city/county annexation that occurred approximately fifteen years ago, the surrounding area has changed significantly where there have been at least four rezoning approvals which includes nine tracts of land all within less than 1,000 feet of the subject property(s) that have been redeveloped as mostly apartments. Prior to the city annexing the area north of Agua Fria Road there was little development activity. With the availability of utilities and provision of City services within this urban area there have been more requests for development or re-development in this urban area of the City.*	
Staff Response (ii.): Staff acknowledges that there has been change to the surrounding area including the addition of more housing and commercial uses (particularly multi-family housing and mixed-use development). For example, from 2018 to 2024, multiple multifamily complexes were constructed in the surrounding area such as: Homewise condominiums, Siler Yard apartments, Acequia Lofts, and the Boylan apartments. Furthermore, a review of forthcoming project proposals indicates this trend will likely continue with the addition of more housing, commercial	

and mixed-use developments along the West Santa Fe River Corridor Plan area. However, staff does not recommend a rezoning to C-2 but rather to C-1 or Mixed-Use due to the type of uses that would be permitted under the C-2 zone district. The nearby properties referenced by the Applicant zoned C-2 at 1400 and 1411 Boylan (Ord. 2014-32) and 2751 and 2749 Agua Fria (Ord. 2015-34) achieved their zoning in 2014 and 2015 respectively, prior to the adoption of the West Santa Fe River Corridor Plan. The Plan was adotped in 2017 and lays out of clear vision for the zoning for this property, Mixed Use. The Acequia Lofts residential development to the east of the Property is zoned C1-PUD and the mixed-use development across the street with Escondido is zoned Mixed-Use.

Criterion 1(iii): ***Applicant* Response:**

The City General Plan identifies this property and other properties between Agua Fria and the Santa Fe River as "Transitional Mixed Use". The predominate land use for this area is a mix of commercial and single family and rental housing. The R-1 zoning assignment is not consistent with the underlying zoning therefore it is necessary to rezone the property to maintain consistency with the overall area.

Staff Response (iii.):

The applicant's response to criterion 1 (iii) does addresses how the General Plan encourages mixed-use developments while implying the existing zoning district, R-1 limits through density and uses. However, in staff's review of the C-2 rezoning request to R-1 is inconsistent with the Transitional Mixed-Use Future Land Use Map ("FLUM") designation as articulated in the General Plan. A C-2 rezoning request, if approved, could allow uses to be developed onsite that divert from the residential, agricultural, and neighborhood-oriented themes within the West Santa Fe River Overlay district and General Plan's Mixed-Use Theme. For example, C-2 districts allow cannabis retail, automotive repair, and non-proprietary commercial uses that would otherwise not exist in new neighborhoods. Therefore, staff recommends a rezone from R-1 to C-1, community commercial, a zoning district that promotes high density development based on height restrictions, encourage a variety neighborhood-oriented uses such as market, childcare, and laundromat, and restricting uses that can be considered a nuisance in residential areas.

Criterion 2 (14-3.5(C)(b)): all the rezoning requirements of Chapter 14 have been met;	**Criterion Met: YES***

Applicant Response:

Currently the existing zoning is R-1, Single Family Residential, one dwelling per acre, which creates a non-conforming status for this property. Rezoning of the property to C-2 uses would bring this property into conformance with the historic land use patterns and uses that have taken place on this property.

Staff Response:

Staff finds that the rezoning requirements of Chapter 14 have been met: specifically, §14-3.1 "Applicable General Provisions" (the authority to file; form of the application; fees paid; pre-application conference and ENN requirements, sign posting and public notice) and the provisions, procedures, and additional requirements of §14-3.5 "Rezonings." Staff finds that the applicant has met this criterion and recommends rezoning to C-1 or MU.

Criterion 3 (14-3.5(C)(1)(c)): the rezoning is consistent with the applicable policies of the general plan, including the future land use map;	**Criterion Met: YES***

Applicant's Response:

Rezoning to C-2 (General Commercial) is consistent with the policies of the General Plan as it aims to recognize the development of infill properties where city infrastructure is Available. Furthermore, rezoning of the property is consistent with the Transitional Mixed-Use designation in that it offers the property the ability to develop with a mix of residential and commercial uses. The rezoning is also consistent with Chapter 3-1 of the Land Use Themes as provided below:

- ***Quality of Life:*** *The proposed General Plan Amendment has the potential to enhance the quality of life at the time the property is redeveloped from the existing non-conforming mobile home park that was established prior to the 1981 adoption of the Santa Fe County Code.*
- ***Economic Diversity****: The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial uses. This is consistent with the General Plan's economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city.*
- ***Mixed Use:*** *Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 2.19%. The proposed general plan amendment from Low Density Residential to Community Commercial zoning will allow for a mix of commercial and or high-density residential uses which is consistent with the mix of uses established in this area after the City/County annexation occurred in 2009. The proposed*

General Plan Amendment allows flexibility to re-develop the property consistent with the area by providing the ability to establish a range of permitted uses without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation flexibility supports the City's economic development goals.

- ***Transportation and Mobility****: The proposed development also aligns with the General Plan's transportation goals by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.*
- ***Infrastructure and Public Services****: The proposed amendment is consistent with the General Plan's goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies.*

Staff Response:

The applicant's findings in criterion 3 encourage a rezoning from R-1 to C-2 that is inconsistent with the Mixed Use/ Transitional Land Use Classification 3.5 established by amendment via Resolution 2001-82 (Attachment A):

"Mixed-Use/Transitional

This designation is Intended to allow for a mixing of compatible land uses within two development scenarios. The first scenario, or "Mixed-Use" land use designation, allows for mixing of uses within the same development site which would include, in all cases, residential and limited non-residential uses where there is strong emphasis on site design that is sensitive to compatibility of building scales and massing, land use intensities and pedestrian orientation. The mixed-use scenario may include such uses as residential, including single-family, and multi-family residential where the scale and intensity are deemed appropriate and compatible with the other proposed uses, office, civic and religious uses, live/work units, educational uses and appropriately-scaled retail/services that are intended to primarily serve the residential uses as an added local amenity. Light industrial uses may also be considered in a love-work development scenario provided there is adequate buffering and protection to surrounding residential. The mixed-use development should be designed in a planned, landscaped setting and the land uses should be selected and arranged to create a vibrant, yet comfortable, interactive place. Both restrictive and permissive language may be used in a zoning ordinance to create a viable mix of uses so that the most profitable use does not dominate.

The second scenario, or the "Transitional" land use designation also promoted mixing of compatible land uses but is intended to occur within several abutting tracts of land where commercial and residential uses are adjoining. The intent of the designation is to create a unified land use pattern between varying land use intensities. This would be accomplished through the introduction of uses of intermediate scale and intensity that would allow for a transition from the commercial to residential through reduction, or "step-back", in land use intensity, building scale and massing, additional buffering and a re-orientation of the uses and structures to promote interaction and connectivity through pedestrian orientation and "walkability." The applicant's application submittal (Attachment C) does not include a formal Master Plan or Development Plan request to allow staff and the City's Departmental Review Team ("DRT") the opportunity to apply the Land Development Code and provide recommendations for conditions or technical corrections to the Planning Commission. Therefore, staff recommends rezoning the Property from R-1 to C-1 or MU to be consistent with the Future Land Use

Map land use classification of Transitional Mixed-use and the West Santa Fe River Corridor Plan.

Criterion 4 (14-3.5(C)(d)): the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city;	**Criterion Met: YES***

Applicant Response: *There are four (4) adjoining legal lots of record with a combined total of 5.96 acres which will be consolidated upon approval of the rezoning request. The proposed C-2 use for the land is consistent with city policies as it continues to recognize development of infill property and is consistent with the current land use patterns that have developed for a mix of uses from commercial to medium to high density residential.*

Staff Response: *The 5.96-acre Property, made up of 4 contiguous parcels in which three of the four have existing/ occupied dwellings onsite. Combined, all of the parcels provide the amount of land that can be consistent with urban land uses and growth consistent with the General Plan. However, One out of the four parcels meet the 2-acre minimum requirement to be rezoned by itself. Therefore, it is critical that future development of the Property be of the 5.96 are Property and not individual parcels. The applicant's submittal does not include a formal Master Plan or Development Plan request to provide a condition of approval to require a consolidation of parcels at the time of development. A rezoning request to C-2 would be inconsistent with the Future Land Use Map, West Santa Fe River Corridor Plan, and potentially allow dimensional standards that are inconsistent with the surrounding area. Whereas staff recommendation to C-1 which has a density of 21 dwelling units per acre or Mixed Use which limit density by massing and architectural design that not only meet the growth demands in the area but be characteristically consistent with transitional intent of the General Plan.*

General Plan Figure 4-4, Urban Sub-Areas, designates the subject site and surrounding area as an "Infill Area." The Growth Management Chapter of the General Plan , such as Section 4.1, specifically calls for prioritization of infill development in Santa Fe to maximize the efficient use of public infrastructure, while meeting the demand for urban land or development and directing new growth towards the historic core of the city rather than on the undeveloped fringes. The proposed rezoning is aligned with these strategic directives and is responsive to community needs for housing in this area of the City.

Criterion 5 (14-3.5(C)(1)(e)): **the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.**	**Criterion Met: YES***

Applicant Response:

Public utilities are available on Agua Fria, including water, gas and electric lines, cable, and telephone lines. The City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection. Siler Road has been completed from Agua Fria to West Alameda providing alternative routes to Agua Fria. In fact, the traffic volumes on Agua Fria have declined with the extension of Siler to West Alameda. Santa Fe River Greenway pedestrian and bicycle trail has recently been completed and is located north of the subject parcels. The closest Fire Station to this site is located on Cerrillos Road near Third Street within a five-minute service radius to this property.

Staff Response:

Staff from the relevant City departments, including water, wastewater and traffic engineering have reviewed the rezoning request and have determined that infrastructure is generally sufficient for the types of uses allowed in C-1 and MU zoning and that more specific needs can be determined at the time of Development Plan submittal.

Criterion 6 (14-3.5(C)(2)): **Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:** **(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;** **(b) affect an area of less than two acres, unless adjusting boundaries between districts; or** **(c) benefit one or a few landowners at the expense of the surrounding landowners or general public.**	**Criterion Met: N/A**

Applicant's Response: *N/A*

Staff Response: *As the findings state that the proposed C-2 rezoning **is not** consistent with the General Plan. However, staff's recommendation to rezone to C-1 is consistent with the General Plan therefore, this criterion is not applicable in this case.*

V. CONCLUSION:

The Land Use Department, together with the development review team, have analyzed the project. The Applicant's findings and request for a General Plan Future Land Use Map from Transitional Mixed-Use to General Commercial and Rezone from R-1 to C-2 are inconsistent with the guiding policies, land classifications, and Future Land Use Map of the General Plan and the vision for this Property as articulated in the West Santa Fe River Corridor Plan. The zoning districts that promote the highest and best use while being consistent with the General Plan is C-1 (office and related commercial) or Mixed-Use.

VI. ATTACHMENTS

ATTACHMENT A:

1. 12-20-24 Initial Staff Report Memo
2. Development Review Team compiled comments
3. Annexation Map Phase 2 Area 1
4. Ordinance 2013-36
5. Mixed Use & Transitional Definition Res. 2001-82
6.) West Santa Fe River Corridor Plan 12-14-17

ATTACHMENT B: Maps and Photos

1. Future Land Use Map
2. Existing Zoning Map
3. Street View
4. Utility Map
5. Vicinity Map
6. West Santa Fe River Corridor

ATTACHMENT C: Applicant Materials

1. General Plan Amendment Application
2. Rezoning Application
3. Request Letter
4. GPA & Rezoning Development Report (11_12_2024)
5. Applicant Response to Initial DRT Letter
6. GPA & Rezoning Development Report REVISED (7_31_25)
7. GPA & Rezoning Development Report REVISED (8_8_25)

VII. APPROVED AS TO FORM BY THE PLANNING AND LAND USE DEPARTMENT:

Title	Name	Initials
Department Director	Heather Lamboy, AICP	HLL
Assistant Department Director	Maggie Moore	MRM
Planning Division Manager	Dan Esquibel	
Planner Senior	Joel Cruz-Haber	JCH

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915 Mercer Street
Santa Fe NM 87501

Re: Case# 2024-9460 and 2024-9461: 214 Boylan General Plan Amendment and Rezoning at 1372 Boylan Lane, and 2743 and 2745 Boylan Circle

Dear Ms. Dalton,

Your application was received on November 13, 2024. It has been reviewed by the Planning Division (Staff) and the City's Development Review Team (DRT). The request is for a General Plan Amendment from Transitional Mixed Use (TMXU) to Community Commercial (CCOM) and Rezoning of four parcels from R-1 (1/dwelling/acre) to C-2 (General Commercial).

Attached are the initial Land Use staff and DRT review comments, including any necessary technical corrections. I would like to highlight and summarize the following items of note:

A. Initial Review Summary

Your Rezoning application has been reviewed by Land Use staff and the following necessary revisions have been identified:

1. Contact the City Wastewater Division to confirm in writing the status of system capacity and the ability of the existing infrastructure to accommodate the additional impacts of the proposed C-2 zoning at the subject property. Have you verified with Parks, Police/Fire/EMT, Santa Fe Public Schools, and Public Works (i.e., streets) that each of the systems and services currently have ample capacity to absorb the impacts of the uses allowed within a C-2 zone district? The existence or availability of infrastructure and services in the vicinity is not sufficient assurance of adequate system capacity for new impacts that would result from the proposal. Explain how each system or service can or cannot accommodate the anticipated increment of added impacts. If the impacts of the proposed rezoning cannot be accommodated by the existing infrastructure and public facilities, the City may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies (see § 14-3.5(D)).

2. Describe the water rights associated with the well that would be transferred to the City upon redevelopment.
3. Based on the required criteria: wherever applicable, cite the specific themes and policies of the General Plan (by name and/or number) that will be advanced or complied with by the amendment and rezoning proposal.
4. Concept plans are not actionable items on the agenda. Future conceptual development (such as the undergrounding of utilities, removal of mobile homes and soil stockpiles, or the potential provision of affordable housing) cannot be considered by the Land Use staff or the decision makers in analyzing the rezoning request unless they are included in the current application as a development plan or master plan. The analysis for the rezoning is strictly limited to the proposal to change from one zone district to another. Discussion of future development plans that are not part of the current request cannot be used to respond to the Code criteria. Please only include the elements that are part of the current request. Please revise or submit the report and/or include a master plan to accompany the rezoning application.
5. In Appendix D ("Warranty Deeds"), Tract D and Tract A-1 have cover sheets that state the following documents are warranty deeds; however, the deeds that follow are both quitclaim deeds. Do warranty deeds exist for these parcels? Please revise the Appendix D cover sheet as well as the Tract D and Tract A-1 cover sheets to reflect the correct type of conveyance documents attached thereto. Quit Claim deeds can only be accepted in conjunction with a chain of title to prove equitable interest that existed within the transfer.
6. Please note that rezoning requests require public notice by Certified Mail to property owners within 100 feet of the subject property. Refer to § 14-3.1(H) for details on rezoning request public notice requirements.

B. Initial DRT Review Summary

Your Rezoning application has been reviewed by the City's Development Review Team (DRT) and the following necessary revisions have been identified:

1. Dee Beingessner [Land Use/Terrain Management/City Engineer] – One issue identified: Soil Stockpile without a permit and appropriate sediment control is a violation of City Code and must be remedied before new plat or development can be approved; see attached DRT response letter.
2. Leah Yngve [MPO] – No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter.
3. Leroy Pacheco [Traffic] - No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter. When the subject property is redeveloped, a traffic study will be required.
4. Zoe Isaacson [Parks] - No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter.
5. Clinton Peterson [Water Engineering] – No issues were identified with the Rezoning request; see attached DRT response letter. Additional plan information, such as an approved Water Plan and an Agreement to Construct and Dedicate (ACD), will be required at the time of Development Plan application for any new water and fire infrastructure. This DRT reviewer also notes that each lot shall be served by separate City water service at the time of development. Regarding the existing domestic well onsite, this reviewer required that the Applicant work with CoSFW Engineering before Water Plan approval to ensure that no cross-connection occurs between the domestic well system and the public water system.

Once all DRT comments have been addressed, a Planning Commission hearing date can be scheduled. Please let me know if you have any questions or concerns.

Thank you,

Janice Biletnikoff
Janice Biletnikoff, AICP
Long-Range Strategic Planner, Planning and Land Use Department

Development Review Team (DRT)
Comment Form

Date: 12/9/2024

DRT Member: Dee Beingessner

Dept/Div: Land Use/Engineering

Case No.: **Case #2024-9460 and 2024-9461: Boylan General Plan Amendment and Rezoning.**

Case Planner: Janice Biletnikoff

Conditions of Approval and Technical Corrections Tables

Review by this division/department has determined that this application will meet applicable standards if the following Conditions of Approval and Technical Corrections are met:

Conditions of Approval:	**Must be completed by:**	**Applicant response:**
1. Soil Stockpile without a permit and appropriate sediment control is a violation of City Code and must be remedied before new plat or development can be approved	Prior to Final Plat	
2.		

Technical Corrections:	**Must be completed by:**	**Applicant Response:**
1.		
2.		
3.		
4.		

Explanation of Conditions or Corrections (if needed):

Form Updated: September 2023

Development Review Team (DRT)
Comment Form

Date: 11/26/24

DRT Member: Clinton Peterson

Dept/Div: Public Utilities/Water Division

Case No.: Cases #2024-9460 and #2024-9461– Boylan Genal Plan Amendment and Rezoning

Case Planner: Janice Biletnikoff

DRT Review Schedule – 9-12+ weeks*

Initial DRT Comments are due to the case planner within three weeks of the *DRT Application Intake* meeting. Initial DRT review should confirm that the application is complete (i.e. Water Budget has been submitted) and/or identify additional submittals or corrections (i.e. Water Budget needs revision). The case planner will review and convey all *Initial DRT Comments* to the applicant via a *Review Memo*. The applicant must respond to all *Initial DRT Comments* and submit a revised application for Final Review. *Final DRT Comments* are due to the case planner within two weeks of receipt of the revised application. The case planner will review and convey all *Final DRT Comments* to the applicant in a *Final Review Memo*. The complete DRT Review Timeline can range from 9-12+ weeks, depending on the complexity and quality of the application and the total number of applications under review.

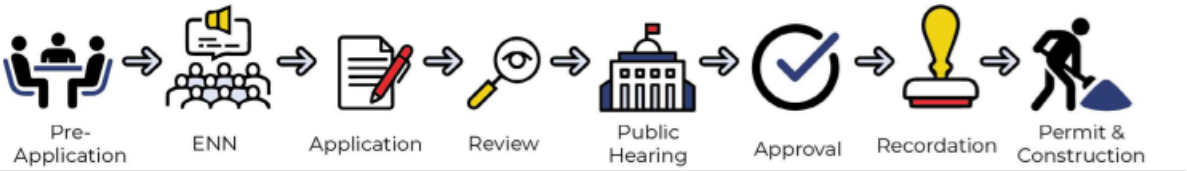


Timing of Conditions of Approval + Technical Corrections

While all DRT conditions of approval and technical corrections must be met by the applicant, the timing of compliance varies. In the "Must be completed by" column in the following tables, please time your conditions of approval and technical corrections to the following development review stages:

a. *Prior to Public Hearing* – these conditions/technical corrections must be addressed before the case may move forward to the public hearing phase of the Development Review Process.
b. *Prior to Recordation* – these conditions/technical corrections may be resolved after the public hearing but must be addressed before the Development Plan or Subdivision plat is recorded.
c. *Prior Building Permit Approval* – these conditions/technical corrections can be addressed during the building permit review process, but prior to issuance of the permit.
d. *At the time of Construction* – these conditions/technical corrections can be addressed during the construction and inspection processes.

Development Review Process Flow Chart



*See the *2024 Development Review Schedule* for details

Conditions of Approval and Technical Corrections Tables

Review by this division/department has determined that this application will meet applicable standards if the following Conditions of Approval and Technical Corrections are met:

Conditions of Approval:	**Must be completed by:**	**Applicant Response**:**
1. An approved Water Plan will be required for all new public water infrastructure and fire services.	Prior to approval of Development Plan	
2. An approved Agreement to Construct and Dedicate (ACD) will be required for new public water infrastructure and fire services	Prior to building permit approval	
3. Each lot shall be served by separate City water service at the time of development.	At the time of development	
4.		
5.		
6.		

Technical Corrections:	**Must be completed by:**	**Applicant Response**:**
1. There is an existing domestic well noted at the mobile home park. Applicant must work with CoSFW Engineering to ensure no cross-connection occurs between the domestic well system and the public water system.	Prior to Water Plan approval	
2.		
3.		
4.		

***The Applicant must respond to the condition of approval or technical correction, indicating they have met the requirement and providing a reference in their revised submittals. If the applicant has not met the requirement, they must indicate as much and provide a response.*

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]
2.

Explanation of Conditions or Corrections (if needed):

(see following pages for notes required)

Form Updated: March 2024

Development Review Team (DRT)
Comment Form

Date: 11/25/2024

DRT Member: Zoe Isaacson/Melissa McDonald

Dept/Div: Public Works/Parks and Open Space

Case No.: Cases #2024-9460 and 2024-9461: Boylan General Plan Amendment and Rezoning

Case Planner: Janice Biletnikoff, AICP

DRT Review Schedule – 9-12+ weeks*

Initial DRT Comments are due to the case planner within three weeks of the *DRT Application Intake* meeting. Initial DRT review should confirm that the application is complete (i.e. Water Budget has been submitted) and/or identify additional submittals or corrections (i.e. Water Budget needs revision). The case planner will review and convey all *Initial DRT Comments* to the applicant via a *Review Memo*. The applicant must respond to all *Initial DRT Comments* and submit a revised application for Final Review. *Final DRT Comments* are due to the case planner within two weeks of receipt of the revised application. The case planner will review and convey all *Final DRT Comments* to the applicant in a *Final Review Memo*. The complete DRT Review Timeline can range from 9-12+ weeks, depending on the complexity and quality of the application and the total number of applications under review.

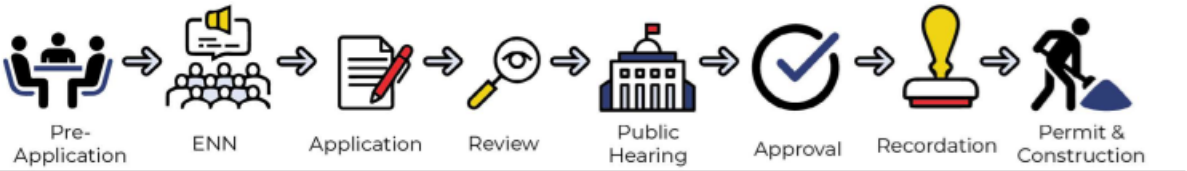


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b. *Prior to Recordation* – these conditions/technical corrections may be resolved after the public hearing but must be addressed before the Development Plan or Subdivision plat is recorded.
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d. *At the time of Construction* – these conditions/technical corrections can be addressed during the construction and inspection processes.

Development Review Process Flow Chart



*See the *2024 Development Review Schedule* for details

Conditions of Approval and Technical Corrections Tables

Review by this division/department has determined that this application will meet applicable standards if the following Conditions of Approval and Technical Corrections are met:

Conditions of Approval:	**Must be completed by:**	**Applicant Response**:**
1. N/A: Parks and Open Space has reviewed the proposed rezoning and has no comments.		
2.		
3.		
4.		
5.		
6.		

Technical Corrections:	**Must be completed by:**	**Applicant Response**:**
1. N/A: Parks and Open Space has reviewed the proposed rezoning and has no comments.		
2.		
3.		
4.		

***The Applicant must respond to the condition of approval or technical correction, indicating they have met the requirement and providing a reference in their revised submittals. If the applicant has not met the requirement, they must indicate as much and provide a response.*

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]
2.

Explanation of Conditions or Corrections (if needed):

(see following pages for notes required)

Form Updated: March 2024

From: YNGVE, LEAH X.
To: BILETNIKOFF, JANICE I.
Subject: Re: Cases #2024-9460 and 2024-9461: Boylan General Plan Amendment and Rezoning
Date: Monday, December 9, 2024 2:28:59 PM

Hi Janice,

No comments from the MPO at this stage. I apologize for being late, I was confused that 12/5 was called the deadline for additional materials! We used to have one of those in the past, but it seems like the process has been changed.

Thanks!

Leah

From: Leroy Nicholas Pacheco, PE
To: BILETNIKOFF, JANICE I.
Cc: Gallegos, Phil; Luna, Robert; MORROW, JENNIFER L.
Subject: Case #2024-9460 Boylan General Plan Amendment and Rezoning
Date: Thursday, November 14, 2024 5:10:30 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- Hi Janet - I am not sure if the developer submitted any traffic engineering related materials for review in what was sent forward to you. If he did, please send them over or send me a link to download. For a zoning change and master plan amendment with unknown development as was described at DRT today, there will not be comments submitted that are related to traffic engineering. If the zone change and master plan amendment are approved by the City, a traffic study for any specific proposed future development plan of the site will be required.

Thanks,
Leroy Nicholas Pacheco, PE
Email: engineer@leroypacheco.com
Phone Number: 505-218-6853
Cell Phone: 505-423-4068

Sent with Proton Mail secure email.

LINDQUIST, NATHAN J.

From: VALORA SANDOVAL, SERGIO A.
Sent: Tuesday, August 5, 2025 4:10 PM
To: LINDQUIST, NATHAN J.
Subject: RE: Boylan rezoning - wastewater review

Hello Nathan,
It was a pleasure meeting you.
Regarding the rezoning application for Boylan Circle, the wastewater section has been properly addressed. It is confirmed that the existing 8-inch PVC sewer line is privately owned, and a new public sewer line will need to be proposed at the time of redevelopment.
Our division has no objections to the rezoning as submitted.
Best regards,
Sergio

Sergio Sandoval, PE
Engineer Associate
Wastewater Management Division
Public Utilities Department

City of Santa Fe
Phone: (505) 955-4630
Mobile: (619) 753-1408
email: savalorasandoval@santafenm.gov
73 Paseo Real
Santa Fe, NM 87507

From: LINDQUIST, NATHAN J. <njlindquist@santafenm.gov>
Sent: Tuesday, August 5, 2025 1:19 PM
To: VALORA SANDOVAL, SERGIO A. <savalorsandoval@santafenm.gov>
Subject: Boylan rezoning - wastewater review

Hi Sergio,
I'm a new planner at the city and Joel gave me your name to contact for development review comments. Attached is the Boylan rezoning app. There is no development plan with it, only a rezoning. Do you have a free minute to chat? Thanks!

Nathan Lindquist
Senior Land Use Planner
City of Santa Fe
200 Lincoln Avenue
E: njlindquist@santafenm.gov



We’re excited to announce Santa Fe Forward, a visionary plan to prepare our city for a vibrant future through 2050! Stay in the know! Subscribe to **PLUS**, our free quarterly email newsletter with the latest on how we're working with *you* to build a more modern, vibrant, and inclusive Santa Fe.

Annexation Phase 2

AREA 1 (S West Alameda)

Acres	Population	Housing Units
233.25	254	106

*Census 2010

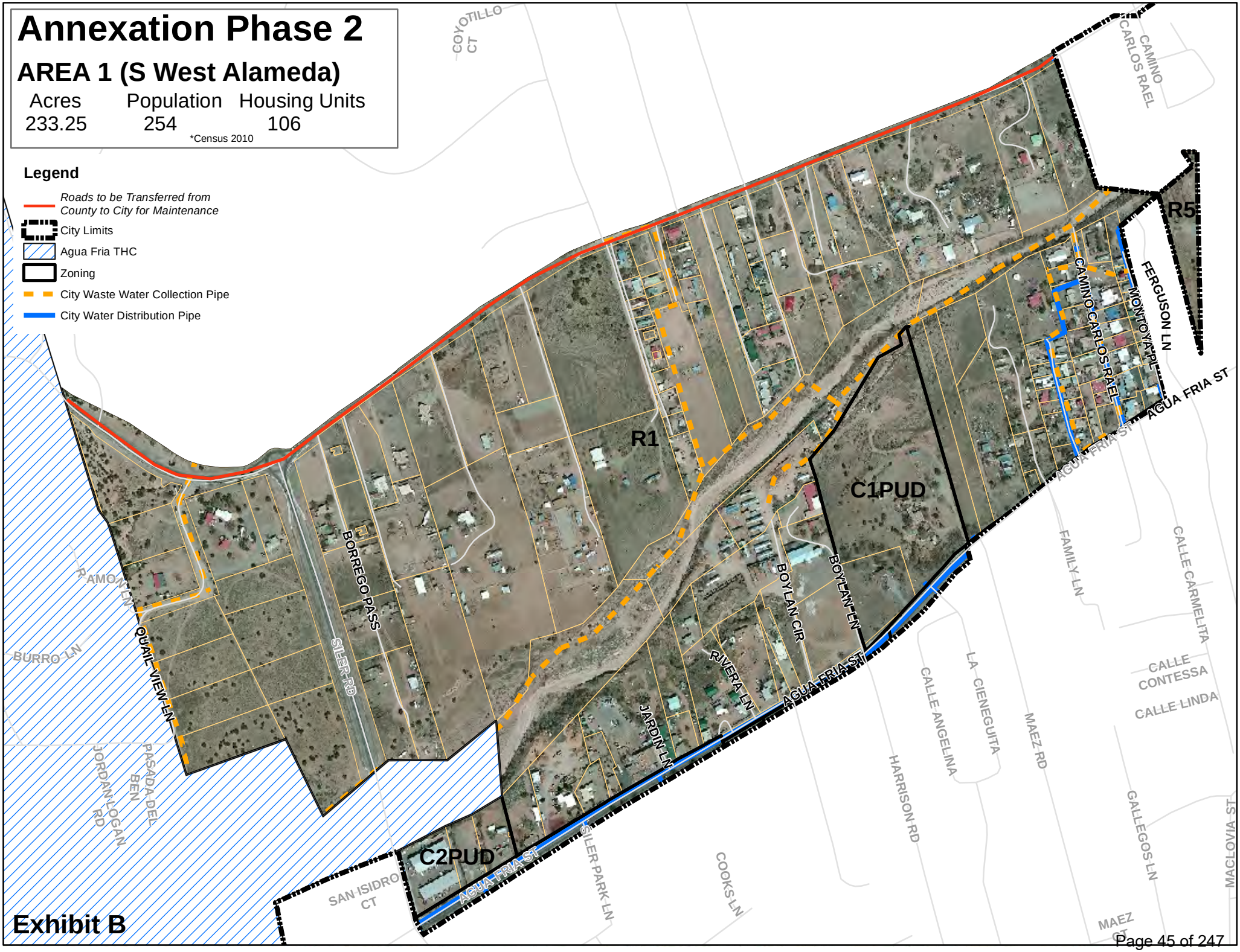


Exhibit B

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2013-36

AN ORDINANCE

ANNEXING APPROXIMATELY 4,100 ACRES (PHASE 2) IN ACCORDANCE WITH THE "ANNEXATION PHASING AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY" EXECUTED IN FEBRUARY 2009 AND AMENDED IN JUNE 2013; PHASE 2 ANNEXATION INCLUDES AREAS 1, 2, 4, 5, 7, 12 AND THE NEW MEXICO HIGHWAY 599 RIGHT-OF-WAY BETWEEN INTERSTATE 25 AND THE CURRENT CITY CORPORATE BOUNDARY EAST OF THE CAMINO LA TIERRA INTERCHANGE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Pursuant to Section 3-7-17.1 NMSA 1978 (2003), the areas of land described as Phase 2 of the city-initiated annexation and shown on the accompanying annexation phasing maps, Exhibit A through H, attached hereto (the "property") are annexed to the city of Santa Fe, thereby extending the corporate limits of the city. Exhibit A shows the contiguous relationship of the annexed lands to the city's corporate limits.

Section 2. A petition (the "petition") prepared and submitted by the city, has been presented to the duly established Extraterritorial Land Use Commission for recommendation and the Extraterritorial Land Use Authority for approval. The Extraterritorial Land Use Authority did review and grant approval of the Phase 2 Annexation petition on September 26, 2013, attached hereto as Exhibit 1.

Section 3. It is in the best interest of the city and county that the areas specified in

SFC CLERK RECORDED 11/27/2013

the Phase 2 annexation be annexed into the city of Santa Fe. The city is ready, willing and able to serve the areas included in the Phase 2 annexation, in accordance with the various city-county service agreements, previously approved by the city and county.

Section 4. This ordinance shall be published one time by title and general summary and shall become effective January 1, 2014.

PASSED, APPROVED and ADOPTED this 13th day of November, 2013.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. PIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

SFC CLERK RECORDED 11/27/2013

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

ORDINANCE
PAGES: 12

I Hereby Certify That This Instrument Was Filed for Record On The 27TH Day Of November, 2013 at 03:09:55 PM And Was Duly Recorded as Instrument # 1724309 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy _____ County Clerk, Santa Fe, NM

M/Melissa/Ordinances 2013/2013-36 Annexation-Phase 2_Sub

ITEM # 13-0895

City Of Santa Fe Petition for Annexation 2013-1

CITY OF SANTA FE

PETITION FOR ANNEXATION OF PHASE 2 INCLUDING AREAS 1, 2, 4, 5, 7, 12 and the Highway NM 599 Right-Of-Way from Interstate 25 to the City Corporate Limits east of Camino La Tierra as shown on the PHASE 2 ANNEXATION MAP.

Petitioner states that:

In accordance with §§ 3-7-1 through 3-7-18 NMSA, the CITY OF SANTA FE hereby petitions the City of Santa Fe Governing Body for annexation of the land described below into the city limits of the CITY OF SANTA FE. The areas to be annexed and identified below are consistent with "AMENDMENT NO. 1 TO THE ANNEXATION PHASING AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY (Exhibit I; June 10, 2013). Pursuant to § 3-7-17.1 NMSA, the following information is provided by the petitioner:

A. The land to be annexed is generally described as:

Land generally surrounded by, or adjoining, the current City corporate limits and including the following description of the individual areas to be annexed:

Phase 2, Entire Annexation (Exhibit A);
Area 1 covers lands generally bounded by West Alameda (north), current city limits (east), Agua Fria Street (south) and the Agua Fria Traditional Historic Community boundary (west) **(Exhibit B);**
Area 2 covers lands generally bounded by Highway NM 599 (northwest), the Agua Fria Traditional Historic Community boundary (east), the Santa Fe River (south and west) **(Exhibit C);**
Area 4 covers lands generally bounded by the Santa Fe River (north), Agua Fria Traditional Historic Community boundary and current City corporate limits (east), Airport Road/current City corporate limits (south) and Highway NM 599 (west) **(Exhibit D);**
Area 5 covers lands generally bounded by Airport Road/current City corporate limits (north), current City corporate limits (east and south) and Highway NM 599 (west) **(Exhibit E);**
Area 7 covers lands generally bounded by the current City corporate limits (north), Cerrillos Road and Interstate-25 (east and southeast), and Highway NM 599 (southwest and west) **(Exhibit F);**
Area 12 covers lands generally bounded by Rodeo Road/current City corporate limits (north), Richards Avenue/current City corporate limits (east), current City corporate limits (south) and current City corporate limits (west) **(Exhibit G);**
Highway NM 599 (Veterans Memorial Highway) Right-Of-Way between Interstate 25 to the southwest and the current City corporate limits to east of Camino La Tierra to the northeast **(Exhibit H).**

B. The total land area included in this annexation contains 4,100.63 acres of land, more or less.

C. The CITY OF SANTA FE provides current municipal services to this area as follows:

1) Water and/or Wastewater provided by the city to some of the areas included in the annexation; (Solid Waste service is scheduled to begin August, 2013),
2) Police service through a mutual aid agreement with Santa Fe County;
3) Fire/EMS service through a shared service agreement with Santa Fe County;
4) Land Use Administration.

SFC CLERK RECORDED 11/27/2013

Exhibit 1

D. In addition, the CITY OF SANTA FE is prepared, willing and able to provide the following services upon annexation:

1) Roadway maintenance service will be provided according to the "ROADWAY IMPROVEMENTS MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SANTA FE AND THE CITY OF SANTA FE" (June 10, 2013).

2) Water, Wastewater and Solid Waste services will be provided according to the "AGREEMENT REGARDING WATER, WASTEWATER AND SOLID WASTE REQUIRED BY THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS" (June 10, 2013).

3) Law Enforcement service will be provided according to the "COUNTY OF SANTA FE AND THE CITY OF SANTA FE MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES" (June 10, 2013).

4) Fire and EMS service will be provided according to the "COUNTY OF SANTA FE AND THE CITY OF SANTA FE MEMORANDUM OF UNDERSTANDING FOR FIRE PROTECTION AND EMS SERVICE" (June 10, 2013).

F. The City of Santa Fe and Santa Fe County "SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS" (February 10, 2009).

G. The Governing Body of the CITY OF SANTA FE, requested annexation of those unincorporated portions of the Urban Area. (Resolution 2006-29; February 8, 2006)

WHERFORE, the CITY OF SANTA FE hereby Petitions the City of Santa Fe Governing Body in accordance with §§ 3-7-17.1 NMSA for the annexation of the land as described above.

9-4-13, 2013
DATE

CITY OF SANTA FE

David Coss
DAVID COSS, MAYOR

ATTEST:

Yolanda Y. Vigil
YOLANDA Y. VIGIL, CITY CLERK

SFC CLERK RECORDED 11/27/2013

SFC CLERK RECORDED 11/27/2013

CITY OF SANTA FE

PHASE 2 ANNEXATION

ANNEXATION AREAS
DATA SUMMARY

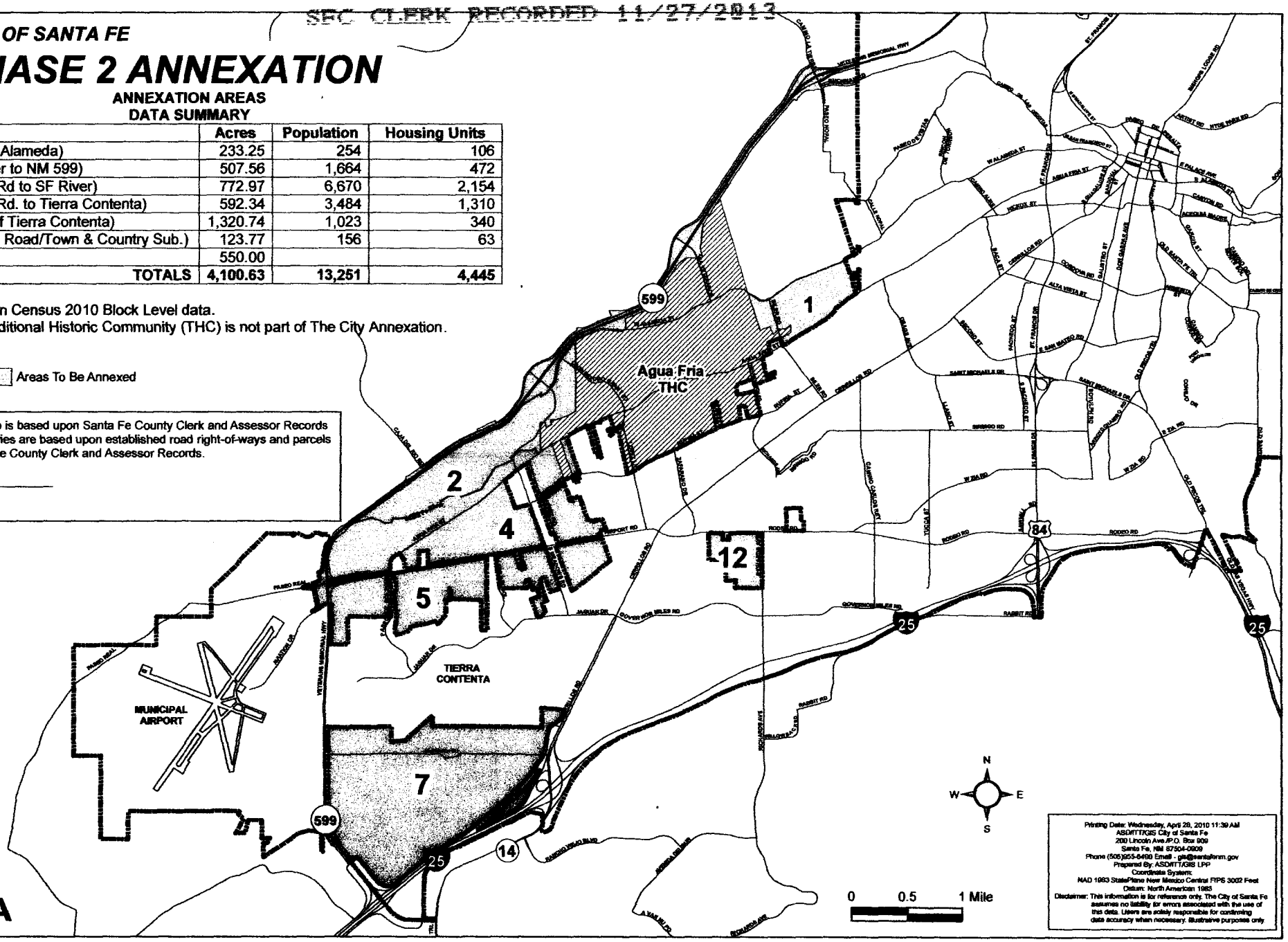
	Acres	Population	Housing Units
AREA 1 (S West Alameda)	233.25	254	106
AREA 2 (SF River to NM 599)	507.56	1,664	472
AREA 4 (Airport Rd to SF River)	772.97	6,670	2,154
AREA 5 (Airport Rd. to Tierra Contenta)	592.34	3,484	1,310
AREA 7 (South of Tierra Contenta)	1,320.74	1,023	340
AREA 12 (Rodeo Road/Town & Country Sub.)	123.77	156	63
NM 599 ROW	550.00		
TOTALS	**4,100.63**	**13,251**	**4,445**

Estimates based on Census 2010 Block Level data.
The Agua Fria Traditional Historic Community (THC) is not part of The City Annexation.

CityLimits Areas To Be Annexed

This Annexation Map is based upon Santa Fe County Clerk and Assessor Records and that the boundaries are based upon established road right-of-ways and parcels described in Santa Fe County Clerk and Assessor Records.

Matthew S O'Reilly,
Land Use Director



Printing Date: Wednesday, April 28, 2010 11:39 AM
ASD/IT/GIS City of Santa Fe
200 Lincoln Ave /P.O. Box 909
Santa Fe, NM 87504-0909
Phone (505)955-6490 Email - gis@santafenm.gov
Prepared By: ASD/IT/GIS LPP
Coordinate System:
NAD 1983 StatePlane New Mexico Central FIPS 3002 Feet
Datum: North American 1983
Disclaimer: This information is for reference only. The City of Santa Fe assumes no liability for errors associated with the use of this data. Users are solely responsible for confirming data accuracy when necessary. Illustrative purposes only.

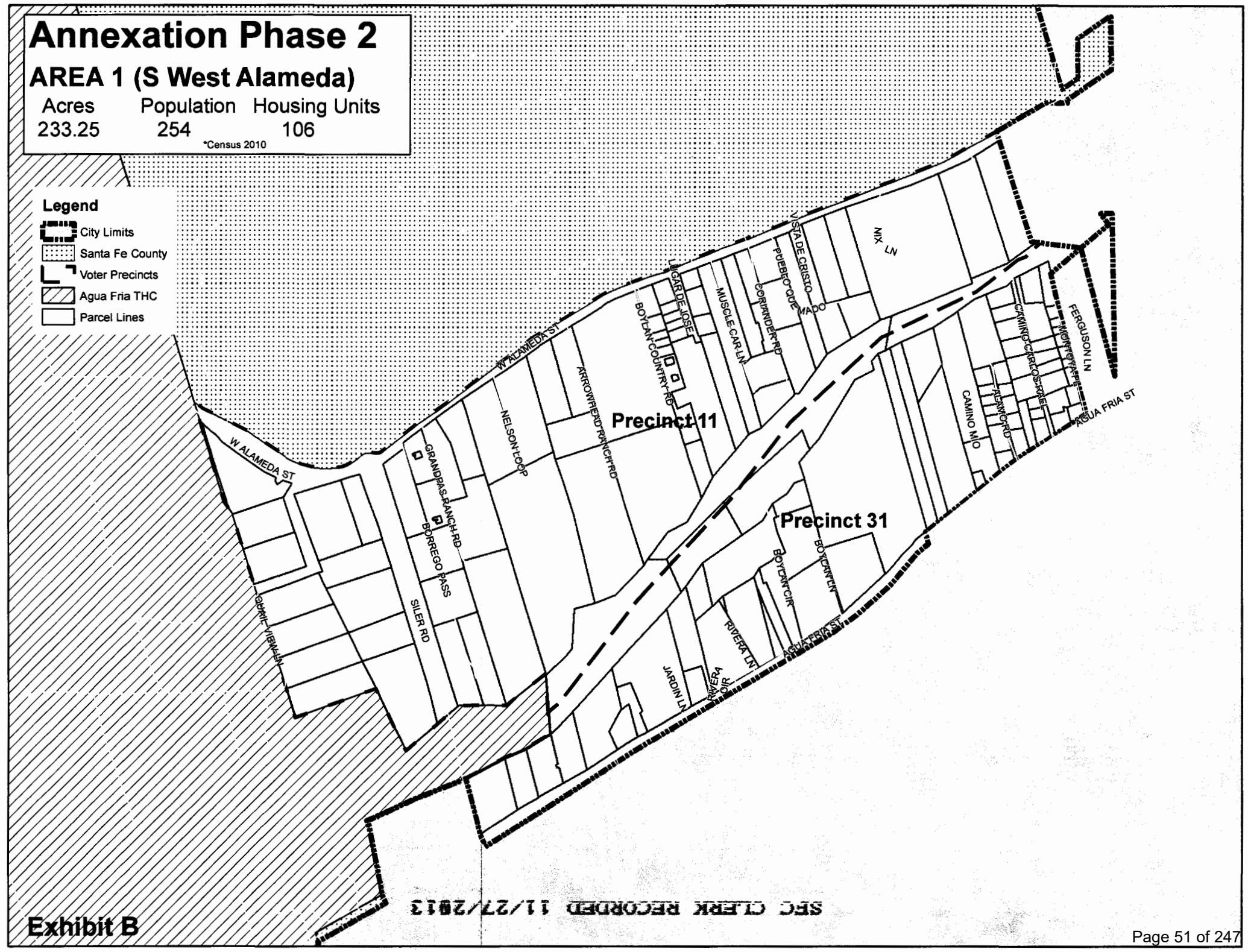
Exhibit A

Annexation Phase 2

AREA 1 (S West Alameda)

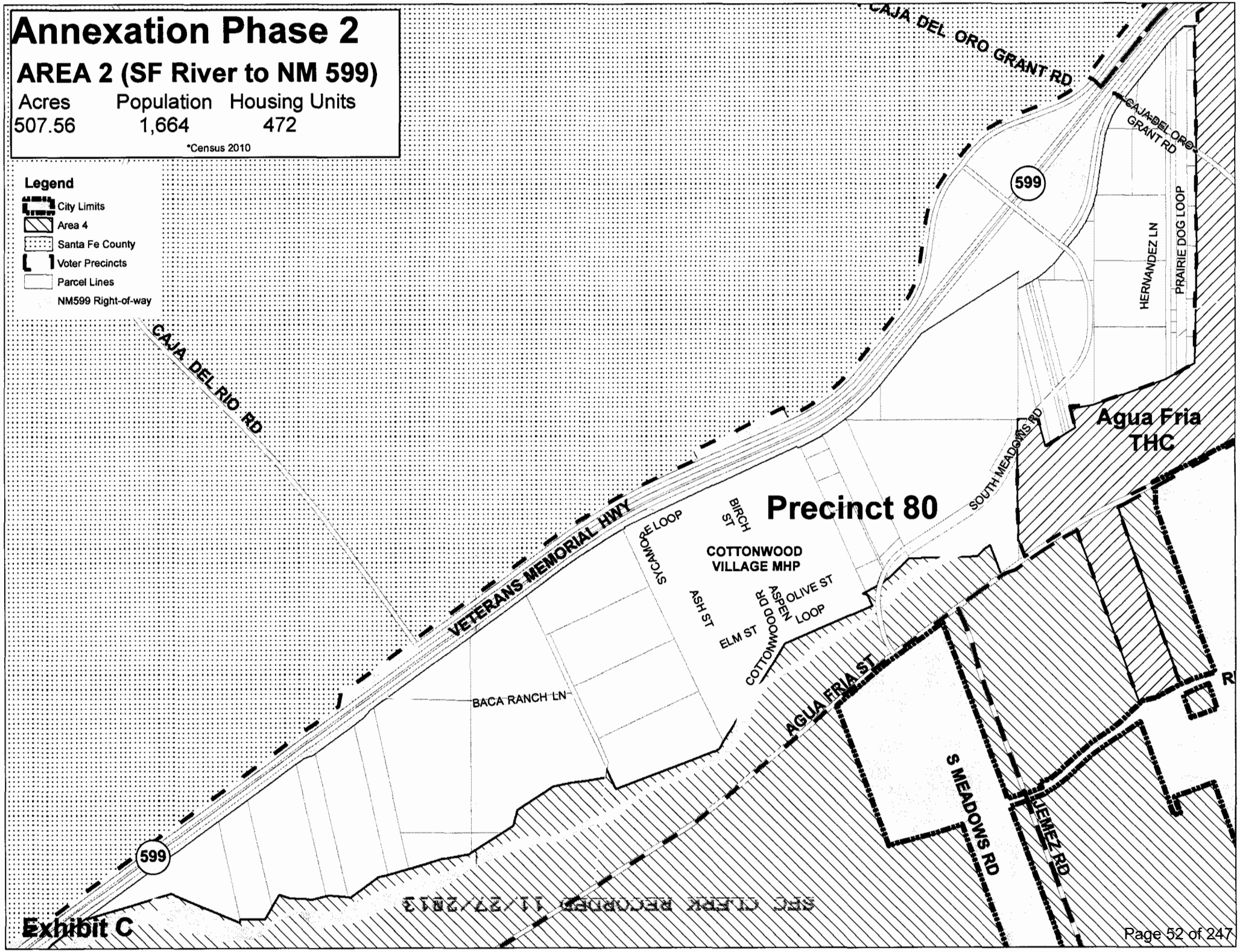
Acres	Population	Housing Units
233.25	254	106

*Census 2010



SFC CLERK RECORDED 11/27/2013

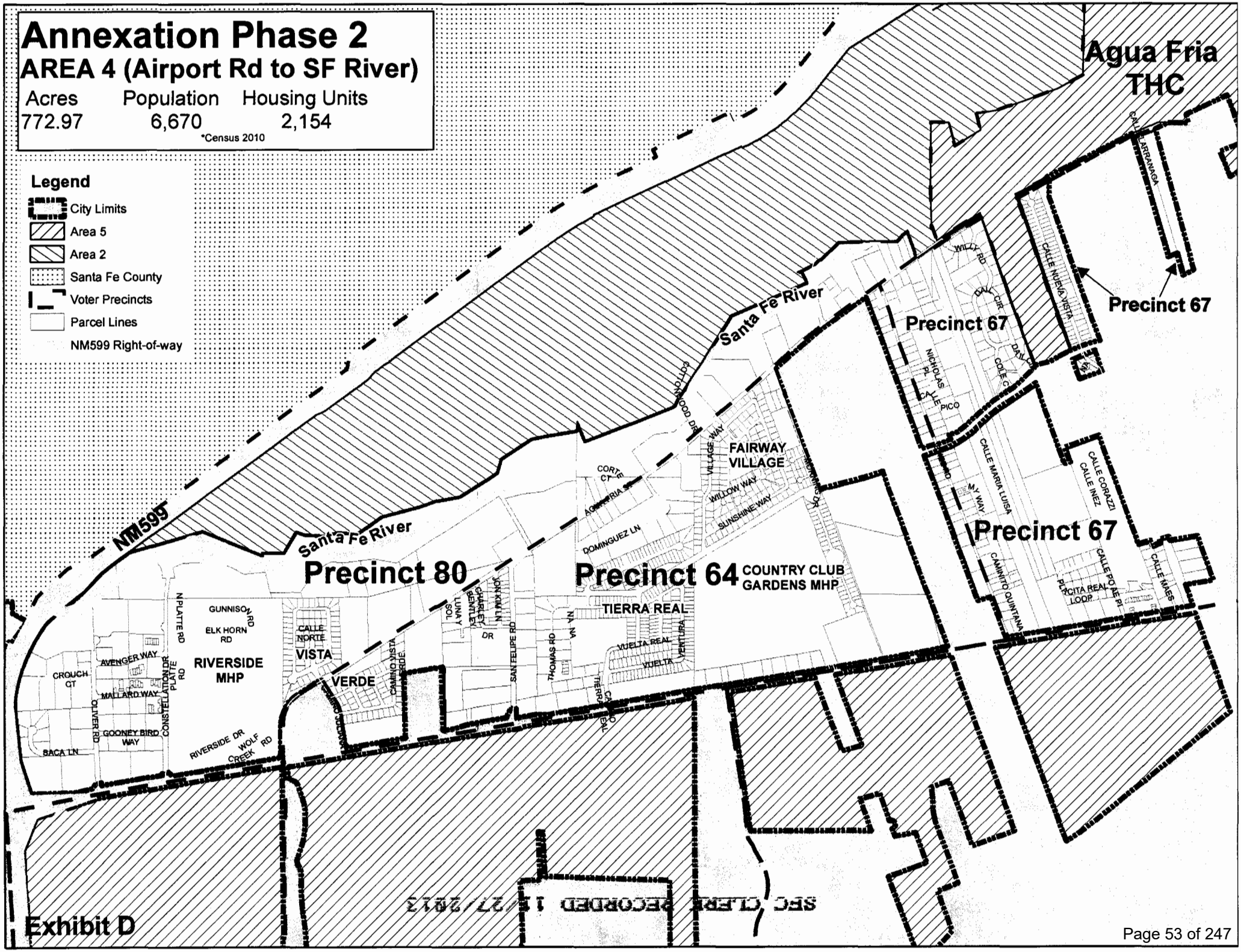
Exhibit B

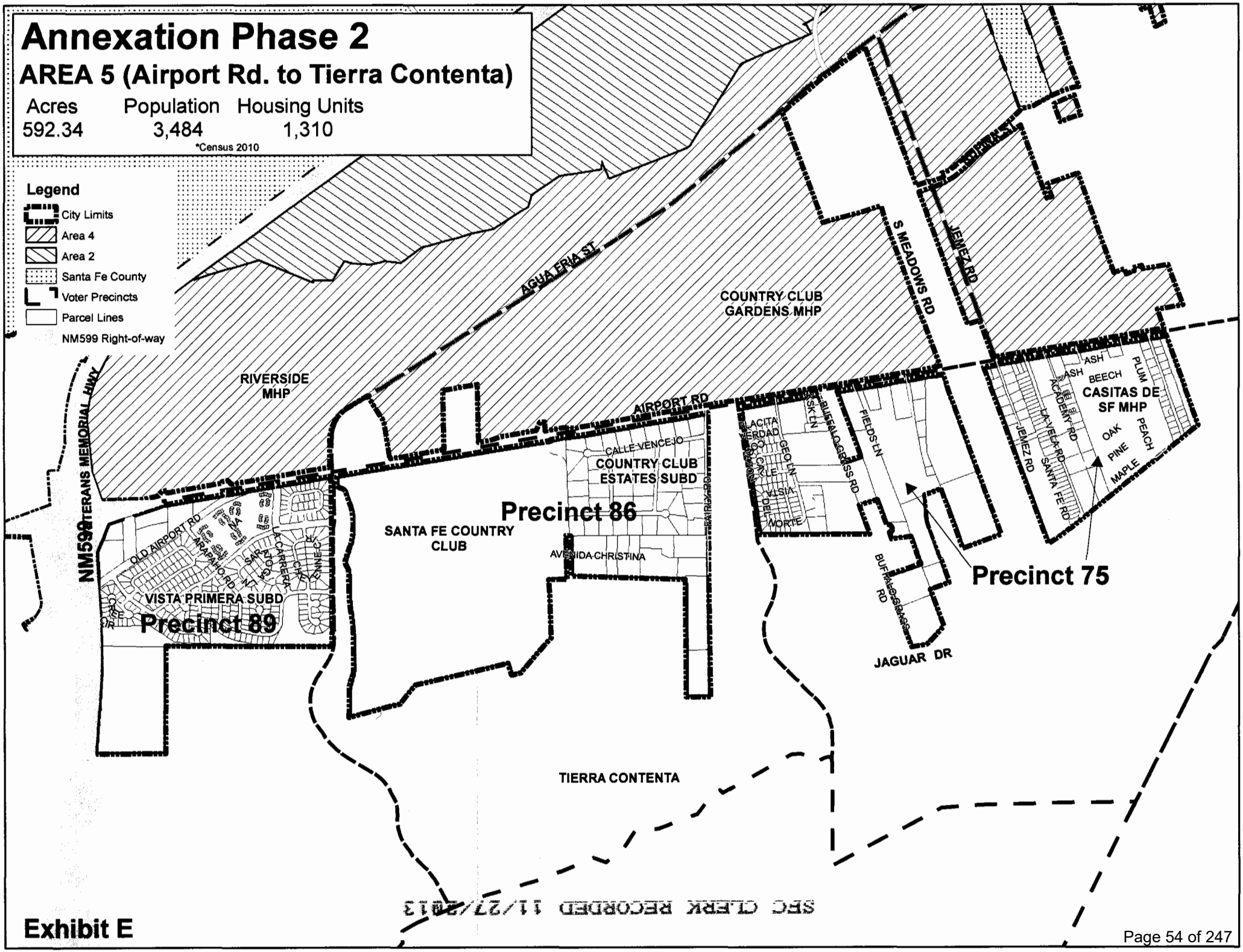

Annexation Phase 2
AREA 2 (SF River to NM 599)
Acres Population Housing Units
507.56 1,664 472
*Census 2010
Legend
City Limits
Area 4
Santa Fe County
Voter Precincts
Parcel Lines
NM599 Right-of-way
CAJA DEL ORO GRANT RD
CAJA DEL RIO RD
VETERANS MEMORIAL HWY
599
HERNANDEZ LN
PRAIRIE DOG LOOP
SOUTH MEADOWS RD
Agua Fria THC
Precinct 80
BIRCH ST
SYCAMORE LOOP
COTTONWOOD VILLAGE MHP
ASH ST
ELM ST
COTTONWOOD DR
ASPEN LOOP
OLIVE ST
BACA RANCH LN
AGUA FRIA ST
S MEADOWS RD
JEMEZ RD
SFC CLERK RECORDED 11/27/2013
Exhibit C

Annexation Phase 2
AREA 4 (Airport Rd to SF River)

Acres	Population	Housing Units
772.97	6,670	2,154

*Census 2010



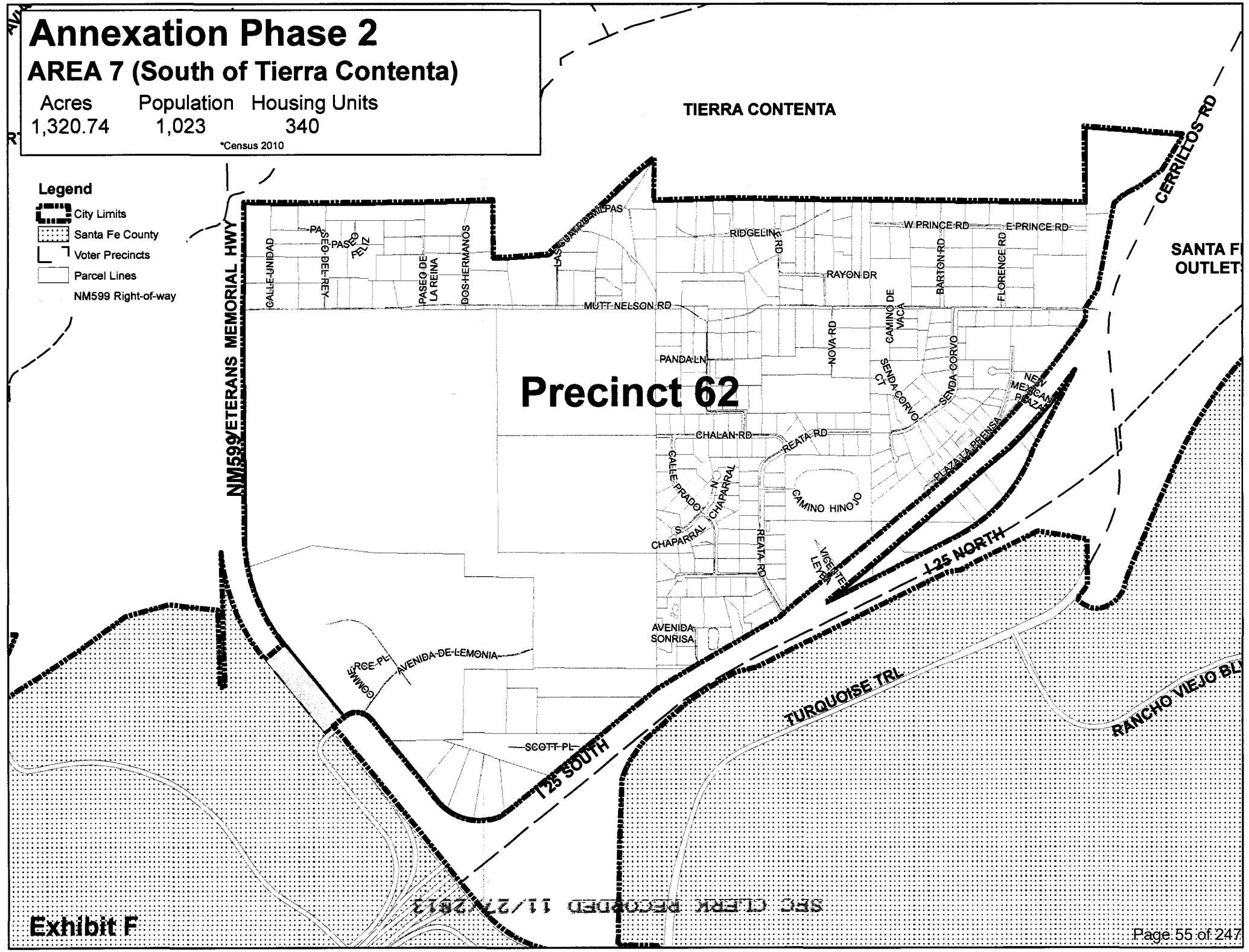

Annexation Phase 2
AREA 5 (Airport Rd. to Tierra Contenta)
Acres Population Housing Units
592.34 3,484 1,310
*Census 2010
Legend
City Limits
Area 4
Area 2
Santa Fe County
Voter Precincts
Parcel Lines
NM599 Right-of-way
AGUA FRIA ST
S MEADOWS RD
JEMEZ RD
COUNTRY CLUB GARDENS MHP
RIVERSIDE MHP
NM599
TERANS MEMORIAL HWY
AIRPORT RD
CALLE VENCEJO
COUNTRY CLUB ESTATES SUBD
Precinct 86
SANTA FE COUNTRY CLUB
AVENIDA CHRISTINA
FAIRWAY RD
OLD AIRPORT RD
ARAPAHO RD
SARATOGA LN
LA CARRERA CIR
CHEYENNE CIR
VISTA PRIMERA SUBD
Precinct 89
ACITA VERDAD
GEO LN
VISTA DEL NORTE
BUFFALO GRASS RD
FIELDS LN
CASITAS DE SF MHP
ASH
BEECH
PLUM
OAK
PINE
PEACH
MAPLE
ACADEMY RD
LA VELA RD
SANTA FE RD
Precinct 75
JAGUAR DR
TIERRA CONTENTA
SEC CLERK RECORDED 11/27/2013
Exhibit E

Annexation Phase 2

AREA 7 (South of Tierra Contenta)

Acres	Population	Housing Units
1,320.74	1,023	340

*Census 2010

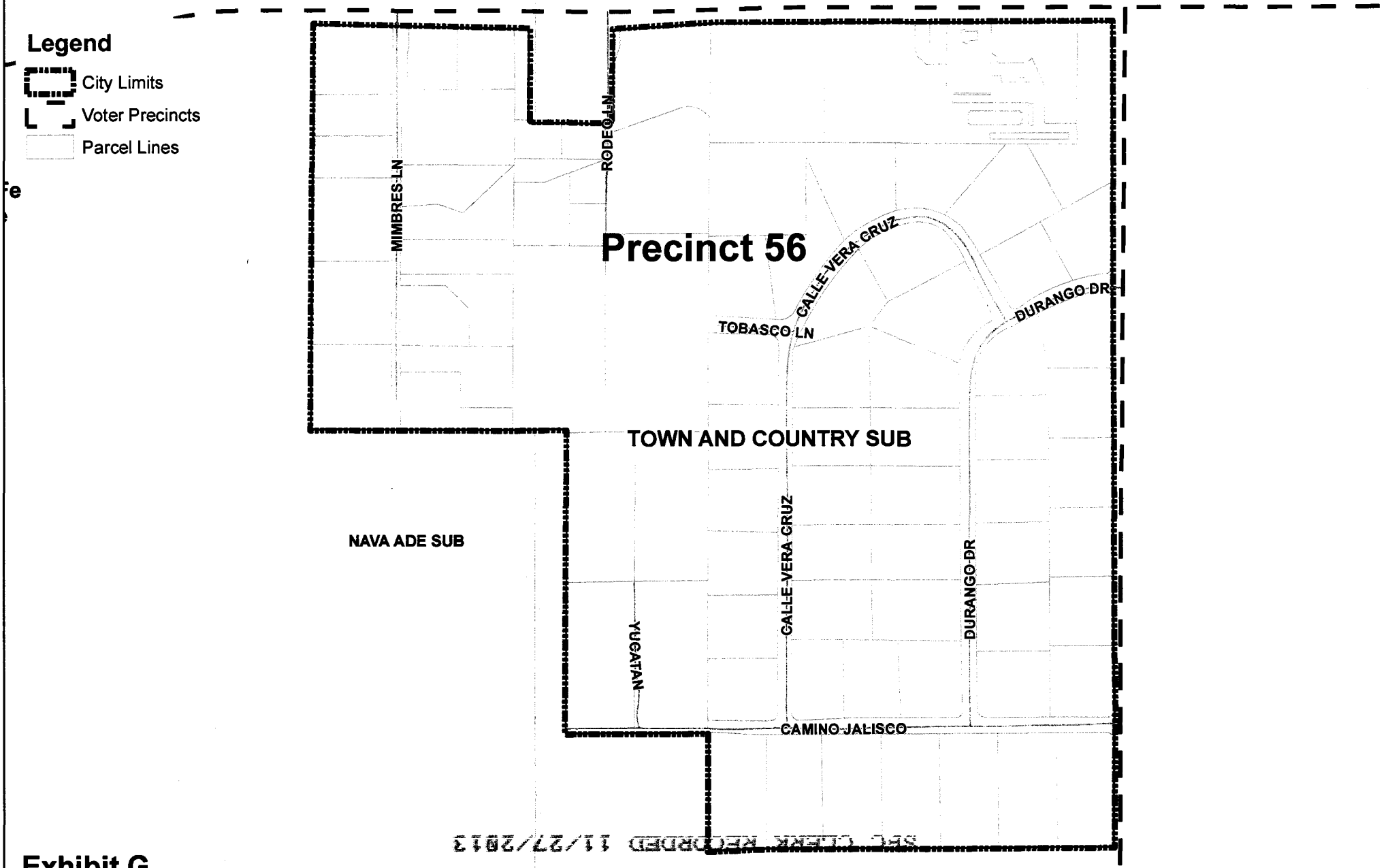


Annexation Phase 2

AREA 12 (Rodeo Road/Town & Country Sub.)

Acres	Population	Housing Units
123.77	156	63

*Census 2010



SEC. CLERK RECORDED 11/27/2013

Exhibit G

CITY OF SANTA FE
ANNEXATION AREA NM599 ROW

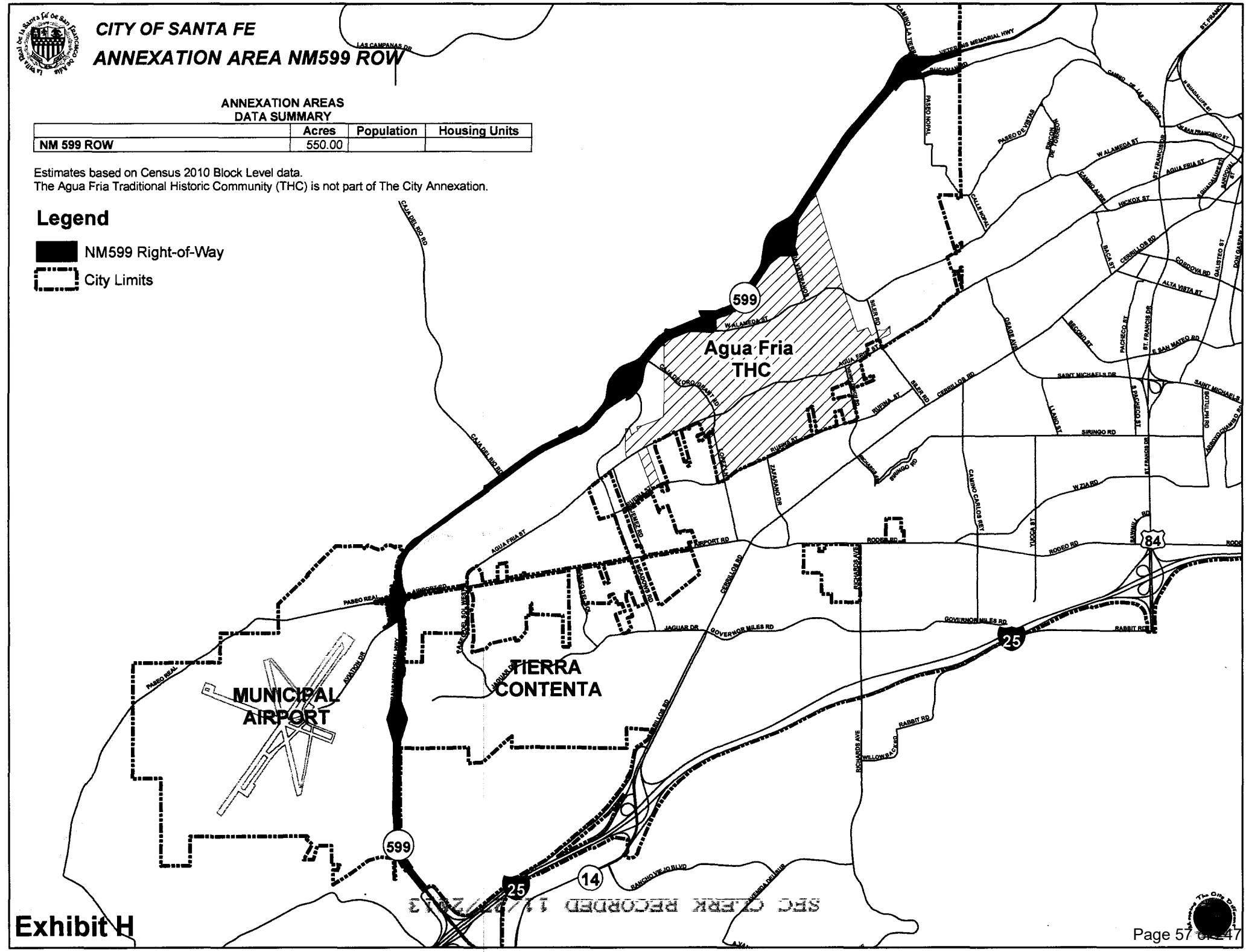
ANNEXATION AREAS DATA SUMMARY

	Acres	Population	Housing Units
NM 599 ROW	550.00		

Estimates based on Census 2010 Block Level data.
The Agua Fria Traditional Historic Community (THC) is not part of The City Annexation.

Legend

- NM599 Right-of-Way
- City Limits



SEC CLERK RECORDED 12/27/2013

Exhibit H

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2001-82

INTRODUCED BY:

Miguel Chavez

A RESOLUTION

AMENDING SECTION 3.5 OF THE 1999 CITY OF SANTA FE GENERAL PLAN ESTABLISHING "MIXED-USE/TRANSITIONAL" AS A NEW FUTURE LAND USE CLASSIFICATION, PURSUANT TO SECTION 3-19-10 NMSA 1978.

WHEREAS, pursuant to Section 3-19-9 NMSA 1978, the City may "amend, extend or add to the [general] plan or carry any part or subject matter into greater detail"; and

WHEREAS, in accordance with City of Santa Fe Resolution No. 1999-45, "the City of Santa Fe General Plan shall be kept current so that City policies reflect the changing concerns and conditions"; and

WHEREAS, the City of Santa Fe and Santa Fe County have jointly initiated a master planning process for the southwest area of the Santa Fe; and

WHEREAS, as part of that initiative, the Santa Fe City/County Planning Initiative Final Report ["Final Report"] establishes a unified community vision with a series of guiding principles for the Southwest Plan Area to direct future development for Southwest Santa Fe;

P.C. Exhibit I

and

WHEREAS, several of the guiding development principles contained within the "Final Report" call for neighborhoods to be walkable, and for commercial areas to be connected to and linked to surrounding neighborhoods, in part, through intermediate scaled buildings that provide some degree of transition from the commercial to residential; and

WHEREAS, Section 3.3 of the City General Plan also specifically addresses the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods where services and amenities are designed to complement and enhance the quality of life; and

WHEREAS, in order to effectively implement these goals and principles, it is recommended that a new general plan future land use classification be created that can be universally applied both within the Southwest Planning Area as well as the City Urban Area as deemed appropriate; and

WHEREAS, the new "Mixed-Use/Transitional" future land use classification is intended to promote these goals through either a mixing of compatible land uses within the same tract as in a mixed-use development scenario, including live/work, or within several tracts whereby intermediate uses are introduced to provide transitional buffering from commercial to residential through a reduction in scale and land use intensity.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that:

1. Section 3.5 of the 1999 City General Plan is hereby amended to include the following language [inserted after the section "Community Commercial", page 3-11]:

Mixed-Use/Transitional

This designation is intended to allow for a mixing of compatible land uses within

two development scenarios. The first scenario, or "Mixed-Use" land use designation, allows for a mixing of uses within the same development site which would include, in all cases, residential and limited non-residential uses where there is a strong emphasis on site design that is sensitive to a compatibility of building scales and massing, land use intensities and pedestrian orientation. The mixed-use scenario may include such uses as residential, including single-family and multi-family residential where the scale and intensity are deemed appropriate and compatible with the other proposed uses, office, civic and religious uses, live/work units, educational uses and appropriately-scaled retail/services that are intended to primarily serve the residential uses as an added local amenity. Light industrial uses may also be considered in a live-work development scenario provided there is adequate buffering and protection to surrounding residential. The mixed-use development should be designed in a planned, landscaped setting and the land uses should be selected and arranged to create a vibrant, yet comfortable, interactive place. Both restrictive and permissive language may be used in a zoning ordinance to create a viable mix of uses so that the most profitable use does not dominate.

The second scenario, or the "Transitional" land use designation, also promotes a mixing of compatible land uses but is intended to occur within several abutting tracts of land where commercial and residential uses are adjoining. The intent of the designation is to create a unified land use pattern between varying land use intensities. This would be accomplished through the introduction of uses of intermediate scale and intensity that would allow for a transition from the commercial to residential through a reduction, or "step back", in land use intensity, building scale and massing, additional buffering and a re-orientation of the uses and structures to promote interaction and connectivity through pedestrian orientation

and "walkability".

The uses included in the "Mixed-use" scenario would be considered appropriate in the "Transitional" designation as well, but in contrast, may be limited to a single use within the transitional area since the tracts are intended to interact as a whole.

2. The 1999 City General Plan Future Land Use Map is also hereby amended to include "Mixed-Use/Transitional" as a new future land use classification.

PASSED, APPROVED and ADOPTED this 28th day of November, 2001.

LARRY A. DELGADO, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

PETER A. DWYER, CITY ATTORNEY

D:\Documents\Code Revisions\SW Master Plan\Resolution GP Mixed Use form amended.doc 2.22.02



West Santa Fe River Corridor Plan

Adopted by City Council December 13, 2017 (Resolution 2017-87)

Acknowledgments

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Photo Credits: Reed Liming, Colleen Baker

The wave across the border is a Native American symbol that represents running water & constant life.

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Introduction

This planning effort is a response and direct result of City Council Resolution #2015-93, adopted October 14, 2015:

> "A Resolution Directing Staff to Create the West Santa Fe River Corridor Master Plan and Bring it Forward for Adoption by the Governing Body as an Amendment to the General Plan."

Among other things, the resolution called for:

- Enhance the quality of life by ensuring that development is in character with the surrounding neighborhoods…
- Maintain and allow a mix of uses in the neighborhood,
- Assess needed infrastructure in the area, especially around roads and sewer,
- Create a citizen working group comprised of interested area residents and community members to advise staff during the process.
- Allow for input, in a spirit of partnership, with representatives of the Agua Fria Traditional Historic Community.

Planning Area – The Planning Area was defined in the above-referenced resolution and is reflected in the plan. This area has a long history of multi-cultural settlement as described on the following page and today clearly reflects a transition between city-scale development and more rural-scale development. The western portion of the Planning Area was part of a larger annexation completed by the city in 2013, becoming effective January 1, 2014. Much of this newly annexed area was given a default zoning of "R-1" (one housing unit per acre), but existing uses have demonstrated that this type of zoning may not be practicable, nor even advisable, in certain areas.

Working Group – The planning effort was carried out over a period of six months by a working group that included area residents and business owners. The group met weekly with city staff at Frenchy's Barn. The group worked to create a plan that reflects common community goals while acknowledging the importance of private land ownership. To that end, this plan attempts to achieve a balance that blends the city and the traditional village. The underlying assumptions of the Working Group and their attempt to represent the larger West Santa Fe community that helped form the goals (page 18) included:

- **History as a Guide** – The area's Native American and Hispanic settlement patterns, including acequias fed by the Santa Fe River to support small agricultural plots with crops and orchards, is fundamental to how the area is viewed.
- **Semi-Rural** – Working Group members like the area as it is and are not interested in seeing large increases in growth,
- **Road Limitations** - Limited road capacity was viewed as a key constraint to future growth; neither Agua Fria nor West Alameda is viewed as having the ability to comfortably handle much larger volumes of traffic than they currently carry.
- **Low Scale/Low Density** - The low scale of buildings and more semi-rural feel should be preserved; Building height and development densities were a major concern for the group and is reflected in the proposed Zoning Overlay District,

History

The West Santa Fe River Corridor has great significance in the 400-year history of Santa Fe. Agua Fria Street is the modern version of the original Camino Real or Royal Road from Mexico City established by Spanish conquistadores in the late 1500s and early 1600s. Prior to the Spanish, archaeological evidence has proven that ancestors of the pueblo culture had settled in and around Agua Fria and the Planning Area (Pindi Pueblo and Pueblo Quemado, respectively). Native Americans may have abandoned Pindi Pueblo around 1250 while Pueblo Quemado, northeast of Pindi Pueblo, and located near present-day West Alameda Street may have been burned during a raid around 800.

Underneath Pindi Pueblo in a 2009 archaeological dig, excavators found two earlier civilizations. Early reports of this site stated that the oldest civilizations dated to 3000 B.C. and may be the "oldest largest settlement in North America." Native Americans chose this place because of the cold water springs and the alluvial plain, which made irrigation easy. The early settlers moved into the area where Native American irrigation systems were still in place.

The nearby Village of Agua Fria became a place of modern recorded settlement when three officers in the "re-conquest" of New Mexico were given land grants in 1693, by General Don Diego de Vargas for their service to the Spanish Crown. Land in the planning area was farmed for various crops and orchards and only in recent decades has some of the land been subdivided and developed for home sites. Before about 1950, most of the wood that Santa Feans used in their fire places, and many of the food crops and dairy products that fed Santa Feans, came from this area.

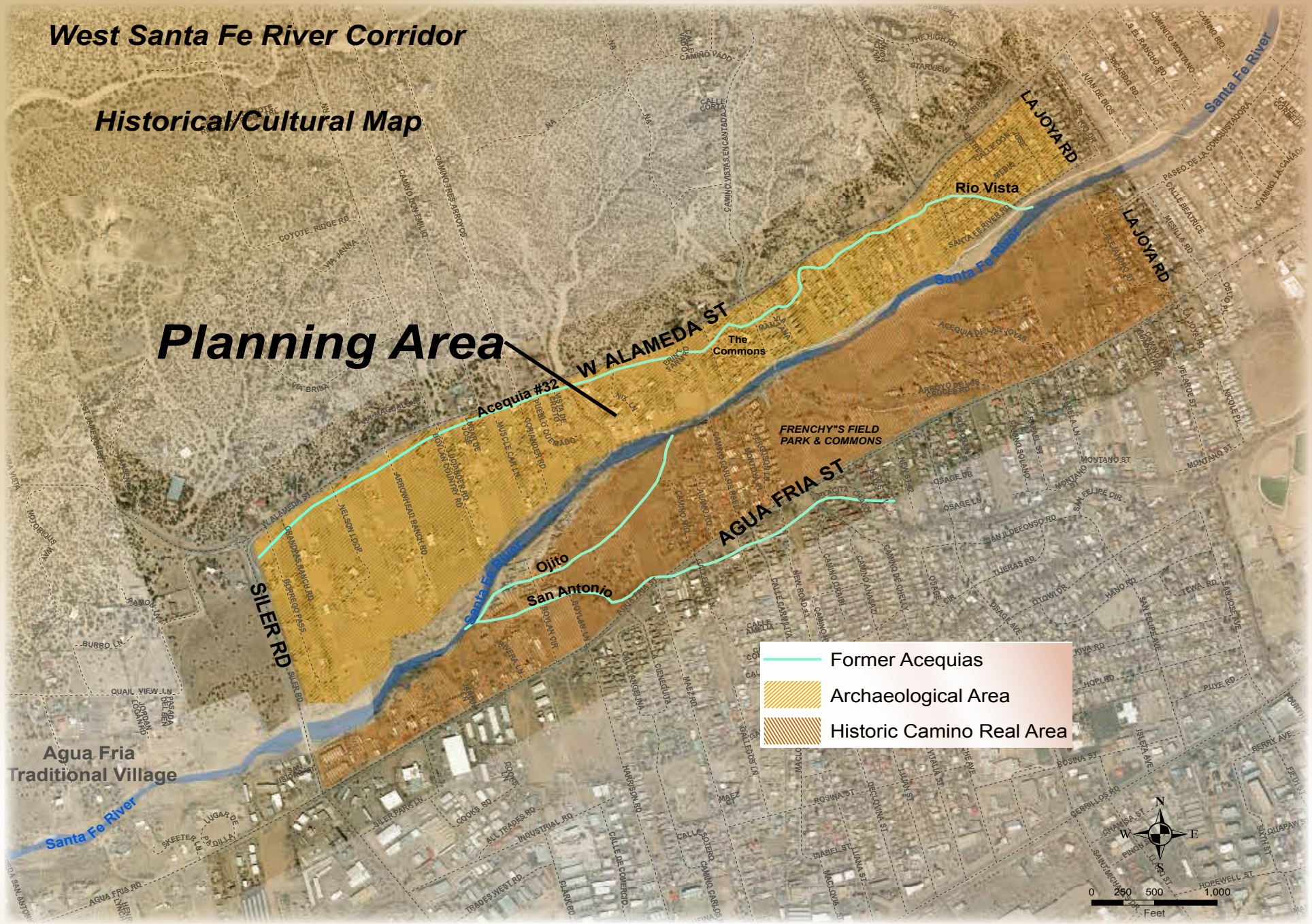
> *"As a young boy, I used to ride my bike from Sierra Vista Street to Frenchy's Dairy Farm when Frenchy forgot to drop off our milk. As soon as I entered his land, he was yelling at me thinking I was a traspasser about to harass his cows."*
>
> *- Hilario Romero, Working Group Member and Lifelong Resident*

As a historic gateway to the provincial capital of Santa Fe, the Camino Real gave rise to small, rural farming settlements such as Agua Fria, which were located near the river. The planning area is part of the original settlement of Agua Fria. Descendants of those who settled this portion of the Santa Fe River community continue to live here on or near large parcels of land. With continued growth of the city and recent expansion through annexation, the area has been experiencing growth pressures and more dense development proposals. This plan attempts to blend the expanding city with a more rural, traditional community and create an appropriate transition between the two.

> *"My wife, Lois, remembers as a little girl, Bernadino Sandoval driving his goats from his house by Lopez Lane up along the Santa Fe River to the store on Guadalupe Street."*
>
> *- William Mee, Working Group Member and Lifelong Resident*

Traditional Land Ownership and Modern Financing Factors

Much of this area was traditionally used as an agricultural area which was passed down to the eldest son of the next generation or was subdivided into tracts each having equal access to the acequias in the area. This resulted in land use patterns of long thin lots that basically are still visible on a map today. When water was unavailable to these farm areas a number of "family land transfers" occurred that resulted in sometimes awkward lot configuration. In some areas, this created a number of private family driveways that are below city standards and impede access and emergency response alternatives. Further, a lack of abstracts, quiet titles and title insurance in the area restricted private development. Today new banking regulations after the 2008 Financial Crisis restrict the ability of owners and potential buyers from receiving loans and improving the property. The people in the area often find themselves "land rich and cash poor" and unable to raise enough capital to build the infrastructure necessary to develop. Through a public banking system this situation might be reversed.


West Santa Fe River Corridor
Historical/Cultural Map
Planning Area
W ALAMEDA ST
Acequia #32
The Commons
Rio Vista
LA JOYA RD
Santa Fe River
FRENCHY"S FIELD PARK & COMMONS
AGUA FRIA ST
Ojito
San Antonio
SILER RD
Agua Fria Traditional Village
Former Acequias
Archaeological Area
Historic Camino Real Area
N
W
E
S
0 250 500 1,000
Feet

Recent Changes

While the West Santa Fe River Corridor area has experienced modest growth over the decades, recent changes have created a community desire for a specific plan for this area. Some of these recent changes include:

- City-Initiated Annexation (2014) – The City of Santa Fe annexed the area west of Frenchy's Park between West Alameda and Agua Fria Street up to the boundary of the Agua Fria Traditional Historic Community. As part of the annexation, much of the land in the Planning Area was given a default zoning of "R-1" allowing just one single-family home per acre. A major thrust of the West Santa Fe River Corridor Plan is to review and recommend the most appropriate zoning for that part of the West Santa Fe River Corridor that was annexed.

- Agua Fria Street Re-Zonings / Development Proposals – Though parts of Agua Fria Street reflect a mix of land uses, including commercial and warehouse uses near the intersection with Siler Road, recent re-zonings and a large proposed apartment complex in conjunction with the city's annexation of this area have given rise to concerns among surrounding residents regarding future types and scale of development. Agua Fria Street currently carries just over 12,000 vehicles per day in the Planning Area. (Agua Fria's traffic volumes in this area exceeded 17,000 vehicles per day prior to the construction of the Siler Road Bridge and connection to West Alameda.)

- West Alameda Street – Originally a more rural entrance into Santa Fe, West Alameda Street has experienced slow, but continued pressure for utility extensions moving outward from the city in a southwest direction, particularly on the south side of the street. It currently carries nearly 8,700 vehicles per day in the Planning Area. (West Alameda's traffic volumes in this area were 4,000-5,000 vehicles per day prior to construction of the Siler Road Bridge.)

- Siler Road Bridge (2009) – The first city-constructed bridge across the Santa Fe River in 50 years, this bridge provided a much-needed access point across the river but also created concerns about what type of development patterns might be created as result. It currently carries 10,300 vehicles per day.

- River Trail and Restoration – The city and county have combined efforts to help restore the Santa Fe River with programs that provide bank stabilization through re-vegetation as well as the extension of a multi-use, paved trail along the north side of the river. This program also includes creating more natural infiltration methods for run-off and drainage from land along both sides of the river.

Planning Area

The West Santa Fe River Corridor Planning Area is shown on the aerial map below and includes the following boundaries:

- **West Alameda Street** to the north,
- **La Joya Road** to the east (both sides of the river),
- **Agua Fria Street** to the south,
- **City Corporate Limits** to the west (shared boundary with the Agua Fria Traditional Village)



Planning Area – Surrounding Context

The West Santa Fe River Corridor Planning Area reflects a transition between standard city residential subdivision densities (to the east and south) and lower residential densities in the Agua Fria Village and lands to the north across West Alameda Street. Frenchy's Field Park & Commons is 2.5 miles from the Plaza (See Context Map).

North of the planning area are rural residential areas along Coyote Ridge Road (Cielo Lumbre subdivision), Camino Don Emilio and Camino Tres Arroyos as well as the Cerro del Sol and Las Lomas subdivisions. Most of the homes sit on larger lots of 1-5 acres, using domestic wells and septic systems. And while there are larger tracts of vacant land to the north between West Alameda and Highway NM 599, lack of utilities creates constraints to urban scale development. Even with utility extensions into some of these lands, it is understood that the prevailing land use is low density residential development and the potential connection of new development to West Alameda Street brings even greater focus to the improvements that would be necessary to West Alameda to continue to absorb more traffic from adjoining lands. This area is also slated for annexation as part of the city's phase 3 annexation by 2019.

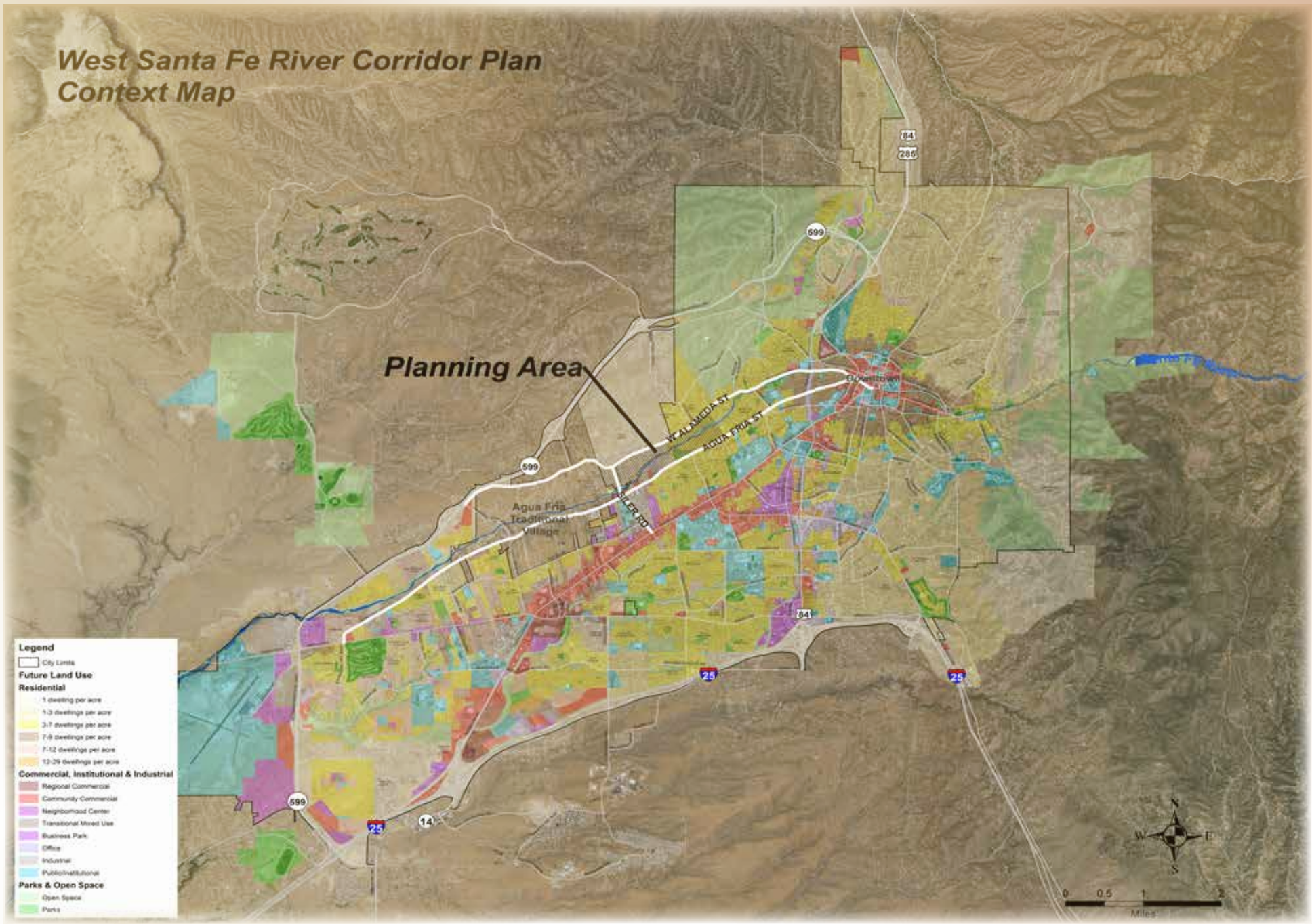
East of the planning area, city residential subdivisions (Barrio La Cañada) typically five units per acre, extend along the river as it reaches upstream toward downtown. Very little vacant land exists to the immediate east of the planning area.

South of the planning area, beyond the few small businesses along Agua Fria Street are more city-scale subdivisions (Casa Alegre, Pueblo Alegre, Cielo Vista and La Cieneguita). These city residential areas also have densities averaging five units per acre with little growth potential as most of these areas are built out. Osage Avenue connects the Planning Area at Agua Fria Street (at the entrance to Frenchy's Field) to the St. Michael's Drive commercial area and businesses along Cerrillos Road. Osage Avenue bisects the Casa Alegre neighborhood.

While traffic issues have been a concern along Osage Avenue, most of the land in the immediate vicintiy of Casa Alegre is already developed.

West, and downstream, is the Agua Fria Traditional Village, which remains under county jurisdiction, and the Siler Road Industrial area, located in the city. The Village has its own lower density zoning as part of the county's zoning code. The city's Siler Road Industrial Area has the potential for re-developemnt in the future, including the possible addition of city administrative offices and increased live-work artist space as the area experiences increased interest from this sector of the economy.

Agua Fria Street connects the Planning Area through Agua Fria Village and further southwest to the South Meadows connection to Highway NM 599 and the Airport Road commercial areas. West Alameda connects the Planning Area more directly to Highway NM 599 to the west and Solana Shopping Center and Downtown to the east. Meanwhile, the relatively recent addition of the Siler Road Bridge (2009) connects Agua Fria and West Alameda at the western edge of the Planning Area.


West Santa Fe River Corridor Plan
Context Map
Planning Area
Alameda St
Agua Fria St
Fuller Rd
Agua Fria Traditional Village
Downtown
Legend
City Limits
Future Land Use
Residential
1 dwelling per acre
1-3 dwellings per acre
3-7 dwellings per acre
7-9 dwellings per acre
7-12 dwellings per acre
12-29 dwellings per acre
Commercial, Institutional & Industrial
Regional Commercial
Community Commercial
Neighborhood Center
Transitional Mixed Use
Business Park
Office
Industrial
Public/Institutional
Parks & Open Space
Open Space
Parks
N
W
E
S
0
0.5
1
2
Miles

Existing Conditions

Overview

The West Santa Fe River Corridor Planning Area has a very diverse land use pattern including many large residential lots on dirt roads, city subdivisions with smaller lots on paved roads and a commercial/warehouse area along Agua Fria Street near the Siler Road intersection. Residential densities in the planning area reflect the location and availability of city utilities. Subdivisions with city utilities are more prevalent in the northeastern part of the planning area on both sides of the river. However, even the commercial areas near the southwestern part of the planning area are not built to city standards and are served by septic systems, rather than the city's wastewater system, which creates environmental issues and concerns for the adjoining Santa Fe River.

Population / Housing

According to the 2010 Census, the planning area contained 1,115 residents and 556 housing units, or an average of 2.0 persons per housing unit. The percentage of Hispanic residents (56.7%), percentage of children under age 18 (22.2%) and percentage of Senior residents aged 65-plus (12.0%) in the planning area generally reflects the overall percentages for the entire Santa Fe Urban Area in 2010 (54.7% Hispanic; 20.9% Children; and, 14.7% Seniors).

The area has a higher housing occupancy rate (92.8%) and an owner-occupied rate (61%), compared to the Urban Area rates of 86.5% and 53.2%, respectively. (The lower housing occupancy rate and lower owner-occupied rate for the Urban Area may reflect a substantial number of homes that represent unoccupied second-homes at the time of year when the census was taken in late March 2010.)

	Planning Area	***Urban Area***
Population	***1,115***	***84,877***
Hispanic	632 (56.7%)	(54.7%)
White, Non-Hispanic	454 (40.7%)	(42.1%)
Native American	11	(1.0%)
African-American	10	(< 1.0%)
Asian	5	(1.2%)
Other Race	3	(< 1.0%)
Children (under 18)	247 (22.2%)	(20.9%)
Seniors (age 65+)	134 (12.0%)	(14.7%)
Housing Units	***556***	***43,405***
Persons Per Unit	2.0	2.0
Housing Units Occupied	516 (92.8%)	(86.5%)
Owner-Occupied Units	339 (61.0%)	(53.2%)
Median Household Income	***$28,333-$40,280***	***$53,635***

Source: 2010 Census; tract, block group and block level data; ACS 2010-2014, 5-year estimate (Median Household Income).

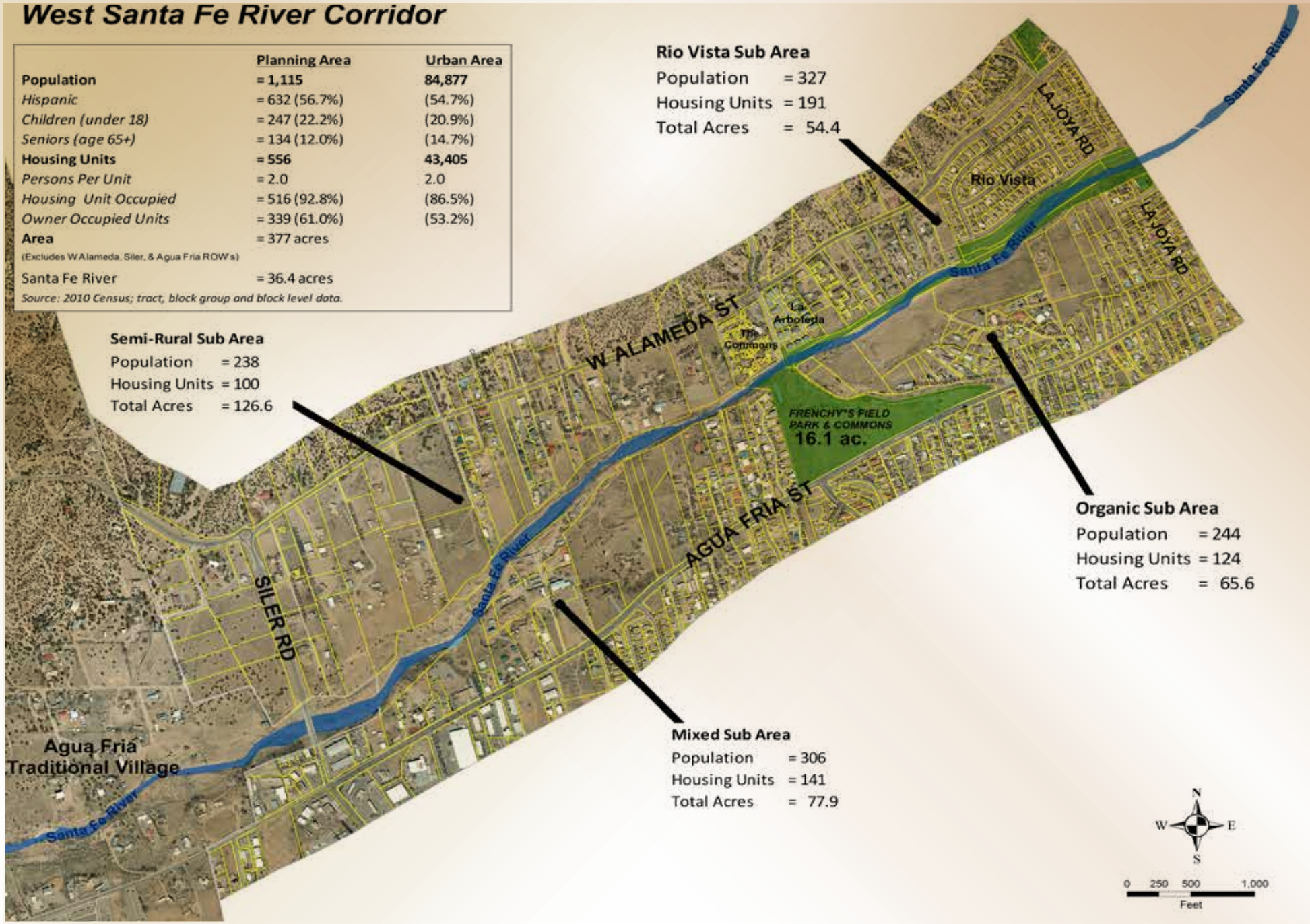


Housing: La Arboleda

West Santa Fe River Corridor

	Planning Area	Urban Area
Population	**= 1,115**	**84,877**
Hispanic	= 632 (56.7%)	(54.7%)
Children (under 18)	= 247 (22.2%)	(20.9%)
Seniors (age 65+)	= 134 (12.0%)	(14.7%)
Housing Units	**= 556**	**43,405**
Persons Per Unit	= 2.0	2.0
Housing Unit Occupied	= 516 (92.8%)	(86.5%)
Owner Occupied Units	= 339 (61.0%)	(53.2%)
Area (Excludes W Alameda, Siler, & Agua Fria ROW's)	= 377 acres	
Santa Fe River	= 36.4 acres	

Source: 2010 Census; tract, block group and block level data.



Land Use

The West Santa Fe River Corridor Planning Area is a mix of rural residential lands transitioning east into more compact, but low-density city residential neighborhoods on the north side of the Santa Fe River. Meanwhile, on the south side of the river compact, organic residential areas at the east end of Agua Fria Street transition into a commercial/warehouse area in the southwest corner near the intersection of Agua Fria Street and Siler Road.

Residential

The Planning Area includes single-family homes throughout all four quadrants; some on larger lots and some on smaller city lots in city subdivisions. A 1951 aerial photograph shows that only 50-75 of today's 556 homes existed in the planning area. Individual homes fronted and were fairly evenly spaced along Agua Fria, while scattered homes were set back from West Alameda Street. But the vast majority of growth in this area occurred after the 1951 aerial photo. Much of the land near the river was used for agricultural purposes and some gravel mining occurred in river channel and along its banks.

Commercial / Warehousing

The Planning Area has a concentration of small businesses and warehouses near its southwestern corner, close to the Siler Road/Agua Fria Street intersection. Approximately 84,200 square feet of commercial floor area exists in this portion of the planning area. About 75% (64,200 sq. ft.) of this commercial square footage exists at the northeast and northwest corners of Agua Fria Street and Siler Road (28,000 and 36,200 square feet, respectively). These two corners have small commercial centers that contain multiple tenants and a variety of businesses.

Parks / Open Space

Frenchy's Park & Commons was a private dairy from 1933-1983. The City acquired the 16-acre dairy in 1986 and since that time has kept Frenchy's as an open space park with a small play area, a paved walking path and a small parking lot. The city upgraded Frenchy's Barn with restrooms, radiant floor heat and ceiling fans. The barn is a popular meeting place that can hold as many as 50 people. The city's Parks & Recreation Department operates and maintains the facility and makes it available to community groups.

Santa Fe River

The city and county are working together to acquire open space along the river, re-vegetating the river bank and building a paved multi-use trail.

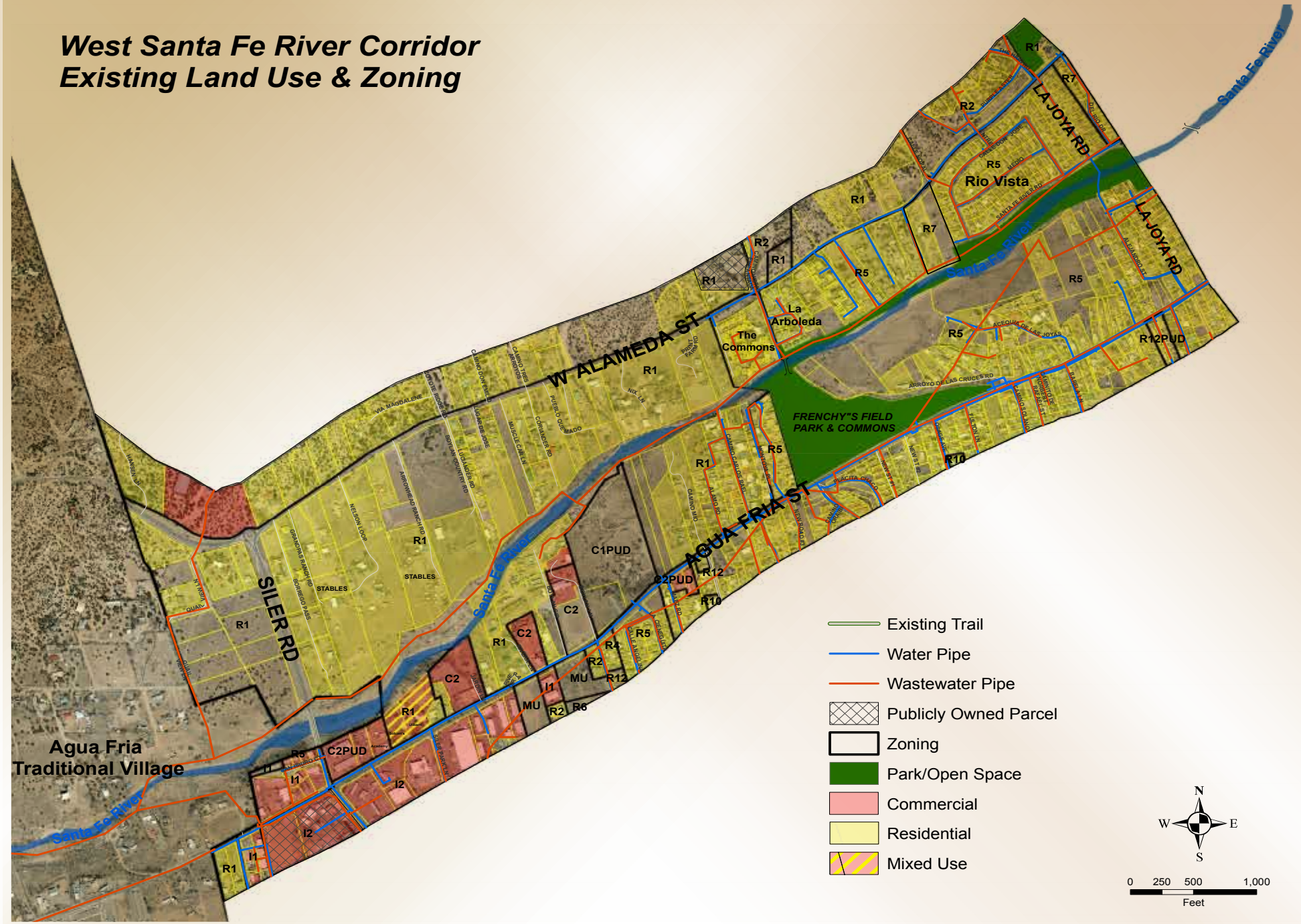


Frenchy's Park and Barn



Santa Fe River Trail near La Arboleda

West Santa Fe River Corridor
Existing Land Use & Zoning



Utilities

Water

The City's water distribution system within the Planning Area study area includes two pressure zones (Zone 5 and 6, see map). Zone 5 includes the areas in the northeastern portion of the planning area (i.e. "Rio Vista" Area and the "Organic" Area on either side of the Santa Fe River and generally east of Frenchy's Field & Commons). However, most of the planning area is within Zone 6, which includes the Semi-Rural Sub-Area and the Mixed Sub-Area. Zone 6 provides service between ground elevations 6620' and 6740'.

The water distribution system on the south side of the Santa Fe River is fed off of a 12-inch trunk water main which runs along Agua Fria Street. The 12-inch Agua Fria main is gridded into water mains on the south side of Agua Fria. Water distribution system extensions on the south side of the Santa Fe River can be made by looped connections to the 12-inch main in Agua Fria. The 12-inch main in Agua Fria is capable of providing fire flows in excess of 1500 gallons per minute (GPM).

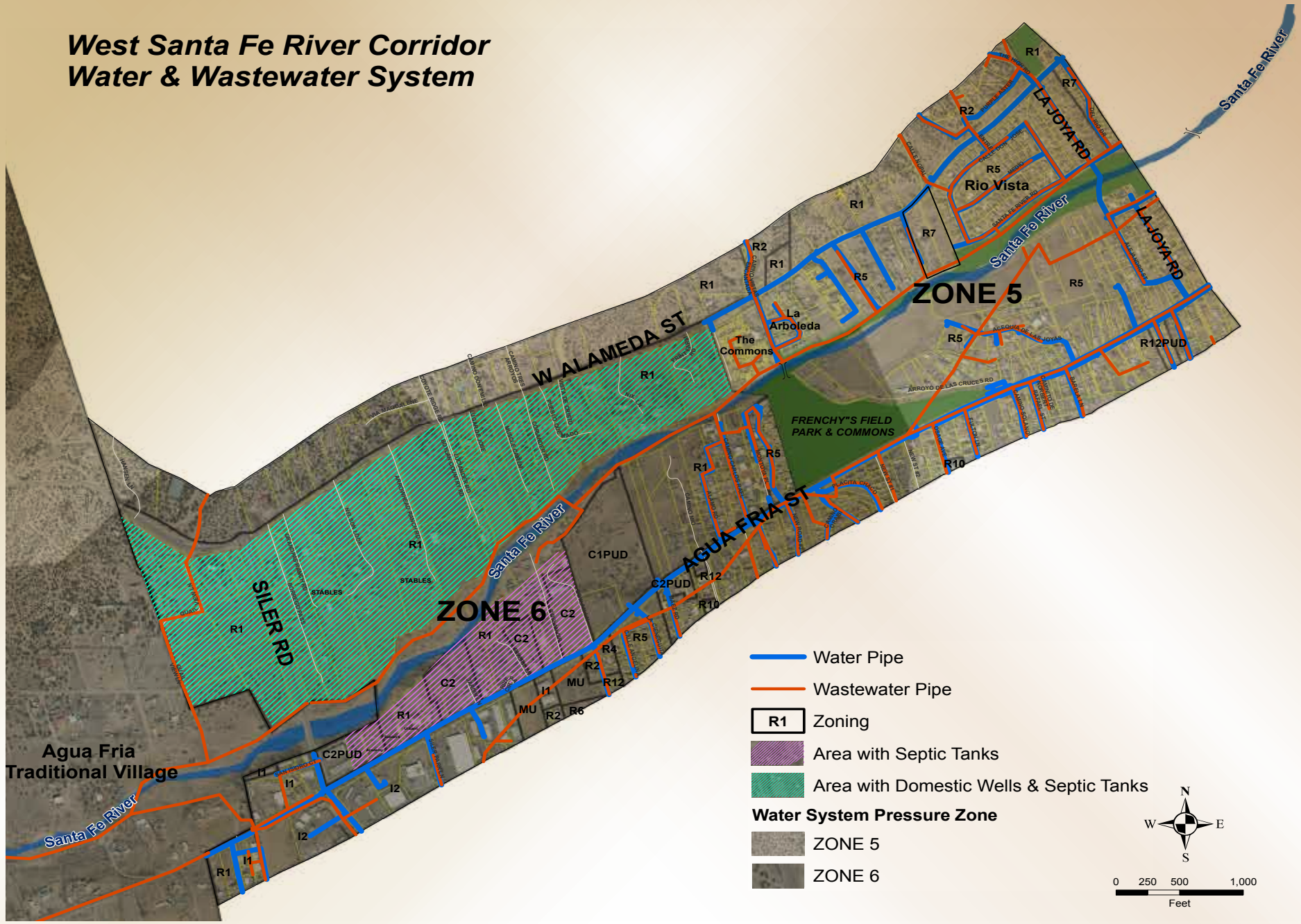
The City's water distribution system on the north side of the Santa Fe River is limited to a single 8-inch main in West Alameda which ends approximately 450 feet west of Camino Carlos Rael. Water distribution system extensions on the north side of the Santa Fe River will require the extension of looped water lines across the Santa Fe River between Agua Fria and West Alameda and along West Alameda (see map). New development planned for property within 300 feet of a city water line is required to connect to that water line.

Wastewater

Two 18-inch trunk lines, one along the Santa Fe River and the other generally following Agua Fria Street, extend the length of the planning area. The river trunk line (high-density polyethylene pipe) extends along the north side of the river to serve residential developments like Rio Vista, crosses to the south side of the river west of Frenchy's Field Park, extending approximately a quarter mile, before crossing back to the north side of the river all the way to Siler Road and beyond. The Agua Fria Street trunk line, older and made of concrete but recently rehabilitated via a cured-in-place pipe liner, is within the right-of-way of the street until Calle Carmelita, where it veers approximately 250-300 feet southwest of the road right-of-way, before extending well south of Agua Fria Street.

The location of wastewater trunk lines on the north side of the river and south of Agua Fria Street makes connection to the city's wastewater system difficult in the southwestern commercial portion of the planning area. The city discourages frequent cross-river extensions of wastewater lines. Commercial expansion in this part of the planning area may require extension of a public sewer line from either of the existing trunk lines near Siler Road. New development that is proposed on property that is within 200 feet of a public wastewater system is required by city code to connect to the public sewer system. The New Mexico Environment Department (NMED) regulates on-site septic systems for all development that is not connected to the city's wastewater system.

West Santa Fe River Corridor
Water & Wastewater System



Streets

Agua Fria Street

Average Weekday Traffic Volume: 12,252 (NMDOT, 2014)

Posted Speed Limit: 35 mph

Right-of-Way/Pavement Width:

- **La Joya to Camino Solano**, 40'-45' feet of right-of-way with two 10' driving lanes, 25' of pavement width;
- **Camino Solano** (approach to Frenchy's Field/Osage Avenue), 60'-75' feet of right-of-way and 40'-45' of paved roadway width containing two 10' driving lanes and an 11'-12' continuously striped median/turn lane;

Sidewalks: 4' on-curb sidewalks exist on both sides of the street for nearly the entire length of the planning area;

Bike Lanes: 6' Bike Lane/Shoulder from Osage Avenue to Siler Road; Shared roadway from Osage Avenue to La Joya Road.

Santa Fe Trails: Route #1 operates buses on a 30-minute headway (interval) that extends from Airport Road to the Downtown Transit Center (DTC) on Sheridan Avenue. This route carries approximately 400 riders per weekday and 130,000 per year.

Street Lighting: Street lighting exists on the south side of Agua Fria from Siler Road to Camino Carlos Real, then switches to the north side of Agua Fria from Camino Carlos Rael to La Joya Road.



Agua Fria Street: Looking east at Arroyo de las Cruces; Narrow section 2-lane



Agua Fria Street: Looking east at La Cieneguita; 3-lanes with Bike Lane / Shoulder

West Alameda Street

Average Weekday Traffic Volume: 8,727 (City Traffic Study, 2015)
Posted Speed Limit: 30 mph between Siler Road and Camino Vistas Encantada; 35 mph east of Camino Vistas Encantada.
Right-of-Way / Pavement Width:

- Siler Road to Calle Nopal, approximately 20'-22' of pavement width (two 10' driving lanes);
- Calle Nopal to La Joya/High Road Intersection – 20' of pavement width from Calle Nopal east until the right-of-way and pavement width widen to near 70' of right-of-way and 50' of road pavement with a left turn lane at the intersection of West Alameda and La Joya/High Road. (urban road profile on south side of West Alameda; rural profile on north side of street).

Sidewalks: None between Siler Road and Calle Nopal; Continuous sidewalks along south side of street only from Rio Vista subdivision (across from Calle Nopal) to La Joya Road.

Bike Lanes: Shared roadway from Siler Road to Calle Nopal; Beginning at Calle Nopal, paved shoulder width provides space for bike lanes on both sides of street.

Drainage: Lack of storm drains except for south side of street from Rio Vista subdivision to La Joya. Storm-wash crosses the street from the higher terrain on the north side.

Santa Fe Trails: Santa Fe Trails does not currently have a bus route on West Alameda.

Street lighting: No street lighting between Siler Road and Camino Carlos Rael;
Periodic street lights between Camino Carlos Rael and Calle Nopal;
Regular-interval cobra street lights exist between Calle Nopal and La Joya (south side of street only).



West Alameda Street: Rural Section, looking east at Nelson Loop2 lanes, no shoulder.



West Alameda Street: Semi-Rural Section, looking east at Calle Nopal; Striped Median w/ Shoulder, Sidewalk and Streetlights only on south side of roadway.

Siler Road

- **Average Weekday Traffic Volume:** 10,358 (City Traffic Count, 2015)
- **Posted Speed Limit:** 30 mph
- **Right-of-Way / Pavement Width:** 100' of right-of-way width and 35' of pavement width, including two 11' driving lanes with 6' paved shoulders on each side.
- **Multi-Use Trail:** 10' wide multi-use trail on each side of Siler Road. The trail is setback from the edge of roadway pavement by approximately 12'.
- **Bike Lanes:** 6' Bike Lane/Shoulder on each side in addition to off-street multi-use trail.
- **Buses:** Santa Fe Trails does not currently operate a route that uses the segment of Siler Road connecting Agua Fria and West Alameda.
- **Street Lighting:** streetlights only at intersection with Agua Fria and at West Alameda.

Local Streets – Local streets and roads within the planning area vary greatly from dirt roads with no paving, sidewalks, curb-&-gutter nor drainage (i.e. Arroyo De Las Cruces Road and Acequia De Las Joyas Road) to those that fully meet city standards (i.e. Calle Don Jose and the other streets in the Rio Vista Subdivision.)



Siler Road: Looking north toward West Alameda; 2-lanes, paved shoulders, multi-use trails.

Santa Fe River

Historically, the Santa Fe River played a vital role in the community. However, over time, that role was increasingly diminished. The dry, arroyo-like conditions of the river today reflect the demand for water from a growing city that built its first dam in the upper reaches of the river in 1881. Since then, two much larger dams now constrain the river's flow, and the middle and lower reaches of the Santa Fe River are often little more that a dry riverbed. The lack of water dried up much of the plant material that once held soil in place, slowed the floods, and provided habitat for wildlife. The barren river then became scoured by recurrent floodwaters that cut a narrow canyon down the riverbed and eroded channel banks. The river still runs occasionally during storms or when the city releases water from the upstream mountain reservoirs.

Currently, the multi-use trail along the river extends as far as the Bridge to Frenchy's Field Park & Commons. As part of the river improvement project, bank stabilization has occurred with significant re-vegetation and engineering projects along the river. Plans for continued restoration of the river, including the extension of the River Trail, from Frenchy's to the Siler Road Bridge, are discussed in this plan.



The Plan

GOALS

- ***INTEGRITY & CHARACTER …*** Maintain and Enhance the area's Integrity, Historic Character and Quality of Life.
- ***NEIGHBORHOOD SCALE …*** Protect Existing Neighborhoods and their Scale; Ensure Compatibility.
- ***NEW DEVELOPMENT …*** Encourage Vitality and Affordability in New Development while Moderating Height and Massing; Require Development Plans with all Re-Zoning Applications.
- ***COMMERCIAL USES …*** Recognize Existing Commercial Uses with Appropriate and Flexible Land Use/Zoning Designations.
- ***SAFE & COMPLETE CONNECTIVITY …*** Improve the Safety and Connectivity of Streets, Bikeways, Multi-Use Trails and Pathways.
- ***PRESERVE & ENHANCE THE RIVER …*** Preserve and Enhance the River, and Connectivity to the River, through Continued Implementation of City and County River Restoration and Trail Planning Efforts.
- ***OPEN SPACE …*** Preserve Open Space through Acquisition and/or Conservation Easements.

Sub-Areas

The land uses and corresponding intensities can be described as four distinct quadrants of the planning area when using the Santa Fe River as a boundary dividing lands into a northern half (along West Alameda Street) and southern half (along Agua Fria Street):

1. West Alameda Street / Rural Densities **("Semi-Rural")** – The area between Siler Road and the Camino Carlos Rael neighborhood contains rural residential densities on both sides of West Alameda Street. This area generally reflects development patterns that rely on domestic wells and septic systems and contain horse stables and other rural uses.

2. West Alameda Street / City Densities **("Rio Vista")** – Starting around Camino Carlos Rael and extending northeast, more compact city residential areas using water and sewer utilities are found between West Alameda Street and the river. This area is continuing to experience a transition to new city residential subdivisions due to the proximity of city utilities.

3. Agua Fria Street / Compact Irregular Land patterns **("Organic")** – Northeast of Frenchy's Park, compact, organic residential areas between Agua Fria Street and the river. Residential areas built on irregularly-shaped lots along an old arroyo (Arroyo De Las Cruces Road) and an acequia (Acequia De Las Joyas) are buffered from the River by tracts of largely vacant land with a few structures, some of which are abandoned. The vacant tracts near the river were once farmed as orchards.

4. Agua Fria Street / Transition **("Mixed")** – Southwest of Frenchy's Park, moving toward Siler Road, compact residential streets such as Ferguson Lane and Camino Carlos Rael, transition into more rural, sparsely developed properties across Agua Fria Street from La Cieneguita, Harrison and Maez Roads before transitioning to more urban land patterns that include commercial and warehouse uses near the Agua Fria/Siler Road intersection.

When considering the future of the planning area, considerable acreage is vacant and/or developable, but some of this land is along the river where public easements will be purchased, some of the land is not served by city utilities and may not be served for decades and still other vacant/developable acres will be difficult to develop because of inadequate road access. A major thrust of this plan is to determine how best these areas should develop in the future given utility and road constraints, as well as surrounding land use.

Semi-Rural Area

Land Use Issues/Approach – The Semi-Rural Area is open and sparsely developed land that drops away from West Alameda Street toward the river. West Alameda Street is a rural section of roadway in this area that is experiencing increased traffic and is designated an "Urban Minor Arterial" as a direct link from NM 599 to downtown Santa Fe. West Alameda Street should not absorb additional subdivision development along this segment without a specific engineered design for major improvements that would specify necessary additional right-of-way for adequate drainage, potential center turn lanes/left turn bays and multi-use pedestrian/bicycle paths.

While the current development pattern has existed for decades, the city's wastewater trunk line along the north side of the river and potential extension of the city water main line along West Alameda could accommodate higher densities. However, lower rural densities exist to the west in the Agua Fria Traditional Village and to the north across West Alameda Street. While the city water system may be extended by landowners/developers in the future, this area should remain a lower density transition area in the future. (NOTE: Residential densities higher than those recommended should be required to provide common area open space and an internal street network and considered only after major city/county improvements to the drainage and capacity of West Alameda Street have been completed.)

1. **Recommended Future Land Use:** ***Residential, 1-3 Dwellings per Acre*** *(Currently: Residential, 1 Dwelling per Acre)*

2. **Recommended Zoning:** ***RR (Rural Residential)*** *(Currently zoned: R-1, Single-Family, 1 Dwelling per acre) Rural Residential zone allows up to 3 units per acre, but only if using city water and wastewater systems for density greater than 1 unit per acre, and only with 40% undeveloped open space for density of 3 units per acre. RR zoning matches the residential density allowed within the Agua Fria Traditional Historic Village Overlay Zoning. (NOTE: there are homes on subdivided lots that already exceed 1-unit-per-acre density in the Semi-Rural area.) RR zoning best accommodates the Future Land Use densities recommended, while also making provision for commercial stables as a "Special Use." Other businesses existing in the Semi-Rural area should be allowed to continue.*

3. **West Alameda Street Design and Improvement Plan:**
   The City should prepare a Design and Improvement Plan for West Alameda Street that includes, at a minimum, the segment west of Calle Nopal, prior to any new development/subdivision plans being considered in this area, so that all parties know how much right-of-way is needed from properties in the Planning Area to create a complete street (i.e. one that has sufficient drainage, allows for safer turning movements and contains adequate pedestrian and bicycle facilities.)

4. **Development Plan Requirements:** *(also see "Overlay" standards section)*

A. West Alameda Frontage/Street Requirements:

1. ***Development Plans*** *– should contain a minimum of 250 feet of frontage along West Alameda Street to be considered for subdivision in order to adequately space access points on to West Alameda.*
2. ***West Alameda Street Improvements*** *– Landowner/Developer must work with the city's Public Works Department to determine probable future right-of-way needs in relation to the specific property and show necessary development setbacks from West Alameda Street.*
3. ***Pedestrian/Bicycle Accommodations*** – A multi-use trail or sidewalk is required along the entire width of the development's street frontage along West Alameda Street.
4. ***Proposed/Improved Streets*** – Newly proposed streets, or those that were previously private access lanes must meet city road standards, including possible transfer of streets to the city as public rights-of-way; all proposed streets within the development boundary must be approved by the city traffic engineer.

B. City Utilities – *Development/Subdivision Plans requesting a greater density than one-acre lots must be served by city water and wastewater systems and all domestic wells on the property(s) that are part of the development application must be transferred to the city for abandonment.*

C. Underground Electric Utilities – *Future development in this area should place electric utilities underground.*

D. Historical Surveys/Archaeology Reconnaissance – *The Semi-Rural Area is within the city's "River and Trails Archaeological Review District" and clearance permits are required of all developments over two (2) acres in size where previous archaeological reconnaissance, excavation or other treatment has not already been completed. The existence of archaeology in the vicinity requires reconnaissance/ investigation for all proposed developments/subdivisions. A survey of the age/history of existing structures is required of all development applications.*

E. Trail Access Easements Required – *All proposed developments should make provision for a 10' wide access easement from the proposed development to the River Trail.*

5. **Other Semi-Rural Area Recommendations:**

A. Siler Road Access – *Vehicle access to Siler Road from adjacent properties north of the bridge is prohibited. However, a street connection to Siler Road from the east may be required should higher residential densities (i.e. greater than 3 units per acre) be approved throughout the Semi-Rural Area.*

B. Existing Businesses – *Existing businesses pre-date the city's annexation and zoning (i.e. "grandfathered") and should be allowed to remain without rezoning in the semi-rural area. Re-zoning of existing non-residential uses to a commercial zoning category is not recommended by this plan.*

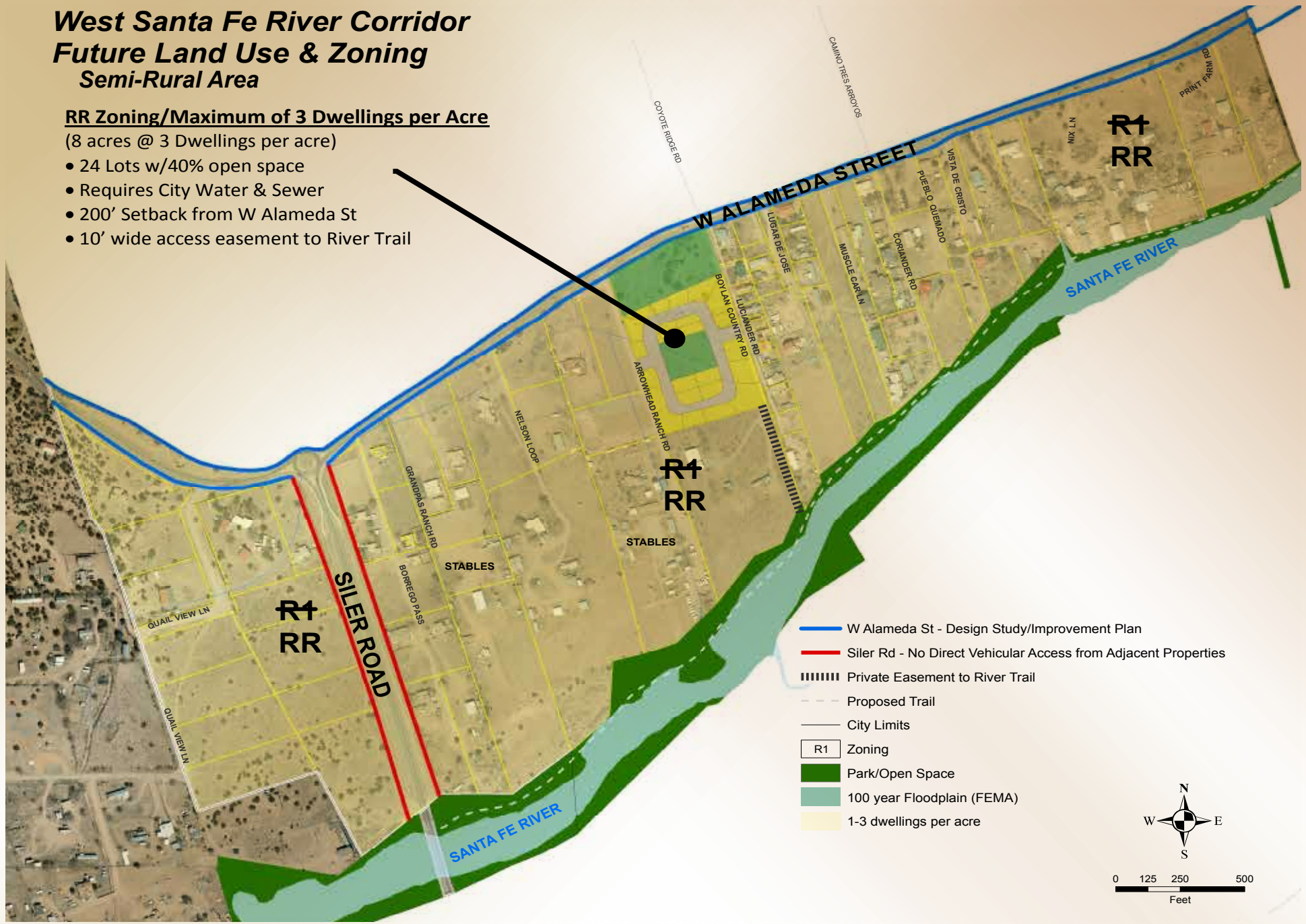
C. River Setback – *Parking lots and other impervious surfaces should not be created within the river setback requirements of this plan or overlay district. Buildings, residences and other impervious construction should be setback from the river as far as possible. Developers and builders should demonstrate through development plans that an effort has been made to minimize the impact of impervious surface and its related run-off into the river.*

West Santa Fe River Corridor
Future Land Use & Zoning
Semi-Rural Area

RR Zoning/Maximum of 3 Dwellings per Acre

(8 acres @ 3 Dwellings per acre)

- 24 Lots w/40% open space
- Requires City Water & Sewer
- 200' Setback from W Alameda St
- 10' wide access easement to River Trail



Rio Vista Area

Land Use Issues/Approach – The Rio Vista Area is primarily developed with city subdivisions of 5 to 7 units per acre using city water and wastewater systems. East of Calle Nopal, West Alameda Street is a semi-urban section of roadway containing sidewalk, curb & gutter, drainage and street lighting on the south side only, while remaining a generally rural section on the north side of the roadway. West Alameda Street, in the Rio Vista Area, should be part of an overall design study and improvement plan, though fewer improvements may be needed east of Calle Nopal. While the current development pattern has transitioned to city subdivisions, such as the Rio Vista subdivision, some residential infill continues (i.e. 5-7 units per acre) with the recent approval of the River Lofts development.

1. **Recommended Future Land Use:** ***Residential, 3-7 Dwellings per Acre*** *(No change recommended)*
2. **Recommended Zoning:** ***Residential, R5 and R7*** *(No change recommended)*
3. **West Alameda Street Design and Improvement Plan:**
   The City should prepare a Design and Improvement Plan for West Alameda Street along the Rio Vista Area to La Joya Road. Most of the improvements in this area may be needed along the north side of West Alameda Street, where topography allows improvements.
4. **Development Plan Requirements:** (Also see "Overlay" standards section)
   A. **West Alameda Street Frontage Requirements:**
      1. **Development Plans –** *Minimum of 250 feet of frontage width along West Alameda Street to be considered for subdivision approval using city water and wastewater systems.*
      2. **West Alameda Street Improvements** – *Landowner/Developer must work with the city's Public Works Department to determine probable future right-of-way needs in relation to the specific property and show necessary development setbacks from West Alameda Street.*
      3. **Pedestrian/Bicycle Accommodations** – *A multi-use trail or sidewalk should be required along the entire width of the development's street frontage along West Alameda Street.*
      4. **Proposed/Improved Streets** – *Proposed streets, or those that were previously private access lanes, must meet city road standards, including possible transfer of streets to the city as public rights-of-way; all proposed streets within the development boundary must be approved by the city traffic engineer.*

   B. **Water & Wastewater** – *Subdivision development/redevelopment plans requesting densities greater than one-acre lots must be served by city water and wastewater systems and all domestic wells on the property(s) that are part of the development application must be transferred to the city for abandonment.*

   C. **Underground Electric Utilities** – *Future development in this area should place electric utilities underground.*

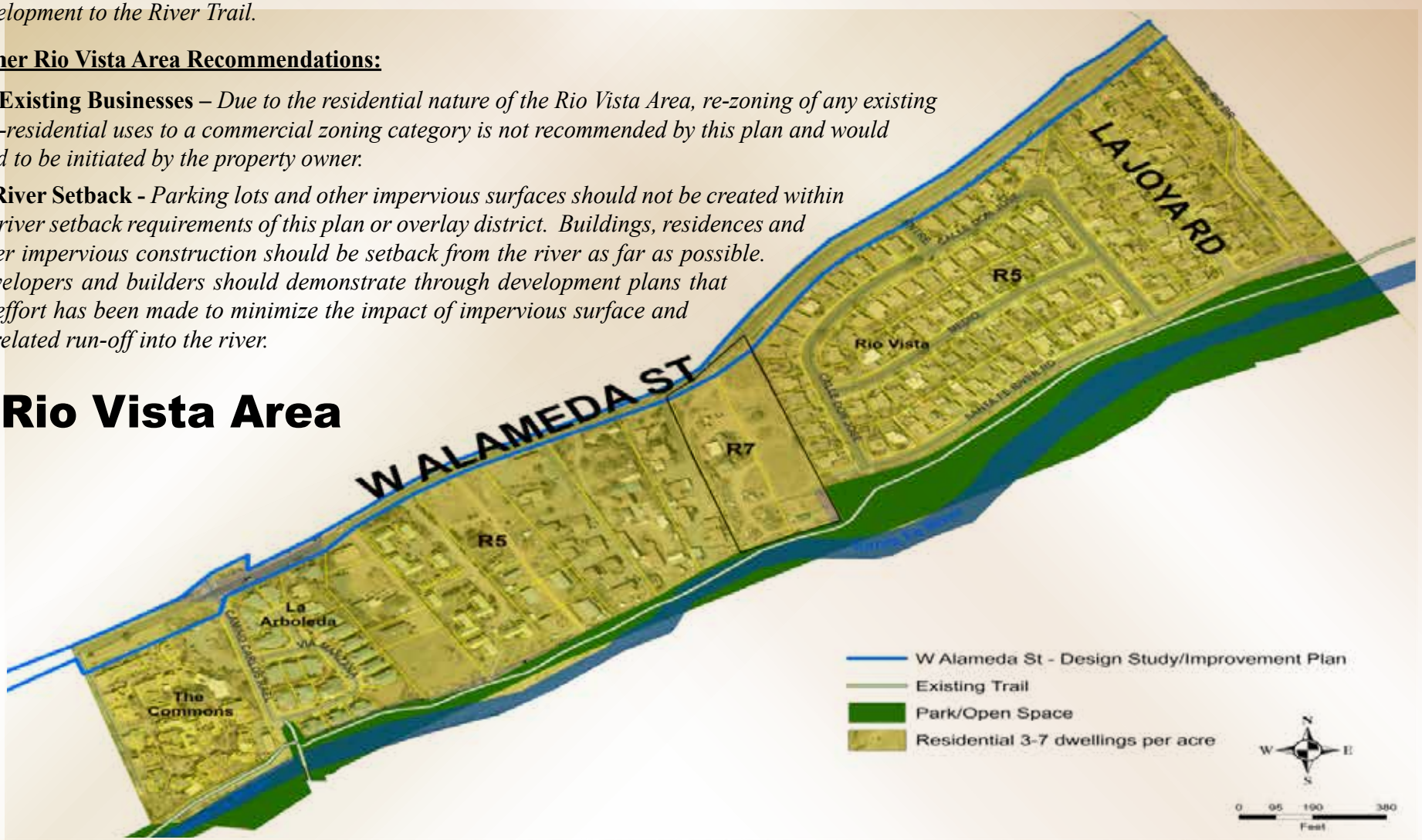
D. Historical Surveys/Archaeology Reconnaissance – *The Rio Vista Area is within the city's "River and Trails Archaeological Review District" and clearance permits are required of all developments over two (2) acres in size where previous archaeological reconnaissance, excavation or other treatment has not already been completed. The existence of archaeology in the vicinity requires investigation for all proposed developments and subdivisions. A survey of the history of existing structures is required of all development applications.*

E. Trail/Public Access Easements Required – *All proposed developments should make provision for an access easement from the proposed development to the River Trail.*

5. <u>Other Rio Vista Area Recommendations:</u>

A. Existing Businesses – *Due to the residential nature of the Rio Vista Area, re-zoning of any existing non-residential uses to a commercial zoning category is not recommended by this plan and would need to be initiated by the property owner.*

B. River Setback - *Parking lots and other impervious surfaces should not be created within the river setback requirements of this plan or overlay district. Buildings, residences and other impervious construction should be setback from the river as far as possible. Developers and builders should demonstrate through development plans that an effort has been made to minimize the impact of impervious surface and its related run-off into the river.*



Organic Area

Land Use Issues/Approach – The Organic Area reflects an irregular lot and subdivision pattern that began in the 1950s and 1960s with residential development on private dirt easements extending off of Agua Fria Street. While the current development pattern has existed for decades, and city utilities are available in this area, there is a lack of adequate street access for public safety vehicles in this area. Development/Subdivision plans for the vacant acreage (approximately 23 acres) near the river must show adequate public roadway access to Agua Fria Street as part of any approvals. Providing street access only through a connection to Paseo de la Conquistadora may not be sufficient.

This plan recognizes the difficulty for development of the larger vacant tracts of land in the Organic Area, due to location and lack of adequate road access. The vacant tracts were used for agriculture in earlier times, like much of the land on either side of the river in the Planning Area. Alternative scenarios are presented below.

1. **Recommended Future Land Use:** ***Residential, 3-7 Dwellings per Acre.*** *(No change recommended)*
   The vacant tracts near the river should be considered for community gardens or agriculture in absence of adequate road access accessed for any additional subdivision development.
2. **Recommended Zoning:** ***Residential, R5*** *(No change recommended)*
   The lack of sufficient road access for public safety vehicles makes additional development problematic on the vacant tracts along the river. Encouraging community gardens and agriculture on these tracts could be the most appropriate use.
3. **Alternative Scenarios**
   The following scenarios are possible options for use of the vacant, privately-owned parcels along the river:

   A. Open Space *(Extension of Frenchy's Park) – City acquisition as an open space expansion of Frenchy's Park, maintaining the open, unobstructed views of the Sangre de Cristo Mountains for future generations.*

   B. Community Gardens (urban agriculture) *– Allow the owners of the land to rent or lease their land to individuals or groups who would like to plant and maintain a community garden, in keeping with the historical use of this area for crops and orchards.*

   C. Residential Development *– Using the current R5 zoning, and reserving at least 30% of the development(s) as common area open space, through a clustered approach, this area could be developed with 80-100 new housing units. Possible road access, at developer's expense, could be a bridge across the river connecting to West Alameda Street, or a new road through the parking lot at Frenchy's Park to align with Osage Avenue, thereby using a signalized intersection to access Agua Fria Street.*

4. **Development Plan Requirements: (also see "Overlay" standards section)**

A. Agua Fria Street Access Requirements:

1. **Development Plans** – *should contain at least one public roadway access to Agua Fria Street meeting city road standards to be considered for subdivision approval at a density greater than one unit per acre.*
2. **Proposed/Improved Streets –** *Newly proposed streets, or those that were previously private access lanes must meet city road standards, including possible transfer of streets to the city as public rights-of-way; all proposed streets within the development boundary must be approved by the city traffic engineer.*

B. Water and Wastewater – *Development/Subdivision Plans requesting a greater density than one-acre lots must be served by city water and wastewater systems and all domestic wells on the property(s) that are part of the development application must be transferred to the city for abandonment.*

C. Underground Electric Utilities – *Future development in this area should place electric utilities underground.*

D. Historical Surveys/Archaeology Reconnaissance – *The Organic Area is within the city's "River and Trails Archaeological Review District" and clearance permits are required of all developments over two (2) acres in size where previous archaeological reconnaissance, excavation or other treatment has not already been completed. Historic surveys should be required of any structures on the property proposed for subdivision or development.*

5. <u>Other Organic Area Recommendations:</u>

A. Pedestrian/Bicycle Access Required – *All proposed developments must make provision for pedestrian and bicycle access from the proposed development to Agua Fria Street.*

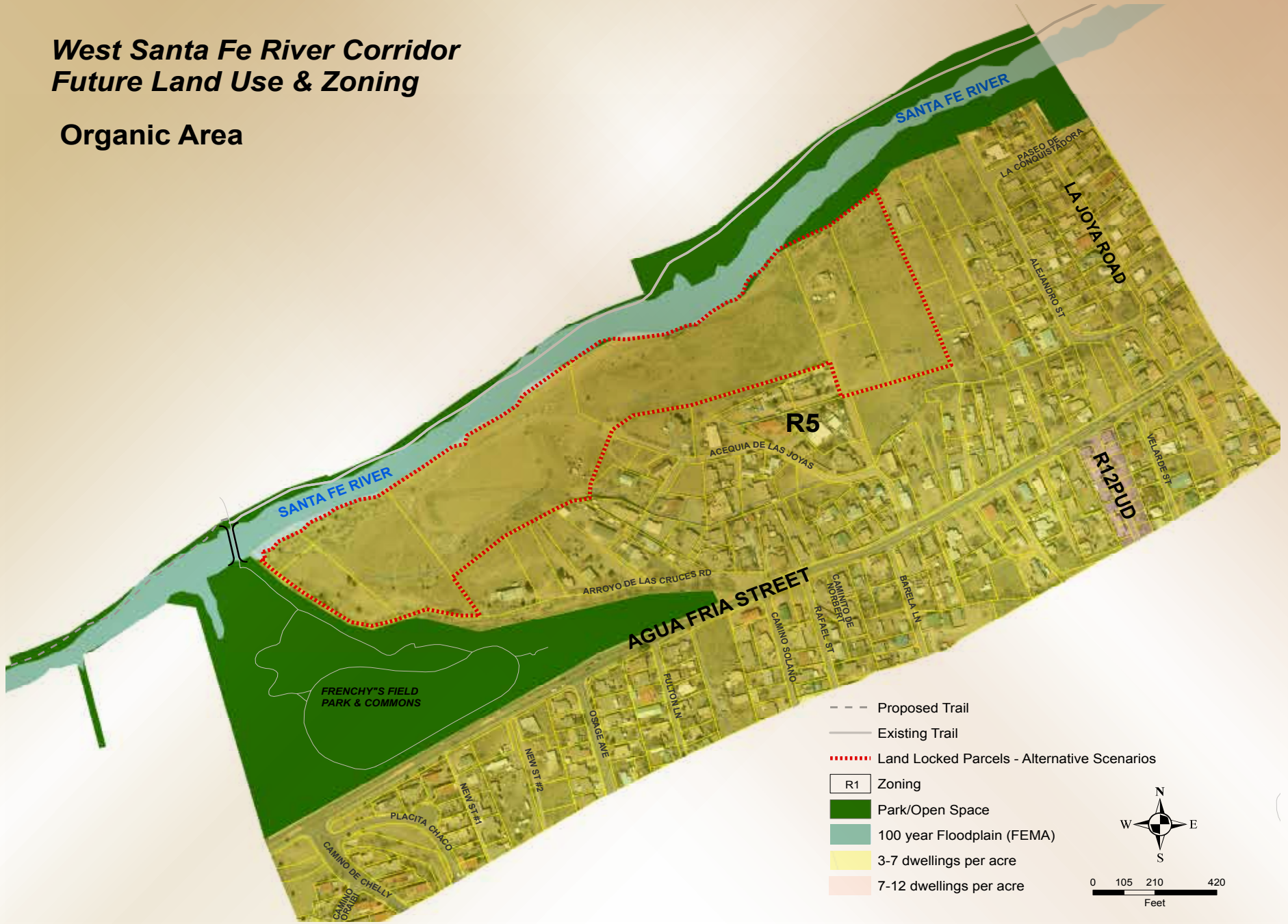
B. Existing Businesses – *Due to the residential nature of the Organic Area, re-zoning of any existing non-residential uses to a commercial zoning category is not recommended by this plan and would need to be initiated by the property owner.*

C. Road Connectivity – *Internal east-west vehicular access to connect adjoining properties and roads/easements that intersect with Agua Fria Street can provide better circulation and should be required where possible and necessary.*

B. River Setback - *Parking lots and other impervious surfaces should not be created within the river setback requirements of this plan or overlay district. Buildings, residences and other impervious construction should be setback from the river as far as possible. Developers and builders should demonstrate through development plans that an effort has been made to minimize the impact of impervious surface and its related run-off into the river.*

West Santa Fe River Corridor
Future Land Use & Zoning

Organic Area



Mixed Area

Land Use Issues/Approach – The Mixed Area contains single-family residences near Frenchy's Park (i.e. Ferguson Lane, Camino Carlos Rael, etc.), transitions along Agua Fria Street to an under-developed area near the center (i.e. former Eco-versity site), then transitions again into an area of mixed uses that includes older homes containing businesses within them or on the same parcel, and commercial buildings with business uses near the Siler Road intersection. A series of re-zonings from **R1, Single-Family Residential to C2, General Commercial** occurred in recent years since the area was annexed and prior to this plan. The city's default zoning of **R1** is not considered to be appropriate for the Mixed Area as many of the parcels already contain business uses and because warehouses with industrial zoning are located directly across Agua Fria Street. In addition, most of the land nearer Frenchy's Park is developed with single-family homes at densities closer to **R5** than to **R1**, due to availability of city water and wastewater systems.

This plan recommends that all parcels in the Mixed Area that are currently designated **Residential, 1 dwelling per acre** on the Future Land Use Map and/or currently zoned **R1, Single-Family Residential** be re-designated and re-zoned. The intent is to create a reasonable transition from more intense commercial uses near Siler Road to less intense residential uses near Frenchy's Park. Multi-Family, rental and affordable housing is encouraged within the density ranges recommended.

1. **Recommended Future Land Use: Various changes to Future Land Use Map (see map).**

   A. *Parcels currently shown as **Residential, 1 Dwelling per acre** are re-designated to **Community Commercial, Transitional Mixed Use** and **Residential, 3-7 Dwellings per acre.***

2. **Recommended Zoning: Various changes to Zoning Map (see map).**

   A. *Parcels zoned R1 with a Future Land Use re-designation to Community Commercial should be re-zoned to C2, General Commercial.*

   B. *Parcels zoned R1 with a Future Land Use re-designation to Transitional Mixed Use should be re-zoned MU, Mixed Use.*

   C. *Parcels zoned R1 with a Future Land Use re-designation to Residential, 3-7 Dwellings per acre should be re-zoned R5, Single-Family (5 units per acre).*

3. **Alternative Scenarios:**

   A. *Park/Open Space – With an Interpretive Center for sustainability and the history of the Camino Real in Santa Fe;*

   B. *Community Center, Assisted Living Facility, Rehabilitation Center (facility size must respect surrounding neighborhood character).*

4. Development Plan Requirements: (also see "Overlay" standards section)

A. ***Agua Fria Street Access Requirements:***

1. ***Development Plans*** *– Should contain at least one public roadway access to Agua Fria Street meeting city road standards to be considered for approval.*
2. ***Development Plans of 10 acres or more*** *– Should have a minimum of two road access points to Agua Fria Street, and all roads must meet city road standards, to comply with 14-9.2(D)(4).*
3. ***Proposed/Improved Streets*** *– Newly proposed streets, or those that were previously private access lanes must meet city road standards, including possible transfer of streets to the city as public rights-of-way; all proposed streets within the development boundary must be approved by the city traffic engineer.*

B. ***Water / Wastewater*** *– Connection to the city's water and wastewater system is a requirement for any re-development or new development adding buildings or housing units in the Mixed Area. Property owners/developers could use a "shared cost" approach with other businesses also needing to be served by the city's wastewater system. The city could pursue federal and state grants to extend the wastewater system to connect existing businesses and housing units in the area near Siler Road.*

C. ***Underground Electric Utilities*** *– Future development in this area should place electric utilities underground.*

D. ***Historical Surveys/Archaeology Reconnaissance*** *– The Mixed Area is within the city's "River and Trails Archaeological Review District" and clearance permits are required of all developments over two (2) acres in size where previous archaeological reconnaissance, excavation or other treatment has not already been completed. The existence of archaeology in the vicinity requires investigation for all proposed developments and subdivisions. A survey of the history of existing structures is required of all development applications.*

5. Other Mixed Area Recommendations:

A. ***Street Improvements*** *– The entire width of the frontage along Agua Fria should be improved by the subdivision/development plan applicant by providing additional right-of-way and constructing the necessary improvements as determined by the city traffic engineer, which may include acceleration/deceleration lanes to and from the development entrance(s).*

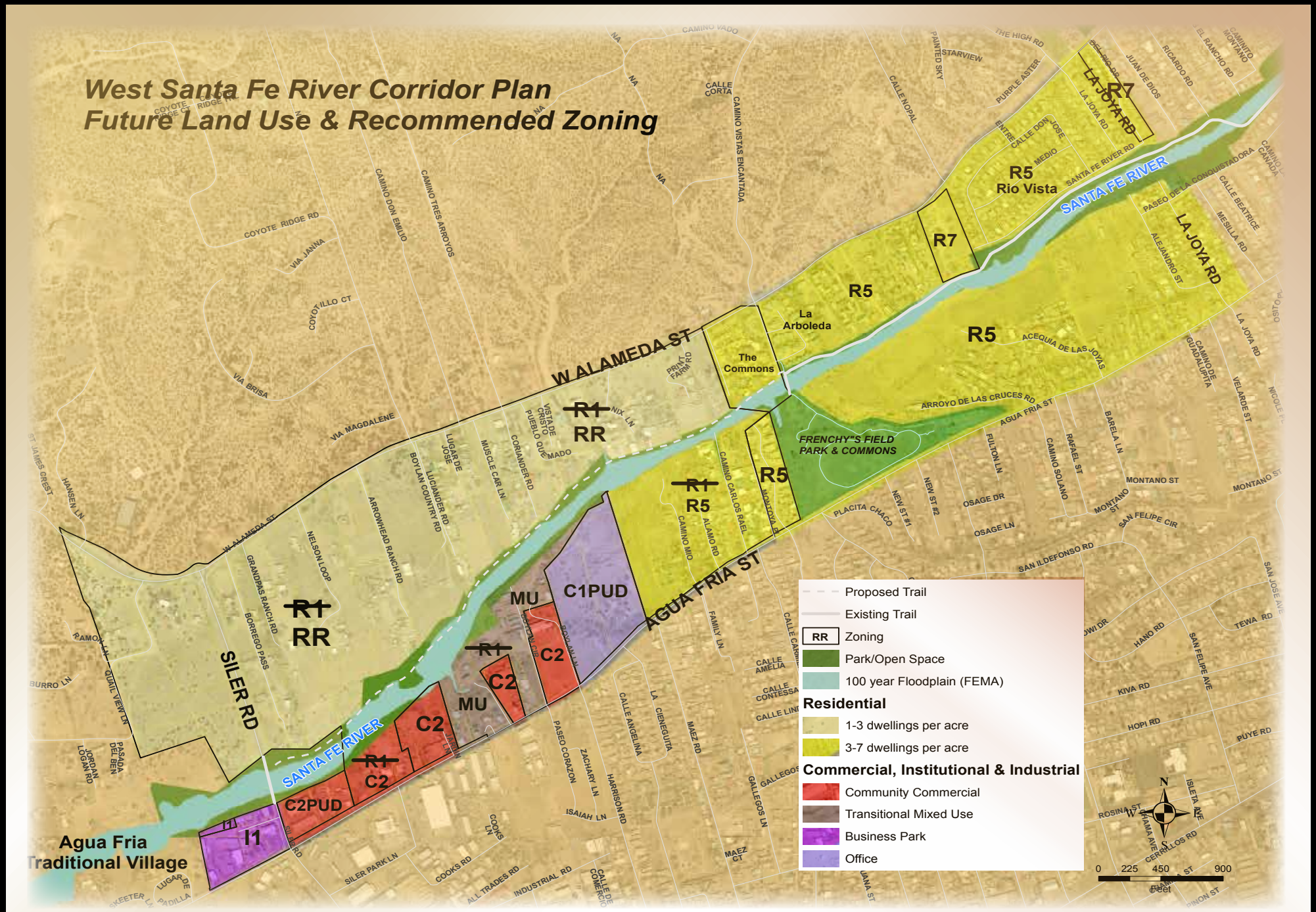
B. **Road Connectivity –** *Internal east-west vehicular access to connect adjoining properties and roads/easements that intersect with Agua Fria Street can provide better circulation and should be required where possible and necessary.*

C. ***River Setback*** *– Parking lots and other impervious surfaces should not be created within the river setback requirements of this plan or overlay district. Buildings, residences and other impervious construction should be setback from the river as far as possible. Developers and builders should demonstrate through development plans that an effort has been made to minimize the impact of impervious surface and its related run-off into the river.*

West Santa Fe River Corridor Plan
Future Land Use & Zoning

Mixed Area




West Santa Fe River Corridor Plan
Future Land Use & Recommended Zoning
W ALAMEDA ST
AGUA FRIA ST
SANTA FE RIVER
SILER RD
LA JOYA RD
R7
R5
Rio Vista
La Arboleda
The Commons
FRENCHY"S FIELD PARK & COMMONS
R1
RR
C1PUD
C2
MU
C2PUD
I1
Agua Fria Traditional Village
Proposed Trail
Existing Trail
RR Zoning
Park/Open Space
100 year Floodplain (FEMA)
Residential
1-3 dwellings per acre
3-7 dwellings per acre
Commercial, Institutional & Industrial
Community Commercial
Transitional Mixed Use
Business Park
Office
0 225 450 900
Feet

Santa Fe River

The Santa Fe River between Frenchy's Park and Siler Road is the next step in the Santa Fe River Greenway project, a cooperative effort between Santa Fe County and the City of Santa Fe. The Greenway revives the traditional use of the Santa Fe River corridor as a transportation route while showcasing the river's historically important role in our community. Low-impact development strategies that use natural materials and native plants have already stabilized the riverbed and its banks as they have restored the natural shape of the channel and brought biodiversity to riparian areas.

Greenway Project

The Project Plan includes:

- **Riverbank Acquisitions –** The County has approved a bond (The bond also funds construction) for the purchase of strips of private land and easements along both sides of the river between Frenchy's Park and the Siler Road Bridge (similar to what has been done upstream from Frenchy's Park). This accomplishes a number of objectives including protecting private land from loss to the river channel due to its meandering and scouring.
- **River Renewal –** The acquisitions will allow for the repair of scoured channel edges and re-direct the alignment of the river channel more closely to the center of acquisition boundaries while still allowing some natural curves in the channel itself to help moderate the flow of water during programmed releases from the reservoirs and heavy rain events. Re-vegetation of these re-contoured riverbanks will allow for greater bank stabilization and make it more difficult for the river to cut new channels.
- **Multi-Use Trail –** Within the acquisitions along the riverbank, a 10-foot wide, concrete, multi-use trail will be continued from Frenchy's Park to the Siler Road Bridge along the north side of the river. The Santa Fe River Trail when completed will be a 10-mile long, multi-use trail along the river bank from downtown Santa Fe all the way through the Agua Fria Village to the trail's southwestern terminus where the Santa Fe River crosses under Highway NM 599.

Run-off from Adjoining Land Development

Using the Alameda Rain Gardens as a model, regulations and incentives for development within the corridor should encourage the installation of infiltration ponds, bio swales, rain gardens, Zuni bowls and other green-infrastructure strategies as alternatives to conventional engineering practices that can concentrate pollutants in the river. Enhanced by cottonwoods, willows, shrubs, grasses and healthy soils, an accessible greenway promotes outdoor recreation, alternative transportation, economic revitalization and a focal point for the community that embodies both our cultural and natural heritage.

Parking lots and other impervious surfaces should not be created within the setback requirements of this plan or overlay district. Buildings, residences and other impervious construction should be setback from the river as far as possible. Developers and builders should demonstrate through development plans that an effort has been made to minimize the impact of impervious surface and its related run-off on the river. Connection to the city's wastewater system and removal of septic tanks should be required prior to any new development or redevelopment in the unserved commercial area near Siler Road.

Santa Fe River





The photos show completed portions of the Santa Fe River Greenway Project that includes riverbank acquisition, bank contouring and stabilization, channel re-alignment and re-vegetation.

Plan-Based Growth & Traffic

Agua Fria Street

El Camino Real has been designated as both a "Scenic Byway" (Federal Highway Administration) and a "National Historic Trail" (National Park Service). While the Scenic Byways program no longer exists, the city should continue efforts to enhance and celebrate the roadway's importance through the development of an improvement plan/program beautifying Agua Fria Street through the Planning Area all the way to its terminus at Guadalupe Street.

Agua Fria's limited right-of-way constrains future expansion of the road, bike lanes and sidewalks. Yet, decorative street lighting, signage, banners hung from streetlights and even contrasting pavement coloring or materials at key intersections and pedestrian crossings can help to elevate the sense of the street's importance. Possible sources of funding for planning and improvements might include the Federal Highway Administration's "Transportation Alternatives Program" (TAP) and the National Park Service's "National Historic Trails" program.

This plan could add an estimated 10,000-15,000 square feet of additional commercial development, all in the Mixed Area (i.e. 270-290 additional vehicle trips per day) and an estimated 300-400 additional housing units (i.e. 2,425-3,290 additional vehicle trips per day). However, the assumption of 50-100 additional units in the Organic Area is less likely than that projected for the Mixed Area.

Plan Based Growth - Traffic Added (ADT)

	Commercial Growth (sq. ft.)	Comm. Added Daily Traffic[1]	Residential Growth (units)	Res. Added Daily Traffic[2]	Total Added Daily Traffic		Agua Fria Street Traffic Volumes
Organic Area	-	-	50-100	475-950	475-950	Current ADT (2015)	12,340
Mixed Area	10,000-15,000	270-290	250-300	1950-2,340	2,220-2,630	Plan Added (ADT)	2,695-3,580
Total Growth	10,000-15,000	270-290	300-400	2,425-3,290	2,695-3,580	Total Traffic (ADT)	15,035-15,920

[1] Based on 5,000 square feet of Retail @43 trips per 1,000 sq. ft.; 5,000 sq. ft. of Office @ 11 trips per 1,000 sq. ft.; 5,000 sq. ft. Warehouse @3.5 trips per 1,000 sq. ft.).

[2] Based on single-family units @ 9.5 trips per unit, per day; multi-family units @ 6.65 trips per unit, per day.

NOTE: Traffic demand trip generation rates from Institute of Transportation Engineers (ITE), Trip Generation, 9th ed., 2012.

Summary

That part of the Planning Area along Agua Fria Street (Organic Area and Mixed Area) could add enough traffic to increase Agua Fria's current volumes from 12,343 to 15,920 per day, but this would be gradual over a period of years. Additional background traffic increases of 1% per year (125-147 added average daily traffic) that includes added growth in areas that will use Agua Fria Street as a primary route could push traffic volumes to around 16,700 ADT, a 35% increase over current traffic volumes. Because Agua Fria has limited capacity for widening to handle increased traffic volumes, limiting growth in the Planning Area has been important to area residents.

West Alameda Street

While not having the historic designations of Agua Fria Street, West Alameda does have infrastructure needs that require additional right-of-way in order to make the following necessary improvements:

- **Drainage** – Currently the roadway has no drop-inlet or other engineered drainage; as a result, heavy storms sheet-flow across parts of the roadway (especially in the Semi-Rural Area) that compromises pavement integrity.
- **Paved Shoulders** – The roadway needs paved shoulders to contain engineered drainage such as drop inlets and assist with general vehicular safety.
- **Left Turn Lanes** – Enough added pavement width, especially between Calle Nopal and Siler Road, would allow for intermittent Left Turn Lanes to help traffic flow and reduce the chances for rear-end accidents, especially for west-bound traffic.
- **Sidewalks & Bicycle Facilities** – An expanded roadway could also allow for pedestrian and bicycle facilities, at least on the southern side of West Alameda, if not on both sides of the street.

This plan could add an estimated 100-150 additional housing units with 950-1,425 additional vehicle trips per day along West Alameda. However, the 50 additional housing units in the Rio Vista Area may occur more quickly due to the approval of the River Lofts project containing 32 housing units. The additional 50-100 housing units in the Semi-Rural Area is largely dependent on the city's water system being extended to that area along with connections to the city's wastewater system. Otherwise, housing growth will continue at a very slow, incremental pace in the Semi-Rural Area if there is continued reliance on domestic wells and septic tanks.

Plan Based Growth - Traffic Added (ADT)

	Commercial Growth (sq. ft.)	Added Daily Traffic[1]	Residential Growth (units)	Added Daily Traffic[2]	Total Added Daily Traffic		West Alameda Traffic Volumes
Semi-Rural Area	-	-	50-100	475-950	450-900	Current ADT (2015)	8,727
Rio Vista Area	-	-	50	475	475	Plan Added (ADT)	950-1,425
Total Growth			100-150	950-1,425	950-1,425	Total Traffic (ADT)	9,677-10,152

[1] No commercial development is proposed for the Planning Area along West Alameda;

[2] Based on single-family units (@ 9.5 trips per unit, per day)

NOTE: Traffic demand trip rates from Institute of Transportation Engineers (ITE), Trip Generation, 9th ed., 2012

Summary

That part of the planning area along West Alameda Street (Semi-Rural Area and Rio Vista Area) could add enough traffic to increase West Alameda's current traffic volumes from 8,727 to 10,152 vehicles per day, but this would be gradual over a period of years. Additional background traffic increases of 1% per year (87-101 added average daily traffic volume) that includes added growth in areas that will use West Alameda Street as a primary route could push traffic volumes to around 11,000 vehicles per day, a 26% increase over current traffic volumes. Because West Alameda lacks adequate drainage, pedestrian/bicycle facilities and left-turn lanes, it will be important for the City and County to carry out that part of the Phase 2 Annexation Agreement that included cost-sharing for the improvements needed on West Alameda in the planning area between Calle Nopal and Siler Road.

Transit

Transit is an important issue for some residents in or near the Planning Area. Santa Fe Trails Route #1 along Agua Fria has 30-minute bus intervals and accounts for approximately 400 passenger trips daily and 130,000 passenger trips annually. Currently, there is no bus route along West Alameda. Traffic projections for the next 10-15 years indicate a potential increase in Average Daily Traffic (ADT) of 25% along Agua Fria, (increasing to 15,500 vehicles daily) and a 26% increase along West Alameda (increasing to 11,000 vehicles daily).

Transit Considerations

While there are no current plans to add a bus route along West Alameda in the Santa Fe Metropolitan Public Transit Master Plan (2015), future growth in and around the Planning Area, as well as growth near the West Alameda/South Meadows/NM 599 interchange may demonstrate a need for some type of bus service along West Alameda that could also connect with the current Agua Fria route, using Siler Road.

A future bus route along West Alameda should be preceded by the road improvements called for in this plan. The West Alameda Design Study/ Improvement Plan should include within its programming the right-of-way needed to accommodate a potential bus route and the requisite need for bus stop locations. Part of the design/planning program along West Alameda should also include a bike/pedestrian facility, continuing the Siler Road paved pedestrian/bicycle facility along the south side of West Alameda.

Open Space

Open space can be achieved in numerous areas within the West Santa Fe River Corridor Plan Area. The Semi-Rural, Organic and Mixed Areas all have opportunities to achieve, or retain, open space. This can be accomplished through public acquisition, conservation easements and the establishment of a transfer of development rights program (TDR). Public acquisition requires a governmental agency purchasing the land, while conservation easements involve the land owner continuing to use the land with an agreement that in a will or trust, the land would be turned over to a conservation trust organization for the purpose of conserving the land.

A Transfer of development rights program involves a land owner selling development rights ("sending" area) to another land owner with land located in an area designated for growth ("receiving" area). The River Corridor Plan Area would be a good candidate as a "sending" area where development rights linked to city zoning densities could be permanently sold to a "receiving" area designated for growth and development.

Common Area Open Space

Open Space can be preserved even as land is being developed in the River Corridor Plan Area by requiring an amount or percentage of the land or parcel being developed to remain undisturbed and in its natural condition. Land designated in a subdivision or development plan as "Common Area Open Space" is required to remain free of buildings, roads and pavement, including parking areas. This plan recommends in its Overlay Zoning District that all residential developments with densities of five dwellings or greater and a minimum of 25 housing units or lots preserve or set aside Common Area Open Space.

West Santa Fe River Corridor Overlay Zoning District

Summary of Proposed Development/Design Standards

The proposed development/design standards below are generally more restrictive than those specified in standard zoning districts in the Land Development Code (Chapter 14).

1. ***Building Height:*** Maximum building height shall not exceed twenty-eight (28) feet within the West Santa Fe River Corridor Plan area. [As defined by Land Development Code, "Measurement of Maximum Height," 14-7.1 (C)(1)]

2. ***Building Setback from Street:*** Minimum setbacks from the street in new developments and new subdivisions shall be:

   A. Agua Fria Street: 30 feet from the Agua Fria Street frontage property line, or 20% of lot depth, whichever is less.
   B. West Alameda Street: 50 feet from the West Alameda Street frontage property line.

3. ***Building Setback from Santa Fe River:*** A minimum of 15 feet from whichever one of the following is most restrictive,

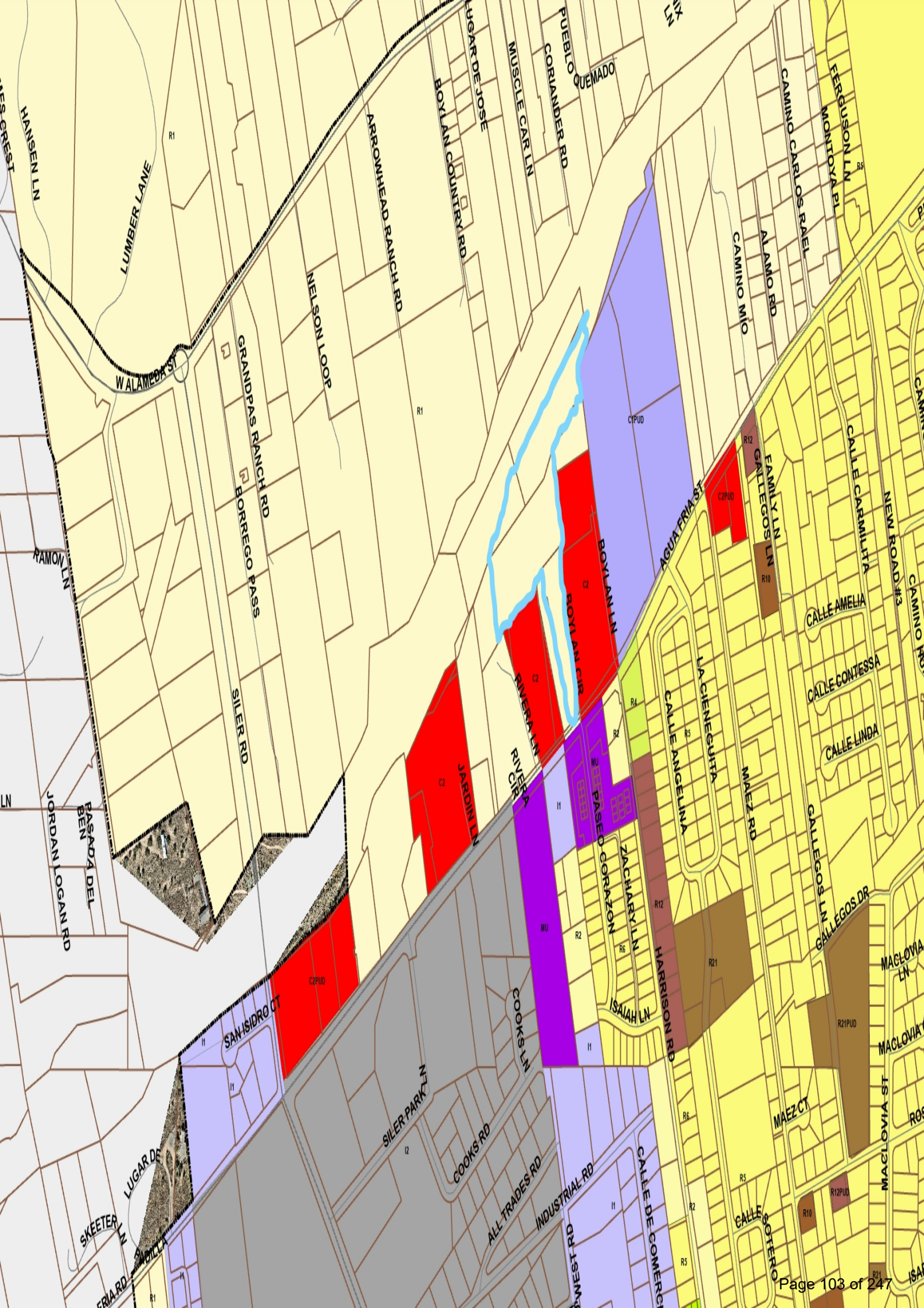
   A. River Greenway Easement boundary, or
   B. 100-year Floodplain boundary (FEMA), or
   C. City code setback measurement for streams and watercourses, [Land Development Code, 14-8.2(D)(4)(e)(i)].

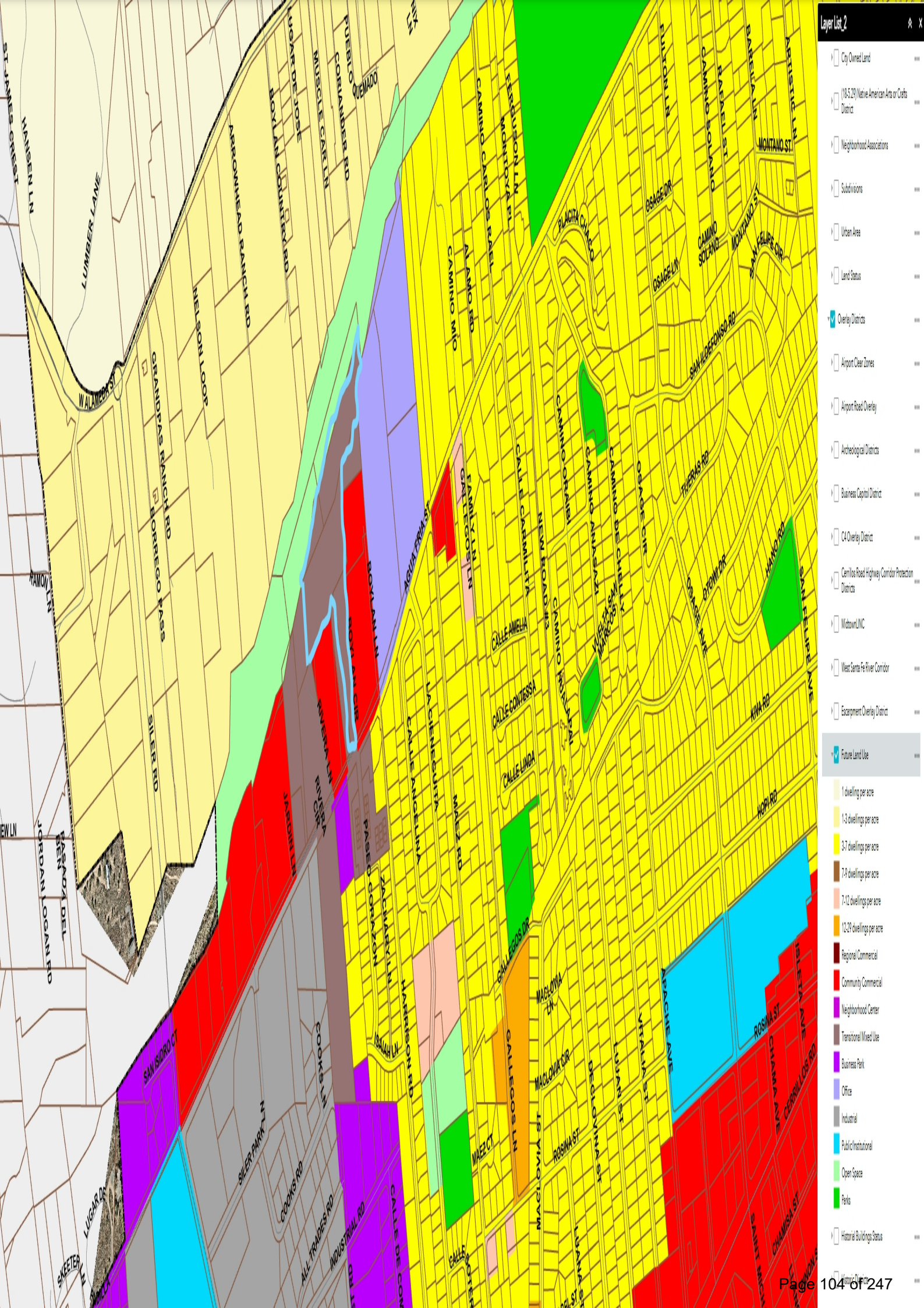
4. ***Frontage Width Required for Development along West Alameda Street:*** Minimum street frontage parcel width of 250 feet is required for any subdivision, unless approved by the city traffic engineer.

5. ***Common Area Open Space:*** In lieu of park dedication to the city, all residential subdivisions or residential developments with a density of five (5) dwellings per acre or greater, or a minimum of 25 total housing units or lots, shall have a minimum of ten percent (10%) of the total land area of the proposed subdivision or development reserved as common area open space. [For additional requirements also see Land Development Code, "Residential Common Open Space Standards" 14-7.5(B)].



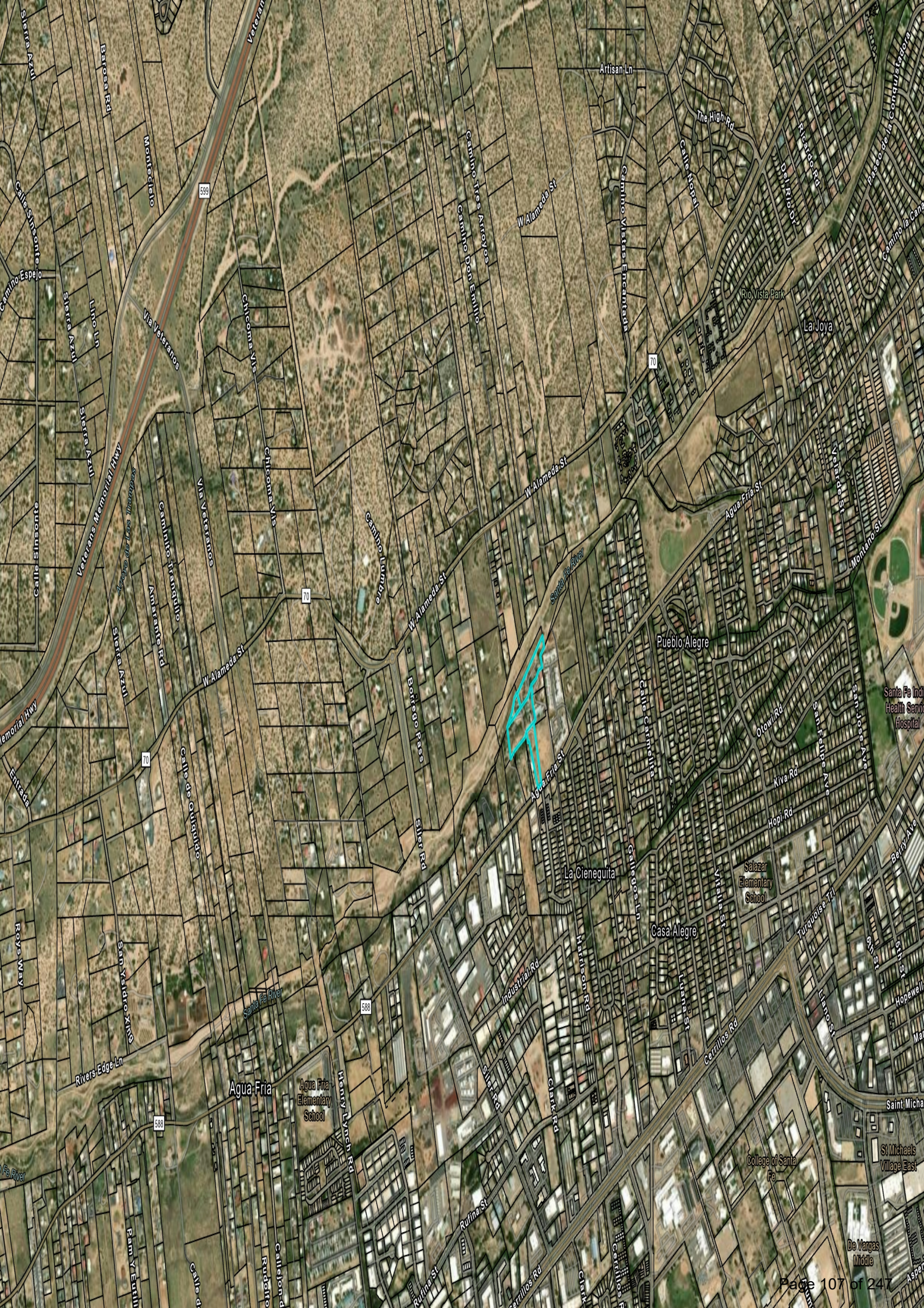

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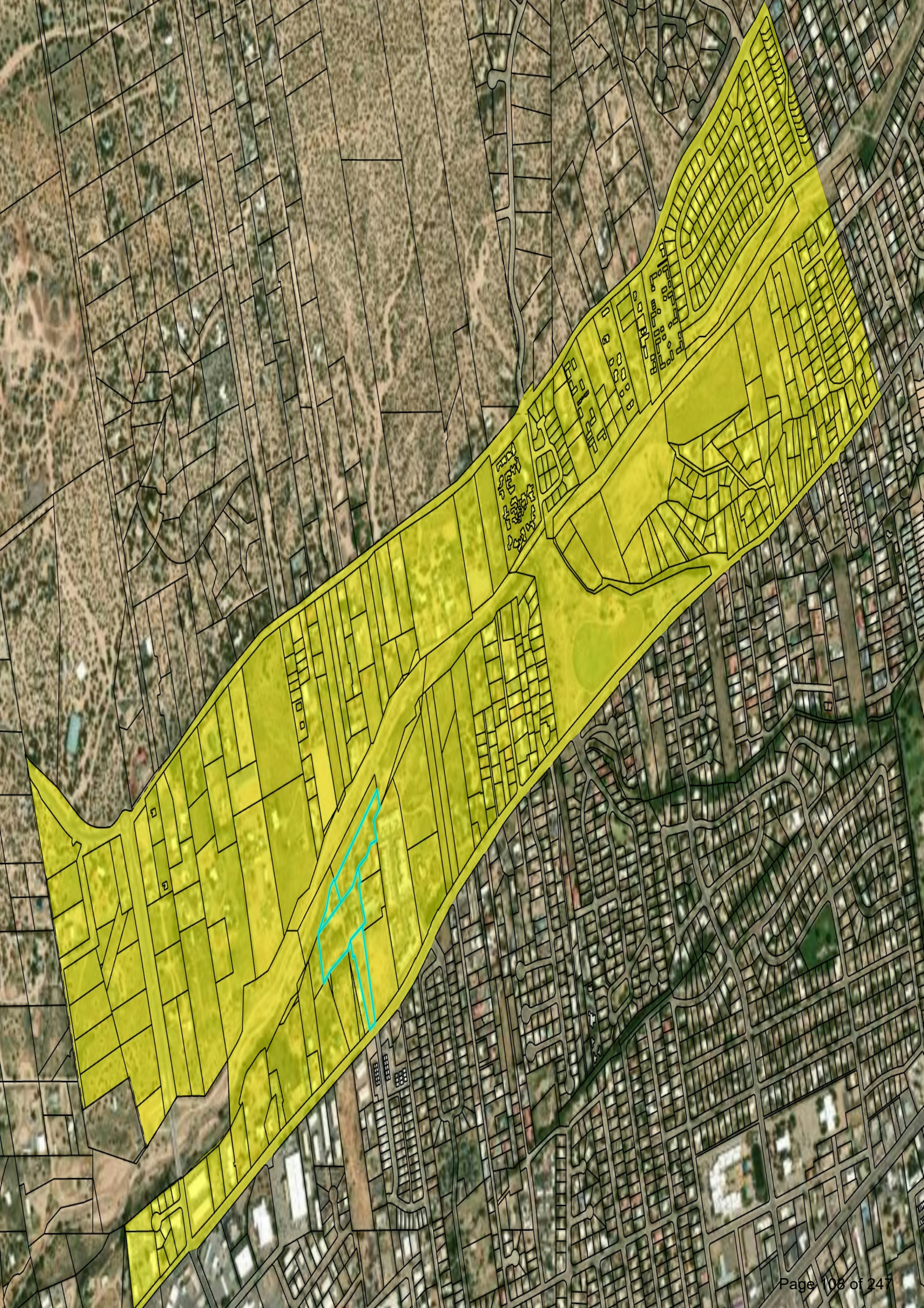

HANSEN LN
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W ALAMEDA ST
NELSON LOOP
ARROWHEAD RANCH RD
BOYLAN COUNTRY RD
LUGAR DE JOSE
MUSCLE CAR LN
CORIANDER RD
PUEBLO QUEMADO
CAMINO CARLOS RAEL
FERGUSON LN
MONTOYA PL
CAMINO MIO
ALAMO RD
GRANDPAS RANCH RD
BORREGO PASS
SILER RD
RAMON LN
JORDAN LOGAN RD
PASADA DEL BEN
BOYLAN LN
BOYLAN CIR
AGUA FRIA ST
GALLEGOS LN
FAMILY LN
CALLE CARMILITA
NEW ROAD #3
CALLE AMELIA
CALLE CONTESSA
CALLE LINDA
LA CIENEGUITA
CALLE ANGELINA
MAEZ RD
GALLEGOS LN
GALLEGOS DR
MACLOVIA LN
MACLOVIA ST
RIVERA LN
RIVERA CIR
JARDIN LN
PASEO CORAZON
ZACHARY LN
ISAIAH LN
HARRISON RD
MAEZ CT
SAN ISIDRO CT
COOKS LN
SILER PARK LN
COOKS RD
ALL TRADES RD
INDUSTRIAL RD
CALLE DE COMERCIO
CALLE SOTERO
SKEETER LN
LUGAR DE
C1PUD
C2PUD
C2
R1
R2
R4
R5
R6
R10
R12
R21
R21PUD
R12PUD
MU
I1
I2


Layer List_2
City Owned Land
(18-5.29) Native American Arts or Crafts District
Neighborhood Associations
Subdivisions
Urban Area
Land Status
Overlay Districts
Airport Clear Zones
Airport Road Overlay
Archeological Districts
Business Capitol District
C4 Overlay District
Cerrillos Road Highway Corridor Protection Districts
MidtownLINC
West Santa Fe River Corridor
Escarpment Overlay District
Future Land Use
1 dwelling per acre
1-3 dwellings per acre
3-7 dwellings per acre
7-9 dwellings per acre
7-12 dwellings per acre
12-29 dwellings per acre
Regional Commercial
Community Commercial
Neighborhood Center
Transitional Mixed Use
Business Park
Office
Industrial
Public/Institutional
Open Space
Parks
Historical Buildings Status
Zoning Districts
LUMBER LANE
HANSEN LN
ST JAMES CREST
ARROWHEAD RANCH RD
NELSON LOOP
GRANDPAS RANCH RD
BORREGO PASS
SILER RD
W ALAMEDA ST
RANCH VIEW LN
JORDAN LOGAN RD
PERLA DEL
LUCAS DE JOSE
MUSCLE CAR LN
FUEBLO QUEMADO
CORVAMBER RD
BOYLAN CUNNERY RD
CAMINO CARLOS RAEL
FERGUSON LN
MONTOYA EL
CAMINO MIO
ALAMO RD
BOYLAN LN
AGUA FRIA ST
FAMILY LN
GALLEGOS LN
CALLE CARMELITA
NEW ROAD #2
CAMINO ORAIBEL
CAMINO ANAYA EL
CAMINO DE CHELLY
VUELTA SAN MARCOS
OSAGE CIR
TIERRAS RD
OSAGE DR
OTOWI DR
HANO RD
SAN FELIPE AVE
KIWA RD
HOPI RD
CALLE AMELIA
CALLE CONTESSA
CALLE LINDA
MALEZ RD
LA CHENEQUITA
CALLE ANGELINA
PASEO CORAZON
RIVERA LN
RIVERA CIR
JARDIN LN
ISAIAH LN
HARRISON RD
GALLEGOS DR
MACLOVIA LN
MACLOVIA DR
MALEZ CT
GALLEGOS LN
ROSINA ST
APACHE AVE
LUJAN AVE
YRALA ST
DECLOVIA ST
CHAMISA ST
CERRILLOS RD
SAN ISIDRO CT
COOKS LN
SILER PARK N
COOKS RD
ALL TRADES RD
INDUSTRIAL RD
CALLE DE COMERCIO
LUCAR DR
SKEETER LN
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BOYLAN COUNTRY RD
LUCIANDER RD
BOYLAN CIR
BOYLAN LN
AGUA FRIA ST
HARRISON RD
RIVER LN
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Artisan Ln
The High Rd
Calle Nopal
Camino Vistas Encantada
W Alameda St
Camino Tres Arroyos
Camino Don Emilio
Rio Vista Park
La Joya
Paseo de la Conquistadora
Camino La Cana
Sierra Azul
Barosa Rd
Montecielo
Calle Sinsonte
Camino Espejo
Linio Ln
Veterans Memorial Hwy
Via Veteranos
Chilcoma Vis
Camino Lupita
Agua Fria St
Montano St
Santa Fe River
Pueblo Alegre
Arroyo de Las Tinajas
Camilito Tranquilo
Amarante Rd
Entrada
Calle de Guiquido
Borrego Pass
Siler Rd
Otowi Rd
San Felipe Ave
San Jose Ave
Kiva Rd
Hopi Rd
Barlo Ave
La Cieneguita
Gallegos Ln
Salazar Elementary School
Casa Alegre
Turquoise Trl
Industrial Rd
Harrison Rd
Cerrillos Rd
Lena St
Roys Way
Santa Fe River
Rivers Edge Ln
Agua Fria
Agua Fria Elementary School
Henry Lynch Rd
Clark Rd
Rufina St
College of Santa Fe
St Michaels Village East
De Vargas Middle
599
70
588



APPLICATION RESOURCES

PLANNING AND LAND USE DEPARTMENT RESOURCES

MISSION : The mission of the Planning Division is to review development applications for compliance with the City's land development code and department policies while providing information, guidance, and the highest possible level of customer service to applicants, neighborhoods, and the City's quasi-judicial decision-making bodies.

OFFICE : Santa Fe City Hall 200 Lincoln Avenue Santa Fe, NM 87501

WEBSITE : https://santafenm.gov/land-use/current-planning

CURRENT AND UPCOMING PUBLIC MEETINGS : https://santafe.primegov.com/public/portal

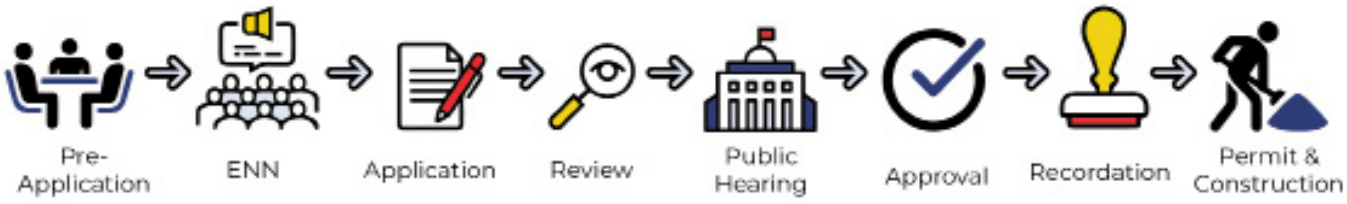
INTERACTIVE GIS MAPS : https://santafenm.gov/information-technology-telecommunications/gis

SANTA FE CITY CODE (SFCC) : https://library.municode.com/nm/santa_fe/codes/code_of_ordinances

APPLICATION SUBMISSION AND FEES : All applications shall be submitted electronically as PDF files to planning@santafenm.gov. Incomplete applications, including those missing required submittals will be returned without processing. Application fees will be assessed and invoiced upon acceptance of the application for initial review. Fee tables may be viewed online.

GENERAL QUESTIONS : zoningcounter@santafenm.gov

DEVELOPMENT REVIEW PROCESS



PRE-APPLICATION PHASE

For many applications, the development review process begins with a pre-application conference, where the applicant presents their proposal to the City's Development Review Team (DRT) for initial review and feedback. If the applicant wishes to proceed, a city planner is assigned to assist the applicant through the remaining steps of the process. For administratively reviewed applications, a pre-application conference is usually not required.

For all applications requiring a hearing before a land use board, the applicant shall schedule, notice and host an early neighborhood notification (ENN) meeting in coordination with the city planner. The intent of the ENN is to provide for an exchange of information among the applicant, residents, and property owners, prior to application submittal. ENN notification requirements are set forth in SFCC §14-3.1(H). Applications that qualify for administrative review and some variances are not required to conduct an ENN meeting.

DEVELOPMENT REVIEW PHASE

Once an application and all required submittals are prepared by the applicant, they or their agent submits the Application to the City via planning@santafenm.gov. The applicant will receive an email confirming receipt of the application, and an invoice for applicable development fees which can be paid online or at the cashier's office at City Hall. The city planner and the DRT review the application for completeness and compliance with all applicable codes, ordinances, plans and regulations. During the review process, the city planner or members of the DRT may request additional information or amendments from the applicant to complete the review process. The review timeline can range for 9-12 weeks or more depending on the complexity of the application and the total number of cases under review.

PUBLIC HEARING PHASE

When the City determines that the application is complete, the case is scheduled for a public hearing before the applicable Land Use Board. Notification requirements for public hearings are set forth in SFCC §14-3.1(H). If the application is approved at the public hearing, the city planner will prepare the findings of fact and conclusions of law (FOFCOL) documenting the approval findings, any conditions of approval and an expiration date for the approval, as required.

POST APPROVAL PHASE

When the applicant has met all necessary conditions of approval and technical corrections, the plan or plat is recorded at the County Clerk's office and filed with the City's plat room. The case planner prepares an action letter detailing the approval record. The applicant may then proceed to building permitting and construction.

If you have questions about the requirements please contact your assigned case planner or planning@santafenm.gov.

LAND DEVELOPMENT CODE REFERENCE

GENERAL PLAN AMENDMENT PROCEDURES (SECTION 14-3.2(E) SFCC)

Purpose: The general plan is a guide for the city's land use decisions. The regulations, restrictions and policies of the city affecting development of Santa Fe shall be in accordance with the general plan as provided in Section 3-21-5 NMSA 1978. When necessary, the general plan shall be amended in accordance with this section.

Applicability: The general plan must first be amended before any proposed changes in the city's policies on urban area boundaries, annexation, growth, economic development, special review districts or other long-range planning items not in conformance with the general plan may be approved.

1. Criteria for all Amendments to the General Plan

The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:

a. Consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;

b. Consistency with other parts of the general plan;

c. The amendment does not:

   i. Allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

   ii. Affect an area of less than two acres, except when adjusting boundaries between districts; or

   iii. Benefit one or few landowners at the expense of the surrounding landowners or the general public;

d. An amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;

e. Compliance with the extraterritorial zoning ordinances and extraterritorial plans;

f. Contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

g. Consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

2. Additional Criteria for Amendments to Land Use Policies

In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping or other means, and a finding must be made that:

a. The growth and economic projections contained within the general plan are erroneous or have changed;

b. No reasonable locations have been provided for certain land uses for which there is a demonstrated need; or

c. Conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.

SUBMITTAL CHECKLIST

Submittal requirements may vary based on the individual application. The City reserves the right to request additional information during the review process. Please submit each of the following items as separate PDF files saved with unique and descriptive file names:

- ✓ Application Letter (intent, location, acreage)
- ✓ Statement addressing approval criteria
- ✓ Legal lot of record, legal description
- ✓ Development Plan (as defined by Section 14-3.8 SFCC 1987, if applicable)
- ☐ Proof of compliance with conditions of annexation approval (if applicable)
- ☐ Letter of water and sewer availability

CITY OF SANTA FE

GENERAL PLAN AMENDMENT
PLUD-04

PARCEL INFORMATION

Project Name: Boylan General Plan Amendment

Address: 1372 Boylan LN., 2473 Boylan Cir., & 2745 Boylan Cir.

Property Size: 4 lots = 5.96 acres

Current Use of Land: Residential (TMXU)

Proposed Use of Land: Community Commercial

Does an annexation application accompany this application? ☐ Yes ✓ No

Does an rezoning application accompany this application? ✓ Yes ☐ No

Pre-application Conference Date: 6/13/24

Early Neighborhood Notice (ENN) Meeting Date: 9/26/24

PROPERTY OWNER INFORMATION

Name (First, Last): Larry Boylan

Address: 2743 Boylan Circle Unit 11
Street Address | Suite/Unit #

Santa Fe | NM | 87507
City | State | ZIP Code

Phone: N/A

E-mail Address: N/A

APPLICANT/AGENT INFORMATION (IF DIFFERENT FROM OWNER)

Company Name: NM Land Solutions LLC

Name (First, Last): Victoria Dalton

Address: 915 Mercer Street
Street Address | Suite/Unit #

Santa Fe | NM | 87505
City | State | ZIP Code

Phone: (505) 983-5588

E-mail Address: victoria@jwsiebert.com

Correspondence Directed To: ☐ Owner ✓ Applicant ☐ Both

AGENT AUTHORIZATION (IF APPLICABLE)

I am/We are the owner(s) and record title holder(s) of the property located at:

1372 Boylan Ln., 2473 Boylan Cir., & 2745 Boylan Cir.

I/we authorize NM Land Solutions LLC to act as my/our agent to execute this application.

Signed: Larry Boylan Date: 11/12/2024

Signed: Date:

SIGNATURE

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 1987. Failure to meet these standards may result in the rejection of my application. I also certify that I have met with the City's Current Planning staff in a pre-application meeting to verify that the attached proposal is in compliance with the City's zoning and annexation requirements.

Signature: Victoria Dalton Date: 11/12/2024

APPLICATION RESOURCES

PLANNING AND LAND USE DEPARTMENT RESOURCES

MISSION : The mission of the Planning Division is to review development applications for compliance with the City's land development code and department policies while providing information, guidance, and the highest possible level of customer service to applicants, neighborhoods, and the City's quasi-judicial decision-making bodies.

OFFICE : Santa Fe City Hall 200 Lincoln Avenue Santa Fe, NM 87501

WEBSITE : https://santafenm.gov/land-use/current-planning

CURRENT AND UPCOMING PUBLIC MEETINGS : https://santafe.primegov.com/public/portal

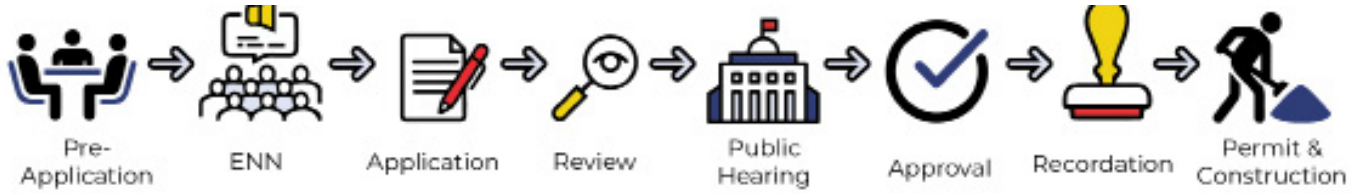
INTERACTIVE GIS MAPS : https://santafenm.gov/information-technology-telecommunications/gis

SANTA FE CITY CODE (SFCC) : https://library.municode.com/nm/santa_fe/codes/code_of_ordinances

APPLICATION SUBMISSION AND FEES : All applications shall be submitted electronically as PDF files to planning@santafenm.gov. Incomplete applications, including those missing required submittals will be returned without processing. Application fees will be assessed and invoiced upon acceptance of the application for initial review. Fee tables may be viewed online.

GENERAL QUESTIONS : zoningcounter@santafenm.gov

DEVELOPMENT REVIEW PROCESS



PRE-APPLICATION PHASE

For many applications, the development review process begins with a pre-application conference, where the applicant presents their proposal to the City's Development Review Team (DRT) for initial review and feedback. If the applicant wishes to proceed, a city planner is assigned to assist the applicant through the remaining steps of the process. For administratively reviewed applications, a pre-application conference is usually not required.

For all applications requiring a hearing before a land use board, the applicant shall schedule, notice and host an early neighborhood notification (ENN) meeting in coordination with the city planner. The intent of the ENN is to provide for an exchange of information among the applicant, residents, and property owners, prior to application submittal. ENN notification requirements are set forth in SFCC §14-3.1(H). Applications that qualify for administrative review and some variances are not required to conduct an ENN meeting.

DEVELOPMENT REVIEW PHASE

Once an application and all required submittals are prepared by the applicant, they or their agent submits the Application to the City via planning@santafenm.gov. The applicant will receive an email confirming receipt of the application, and an invoice for applicable development fees which can be paid online or at the cashier's office at City Hall. The city planner and the DRT review the application for completeness and compliance with all applicable codes, ordinances, plans and regulations. During the review process, the city planner or members of the DRT may request additional information or amendments from the applicant to complete the review process. The review timeline can range for 9-12 weeks or more depending on the complexity of the application and the total number of cases under review.

PUBLIC HEARING PHASE

When the City determines that the application is complete, the case is scheduled for a public hearing before the applicable Land Use Board. Notification requirements for public hearings are set forth in SFCC §14-3.1(H). If the application is approved at the public hearing, the city planner will prepare the findings of fact and conclusions of law (FOFCOL) documenting the approval findings, any conditions of approval and an expiration date for the approval, as required.

POST APPROVAL PHASE

When the applicant has met all necessary conditions of approval and technical corrections, the plan or plat is recorded at the County Clerk's office and filed with the City's plat room. The case planner prepares an action letter detailing the approval record. The applicant may then proceed to building permitting and construction.

If you have questions about the requirements please contact your assigned case planner or planning@santafenm.gov.

LAND DEVELOPMENT CODE REFERENCE

REZONING PROCEDURES AND APPROVAL CRITERIA (SECTION 14-3.5(C) SFCC)

Procedures: All rezonings shall be submitted to the planning commission for review and recommendation at a public hearing. The review shall be based on the approval criteria and a balancing test that considers the prevailing uses and character in the area. Rezoning requests specified in Section 14-4 Zoning Districts and 14-5 Overlay Zoning Districts, must be accompanied by a Development Plan application to be reviewed in coordination with the rezoning request.

The Planning Commission shall transmit the application to the governing body, with a recommendation for approval or disapproval. Before taking action, the governing body shall hold a public hearing and may request additional information necessary to ensure compliance with Chapter 14. The governing body shall take final action to approve, approve with conditions or deny the proposed rezoning. After approval the official zoning map shall be amended in accordance with Section 14-4.1(C) to note the new zoning designation. If denied, the applicant must wait 12 months to reapply.

Approval Criteria

1. The planning commission and the governing body shall review all rezoning proposals on the basis of the following criteria, and must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:
   a. one or more of the following conditions exist:
      i. there was a mistake in the original zoning;
      ii. there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or
      iii. a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;
   b. all the rezoning requirements of Chapter 14 have been met;
   c. the rezoning is consistent with the applicable policies of the general plan, including the future land use map;
   d. the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and
   e. the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.
2. Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:
   a. allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;
   b. affect an area of less than two acres, unless adjusting boundaries between districts; or
   c. benefit one or a few landowners at the expense of the surrounding landowners or general public.

SUBMITTAL CHECKLIST

Submittal requirements may vary based on the individual application and the requested zoning district. The City reserves the right to request additional information during the review process. See Section 14-4 and 14-5 SFCC 1987 for rezoning regulations related to specific zones. Please submit each of the following items as separate PDF files saved with unique and descriptive file names:

- ☐ Application letter (purpose, intent, location, acreage)
- ☐ Statement addressing rezoning approval criteria
- ☐ Legal lot of record and legal description
- ☐ Development plan (see Section 14-3.8 SFCC 1987) (if applicable)
- ☐ ENN meeting notes
- ☐ Terrain management plans (as required by Section 14-8.2 SFCC 1987)
- ☐ Traffic impact analysis (if applicable)
- ☐ Archaeological Clearance (if applicable)
- ☐ Sewer and Water Plan (including profiles and details), letter of availability (if applicable)

PARCEL INFORMATION

Project Name: Boylan Rezoning

Address: 1372 Boylan Ln., 2473 Boylan Cir., & 2745 Boylan Cir.

Property Size: 4 lots =5.96 acres

Current Zoning: R-1

Proposed Zoning: C-2

Does a Development Plan application accompany this application? ☐ Yes ☑ No

Pre-application Conference Date: 6/13/2024

Early Neighborhood Notice (ENN) Meeting Date: 9/26/2024

Uniform Parcel Code Number: 10-51-097-269-515, 1-051-097-243-531, 1-051-098-226-009 & 1-0510-98-263-005

PROPERTY OWNER INFORMATION

Name (First, Last): Larry Boylan

Address: 2743 Boylan Cir. Unit 11
Street Address | Suite/Unit #

Santa Fe | NM | 87507
City | State | ZIP Code

Phone: N/A

E-mail Address: N/A

APPLICANT/AGENT INFORMATION (IF DIFFERENT FROM OWNER)

Company Name: NM Land Solutions LLC

Name (First, Last): Victoria Dalton

Address: 915 Mercer St.
Street Address | Suite/Unit #

Santa Fe | NM | 87505
City | State | ZIP Code

Phone: (505) 983-5588

E-mail Address: victoria@jwsiebert.com

Correspondence Directed To: ☐ Owner ☑ Applicant ☐ Both

AGENT AUTHORIZATION (IF APPLICABLE)

I am/We are the owner(s) and record title holder(s) of the property located at:

1372 Boylan Ln., 2743 Boylan Cir. & 2745 Boylan Cir.

I/we authorize NM Land Solutions LLC to act as my/our agent to execute this application.

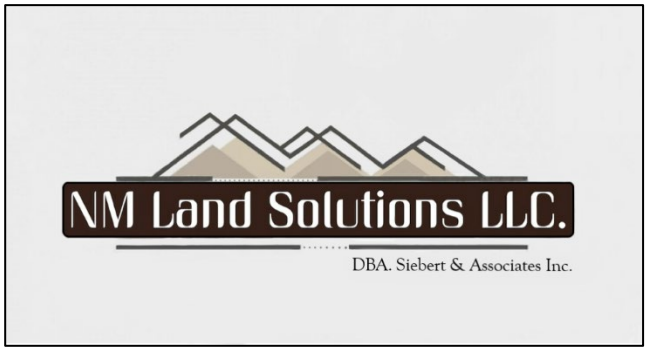
Signed: _____ Date: _____

Signed: _____ Date: _____

SIGNATURE

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 1987. Failure to meet these standards may result in the rejection of my application. I also certify that I have met with the City's Current Planning staff in a pre-application meeting to verify that the attached proposal is in compliance with the City's zoning requirements.

Signature: _____ Date: _____



NM LAND SOLUTIONS LLC. (Dba. Siebert & Associates Inc.)

915 Mercer Street
Santa Fe, New Mexico 87505
Phone: 505-983-5588
E-mail: victoria@jwsiebert.com
nathan@jwsiebert.com wayne@jwsiebert.com
Website: NMLandSolutions.com

November 12, 2024

Dan Esquibel
City of Santa Fe Planning Manager
PO Box 909, 200 Lincoln Ave.,
Santa Fe, NM 87504

Re: Boyan Rezoning

Dear Mr. Esquibel:

On behalf of Larry Boylan, I am submitting an application to request General Plan Amendment from Transitional Mixed Use (TMXU) to Community Commercial (CCOM) and Rezoning from R-1 (1/dwelling/acre) to C-[illegible]General Commercial) for four legal lots of record located at, 1372 Boylan Lane, 2743 Boylan Circle (includes two lots) and 2745 Boylan Circle. The combined acreage of the four subject lots is approximately 5.96 acres. Three of four subject lots are encompassed by a legal non-conforming mobile home park that has been in existence prior to the adoption of the Santa Fe County Development code as the lots were previously under county jurisdiction prior to the City/County initiated annexation.

A development plan is not proposed in conjunction with the subject application requests, however, the subject property(s) are considered infill and a zoning designation that allows for higher density is not only beneficial to the property owner it is also beneficial to the city of Santa Fe as it promotes use of existing infrastructure and city utilities, additional housing, where there continues to remain a housing shortage and or commercial development which leads to generation of gross receipts tax to the City of Sa[illegible].

The following material is submitted with this request.

- General Plan Amendment application
- Rezoning Application

- Report containing the following information
    - Warranty Deeds
    - Legal Lot of Record
    - Certificate of Compliance

Please review for completeness and acceptance of the application material to allow for placement onto a Planning Commission agenda.

Sincerely,
Victoria Dalton
Victoria Dalton
NM Land Solutions LLC

2743, 2745 BOYLAN CIRCLE
AND 1372 BOYLAN LANE

GENERAL PLAN AMENDMENT / REZONING
DEVELOMENT REPORT

PREPARED FOR:

MR. LARRY BOYLAN

PREPARED BY:

NM LAND SOLUTIONS LLC

NM Land Solutions LLC.
DBA. Siebert & Associates Inc.

NOVEMBER 2024

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APPENDICES

Appendix A	Lot 1 Legal Lot of Record Plat
Appendix B	Legal Lot of Record Plat E-1 & A-1
Appendix C	Certificate of Compliance (Tract D)
Appendix D	Warranty Deeds

FIGURES

Figure 1: Vicinity Map

PROPERTY LOCATION AND SUMMARY DESCRIPTION

There are four (4) legal lots of record associated with the request for General Plan Amendment and Rezoning.

The lot fronting Agua Fria Street is located at 2745 Boylan Circle, consists of 1.08± acres and is vacant. The remaining three (3) legal lots of record encompass a legal non-conforming mobile home park addressed as 2743 Boylan Circle and 1372 Boylan Lane. 2743 Boylan Lane is assigned to two (2) lots.

The total combined acreage of the four (4) subject lots equals 5.96 (±) acres.

In addition, a separate lot consolidation plat to combine all four (4) lots into one (1) lot will be submitted to staff for administrative review upon approval of the proposed general plan amendment and rezoning request.

Figure 1 is a vicinity map indicating the location of the subject property relative to the city street system and other known landmarks in the area.

Figure 1:



OWNERSHIP AND LEGAL LOT OF RECORD

The four (4) subject lots are owned by Mr. Larry Boylan. The legal lot of record for the Lot 1 (2745 Agua Fria St.) is established by a plat entitled Haile Subdivision, which was approved by the Extraterritorial Zoning Commission on February 13, 1986, and recorded in the Office of the County Clerk in Book 238 Page 12 and is located in *Appendix A* of this report.

The legal lot of record for Tract E1 (2743 Boylan Lane) immediately north of Lot 1 and Tract A1 (1372 Boylan Lane) is established by a lot line adjustment plat prepared for the Estate of Tom and Larry Boylan administratively approved by City Land Use Planning staff, recorded in the Office of the Santa Fe County Clerk in Book 687 page 39 and is located in *Appendix B* of this report.

The legal lot of record for remaining lot adjoining the Santa Fe County River Greenway trail is established by a certificate of compliance based on the condemnation and purchase of property by Santa Fe County for its construction and maintenance of the Santa Fe River Greenway trail. The certificate of compliance was approved by the city of Santa Fe planning staff on November 5, 2019, and recorded in the office of the County Clerk as instrument #1901539.

The subject Certificate of compliance is located in *Appendix C* of this report.

Proof of ownership warranty deeds for the subject four lots are located in *Appendix D* of this report.

EXISTING CONDITIONS & ADJOINING LAND USES

As stated, three (3) of the four (4) subject lots are encompassed by a legal non-conforming mobile home park which was developed prior to the adoption of the County Extraterritorial Zoning Ordinance and Land Development Code.

The vacant tract fronting Agua Fria contains a large stockpile of dirt which will be used as fill dirt for future construction of utilities and or roads.

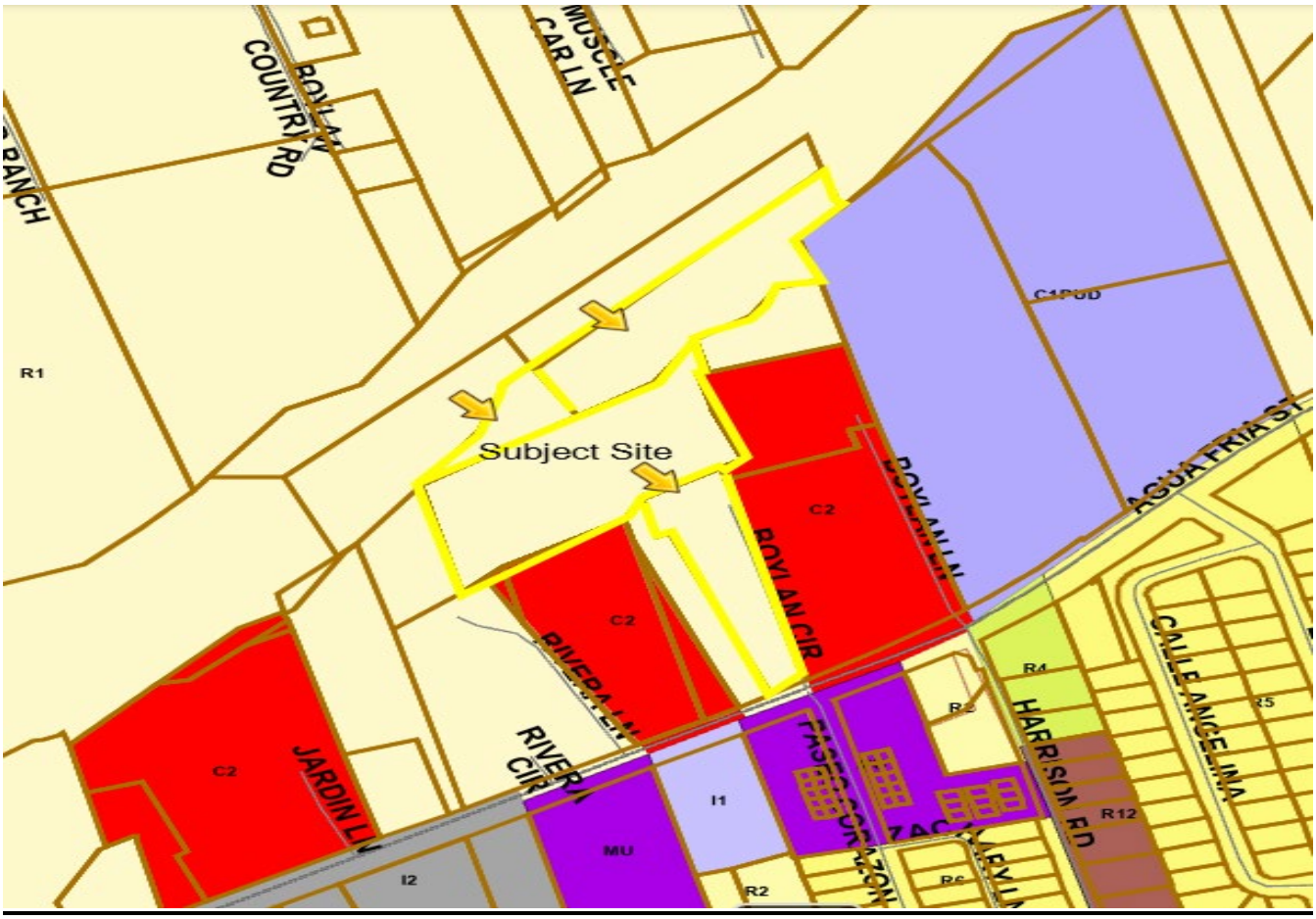
The subject lots also contain several PNM power poles which will be removed and relocated underground at the time of future development.

The lot immediately east has been rezoned to C-2 as well as development plan approval to allow for an apartment complex which has started construction.

The property northwest of the mobile home park has also been rezoned to C-2 and is used as a plumbing and Heating business.

The property located west is zoned R-1, which is the designation assigned to all properties without prior zoning entitlements prior to the city/county annexation.

The Santa Fe County River Greenway trail is north of the existing mobile home park and consists of land that was part of a condemnation of the subject lots by Santa Fe County to allow for the restoration of the river as well as continuation of the trail. Directly across Agua Fria Street, there is a mix of zoning designations which includes MU (Mixed Use) and I-1 (Light Industrial) zoning districts.



GENERAL PLAN AMENDMENT & REZONING REQUEST

The future land use designation assigned to the subject lots requesting General Plan Amendment & Zoning is *"Transitional Mixed-Use"* while the zoning designation is R-1 (1 dwelling unit/acre).

The R-1 zoning designation was assigned to the subject lots during the city/county-initiated annexation. Since the city/county annexation, there has been several approved general plan amendments and rezonings requests within the surrounding area.

At this time the property owner is proposing General Plan Amendment from Transitional Mixed Use (TMXU) to Community Commercial (CCOM) and Rezoning from R-1 (1/dwelling/acre) to C-2 (General Commercial).

A development plan is not proposed in conjunction with the subject request, as it has become evident with the recently approved rezonings in the area that the R-1 zoning designation is not consistent with the surrounding area.

Furthermore, the 1999 General Plan promotes higher density development in urban infill properties which includes the greater Agua Fria area.

Once a determination has been made on how the property will be redeveloped, the existing legal non-conforming mobile home park will be removed.

The owner / applicant anticipates a future multifamily development, possibly a small-scale apartment complex to replace the current mobile home park, as Mr. Boylan is aware of the need to provide housing for the community.

The property fronting Agua Fria Street would seem more appropriate to develop small-scale stand-alone retail / commercial use(s) that can be enjoyed by the new residents of the area.

ACCESS

Access to the subject lots is off of Boylan Circle via Agua Fria Street. Boylan Circle is a dirt road with an approximate width of twenty (20') feet.

Within the past several years, the City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection.

Once the property is redeveloped, the existing access will be required to be upgraded to city standards based off the traffic / use of any future development.

ARCHAEOLOGY

The consolidated acreage of the subject lots is over 2.00-acres in size and is within the *River and Trails Archaeological Review District*, which requires an archaeological clearance at the time of development plan or final plat.

Since there is not a development plan or plat associated with the request, an archaeological clearance is not required at this time.

WATER & WASTEWATER

Water

The existing mobile home park is served by an on-site domestic well. There is a 12-inch waterline in Agua Fria Street that would need to be extended into the subject lots at the time of redevelopment of the property.

Utilization and or transfer of water rights associated with the well will be determined upon redevelopment of the property as a future connection to City water will be required at the time of new development.

Sewer

The existing mobile home park is served by a private 8-inch sewer line that connects to the city trunk line across the Santa Fe River which eventually flows into the city wastewater treatment plant.

At the time of redevelopment of the property, a new sewer line will be designed and constructed to city standards at which time the sewer line will be dedicated to the city for public use.

Dry Utilities

Electric, telephone and gas are available to this property with adequate capacity to serve future development.

EARLY NEIGHBORHOOD NOTIFICATION (ENN)

An ENN meeting was held on September 26th, 2024, with city staff, along with the property owner, and agent NM Land Solutions LLC were present. In addition, an unidentified participant that was having technical difficulties later called via phone to inquire about process and other unrelated questions regarding his prior approved rezoning located at 2749 B Agua Fria St.

Also, a phone call was received prior to the ENN meeting from a property Adjoiner that was in favor of the project and agreed that obtaining general plan amendment and rezoning seemed like the proper path forward for the lots in question.

RESPONSE TO GENERAL PLAN AMENDMENT

(1) Criteria for All Amendments to the General Plan

The planning commission and the *governing body* shall review all *general plan* amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the *general plan* :

(a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of *infrastructure* ;

Response: *Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 2.0%. The proposed general plan amendment to community commercial zoning will allow for a mix of commercial and high-density residential uses, providing flexibility in development without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation. This flexibility supports the City's economic development goals by allowing for both affordable housing options and commercial development that complements surrounding uses.*

Higher-density residential development will contribute to the availability of affordable housing through the City of Santa Fe Affordable Housing Program, addressing the ongoing need for affordable units. This development approach also supports the local economy by facilitating the potential for employment opportunities tied to the proposed commercial uses.

The amendment is consistent with the guiding policies within Chapter 4 of the 1999 General Plan, specifically regarding the promotion of infill development, efficient use of existing infrastructure, and recognition of water demand and conservation. By aligning with these policies, the amendment contributes to the balanced growth of Santa Fe, promoting both residential development and new employment opportunities in a sustainable manner.

Additionally, the proposal is designed with consideration of existing land use conditions, including the availability of access and infrastructure, ensuring that development occurs in a manner that makes efficient use of resources while accommodating future growth.

(b) consistency with other parts of the *general plan* ;

Response:
The proposed General Plan Amendment is consistent with several key elements of the Santa Fe General Plan, particularly those related to housing, economic development, transportation, and infrastructure.

- ***Affordable Housing and Quality of Life**: The amendment is in alignment with the General Plan's goals of providing more affordable housing options, which directly supports the city's efforts to meet the growing demand for safe, secure, and affordable living spaces. The potential for high-density residential development will increase the availability of the affordable housing stock, improving the quality of life for residents in line with the General Plan's housing policies.*
- ***Job Creation and Economic Development**: The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial spaces. This is consistent with the General Plan's economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city.*
- ***Transportation and Mobility**: The proposed development also aligns with the General Plan's transportation goals by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.*
- ***Infrastructure and Public Services**: The proposed amendment is consistent with the General Plan's goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies.*

  The new sewer system, which will be installed to meet city standards and maintained by the city after one year, is also consistent with the General Plan's commitment to ensuring adequate, sustainable public services and infrastructure to support growth.

(c) the amendment does not:

(i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

Response: *The proposed amendment does not introduce uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. Over time, particularly following the city/county annexation, the area has undergone significant changes, allowing for the development of infill properties with access to city utilities. Many of the surrounding properties have been rezoned within the past fifteen years to accommodate higher-density residential uses, including multifamily apartment buildings, reflecting the city's growth and evolving urban landscape.*

Currently, the area includes a mix of residential and commercial uses. Some commercial properties are legal non-conforming, while others were established through previous general plan amendments and rezonings. The proposed general plan amendment is consistent with this pattern of development, as it allows for a combination of residential and commercial uses that align with the existing mix of land uses in the area. The amendment would further complement the surrounding developments by providing additional opportunities for both residential and commercial growth, without significantly altering the established character of the neighborhood.

Thus, the amendment is in keeping with the area's ongoing transition and growth, and it aligns with the existing mix of residential and commercial uses that have developed over time. The proposed change is not a dramatic departure from the current land use pattern but rather a continuation of the evolving character of the area.

(ii) affect an area of less than two acres, except when adjusting boundaries between districts; or

Response: *There are four adjoining legal lots of record with a total of 5.96 acres.*

(iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

Response: *The proposed amendment will provide benefits not only to the applicant but also to the surrounding landowners and the broader community. The property in question is currently occupied by an aging mobile home park that has been in place for over forty years, predating the County Code established prior to being annexed into the City of Santa Fe.*

This property is in need of redevelopment to address current deficiencies and enhance the area's overall character. The existing site is encumbered by several electric power poles and a large stockpile of dirt along the Agua Fria Street frontage, both of which negatively impact the aesthetics and functionality of the area.

The proposed amendment will facilitate a sustainable and diverse redevelopment that connects the property to city utilities, addressing key infrastructure challenges. Specifically, the redevelopment will allow for the relocation and undergrounding of electric services, improving both the visual appeal and safety of the area. These infrastructure improvements will directly benefit the surrounding landowners by reducing existing eyesores and enhancing the overall neighborhood environment.

Additionally, by redeveloping the site, the amendment creates the potential for a more vibrant and well-integrated community with better access to essential services. The redevelopment is designed to integrate seamlessly with surrounding properties, offering opportunities for both residential and commercial growth that will benefit the area as a whole, not just a select few.

This approach ensures that the amendment does not disproportionately benefit one landowner at the expense of others but instead supports the broader public interest by improving infrastructure, enhancing the built environment, and contributing to the neighborhood's long-term sustainability and growth.

(c) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification.

Response: *The proposed amendment is in conformance with Subsection 14-3.2(E)(1)(c) as stated in the above responses (c) i,ii,iii.*

(d) compliance with extraterritorial zoning ordinances and extraterritorial plans;

Response: *This criterion is no longer relevant since the adoption of Subdivision Platting and Planning Zoning Ordinance (SPPaZO), and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.*

(e) contribution to a coordinated, adjusted and harmonious *development* of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of *development* ; and

Response: *The proposed amendment will contribute to the coordinated, harmonious development of Santa Fe by addressing both current and future needs, and it will promote the health, safety, and general welfare of the community. The existing mobile home park, currently designated as transitional mixed-use, does not comply with the current land use regulations and is limited in its ability to undergo meaningful upgrades or redevelopment due to its non-conforming status. This limitation restricts opportunities for investment, which in turn can lead to deterioration and neglect of the site.*

By encouraging the redevelopment of this property, the amendment will not only provide an opportunity to modernize the site but also help prevent blight and disrepair, thereby improving the overall quality of life for residents and the surrounding community.

Redevelopment will ensure that the site is brought into compliance with modern land use standards, improving both the physical and environmental aspects of the area. These improvements will enhance public safety, aesthetics, and infrastructure, contributing to the general welfare of the neighborhood.

The amendment also aligns with the City of Santa Fe's long-term growth goals by supporting infill development and more efficient use of land. The proposed redevelopment is consistent with the city's vision of creating sustainable, vibrant, and diverse neighborhoods that meet the needs of

both current and future residents. By facilitating development that connects to city utilities and enhances the surrounding infrastructure, the amendment helps promote efficiency and economy in the development process, aligning with the city's broader planning objectives for growth and sustainability.

In summary, the proposed amendment will foster a coordinated and harmonious development that supports Santa Fe's growth objectives, improves public health and safety, and contributes to the economic and social well-being of the community.

(f) consideration of conformity with other *city* policies, including land use policies, ordinances, regulations and plans.

Response: *The City has a policy of promoting a mix of land uses, this property is located within an area where there is a mix of residential, retail and entertainment. The recent changes to the City code now permit residential uses within a C-2 commercial district.*

(2) Additional Criteria for Amendments to Land Use Policies

In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the *general plan* shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the *general plan* will not have a negative impact on the surrounding *properties* . The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent *properties* by a *setback* , *landscaping* or other means, and a finding must be made that:

(a) the growth and economic projections contained within the *general plan* are erroneous or have changed;

Response: *When the existing General Plan was adopted in 1999 it seems that the General Plan failed to recognize the land use complexity of this part of the urban area. It is not a matter of the growth and economic projections being in error as it is the failure to observe the variety of existing land uses and assign a zoning district that best fit those land uses.*

Land use patterns in this area have changed over time especially with the city/county annexation recognizing infill development that can provide greater housing densities and or a variety of commercial uses that are consistent with the current land use patterns.

(b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or

Response: *There are other locations in Santa Fe where general commercial is available, however the current zoning does not allow for the existing residential density associated with the existing mobile home park. The intent of the property owner is to maintain a higher density residential component while having an option to develop both commercial and residential uses on the subject lot.*

(c) conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.

Response: *While the City continues to recognize the existing mobile home park as a legal non-conforming use, this grandfathered status is contingent upon no substantial improvements, expansion, or damage beyond repair. Should such circumstances arise, the property would revert to its R-1 zoning with a transitional mixed-use land use designation, which allows for only one (1) dwelling unit per acre, a density that no longer aligns with the area's evolving development patterns.*

Over the past fifteen years, since the annexation of this property into the city, significant changes in land use patterns and zoning have occurred. The recent rezonings in the area, which have permitted higher-density multifamily residential and commercial uses, have notably increased the cost of land and shifted the market dynamics. These changes have rendered the existing mobile home park site less viable for long-term use under its current configuration, especially as surrounding properties have transitioned to more intensive uses.

Additionally, advances in building technology and changes in consumer preferences have further driven demand for higher-density housing and more diverse land uses. The costs associated with maintaining the existing mobile home park, particularly given the high land value in this growing area, make it increasingly difficult to sustain its non-conforming use. Redeveloping the property in accordance with the proposed general plan amendment will not only accommodate the evolving market but also provide a more efficient and sustainable use of the land, aligning with the city's current zoning and development goals.

This amendment is therefore a response to the changing land use patterns, market conditions, and technological advancements that have altered the feasibility of the existing mobile home park and support the need for a more appropriate and compatible development for this location.

RESPONSE TO REZONING APPROVAL CRITERIA

The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

(a) one or more of the following conditions exist:

(i) there was a mistake in the original zoning.

Response: *Since the Annexation of this property, the City has used R-1 zoning designation for annexed areas where it serves as a holding zone until another use is proposed for the land. R-1 is the lowest density zoning district designated in the Land Development Code and the designation of this district is inconsistent with the policies of the General Plan.*

(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or

Response: *With the city/county annexation that occurred approximately fifteen years ago, the surrounding area has changed significantly where there have been at least four rezoning approvals which includes nine tracts of land all within less than 1,000 feet of the subject property(s) that have been redeveloped as mostly apartments. Prior to the city annexing the area north of Agua Fria Road there was little development activity.*

With the City commitment of utilities and provision of City services, this area is now experiencing requests for development or re-development.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

Response: *The City General Plan shows this property and other properties between Agua Fria and the Santa Fe River as "Community Commercial or Transitional Mixed Use". The predominate land use for this area is a mix of commercial and single family and rental housing. From the time that this area was brought into the "Presumptive City Limits" and zoned R-1, single family residential, one (1) dwelling per acre, many of the existing uses have become non-conforming.*

The landowners are now limited in the expansion of the existing structures on the property and given the inconsistency between the zoning and the actual land use it would be more advantageous to recognize the existing land use pattern for the area. It does not make planning sense to create non-conformity out of 70 to 80 percent (70% - 80%) of the ownership in the vicinity of this request. Such non-conformities discourages investment in the property and can lead to inconsistent development in the subject area.

(b) all the rezoning requirements of Chapter 14 have been met;

Response: *Currently the existing zoning is R-1, Single Family Residential, one dwelling per acre, which creates a non-conforming status for this property. Rezoning of the property to C-2 uses would bring this property into conformance with the historic uses that have taken place on this property.*

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

Response: *Rezoning to C-2 (General Commercial) is consistent with the policies of the general plan as it aims to recognize the development of infill properties where city infrastructure is available furthermore rezoning of the property is consistent with the transitional mixed-use designation in that it offers the property the ability to development both a mix of residential and commercial uses.*

(d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and

Response: *There are four (4) adjoining legal lots of record with a combined total of 5.96 acres which will be consolidated upon approval of the rezoning request. The proposed C-2 use for the land is consistent with city policies as it continues to recognize development of infill property and is consistent with the current land use patterns that have developed for a mix of uses from commercial to medium to high density residential.*

(e) the existing and proposed infrastructure , such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development .

Response: *Public utilities are available on Agua Fria, including water, gas and electric lines, cable and telephone lines.*

The City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection. Siler Road has been completed from Agua Fria to West Alameda providing alternative routes to Agua Fria.

In fact, the traffic volumes on Agua Fria have declined with the extension of Siler to West Alameda. the Santa Fe River Greenway trail which can accommodate both pedestrian and bicyclist. The Santa Fe River Greenway pedestrian and bicycle trail has recently been completed and is located north of the subject parcels,

The closest Fire Station to this site is located on Cerrillos Road near Third Street within a five-minute service radius to this property.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

Response: *The proposed C-2 zoning request, the character of the neighborhood will remain unchanged from the current mixed use and high-density multi-family residential that has been approved within the past fifteen (15) years with the annexation area of the subject property(s).*

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or

Response: *The combined total of acreage included with the request consist of 5.96 acres, additionally the subject property immediately adjoins a tract of land that was approved to be rezoned in 2014, and was officially adopted via Ordinance 2014-32*

(c) benefit one or a few landowners at the expense of the surrounding

Response: *The proposed amendment will benefit the surrounding landowners as the property is in need of redevelopment. The existing mobile home park has been in existence for over forty (40) years prior to the County Code taking effect.*

The property fronting Agua Fria Street is encroached by several electric power poles as well as a large stockpile of dirt. The amendment will allow for a sustainable and diverse development with connection to city utilities, relocating and undergrounding electric services.

APPENDIX A

LOT 1 (2745 AGUA FRIA)
LEGAL LOT OF RECORD PLAT

Note All arroyos shall remain unobstructed and are designated as natural drainage easements.
All private road maintenance shall be the responsibility of the users
Original points set before BLM survey of 1980
Any development of Lot 1 shall require the use of city water or city sewer.

DESCRIPTION:
Beginning at the N.W. corner of Lot 2 from which the N. 1/4 corner of Section 33, T.17N, R.9E. N.M.P.M. bears S. 70°43'W., 76.4 feet; thence from said point of beginning N.58°13'E., 153.2 feet; thence N.76°48'E., 67.4 feet; thence S. 17°50'E., 84.25 feet; thence S. 58°01'E., 29.7 feet; thence S. 17°45'E, 392.85 feet; thence S. 58°20'W., 119.15 feet; thence S.64°59'W., 167.0 feet; thence S. 62°33'W., 40.0 feet; thence N. 22°21'W., 405.7 feet; thence S. 62°10'W., 13.1 feet; thence N. 14°45'W., 91.8 feet; thence N. 58°34'E., 129.3 feet to the point of beginning. All within the SE 1/4 Section 28, T.17N., R.9E., and the NE 1/4 Section 33, T.17N., R.9E., NM.P.M. Santa Fe County, N.M. and containing 3.94 acres, more or less.

APPROVALS

COUNTY OF SANTA FE
By the EXTRA TERRITORIAL ZONING COMMISSION at its meeting of February 13th 1986

Chairman Secretary

Gilbert A. Chavez 6/25/1992
S.F. county land use & zoning Adm Date

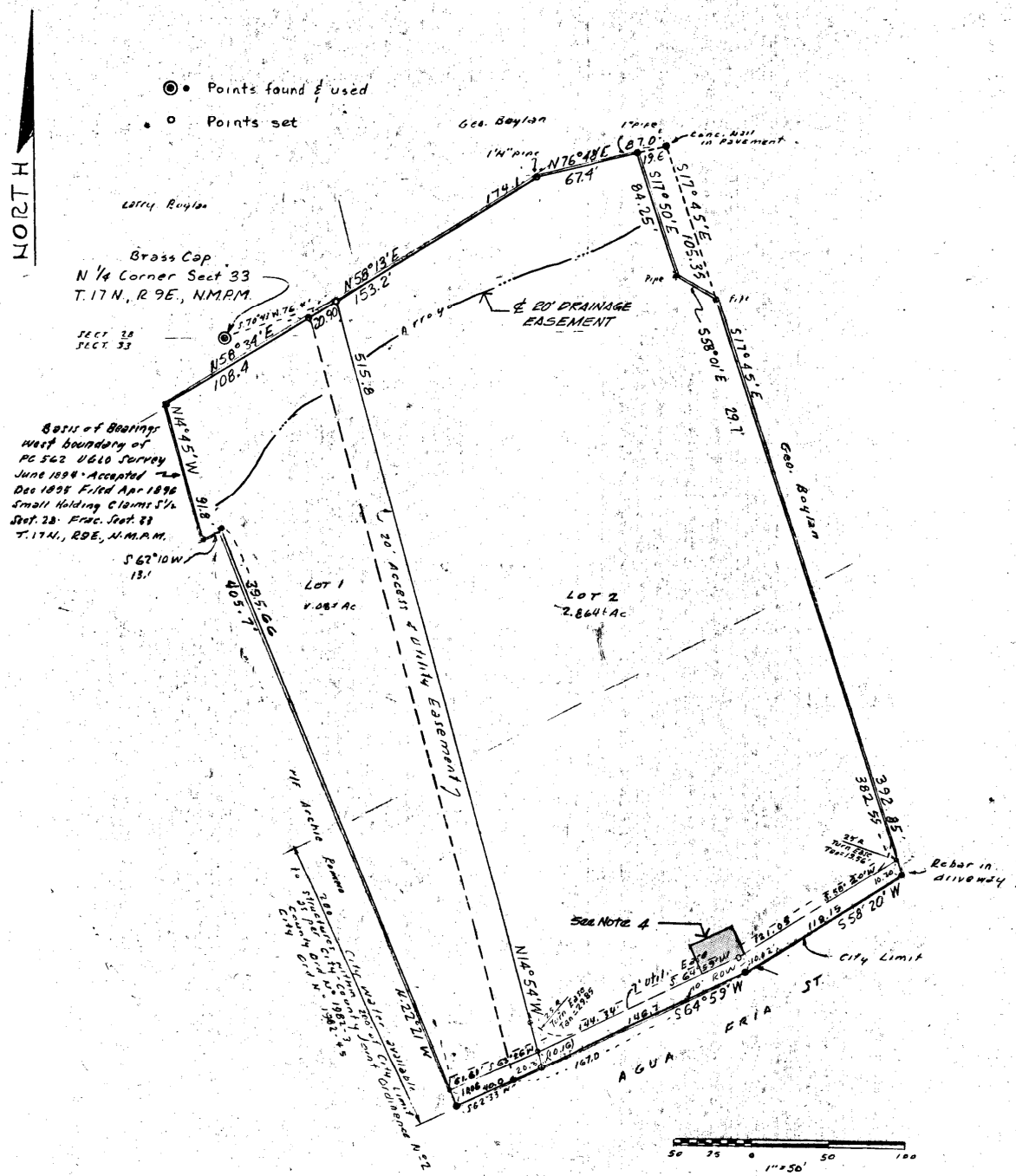
SF. County Development Permit No: EZ 1986-6

Mountain Bell

Public Service Co. of N.M. Electric

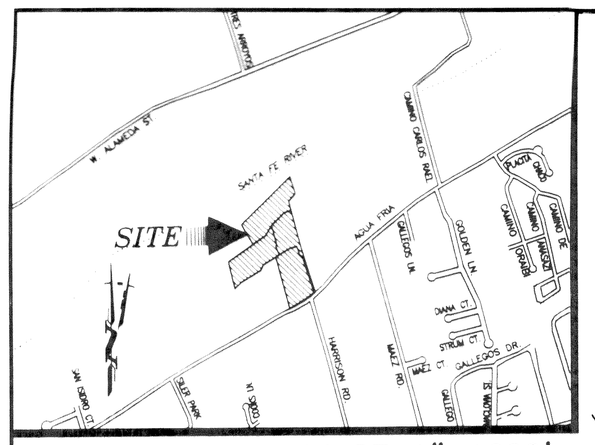
Gas Co. of N.M. 10/7/85

Sangre de Cristo H_2O Frank J. Bailey 10-7-85


NORTH
Points found & used
Points set
Geo. Boylan
1" pipe
Conc. Nail in pavement
Larry Ruyle
Brass Cap
N 1/4 Corner Sect 33
T. 17 N., R 9E., N.M.P.M.
Sect 28
Sect 33
N58°13'E
153.2
N76°48'E
67.4
S17°50'E
84.25
S17°45'E
105.35
S58°01'E
29.7
S17°45'E
392.85
S58°20'W
119.15
N58°34'E
129.3
N58°34'E
108.4
20.00
515.8
Arroyo
20' DRAINAGE EASEMENT
Pipe
F.I.P.
Geo. Boylan
Basis of Bearings
West boundary of
PC 562 U610 Survey
June 1898 - Accepted
Dec 1898 Filed Apr 1898
Small Holding Claims S½
Sect. 28: Frac. Sect. 33
T. 17N., R9E, N.M.P.M.
N14°45'W
91.8
S 62°10W
13.1
405.7
395.66
LOT 1
1.081 Ac
LOT 2
2.864 Ac
20' Access & Utility Easement
Rebar in driveway
See Note 4
City Limit
AGUA FRIA ST.
N 22°21' W
N14°45'W
S64°59'W
167.0
S62°33'W
40.0
20.2
146.7
124.34
C 2' Util.
E-W
ROW
10.10
Tan
Tan
Tan

APPENDIX B

TRACT E 1 (2743 AGUA FRIA) & A-1 (1372 BOYLAN LN.)
LEGAL LOT OF RECORD PLAT


SITE
SANTA FE RIVER
AGUA FRIA
CAMINO CARLOS REY
CAMINO ENTRADA
CAMINO CRISTOBAL
CAMINO DE LOS ABUELOS
CAMINO DE LA CAPILLA
CAMINO DE LA CRUZ
CAMINO DE LA PAZ
CAMINO DE LA VUELTA
CAMINO DEL ALAMO
CAMINO DEL MONTE
CAMINO DEL PUEBLO
CAMINO DEL RANCHO
CAMINO DEL SOL
CAMINO DEL VALLE
CAMINO DEL VALLEJO
CAMINO DEL VALLEJOS
CAMINO DEL VALLEJOS OESTE
CAMINO DEL VALLEJOS SUR
CAMINO DEL VALLEJOS NORTE
CAMINO DEL VALLEJOS ESTE

APPENDIX C

TRACT D
CERTIFICATE OF COMPLIANCE

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, NM 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Peter N. Ives, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Mike Harris, District 4
JoAnne Vigil Coppler, District 4

CERTIFICATE
PAGES: 7

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of November, 2019 at 11:23:26 AM
And Was Duly Recorded as Instrument # 1901539
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy Destiny Romero County Clerk Santa Fe, NM

COUNTY CLERK
GERALDINE SALAZAR
SANTA FE COUNTY NEW MEXICO

CERTIFICATE OF COMPLIANCE AS LEGAL LOT OF RECORD

RE: Legal Lot of Record status for piece of property identified as *"Remainder"* on a Warranty Deed from Larry Boylan, ("Grantor") to Santa Fe County Board of County Commissioners ("Grantee"). The Warranty Deed was e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051.

In compliance with Subsection 14-3.7(A)(7)(a) City of Santa Fe Land Development Code (SFCC 1987), this Certificate of Compliance documents status as a legal lot of record for the property referenced above.

This determination is based on review of the following documents:

1. Warranty Deed e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051 (attached as Exhibit A),
2. Plat of survey entitled *"Lot Line Adjustment Survey Prepared for The Estate Of Tom Boylan and Larry Boylan", Recorded August 06, 2008, in the Office of the Santa Fe County Clerk as instrument number 1534340 (attached as Exhibit B)"*, and
3. Final Right-Of-Way Map Dated September 02, 2019 entitled *"Santa Fe County Open Space & Trails Division Right Of Way Map 1-E Santa Fe River Greenway Frenchy's Field to Siler Road Project No, 7708* (attached as Exhibit C)."

Approval of this Certificate of Compliance makes no determination regarding the conformity or lack thereof to the City's Land Development Code for development or structures on the property.

Noah Berke, Planner Manager — Date 11/5/19

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

SUBSCRIBED AND SWORN to before me this 5 day of November 2019.

By Victoria E. Trujillo

V E Trujillo

Notary Public

OFFICIAL SEAL
Victoria E. Trujillo
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 6-19-23

My Commission Expires:

6-19-23

Senior

SFC CLERK RECORDED 11/12/2019

ST & E 160777

EXHIBIT A

WARRANTY DEED

For valuable consideration, the receipt, adequacy and validity of which is hereby acknowledged, Larry J. Boylan, also known as Larry Boylan, an unmarried man, ("Grantor"), does hereby grant and convey to SANTA FE COUNTY Board of County Commissioners, a political subdivision of the State of New Mexico ("Grantee"), all of Grantor's right, title and interest in and to the real property described in Exhibits "A", "A-1", "B", "B-1', "C", "C-1" through "C-6", "D" and "D-1" attached hereto and incorporated herein (the "Property"). The title conveyed hereby is subject to all matters of public record, all matters disclosed or discoverable by an accurate instrument survey of the Property, all matters disclosed or discoverable by a diligent physical inspection of the Property and all matters otherwise known to Grantee and/or affiliates of Grantee. Grantor warrants the title to the Property against its actions and none other, with warranty covenants, subject to the matters identified herein.

See Attached Exhibits A, A-1, B, B-1, C, C-1 through C-6, D and D-1

This property is sold and conveyed to Grantee in relation to acquiring rights-of-way for a public improvement, and the sum paid by Grantee represents full and complete payment due Grantor, including but not limited to any and all severance damages to Grantor's remaining lands affected by or appurtenant to said improvement, and upon said payment being made, Grantor releases and relinquishes to Grantee all further obligations or claims for damages.

For the purpose of a public improvement project, known as the Santa Fe River Greenway Project.

DATED this 16th day of September, 2011.

Larry J. Boylan

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 16th day of September 16, 2011, by Larry J. Boylan.

Notary Public

KARL H. SOWA NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 11-19

E-RECORDED simplifile
ID: E 1805051
County: SANTA FE
Date: 9/21/16 Time: 4:04pm

SFC CLERK RECORDED 11/12/2011

SFC-RE_CID.001
Rev. 20140929

UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263059000000
Project Name: Santa Fe River Greenway Project

"EXHIBIT D"

PORTION OF TRACT D DESCRIPTION

ALL THAT PORTION OF TRACT D AS DESCRIBED BY WARRANTY DEED RECORDED AS BOOK 854 PAGE 605 AND SHOWN ON PLAT OF SURVEY FOR LARRY BOYLAN RECORDED AS PLAT BOOK 272 PAGE 24, AND SHOWN ON BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN TRACT D & TRACT E RECORDED AS BOOK 527 PAGE 31, AS SHOWN MORE RECENTLY ON BOUNDARY SURVEY PREPARED FOR SANTA FE COUNTY OPEN SPACE & TRAILS DIVISION SANTA FE RIVER TRAIL PROJECT RECORDED BOOK 749 PAGE 15–17, ALL IN THE OFFICE OF THE SANTA FE COUNTY CLERK. SAID PARCEL LYING WITHIN SECTIONS 28 & 33 TOWNSHIP 17 NORTH, RANGE 9 EAST, N.M.P.M., CITY AND COUNTY OF SANTA FE, NEW MEXICO, WHICH PORTION MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PORTION OF LAND, WHICH LIES N64°38'56"W 248.92 FEET FROM A USGLO BRASS CAP MARKING THE CORNER OF LOTS 9, 12, AND SHC 437–2, SECTION 28, T17N, R9E, NMPM

THENCE S29°48'12"E, 83.60 FEET;
THENCE S42°23'52"W, 59.07 FEET;
THENCE S19°38'45"W, 114.60 FEET;
THENCE S33°09'37"W, 152.94 FEET;
THENCE S35°15'41"W, 166.41 FEET;
THENCE S39°25'10"W, 6.65 FEET;
THENCE N14°59'00"W, 3.95 FEET;
THENCE S43°52'18"W, 35.00 FEET;
THENCE N23°46'48"W, 195.56 FEET;
THENCE N44°04'13"E, 467.10 FEET;

MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 1.54 Ac., MORE OR LESS, AS SHOWN MORE COMPLETELY ON EXHIBIT B ATTACHED HERETO.

DIEGO J. SISNEROS, N.M.P.L.S. 13986

DIEGO J. SISNEROS NEW MEXICO 13986 REGISTERED PROFESSIONAL SURVEYOR

10/16/2013

SFC CLERK RECORDED 11/12/2013

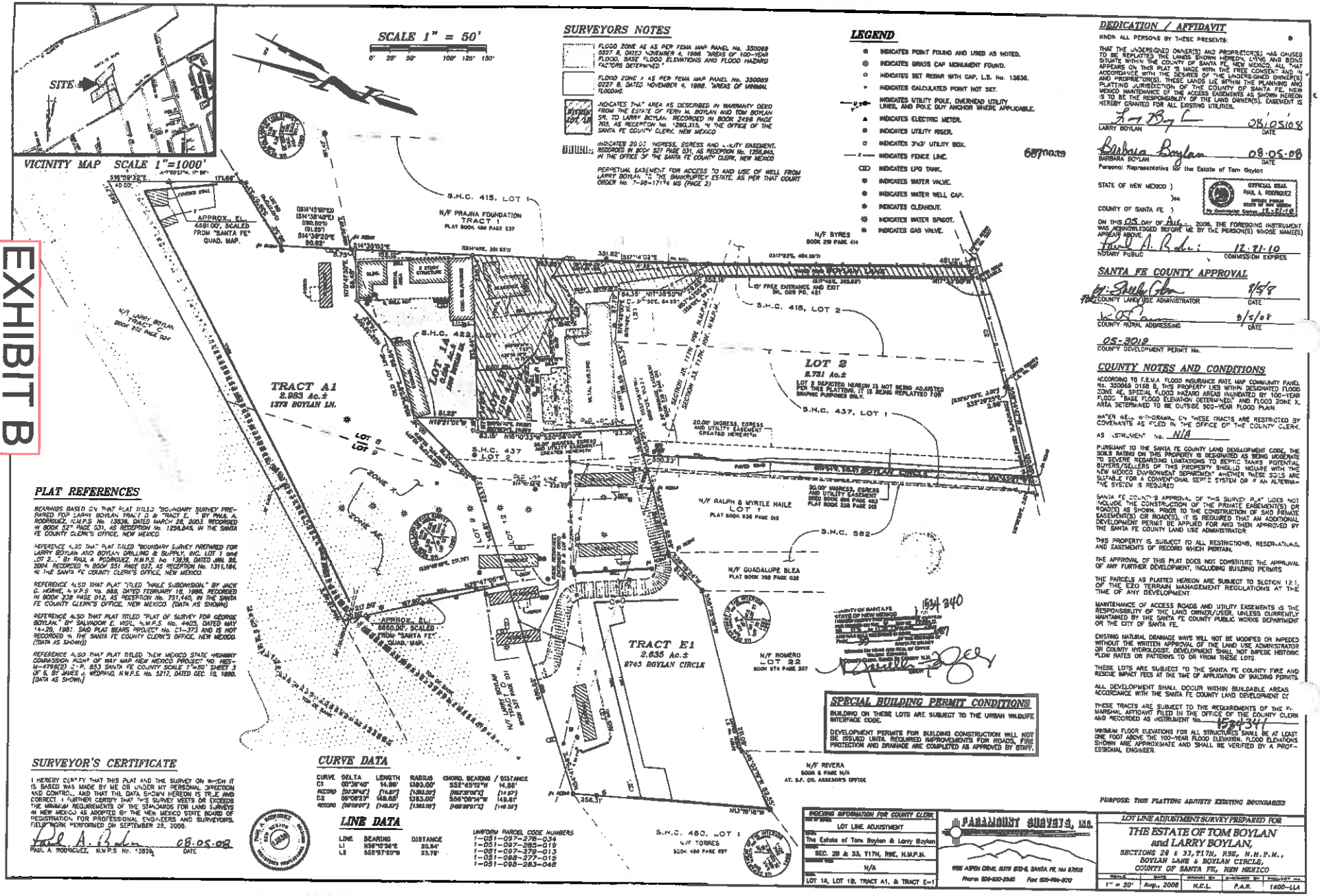
SFC-RE_CD.001
Rev. 20140929

UPC No.: 10510982240090000000, 10510971684900000, 10510982773870000006, 10510982763505000000
Project Name: Santa Fe River Greenway Project

"EXHIBIT D-1"

SANTA FE COUNTY CLERK RECORDED 11/12/2014

EXHIBIT B



SFC CLERK RECORDED 11/12/2019

EXHIBIT C

6/27/2019 RECORDED CLERK RECORDER 235

APPENDIX D

WARRANTY DEEDS

LOT 1 (2745 BOYLAN LN.)

WARRANTY DEED

SFC CLERK RECORDED 11/13/2015

SPECIAL WARRANTY DEED

Joel McHorse and Christina McHorse for consideration paid, grant to: Larry Boylan, an unmarried man whose address is 2743 Boylan Circle, Santa Fe, New Mexico 87507 the following described real estate in Santa Fe County, New Mexico.

See Exhibit A attached hereto and incorporated herein

SUBJECT TO: Restrictions, reservations and easements of record.

With special warranty covenants.

WITNESS my hand and seal this 10 day of November, 2015.

Joel McHorse

Christina McHorse

~~Christina~~ McHorse

Christine C McH

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me on the 10 day of November, 2015 by Joel McHorse.

THERESA M. BARELA NOTARY PUBLIC STATE OF NEW MEXICO

Theresa M. Barela
Notary Public

My Commission Expires: 10-13-17

COUNTY CLERK SANTA FE COUNTY NEW MEXICO GERALDINE SALAZAR

SPECIAL WARRANTY DEED
COUNTY OF SANTA FE) PAGES: 3
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for Record On The 13TH Day Of November, 2015 at 04:45:52 PM And Was Duly Recorded as Instrument # 1779655 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy _____ County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/13/2015

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me on the 10 day of November, 2015 by ~~Christina~~ Christine McHorse.

Theresa M Barela
Notary Public

THERESA M BARELA NOTARY PUBLIC STATE OF NEW MEXICO

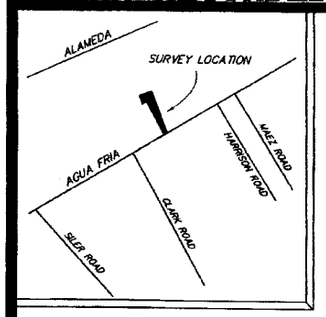
My Commission Expires: 10/13/17

SFC CLERK RECORDED 11/13/2015

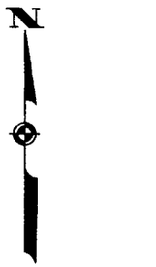
6259044

PLAT OF BOUNDARY SURVEY
FOR
JOEL P. McHORSE
&
CHRISTINE C. McHORSE

A PORTION OF S.H.C. No.562, SECTION 33,
T 17 N, R 9 E, N.M.P.M.,
SANTA FE COUNTY, NEW MEXICO.

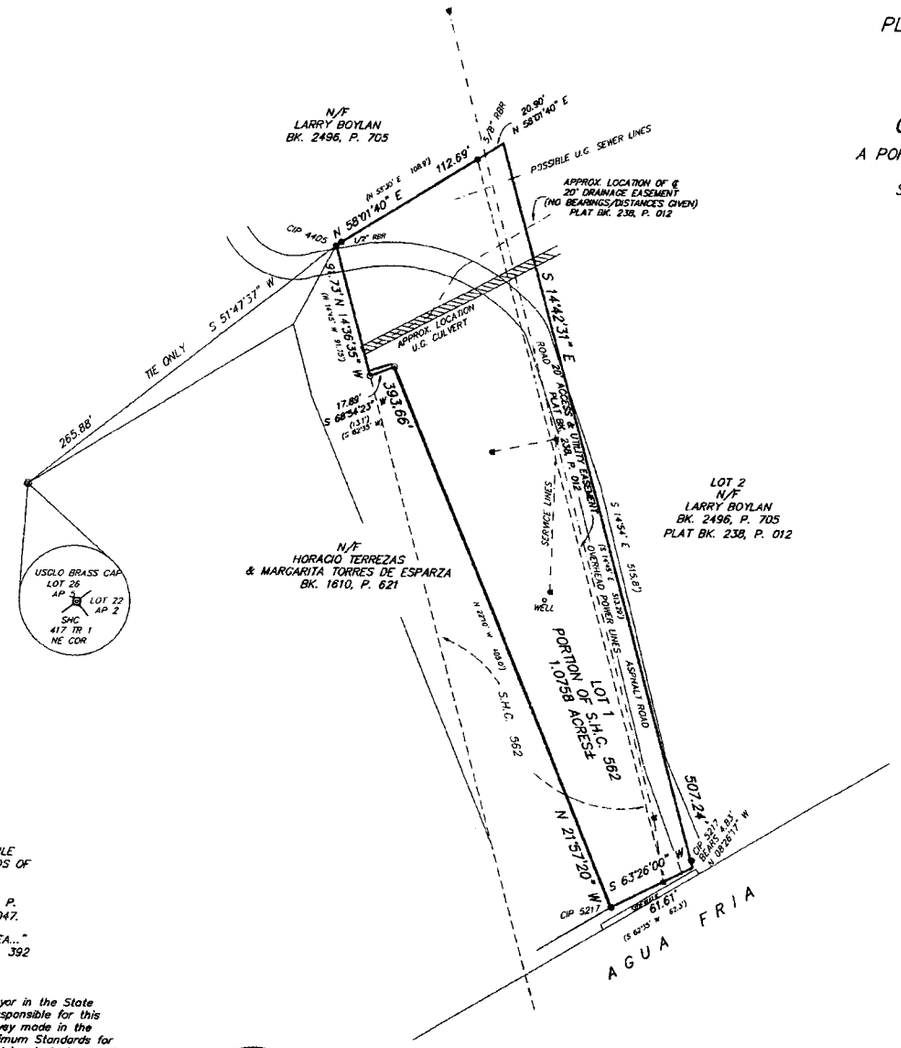


VICINITY MAP



SCALE: 1"=50'

0 50 100 150



LEGEND

- USGLO Brass Caps found and used.
- Points found and used as noted.
- 1/2" Capped iron pin set this survey.
- Power poles.
- Fences.
- Walls.
- Concrete.

NOTES

1. BASE OF BEARINGS: GPS OBSERVATION OF THE WEST BOUNDARY OF SUBJECT TRACT, (N 21°57'20" W), WGS 84, GEODETIC, LOCAL.

2. THIS SURVEY IS BASED ON A PLAT OF SURVEY OF HAILE SUBDIVISION RECORDED IN PLAT BK. 238, P. 012, RECORDS OF SANTA FE COUNTY, NM.
BEARINGS AND DISTANCES IN ( ) ARE FROM SAID PLAT.
REFERENCE PLAT: PLAT OF BOUNDARY SURVEY FOR JOEL P. & CHRISTINE McHORSE, RECORDED IN PLAT BK. 599, P. 047.

BOUNDARY SURVEY FOR "GUADALUPE BLEA & LOUISE BLEA..." BY BRIAN McCLINTOCK, PS 11597, RECORDED IN PLAT BK. 392 AT PAGE 032.

CERTIFICATE

I, Philip B. Wiegel, a duly registered Professional Surveyor in the State of New Mexico hereby certify that I conducted and am responsible for this survey, that this survey and plat represent an actual survey made in the field by me or under my direction, that it meets the Minimum Standards for Surveys in New Mexico and that the information contained herein is true and correct to the best of my knowledge, information and belief.

I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this is a boundary survey plat of an existing tract or tracts.

Philip B. Wiegel 3 August, 2005

Philip B. Wiegel
P.O. Box 22773

P.S. No. 9758
Santa Fe, NM.

PHILIP B. WIEGEL NEW MEXICO 9758 REGISTERED PROFESSIONAL SURVEYOR

AMENDMENT
THIS SURVEY AMENDED TO REFLECT INFORMATION CONTAINED ON PLAT OF HAILE SUBDIVISION, RECORDED IN PLAT BK. 238 AT PAGE 012 THAT WAS NOT KNOWN TO EXIST WHEN ORIGINAL PLAT WAS RECORDED.

Philip B. Wiegel 9 June, 2006
PHILIP B. WIEGEL, PS 9758 DATE

PHILIP B. WIEGEL NEW MEXICO 9758 REGISTERED PROFESSIONAL SURVEYOR

COUNTY CLERK VALERIE ESPINOZA SANTA FE COUNTY NEW MEXICO

Inst#1437088
COUNTY OF SANTA FE
STATE OF NEW MEXICO ss
I hereby certify that this instrument was filed for record on the 9TH day of June A.D. 2006 at 14:13 o'clock p m. and was duly recorded in Book 625 Page 44 of the records of Santa Fe County.

Witness my Hand and Seal of Office
VALERIE ESPINOZA
County Clerk, Santa Fe County, New Mexico
Deputy

THIS SURVEY PREVIOUSLY RECORDED IN PLAT BOOK 599 AT PAGE 047.

PUBLIC NOTICE

THE SANTA FE COUNTY LAND USE ADMINISTRATOR HAS NOT REVIEWED THIS PLAT OF SURVEY BEFORE ITS FILING IN THE OFFICE OF THE COUNTY CLERK. THIS PLAT IS NOT BEING FILED FOR THE PURPOSE OF CREATING A SUBDIVISION OR NEW LOTS, ALTERING THE BOUNDARIES OF ANY EXISTING LOTS OR FOR THE PURPOSE OF "DEVELOPMENT" AS DEFINED IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE, EXTRATERRITORIAL ZONING ORDINANCE OR EXTRATERRITORIAL SUBDIVISION REGULATIONS. THIS STATEMENT DOES NOT IN ANYWAY REPRESENT APPROVAL OF THIS PLAT.

INDEXING INFORMATION FOR COUNTY CLERK
BOUNDARY SURVEY

OWNER: MIKEY EDWIN BOYLAN, RALPH HAILE
ESTATE OF MYRTLE HAILE
LOCATION AGUA FRIA ROAD
SECT. 33, T 17 N, R 9 E, N.M.P.M.

SANTA FE COUNTY, NM.
UPC No.: 1-051-097-269-512

DEL RIO SURVEYS, INC.		
P.O. BOX 22773	SANTA FE, NM	820-9200
PROJECT No. 05040313	Dwg. PW	Chk. DV
	Date: 8/03/05	REV. 1

EXHIBIT A

TRACT E-1 (2743 BOYLAN CIR.)

WARRANTY DEED

SF - 1 SHORT FORM WARRANTY DEED—Rev. 5-75—New Mexico Statutory Form THE VALLIANT CO. ALBUQUERQUE, N. M.

WARRANTY DEED

698493

Ralph L. Haile and Myrtle E. Haile , for consideration paid, grant

to Larry J. Boylan, an unmarried man

whose address is

the following described real estate in Santa Fe County, New Mexico:

Lot 12, in Section 28; and Lot 26, in Section 33, all within Township 17 N. of R. 9 E, N.M.P.M., contaning 2.22 acres, more or less. Subject to the reservation contained in the Patent.

Together with an easement 20 feet wide for ingress and egress and installation of utilities over that certain land more partcularly described as follows, to-wit:

EASEMENT DESCRIPTION

Beginning at a point which is the Northeast Corner of P.C. No. 562, from which beginning point a brass cap designating the North Quarter (1/4) corner of Section 33, Township 17 North, Range 9 East, N.M.P.M., bears the following courses and distances, N. 58° 34' E., 108.4 feet to the northwest corner of said P.C. No. 562 and N. 42° 02' E., 56.69 feet; thence from said point of beginning South along the line common to P.C. No. 562 and P.C. No. 437, Lot 1, to a point where the same intersects the north right-of-way line of Agua Fria Street; thence in an easterly direction 20 feet along the north right-of-way line of Agua Fria Street to a point, thence south paralleling the hereinabove mentioned common line to a point where it intersects the north boundary of P.C. 437, Lot No. 1; thence from said point of intersection westerly to the point and place of beginning.

with warranty covenants.

WITNESS our hand s and seal s this 23rd day of October, 1984.

Ralph L. Haile (Seal) Myrtle E. Haile (Seal)

Ralph L. Haile Myrtle E. Haile

(Seal) (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF Santa Fe } ss.

The foregoing instrument was acknowledged before me this 23rd day of October, 1984,
by Ralph L. Haile and Myrtle E. Haile
(Name or Names of Person or Persons Acknowledging)

My commission expires:
(Seal) Aug. 22, 1984

Notary Public

721197

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
I hereby certify that this instrument was filed for record on the 30 day of Oct A.D. 19 84 at 4:27 o'clock P m. and was duly recorded in book 678 page 493 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Veronica Clayton
Deputy

ACKNOWLEDGMENT FOR CORPORATION

STATE OF }
COUNTY OF } ss.

The foregoing instrument was acknowledged before me this
day of , 19 ,
by
(Name of Officer)
(Title of Officer) (Name of Corporation Acknowledging)
a (State of Incorporation) corporation, on behalf of said corporation.

My commission expires:
(Seal)

Notary Public

TRACT D (2743 BOYLAN CIR)
WARRANTY DEED

Southwestern Title & Escrow, Inc

98080975 HGG

QUIT CLAIM DEED 1557851

Richard Cook and Shirley Cook, his wife, for consideration paid, quitclaim(s) to **Larry J. Boylan, a single man**, whose address is Route 6, Box 156, Santa Fe, NM 87505, the following described real estate in **Santa Fe** County, New Mexico:

Tract "D" as shown on plat of Survey for Larry Boylan dated April 8, 1994, by Salvador E. Vigil NMLS No. 4405 filed in the Office of the County Clerk as Document No. 859,846 in Plat Book 272, page 024, records of Santa Fe County, New Mexico.

1046. 755

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)

I hereby certify that this instrument was filed for record on the 28 day of Oct. A.D. 19 98, at 3:45 o'clock P.M. and was duly recorded in book 1557 page 851 of the records of Santa Fe County.

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

COUNTY CLERK
REBECCA BUSTAMANTE
SANTA FE COUNTY NEW MEXICO

Witness our hands and seals this 14th day of August, 1998.

Richard P. Cook (Seal)
Richard Cook

Shirley A. Cook (Seal)
Shirley Cook

(Seal)

(Seal)

FOR RECORDER'S USE ONLY

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
) ss.
COUNTY OF Rio Arriba)

The foregoing instrument was acknowledged before me on this 14th day of August, 1998, by Richard Cook and Shirley Cook, his wife

Notary Public

My Commission Expires: 3-17-2001

REBECCA VALDEZ NOTARY PUBLIC STATE OF NEW M.

(Seal)

ST & E 98080975HGG

TRACT A-1

WARRANTY DEED

(Deed for entire property within river prior to condemnation

QUITCLAIM DEED

D.A.K. Partnership for consideration paid, grant to Larry J. Boylan whose address is Rte. 6 Box 156 Santa Fe, New Mexico, the following described real estate in Santa Fe County, New Mexico:

A certain tract of land, designated as Tract C, lying and being situate within a portion of Lot 7, Lot 8 and Lot 9 Section 28, T.17 N. R.9 E. N.M.P.M., County of Santa Fe, State of New Mexico, being more particularly described as follows, to wit;

Beginning at a point for AP 1 Lot 12 common to the northwest corner of S.H.C. number 437 tract 2 and an A.P. for Lot 9 Section 28, T.17 N. R.9 E. N.M.P.M., marked by a U.S.G.L.O.S. brass cap located inside a 4 inch P.V.C. pipe; thence S.54°48'34"W. a distance of 142.74 feet to a number 4 rebar with cap; thence N.29°48'46"W. a distance of 217.79 feet to the true point and place of beginning, a point on the southeastern boundary line of the tract described hereon, marked by a number 4 rebar with cap; thence S.44°20'18"W. a distance of 466.41 feet to the southeast corner of the tract described hereon, marked by a number 4 rebar with cap; thence S.89°55'24"W. a distance of 110.50 feet to the southwest corner of the tract described hereon, marked by a nail; thence N.35°35'56"E. a distance of 198.21 feet to an angle point, marked by a 1/2 inch iron pipe; thence N.63°05'21"E. a distance of 125.27 feet to an angle point, marked by a 1 inch iron pipe; thence N.22°16'58"E. a distance of 299.21 feet to an angle point, marked by a number 4 rebar with cap; thence N.50°57'32"E. a distance of 218.49 feet to an angle point, marked by a number 4 rebar with cap; thence N.38°28'19"E. a distance of 117.99 feet to an angle point, marked by a 3/4 inch iron pipe; thence N.63°24'06"E. a distance of 83.58 feet to an angle point, marked by a 3/4 inch iron pipe; thence N.44°39'06"E. a distance of 12.54 feet to an angle point, marked by a number 4 rebar with cap; thence N.45°18'06"E. a distance of 209.66 feet to an angle point, marked by a number 4 rebar with cap; thence N.39°30'06"E. a distance of 41.44 feet to an angle point, marked by a number 4 rebar with cap; thence N.33°45'06"E. a distance of 9.68 feet to an angle point, marked by a number 4 rebar with cap; thence S.89°29'54"E. a distance of 25.11 feet to an angle point, marked by a number 4 rebar with cap; thence N.34°45'06"E. a distance of 708.84 feet to the northwest corner of the tract described hereon, marked by a number 4 rebar with cap; thence S.16°44'54"E. a distance of 100.32 feet to an angle point, marked by a number 4 rebar with cap; thence N.72°45'06"E. a distance of 120.00 feet to the northeast corner of the tract described hereon, marked by a number 4 rebar with cap; thence S.10°55'00"W. a distance of 370.29 feet to an angle point, marked by a 1/2 inch iron pipe; thence S.40°21'13"W. a distance of 636.92 feet to an angle point, marked by a number 4 rebar with cap; thence N.17°00'27"W. a distance of 171.86 feet to an angle point, marked by a number 4 rebar with cap; thence S.44°20'18"W. a distance of 645.82 feet to the true point and place of beginning.

SFC CLERK RECORDED 04/25/2005

QUITCLAIM DEED
D.A.K. PARTNERSHIP TO LARRY J. BOYLAN (cont')
Page 2 of 2

Containing an area of 8.66 acres, more or less, subject to a 30.00 feet wide Sanitary Sewer Easement. All as shown on that plat of survey for Larry Boylan, certified by Salvador E. Vigil, a registered Professional Surveyor, on December 07, 1993; said plat bears Project No. D1-658.
WITNESS my hand and seal this 28TH day of April, ~~1994.~~ 2003

Richard P. Cook
RICHARD P. COOK

STATE OF NEW MEXICO)
)ss
COUNTY OF Santa Fe)

The foregoing instrument was acknowledged before me this 28 day of April, ~~1994~~, 2003, by Richard P. Cook for D.A.K. Partnership.

My commission expires: 11/13/04

NOTARY PUBLIC

PHYLLIS L. SANCHEZ NOTARY PUBLIC STATE OF NEW MEXICO

COUNTY CLERK VALERIE ESPINOZA SANTA FE COUNTY NEW MEXICO

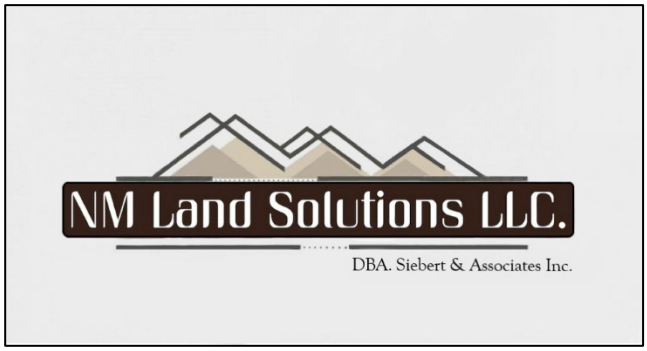
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

QUITCLAIM DEED
PAGES: 2

I Hereby Certify That This Instrument Was Filed for Record On The 25TH Day Of April, A.D., 2005 at 13:46
And Was Duly Recorded as Instrument # 1376865
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy _____ County Clerk, Santa Fe, NM

SFC CLERK RECORDED 04/25/2005



NM LAND SOLUTIONS LLC. (Dba. Siebert & Associates Inc.)

915 Mercer Street
Santa Fe, New Mexico 87505
Phone: 505-983-5588
E-mail: victoria@jwsiebert.com
nathan@jwsiebert.com wayne@jwsiebert.com
Website: NMLandSolutions.com

MEMORANDUM

To: Janice Biletnikoff, ACIP

From: Victoria Dalton, NM Land Solutions LLC.

Date: May 28, 2025

Re: Case 2024-9460 & 2024-9461

1. Contact the City Wastewater Division to confirm in writing the status of system capacity and the ability of the existing infrastructure to accommodate the additional impacts of the proposed C-2 zoning at the subject property. Have you verified Parks, Police/Fire/EMT, Santa Fe Public Schools, and Public Works (i.e., streets) that each of the systems and services currently have ample capacity to absorb the impacts of the uses allowed within a C-2 zone district? The existence or availability of infrastructure and services in the vicinity is not sufficient assurance of adequate system capacity for new impacts that would result from the proposal. Explain how each system or service can or cannot accommodate the anticipated increment of added impacts. If the impacts of the proposed rezoning cannot be accommodated by the existing infrastructure and public facilities, the City may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies (see § 14-3.5(D)).

Response: *There are currently fourteen (14) existing manufactured homes on the subject property(s). A private sewer line on the property is connected to the existing city manholes allowing current wastewater service to the existing residential development. Prior to redevelopment of the property, the existing sewer line will be required to be upgraded and extended into the property to serve future development, which in turn will be dedicated to the City. Furthermore, the city wastewater Division authorized construction and installation of two*

additional sewer manholes with stub outs to serve future development (Please see attached City Wastewater letter).

The installation of the manholes was proposed during utility construction of the adjacent development in order to prevent reopening of the utility trench.

An email dated 1/2/2024 was sent to City Wastewater including a phone call with Mr. Sergio Valora, Engineer Associate with the City Wastewater Division, confirming the request to provide a statement regarding capacity of the City of Santa Fe sewer system.

Review from City parks and City traffic both confirm there are no issues with the proposed General Plan Amendment and Rezoning Request.

Additionally, a Traffic Impact Analysis (TIA) will be required at the time of development. The TIA for a specific development will determine the size and intensity of future development based on whether Agua Fria Street has capacity to be further upgraded from its current standards. All required on-site and off-site road improvements will be required with future development and not at this point or with the subject request.

Police/Fire/EMT, currently provide services to the subject properties which includes the existing residential manufactured home park. The permitted uses within the C-2 district are no more intense than which currently exists, due to much of the surrounding area having already been rezoned since the 2009 City/County annexation.

Correspondence is with the Santa Fe Public Schools in not required unless the development is determined to be residential in nature and should be reserved for future developments once the property is granted approval for rezoning.

2. Describe the water rights associated with the well that would be transferred to the City upon redevelopment.

Response: *There are two (2) existing domestic wells on the property, each of which allow the diversion of 3.00 ac/ft/yr for a total of 6.00-acre feet.*

At the time of redevelopment, connection to city water is required. The City water division can allow future use of the well for irrigation purposes or require capping the wells as may be required.

If the water rights associated with the existing wells are sufficient to offset the future water budget/water use, then said water rights would be transferred to the city water bank for future development / future uses.

3. Based on the required criteria: wherever applicable, cite the specific themes and policies of the General Plan (by name and/or number) that will be advanced or complied with by the amendment and rezoning proposal.

Response: *This item was addressed on page 7 of the Development Report and also within the overall General Plan Amendment and Rezoning Report previously submitted November 15, 2024.*

Below are the specific themes from chapter 3-1 of the 1999 General Plan as referenced on page 7 of the previous report:

- ***Job Creation and Economic Development**: The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial spaces. This is consistent with the General Plan's economic development objectives / goals, which emphasize creating jobs and promoting balanced economic growth within the city.*
- ***Transportation and Mobility**: The proposed development also aligns with the General Plan's transportation targets by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.*
- ***Infrastructure and Public Services**: The proposed amendment is consistent with the General Plan's goals related to expanding / improving infrastructure, and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies.*

  The new sewer system, which will be installed to meet city standards and maintained by the city after one year, is also consistent with the General Plan's commitment to ensuring adequate, sustainable public services and infrastructure to support growth.

4. Concept plans are not actionable items on the agenda. Future conceptual development (such as the undergrounding of utilities, removal of mobile homes and soil stockpiles, or the potential provision of affordable housing) cannot be considered by the Land Use staff or the decision makers in analyzing the rezoning request unless they are included in the current application as a development plan or master plan. The analysis for the rezoning is strictly limited to the proposal to change from one zone district to another. Discussion of future development plans that are not part of the current request cannot be used to respond to the Code criteria. Please only include the elements that are part of the current request. Please revise or submit the report and/or include a master plan to accompany the rezoning application.

Response: *The applicant/owner has contacted PNM to allow for the relocation of the PNM Power poles. Prior correspondence with land use staff indicated that relocation of the poles would be required to be relocated underground. The underground of the electric facilities is not a conceptual in nature. Mr Boylan intent is to remove the existing power pole encroachments in order to prepare the property for future development. Furthermore, Mr. Boylan along with NM Land Solutions LLC., has met with PNM to start the process, however PNM cannot design the request until a specific use has been contemplated*

The stockpile has been in existence for quite some time and the property owner has been working with City wastewater and Land Use Engineer to accept a permit to allow for the construction of two manholes at which point the dirt from the stockpile will be used to bury the trenches. The existing mobile home park is legal non-conforming, and the homes are older model mobile homes none of which are on permanent foundation. Once a future development permit for redevelopment is submitted, compliance with Chapter 14 will be required, which in turn will require removal of the mobile homes therefore this is not a conceptual in nature and will take place, it is the timing that is unknown.

The affordable housing element has been removed from the overall report and is resubmitted with this letter since that is indeed conceptual as it is unknown whether the project will entail residential development.

A Masterplan is not warranted at this time due to there being no anticipated phasing of the area once rezoning is authorized. The discussion / refences to future development were added for informational purposes only and were not intended to acquire any approvals other than the subject rezoning and general plan amendment request.

5. In Appendix D (“Warranty Deeds”), Tract D and Tract A-1 have cover sheets that state the following documents are warranty deeds; however, the deeds that follow are both quitclaim deeds. Do warranty deeds exist for these parcels? Please revise the Appendix D cover sheet as well as the Tract D and Tract A-1 cover sheets to reflect the correct type of conveyance

documents attached thereto. Quit Claim deeds can only be accepted in conjunction with a chain of title to prove equitable interest that existed within the transfer.

Appendix D has been revised to include the correct warranty deeds. The deed for Tract A-1 and Tract D will not have matching metes and bounds as the deed and legal lot of record plat was drafted prior to the purchase of a portion of the property's by Santa Fe County for the River Trail project. Appendix D, includes the deeds to the county which describes the current configuration of the lots.

6. Please note that rezoning requests require public notice by Certified Mail to property owners within 100 feet of the subject property. Refer to § 14-3.1(H) for details on rezoning request public notice requirements.

Response: *NM Land Solutions is aware of this requirement and has no issues with sending certified notices to the property adjoiners within one hundred feet of the subject property*

B. Initial DRT Review Summary

Your Rezoning application has been reviewed by the City's Development Review Team (DRT) and the following necessary revisions have been identified:

1. Dee Beingessner [Land Use/Terrain Management/City Engineer] – One issue identified: Soil Stockpile without a permit and appropriate sediment control is a violation of City Code and must be remedied before new plat or development can be approved; see attached DRT response letter.

Response: *The subject stockpile has been in existence prior to the annexation of the property into the city limits. A permit application to allow the stockpile to remain on the property has been submitted and is pending approval. The stockpile will eventually be used for future construction.*

2. Leah Yngve [MPO] – No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter.

3. Leroy Pacheco [Traffic] - No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter. When the subject property is redeveloped, a traffic study will be required.

4. Zoe Isaacson [Parks] - No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter.

5. Clinton Peterson [Water Engineering] – No issues were identified with the Rezoning request; see attached DRT response letter. Additional plan information, such as an approved Water Plan and an Agreement to Construct and Dedicate (ACD), will be required at the time of Development Plan application for any new water and fire infrastructure. This DRT reviewer also notes that each lot shall be served by separate City water service at the time of development. Regarding the existing domestic well onsite, this reviewer required that the Applicant work with CoSFW Engineering before Water Plan approval to ensure that no cross-connection occurs between the domestic well system and the public water system.

Response: *At the time of development, waterline plans will be submitted to the COSFW for review and further discussion of future use or transfer of existing water rights form the subject wells.*

2743, 2745 BOYLAN CIRCLE
AND 1372 BOYLAN LANE

GENERAL PLAN AMENDMENT / REZONING DEVELOMENT REPORT

PREPARED FOR:

MR. LARRY BOYLAN

PREPARED BY:

NM LAND SOLUTIONS LLC

NM Land Solutions LLC.
DBA. Siebert & Associates Inc.

NOVEMBER 2024 (Revised 7/31/2025)

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APPENDICES

Appendix A	Lot 1 Legal Lot of Record Plat (2745 Boylan Circle)
Appendix B	Legal Lot of Record Plat E-1 & A-1
Appendix C	Certificate of Compliance (Tract D)
Appendix D	Warranty Deeds

FIGURES

Figure 1: Vicinity Map

PROPERTY LOCATION AND SUMMARY DESCRIPTION

There are four (4) legal lots of record associated with the request for General Plan Amendment and Rezoning.

The lot fronting Agua Fria Street is located at 2745 Boylan Circle, consists of 1.08± acres and is vacant. The remaining three (3) legal lots of record encompass a legal non-conforming mobile home park addressed as 2743 Boylan Circle and 1372 Boylan Lane. 2743 Boylan Lane is assigned to two (2) lots.

The total combined acreage of the four (4) subject lots equals 5.96 (±) acres.

In addition, a separate lot consolidation plat to combine all four (4) lots into one (1) lot will be submitted to staff for administrative review upon approval of the proposed general plan amendment and rezoning request.

Figure 1 is a vicinity map indicating the location of the subject property relative to the city street system and other known landmarks in the area.

Figure 1:



OWNERSHIP AND LEGAL LOT OF RECORD

The four (4) subject lots are owned by Mr. Larry Boylan. The legal lot of record for the Lot 1 (2745 Agua Fria St.) is established by a plat entitled Haile Subdivision, which was approved by the Extraterritorial Zoning Commission on February 13, 1986, and recorded in the Office of the County Clerk in Book 238 Page 12 and is located in *Appendix A* of this report.

The legal lot of record for Tract E1 (2743 Boylan Lane) immediately north of Lot 1 and Tract A1 (1372 Boylan Lane) is established by a lot line adjustment plat prepared for the Estate of Tom and Larry Boylan administratively approved by City Land Use Planning staff, recorded in the Office of the Santa Fe County Clerk in Book 687 page 39 and is located in *Appendix B* of this report.

The legal lot of record for remaining lot adjoining the Santa Fe County River Greenway trail is established by a certificate of compliance based on the condemnation and purchase of property by Santa Fe County for its construction and maintenance of the Santa Fe River Greenway trail. The certificate of compliance was approved by the city of Santa Fe planning staff on November 5, 2019, and recorded in the office of the County Clerk as instrument #1901539.

The subject Certificate of compliance is located in *Appendix C* of this report.

Proof of ownership warranty deeds for the subject four lots are located in *Appendix D* of this report.

EXISTING CONDITIONS & ADJOINING LAND USES

As stated, three (3) of the four (4) subject lots are encompassed by a legal non-conforming mobile home park which was developed prior to the adoption of the County Extraterritorial Zoning Ordinance and Land Development Code.

The vacant tract fronting Agua Fria contains a large stockpile of dirt which will be used as fill dirt for future construction of utilities and/or roads. A permit to allow the existing dirt pile has been approved until such time as the property is redeveloped.

The subject lots also contain several PNM power poles which will be removed and relocated underground at the time of future development.

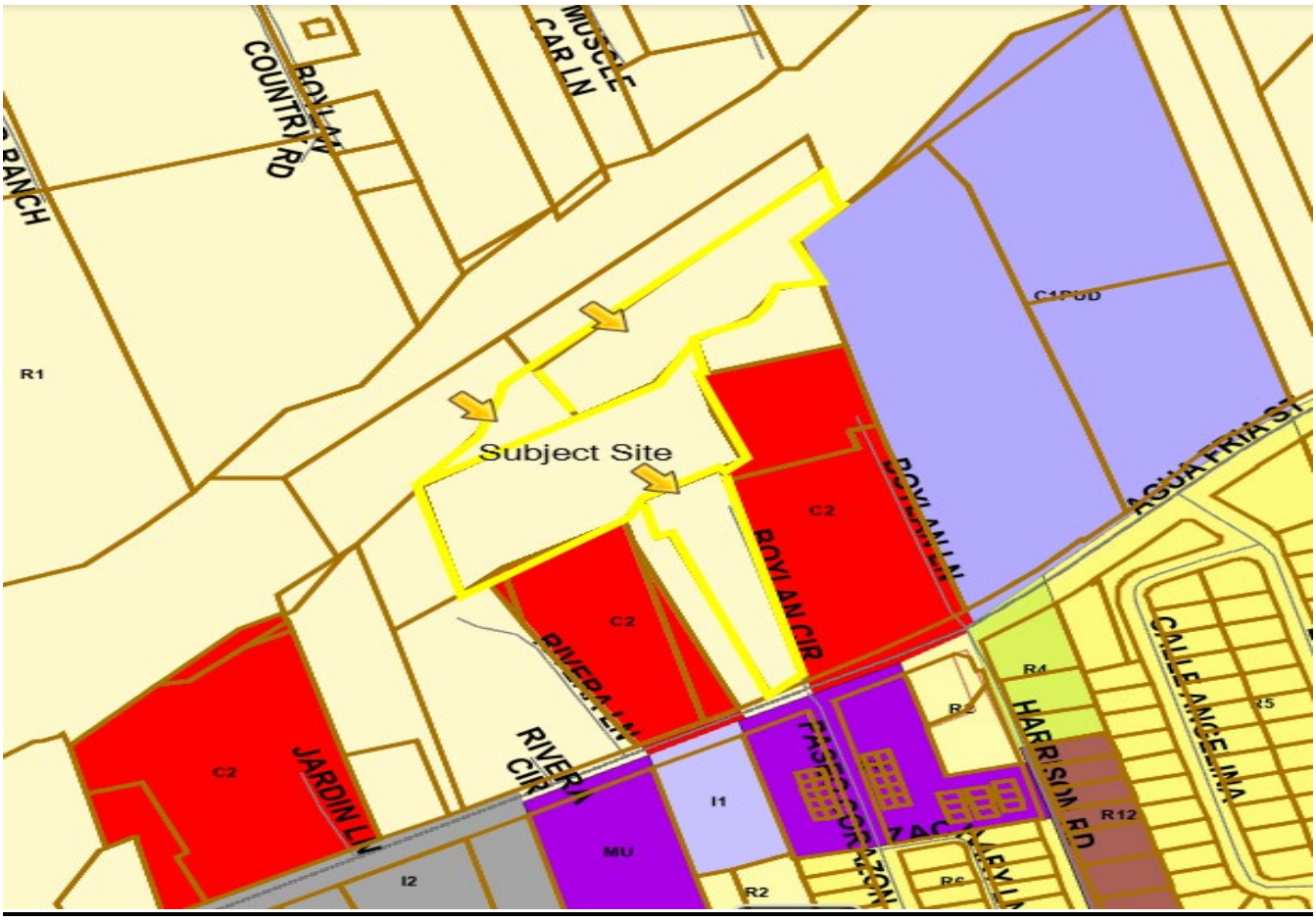
The lot immediately east has been rezoned to C-2 as well as development plan approval to allow for an apartment complex which has started construction.

The property northwest of the mobile home park has also been rezoned to C-2 and is used as a plumbing and Heating business.

The property located west is zoned R-1, which is the designation assigned to all properties without prior zoning entitlements prior to the city/county annexation.

The Santa Fe County River Greenway trail is north of the existing mobile home park and consists of land that was part of a condemnation of the subject lots by Santa Fe County to allow for the restoration of the river as well as continuation of the trail.

Directly across Agua Fria Street, there is a mix of zoning designations which includes MU (Mixed Use) and I-1 (Light Industrial) zoning districts.



GENERAL PLAN AMENDMENT & REZONING REQUEST

The future land use designation assigned to the subject lots requesting General Plan Amendment & Zoning is *"Transitional Mixed-Use"* while the zoning designation is R-1 (1 dwelling unit/acre).

The R-1 zoning designation was assigned to the subject lots during the city/county-initiated annexation. Since the city/county annexation, there has been several approved general plan amendments and rezonings requests within the surrounding area.

At this time the property owner is proposing General Plan Amendment from Transitional Mixed Use (TMXU) to Community Commercial (CCOM) and Rezoning from R-1 (1/dwelling/acre) to C-2 (General Commercial).

A development plan is not proposed in conjunction with the subject request, as it has become evident with the recently approved rezonings in the area that the R-1 zoning designation is not consistent with the surrounding area.

Furthermore, the 1999 General Plan promotes higher density development in urban infill properties which includes the greater Agua Fria area.

Once a determination has been made on how the property will be redeveloped, the existing legal non-conforming mobile home park will be removed.

The owner / applicant anticipates a future multifamily development, possibly a small-scale apartment complex to replace the current mobile home park, as Mr. Boylan is aware of the need to provide housing for the community.

The property fronting Agua Fria Street would seem more appropriate to develop small-scale stand-alone retail / commercial use(s) that can be enjoyed by the new residents of the area.

ACCESS

Access to the subject lots is off of Boylan Circle via Agua Fria Street. Boylan Circle is a dirt road with an approximate width of twenty (20') feet.

Within the past several years, the City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection.

Once the property is redeveloped, the existing access will be required to be upgraded to city standards based off the traffic / use of any future development.

ARCHAEOLOGY

The consolidated acreage of the subject lots is over 2.00-acres in size and is within the *River and Trails Archaeological Review District*, which requires an archaeological clearance at the time of development plan or final plat.

Since there is not a development plan or plat associated with the request, an archaeological clearance is not required at this time.

WATER & WASTEWATER

Water

The existing mobile home park is served by two on-site domestic well. There is a 12-inch waterline in Agua Fria Street that would need to be extended into the subject lots at the time of redevelopment of the property.

Utilization and/or transfer of water rights associated with the well will be determined upon redevelopment of the property as a future connection to City water will be required at the time of new development.

Sewer

The existing mobile home park is served by a private 8-inch sewer line that connects to the city trunk line across the Santa Fe River which eventually flows into the city wastewater treatment plant.

At the time of redevelopment of the property, a new sewer line will be designed and constructed to city standards at which time the sewer line will be dedicated to the city for public use.

Dry Utilities

Electric, telephone and gas are available to this property with adequate capacity to serve future development.

EARLY NEIGHBORHOOD NOTIFICATION (ENN)

An ENN meeting was held on September 26th, 2024, with city staff, along with the property owner, and agent NM Land Solutions LLC were present. In addition, an unidentified participant that was having technical difficulties later called via phone to inquire about process and other unrelated questions regarding his prior approved rezoning located at 2749 B Agua Fria St.

Also, a phone call was received prior to the ENN meeting from a property Adjoiner that was in favor of the project and agreed that obtaining general plan amendment and rezoning seemed like the proper path forward for the lots in question.

RESPONSE TO GENERAL PLAN AMENDMENT

(1) Criteria for All Amendments to the General Plan

The planning commission and the *governing body* shall review all *general plan* amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the *general plan* :

(a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of *infrastructure* ;

Response: *Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 2.19%. The proposed general plan amendment to community commercial zoning will allow for a mix of commercial and high-density residential uses, providing flexibility in development without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation. This flexibility supports the City's economic development goals by allowing for both affordable housing options and commercial development that complements surrounding uses.*

Higher-density residential development will contribute to the availability of affordable housing through the City of Santa Fe Affordable Housing Program, addressing the ongoing need for affordable units. This development approach also supports the local economy by facilitating the potential for employment opportunities tied to the proposed commercial uses.

The amendment is consistent with the guiding policies within Chapter 4 of the 1999 General Plan, specifically regarding the promotion of infill development, efficient use of existing infrastructure, and recognition of water demand and conservation. By aligning with these policies, the amendment contributes to the balanced growth of Santa Fe, promoting both residential development and new employment opportunities in a sustainable manner.

Additionally, the proposal is designed with consideration of existing land use conditions, including the availability of access and infrastructure, ensuring that development occurs in a manner that makes efficient use of resources while accommodating future growth.

(b) consistency with other parts of the *general plan* ;

Response:

The proposed General Plan Amendment is consistent with several key elements of the Santa Fe General Plan, particularly those related to housing, economic development, transportation, and infrastructure.

- ***Job Creation and Economic Development**: The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial spaces. This is consistent with the General Plan's economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city.*
- ***Transportation and Mobility**: The proposed development also aligns with the General Plan's transportation goals by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.*
- ***Infrastructure and Public Services**: The proposed amendment is consistent with the General Plan's goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies.*

  The new sewer system, which will be installed to meet city standards and maintained by the city after one year, is also consistent with the General Plan's commitment to ensuring adequate, sustainable public services and infrastructure to support growth.

(c) the amendment does not:

(i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

Response: *The proposed amendment does not introduce uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. Over time, particularly following the city/county annexation, the area has undergone significant changes, allowing for the development of infill properties with access to city utilities. Many of the surrounding properties have been rezoned within the past fifteen years to accommodate higher-density residential uses, including multifamily apartment buildings, reflecting the city's growth and evolving urban landscape.*

Currently, the area includes a mix of residential and commercial uses. Some commercial properties are legal non-conforming, while others were established through previous general plan amendments and rezonings. The proposed general plan amendment is consistent with this pattern of development, as it allows for a combination of residential and commercial uses that align with the existing mix of land uses in the area. The amendment would further complement the surrounding developments by providing additional opportunities for both residential and commercial growth, without significantly altering the established character of the neighborhood.

Thus, the amendment is in keeping with the area's ongoing transition and growth, and it aligns with the existing mix of residential and commercial uses that have developed over time. The proposed change is not a dramatic departure from the current land use pattern but rather a continuation of the evolving character of the area.

(ii) affect an area of less than two acres, except when adjusting boundaries between districts; or

Response: *There are four adjoining legal lots of record with a total of 5.96 acres.*

(iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

Response: *The proposed amendment will provide benefits not only to the applicant but also to the surrounding landowners and the broader community. The property in question is currently occupied by an aging mobile home park that has been in place for over forty years, predating the County Code established prior to being annexed into the City of Santa Fe.*

This property is in need of redevelopment to address current deficiencies and enhance the area's overall character. The existing site is encumbered by several electric power poles and a large stockpile of dirt along the Agua Fria Street frontage, both of which negatively impact the aesthetics and functionality of the area.

The proposed amendment will facilitate a sustainable and diverse redevelopment that connects the property to city utilities, addressing key infrastructure challenges. Specifically, the redevelopment will allow for the relocation and undergrounding of electric services, improving both the visual appeal and safety of the area.

These infrastructure improvements will directly benefit the surrounding landowners by reducing existing eyesores and enhancing the overall neighborhood environment.

Additionally, by redeveloping the site, the amendment creates the potential for a more vibrant and well-integrated community with better access to essential services. The redevelopment is designed to integrate seamlessly with surrounding properties, offering opportunities for both residential and commercial growth that will benefit the area as a whole, not just a select few.

This approach ensures that the amendment does not disproportionately benefit one landowner at the expense of others but instead supports the broader public interest by improving infrastructure, enhancing the built environment, and contributing to the neighborhood's long-term sustainability and growth.

(c) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification.

Response: *The proposed amendment is in conformance with Subsection 14-3.2(E)(1)(c) as stated in the above responses (c) i,ii,iii.*

(d) compliance with extraterritorial zoning ordinances and extraterritorial plans;

Response: *This criterion is no longer relevant since the adoption of Subdivision Platting and Planning Zoning Ordinance (SPPaZO), and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.*

(e) contribution to a coordinated, adjusted and harmonious *development* of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of *development* ; and

Response: *The proposed amendment will contribute to the coordinated, harmonious development of Santa Fe by addressing both current and future needs, and it will promote the health, safety, and general welfare of the community. The existing mobile home park, currently designated as transitional mixed-use, does not comply with the current land use regulations and is limited in its ability to undergo meaningful upgrades or redevelopment due to its non-conforming status. This limitation restricts opportunities for investment, which in turn can lead to deterioration and neglect of the site.*

By encouraging the redevelopment of this property, the amendment will not only provide an opportunity to modernize the site but also help prevent blight and disrepair, thereby improving the overall quality of life for residents and the surrounding community.

Redevelopment will ensure that the site is brought into compliance with modern land use standards, improving both the physical and environmental aspects of the area. These improvements will enhance public safety, aesthetics, and infrastructure, contributing to the general welfare of the neighborhood.

The amendment also aligns with the City of Santa Fe's long-term growth goals by supporting infill development and more efficient use of land. The proposed redevelopment is consistent with the city's vision of creating sustainable, vibrant, and diverse neighborhoods that meet the needs of both current and future residents. By facilitating development that connects to city utilities and enhances the surrounding infrastructure, the amendment helps promote efficiency and economy in the development process, aligning with the city's broader planning objectives for growth and sustainability.

In summary, the proposed amendment will foster a coordinated and harmonious development that supports Santa Fe's growth objectives, improves public health and safety, and contributes to the economic and social well-being of the community.

(f) consideration of conformity with other *city* policies, including land use policies, ordinances, regulations and plans.

Response: *The City has a policy of promoting a mix of land uses, this property is located within an area where there is a mix of residential, retail and entertainment. The recent changes to the City code now permit residential uses within a C-2 commercial district.*

(2) Additional Criteria for Amendments to Land Use Policies

In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the *general plan* shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the *general plan* will not have a negative impact on the surrounding *properties* . The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent *properties* by a *setback* , *landscaping* or other means, and a finding must be made that:

(a) the growth and economic projections contained within the *general plan* are erroneous or have changed;

Response: *When the existing General Plan was adopted in 1999 it seems that the General Plan failed to recognize the land use complexity of this part of the urban area. It is not a matter of the growth and economic projections being in error as it is the failure to observe the variety of existing land uses and assign a zoning district that best fit those land uses.*

Land use patterns in this area have changed over time especially with the city/county annexation recognizing infill development that can provide greater housing densities and or a variety of commercial uses that are consistent with the current land use patterns.

(b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or

Response: *There are other locations in Santa Fe where general commercial is available, however the current zoning does not allow for the existing residential density associated with the existing mobile home park. The intent of the property owner is to maintain a higher density residential component while having an option to develop both commercial and residential uses on the subject lot.*

(c) conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.

Response: *While the City continues to recognize the existing mobile home park as a legal non-conforming use, this grandfathered status is contingent upon no substantial improvements, expansion, or damage beyond repair. Should such circumstances arise, the property would revert to its R-1 zoning with a transitional mixed-use land use designation, which allows for only one (1) dwelling unit per acre, a density that no longer aligns with the area's evolving development patterns.*

Over the past fifteen years, since the annexation of this property into the city, significant changes in land use patterns and zoning have occurred. The recent rezonings in the area, which have permitted higher-density multifamily residential and commercial uses, have notably increased the cost of land and shifted the market dynamics. These changes have rendered the existing mobile home park site less viable for long-term use under its current configuration, especially as surrounding properties have transitioned to more intensive uses.

Additionally, advances in building technology and changes in consumer preferences have further driven demand for higher-density housing and more diverse land uses. The costs associated with maintaining the existing mobile home park, particularly given the high land value in this growing area, make it increasingly difficult to sustain its non-conforming use. Redeveloping the property in accordance with the proposed general plan amendment will not only accommodate the evolving market but also provide a more efficient and sustainable use of the land, aligning with the city's current zoning and development goals.

This amendment is therefore a response to the changing land use patterns, market conditions, and technological advancements that have altered the feasibility of the existing mobile home park and support the need for a more appropriate and compatible development for this location.

RESPONSE TO REZONING APPROVAL CRITERIA

The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

(a) one or more of the following conditions exist:

(i) there was a mistake in the original zoning.

Response: *Since the Annexation of this property, the City has used R-1 zoning designation for annexed areas where it serves as a holding zone until another use is proposed for the land. R-1 is the lowest density zoning district designated in the Land Development Code and the designation of this district is inconsistent with the policies of the General Plan.*

(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or

Response: *With the city/county annexation that occurred approximately fifteen years ago, the surrounding area has changed significantly where there have been at least four rezoning approvals which includes nine tracts of land all within less than 1,000 feet of the subject property(s) that have been redeveloped as mostly apartments. Prior to the city annexing the area north of Agua Fria Road there was little development activity.*

With the City commitment of utilities and provision of City services, this area is now experiencing requests for development or re-development.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

Response: *The City General Plan shows this property and other properties between Agua Fria and the Santa Fe River as "Community Commercial or Transitional Mixed Use". The predominate land use for this area is a mix of commercial and single family and rental housing. From the time that this area was brought into the "Presumptive City Limits" and zoned R-1, single family residential, one (1) dwelling per acre, many of the existing uses have become non-conforming.*

The landowners are now limited in the expansion of the existing structures on the property and given the inconsistency between the zoning and the actual land use it would be more advantageous to recognize the existing land use pattern for the area. It does not make planning sense to create non-conformity out of 70 to 80 percent (70% - 80%) of the ownership in the vicinity of this request. Such non-conformities discourages investment in the property and can lead to inconsistent development in the subject area.

(b) all the rezoning requirements of Chapter 14 have been met;

Response: *Currently the existing zoning is R-1, Single Family Residential, one dwelling per acre, which creates a non-conforming status for this property. Rezoning of the property to C-2 uses*

would bring this property into conformance with the historic uses that have taken place on this property.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

Response: *Rezoning to C-2 (General Commercial) is consistent with the policies of the general plan as it aims to recognize the development of infill properties where city infrastructure is available furthermore rezoning of the property is consistent with the transitional mixed-use designation in that it offers the property the ability to development both a mix of residential and commercial uses.*

(d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and

Response: *There are four (4) adjoining legal lots of record with a combined total of 5.96 acres which will be consolidated upon approval of the rezoning request. The proposed C-2 use for the land is consistent with city policies as it continues to recognize development of infill property and is consistent with the current land use patterns that have developed for a mix of uses from commercial to medium to high density residential.*

(e) the existing and proposed infrastructure , such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development .

Response: *Public utilities are available on Agua Fria, including water, gas and electric lines, cable and telephone lines.*

The City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection. Siler Road has been completed from Agua Fria to West Alameda providing alternative routes to Agua Fria.

In fact, the traffic volumes on Agua Fria have declined with the extension of Siler to West Alameda. the Santa Fe River Greenway trail which can accommodate both pedestrian and bicyclist. The Santa Fe River Greenway pedestrian and bicycle trail has recently been completed and is located north of the subject parcels,

The closest Fire Station to this site is located on Cerrillos Road near Third Street within a five-minute service radius to this property.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

Response: *The proposed C-2 zoning request, the character of the neighborhood will remain unchanged from the current mixed use and high-density multi-family residential that has been approved within the past fifteen (15) years with the annexation area of the subject property(s).*

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or

Response: *The combined total of acreage included with the request consist of 5.96 acres, additionally the subject property immediately adjoins a tract of land that was approved to be rezoned in 2014, and was officially adopted via Ordinance 2014-32*

(c) benefit one or a few landowners at the expense of the surrounding

Response: *The proposed amendment will benefit the surrounding landowners as the property is in need of redevelopment. The existing mobile home park has been in existence for over forty (40) years prior to the County Code taking effect.*

The property fronting Agua Fria Street is encroached by several electric power poles as well as a large stockpile of dirt. The amendment will allow for a sustainable and diverse development with connection to city utilities, relocating and undergrounding electric services.

APPENDIX A

LOT 1 (2745 AGUA FRIA)
LEGAL LOT OF RECORD PLAT

Note All arroyos shall remain unobstructed and are designated as natural drainage easements.
All private road maintenance shall be the responsibility of the users
Original points set before BLM survey of 1980
Any development of Lot 1 shall require the use of city water or city sewer.

DESCRIPTION:
Beginning at the N.W. corner of Lot 2 from which the N. 1/4 corner of Section 33, T.17N, R.9E. N.M.P.M. bears S. 70°43'W., 76.4 feet; thence from said point of beginning N.58°13'E., 153.2 feet; thence N.76°48'E., 67.4 feet; thence S. 17°50'E., 84.25 feet; thence S. 58°01'E., 29.7 feet; thence S. 17°45'E, 392.85 feet; thence S. 58°20'W., 119.15 feet; thence S.64°59'W., 167.0 feet; thence S. 62°33'W., 40.0 feet; thence N. 22°21'W., 405.7 feet; thence S. 62°10'W., 13.1 feet; thence N. 14°45'W., 91.8 feet; thence N. 58°34'E., 129.3 feet to the point of beginning. All within the SE 1/4 Section 28, T.17N., R.9E., and the NE 1/4 Section 33, T.17N., R.9E., NM.P.M. Santa Fe County, N.M. and containing 3.94 acres, more or less.

APPROVALS

COUNTY OF SANTA FE
By the EXTRA TERRITORIAL ZONING COMMISSION at its meeting of February 13th 1986

Chairman Secretary

Gilbert A. Chavez 6/25/1992
S.F. County Land use & Zoning Adm Date

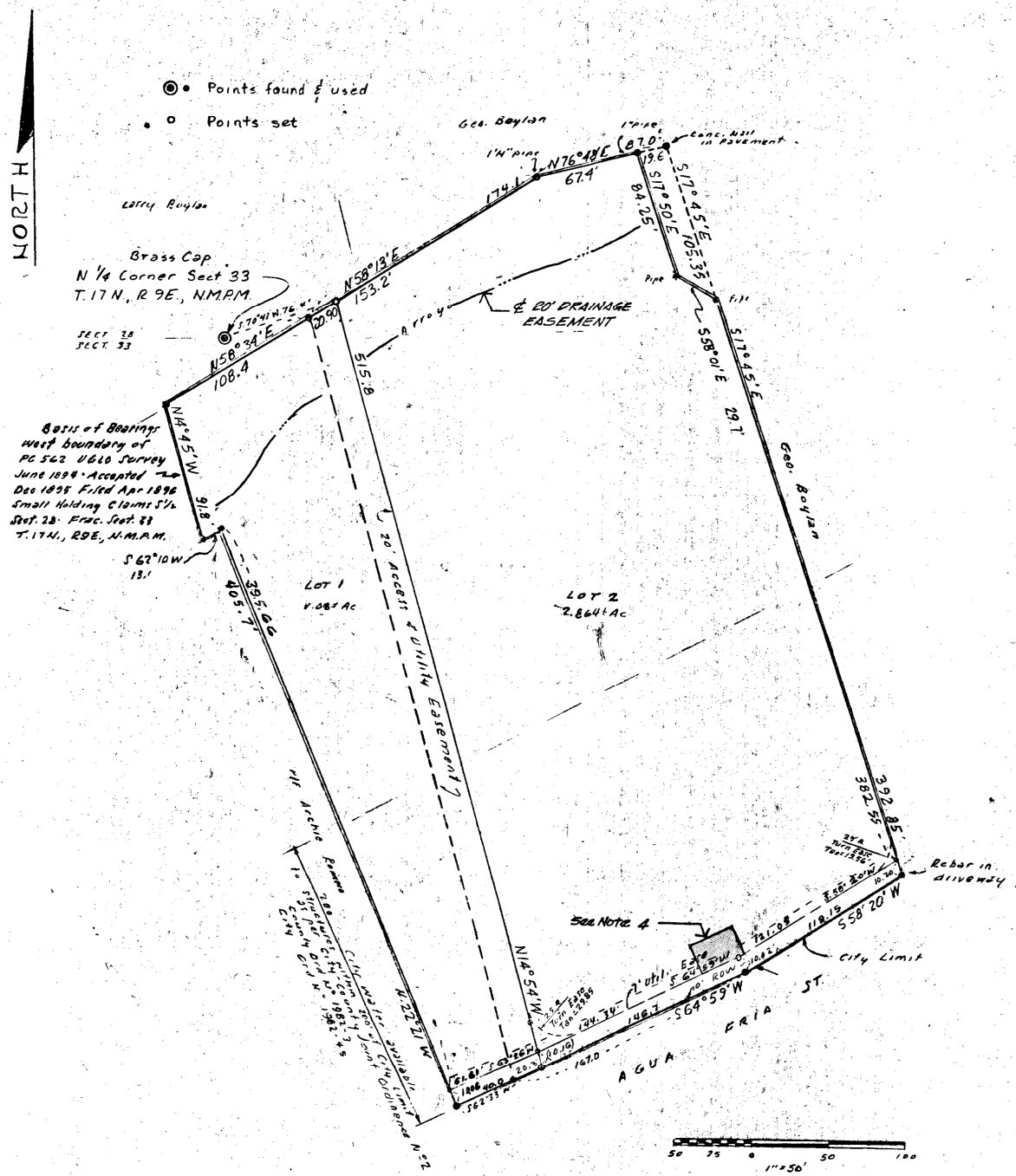
SF. County Development Permit No: EZ 1986-6

Mountain Bell

Public Service Co. of N.M. Electric

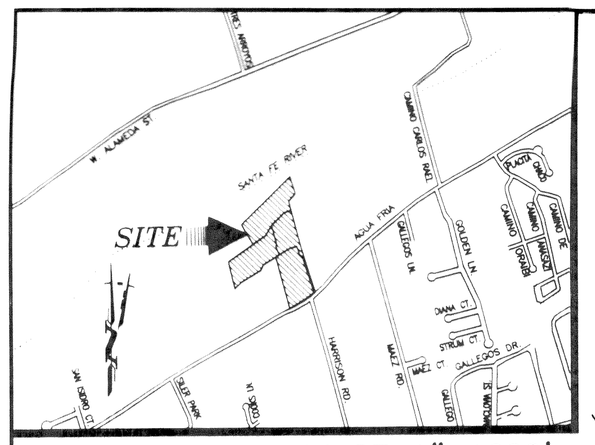
Gas Co. of N.M. 10/7/85

Sangre de Cristo H_2O Frank J. Bailey 10-7-85


NORTH
Points found & used
Points set
Geo. Boylan
1" pipe
Conc. Nail in pavement
Larry Boylan
Brass Cap
N 1/4 Corner Sect 33
T. 17 N., R 9E., N.M.P.M.
Sect 28
Sect 33
N 70°41' W 76.4'
N58°13'E
153.2'
N76°48'E
67.4'
174.1'
S17°50'E
84.25'
S17°45'E 105.35'
S58°01'E
29.7'
S17°45'E
392.85'
S58°20'W
119.15'
Pipe
F.I.P.
Arroyo
20' DRAINAGE EASEMENT
N58°34'E
108.4'
S15.8'
N14°45'W
91.8'
Basis of Bearings
West boundary of
PC 562 U610 Survey
June 1898 - Accepted
Dec 1898 Filed Apr 1898
Small Holding Claims S½
Sect. 28: Frac. Sect. 33
T. 17N., R9E, N.M.P.M.
S 62°10W
13.1'
LOT 1
1.081 Ac
LOT 2
2.864 Ac
20' Access & Utility Easement
Geo. Boylan
Rebar in driveway
See Note 4
City Limit
AGUA FRIA ST.
N 22°21' W
405.7'
395.66'
S62°33'W
40.0'
N14°54'W
S64°59'W
167.0'
146.7'
124.34'
City water available
Ord. No. 1982-45
Ord. No. 1982-3
Ord. No. 1980-2
Ord. No. 1980-1
Ord. No. 1979-4
Ord. No. 1979-3
Ord. No. 1978-4
Ord. No. 1978-3
Ord. No. 1977-4
Ord. No. 1977-3
Ord. No. 1976-4
Ord. No. 1976-3
Ord. No. 1975-4
Ord. No. 1975-3
Ord. No. 1974-4
Ord. No. 1974-3
Ord. No.

APPENDIX B

TRACT E 1 (2743 AGUA FRIA) & A-1 (1372 BOYLAN LN.)
LEGAL LOT OF RECORD PLAT


SITE
SANTA FE RIVER
AGUA FRIA
CAMINO CARLOS REY
CAMINO ENTRADA
CAMINO ALAMEDA
CAMINO CRISTOBAL
CAMINO CRUZ
CAMINO CARLOS REY
CALLE CONTENTO
CALLE LOMA
CALLE CARLOS
CALLE CRISTOBAL
CALLE CRUZ
CALLE ALAMEDA
CALLE ENTRADA

APPENDIX C

TRACT D
CERTIFICATE OF COMPLIANCE

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, NM 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Peter N. Ives, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Mike Harris, District 4
JoAnne Vigil Coppler, District 4

CERTIFICATE
PAGES: 7

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of November, 2019 at 11:23:26 AM
And Was Duly Recorded as Instrument # 1901539
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy Destiny Romero County Clerk Santa Fe, NM

COUNTY CLERK
GERALDINE SALAZAR
SANTA FE COUNTY NEW MEXICO

CERTIFICATE OF COMPLIANCE AS LEGAL LOT OF RECORD

RE: Legal Lot of Record status for piece of property identified as *"Remainder"* on a Warranty Deed from Larry Boylan, ("Grantor") to Santa Fe County Board of County Commissioners ("Grantee"). The Warranty Deed was e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051.

In compliance with Subsection 14-3.7(A)(7)(a) City of Santa Fe Land Development Code (SFCC 1987), this Certificate of Compliance documents status as a legal lot of record for the property referenced above.

This determination is based on review of the following documents:

1. Warranty Deed e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051 (attached as Exhibit A),
2. Plat of survey entitled *"Lot Line Adjustment Survey Prepared for The Estate Of Tom Boylan and Larry Boylan", Recorded August 06, 2008, in the Office of the Santa Fe County Clerk as instrument number 1534340 (attached as Exhibit B)"*, and
3. Final Right-Of-Way Map Dated September 02, 2019 entitled *"Santa Fe County Open Space & Trails Division Right Of Way Map 1-E Santa Fe River Greenway Frenchy's Field to Siler Road Project No, 7708* (attached as Exhibit C)."

Approval of this Certificate of Compliance makes no determination regarding the conformity or lack thereof to the City's Land Development Code for development or structures on the property.

Noah Berke, Planner Manager

11/5/19
Date

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

SUBSCRIBED AND SWORN to before me this 5 day of November 2019.

By Victoria E. Trujillo

V E Trujillo

Notary Public

OFFICIAL SEAL
Victoria E. Trujillo
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 6-19-23

My Commission Expires:

6-19-23

Senior

SFC CLERK RECORDED 11/12/2019

ST & E 160777

EXHIBIT A

WARRANTY DEED

For valuable consideration, the receipt, adequacy and validity of which is hereby acknowledged, Larry J. Boylan, also known as Larry Boylan, an unmarried man, ("Grantor"), does hereby grant and convey to SANTA FE COUNTY Board of County Commissioners, a political subdivision of the State of New Mexico ("Grantee"), all of Grantor's right, title and interest in and to the real property described in Exhibits "A", "A-1", "B", "B-1', "C", "C-1" through "C-6", "D" and "D-1" attached hereto and incorporated herein (the "Property"). The title conveyed hereby is subject to all matters of public record, all matters disclosed or discoverable by an accurate instrument survey of the Property, all matters disclosed or discoverable by a diligent physical inspection of the Property and all matters otherwise known to Grantee and/or affiliates of Grantee. Grantor warrants the title to the Property against its actions and none other, with warranty covenants, subject to the matters identified herein.

See Attached Exhibits A, A-1, B, B-1, C, C-1 through C-6, D and D-1

This property is sold and conveyed to Grantee in relation to acquiring rights-of-way for a public improvement, and the sum paid by Grantee represents full and complete payment due Grantor, including but not limited to any and all severance damages to Grantor's remaining lands affected by or appurtenant to said improvement, and upon said payment being made, Grantor releases and relinquishes to Grantee all further obligations or claims for damages.

For the purpose of a public improvement project, known as the Santa Fe River Greenway Project.

DATED this 16th day of September, 2011.

Larry J. Boylan

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 16th day of September 16, 2011, by Larry J. Boylan.

KARL H. SOUVE NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 11-19

Notary Public

E-RECORDED simplifile

ID: E 1805051

County: SANTA FE

Date: 9/21/16 Time: 4:04pm

SFC CLERK RECORDED 11/12/2016

SFC-RE_CID.001
Rev. 20140929

UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263059000000
Project Name: Santa Fe River Greenway Project

"EXHIBIT D"

PORTION OF TRACT D DESCRIPTION

ALL THAT PORTION OF TRACT D AS DESCRIBED BY WARRANTY DEED RECORDED AS BOOK 854 PAGE 605 AND SHOWN ON PLAT OF SURVEY FOR LARRY BOYLAN RECORDED AS PLAT BOOK 272 PAGE 24, AND SHOWN ON BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN TRACT D & TRACT E RECORDED AS BOOK 527 PAGE 31, AS SHOWN MORE RECENTLY ON BOUNDARY SURVEY PREPARED FOR SANTA FE COUNTY OPEN SPACE & TRAILS DIVISION SANTA FE RIVER TRAIL PROJECT RECORDED BOOK 749 PAGE 15–17, ALL IN THE OFFICE OF THE SANTA FE COUNTY CLERK. SAID PARCEL LYING WITHIN SECTIONS 28 & 33 TOWNSHIP 17 NORTH, RANGE 9 EAST, N.M.P.M., CITY AND COUNTY OF SANTA FE, NEW MEXICO, WHICH PORTION MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PORTION OF LAND, WHICH LIES N64°38'56"W 248.92 FEET FROM A USGLO BRASS CAP MARKING THE CORNER OF LOTS 9, 12, AND SHC 437–2, SECTION 28, T17N, R9E, NMPM

THENCE S29°48'12"E, 83.60 FEET;
THENCE S42°23'52"W, 59.07 FEET;
THENCE S19°38'45"W, 114.60 FEET;
THENCE S33°09'37"W, 152.94 FEET;
THENCE S35°15'41"W, 166.41 FEET;
THENCE S39°25'10"W, 6.65 FEET;
THENCE N14°59'00"W, 3.95 FEET;
THENCE S43°52'18"W, 35.00 FEET;
THENCE N23°46'48"W, 195.56 FEET;
THENCE N44°04'13"E, 467.10 FEET;

MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 1.54 Ac., MORE OR LESS, AS SHOWN MORE COMPLETELY ON EXHIBIT B ATTACHED HERETO.

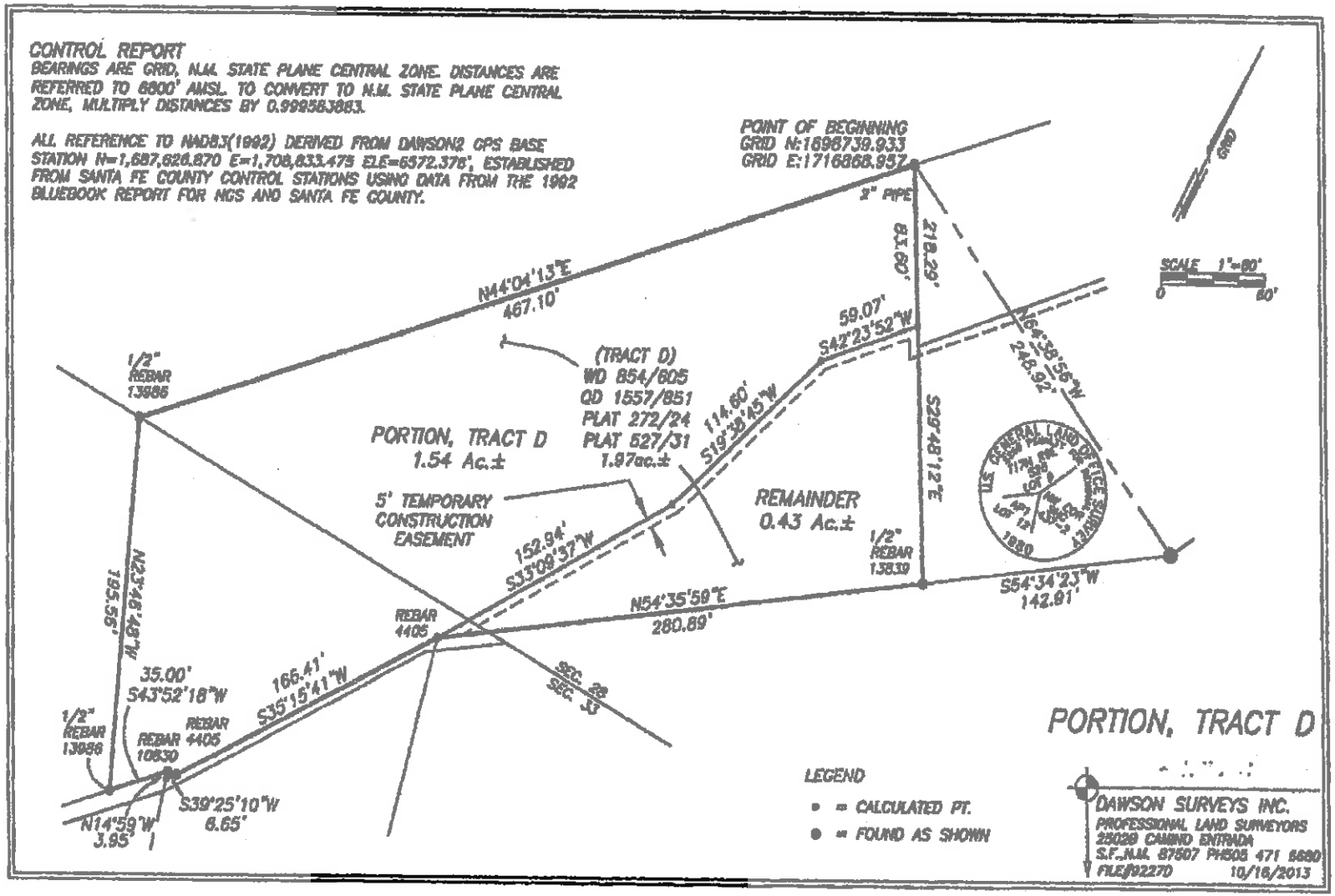
DIEGO J. SISNEROS, N.M.P.L.S. 13986

DIEGO J. SISNEROS NEW MEXICO 13986 REGISTERED PROFESSIONAL SURVEYOR

10/16/2013

SFC CLERK RECORDED 11/12/2013

"EXHIBIT D-1"

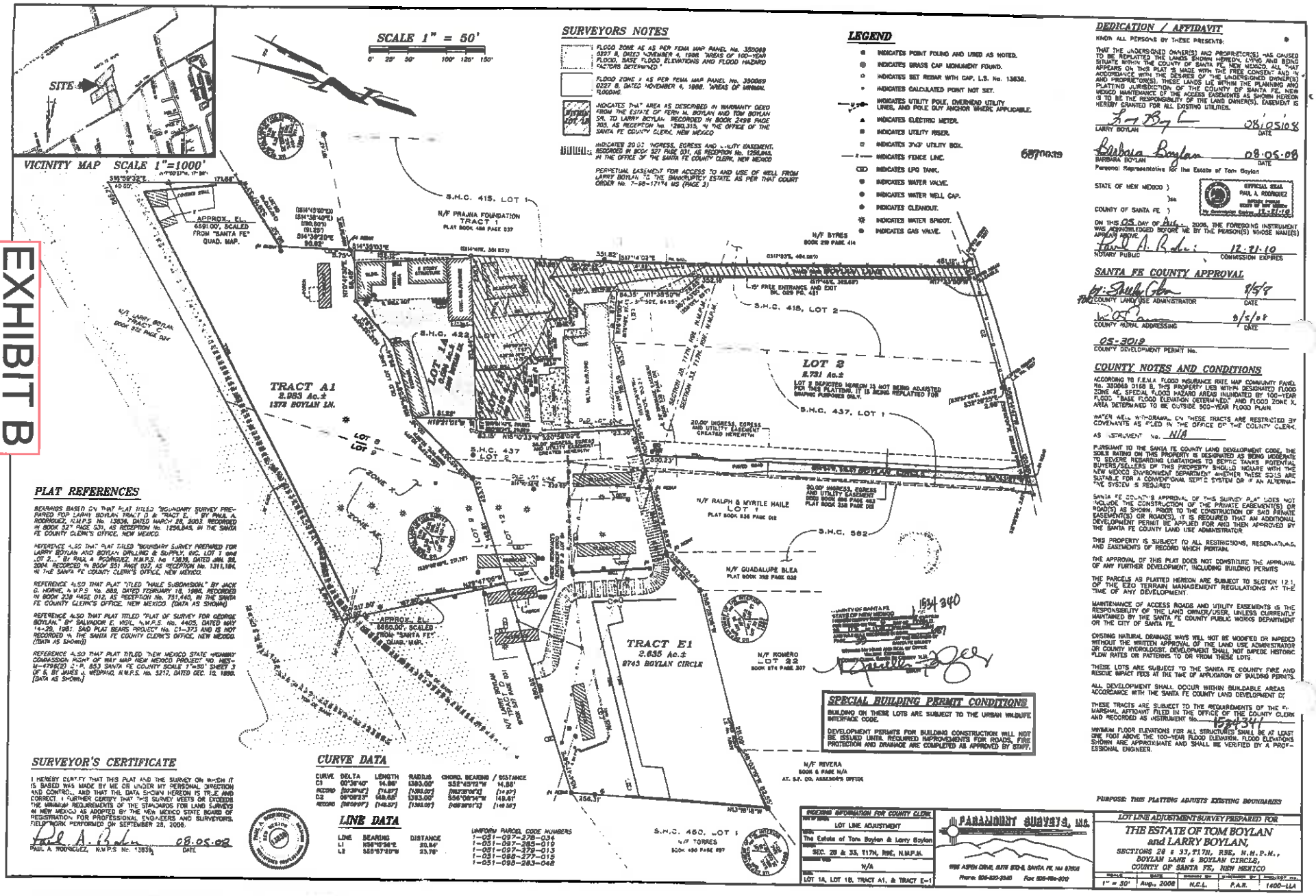


UPC No.: 1051098222400000000, 1051097168490000000, 1051097227873000000, 1051098263850000000
Project Name: Santa Fe River Greenway Project

SFC-RE_CD.001
Rev. 20140929

SFC CLERK RECORDED 11/12/2019

EXHIBIT B



PLAT REFERENCES

BEARINGS BASED ON THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN, TRACT D & TRACT E," BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13836, DATED MARCH 28, 2003, RECORDED IN BOOK 527 PAGE 031, AS RECEPTION No. 1258,845, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN AND BOYLAN DRILLING & SUPPLY, INC. LOT 1 and LOT 2..." BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13836, DATED JAN. 28, 2004, RECORDED IN BOOK 551 PAGE 037, AS RECEPTION No. 1311,184, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "HAILE SUBDIVISION," BY JACK C. HORNE, N.M.P.S. No. 885, DATED FEBRUARY 10, 1998, RECORDED IN BOOK 238 PAGE 012, AS RECEPTION No. 731,440, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. (DATA AS SHOWN)

REFERENCE ALSO THAT PLAT TITLED "PLAT OF SURVEY FOR GEORGE BOYLAN," BY SALVADOR E. MOLL, N.M.P.S. No. 4405, DATED MAY 14-29, 1981. SAID PLAT BEARS "PROJECT No. C1-373 AND IS NOT RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. (DATA AS SHOWN)

REFERENCE ALSO THAT PLAT TITLED "NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP NEW MEXICO PROJECT NO. HES-M-4798(2) I-R, 853 SANTA FE COUNTY SCALE 1"=50' SHEET 3 OF 5, BY JAMES J. WEIMAR, N.M.P.S. No. 5217, DATED DEC. 12, 1990. (DATA AS SHOWN.)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WAS MADE BY ME OR UNDER MY PERSONAL DIRECTION AND CONTROL, AND THAT THE DATA SHOWN HEREON IS TRUE AND CORRECT. I FURTHER CERTIFY THAT THE SURVEY MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR ENGINEERS AND SURVEYORS. FIELDWORK PERFORMED ON SEPTEMBER 28, 2006.

Paul A. Rodriguez 08.05.08

PAUL A. RODRIGUEZ, N.M.P.S. No. 13836 DATE

CURVE DATA

CURVE	DELTA	LENGTH	RADIUS	CHORD, BEARING / DISTANCE
C1	00°36'40"	14.86'	1393.00'	S52°45'12"W 14.86'
RECORD	[00°39'00"]	[14.82']	[1393.00']	[S52°30'00"E] [14.82']
C2	09°09'23"	668.68'	1353.00'	S56°09'54"W 668.61'
RECORD	[09°09'00"]	[148.32']	[1393.00']	[N58°39'01"E] [148.32']

LINE DATA

LINE	BEARING	DISTANCE
L1	N56°19'34"E	30.84'
L2	S58°57'20"W	23.78'

UNIFORM PARCEL CODE NUMBERS
1-051-097-278-036
1-051-097-285-019
1-051-097-279-013
1-051-098-277-015
1-051-098-283-042

DEDICATION / AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S) HAS CAUSED TO BE REPLATTED THE LANDS SHOWN HEREON, LYING AND BEING SITUATE WITHIN THE COUNTY OF SANTA FE, NEW MEXICO, ALL AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S). THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO. MAINTENANCE OF THE ACCESS EASEMENTS AS SHOWN HEREON IS TO BE THE RESPONSIBILITY OF THE LAND OWNER(S). EASEMENT IS HEREBY GRANTED FOR ALL EXISTING UTILITIES.

Larry Boylan 08/05/08
LARRY BOYLAN DATE

Barbara Boylan 08.05.08
BARBARA BOYLAN DATE
Personal Representative for the Estate of Tom Boylan

STATE OF NEW MEXICO)
)ss
COUNTY OF SANTA FE)

OFFICIAL SEAL PAUL A. RODRIGUEZ NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires 12-21-10

ON THIS 05 DAY OF Aug., 2008, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE PERSON(S) WHOSE NAME(S) APPEAR ABOVE.

Paul A. Rodriguez 12-21-10
NOTARY PUBLIC COMMISSION EXPIRES

SANTA FE COUNTY APPROVAL

by: Shelly Cobau 8/5/8
COUNTY LAND USE ADMINISTRATOR DATE

[signature] 8/5/08
COUNTY RURAL ADDRESSING DATE

05-3019
COUNTY DEVELOPMENT PERMIT No.

COUNTY NOTES AND CONDITIONS

ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 350069 0158 B, THIS PROPERTY LIES WITHIN DESIGNATED FLOOD ZONE AE, SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD, "BASE FLOOD ELEVATION DETERMINED" AND FLOOD ZONE X, AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.

WATER WELL WITHDRAWAL ON THESE TRACTS ARE RESTRICTED BY COVENANTS AS FILED IN THE OFFICE OF THE COUNTY CLERK, AS INSTRUMENT No. N/A

PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(S) OR ROAD(S) AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THIS PROPERTY IS SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD WHICH PERTAIN.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTION 12.1 OF THE EZO TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER, UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR THE CITY OF SANTA FE.

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

THESE LOTS ARE SUBJECT TO THE SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION OF BUILDING PERMITS.

ALL DEVELOPMENT SHALL OCCUR WITHIN BUILDABLE AREAS IN ACCORDANCE WITH THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

THESE TRACTS ARE SUBJECT TO THE REQUIREMENTS OF THE FIRE MARSHAL AFFIDAVIT FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT No. 1534340

MINIMUM FLOOR ELEVATIONS FOR ALL STRUCTURES SHALL BE AT LEAST ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION. FLOOD ELEVATIONS SHOWN ARE APPROXIMATE AND SHALL BE VERIFIED BY A PROFESSIONAL ENGINEER.

PURPOSE: THIS PLATTING ADJUSTS EXISTING BOUNDARIES

INDEXING INFORMATION FOR COUNTY CLERK	
TYPE OF SURVEY	LOT LINE ADJUSTMENT
NAME(S)	The Estate of Tom Boylan & Larry Boylan
SEC. 28 & 33, T17N, R9E, N.M.P.M.	
TRACT NO.	N/A
BLOCK NO.	
LOT NO.	LOT 1A, LOT 1B, TRACT A1, & TRACT E-1

PARAMOUNT SURVEYS, INC.
930 ASPEN DRIVE, SUITE 503-B, SANTA FE, NM 87505
Phone: 505-820-3345 Fax: 505-986-3012

LOT LINE ADJUSTMENT SURVEY PREPARED FOR
THE ESTATE OF TOM BOYLAN and LARRY BOYLAN,
SECTIONS 28 & 33, T17N, R9E, N.M.P.M., BOYLAN LANE & BOYLAN CIRCLE, COUNTY OF SANTA FE, NEW MEXICO

SCALE	DATE	DRAWN BY	APPROVED BY	JOB/DWG. No.
1" = 50'	Aug., 2008	N.C.L.	P.A.R.	1400-LLA

SFC CLERK RECORDED 11/12/2019

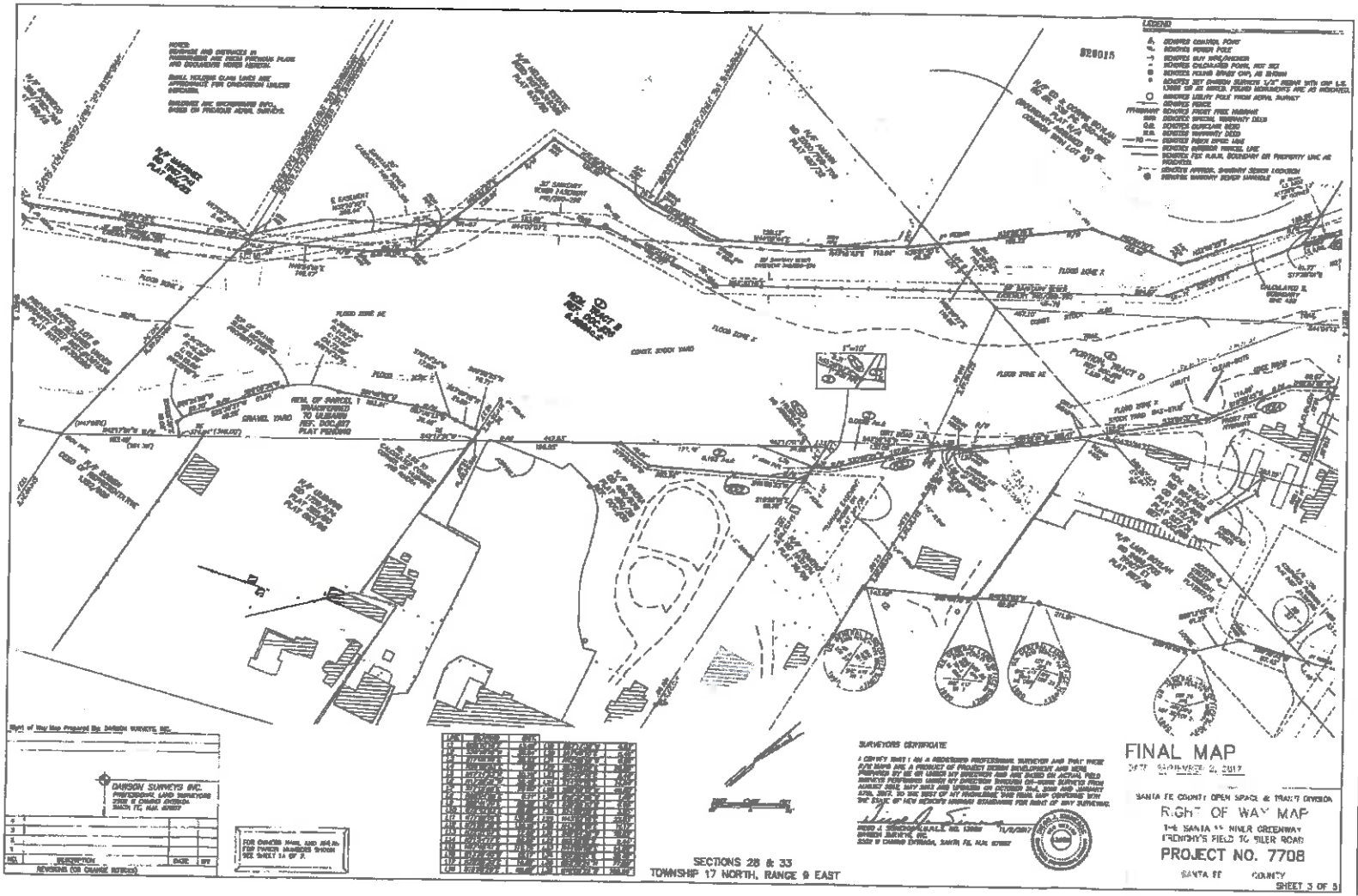


EXHIBIT C

SFC CLERK RECORDED 11/12/2019

APPENDIX D

WARRANTY DEEDS

LOT 1 (2745 BOYLAN LN.)

WARRANTY DEED

SFC CLERK RECORDED 11/13/2015

SPECIAL WARRANTY DEED

Joel McHorse and Christina McHorse for consideration paid, grant to: Larry Boylan, an unmarried man whose address is 2743 Boylan Circle, Santa Fe, New Mexico 87507 the following described real estate in Santa Fe County, New Mexico.

See Exhibit A attached hereto and incorporated herein

SUBJECT TO: Restrictions, reservations and easements of record.

With special warranty covenants.

WITNESS my hand and seal this 10 day of November, 2015.

Joel McHorse

~~Christina~~ McHorse

Christine C M H

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me on the 10 day of November, 2015 by Joel McHorse.

Notary Public

THERESA M. BARELA NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 10-13-17

COUNTY CLERK SANTA FE COUNTY NEW MEXICO GERALDINE SALAZAR

SPECIAL WARRANTY DEED
COUNTY OF SANTA FE) PAGES: 3
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for Record On The 13TH Day Of November, 2015 at 04:45:52 PM And Was Duly Recorded as Instrument # 1779655 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy _____ County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/13/2015

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me on the 10 day of November, 2015 by ~~Christina~~ Christine McHorse.

Theresa M Barela
Notary Public

THERESA M BARELA NOTARY PUBLIC STATE OF NEW MEXICO

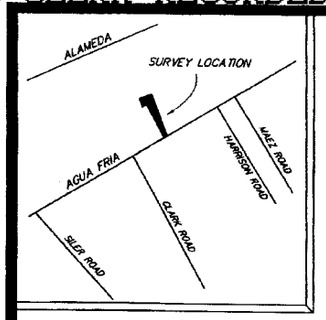
My Commission Expires: 10/13/17

SFC CLERK RECORDED 11/13/2015

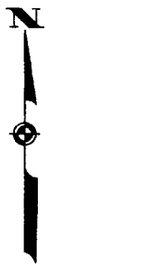
6259044

PLAT OF BOUNDARY SURVEY
FOR
JOEL P. McHORSE
&
CHRISTINE C. McHORSE

A PORTION OF S.H.C. No.562, SECTION 33,
T 17 N, R 9 E, N.M.P.M.,
SANTA FE COUNTY, NEW MEXICO.

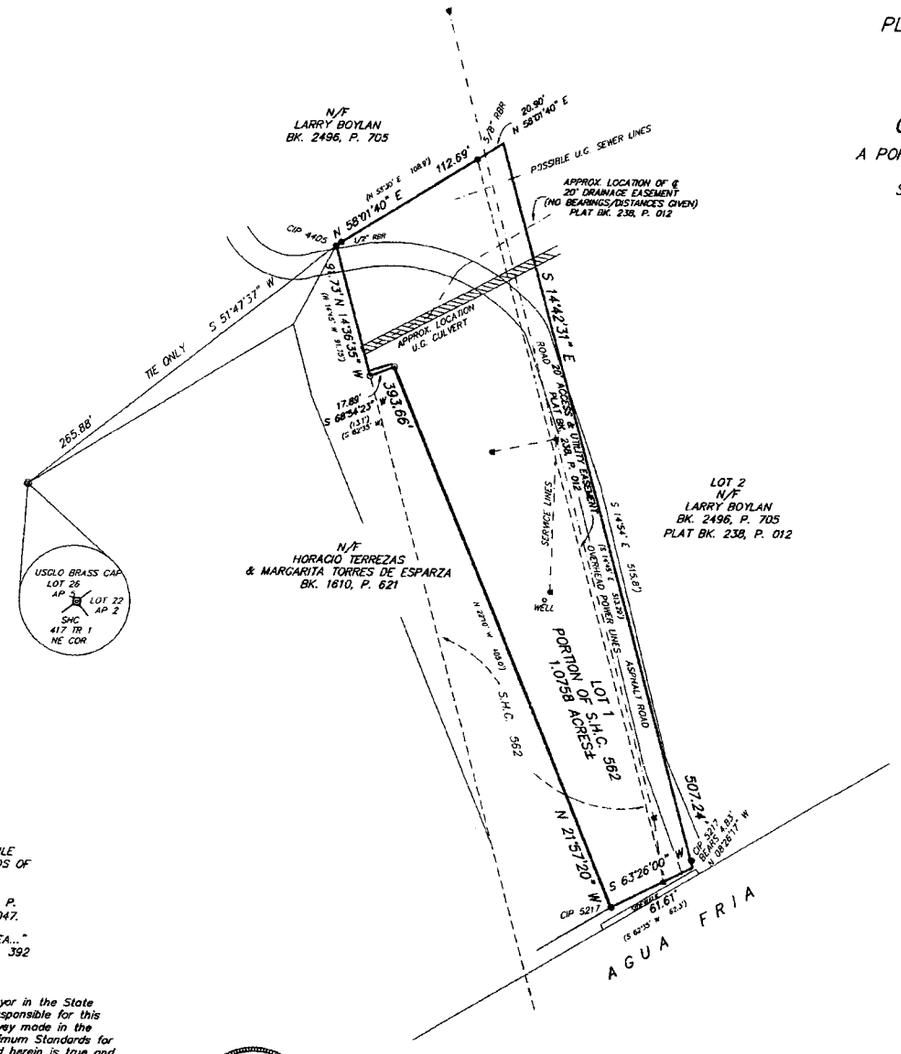


VICINITY MAP



SCALE: 1"=50'

0 50 100 150



LEGEND

- USGLO Brass Caps found and used.
- Points found and used as noted.
- 1/2" Capped iron pin set this survey.
- Power poles.
- Fences.
- Walls.
- Concrete.

NOTES

1. BASE OF BEARINGS: GPS OBSERVATION OF THE WEST BOUNDARY OF SUBJECT TRACT, (N 21°57'20" W), WGS 84, GEODETIC, LOCAL.

2. THIS SURVEY IS BASED ON A PLAT OF SURVEY OF HAILE SUBDIVISION RECORDED IN PLAT BK. 238, P. 012, RECORDS OF SANTA FE COUNTY, NM.
BEARINGS AND DISTANCES IN ( ) ARE FROM SAID PLAT.
REFERENCE PLAT: PLAT OF BOUNDARY SURVEY FOR JOEL P. & CHRISTINE McHORSE, RECORDED IN PLAT BK. 599, P. 047.

BOUNDARY SURVEY FOR "GUADALUPE BLEA & LOUISE BLEA..." BY BRIAN McCLINTOCK, PS 11597, RECORDED IN PLAT BK. 392 AT PAGE 032.

CERTIFICATE

I, Philip B. Wiegel, a duly registered Professional Surveyor in the State of New Mexico hereby certify that I conducted and am responsible for this survey, that this survey and plat represent an actual survey made in the field by me or under my direction, that it meets the Minimum Standards for Surveys in New Mexico and that the information contained herein is true and correct to the best of my knowledge, information and belief.

I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this is a boundary survey plat of an existing tract or tracts.

Philip B. Wiegel 3 August, 2005

Philip B. Wiegel
P.O. Box 22773

P.S. No. 9758
Santa Fe, NM.

PHILIP B. WIEGEL NEW MEXICO 9758 REGISTERED PROFESSIONAL SURVEYOR

AMENDMENT
THIS SURVEY AMENDED TO REFLECT INFORMATION CONTAINED ON PLAT OF HAILE SUBDIVISION, RECORDED IN PLAT BK. 238 AT PAGE 012 THAT WAS NOT KNOWN TO EXIST WHEN ORIGINAL PLAT WAS RECORDED.

Philip B. Wiegel 9 June, 2006
PHILIP B. WIEGEL, PS 9758 DATE

PHILIP B. WIEGEL NEW MEXICO 9758 REGISTERED PROFESSIONAL SURVEYOR

COUNTY CLERK VALERIE ESPINOZA SANTA FE COUNTY NEW MEXICO

Inst#1437088
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 9TH day of June A.D. 2006 at 2:13 o'clock p.m. and was duly recorded in Book 625 Page 44 of the records of Santa Fe County.

Witness my Hand and Seal of Office
VALERIE ESPINOZA
County Clerk, Santa Fe County, New Mexico
Deputy

THIS SURVEY PREVIOUSLY RECORDED IN PLAT BOOK 599 AT PAGE 047.

PUBLIC NOTICE

THE SANTA FE COUNTY LAND USE ADMINISTRATOR HAS NOT REVIEWED THIS PLAT OF SURVEY BEFORE ITS FILING IN THE OFFICE OF THE COUNTY CLERK. THIS PLAT IS NOT BEING FILED FOR THE PURPOSE OF CREATING A SUBDIVISION OR NEW LOTS, ALTERING THE BOUNDARIES OF ANY EXISTING LOTS OR FOR THE PURPOSE OF "DEVELOPMENT" AS DEFINED IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE, EXTRATERRITORIAL ZONING ORDINANCE OR EXTRATERRITORIAL SUBDIVISION REGULATIONS. THIS STATEMENT DOES NOT IN ANYWAY REPRESENT APPROVAL OF THIS PLAT.

INDEXING INFORMATION FOR COUNTY CLERK
BOUNDARY SURVEY

OWNER: MIKEY EDWIN BOYLAN, RALPH HAILE
ESTATE OF MYRTLE HAILE
LOCATION AGUA FRIA ROAD
SECT. 33, T 17 N, R 9 E, N.M.P.M.

SANTA FE COUNTY, NM.
UPC No.: 1-051-097-269-512

DEL RIO SURVEYS, INC.		
P.O. BOX 22773	SANTA FE, NM	820-9200
PROJECT No. 05040313	Dwg. PW	Chk. DV
	Date: 8/03/05	REV. 1

EXHIBIT A

TRACT E-1 (2743 BOYLAN CIR.)

WARRANTY DEED

SF - 1 SHORT FORM WARRANTY DEED—Rev. 5-75—New Mexico Statutory Form THE VALLIANT CO. ALBUQUERQUE, N. M.

WARRANTY DEED

698493

Ralph L. Haile and Myrtle E. Haile , for consideration paid, grant

to Larry J. Boylan, an unmarried man

whose address is

the following described real estate in Santa Fe County, New Mexico:

Lot 12, in Section 28; and Lot 26, in Section 33, all within Township 17 N. of R. 9 E, N.M.P.M., contaning 2.22 acres, more or less. Subject to the reservation contained in the Patent.

Together with an easement 20 feet wide for ingress and egress and installation of utilities over that certain land more partcularly described as follows, to-wit:

EASEMENT DESCRIPTION

Beginning at a point which is the Northeast Corner of P.C. No. 562, from which beginning point a brass cap designating the North Quarter (1/4) corner of Section 33, Township 17 North, Range 9 East, N.M.P.M., bears the following courses and distances, N. 58° 34' E., 108.4 feet to the northwest corner of said P.C. No. 562 and N. 42° 02' E., 56.69 feet; thence from said point of beginning South along the line common to P.C. No. 562 and P.C. No. 437, Lot 1, to a point where the same intersects the north right-of-way line of Agua Fria Street; thence in an easterly direction 20 feet along the north right-of-way line of Agua Fria Street to a point, thence south paralleling the hereinabove mentioned common line to a point where it intersects the north boundary of P.C. 437, Lot No. 1; thence from said point of intersection westerly to the point and place of beginning.

with warranty covenants.

WITNESS our hand s and seal s this 23rd day of October, 1984.

Ralph L. Haile (Seal) Myrtle E. Haile (Seal)

Ralph L. Haile Myrtle E. Haile

(Seal) (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF Santa Fe } ss.

The foregoing instrument was acknowledged before me this 23rd day of October, 1984,

by Ralph L. Haile and Myrtle E. Haile
(Name or Names of Person or Persons Acknowledging)

My commission expires:
(Seal) Aug. 22, 1984

Notary Public

721197

COUNTY OF SANTA FE FOR RECORDERS USE ONLY
STATE OF NEW MEXICO) SS
I hereby certify that this instrument was filed for record on the 30 day of OCT A.D. 19 84 at 4:27 o'clock P m. and was duly recorded in book 678 page 493 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Veronica Clayton
Deputy

ACKNOWLEDGMENT FOR CORPORATION

STATE OF }
COUNTY OF } ss.

The foregoing instrument was acknowledged before me this day of , 19 ,

by (Name of Officer)

(Title of Officer) (Name of Corporation Acknowledging)

a (State of Incorporation) corporation, on behalf of said corporation.

My commission expires:
(Seal)

Notary Public

COUNTY CLERK JONA G. ARMIJO SANTA FE COUNTY NEW MEXICO

TRACT D (2743 BOYLAN CIR)

WARRANTY DEED

ST & E 160777

WARRANTY DEED

For valuable consideration, the receipt, adequacy and validity of which is hereby acknowledged, Larry J. Boylan, also known as Larry Boylan, an unmarried man, ("Grantor"), does hereby grant and convey to SANTA FE COUNTY Board of County Commissioners, a political subdivision of the State of New Mexico ("Grantee"), all of Grantor's right, title and interest in and to the real property described in Exhibits "A", "A-1", "B", "B-1', "C", "C-1" through "C-6", "D" and "D-1" attached hereto and incorporated herein (the "Property"). The title conveyed hereby is subject to all matters of public record, all matters disclosed or discoverable by an accurate instrument survey of the Property, all matters disclosed or discoverable by a diligent physical inspection of the Property and all matters otherwise known to Grantee and/or affiliates of Grantee. Grantor warrants the title to the Property against its actions and none other, with warranty covenants, subject to the matters identified herein.

See Attached Exhibits A, A-1, B, B-1, C, C-1 through C-6, D and D-1

This property is sold and conveyed to Grantee in relation to acquiring rights-of-way for a public improvement, and the sum paid by Grantee represents full and complete payment due Grantor, including but not limited to any and all severance damages to Grantor's remaining lands affected by or appurtenant to said improvement, and upon said payment being made, Grantor releases and relinquishes to Grantee all further obligations or claims for damages.

For the purpose of a public improvement project, known as the Santa Fe River Greenway Project.

DATED this 16th day of SEPTEMBER, 2016.

Larry J. Boylan

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 16th day of SEPTEMBER 16, 2016, by Larry J. Boylan.

Notary Public

KARL H. SOMMER NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 7-1-19

E-RECORDED simplifile

ID: E 1805051

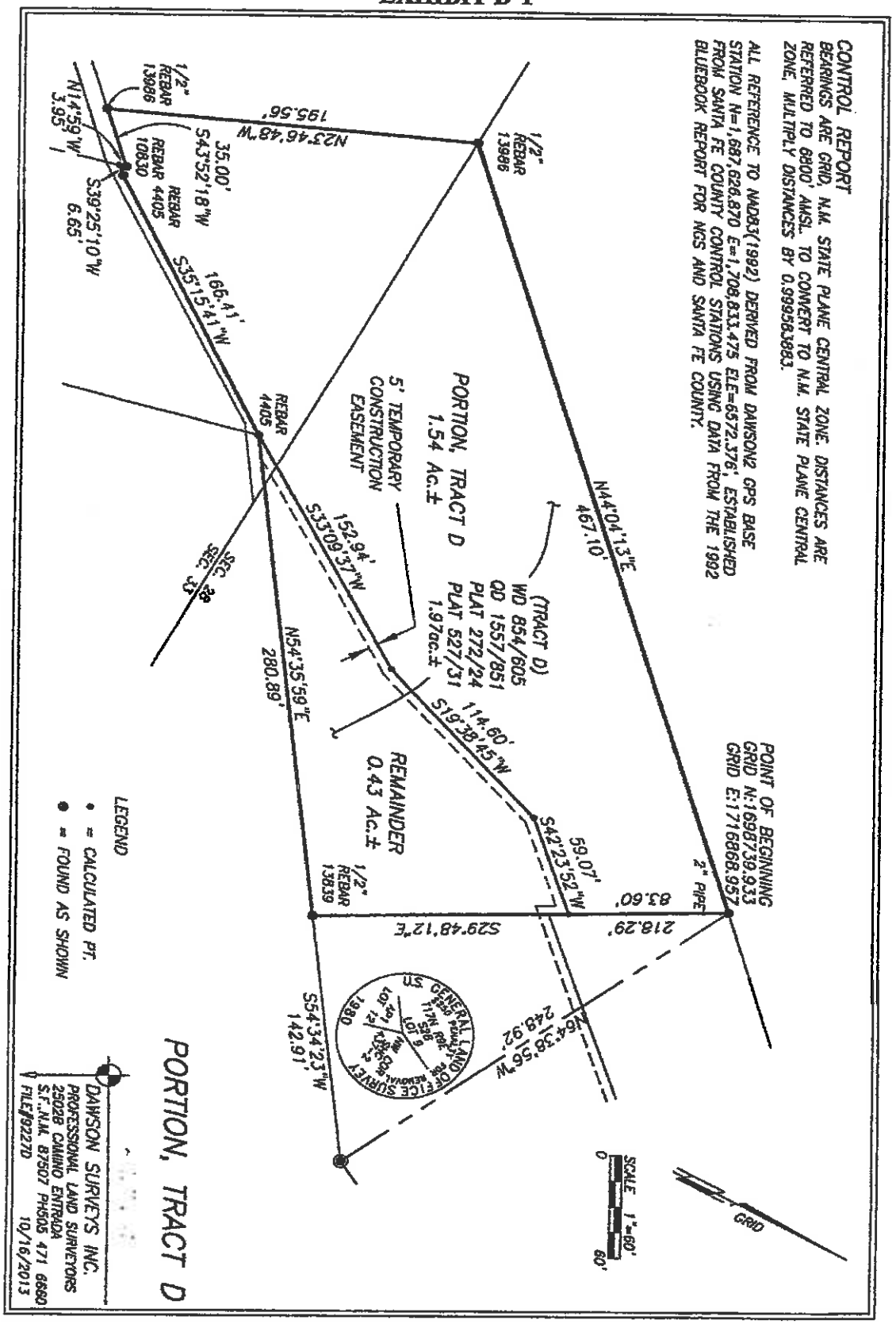
County: SANTA FE

Date: 9/21/16 Time: 4:04pm

SFC-RE_CD.001
Rev. 20140929

UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263050000000
Project Name: Santa Fe River Greenway Project

"EXHIBIT D-1"



UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263050000000
Project Name: Santa Fe River Greenway Project

TRACT A-1

WARRANTY DEED

SPECIAL WARRANTY DEED

2215557

YVETTE J. GONZALES, the Trustee of the Estate in Bankruptcy of Boylan Drilling & Supply, Inc., under United State Bankruptcy Cause No. 7-98-17174, and in accordance with the October 29, 1999 Order Approving Shareholder Agreement, for consideration paid, grants to LARRY BOYLAN, a single man dealing in his sole and separate property, the following described real estate located in Santa Fe County, New Mexico:

A tract of land being a portion of Lot 8 and Lot 9, Section 28, Township 17 North, Range 9 East, N.M.P.M., Santa Fe County, New Mexico more particularly described as follows:

Beginning at a point common to the southwest corner of Lot 8 and the southeast corner of Lot 9 marked by a 1980 B.L.M. Cadastral Survey brass cap, thence along the following bearings and distances:

S 54°	30'	W, 142.75 feet;
N 30°	05' 05"	W, 217.88 feet;
N 44°	12' 05"	E, 645.79 feet;
S 17°	09' 40"	E, 171.86 feet;
S 40°	12'	W, 96.28 feet;
S 14°	45'	E, 90.60 feet;
S 51°	57' 04"	W, 232.96 feet;
S 28°	00'	W, 112.86 feet;

to the point and place of beginning. All as shown on plat of survey by Salvador E. Vigil, dated October 4, 1983, as Project No. CI-426.

Less and excepting all water and water rights of any kind and nature.

SUBJECT to reservations, restrictions and easements of record, with special warranty covenants.

WITNESS my hand and seal this 12 day of July, 2002.

Yvette J. Gonzales

Yvette J. Gonzales
Trustee of the Estate in Bankruptcy of
Boylan Drilling & Supply, Inc., under
United States Bankruptcy Cause No. 7-98-17174

STATE OF NEW MEXICO)
ss.
COUNTY OF SANDOVAL)

The foregoing instrument was sworn to and subscribed before me on July 12th, 2002 by Yvette J. Gonzales, Trustee of the Estate in Bankruptcy of Boylan Drilling & Supply, Inc., under United States Bankruptcy Cause No. 7-98-17174.

Chana R. Adams

Notary Public

My commission expires: September 26, 2004

CHANA R. ADAMS NOTARY PUBLIC STATE OF NEW MEXICO

2215558

1224-933

COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO }
I Hereby certify that this instrument was filed for record on the 20 day of Sept A.D. 20 02 at 10:03 o'clock A m and was duly recorded in book 2216 page 357-358 of the records of Santa Fe County
Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.
Deputy



ST & E 160777

WARRANTY DEED

For valuable consideration, the receipt, adequacy and validity of which is hereby acknowledged, Larry J. Boylan, also known as Larry Boylan, an unmarried man, ("Grantor"), does hereby grant and convey to SANTA FE COUNTY Board of County Commissioners, a political subdivision of the State of New Mexico ("Grantee"), all of Grantor's right, title and interest in and to the real property described in Exhibits "A", "A-1", "B", "B-1', "C", "C-1" through "C-6", "D" and "D-1" attached hereto and incorporated herein (the "Property"). The title conveyed hereby is subject to all matters of public record, all matters disclosed or discoverable by an accurate instrument survey of the Property, all matters disclosed or discoverable by a diligent physical inspection of the Property and all matters otherwise known to Grantee and/or affiliates of Grantee. Grantor warrants the title to the Property against its actions and none other, with warranty covenants, subject to the matters identified herein.

See Attached Exhibits A, A-1, B, B-1, C, C-1 through C-6, D and D-1

This property is sold and conveyed to Grantee in relation to acquiring rights-of-way for a public improvement, and the sum paid by Grantee represents full and complete payment due Grantor, including but not limited to any and all severance damages to Grantor's remaining lands affected by or appurtenant to said improvement, and upon said payment being made, Grantor releases and relinquishes to Grantee all further obligations or claims for damages.

For the purpose of a public improvement project, known as the Santa Fe River Greenway Project.

DATED this 16th day of SEPTEMBER, 2011.

Larry J. Boylan

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 16th day of SEPTEMBER 16, 2011, by Larry J. Boylan.

KARL H. SOMMER NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 3-21-19

Notary Public

E-RECORDED simplifile

ID: E 1805051

County: SANTA FE

Date: 9/21/16 Time: 4:04pm

SFC-RE_CD.001
Rev. 20140929

UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263050000000
Project Name: Santa Fe River Greenway Project

"Exhibit A"

PORTION OF TRACT A1 DESCRIPTION

ALL THAT PORTION OF TRACT A1, DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AS BOOK 2215 PAGE 557 AND REDEFINED BY LOT LINE ADJUSTMENT SURVEY PREPARED FOR THE ESTATE OF TOM BOYLAN AND LARRY BOYLAN RECORDED AS BOOK 687 PAGE 39 AS SHOWN ON BOUNDARY SURVEY PREPARED FOR SANTA FE COUNTY OPEN SPACE & TRAILS DIVISION SANTA FE RIVER TRAIL PROJECT RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK AS BOOK 749 PAGE 15–17, ALL IN THE OFFICE OF THE SANTA FE COUNTY CLERK.
SAID PARCEL LYING WITHIN SECTION 28, TOWNSHIP 17 NORTH, RANGE 9 EAST, N.M.P.M., CITY AND COUNTY OF SANTA FE, NEW MEXICO WHICH PORTION MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PORTION OF LAND, WHICH LIES N64°38'56"W 248.92 FEET FROM A USGLO BRASS CAP MARKING THE COMMON CORNER OF LOTS 9, 12, AND SHC 437-2

THENCE N44°16'51"E, 645.79 FEET;
THENCE S16°52'42"E, 79.55 FEET;
THENCE S42°23'52"W, 633.57 FEET;
THENCE N29°48'12"W, 94.11 FEET;

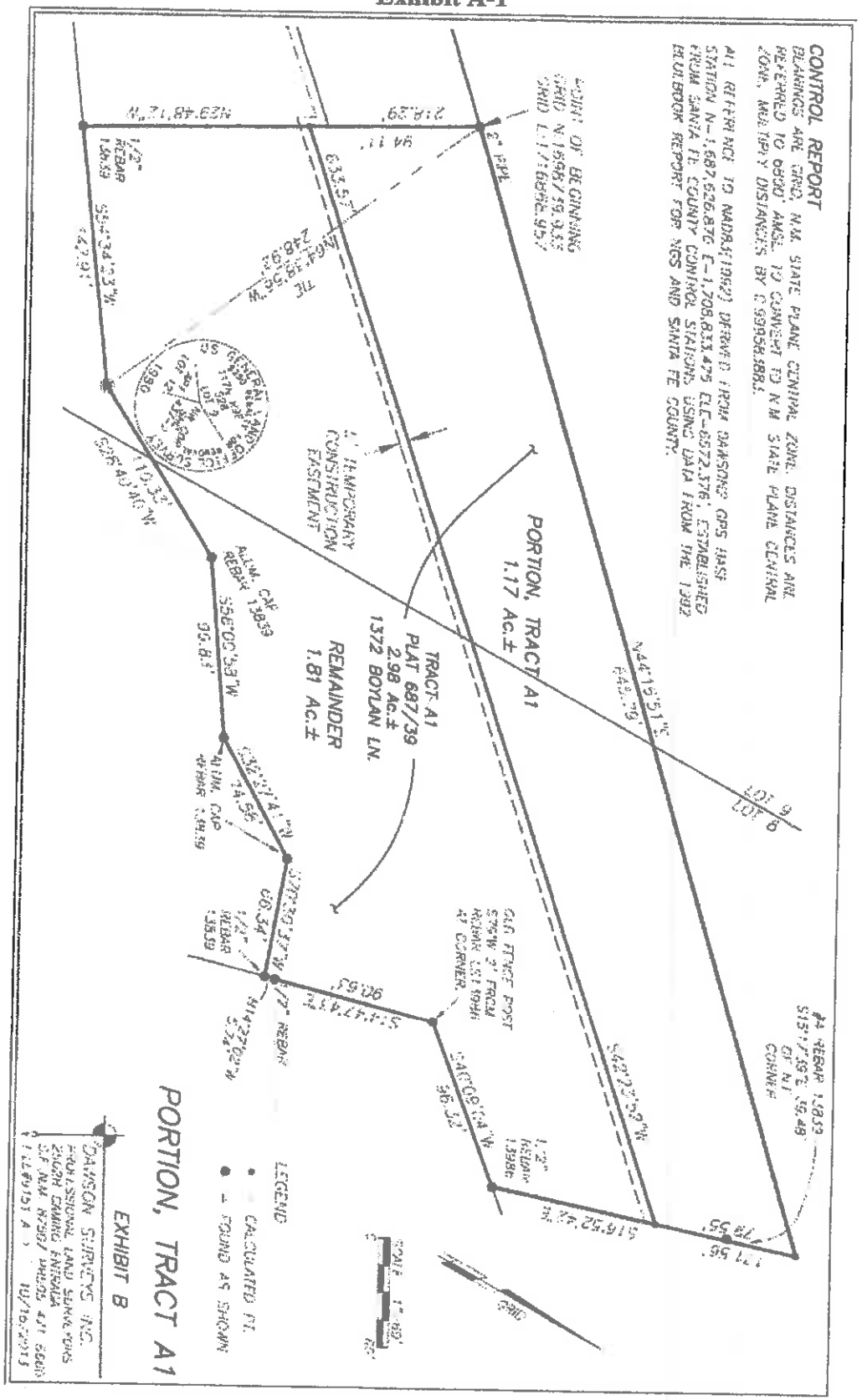
MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 1.17 Ac., MORE OR LESS, AS SHOWN MORE COMPLETELY ON EXHIBIT B ATTACHED HERETO.

DIEGO J. SISNEROS, N.M.P.L.S. 13986

DIEGO J. SISNEROS NEW MEXICO 13986 REGISTERED PROFESSIONAL SURVEYOR

10/16/2013

"Exhibit A-1"


CONTROL REPORT
BEARINGS ARE GRID, N.M. STATE PLANE CENTRAL ZONE. DISTANCES ARE REFERRED TO GROUND AMSL. TO CONVERT TO N.M. STATE PLANE CENTRAL ZONE, MULTIPLY DISTANCES BY 0.999568884.
ALL REFERENCE TO NAD83(1992) DERIVED FROM DAWSON GPS BASE STATION N=1,687,626.876 E=1,708,833.475 ELEV=6572.376', ESTABLISHED FROM SANTA FE COUNTY CONTROL STATIONS USING DATA FROM THE 1992 BULLBROOK REPORT FOR NGS AND SANTA FE COUNTY.
POINT OF BEGINNING GRID N 1,686,719.935 GRID E 1,712,686.957
2" PIPE
N29°48'12"W
1/2" REBAR 1.4'S
S55°34'53"W 42.91'
633.57'
N29°48'12"W 748.19'
TEMPORARY CONSTRUCTION EASEMENT
PORTION, TRACT A1 1.17 Ac.±
TRACT A1 PLAT 687/39 2.98 Ac.± 1372 BOYLAN LN.
REMAINDER 1.81 Ac.±
S26°40'46"W 10.32'
ALUM. CAP REBAR 1959
S55°00'53"W 99.81'
ALUM. CAP REBAR 1959
S32°21'41"W 14.56'
S70°26'54"W 68.34'
1/2" REBAR 1959
N44°19'51"E 44.79'
N44°19'51"E
S45°22'09"E 96.32'
1/2" REBAR 1959
S45°22'09"E
N44°19'51"E 42.25'
#4 REBAR 1959 S15°17'39"E 19.49' OF N.I. CORNER
79.55'
71.55'
SCALE: 1" = 60'
LEGEND
CALCULATED PT.
FOUND AS SHOWN
PORTION, TRACT A1
EXHIBIT B
DAWSON SURVEYS INC.
PROFESSIONAL LAND SURVEYORS
2904 CAMINO ENTRADA
SANTA FE, N.M. 87507 (505) 471-5660

2743, 2745 BOYLAN CIRCLE
AND 1372 BOYLAN LANE

GENERAL PLAN AMENDMENT / REZONING DEVELOMENT REPORT

PREPARED FOR:

MR. LARRY BOYLAN

PREPARED BY:

NM LAND SOLUTIONS LLC

NM Land Solutions LLC.
DBA. Siebert & Associates Inc.

NOVEMBER 2024 (Revised 8/8/2025)

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APPENDICES

Appendix A	Lot 1 Legal Lot of Record Plat (2745 Boylan Circle)
Appendix B	Legal Lot of Record Plat E-1 & A-1
Appendix C	Certificate of Compliance (Tract D)
Appendix D	Warranty Deeds

FIGURES

Figure 1: Vicinity Map

PROPERTY LOCATION AND SUMMARY DESCRIPTION

There are four (4) legal lots of record associated with the request for General Plan Amendment and Rezoning.

The lot fronting Agua Fria Street is located at 2745 Boylan Circle, consists of 1.08± acres and is vacant. The remaining three (3) legal lots of record encompass a legal non-conforming mobile home park addressed as 2743 Boylan Circle and 1372 Boylan Lane. 2743 Boylan Lane is assigned to two (2) lots.

The total combined acreage of the four (4) subject lots equals 5.96 (±) acres.

In addition, a separate lot consolidation plat to combine all four (4) lots into one (1) lot will be submitted to staff for administrative review upon approval of the proposed general plan amendment and rezoning request.

Figure 1 is a vicinity map indicating the location of the subject property relative to the city street system and other known landmarks in the area.

Figure 1:



OWNERSHIP AND LEGAL LOT OF RECORD

The four (4) subject lots are owned by Mr. Larry Boylan. The legal lot of record for the Lot 1 (2745 Agua Fria St.) is established by a plat entitled Haile Subdivision, which was approved by the Extraterritorial Zoning Commission on February 13, 1986, and recorded in the Office of the County Clerk in Book 238 Page 12 and is located in *Appendix A* of this report.

The legal lot of record for Tract E1 (2743 Boylan Lane) immediately north of Lot 1 and Tract A1 (1372 Boylan Lane) is established by a lot line adjustment plat prepared for the Estate of Tom and Larry Boylan administratively approved by City Land Use Planning staff, recorded in the Office of the Santa Fe County Clerk in Book 687 page 39 and is located in *Appendix B* of this report.

The legal lot of record for remaining lot adjoining the Santa Fe County River Greenway trail is established by a certificate of compliance based on the condemnation and purchase of property by Santa Fe County for its construction and maintenance of the Santa Fe River Greenway trail. The certificate of compliance was approved by the city of Santa Fe planning staff on November 5, 2019, and recorded in the office of the County Clerk as instrument #1901539.

The subject Certificate of compliance is located in *Appendix C* of this report.

Proof of ownership warranty deeds for the subject four lots are located in *Appendix D* of this report.

EXISTING CONDITIONS & ADJOINING LAND USES

As stated, three (3) of the four (4) subject lots are encompassed by a legal non-conforming mobile home park which was developed prior to the adoption of the County Extraterritorial Zoning Ordinance and Land Development Code.

The vacant tract fronting Agua Fria contains a large stockpile of dirt which will be used as fill dirt for future construction of utilities and/or roads. A permit to allow the existing dirt pile has been approved until such time as the property is redeveloped.

The subject lots also contain several PNM power poles which will be removed and relocated underground at the time of future development.

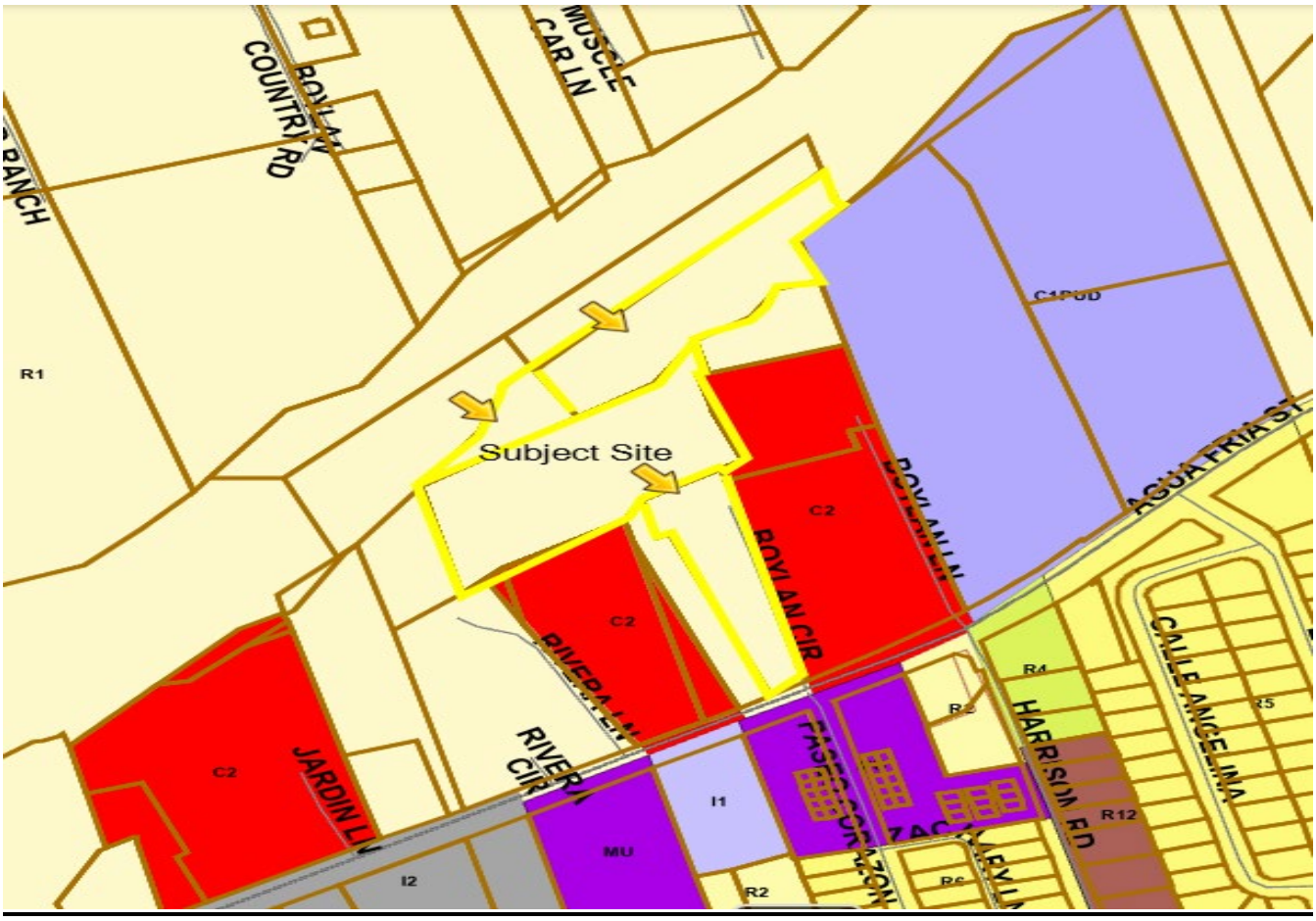
The lot immediately east has been rezoned to C-2 as well as development plan approval to allow for an apartment complex which has started construction.

The property northwest of the mobile home park has also been rezoned to C-2 and is used as a plumbing and Heating business.

The property located west is zoned R-1, which is the designation assigned to all properties without prior zoning entitlements prior to the city/county annexation.

The Santa Fe County River Greenway trail is north of the existing mobile home park and consists of land that was part of a condemnation of the subject lots by Santa Fe County to allow for the restoration of the river as well as continuation of the trail.

Directly across Agua Fria Street, there is a mix of zoning designations which includes MU (Mixed Use) and I-1 (Light Industrial) zoning districts.



GENERAL PLAN AMENDMENT & REZONING REQUEST

The future land use designation assigned to the subject lots requesting General Plan Amendment & Zoning is *"Transitional Mixed-Use"* while the zoning designation is R-1 (1 dwelling unit/acre).

The R-1 zoning designation was assigned to the subject lots during the city/county-initiated annexation. Since the city/county annexation, there has been several approved general plan amendments and rezonings requests within the surrounding area.

At this time the property owner is proposing General Plan Amendment from Transitional Mixed Use (TMXU) to Community Commercial (CCOM) and Rezoning from R-1 (1/dwelling/acre) to C-2 (General Commercial).

A development plan is not proposed in conjunction with the subject request, as it has become evident with the recently approved rezonings in the area that the R-1 zoning designation is not consistent with the surrounding area.

Furthermore, the 1999 General Plan promotes higher density development in urban infill properties which includes the greater Agua Fria area.

Once a determination has been made on how the property will be redeveloped, the existing legal non-conforming mobile home park will be removed.

The owner / applicant anticipates a future multifamily development, possibly a small-scale apartment complex to replace the current mobile home park, as Mr. Boylan is aware of the need to provide housing for the community.

The property fronting Agua Fria Street would seem more appropriate to develop small-scale stand-alone retail / commercial use(s) that can be enjoyed by the new residents of the area.

ACCESS

Access to the subject lots is off of Boylan Circle via Agua Fria Street. Boylan Circle is a dirt road with an approximate width of twenty (20') feet.

Within the past several years, the City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection.

Once the property is redeveloped, the existing access will be required to be upgraded to city standards based off the traffic / use of any future development.

ARCHAEOLOGY

The consolidated acreage of the subject lots is over 2.00-acres in size and is within the *River and Trails Archaeological Review District*, which requires an archaeological clearance at the time of development plan or final plat.

Since there is not a development plan or plat associated with the request, an archaeological clearance is not required at this time.

WATER & WASTEWATER

Water

The existing mobile home park is served by two on-site domestic well. There is a 12-inch waterline in Agua Fria Street that would need to be extended into the subject lots at the time of redevelopment of the property.

Utilization and/or transfer of water rights associated with the well will be determined upon redevelopment of the property as a future connection to City water will be required at the time of new development.

Sewer

The existing mobile home park is served by a private 8-inch sewer line that connects to the city trunk line across the Santa Fe River which eventually flows into the city wastewater treatment plant.

At the time of redevelopment of the property, a new sewer line will be designed and constructed to city standards at which time the sewer line will be dedicated to the city for public use.

Dry Utilities

Electric, telephone and gas are available to this property with adequate capacity to serve future development.

EARLY NEIGHBORHOOD NOTIFICATION (ENN)

An ENN meeting was held on September 26th, 2024, with city staff, along with the property owner, and agent NM Land Solutions LLC were present. In addition, an unidentified participant that was having technical difficulties later called via phone to inquire about process and other unrelated questions regarding his prior approved rezoning located at 2749 B Agua Fria St.

Also, a phone call was received prior to the ENN meeting from a property Adjoiner that was in favor of the project and agreed that obtaining general plan amendment and rezoning seemed like the proper path forward for the lots in question.

RESPONSE TO GENERAL PLAN AMENDMENT

(1) Criteria for All Amendments to the General Plan

The planning commission and the *governing body* shall review all *general plan* amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the *general plan* :

(a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of *infrastructure* ;

Response: *The proposed General Plan Amendment is consistent with Chapter 3-1 of the Land Use Themes as provided below:*

- ***Quality of Life:*** *The proposed General Plan Amendment has the potential to enhance the quality of life at the time the property is redeveloped from the existing non-conforming mobile home park that was established prior to the 1981 adoption of the Santa Fe County Code.*

- ***Economic Diversity****: The proposed amendment facilitates the creation of both construction-related jobs and long-term employment opportunities through the development of commercial uses. This is consistent with the General Plan's economic development objectives, which emphasize creating jobs and promoting balanced economic growth within the city.*
- ***Sustainable Growth:*** *The existing homes on the property are served by two private wells along with a private sewer line which is connected to the trunk line located north of the property across the Santa Fe River and eventually flows into the city's system.*

  As with the non-conforming mobile home park, the two water wells that are currently feeding the existing homes is not sustainable. Redevelopment will require capping of the two wells allowing the diversion of ground water in the amount of a total of 6.0 afy of water per year. Capping of the wells directly conserves groundwater, which is a natural resource and has been severely depleted over time by the existing drought. Connection the city's water system will also require an approved water budget that will assist on restriction of water along with collection of revenue by the city for use of water.

  The existing private sewer line was installed over 40 years ago and will need to be adequately sized and upgraded to city standards for future dedication to the City to ensure proper construction and maintenance.

- ***Mixed Use:*** *Santa Fe is currently experiencing a steady growth rate of 0.54% annually, with the population having increased by 2.19%. The proposed general plan amendment from Low Density Residential to Community Commercial zoning will allow for a mix of commercial and or high-density residential uses which is consistent with the mix of uses established in this area after the City/County annexation occurred in 2009. The proposed General Plan Amendment allows flexibility to re-develop the property consistent with the area by providing the ability to establish a range of permitted uses without the rigid residential-to-commercial ratio specified in the transitional mixed-use future land use designation flexibility supports the City's economic development goals.*

- ***Transportation and Mobility****: The proposed development also aligns with the General Plan's transportation goals by enhancing connectivity and providing alternative transportation options. The property's adjacency to the Santa Fe River Greenway Trail, which accommodates both pedestrians and cyclists, supports the General Plan's vision for expanding and improving the city's pedestrian and bike infrastructure. The Greenway Trail connects key parts of the city, contributing to the city's transportation and mobility policies.*
- ***Infrastructure and Public Services****: The proposed amendment is consistent with the General Plan's goals related to infrastructure and public services. Although the existing mobile home park is currently served by a domestic well, redevelopment of the property will require connection to city water, ensuring that the development aligns with the city's water infrastructure policies.*

  The new sewer system, which will be installed to meet city standards and maintained by the city after one year, is also consistent with the General Plan's commitment to ensuring adequate, sustainable public services and infrastructure to support growth.

The amendment is also consistent with the guiding policies within Chapter 4 of the 1999 General Plan, specifically regarding the promotion of infill development, efficient use of existing infrastructure, and recognition of water demand and conservation. By aligning with these policies, the amendment contributes to the balanced growth of Santa Fe, promoting both residential development and new employment opportunities in a sustainable manner.

Additionally, the proposal is consistent with the existing land use conditions, including the availability of access and infrastructure.

(b) consistency with other parts of the *general plan* ;

Response:

The proposed General Plan Amendment is consistent with several key elements of the Santa Fe General Plan, Specifically the Guiding policy described in Chapter 3 of the 1999 General Plan and provided below:

> *Guiding Policy* 3-G-3 *States "There shall be infill development at densities that support the construction of affordable housing and designated mix of land uses that provide an adequate balance service retail and employment opportunities to address residential growth throughout the Urban Area, including the Railyard property"*

The subject property is considered as infill located within the Urban Area as describe in the 1999 General Plan and has the potential to redevelop at higher residential densities and or other commercial uses that could create employment opportunities.

(c) the amendment does not:

(i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

Response: *The proposed amendment does not introduce uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. Over time, particularly following the city/county annexation, the area has undergone significant changes ,allowing for the future redevelopment of infill properties with access to city utilities as well access to sufficient city maintained roadways. Many of the surrounding properties have been rezoned within the past fifteen years to accommodate higher-density residential uses, including multifamily apartment buildings, reflecting the city's growth and evolving urban landscape.*

Currently, the area includes a mix of residential and commercial uses. Some commercial properties are legal non-conforming, while others were established through previous general plan amendments and rezonings.

The proposed general plan amendment is consistent with this pattern of development, as it allows for a combination of residential and commercial uses that align with the existing mix of land uses in the area. The amendment would further complement the surrounding propeties by providing additional opportunities for both residential and commercial growth, without significantly altering the established character of the neighborhood.

Thus, the amendment is in keeping with the area's ongoing transition and growth, and it aligns with the existing mix of residential and commercial uses that have developed over time. The proposed change is not a dramatic departure from the current land use pattern but rather a continuation of the evolving character of the area.

(ii) affect an area of less than two acres, except when adjusting boundaries between districts; or

Response: *There are four adjoining legal lots of record with a total of 5.96 acres.*

(iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

Response: *The proposed amendment will provide benefits not only to the applicant but also to the surrounding landowners and the broader community. The property in question is currently occupied by an aging mobile home park that has been in place for over forty years, predating the Santa Fe County Code and prior to being annexed into the City of Santa Fe.*

This property is in need of redevelopment to address current deficiencies and enhance the area's overall character. The existing site is encumbered by several electric power poles and a large stockpile of dirt along the Agua Fria Street frontage, both of which negatively impact the aesthetics and functionality of the area.

The proposed amendment will facilitate a sustainable and diverse redevelopment that connects the property to city utilities, addressing key infrastructure challenges. Specifically, the redevelopment will allow for the relocation and undergrounding of electric services, improving both the visual appeal and safety of the area.

These infrastructure improvements will directly benefit the surrounding landowners by reducing existing eyesores and enhancing the overall neighborhood environment.

Additionally, by redeveloping the site, the amendment creates the potential for a more vibrant and well-integrated community with better access to essential services. The redevelopment is designed to integrate seamlessly with surrounding properties, offering opportunities for both residential and commercial growth that will benefit the area as a whole, not just a select few.

This approach ensures that the amendment does not disproportionately benefit one landowner at the expense of others but instead supports the broader public interest by improving infrastructure, enhancing the built environment, and contributing to the neighborhood's long-term sustainability and growth.

(c) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification.

Response: *The proposed amendment is in conformance with Subsection 14-3.2(E)(1)(c) as stated in the above responses (c) i,ii,iii.*

(d) compliance with extraterritorial zoning ordinances and extraterritorial plans;

Response: *This criterion is no longer relevant since the adoption of Subdivision Platting and Planning Zoning Ordinance (SPPaZO), and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.*

(e) contribution to a coordinated, adjusted and harmonious *development* of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of *development* ; and

Response: *The proposed amendment will contribute to the coordinated, harmonious development of Santa Fe by addressing both current and future needs, and it will promote health, safety, and general welfare of the community. The existing mobile home park, currently designated as transitional mixed-use, does not comply with the current land use regulations and is limited in its ability to undergo meaningful upgrades or redevelopment due to its non-conforming status. This limitation restricts opportunities for investment, which in turn can lead to deterioration and neglect of the site.*

By encouraging the redevelopment of this property, the amendment will not only provide an opportunity to modernize the site but also help prevent blight and disrepair, thereby improving the overall quality of life for residents and the surrounding community.

Redevelopment will ensure that the site is brought into compliance with modern land use standards, improving both the physical and environmental aspects of the area. These improvements will enhance public safety, aesthetics, and infrastructure, contributing to the general welfare of the neighborhood.

The amendment also aligns with the City of Santa Fe's long-term growth goals by supporting infill development and more efficient use of land. The proposed redevelopment is consistent with the city's vision of creating sustainable, vibrant, and diverse neighborhoods that meet the needs of both current and future residents. By facilitating development that connects to city utilities and enhances the surrounding infrastructure, the amendment helps promote efficiency and economy in the development process, aligning with the city's broader planning objectives for growth and sustainability.

In summary, the proposed amendment will foster a coordinated and harmonious development that supports Santa Fe's growth objectives, improves public health and safety, and contributes to the economic and social well-being of the community.

(f) consideration of conformity with other *city* policies, including land use policies, ordinances, regulations and plans.

Response: *The City has a policy of promoting a mix of land uses, this property is located within an area where there is a mix of residential, retail and entertainment. The recent changes to the City code now permit residential uses within a C-2 commercial district.*

(2) Additional Criteria for Amendments to Land Use Policies

In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the *general plan* shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the *general plan* will not have a negative impact on the surrounding *properties* . The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent *properties* by a *setback* , *landscaping* or other means, and a finding must be made that:

(a) the growth and economic projections contained within the *general plan* are erroneous or have changed;

Response: *When the existing General Plan was adopted in 1999, it failed to recognize the complexity of land use of this part of the urban area. It is not a matter of the growth and economic projections being is an error as it is the failure to observe the diversity of existing land uses and assign a zoning district that best fit those land uses.*

Land use patterns in this area have changed over time especially with the city/county annexation recognizing infill development that can provide greater housing densities and a variety of commercial uses that are consistent with the current land use patterns.

(b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or

Response: *There are other locations in Santa Fe where general commercial is available, however the current zoning does not allow for the existing residential density associated with the existing mobile home park. The intent of the property owner is to redevelop the property with more options that will maintain a higher density residential component while having an option to develop both commercial and residential uses on the subject lot.*

(c) conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.

Response: *While the City continues to recognize the existing mobile home park as a legal non-conforming use, this grandfathered status is contingent upon no substantial improvements, expansion, or damage beyond repair. Should such circumstances arise, the property would revert to its R-1 zoning with a transitional mixed-use land use designation, which allows for only one (1) dwelling unit per acre, a density that no longer aligns with the area's evolving development patterns.*

Over the past fifteen years, since the annexation of this property into the city, significant changes in land use patterns and zoning have occurred. The recent rezonings in the area, which have permitted higher-density multifamily residential and commercial uses, have notably increased the cost of land and shifted the market dynamics. These changes have rendered the existing mobile home park site less viable for long-term use under its current configuration, especially as surrounding properties have transitioned to more intensive uses.

Additionally, advances in building technology and changes in consumer preferences have further driven demand for higher-density housing and more diverse land uses. The costs associated with maintaining the existing mobile home park, particularly given the high land value in this growing area, make it increasingly difficult to sustain its non-conforming use. Redeveloping the property in accordance with the proposed general plan amendment will not only accommodate the evolving market but also provide a more efficient and sustainable use of the land, aligning with the city's current zoning and development goals.

This amendment is therefore a response to the changing land use patterns, market conditions, and technological advancements that have altered the feasibility of the existing mobile home park and support the need for a more appropriate and compatible development for this location.

RESPONSE TO REZONING APPROVAL CRITERIA

The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

(a) one or more of the following conditions exist:

(i) there was a mistake in the original zoning.

Response: *Since the Annexation of this property, the City has used R-1 zoning designation for annexed areas where it serves as a holding zone until another use is proposed for the land. R-1 is the lowest density zoning district designated in the Land Development Code and is inconsistent with the existing future land use designation of transitional mixed use.*

(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or

Response: *With the city/county annexation that occurred approximately fifteen years ago, the surrounding area has changed significantly where there have been at least four rezoning approvals which includes nine tracts of land all within less than 1,000 feet of the subject property(s) that have been redeveloped as mostly apartments. Prior to the city annexing the area north of Agua Fria Road there was little development activity.*

With the availability of utilities and provision of City services within this urban area there have been more requests for development or re-development in this urban area of the City.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

Response: *The City General Plan identifies this property and other properties between Agua Fria and the Santa Fe River as "Community Commercial or Transitional Mixed Use". The predominate land use for this area is a mix of commercial and single family and rental housing. The R-1 zoning assignment is not consistent with the underlying zoning therefore it is necessary to rezone the property to maintain consistency with the overall area.*

(b) all the rezoning requirements of Chapter 14 have been met;

Response: *Currently the existing zoning is R-1, Single Family Residential, one dwelling per acre, which creates a non-conforming status for this property. Rezoning of the property to C-2 uses would bring this property into conformance with the historic land use patterns and uses that have taken place on this property.*

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

Response: *Rezoning to C-2 (General Commercial) is consistent with the policies of the general plan as it aims to recognize the development of infill properties where city infrastructure is available furthermore rezoning of the property is consistent with the transitional mixed-use designation in that it offers the property the ability to development both a mix of residential and commercial uses.*

(d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and

Response: *There are four (4) adjoining legal lots of record with a combined total of 5.96 acres which will be consolidated upon approval of the rezoning request. The proposed C-2 use for the land is consistent with city policies as it continues to recognize development of infill property and is consistent with the current land use patterns that have developed for a mix of uses from commercial to medium to high density residential.*

(e) the existing and proposed infrastructure , such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development .

Response: *Public utilities are available on Agua Fria, including water, gas and electric lines, cable and telephone lines.*

The City has completed street improvements and widening of Agua Fria adjacent to the subject property including upgrades to the Agua Fria and Siler Road intersection. Siler Road has been completed from Agua Fria to West Alameda providing alternative routes to Agua Fria.

In fact, the traffic volumes on Agua Fria have declined with the extension of Siler to West Alameda. the Santa Fe River Greenway trail which can accommodate both pedestrian and bicyclist. The

Santa Fe River Greenway pedestrian and bicycle trail has recently been completed and is located north of the subject parcels,

The closest Fire Station to this site is located on Cerrillos Road near Third Street within a five-minute service radius to this property.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

Response: *The proposed C-2 zoning request, the character of the neighborhood will remain unchanged from the current mixed use and high-density multi-family residential that has been approved within the past fifteen (15) years with the annexation area of the subject property(s).*

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or

Response: *The combined total of acreage included with the request consist of 5.96 acres, additionally the subject property immediately adjoins a tract of land that was approved to be rezoned in 2014, and was officially adopted via Ordinance 2014-32*

(c) benefit one or a few landowners at the expense of the surrounding

Response: *The proposed amendment will benefit the surrounding landowners as the property is in need of redevelopment. The existing mobile home park has been in existence for over forty (40) years prior to the County Code taking effect.*

The property fronting Agua Fria Street is encroached by several electric power poles as well as a large stockpile of dirt. The amendment will allow for a sustainable and diverse development with connection to city utilities, relocating and undergrounding electric services.

APPENDIX A

LOT 1 (2745 AGUA FRIA)
LEGAL LOT OF RECORD PLAT

Note All arroyos shall remain unobstructed and are designated as natural drainage easements.
All private road maintenance shall be the responsibility of the users
Original points set before BLM survey of 1980
Any development of Lot 1 shall require the use of city water or city sewer.

DESCRIPTION:
Beginning at the N.W. corner of Lot 2 from which the N. 1/4 corner of Section 33, T.17N, R.9E. N.M.P.M. bears S. 70°43'W., 76.4 feet; thence from said point of beginning N.58°13'E., 153.2 feet; thence N.76°48'E., 67.4 feet; thence S. 17°50'E., 84.25 feet; thence S. 58°01'E., 29.7 feet; thence S. 17°45'E, 392.85 feet; thence S. 58°20'W., 119.15 feet; thence S.64°59'W., 167.0 feet; thence S. 62°33'W., 40.0 feet; thence N. 22°21'W., 405.7 feet; thence S. 62°10'W., 13.1 feet; thence N. 14°45'W., 91.8 feet; thence N. 58°34'E., 129.3 feet to the point of beginning. All within the SE 1/4 Section 28, T.17N., R.9E., and the NE 1/4 Section 33, T.17N., R.9E., N.M.P.M. Santa Fe County, N.M. and containing 3.94 acres, more or less.

APPROVALS

COUNTY OF SANTA FE
By the EXTRA TERRITORIAL ZONING COMMISSION
at its meeting of February 13th 1986

Chairman Secretary

Gilbert A. Chavez 6/25/1992
S.F. county land use & zoning Adm Date

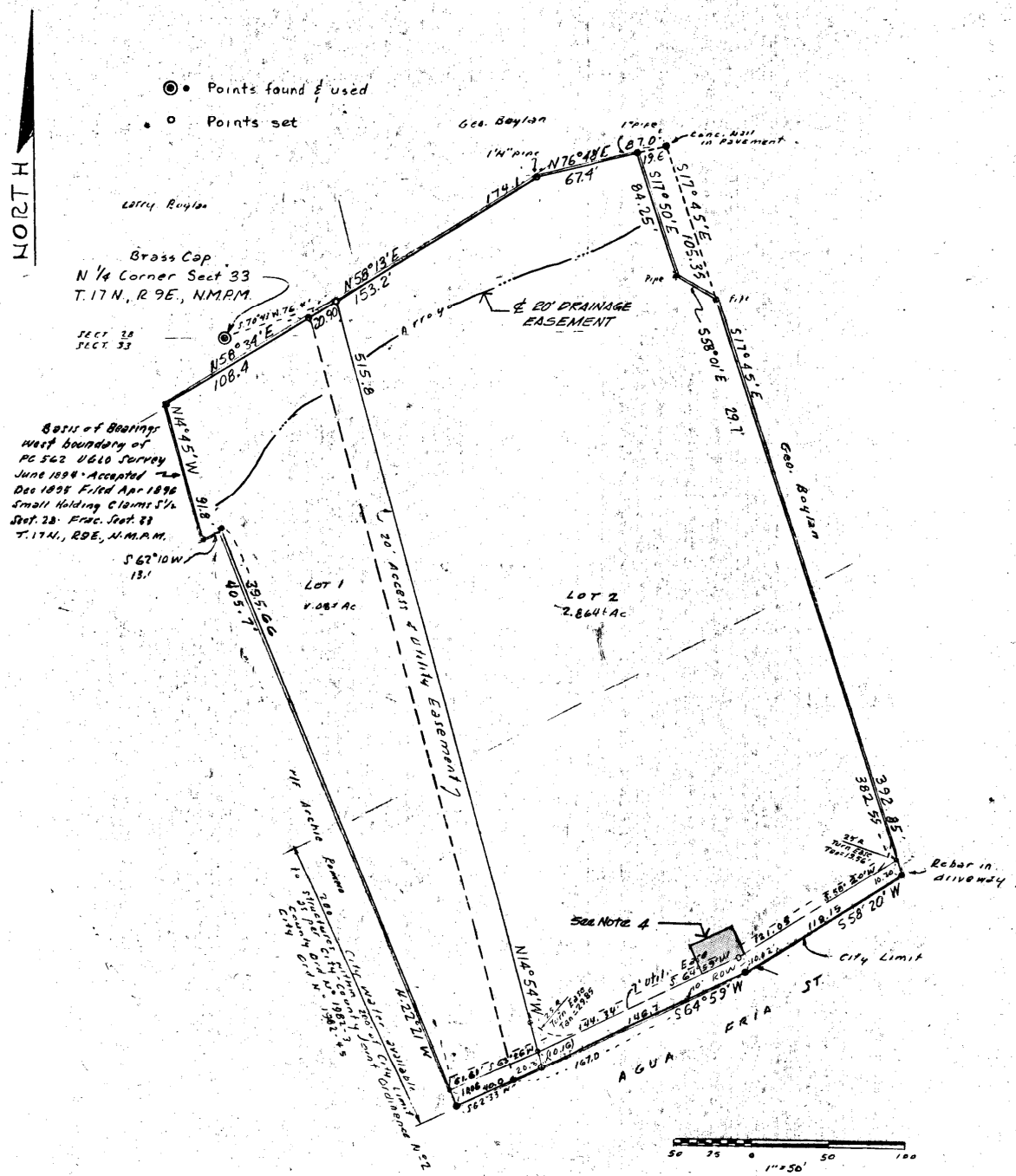
SF. County Development Permit No: EZ 1986-6

Mountain Bell

Public Service Co. of N.M. Electric

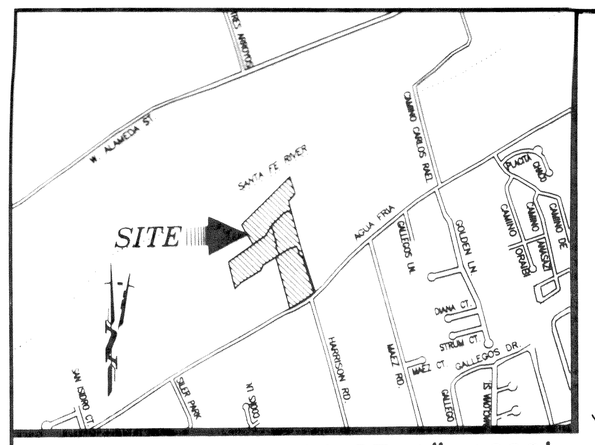
Gas Co. of N.M. 10/7/85

Sangre de Cristo H_2O Frank J. Bailey 10-7-85



APPENDIX B

TRACT E 1 (2743 AGUA FRIA) & A-1 (1372 BOYLAN LN.)
LEGAL LOT OF RECORD PLAT



VICINITY MAP SCALE 1"=1000'

SCALE 1" = 50'

0' 25' 50' 100' 125' 150'

SURVEYORS NOTES

FLOOD ZONE AE AS PER FEMA MAP PANEL No. 350069 0227 B, DATED NOVEMBER 4, 1988. "AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED."

FLOOD ZONE X AS PER FEMA MAP PANEL No. 350069 0227 B, DATED NOVEMBER 4, 1988. "AREAS OF MINIMAL FLOODING.

WITHIN LOT 1B — INDICATES THAT AREA AS DESCRIBED IN WARRANTY DEED FROM THE ESTATE OF FERN M. BOYLAN AND TOM BOYLAN SR. TO LARRY BOYLAN, RECORDED IN BOOK 2496 PAGE 705, AS RECEPTION No. 1260,315, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO.

INDICATES 20.00' INGRESS, EGRESS AND UTILITY EASEMENT, RECORDED IN BOOK 527 PAGE 031, AS RECEPTION No. 1256,845, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO

PERPETUAL EASEMENT FOR ACCESS TO AND USE OF WELL FROM LARRY BOYLAN TO THE BANKRUPTCY ESTATE. AS PER THAT COURT ORDER No. 7-98-17174 MS (PAGE 2)

LEGEND

- INDICATES POINT FOUND AND USED AS NOTED.
- INDICATES BRASS CAP MONUMENT FOUND.
- INDICATES SET REBAR WITH CAP, L.S. No. 13839.
- INDICATES CALCULATED POINT NOT SET.
- INDICATES UTILITY POLE, OVERHEAD UTILITY LINES, AND POLE GUY ANCHOR WHERE APPLICABLE.
- INDICATES ELECTRIC METER.
- INDICATES UTILITY RISER.
- INDICATES 3'x3' UTILITY BOX.
- INDICATES FENCE LINE.
- INDICATES LPG TANK.
- INDICATES WATER VALVE.
- INDICATES WATER WELL CAP.
- INDICATES CLEANOUT.
- INDICATES WATER SPIGOT.
- INDICATES GAS VALVE.

687003.9

S.H.C. 415, LOT 1
N/F PRAUNA FOUNDATION
TRACT 1
PLAT BOOK 466 PAGE 037

N/F BYRES
BOOK 219 PAGE 414

N/F LARRY BOYLAN
TRACT C
BOOK 272 PAGE 024

S.H.C. 422

S.H.C. 415, LOT 2

S.H.C. 437, LOT 1

S.H.C. 437
LOT 2

S.H.C. 562

S.H.C. 460, LOT 1
N/F TORRES
BOOK 490 PAGE 697

N/F RALPH & MYRTLE HAILE
LOT 1
PLAT BOOK 238 PAGE 012

N/F GUADALUPE BLEA
PLAT BOOK 392 PAGE 032

N/F ROMERO
LOT 22
BOOK 874 PAGE 207

N/F RIVERA
BOOK & PAGE N/A
AT. S.F. CO. ASSESOR'S OFFICE

N/F LARRY BOYLAN
TRACT D
BOOK 527 PAGE 031

BOYLAN LANE — PAVED ROAD — (S17°45'E, 392.85') — N17°33'50"W

BOYLAN CIRCLE — PAVED ROAD — (N14°54'W, 515.8') — N14°43'27"W

15' FREE ENTRANCE AND EXIT
BK. 029 PG. 451

20.00' INGRESS, EGRESS AND UTILITY EASEMENT
DEED BOOK 698 PAGE 493
PLAT BOOK 238 PAGE 012

20.00' INGRESS, EGRESS AND UTILITY EASEMENT CREATED HEREWITH

38.00' INGRESS, EGRESS AND UTILITY EASEMENT CREATED HEREWITH

TRACT A1
2.983 Ac.±
1372 BOYLAN LN.

LOT 1A
0.594 Ac.±
1380 BOYLAN LN.

LOT 1B
1.193 Ac.±
1400 BOYLAN LN.

LOT 2
2.731 Ac.±
LOT 2 DEPICTED HEREON IS NOT BEING ADJUSTED PER THIS PLATTING. IT IS BEING REPLATTED FOR GRAPHIC PURPOSES ONLY.

TRACT E1
2.635 Ac.±
2743 BOYLAN CIRCLE

APPROX. EL. 6691.00', SCALED FROM "SANTA FE" QUAD. MAP.

APPROX. EL. 6680.00', SCALED FROM "SANTA FE" QUAD. MAP.

SECTION 28, T17N, R9E, N.M.P.M.
SECTION 33, T17N, R9E, N.M.P.M.

OLD LOT LINE

TOP OF BANK

ZONE X

ZONE AE

THESE RESIDENCES ENCROACH ON TRACT D & LOT 84

PLAT REFERENCES

BEARINGS BASED ON THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN AND TOM BOYLAN TRACT D & TRACT E,..." BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13839, DATED MARCH 28, 2003. RECORDED IN BOOK 527 PAGE 031, AS RECEPTION No. 1256,845, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN AND BOYLAN DRILLING & SUPPLY, INC. LOT 1 and LOT 2,..." BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13839, DATED JAN. 22, 2004. RECORDED IN BOOK 551 PAGE 027, AS RECEPTION No. 1311,184, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "HAILE SUBDIVISION." BY JACK G. HORNE, N.M.P.S. No. 889, DATED FEBRUARY 18, 1986. RECORDED IN BOOK 238 PAGE 012, AS RECEPTION No. 751,440, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. (DATA AS SHOWN)

REFERENCE ALSO THAT PLAT TITLED "PLAT OF SURVEY FOR GEORGE BOYLAN," BY SALVADOR E. VIGIL, N.M.P.S. No. 4405, DATED MAY 14-29, 1981. SAID PLAT BEARS PROJECT No. C1-373 AND IS NOT RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. ((DATA AS SHOWN))

REFERENCE ALSO THAT PLAT TITLED "NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP NEW MEXICO PROJECT NO. HES-M-4796(2) C.I.P. 853 SANTA FE COUNTY SCALE 1"=50' SHEET 3 OF 6, BY JAMES J. MEDRANO, N.M.P.S. No. 5217, DATED DEC. 10, 1990. [DATA AS SHOWN]

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WAS MADE BY ME OR UNDER MY PERSONAL DIRECTION AND CONTROL, AND THAT THE DATA SHOWN HEREON IS TRUE AND CORRECT. I FURTHER CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS. FIELD WORK PERFORMED ON SEPTEMBER 28, 2006.

Paul A. Rodriguez 08.05.08

PAUL A. RODRIGUEZ, N.M.P.S. No. 13839 — DATE

PAUL A. RODRIGUEZ NEW MEXICO 13839 REGISTERED PROFESSIONAL SURVEYOR

CURVE DATA

CURVE	DELTA	LENGTH	RADIUS	CHORD. BEARING / DISTANCE
C1	00°36'40"	14.86'	1393.00'	S52°45'12"W 14.86'
RECORD	*[00°36'42"]*	*[14.87']*	*[1393.00']*	*[N52°35'06"E]* *[14.87']*
C2	06°09'23"	149.68'	1393.00'	S56°08'14"W 149.61'
RECORD	*[06°09'07"]*	*[149.57']*	*[1393.00']*	*[N55°58'01"E]* *[149.50']*

LINE DATA

LINE	BEARING	DISTANCE
L1	N58°15'58"E	20.84'
L2	S55°57'20"W	23.78'

UNIFORM PARCEL CODE NUMBERS
1-051-097-278-034
1-051-097-285-019
1-051-097-279-013
1-051-098-277-015
1-051-098-263-048

DEDICATION / AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S) HAS CAUSED TO BE REPLATTED THE LANDS SHOWN HEREON, LYING AND BEING SITUATE WITHIN THE COUNTY OF SANTA FE, NEW MEXICO, ALL THAT APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S). THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO MAINTENANCE OF THE ACCESS EASEMENTS AS SHOWN HEREON IS TO BE THE RESPONSIBILITY OF THE LAND OWNER(S). EASEMENT IS HEREBY GRANTED FOR ALL EXISTING UTILITIES.

Larry Boylan 08/05/08

LARRY BOYLAN — DATE

Barbara Boylan 08.05.08

BARBARA BOYLAN — DATE

Personal Representative for the Estate of Tom Boylan

STATE OF NEW MEXICO)
)ss
COUNTY OF SANTA FE)

OFFICIAL SEAL
PAUL A. RODRIGUEZ
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 12-21-10

ON THIS 05 DAY OF Aug., 2008, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE PERSON(S) WHOSE NAME(S) APPEAR ABOVE.

Paul A. Rodriguez 12-21-10

NOTARY PUBLIC — COMMISSION EXPIRES

SANTA FE COUNTY APPROVAL

BY: Shelley Cobau 8/5/8

FOR: COUNTY LAND USE ADMINISTRATOR — DATE

8/5/08

COUNTY RURAL ADDRESSING — DATE

05-3019

COUNTY DEVELOPMENT PERMIT No.

COUNTY NOTES AND CONDITIONS

ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 350069 0168 B, THIS PROPERTY LIES WITHIN DESIGNATED FLOOD ZONE AE, SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD. "BASE FLOOD ELEVATION DETERMINED." AND FLOOD ZONE X, AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.

WATER WELL WITHDRAWAL ON THESE TRACTS ARE RESTRICTED BY COVENANTS AS FILED IN THE OFFICE OF THE COUNTY CLERK, AS INSTRUMENT No. N/A

PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(S) OR ROAD(S) AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THIS PROPERTY IS SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD WHICH PERTAIN.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTION 12.1, OF THE EZO TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER, UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR THE CITY OF SANTA FE.

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

THESE LOTS ARE SUBJECT TO THE SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION OF BUILDING PERMITS.

ALL DEVELOPMENT SHALL OCCUR WITHIN BUILDABLE AREAS IN ACCORDANCE WITH THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

THESE TRACTS ARE SUBJECT TO THE REQUIREMENTS OF THE FIRE MARSHAL AFFIDAVIT FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT No. 1534341

MINIMUM FLOOR ELEVATIONS FOR ALL STRUCTURES SHALL BE AT LEAST ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION. FLOOD ELEVATIONS SHOWN ARE APPROXIMATE AND SHALL BE VERIFIED BY A PROFESSIONAL ENGINEER.

COUNTY OF SANTA FE)
STATE OF NEW MEXICO)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 6 DAY OF AUG A.D. 20 08 AT 11:07 O'CLOCK AM AND WAS DULY RECORDED IN BOOK 687 PAGE 39 OF THE RECORDS OF SANTA FE COUNTY
WITNESS MY HAND AND SEAL OF OFFICE
VALERIE ESPINOZA
COUNTY CLERK, SANTA FE COUNTY, N.M.
DEPUTY

1534 340

SPECIAL BUILDING PERMIT CONDITIONS

BUILDING ON THESE LOTS ARE SUBJECT TO THE URBAN WILDLIFE INTERFACE CODE.

DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.

PURPOSE: THIS PLATTING ADJUSTS EXISTING BOUNDARIES

INDEXING INFORMATION FOR COUNTY CLERK	
TYPE OF SURVEY:	LOT LINE ADJUSTMENT
OWNER:	The Estate of Tom Boylan & Larry Boylan
SECTION:	SEC. 28 & 33, T17N, R9E, N.M.P.M.
SUBDIVISION NAME:	N/A
OTHER:	LOT 1A, LOT 1B, TRACT A1, & TRACT E-1

PARAMOUNT SURVEYS, INC.
1925 ASPEN DRIVE, SUITE 500-B, SANTA FE, NM 87505
Phone: 505-820-2340 Fax: 505-986-2012

LOT LINE ADJUSTMENT SURVEY PREPARED FOR
THE ESTATE OF TOM BOYLAN and LARRY BOYLAN,
SECTIONS 28 & 33, T17N, R9E, N.M.P.M., BOYLAN LANE & BOYLAN CIRCLE, COUNTY OF SANTA FE, NEW MEXICO

SCALE	DATE	DRAWN BY	CHECKED BY	PROJECT No.
1" = 50'	Aug., 2008	N.C.L.	P.A.R.	1400-LLA

APPENDIX C

TRACT D
CERTIFICATE OF COMPLIANCE

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, NM 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Peter N. Ives, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Mike Harris, District 4
JoAnne Vigil Coppler, District 4

CERTIFICATE
PAGES: 7

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of November, 2019 at 11:23:26 AM
And Was Duly Recorded as Instrument # 1901539
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy Destiny Romero County Clerk Santa Fe, NM

COUNTY CLERK
GERALDINE SALAZAR
SANTA FE COUNTY NEW MEXICO

CERTIFICATE OF COMPLIANCE AS LEGAL LOT OF RECORD

RE: Legal Lot of Record status for piece of property identified as *"Remainder"* on a Warranty Deed from Larry Boylan, ("Grantor") to Santa Fe County Board of County Commissioners ("Grantee"). The Warranty Deed was e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051.

In compliance with Subsection 14-3.7(A)(7)(a) City of Santa Fe Land Development Code (SFCC 1987), this Certificate of Compliance documents status as a legal lot of record for the property referenced above.

This determination is based on review of the following documents:

1. Warranty Deed e-recorded on September 21, 2016 in the Office of the Santa Fe County Clerk as Instrument Number 1805051 (attached as Exhibit A),
2. Plat of survey entitled *"Lot Line Adjustment Survey Prepared for The Estate Of Tom Boylan and Larry Boylan", Recorded August 06, 2008, in the Office of the Santa Fe County Clerk as instrument number 1534340 (attached as Exhibit B)"*, and
3. Final Right-Of-Way Map Dated September 02, 2019 entitled *"Santa Fe County Open Space & Trails Division Right Of Way Map 1-E Santa Fe River Greenway Frenchy's Field to Siler Road Project No, 7708* (attached as Exhibit C)."

Approval of this Certificate of Compliance makes no determination regarding the conformity or lack thereof to the City's Land Development Code for development or structures on the property.

Noah Berke, Planner Manager — Date 11/5/19

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

SUBSCRIBED AND SWORN to before me this 5 day of November 2019.

By Victoria E. Trujillo

V E Trujillo

Notary Public

OFFICIAL SEAL
Victoria E. Trujillo
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 6-19-23

My Commission Expires:

6-19-23

Senior

SFC CLERK RECORDED 11/12/2019

ST & E 160777

EXHIBIT A

WARRANTY DEED

For valuable consideration, the receipt, adequacy and validity of which is hereby acknowledged, Larry J. Boylan, also known as Larry Boylan, an unmarried man, ("Grantor"), does hereby grant and convey to SANTA FE COUNTY Board of County Commissioners, a political subdivision of the State of New Mexico ("Grantee"), all of Grantor's right, title and interest in and to the real property described in Exhibits "A", "A-1", "B", "B-1', "C", "C-1" through "C-6", "D" and "D-1" attached hereto and incorporated herein (the "Property"). The title conveyed hereby is subject to all matters of public record, all matters disclosed or discoverable by an accurate instrument survey of the Property, all matters disclosed or discoverable by a diligent physical inspection of the Property and all matters otherwise known to Grantee and/or affiliates of Grantee. Grantor warrants the title to the Property against its actions and none other, with warranty covenants, subject to the matters identified herein.

See Attached Exhibits A, A-1, B, B-1, C, C-1 through C-6, D and D-1

This property is sold and conveyed to Grantee in relation to acquiring rights-of-way for a public improvement, and the sum paid by Grantee represents full and complete payment due Grantor, including but not limited to any and all severance damages to Grantor's remaining lands affected by or appurtenant to said improvement, and upon said payment being made, Grantor releases and relinquishes to Grantee all further obligations or claims for damages.

For the purpose of a public improvement project, known as the Santa Fe River Greenway Project.

DATED this 16th day of September, 2011.

Larry J. Boylan

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 16th day of September, 2011, by Larry J. Boylan.

Notary Public

KARL H. SOWE NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 11-19

E-RECORDED simplifile
ID: E 1805051
County: SANTA FE
Date: 9/21/16 Time: 4:04pm

SFC CLERK RECORDED 11/12/2011

SFC-RE_CID.001
Rev. 20140929

UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263059000000
Project Name: Santa Fe River Greenway Project

"EXHIBIT D"

PORTION OF TRACT D DESCRIPTION

ALL THAT PORTION OF TRACT D AS DESCRIBED BY WARRANTY DEED RECORDED AS BOOK 854 PAGE 605 AND SHOWN ON PLAT OF SURVEY FOR LARRY BOYLAN RECORDED AS PLAT BOOK 272 PAGE 24, AND SHOWN ON BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN TRACT D & TRACT E RECORDED AS BOOK 527 PAGE 31, AS SHOWN MORE RECENTLY ON BOUNDARY SURVEY PREPARED FOR SANTA FE COUNTY OPEN SPACE & TRAILS DIVISION SANTA FE RIVER TRAIL PROJECT RECORDED BOOK 749 PAGE 15–17, ALL IN THE OFFICE OF THE SANTA FE COUNTY CLERK. SAID PARCEL LYING WITHIN SECTIONS 28 & 33 TOWNSHIP 17 NORTH, RANGE 9 EAST, N.M.P.M., CITY AND COUNTY OF SANTA FE, NEW MEXICO, WHICH PORTION MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PORTION OF LAND, WHICH LIES N64°38'56"W 248.92 FEET FROM A USGLO BRASS CAP MARKING THE CORNER OF LOTS 9, 12, AND SHC 437–2, SECTION 28, T17N, R9E, NMPM

THENCE S29°48'12"E, 83.60 FEET;
THENCE S42°23'52"W, 59.07 FEET;
THENCE S19°38'45"W, 114.60 FEET;
THENCE S33°09'37"W, 152.94 FEET;
THENCE S35°15'41"W, 166.41 FEET;
THENCE S39°25'10"W, 6.65 FEET;
THENCE N14°59'00"W, 3.95 FEET;
THENCE S43°52'18"W, 35.00 FEET;
THENCE N23°46'48"W, 195.56 FEET;
THENCE N44°04'13"E, 467.10 FEET;

MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 1.54 Ac., MORE OR LESS, AS SHOWN MORE COMPLETELY ON EXHIBIT B ATTACHED HERETO.

DIEGO J. SISNEROS, N.M.P.L.S. 13986

DIEGO J. SISNEROS NEW MEXICO 13986 REGISTERED PROFESSIONAL SURVEYOR

10/16/2013

SFC CLERK RECORDED 11/12/2013

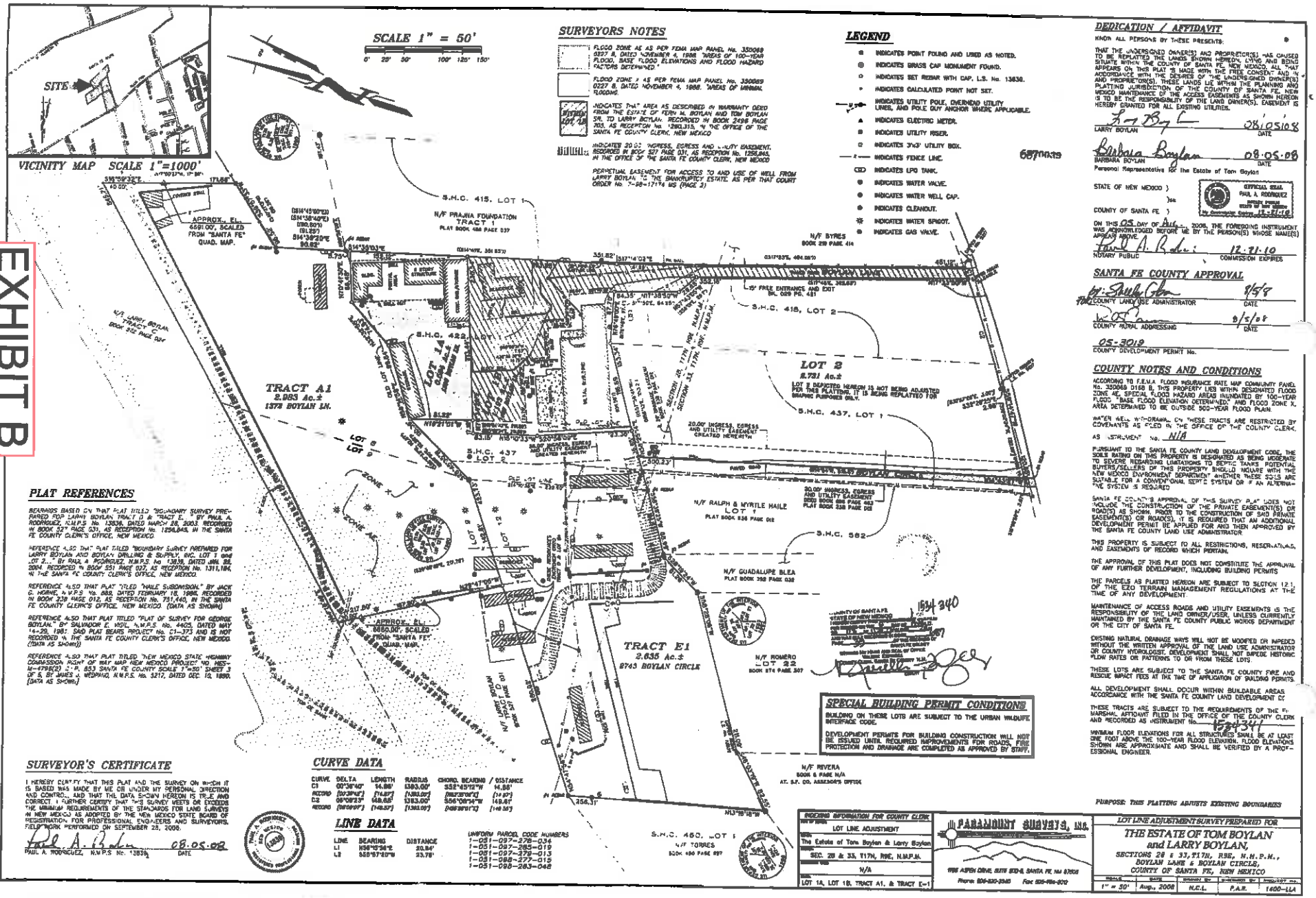
SFC-RE_CD.001
Rev. 20140929

UPC No.: 10510982240090000000, 10510971684900000000, 10510982773870000006, 10510982763505000000
Project Name: Santa Fe River Greenway Project

SFC CLERK RECORDED 11/12/2015

"EXHIBIT D-1"

EXHIBIT B



PLAT REFERENCES

BEARINGS BASED ON THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN, TRACT D & TRACT E," BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13836, DATED MARCH 28, 2003, RECORDED IN BOOK 327 PAGE 031, AS RECEPTION No. 1254,845, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "BOUNDARY SURVEY PREPARED FOR LARRY BOYLAN AND BOYLAN DRILLING & SUPPLY, INC. LOT 1 and LOT 2..." BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13836, DATED JAN. 28, 2004, RECORDED IN BOOK 331 PAGE 037, AS RECEPTION No. 1311,184, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO.

REFERENCE ALSO THAT PLAT TITLED "HAILE SUBDIVISION," BY JACK C. NORVE, N.M.P.S. No. 885, DATED FEBRUARY 10, 1998, RECORDED IN BOOK 238 PAGE 012, AS RECEPTION No. 731,440, IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. (DATA AS SHOWN)

REFERENCE ALSO THAT PLAT TITLED "PLAT OF SURVEY FOR GEORGE BOYLAN," BY SALVADOR E. MOLL, N.M.P.S. No. 4405, DATED MAY 14-29, 1981. SAID PLAT BEARS "PROJECT No. C1-373 AND IS NOT RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE, NEW MEXICO. (DATA AS SHOWN)

REFERENCE ALSO THAT PLAT TITLED "NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP NEW MEXICO PROJECT NO. HES-M-4798(2) 1 - P, 853 SANTA FE COUNTY SCALE 1"=50' SHEET 3 OF 5, BY JAMES J. WEISHAAR, N.M.P.S. No. 3217, DATED DEC. 12, 1990. (DATA AS SHOWN.)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WAS MADE BY ME OR UNDER MY PERSONAL DIRECTION AND CONTROL, AND THAT THE DATA SHOWN HEREON IS TRUE AND CORRECT. I FURTHER CERTIFY THAT THE SURVEY MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR ENGINEERS AND SURVEYORS. FIELDWORK PERFORMED ON SEPTEMBER 28, 2006.

Paul A. Rodriguez 08.05.08
PAUL A. RODRIGUEZ, N.M.P.S. No. 13836 DATE

CURVE DATA

CURVE	DELTA	LENGTH	RADIUS	CHORD, BEARING / DISTANCE
C1	00°36'40"	14.86'	1393.00'	S52°45'12"W 14.86'
RECORD	[00°39'00"]	[14.82']	[1393.00']	[S52°30'00"E] [14.82']
C2	09°09'23"	148.68'	1353.00'	S56°09'54"W 148.61'
RECORD	[S56°09'00"]	[148.52']	[1353.00']	[N56°09'00"E] [148.52']

LINE DATA

LINE	BEARING	DISTANCE
L1	N56°19'34"E	30.84'
L2	S38°57'20"W	23.78'

UNIFORM PARCEL CODE NUMBERS
1-051-097-278-036
1-051-097-285-019
1-051-097-279-013
1-051-098-277-015
1-051-098-283-042

SURVEYORS NOTES

FLOOD ZONE AE AS PER FEMA MAP PANEL No. 350069 0227 B, DATED NOVEMBER 4, 1986 "AREAS OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED."

FLOOD ZONE X AS PER FEMA MAP PANEL No. 350069 0227 B, DATED NOVEMBER 4, 1986. "AREAS OF MINIMAL FLOODING."

INDICATES THAT AREA AS DESCRIBED IN WARRANTY DEED FROM THE ESTATE OF FERN M. BOYLAN AND TOM BOYLAN SR. TO LARRY BOYLAN, RECORDED IN BOOK 2496 PAGE 703, AS RECEPTION No. 1280,315, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO

INDICATES 20.00' INGRESS, EGRESS AND UTILITY EASEMENT, RECORDED IN BOOK 327 PAGE 031, AS RECEPTION No. 1254,845, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO

PERPETUAL EASEMENT FOR ACCESS TO AND USE OF WELL FROM LARRY BOYLAN TO THE BANKRUPTCY ESTATE, AS PER THAT COURT ORDER No. 7-98-17174 BS (PAGE 2)

LEGEND

- INDICATES POINT FOUND AND USED AS NOTED.
- INDICATES BRASS CAP MONUMENT FOUND.
- INDICATES SET REBAR WITH CAP, L.S. No. 13836.
- INDICATES CALCULATED POINT NOT SET.
- INDICATES UTILITY POLE, OVERHEAD UTILITY LINES, AND POLE GUY ANCHOR WHERE APPLICABLE.
- INDICATES ELECTRIC METER.
- INDICATES UTILITY RISER.
- INDICATES 3'x3' UTILITY BOX.
- INDICATES FENCE LINE.
- CED INDICATES LPG TANK.
- INDICATES WATER VALVE.
- INDICATES WATER WELL CAP.
- INDICATES CLEANOUT.
- INDICATES WATER SPIGOT.
- INDICATES GAS VALVE.

DEDICATION / AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S) HAS CAUSED TO BE REPLATTED THE LANDS SHOWN HEREON, LYING AND BEING SITUATE WITHIN THE COUNTY OF SANTA FE, NEW MEXICO, ALL THAT APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S). THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO. MAINTENANCE OF THE ACCESS EASEMENTS AS SHOWN HEREON IS TO BE THE RESPONSIBILITY OF THE LAND OWNER(S). EASEMENT IS HEREBY GRANTED FOR ALL EXISTING UTILITIES.

Larry Boylan 08/05/08
LARRY BOYLAN DATE

Barbara Boylan 08.05.08
BARBARA BOYLAN DATE
Personal Representative for the Estate of Tom Boylan

STATE OF NEW MEXICO)
)ss
COUNTY OF SANTA FE)

OFFICIAL SEAL PAUL A. RODRIGUEZ NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires 12-21-10

ON THIS 05 DAY OF Aug., 2008, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE PERSON(S) WHOSE NAME(S) APPEAR ABOVE.

Paul A. Rodriguez 12-21-10
NOTARY PUBLIC COMMISSION EXPIRES

SANTA FE COUNTY APPROVAL

by: [signature] 8/5/8
COUNTY LAND USE ADMINISTRATOR DATE

[signature] 8/5/08
COUNTY RURAL ADDRESSING DATE

05-3019
COUNTY DEVELOPMENT PERMIT No.

COUNTY NOTES AND CONDITIONS

ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 350069 0158 B, THIS PROPERTY LIES WITHIN DESIGNATED FLOOD ZONE AE, SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD, "BASE FLOOD ELEVATION DETERMINED," AND FLOOD ZONE X, AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.

WATER WELL WITHDRAWAL ON THESE TRACTS ARE RESTRICTED BY COVENANTS AS FILED IN THE OFFICE OF THE COUNTY CLERK, AS INSTRUMENT No. N/A

PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(S) OR ROAD(S) AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

THIS PROPERTY IS SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD WHICH PERTAIN.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTION 12.1 OF THE EZO TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER, UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR THE CITY OF SANTA FE.

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

THESE LOTS ARE SUBJECT TO THE SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION OF BUILDING PERMITS.

ALL DEVELOPMENT SHALL OCCUR WITHIN BUILDABLE AREAS IN ACCORDANCE WITH THE SANTA FE COUNTY LAND DEVELOPMENT CO

THESE TRACTS ARE SUBJECT TO THE REQUIREMENTS OF THE FIRE MARSHAL AFFIDAVIT FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT No. 1534,340

MINIMUM FLOOR ELEVATIONS FOR ALL STRUCTURES SHALL BE AT LEAST ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION. FLOOD ELEVATIONS SHOWN ARE APPROXIMATE AND SHALL BE VERIFIED BY A PROFESSIONAL ENGINEER.

SPECIAL BUILDING PERMIT CONDITIONS

BUILDING ON THESE LOTS ARE SUBJECT TO THE URBAN WILDLIFE INTERFACE CODE.

DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.

PURPOSE: THIS PLATTING ADJUSTS EXISTING BOUNDARIES

INDEXING INFORMATION FOR COUNTY CLERK	
TYPE OF SURVEY	LOT LINE ADJUSTMENT
NAME(S)	The Estate of Tom Boylan & Larry Boylan
SEC. 28 & 33, T17N, R9E, N.M.P.M.	
TRACT NO.	N/A
LOT 1A, LOT 1B, TRACT A1, & TRACT E-1	

PARAMOUNT SURVEYS, INC.
930 ALPEN DRIVE, SUITE 202-B, SANTA FE, NM 87505
Phone: 505-820-3345 Fax: 505-986-3012

LOT LINE ADJUSTMENT SURVEY PREPARED FOR
THE ESTATE OF TOM BOYLAN and LARRY BOYLAN,
SECTIONS 28 & 33, T17N, R9E, N.M.P.M., BOYLAN LANE & BOYLAN CIRCLE, COUNTY OF SANTA FE, NEW MEXICO

SCALE	DATE	DRAWN BY	APPROVED BY	JOB/DWG No.
1" = 50'	Aug., 2008	N.C.L.	P.A.R.	1400-LLA

SFC CLERK RECORDED 11/12/2019

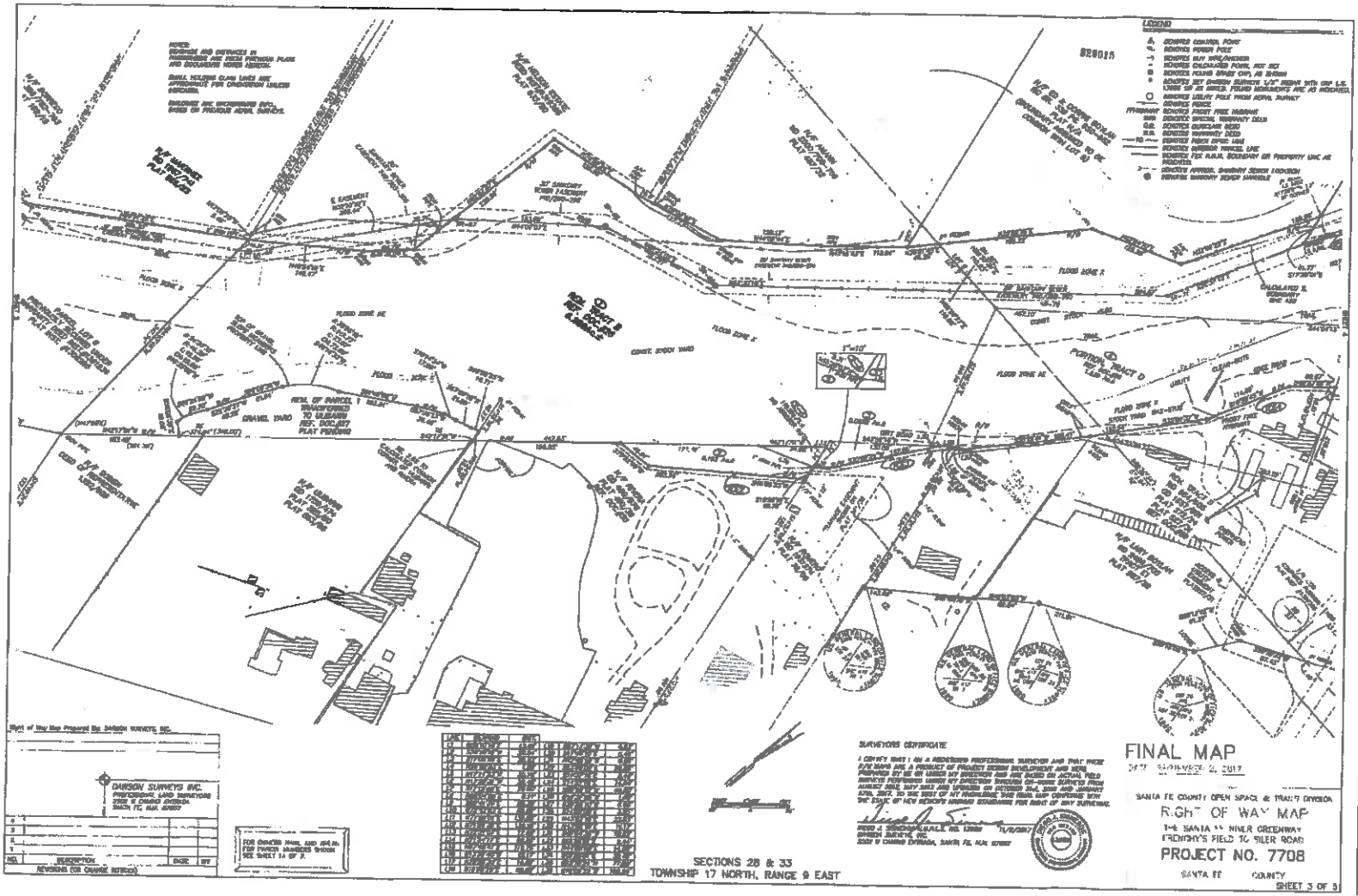


EXHIBIT C

SFC CLERK RECORDED 11/12/2019

APPENDIX D

WARRANTY DEEDS

LOT 1 (2745 BOYLAN LN.)

WARRANTY DEED

SFC CLERK RECORDED 11/13/2015

SPECIAL WARRANTY DEED

Joel McHorse and Christina McHorse for consideration paid, grant to: Larry Boylan, an unmarried man whose address is 2743 Boylan Circle, Santa Fe, New Mexico 87507 the following described real estate in Santa Fe County, New Mexico.

See Exhibit A attached hereto and incorporated herein

SUBJECT TO: Restrictions, reservations and easements of record.

With special warranty covenants.

WITNESS my hand and seal this 10 day of November, 2015.

Joel McHorse

Christina McHorse

~~Christina~~ McHorse

Christine C M H

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me on the 10 day of November, 2015 by Joel McHorse.

THERESA M. BARELA NOTARY PUBLIC STATE OF NEW MEXICO

Theresa M. Barela
Notary Public

My Commission Expires: 10-13-17

COUNTY CLERK SANTA FE COUNTY NEW MEXICO GERALDINE SALAZAR

SPECIAL WARRANTY DEED
COUNTY OF SANTA FE) PAGES: 3
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for Record On The 13TH Day Of November, 2015 at 04:45:52 PM And Was Duly Recorded as Instrument # 1779655 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy _____ County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/13/2015

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me on the 10 day of November, 2015 by ~~Christina~~ Christine McHorse.

Theresa M Barela
Notary Public

THERESA M BARELA NOTARY PUBLIC STATE OF NEW MEXICO

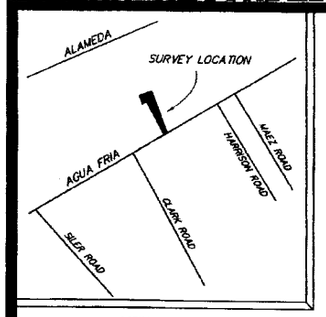
My Commission Expires: 10/13/17

SFC CLERK RECORDED 11/13/2015

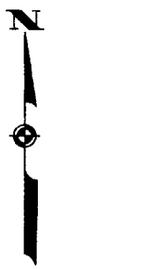
6259044

PLAT OF BOUNDARY SURVEY FOR JOEL P. McHORSE & CHRISTINE C. McHORSE

A PORTION OF S.H.C. No.562, SECTION 33, T 17 N, R 9 E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

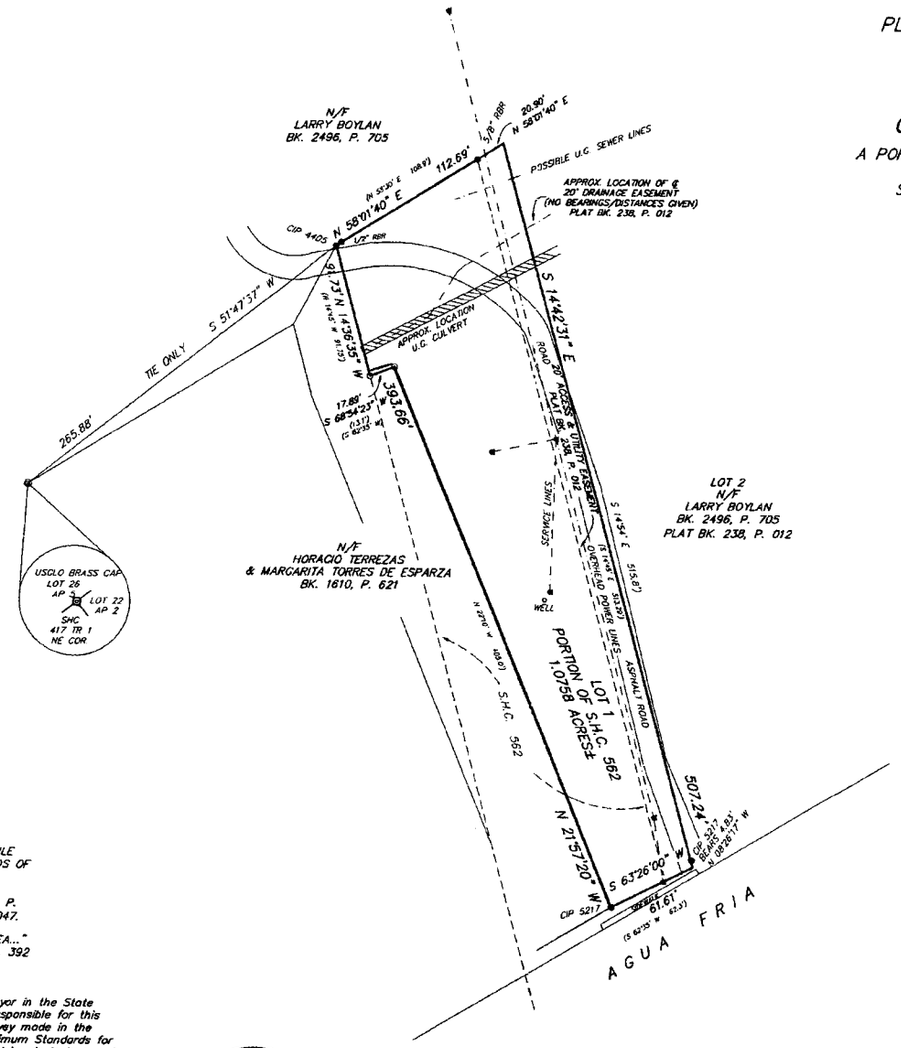


VICINITY MAP



SCALE: 1"=50'

0 50 100 150



LEGEND

- USGLO Brass Caps found and used.
- Points found and used as noted.
- 1/2" Capped iron pin set this survey.
- Power poles.
- Fences.
- Walls.
- Concrete.

NOTES

1. BASE OF BEARINGS: GPS OBSERVATION OF THE WEST BOUNDARY OF SUBJECT TRACT, (N 21°57'20" W), WGS 84, GEODETIC, LOCAL.

2. THIS SURVEY IS BASED ON A PLAT OF SURVEY OF HAILE SUBDIVISION RECORDED IN PLAT BK. 238, P. 012, RECORDS OF SANTA FE COUNTY, NM. BEARINGS AND DISTANCES IN ( ) ARE FROM SAID PLAT. REFERENCE PLAT: PLAT OF BOUNDARY SURVEY FOR JOEL P. & CHRISTINE McHORSE, RECORDED IN PLAT BK. 599, P. 047.

BOUNDARY SURVEY FOR "GUADALUPE BLEA & LOUISE BLEA..." BY BRIAN McCLINTOCK, PS 11597, RECORDED IN PLAT BK. 392 AT PAGE 032.

CERTIFICATE

I, Philip B. Wiegel, a duly registered Professional Surveyor in the State of New Mexico hereby certify that I conducted and am responsible for this survey, that this survey and plat represent an actual survey made in the field by me or under my direction, that it meets the Minimum Standards for Surveys in New Mexico and that the information contained herein is true and correct to the best of my knowledge, information and belief.

I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this is a boundary survey plat of an existing tract or tracts.

Philip B. Wiegel 3 August, 2005

Philip B. Wiegel
P.O. Box 22773

P.S. No. 9758
Santa Fe, NM.

PHILIP B. WIEGEL NEW MEXICO 9758 REGISTERED PROFESSIONAL SURVEYOR

AMENDMENT
THIS SURVEY AMENDED TO REFLECT INFORMATION CONTAINED ON PLAT OF HAILE SUBDIVISION, RECORDED IN PLAT BK. 238 AT PAGE 012 THAT WAS NOT KNOWN TO EXIST WHEN ORIGINAL PLAT WAS RECORDED.

Philip B. Wiegel 9 June, 2006
PHILIP B. WIEGEL, PS 9758 DATE

PHILIP B. WIEGEL NEW MEXICO 9758 REGISTERED PROFESSIONAL SURVEYOR

COUNTY CLERK VALERIE ESPINOZA SANTA FE COUNTY NEW MEXICO

Inst#1437088
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 9TH day of June A.D. 2006 at 2:13 o'clock p.m. and was duly recorded in Book 625 Page 44 of the records of Santa Fe County.

Witness my Hand and Seal of Office
VALERIE ESPINOZA
County Clerk, Santa Fe County, New Mexico
Deputy

THIS SURVEY PREVIOUSLY RECORDED IN PLAT BOOK 599 AT PAGE 047.

PUBLIC NOTICE

THE SANTA FE COUNTY LAND USE ADMINISTRATOR HAS NOT REVIEWED THIS PLAT OF SURVEY BEFORE ITS FILING IN THE OFFICE OF THE COUNTY CLERK. THIS PLAT IS NOT BEING FILED FOR THE PURPOSE OF CREATING A SUBDIVISION OR NEW LOTS, ALTERING THE BOUNDARIES OF ANY EXISTING LOTS OR FOR THE PURPOSE OF "DEVELOPMENT" AS DEFINED IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE, EXTRATERRITORIAL ZONING ORDINANCE OR EXTRATERRITORIAL SUBDIVISION REGULATIONS. THIS STATEMENT DOES NOT IN ANYWAY REPRESENT APPROVAL OF THIS PLAT.

INDEXING INFORMATION FOR COUNTY CLERK
BOUNDARY SURVEY

OWNER: MIKEY EDWIN BOYLAN, RALPH HAILE ESTATE OF MYRTLE HAILE
LOCATION AGUA FRIA ROAD
SECT. 33, T 17 N, R 9 E, N.M.P.M.

SANTA FE COUNTY, NM.
UPC No.: 1-051-097-269-512

DEL RIO SURVEYS, INC.		
P.O. BOX 22773	SANTA FE, NM	820-9200
PROJECT No. 05040313	Dwg. PW	Chk. DV
	Date: 8/03/05	REV. 1

EXHIBIT A

TRACT E-1 (2743 BOYLAN CIR.)

WARRANTY DEED

SF - 1 SHORT FORM WARRANTY DEED—Rev. 5-75—New Mexico Statutory Form THE VALLIANT CO. ALBUQUERQUE, N. M.

WARRANTY DEED

698493

Ralph L. Haile and Myrtle E. Haile , for consideration paid, grant

to Larry J. Boylan, an unmarried man

whose address is

the following described real estate in Santa Fe County, New Mexico:

Lot 12, in Section 28; and Lot 26, in Section 33, all within Township 17 N. of R. 9 E, N.M.P.M., contaning 2.22 acres, more or less. Subject to the reservation contained in the Patent.

Together with an easement 20 feet wide for ingress and egress and installation of utilities over that certain land more partcularly described as follows, to-wit:

EASEMENT DESCRIPTION

Beginning at a point which is the Northeast Corner of P.C. No. 562, from which beginning point a brass cap designating the North Quarter (1/4) corner of Section 33, Township 17 North, Range 9 East, N.M.P.M., bears the following courses and distances, N. 58° 34' E., 108.4 feet to the northwest corner of said P.C. No. 562 and N. 42° 02' E., 56.69 feet; thence from said point of beginning South along the line common to P.C. No. 562 and P.C. No. 437, Lot 1, to a point where the same intersects the north right-of-way line of Agua Fria Street; thence in an easterly direction 20 feet along the north right-of-way line of Agua Fria Street to a point, thence south paralleling the hereinabove mentioned common line to a point where it intersects the north boundary of P.C. 437, Lot No. 1; thence from said point of intersection westerly to the point and place of beginning.

with warranty covenants.

WITNESS our hand s and seal s this 23rd day of October, 1984.

Ralph L. Haile (Seal) Myrtle E. Haile (Seal)

Ralph L. Haile Myrtle E. Haile

(Seal) (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF Santa Fe } ss.

The foregoing instrument was acknowledged before me this 23rd day of October, 1984,

by Ralph L. Haile and Myrtle E. Haile
(Name or Names of Person or Persons Acknowledging)

My commission expires:
(Seal) Aug. 22, 1984

Notary Public

721197

COUNTY OF SANTA FE FOR RECORDERS USE ONLY
STATE OF NEW MEXICO) SS
I hereby certify that this instrument was filed for record on the 30 day of OCT A.D. 19 84 at 4:27 o'clock P m. and was duly recorded in book 678 page 493 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Veronica Clayton
Deputy

ACKNOWLEDGMENT FOR CORPORATION

STATE OF }
COUNTY OF } ss.

The foregoing instrument was acknowledged before me this
day of , 19 ,
by
(Name of Officer)
(Title of Officer) (Name of Corporation Acknowledging)
a
(State of Incorporation) corporation, on behalf of said corporation.

My commission expires:
(Seal)

Notary Public

COUNTY CLERK JONA G. ARMIJO SANTA FE COUNTY NEW MEXICO

TRACT D (2743 BOYLAN CIR)
WARRANTY DEED

ST & E 160777

WARRANTY DEED

For valuable consideration, the receipt, adequacy and validity of which is hereby acknowledged, Larry J. Boylan, also known as Larry Boylan, an unmarried man, ("Grantor"), does hereby grant and convey to SANTA FE COUNTY Board of County Commissioners, a political subdivision of the State of New Mexico ("Grantee"), all of Grantor's right, title and interest in and to the real property described in Exhibits "A", "A-1", "B", "B-1', "C", "C-1" through "C-6", "D" and "D-1" attached hereto and incorporated herein (the "Property"). The title conveyed hereby is subject to all matters of public record, all matters disclosed or discoverable by an accurate instrument survey of the Property, all matters disclosed or discoverable by a diligent physical inspection of the Property and all matters otherwise known to Grantee and/or affiliates of Grantee. Grantor warrants the title to the Property against its actions and none other, with warranty covenants, subject to the matters identified herein.

See Attached Exhibits A, A-1, B, B-1, C, C-1 through C-6, D and D-1

This property is sold and conveyed to Grantee in relation to acquiring rights-of-way for a public improvement, and the sum paid by Grantee represents full and complete payment due Grantor, including but not limited to any and all severance damages to Grantor's remaining lands affected by or appurtenant to said improvement, and upon said payment being made, Grantor releases and relinquishes to Grantee all further obligations or claims for damages.

For the purpose of a public improvement project, known as the Santa Fe River Greenway Project.

DATED this 10th day of SEPTEMBER, 2016.

Larry J. Boylan

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 16th day of SEPTEMBER 16, 2016, by Larry J. Boylan.

Notary Public

KARL H. SOMMER NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 7-1-19

E-RECORDED simplifile

ID: E 1805051

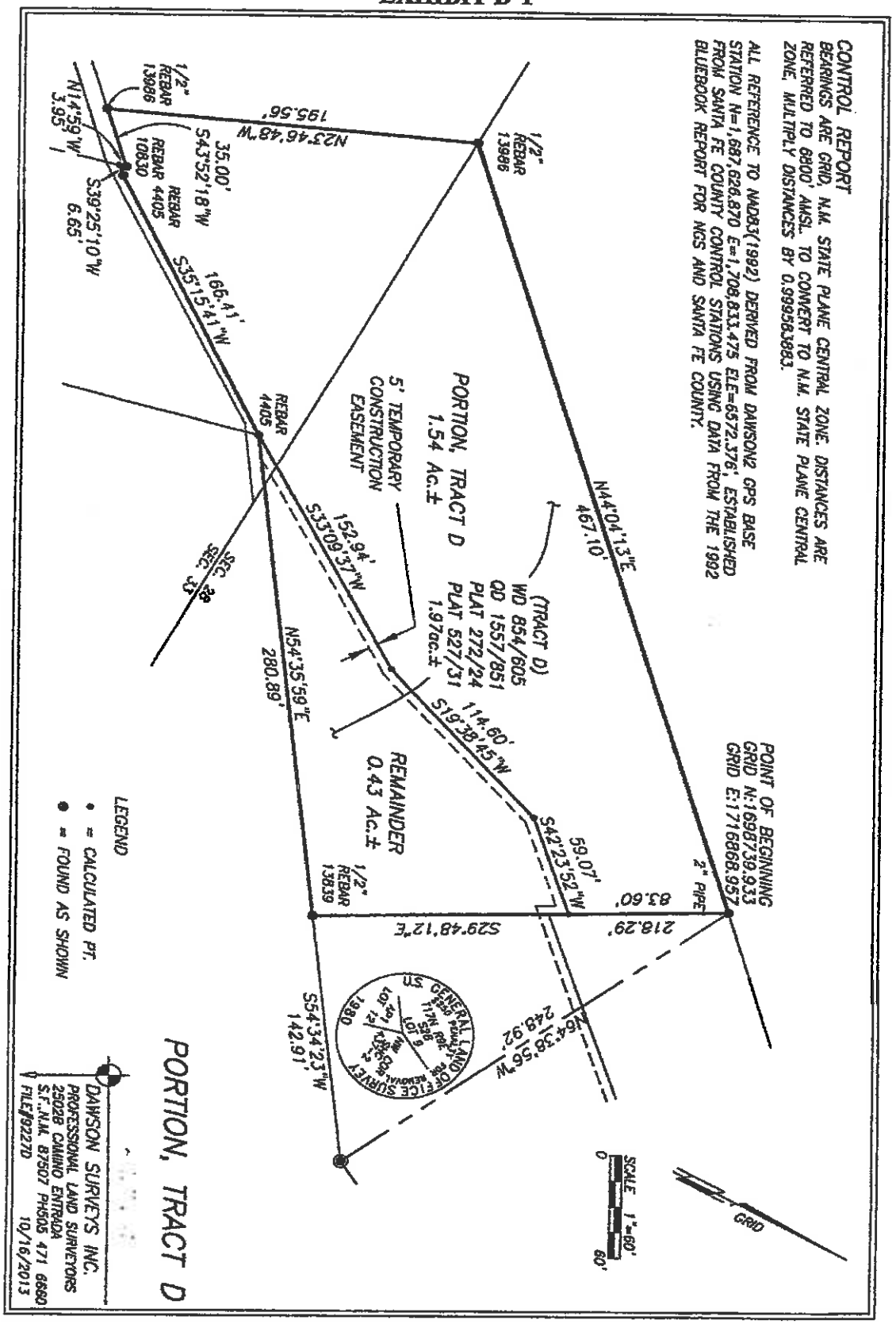
County: SANTA FE

Date: 9/21/16 Time: 4:04pm

SFC-RE_CD.001
Rev. 20140929

UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263050000000
Project Name: Santa Fe River Greenway Project

"EXHIBIT D-1"



UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263050000000
Project Name: Santa Fe River Greenway Project

TRACT A-1

WARRANTY DEED

SPECIAL WARRANTY DEED

2215557

YVETTE J. GONZALES, the Trustee of the Estate in Bankruptcy of Boylan Drilling & Supply, Inc., under United State Bankruptcy Cause No. 7-98-17174, and in accordance with the October 29, 1999 Order Approving Shareholder Agreement, for consideration paid, grants to LARRY BOYLAN, a single man dealing in his sole and separate property, the following described real estate located in Santa Fe County, New Mexico:

A tract of land being a portion of Lot 8 and Lot 9, Section 28, Township 17 North, Range 9 East, N.M.P.M., Santa Fe County, New Mexico more particularly described as follows:

Beginning at a point common to the southwest corner of Lot 8 and the southeast corner of Lot 9 marked by a 1980 B.L.M. Cadastral Survey brass cap, thence along the following bearings and distances:

S 54°	30'	W, 142.75 feet;
N 30°	05' 05"	W, 217.88 feet;
N 44°	12' 05"	E, 645.79 feet;
S 17°	09' 40"	E, 171.86 feet;
S 40°	12'	W, 96.28 feet;
S 14°	45'	E, 90.60 feet;
S 51°	57' 04"	W, 232.96 feet;
S 28°	00'	W, 112.86 feet;

to the point and place of beginning. All as shown on plat of survey by Salvador E. Vigil, dated October 4, 1983, as Project No. CI-426.

Less and excepting all water and water rights of any kind and nature.

SUBJECT to reservations, restrictions and easements of record, with special warranty covenants.

WITNESS my hand and seal this 12 day of July, 2002.

Yvette J. Gonzales

Yvette J. Gonzales
Trustee of the Estate in Bankruptcy of
Boylan Drilling & Supply, Inc., under
United States Bankruptcy Cause No. 7-98-17174

STATE OF NEW MEXICO)
ss.
COUNTY OF SANDOVAL)

The foregoing instrument was sworn to and subscribed before me on July 12th, 2002 by Yvette J. Gonzales, Trustee of the Estate in Bankruptcy of Boylan Drilling & Supply, Inc., under United States Bankruptcy Cause No. 7-98-17174.

Chana R. Adams

Notary Public

My commission expires: September 26, 2004

CHANA R. ADAMS NOTARY PUBLIC STATE OF NEW MEXICO

2215558

1224-933

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) SS

I Hereby certify that this instrument was filed for record on the 20 day of Jul A.D. 20 02 at 10:03 o'clock A m and was duly recorded in book 2216 page 357-358 of the records of Santa Fe County

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

Deputy

COUNTY CLERK
REBECCA BUSTAMANTE
SANTA FE COUNTY NEW MEXICO

ST & E 160777

WARRANTY DEED

For valuable consideration, the receipt, adequacy and validity of which is hereby acknowledged, Larry J. Boylan, also known as Larry Boylan, an unmarried man, ("Grantor"), does hereby grant and convey to SANTA FE COUNTY Board of County Commissioners, a political subdivision of the State of New Mexico ("Grantee"), all of Grantor's right, title and interest in and to the real property described in Exhibits "A", "A-1", "B", "B-1', "C", "C-1" through "C-6", "D" and "D-1" attached hereto and incorporated herein (the "Property"). The title conveyed hereby is subject to all matters of public record, all matters disclosed or discoverable by an accurate instrument survey of the Property, all matters disclosed or discoverable by a diligent physical inspection of the Property and all matters otherwise known to Grantee and/or affiliates of Grantee. Grantor warrants the title to the Property against its actions and none other, with warranty covenants, subject to the matters identified herein.

See Attached Exhibits A, A-1, B, B-1, C, C-1 through C-6, D and D-1

This property is sold and conveyed to Grantee in relation to acquiring rights-of-way for a public improvement, and the sum paid by Grantee represents full and complete payment due Grantor, including but not limited to any and all severance damages to Grantor's remaining lands affected by or appurtenant to said improvement, and upon said payment being made, Grantor releases and relinquishes to Grantee all further obligations or claims for damages.

For the purpose of a public improvement project, known as the Santa Fe River Greenway Project.

DATED this 16th day of SEPTEMBER, 2011.

Larry J. Boylan

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 16th day of SEPTEMBER 16, 2011, by Larry J. Boylan.

Notary Public

KARL H. SOWLE NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires: 3-21-19

E-RECORDED simplifile

ID: E 1805051

County: SANTA FE

Date: 9/21/16 Time: 4:04pm

SFC-RE_CD.001
Rev. 20140929

UPC No.: 1051098226009000000, 1051097168490000000, 1051098272073000000, 1051098263050000000
Project Name: Santa Fe River Greenway Project

"Exhibit A"

PORTION OF TRACT A1 DESCRIPTION

ALL THAT PORTION OF TRACT A1, DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AS BOOK 2215 PAGE 557 AND REDEFINED BY LOT LINE ADJUSTMENT SURVEY PREPARED FOR THE ESTATE OF TOM BOYLAN AND LARRY BOYLAN RECORDED AS BOOK 687 PAGE 39 AS SHOWN ON BOUNDARY SURVEY PREPARED FOR SANTA FE COUNTY OPEN SPACE & TRAILS DIVISION SANTA FE RIVER TRAIL PROJECT RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK AS BOOK 749 PAGE 15–17, ALL IN THE OFFICE OF THE SANTA FE COUNTY CLERK.
SAID PARCEL LYING WITHIN SECTION 28, TOWNSHIP 17 NORTH, RANGE 9 EAST, N.M.P.M., CITY AND COUNTY OF SANTA FE, NEW MEXICO WHICH PORTION MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PORTION OF LAND, WHICH LIES N64°38'56"W 248.92 FEET FROM A USGLO BRASS CAP MARKING THE COMMON CORNER OF LOTS 9, 12, AND SHC 437–2

THENCE N44°16'51"E, 645.79 FEET;
THENCE S16°52'42"E, 79.55 FEET;
THENCE S42°23'52"W, 633.57 FEET;
THENCE N29°48'12"W, 94.11 FEET;

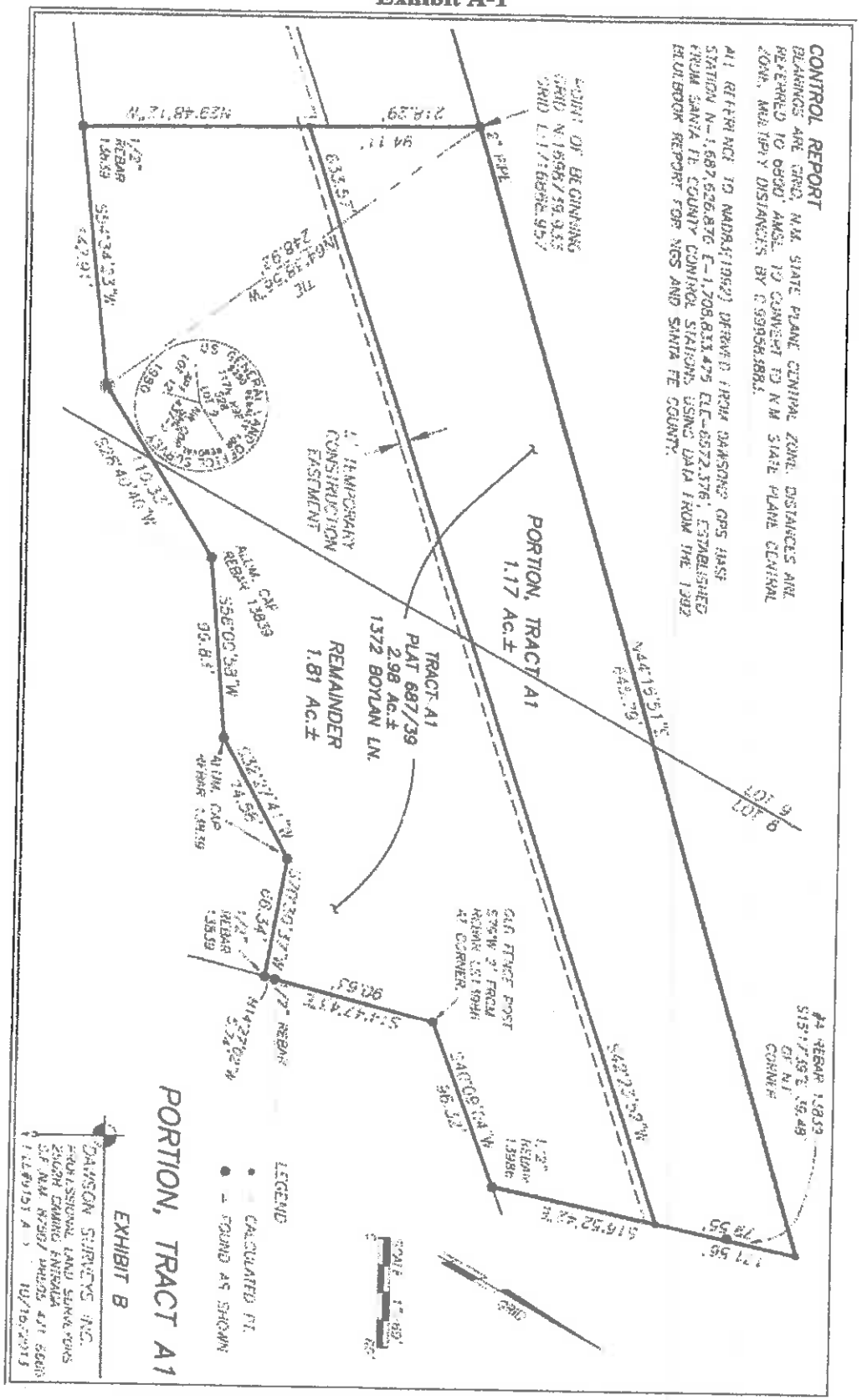
MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 1.17 Ac., MORE OR LESS, AS SHOWN MORE COMPLETELY ON EXHIBIT B ATTACHED HERETO.

DIEGO J. SISNEROS, N.M.P.L.S. 13986

DIEGO J. SISNEROS NEW MEXICO 13986 REGISTERED PROFESSIONAL SURVEYOR

10/16/2013

"Exhibit A-1"


CONTROL REPORT
BEARINGS ARE GRID, N.M. STATE PLANE CENTRAL ZONE. DISTANCES ARE REFERRED TO GROUND. TO CONVERT TO N.M. STATE PLANE CENTRAL ZONE, MULTIPLY DISTANCES BY 0.99958883.
ALL REFERENCE TO NAD83(1992) DERIVED FROM DAWSON GPS BASE STATION N=1,687,626.876 E=1,708,833.475 ELEV=6572.376', ESTABLISHED FROM SANTA FE COUNTY CONTROL STATIONS USING DATA FROM THE 1992 BULLBROOK REPORT FOR NGS AND SANTA FE COUNTY.
POINT OF BEGINNING GRID N 1,686,719.935 GRID E 1,712,688.957
2" PIPE
1/2" REBAR 1.4'N
PORTION, TRACT A1 1.17 Ac.±
TEMPORARY CONSTRUCTION EASEMENT
TRACT A1 PLAT 687/39 2.98 Ac.± 1372 BOYLAN LN.
REMAINDER 1.81 Ac.±
ALUM. CAP REBAR 1959
1/2" REBAR 1359
660 FT. FROM POST S75°W 2' FROM ROCK 1.5'N 10'W AT CORNER
1/2" REBAR 1359
#4 REBAR 1359
PORTION, TRACT A1
EXHIBIT B
DAWSON SURVEYS, INC.
LEGEND
CALCULATED PT.
FOUND AS SHOWN