

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2009- 54

3 INTRODUCED BY:

4 Miguel Chang  
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10 AN ORDINANCE

11 ANNEXING APPROXIMATELY 1,956 ACRES (PHASE 1) IN ACCORDANCE WITH  
12 THE "ANNEXATION PHASING AGREEMENT BETWEEN THE CITY OF SANTA FE  
13 AND SANTA FE COUNTY" EXECUTED IN FEBRUARY 2009. THE PHASE 1  
14 ANNEXATION INCLUDES AREAS 3, 6, 8, 9, 10, 11, 13, 15, 16, 17 AND THE  
15 INTERSTATE 25 RIGHT-OF-WAY BETWEEN OLD PECOS TRAIL AND NM  
16 HIGHWAY 599, AS SHOWN ON THE ATTACHED MAPS (EXHIBITS A-L).

17  
18 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

19 Section 1. Pursuant to Section 3-7-17.1 NMSA 1978 (2003), the following areas of land  
20 (the "property") are annexed to the city of Santa Fe, thereby extending the corporate limits of the  
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23 Section 2. A petition (the "petition") prepared and submitted by the city, has been  
24 presented to the duly established Extraterritorial Land Use Commission for recommendation and  
25 the Extraterritorial Land Use Authority for approval. The Extraterritorial Land Use Authority did

1 review and grant approval of the Phase 1 Annexation petition on September 24, 2009.

2       **Section 3.** It is in the best interest of the city and county that the areas specified in the  
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5       **Section 4.** This ordinance shall be published one time by title and general summary and  
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7 APPROVED AS TO FORM:

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10 FRANK D. KATZ, CITY ATTORNEY  
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25 RLiming/HCDD/LR Planning

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2009- 54

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4 Miguel Chavez  
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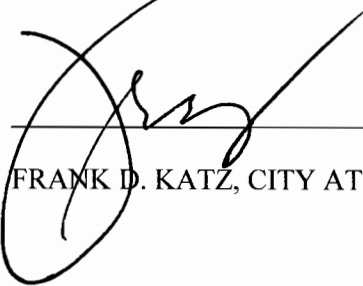
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## City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe.

### Section A.      **General Information**

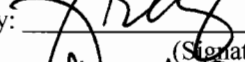
(Check one)      Bill:   X        Resolution: \_\_\_\_\_

Short Title:      **Phase 1 Annexation of the Presumptive City Limits according to City/County Settlement Agreement.**

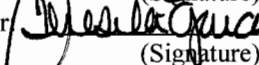
Sponsor(s):      **Councilor Chavez**

Reviewing Department(s):      **Housing and Community Development**

Person Completing FIR: **Reed Liming**      Date: **10-1-09**      Phone: **955-6610**

Reviewed by City Attorney:  \_\_\_\_\_  
(Signature)

Date: 9/29/09

Reviewed by Finance Director:  \_\_\_\_\_  
(Signature)

Date: 9/29/09

*for David Sullivan*

### Section B.      **Summary**

Briefly explain the purpose and major provisions of the resolution.

**This ordinance will officially annex Phase 1 of the "Presumptive City Limits" within the Urban Area.**

### Section C.      **Fiscal Impact**

**Note:** Financial information on this FIR does not directly translate into a budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*

#### **1. Projected Expenditures:**

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year
- b. Indicate:      "A" if current budget and level of staffing will absorb the costs  
                      "N" if new, additional, or increased budget or staffing will be required
- c. Indicate:      "R" – if recurring annual costs  
                      "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

# See Following Page

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 09/10	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
Fringe at 30%	\$ _____	_____	_____	\$ _____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____
Total:	\$ _____			\$ _____			

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees.

## 2. Revenue Sources:

- To indicate new revenues and/or
- Required for costs for which new expenditure budget is proposed above in item 1.

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	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
Total:	\$ _____		\$ _____		

### 3. Expenditure/Revenue Narrative:

**The following are estimated annual expenditures and revenues for the Phase 1 annexation:**

<u>ANNEXATION / EXPENDITURES</u>	<u>Average Annual Costs</u>
<b>1. Police</b>	
• Personnel (officers/add'l hours)	\$ 17,000 (patrolling & processing I-25 accidents)
• Equipment (patrol cars, etc.)	0
<b>2. Fire / EMS</b>	
• Personnel (firefighters)	\$ 119,741 (Hire additional Fire Inspector)
• Equipment (fire trucks, etc.)	0
<b>3. Solid Waste</b>	
• Personnel	0
• Equipment	0 (cost of carts covered by monthly service charge)
<b>4. Streets / Drainage</b>	
• Street maintenance, striping, drainage	0
• Street Resurfacing	0
<b>5. Parks / Open Space</b>	
• Personnel	0
• Equipment	0
<b>6. Land Use/Code Enforcement</b>	
• Personnel	0
• Equipment	0
<b>EXPENDITURE TOTAL</b>	<b>\$ 136,741</b>

<u>ANNEXATION / REVENUES</u>	<u>Average Annual Revenue</u>
<b>1. Gross Receipts</b>	
Commercial	\$ 10,000
New Growth	0
<b>2. Property Tax</b>	
Existing Development	\$ 95,000
New Growth	0
<b>3. Impact Fees</b>	
Commercial	0
Residential	0
<b>REVENUE TOTAL</b>	<b>\$105,000</b>

### 3. Expenditure/Revenue Narrative: (Continued)

The overall annual costs are due to Police and Fire Departments providing "1<sup>st</sup> Response" to accidents along that portion of Interstate 25 the city is annexing in Phase 1. The Solid Waste Division will also incur costs to provide service to Phase 1 residents and businesses through the purchase of waste carts, but the cost of purchasing carts will be recouped by monthly service charges within approximately 5 months.

The annual costs will be offset by anticipated annual revenues from the Phase 1 area of an estimated \$105,000, primarily due to an additional \$95,000 in property tax revenue that the city will collect from the Phase 1 areas and an estimated additional \$10,000 in gross receipts tax from businesses in the annexed areas.

**Section D.      General Narrative**

**1. Legal Issues/Conflicts:**

Are there any legal problems? If so, explain. Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

**2. Consequences of Not Enacting This Agreement:**

**The city will not be implementing City/County Annexation Agreement and the city and county may have to go back and amend the original settlement agreement to change some of the anticipated phases and the dates those phases will be annexed.**

**3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.



# City of Santa Fe, New Mexico

# memo

**DATE:** For Public Hearing of Tuesday, November 10, 2009

**TO:** Mayor & City Council

**VIA:**

  
Galen Buller, City Manager   
Frank Katz, City Attorney   
Kathy McCormick, Housing & Community Development Dept. Director 

**FROM:** Reed Liming, Long Range Planning Division Director 

**RE:** City-Initiated Annexation, Phase 1

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## RECOMMENDATION

Staff requests that City Council approve the Phase 1 Annexation Ordinance (**Exhibit A**). On Thursday, October 15, 2009, the City Planning Commission recommended approval of the annexation. On Thursday, September 24, 2009, the Extraterritorial Land Use Authority approved the City's petition to annex Phase 1.

## BACKGROUND

In 2008, the City of Santa Fe and Santa Fe County reached a historic **Settlement Agreement (Exhibit B)** under which the City will annex certain lands within the next five years, creating clear, readily identifiable City boundaries. The land to be annexed is generally defined by existing major roadways to the west and south (State Route 599 and Interstate 25), and the National Forest to the east. (Note: The Agua Fria Traditional Historic Community and the County Fairgrounds are not part of the city-initiated annexation). The main purpose of annexation is to provide orderly and controlled growth through consistent policies and a single, unified set of regulatory controls under the authority of a single local government. Other advantages to annexation include planned and efficient infrastructure expansion, as well as a municipal water supply for better resource conservation.

## ANNEXATION PROCESS

The City has followed the state statutes using the "petition" method of annexation, part of which involves the creation of a city/county Extraterritorial Land Use Commission and Extraterritorial Land Use Authority to review and act on the city's petition. In addition to public meetings held by the Land Use Commission and the Land Use Authority for the review, recommendation and decision on the petition, the city also follows its own requirements (Chapter XIV, SFCC) for reviewing and acting on an annexation ordinance. This includes following Chapter 14 SFCC requirements for Early Neighborhood Notification, as well as notification prior to public hearings held at the Planning Commission and the City Council.

As an implementing document to the Settlement Agreement, the city and county jointly executed the **Extraterritorial Land Use Joint Powers Agreement (Exhibit C)**. This agreement established the Extraterritorial Land Use Commission (ELUC) and the Extraterritorial Land Use Authority (ELUA) in

accordance with State law, NMSA 1978 §3-21-3.2 (2003), for the purpose of hearing and making recommendations on all city-initiated annexations. The Joint Powers Agreement also provides for the division of land use authority between the county and the city outside and inside the Presumptive City Limits, which is that area scheduled for annexation.

According to a separately executed **Annexation Phasing Agreement (Exhibit D)**, the city and county agreed that the city would achieve the annexation in three phases including 18 separately identified and mapped geographic areas. The Phase 1 Annexation includes the mapped areas numbered 3, 6, 8, 9, 10, 11, 13, 15, 16 and 17.

The City filed with both the City Clerk and the County Clerk the **Petition for Annexation of Phase 1 (Exhibit E)**. This petition shows detailed maps of each of the Phase 1 annexation areas. The petition for annexation was filed pursuant to NMSA 1978 Section 3-7-17.1

3-7-17.1. Annexation; certain municipalities in class A counties; limitations.

A. A petition seeking the annexation of territory contiguous to a municipality located in a class A county with a population of less than three hundred thousand persons shall be presented to the city council and be accompanied by a map that shows the external boundary of the territory proposed to be annexed and the relationship of the territory proposed to be annexed to the existing boundary of the municipality.

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C. Except as provided in Subsection D of this section, if the petition is not signed by the owners of a majority of the number of acres in the contiguous territory, the extraterritorial land use commission shall consider the matter and make a recommendation to the extraterritorial land use authority. The extraterritorial land use authority shall approve or disapprove the petition. If approved by the extraterritorial land use authority, the city council may by ordinance approve the annexation.

The hearing process is scheduled so that each annexation phase will be heard by the Extraterritorial Land Use Commission with a recommendation to the Extraterritorial Land Use Authority. The Authority, in turn, provides a decision to the City. If there is a favorable decision by the Authority, a public hearing will be held by the City Planning Commission, which would then make a recommendation to the Governing Body (Mayor & Council). The Governing Body would then hold a public hearing making a final decision whether or not to annex.

Prior to public hearings, the city's Early Neighborhood Notification (ENN) process was initiated as a first point of contact with affected property owners and residents. The City's ENN process requires meetings with affected property owners to discuss the intention of the city to annex. ENN meeting requirements include notifications of the meetings via 1<sup>st</sup> class mail to all affected property owners and physical addresses along with a newspaper advertisement announcing the date, time and place of each ENN meeting. Included herein please find **Summary of Early Neighborhood Notification Meetings (Exhibit F)** and **Supplemental ENN Documentation (Exhibit G)**.

Finally, the city's Chapter XIV requirements were followed in advertising and noticing the Planning Commission and City Council Public Hearings via a newspaper advertisement and notification letter sent to all affected property owners and physical addresses (**Exhibit H**).

### **Land Use and Zoning of the Annexation Areas**

City land use and zoning designations have been approved for all of the Phase 1 areas by way of adoption of the Subdivision, Planning, Platting and Zoning Ordinance (SPPaZO). The Extraterritorial Land Use Authority (ELUA) adopted the Future Land Use and Zoning map on Thursday, August 27, 2009.

Critical Steps & Dates leading up to City public hearings

**Wednesday, June 3, 2009** – Phase 1 Annexation Petition 2009–1 filed with City Clerk and County Clerk;

**Monday, July 20, 2009** – ENN Meeting (Areas 16 & 17) held at Santa Fe Woman’s Club;

**Wednesday, July 22, 2009** – ENN Meeting (Areas 3, 6, 8) held at Southside Library;

**Thursday, July 23, 2009** – ENN Meeting (Areas 9, 10, 11, 13, 15) held at Southside Library;

**Wednesday, September 16, 2009** – ELUC Public Meeting; recommends Phase 1 Annexation petition;

**Thursday, September 24, 2009** – ELUA Public Meeting; approves Phase 1 Annexation Petition.

ATTACHMENTS:

EXHIBIT A: Phase 1 Annexation Bill / Fiscal Impact Report

EXHIBIT B: Settlement Agreement and Mutual Release of Claims

EXHIBIT C: Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement

EXHIBIT D: Annexation Phasing Agreement Between the City of Santa Fe and Santa Fe County

EXHIBIT E: City of Santa Fe Petition for Annexation of Phase 1

EXHIBIT F: Summary of Early Neighborhood Notification (“ENN”) Meetings

EXHIBIT G: Supplemental ENN Documentation:

1. ENN Meeting Notices
2. FAQ’s (accompanied ENN meeting notices)
3. ENN Meeting Sign-In Sheets
4. Copy of Newspaper Ad Noticing ENN Meetings
5. Responses to ENN Guidelines

EXHIBIT H: Public Hearing Notification

1. Copy of Newspaper Ad Noticing Planning Commission / City Council Public Hearings
2. Copy of Notification Letter Announcing Planning Commission / City Council Public Hearings

EXHIBIT A:

PHASE I ANNEXATION

BILL /

FISCAL IMPACT

REPORT

**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2009- 54**

**INTRODUCED BY:**

**Councilor Miguel Chavez**

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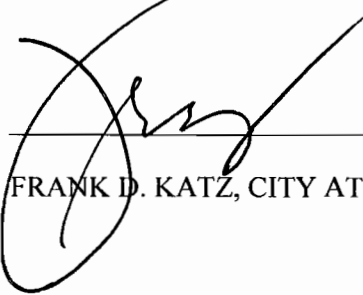
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### Section A.      **General Information**

(Check one)      Bill:   X        Resolution: \_\_\_\_\_

Short Title:      **Phase 1 Annexation of the Presumptive City Limits according to City/County Settlement Agreement.**

Sponsor(s):      **Councilor Chavez**

Reviewing Department(s):      **Housing and Community Development**

Person Completing FIR: **Reed Liming**      Date: **10-1-09**      Phone: **955-6610**

Reviewed by City Attorney: \_\_\_\_\_      Date: 9/29/09  
(Signature)

Reviewed by Finance Director: \_\_\_\_\_      Date: 9/29/09  
(Signature)

*for David Mullican*

### Section B.      **Summary**

Briefly explain the purpose and major provisions of the resolution.

**This ordinance will officially annex Phase 1 of the "Presumptive City Limits" within the Urban Area.**

### Section C.      **Fiscal Impact**

**Note:** Financial information on this FIR does not directly translate into a budget increase. For a budget increase, the following are required:

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- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year
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Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
Fringe at 30%	\$ _____	_____	_____	\$ _____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
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The following are estimated annual expenditures and revenues for the Phase 1 annexation:

<u>ANNEXATION / EXPENDITURES</u>	<u>Average Annual Costs</u>
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**Section D.      General Narrative**

**1. Legal Issues/Conflicts:**

Are there any legal problems? If so, explain. Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

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**3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

# ANNEXATION AREAS DATA

	Acres	Population	Housing Units
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Village)	124.17	369	137
AREA 6 (Airport / WWTP)	334.70		
AREA 8 (West side of Cerrillos Rd. near Ocate Road)	49.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (East side of Cerrillos across from Ocate Road)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 13 (East side of Richards Avenue, North of I-25 & West of Pueblos del Sol)	170.10	206	71
AREA 15 (East of Carlos Rey del Sur Subd. - North of I-25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I-25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail)	57.43	28	16
I-25 ROW (from NM 599 to Old Pecos Trail)	865		
<b>TOTALS</b>	<b>1,956.36</b>	<b>1313</b>	<b>507</b>

1 inch = 3,700 feet



## Legend

- City Limits
- Phase 1

3,700 0 3,700  
Feet

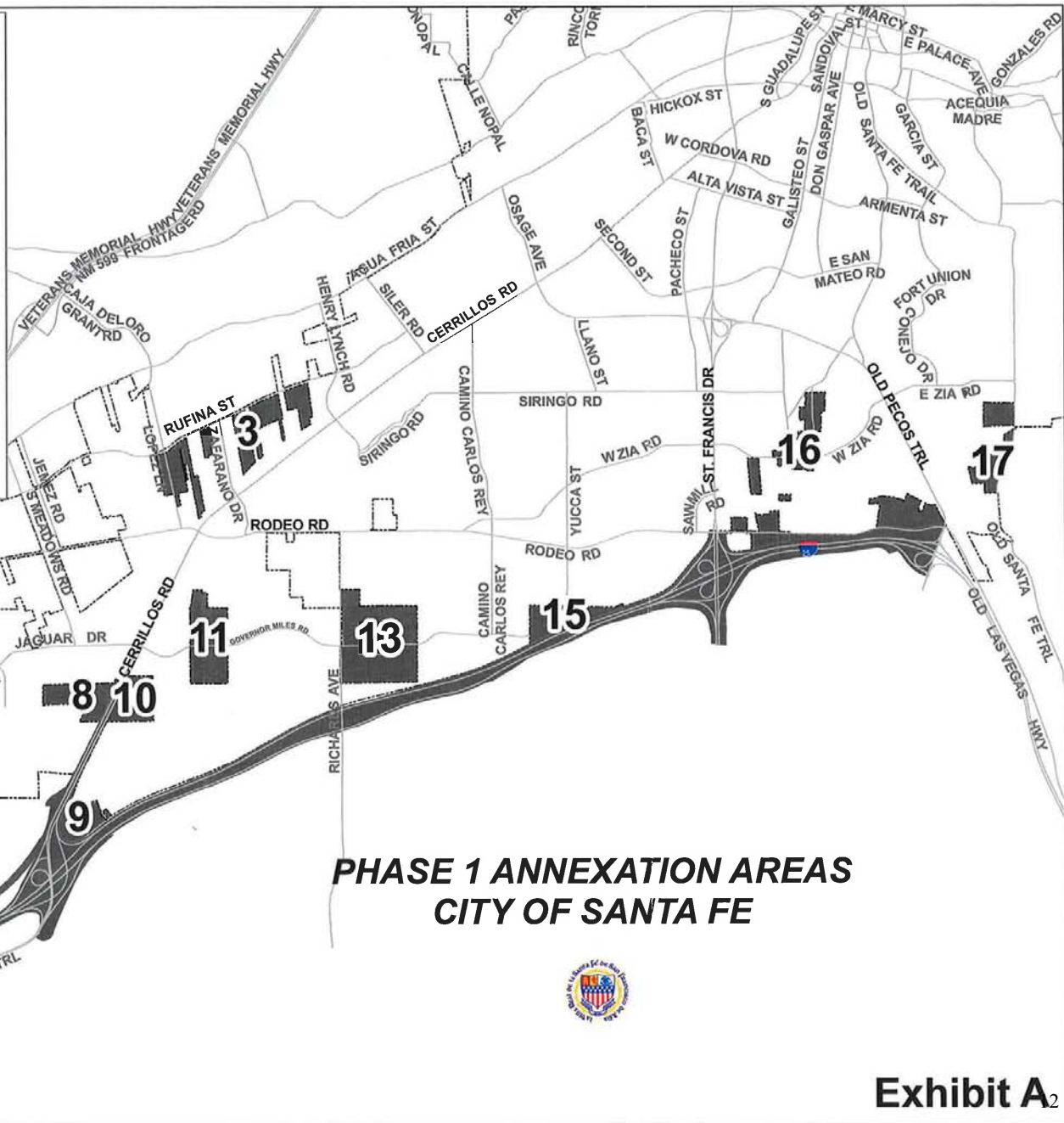


Exhibit A<sub>2</sub>



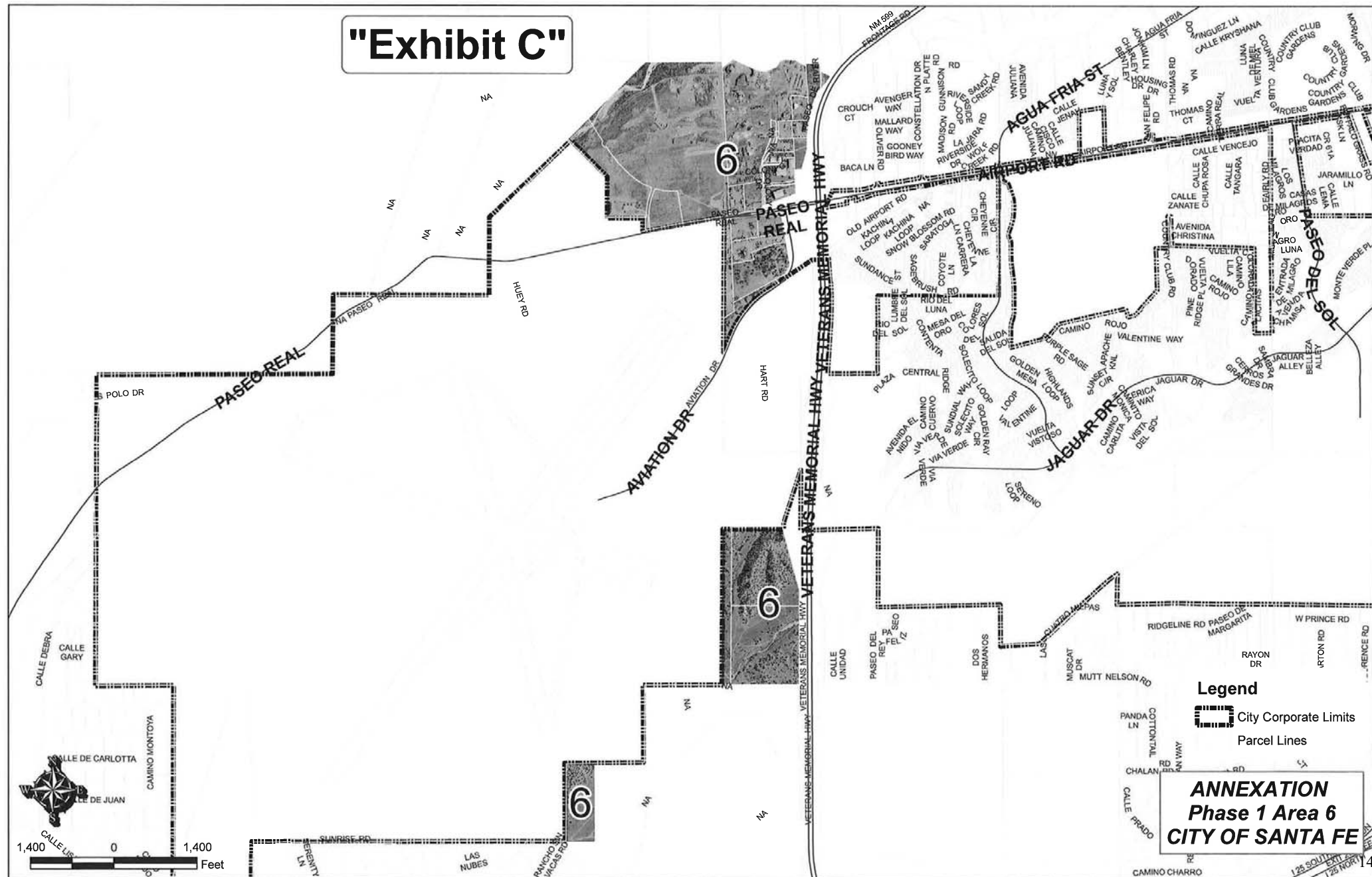
# "Exhibit B"

- Legend**
- City Corporate Limits
  - Agua Fria THC
  - Not Included in Annexation
  - Parcel Lines

**ANNEXATION  
Phase 1 Area 3  
CITY OF SANTA FE**

AVENIDA DEL ORO

# "Exhibit C"





# "Exhibit D"



## Legend

- City Corporate Limits
- Parcel Lines

**ANNEXATION  
Phase 1 Area 8  
CITY OF SANTA FE**

# "Exhibit E"

1 inch = 160 feet

W FRONTAGE RD

CERRILLOS RD

CERRILLOS RD  
EXIT 278 OFF

EXIT 278 ON  
EXIT 278 OFF

BECKNER RD

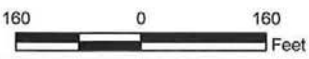
I 25 SOUTH

EXIT 278 OFF

## Legend

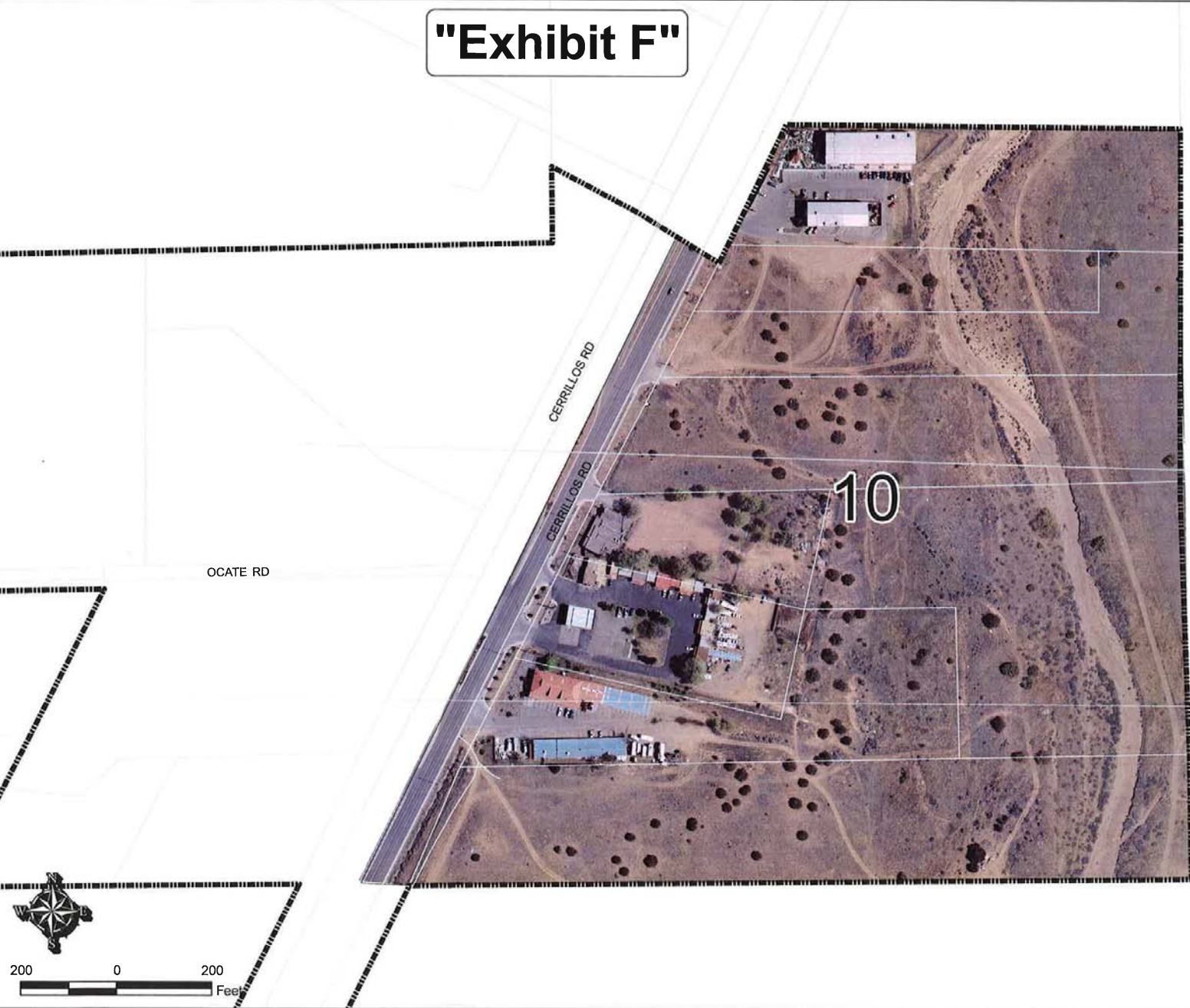
-  City Corporate Limits
-  Parcel Lines

**ANNEXATION  
Phase 1 Area 9  
CITY OF SANTA FE**





"Exhibit F"

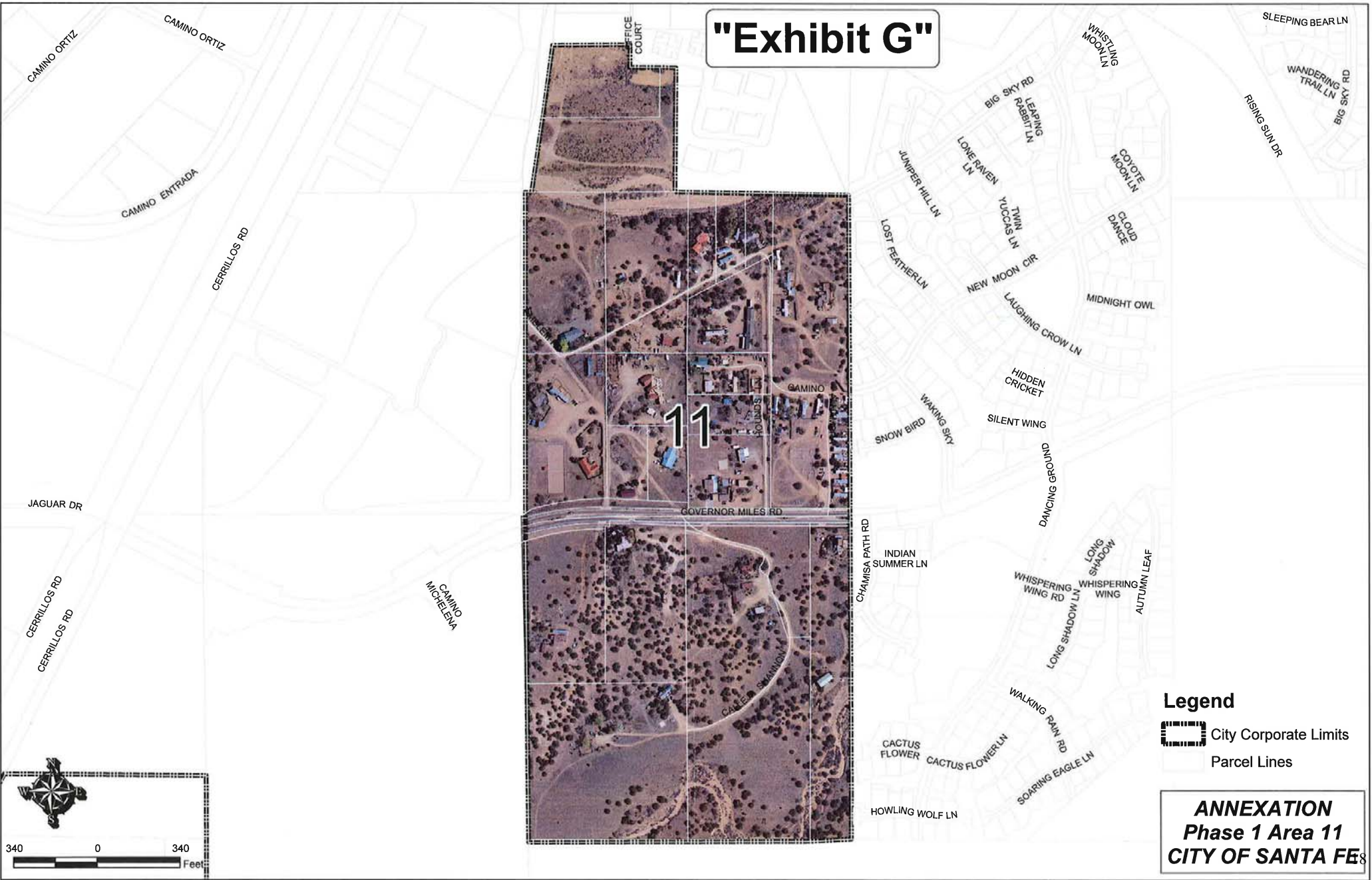


- Legend**
- City Corporate Limits
  - Parcel Lines

**ANNEXATION**  
**Phase 1 Area 10**  
**CITY OF SANTA FE**




# "Exhibit G"



# "Exhibit H"

13

## Legend

-  City Corporate Limits
-  Parcel Lines

**ANNEXATION**  
**Phase 1 Area 13**  
**CITY OF SANTA FE**



# "Exhibit I"

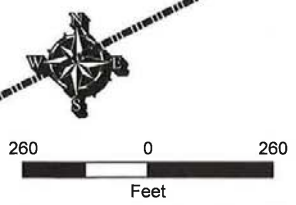
1 inch = 260 feet



## Legend

- City Corporate Limits
- Parcel Lines

**ANNEXATION**  
**Phase 1 Area 15**  
**CITY OF SANTA FE**





# "Exhibit K"

17

17

17

## Legend

- City Corporate Limits
- Parcel Lines

**ANNEXATION**  
**Phase 1 Area 17**  
**CITY OF SANTA FE**



# "Exhibit L"

## Legend

- City Corporate Limits
- Parcel Lines

**ANNEXATION**  
**Phase 1- I-25 ROW**  
**CITY OF SANTA FE**

23

EXHIBIT B:

SETTLEMENT

AGREEMENT AND

MUTUAL RELEASE

OF CLAIMS

**SETTLEMENT AGREEMENT**  
**AND MUTUAL RELEASE OF CLAIMS**

This Settlement Agreement is entered by and between the Governing Body of the City of Santa Fe, New Mexico, a municipal corporation organized and existing under the Laws of the State of New Mexico (hereinafter referred to as "the City"), the Board of County Commissioners of Santa Fe County, a political subdivision of the State of New Mexico (hereinafter referred to as "the County"), the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission, extraterritorial planning and zoning bodies created through a Joint Powers Agreements by and between the City and County (entities created by the 1991 Joint Powers Agreement of the City and County and hereinafter referred to as "the EZA" and "the EZC"), and the owners of land within Area 10, as defined herein, whose signatures are included at the end of this Agreement (hereinafter collectively referred to as "Las Soleras"), all collectively referred to herein as "the parties."

**WHEREAS**, a dispute has arisen among the parties hereto over the proposed annexation of the proposed development known as "Las Soleras" and the dispute resulted in the filing of six lawsuits in the federal and State courts in New Mexico;

**WHEREAS**, the dispute concerning the annexation of Las Soleras led to differences of opinion between the City and the County over the issue of annexation in general;

**WHEREAS**, part of the mandate of the Regional Planning Authority, a joint City and County Board devoted to regional planning and established by the Fifth Amended



and Restated Joint Powers Agreement for the Regional Planning Authority (hereinafter referred to as "the RPA"), is to address the annexation issue, but the controversy over Las Soleras' application to the EZC and EZA arose before the RPA could complete its work;

**WHEREAS**, the dispute outlined above and the lawsuits have significantly burdened the parties, affected City/County relations, impaired the reasonable development of the City, and has burdened the County with an area that is largely urban;

**WHEREAS**, the parties desire to resolve all the disputes and lawsuits in a comprehensive settlement that: (i) permits annexation of Las Soleras (portions of area 10, identified on Attachment A hereto), (ii) permits annexation of Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, the unannexed portion of Area 13, Areas 15, 16, 17 and 18, identified on Attachment A, in a way that does not unreasonably impact the City, the County, or the citizens residing in those areas, (iii) resolves annexation issue for a period of no less than twenty years and enables the City and County to effectively plan in their respective jurisdictions; (iv) addresses the need to establish sensible water and wastewater utility service areas for the City and County and remedies existing inconsistencies in the service areas in a reasonable way; and (v) focuses City/County interactions on positive intergovernmental projects rather than lawsuits and controversy; and

**WHEREAS**, the parties hereto therefore desire to enter into a binding agreement to settle the remaining lawsuits and all issues related thereto.

**NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:**

**1. STIPULATED DISMISSAL OF ALL PENDING LITIGATION.** Upon final execution of this Agreement by all of the parties hereto, the parties shall file a stipulation of dismissal of each of the following cases:

a. *Las Soleras Oeste Ltd. Co., Geronimo Partnership, the Crossing LLC, Crowne Santa Fe LLC, Randall Schmille, Tierra de la Amigos LLC, and Burttram Family Investments LLC v. City of Santa Fe*, First Judicial District Court Cause No. D-0101-CV-2006-02397; and

b. *City of Santa Fe v. Santa Fe Extraterritorial Zoning Authority, Santa Fe Extraterritorial Zoning Commission and Las Soleras Ltd., J. Harmon Burttram and Anne Janssen, Faye E. Gardner, and Building Services Co., as owners of the proposed Development Known as the Las Soleras Development*, First Judicial District Court Cause No. D-0101-CV-2006-01555.

**2. ANNEXATION OF AREAS 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, THE UNANNEXED PORTION OF AREA 13, AREAS 15, 16, 17 AND 18.**

a. The City shall annex Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, the unannexed portion of Area 13, Areas 15, 16, 17 and 18, all as shown on Attachment A.<sup>1</sup>

b. The annexations referred to in the previous paragraph shall be accomplished within the five year period commencing on the effective date of this Agreement. Annexations shall be accomplished through any of the means described in NMSA 1978, §§ 3-7-1 through 3-7-18 (1965)(as amended), but the petition method set forth in NMSA 1978, § 3-7-17.1 (2003) shall be preferred. In the event the Municipal Boundary Commission method set forth in NMSA 1978, §§ 3-7-11 through 3-7-16 (1965)(as amended) is used, or the petition method is used but all owners fail to sign the petition thus requiring action of the Extraterritorial Land Use Authority as set forth in

<sup>1</sup> The remaining portion of Area 10 will be annexed, but is addressed specially in Section 3 of this Agreement.

NMSA 1978, § 3-7-17.1(C) (2003), then the County shall fully cooperate with the City in the prosecution of the applications.

c. Area 1 and Area 12 shall be annexed but the rural residential zoning prevalent in the area shall be respected by the City following annexation and urban densities shall not be established within Area 1 or Area 12 during the term of this Agreement. Appropriate zoning shall be developed by the City for these areas prior to annexation.

d. Residents of Area 1 shall be permitted to submit a petition or petitions with the Board of County Commissioners to include portions of Area 1 in the Agua Fria Traditional Historic Community prior to annexation.

e. Area 7 shall be annexed concurrently or following annexation of Areas 2, 3, 4, and 5.

f. The City may annex Areas 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, the unannexed portion of Area 13, 15, 16, 17 and 18, ) immediately or, alternatively, may annex the areas sequentially over a period not to exceed five years. Specific target dates for filing of the appropriate petition with the Municipal Boundary Commission or the appropriate petition pursuant to the petition method shall be established by a separate written City-County Agreement. The City and the County immediately shall undertake a joint comprehensive survey of existing conditions within Areas 2, 4 and 5 to identify relevant public infrastructure in those areas that will be subject to the terms of this Agreement and to identify relevant public nuisances. The information gathered may be used to establish specific target dates for annexation and to plan annexation within those areas. Once agreed upon, the target dates may only be changed by subsequent written amendment.

g. Territory to be annexed pursuant to this Agreement shall be referred to herein as "Areas to be Annexed" and current city boundaries augmented by these Areas to be Annexed shall be referred to as within the "Presumptive City Limits." No areas outside the Presumptive City Limits shall be annexed for twenty years unless the City and the County specifically agree by separate written agreement. Area 14, the Rodeo Grounds and County Fair Grounds, shall remain unannexed.

h. The County approves the annexation of Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, the unannexed portion of Area 13, Areas 15, 16, 17 and 18, and shall provide to the City such approvals in writing and in appropriate forums after due notice and opportunity to comment on annexations initiated by the petition method pursuant to NMSA 1978, § 3-7-17.1 (2003).

i. The Beatty annexation (a portion of area No. 10 described on Attachment C to this Agreement) shall be recorded immediately without objection by the County.

j. County roads lying within parcels to be annexed shall be annexed contemporaneously with the adjoining parcels, and any County road that serves as a boundary for annexed property shall be annexed contemporaneously to the right of way boundary opposite the parcel being annexed. Upon annexation of any road owned by the County as provided for in this paragraph, the City shall assume ownership and maintenance responsibilities, and the County thereafter shall have no responsibility for the road.

k. The County shall maintain existing county roads within the Areas to be Annexed to customary county maintenance standards until annexation by the City. This

Agreement shall not be construed to require the County to provide significant capital improvements to an existing road or construct a new road within the Areas to be Annexed in the absence of a separate written agreement by and between the City and County that provides a means for financing the capital improvements. No construction or other capital improvements to roads within the Presumptive City Limits shall be undertaken by the County after execution of this Agreement without first having obtained written approval from the City. Nothing in this Agreement shall absolve any person or entity from an obligation to complete roads as specified in any approved development plan the Areas to be Annexed.

l. The City shall not construct or maintain roads within the Areas to be Annexed except as provided in a separate written agreement of the City and the County.

m. The City shall provide water and wastewater service within the Presumptive City Limits and shall not provide water and wastewater service outside the Presumptive City Limits unless required by a current contract with a customer, decrees of a court, or applicable rulings of the Public Regulation Commission, unless otherwise agreed upon between the City and the County in a separate written agreement.

n. The water and wastewater utility service areas of the City and County shall coincide with the Presumptive City Limits; the City water and wastewater utility service area shall be within the Presumptive City Limits and the County utility service area shall be outside the Presumptive City Limits.

o. City water and wastewater customers outside the Presumptive City Limits will be transferred to the County when the County is able to provide service unless prohibited by a current contract with a customer, decrees of a court, or applicable rulings

of the Public Regulation Commission. Accordingly, upon consent or assignment, water and wastewater customers not in the City and outside of the Presumptive City Limits, such as those in the Aldea development, IAIA, and the Santa Fe Community College shall become County customers when the County is able to provide water and wastewater service. County water customers within the Presumptive City Limits shall be transferred to the City when the City is able to provide service unless prohibited by a current contract with a customer, decrees of a court, or applicable rulings of the Public Regulation Commission. Accordingly, upon consent or assignment, water customers within Area 7 shall become City customers when the City is able to provide service. The City and County Managers shall meet and confer and develop a plan to accomplish these transfers, and the plan shall be documented in a subsequent written amendment to this Agreement. The Plan shall include provisions for reimbursement of the City and County for the actual value of the infrastructure transferred as established by an appraisal prepared by an appraiser chosen by mutual agreement of the parties. If either party assumes a water delivery obligation for which the customer transferred water rights to the City or County, the City or County shall transfer those water rights, along with the customers, to the other party.

p. The County agrees to adopt an ordinance pursuant to NMSA 1978, § 7-2-14.3 (2003) to provide a partial property tax rebate for low-income taxpayers who have their principal place of residence in the County and, if deemed necessary by the Board of County Commissioners, to adopt a resolution to submit to the qualified electors of the County pursuant to NMSA 1978, §§ 7-2-14.4 (2001) and 7-2-14.5 (1994), the question whether to impose a property tax increase to fund the property tax rebate.

q. In addition to roads and water and wastewater service, discussed previously, the City shall provide municipal services within areas annexed pursuant to this Agreement, including but not limited to solid waste disposal, law enforcement and fire protection.

r. The County shall provide law enforcement and fire protection services to all areas outside of the Presumptive City Limits and to all Areas to be Annexed until annexation. In the area to be annexed that is most densely populated (between Airport Road and Agua Fria Road) and most in need of augmented law enforcement services, the County shall maintain its current level of law enforcement services until annexation and thereafter, by separate Joint Powers Agreement, for a period up to three years following annexation. The City shall immediately upon annexation match that level of law enforcement service provided by the County and over the three year period replace the County law enforcement services.

s. Nothing herein shall preclude interagency coordination of fire protection and law enforcement as set forth in other agreements or through informal means and the County shall continue to provide fire protection and law enforcement services at levels required by such agreements currently in force.

t. The City shall provide to the County, through electronic means if feasible, information concerning the boundaries of each annexation as soon as possible after the annexation is complete so that the City and County will each have the correct City limits on their respective books and records.

u. No further annexation except those specifically set forth in this Agreement will be permitted for twenty years from the effective date of this Agreement unless agreed to in writing specifically by the City and County.

v. Supplemental joint service agreements may be negotiated from time to time between the City and County whereby City services may be provided in advance of annexation, on terms agreeable to the parties.

w. The parties shall sign and record all documents necessary to accomplish the foregoing.

### **3. ANNEXATION, AREA 10.**

a. Las Soleras (a portion of Area No. 10, Attachment A) shall be annexed via a landowner-initiated "Petition Method" application as set forth in NMSA 1978, §3-7-17 A (2) The application shall be submitted to the City of Santa Fe Governing Body immediately upon execution of this Agreement and shall consist of an (1) Annexation Petition, (2) General Plan Amendment and (3) Rezoning, all consistent with the map attached as Attachment B, which map includes the approvals granted by the Extraterritorial Zoning Authority in Case # Z/V 04-4592 (the "Presbyterian Project"). It is expressly understood and agreed that this Agreement does not constitute an approval of any portion of the Application or the map attached hereto as Attachment B.

b. Richards Avenue between Governor Miles and Interstate 25, together with its right of way, shall be annexed contemporaneously with Area 10 as described in paragraph 3(a). The County will consent in writing to the annexation, including the annexation of Richards Avenue. Upon annexation, the County shall provide a quitclaim deed to the City for Richards Avenue between Governor Miles and Interstate 25. The



City shall, upon annexation of Richards Avenue, assume ownership and maintenance and the County shall have no responsibility therefore.

c. The portion of Beckner Road owned by the County shall be annexed along with the annexation of Area 10 as described in paragraph 3(a). The County will consent in writing to the annexation of Beckner Road. Upon annexation, the County shall provide a quitclaim deed for the portion of Beckner Road that it owns. The City shall, upon annexation of Beckner Road, assume ownership and maintenance and the County shall have no responsibility therefore.

d. Any changes to the zoning of Area 10 after the Governing Body's approval of the Annexation Petition, General Plan Amendment, and Rezoning, as described in 3(a) above, shall require rezoning pursuant to City ordinances. Immediately following the Governing Body's approval of the Annexation Petition, General Plan Amendment and Rezoning described in 3(a) above, all additional approvals necessary for development of Area 10 including, but not limited to, preliminary and final development approval, shall be within the City of Santa Fe's jurisdiction.

e. The success of Area 10 is critical to the success of the annexation strategy set forth herein. Accordingly, the City shall in accordance with its applicable ordinances, regulations and rules, issue building permits and other necessary approvals when request by Las Soleras without unreasonable delay.

f. The parties shall sign and record all documents necessary to accomplish the foregoing, including documents, plans, plats and ordinances required.

g. As of the effective date of this Agreement, Las Soleras is within the water service area of the County. The parties acknowledge that Las Soleras has submitted

a Water Dedication and Acknowledgment form to the County in accordance with adopted County water policy in the amount of 36 acre-feet of valid pre-1907 consumptive use water rights (the "Water Rights") and is beginning the process of transferring the Water Rights to the County to provide for delivery of that amount of water to serve the proposed Presbyterian Project.

The Parties agree that after annexation to the City, the Water Rights shall be transferred by the County to the City and the entitlements to water service from the County will be accepted by the City after they have assumed ownership of the Water Rights. The City shall provide water service to the proposed Presbyterian Project or successor project in the amount of Water Rights transferred to it by the County and in accordance with its water transfer ordinance in effect at that time; provided however, that Las Soleras agrees that after the Water Rights are transferred the City, if the City requests that the transferred Water Rights be transferred to the Buckman well field, Las Soleras agrees to ensure that the point of diversion for use of the transferred Water Rights shall be the Buckman well field.

h. As of the effective date of this Agreement, Las Soleras is within the sewer service area of the County. The parties acknowledge and agree that upon application for annexation of Las Soleras in accordance with subsection a, above, the City shall issue a "can and will serve" letter to Las Soleras for sewer service in accordance with its rules and regulations.

#### **4. THE EXTRATERRITORIAL ZONING AUTHORITY AND EXTRATERRITORIAL ZONING COMMISSION.**

a. The City and County will execute a Joint Powers Agreement for the two mile extraterritorial zone and the five mile planning and platting jurisdiction to abolish the EZA and the EZC in their present form and to establish by ordinances an Extraterritorial Land Use Authority and Extraterritorial Land Use Commission pursuant to NMSA 1978 §3-21-3.2 (2003) exclusively for the following three purposes: (1) to delegate all authority possessed by the City over areas *outside* the Presumptive City limits to the County, including specifically the City's concurrent planning and platting and subdivision approval authority pursuant to NMSA 1978, § 3-20-5 (1965) and the City's concurrent zoning authority pursuant to NMSA 1978, § 3-21-2 (2003) which areas shall be zoned and platted by the County pursuant to its Land Development Code, including specifically the County's concurrent planning and platting authority pursuant to NMSA 1978, § 3-20-5 (1965) and the County's concurrent zoning authority pursuant to NMSA 1978, § 3-21-2 (2003); (2) to delegate planning, platting, subdivision approval and zoning jurisdiction over areas *inside* the Presumptive City Limits to the City, as set forth in this Agreement, which areas shall be zoned and platted based on the RPA Land Use Plan and other appropriate planning tools such as the Southwest Area Master Plan or subsequently-developed plans; upon annexation, property within the areas to be annexed shall receive, as preliminary zoning, the zoning in place prior to annexation; and (3) to address annexation petitions filed with the City pursuant to this Agreement and NMSA 1978, § 3-7-17.1 (2003).

**5. RELEASE OF CLAIMS.** In consideration of full performance of the terms recited herein, the parties hereby release and forever discharge each other, and their Elected Officials, officers, directors, employees, agents, adjusters, assigns, insurers,

underwriters and attorneys from any and all past, present, or future claims that can, may or should arise from any of the various lawsuits detailed above, or for any other injuries, losses or damages arising out of the lawsuits or disputes outlined above. In consideration of full performance of the terms recited herein, the parties hereby release and forever discharge each other, and their Elected Officials, members, officers, directors, employees, agents, adjusters, assigns, insurers, underwriters and attorneys, from any and all past, present or future claims for violations of ordinances, laws, statutes or property damage, economic loss, or any other claims, injuries, losses or damages which the parties have or claims to have arisen out of the lawsuits or disputes.

**6. GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of New Mexico. The parties have participated substantially in the negotiation and drafting of this Agreement and each Party hereby disclaims any defense or assertion in any litigation that any ambiguity herein should be construed against the draftsman.

**7. ENTIRE AGREEMENT.** This Agreement, including the Attachments hereto, and the documents delivered pursuant hereto, and excepting the subsequent amendments and agreements specifically mentioned herein that are required to effectuate the terms of this Agreement, constitute the entire agreement between the parties and supersede all prior and contemporaneous agreements, discussions, negotiations, representations, and understandings of the parties pertaining to the subject matter contained herein. No changes of, modifications of, or additions to this Agreement shall be valid unless the same shall be in writing and signed by all parties hereto.

**8. SEVERABILITY.** If any provision of this Agreement shall be determined to be contrary to law and unenforceable by any court, the remaining provisions shall be severable and enforceable in accordance with their terms. Failure of any party to insist upon strict conformance to the provisions of this Agreement shall not constitute a waiver of any of the provisions hereof.

**9. COUNTERPARTS.** This Agreement may be executed in several counterparts, each of which shall be deemed an original, but all of which counterparts collectively shall constitute one instrument representing the Agreement between the parties hereto.

**10. ATTORNEYS FEES.** The parties agree that should this matter be settled under the terms herein, each party will bear its own costs and attorneys fees, except that the City shall reimburse the County for one-half of the attorneys' fees the County expended defending the EZA and EZC, and their members, of the matters referred to in paragraph 1 of this Agreement.

**11. REQUIRED APPROVALS.** The parties acknowledge that this Settlement Agreement must be adopted by the Governing Body of the City of Santa Fe and the Board of County Commissioners of Santa Fe County to be of legal force and effect.

**12. ADMISSIONS.** Nothing in this Settlement Agreement shall constitute or be construed as an admission on behalf of any party as to the validity of any claims, defenses or allegations asserted in the litigation.

**13. LEGAL COUNSEL.** The parties represent and warrant that each has been represented by separate legal counsel of its own choosing throughout the negotiations; that each party has carefully and thoroughly reviewed this Settlement Agreement with its

counsel; that its counsel has approved it as to form; and that each party understands the terms herein. Each of the parties acknowledges that in executing this Settlement Agreement, it relies solely on its own judgment, belief and knowledge and on such advice as it has received from its own counsel.

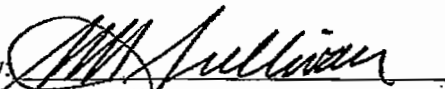
**14. AMENDMENTS.** This Settlement Agreement can only be amended or modified by a written agreement duly executed by all of the parties.

**15. EFFECTIVE DATE.** This Settlement Agreement shall become effective as of the date of the last signature below.

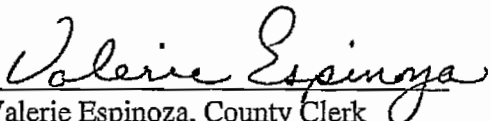
**16. TERM.** The term of this agreement shall be twenty years.

**IN WITNESS WHEREOF,** the Parties hereto have executed this Agreement as of the date of last signature below.


**THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

By:  5/14/08  
Jack Sullivan, Chair Date

**ATTEST:**

 5/14/08  
Valerie Espinoza, County Clerk Date

**Approved as to form:**

 5-5-08  
Stephen C. Ross, County Attorney Date

THE GOVERNING BODY OF THE CITY OF SANTA FE

By: David Coss  
David Coss, Mayor

5/19/08  
Date

ATTEST:

Yolanda Y. Vigil  
Yolanda Y. Vigil, City Clerk

5/19/08  
Date

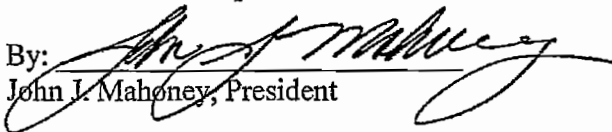
Approved as to form:

Frank D. Katz  
Frank D. Katz, City Attorney

5/19/08  
Date



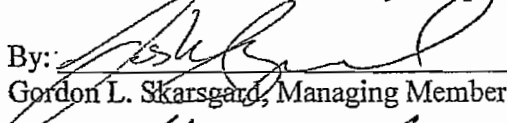
**LAS SOLERAS VILLAGE DEVELOPMENT, INC.**  
a New Mexico Corporation

By:   
John J. Mahoney, President

ATTEST:

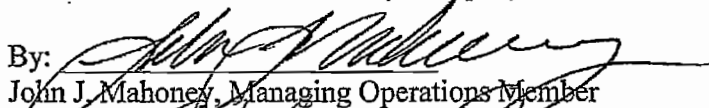
By:   
Joshua J. Skarsgard, Secretary

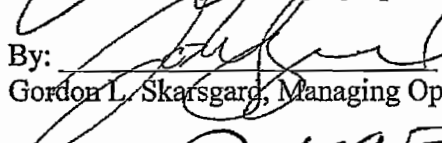
**LAS SOLERAS COMMUNITY DESIGN, LLC**  
a New Mexico Limited Liability Company

By:   
Gordon L. Skarsgard, Managing Member BY JOSH SKARSGARD, ATTORNEY IN FACT

By:   
John J. Mahoney, Managing Member

**LAS SOLERAS OESTE, LTD. CO.**  
a New Mexico Limited Liability Company

By:   
John J. Mahoney, Managing Operations Member

By:   
Gordon L. Skarsgard, Managing Operations Member BY JOSH SKARSGARD, ATTORNEY IN-FACT

By:   
Randall W. Eakin, Managing Oversight Member

STATE OF NEW MEXICO )  
COUNTY OF Bernalillo ) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 2nd day of May, 2008 by John J. Mahoney, Managing Operations Member, Gordon L. Skarsgard, Managing Operations Member, and Randall W. Eakin, Managing Oversight Member of Las Soleras Oeste, Ltd. Co., a New Mexico limited liability company, who is the single member of The Crossing, LLC.

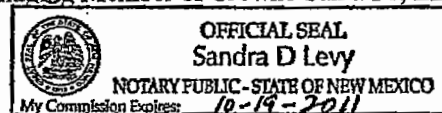


My Commission Expires: 10-19-2011

Sandra D. Levy  
Notary Public

STATE OF NEW MEXICO )  
COUNTY OF Bernalillo ) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 2nd day of May, 2008 by Gordon L. Skarsgard, Managing Member, and John J. Mahoney, Managing Member of Crowne Santa Fe, LLC, a New Mexico limited liability company.

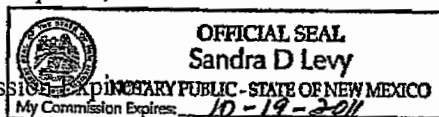


My Commission Expires: 10-19-2011

Sandra D. Levy  
Notary Public

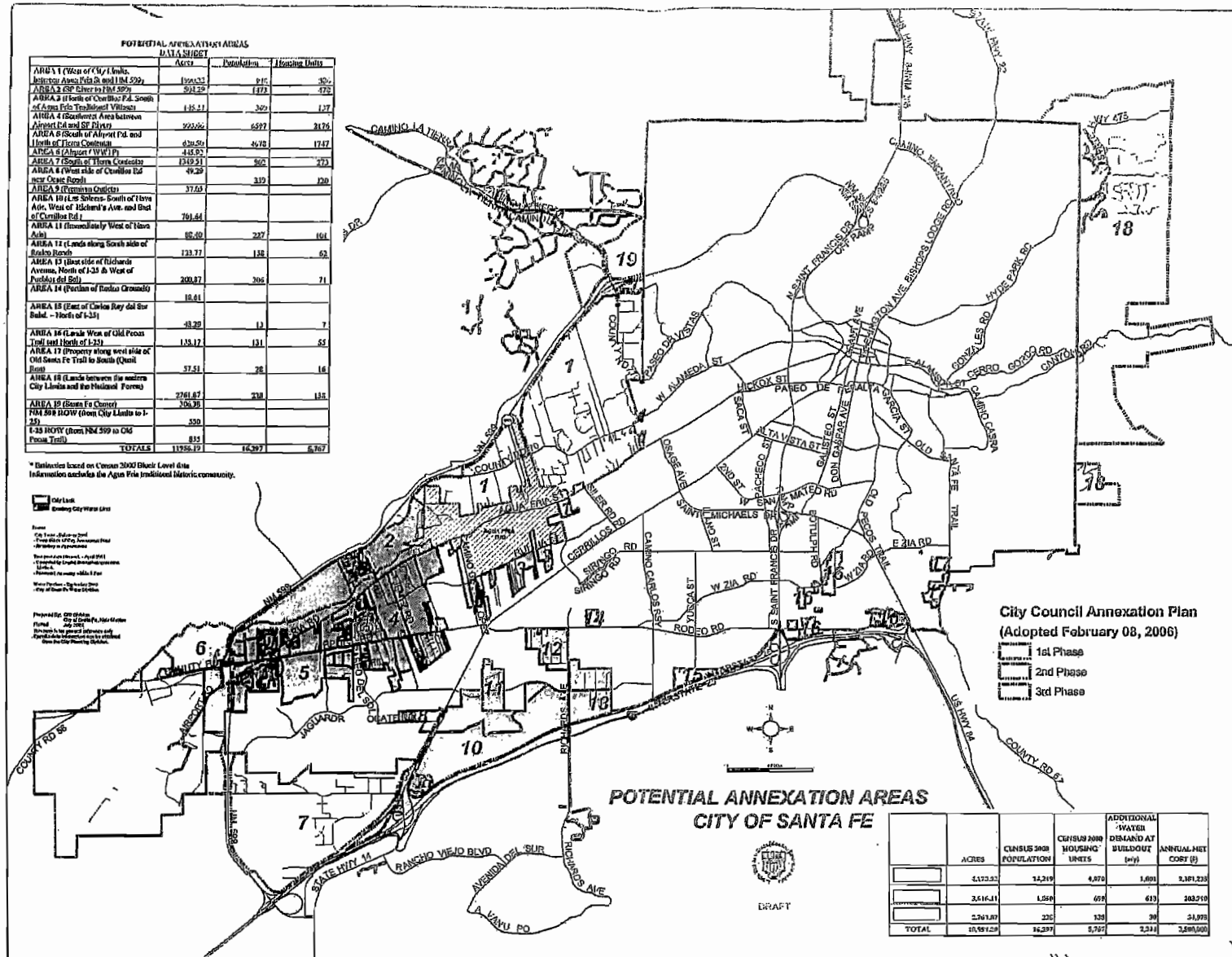
STATE OF NEW MEXICO )  
COUNTY OF Bernalillo ) ss.

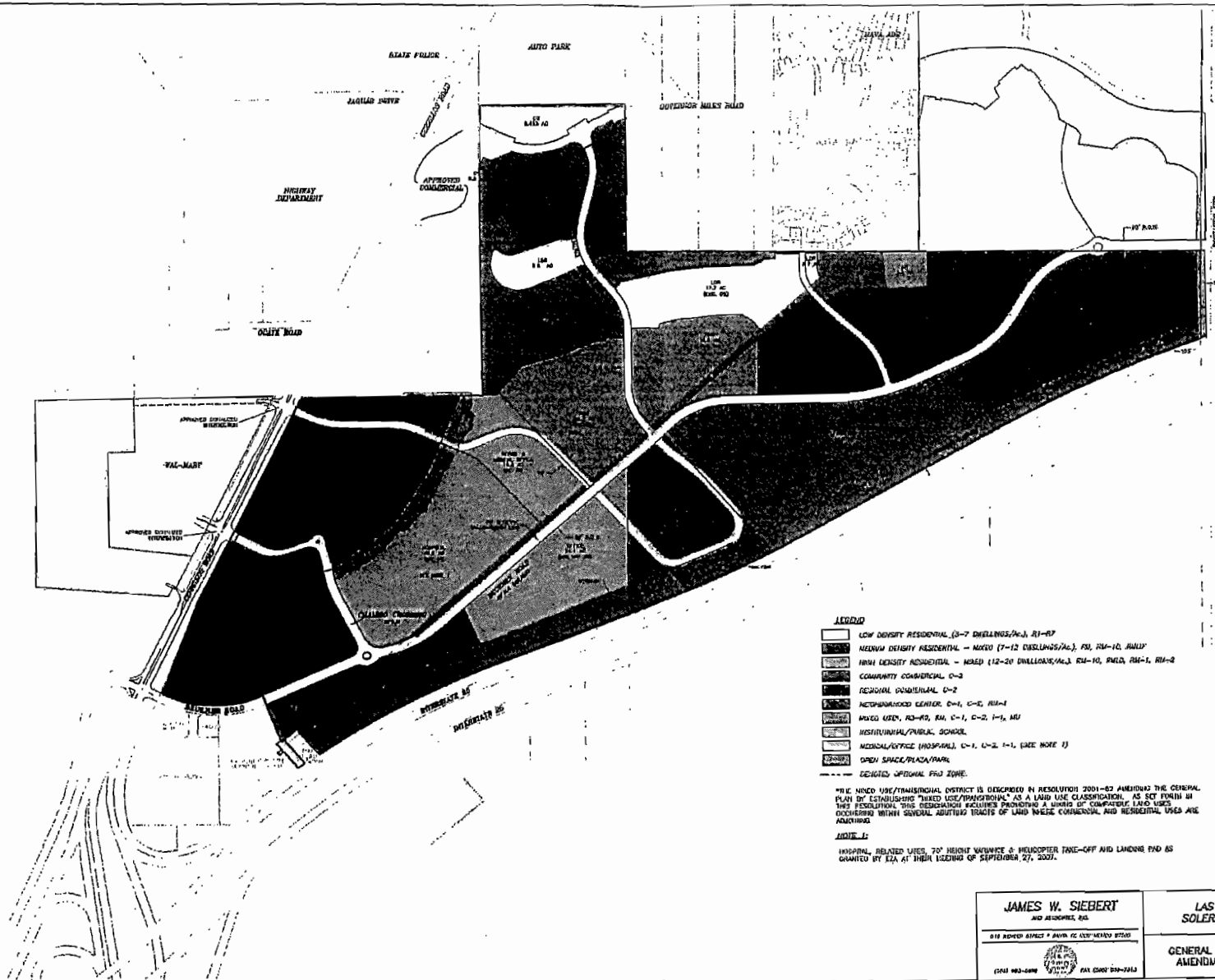
SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 2nd day of May, 2008 by John Mahoney, Vice President of Las Soleras Village Development, Inc., a New Mexico corporation, and Attested to by Joshua J. Skarsgard, Secretary of Las Soleras Village Development, Inc.



My Commission Expires: 10-19-2011

Sandra D. Levy  
Notary Public





**LEGEND**

- LOW DENSITY RESIDENTIAL - (3-7 DWELLINGS/AC), RD-10, RD-11, RD-12
- MEDIUM DENSITY RESIDENTIAL - (7-12 DWELLINGS/AC), RD-10, RD-11, RD-12
- HIGH DENSITY RESIDENTIAL - (12-20 DWELLINGS/AC), RD-10, RD-11, RD-12
- COMMUNITY COMMERCIAL - C-2
- REGIONAL COMMERCIAL - C-2
- NEIGHBORHOOD CENTER - C-1, C-2, RD-1
- MAJOR ARTERIAL - RD-10, RD-11, C-1, C-2, RD-1, RD-2
- RESIDENTIAL/PUBLIC SCHOOL
- MEDICAL/OFFICE (HOSPITAL), C-1, C-2, RD-1, RD-2
- OPEN SPACE/PARK/PARKWAY
- DESIGNATED OPTIONAL FUTURE ZONE

THE NINE USE/TRANSITIONAL DISTRICT IS DESCRIBED IN RESOLUTION 2001-80 AMENDING THE GENERAL PLAN BY ESTABLISHING THREE USE/TRANSITIONAL AS A LAND USE CLASSIFICATION. AS SET FORTH IN THIS RESOLUTION THIS DESIGNATION REQUIRES PROVIDING A MIXTURE OF COMPATIBLE LAND USES OCCURRING WITHIN SEVERAL ADJACENT TRACTS OF LAND WHERE COMMERCIAL AND RESIDENTIAL USES ARE ADJACENT.

**NOTE 1:**  
HOSPITAL, RELATED LIVES, 70' HEIGHT MAXIMUM & HELICOPTER TAKE-OFF AND LANDING PAD AS GRANTED BY EIA AT THEIR MEETING OF SEPTEMBER 27, 2007.

<b>JAMES W. SIEBERT</b> AND ASSOCIATES, INC. 618 BOWEN STREET • SUITE 100 • MENLO PARK, CA 94025 (650) 323-0000 FAX (650) 323-0000	<b>LAS SOLERAS</b>		100% 100% 100%	100% 100% 100%	100% 100% 100%
	GENERAL PLAN AMENDMENT		REVIEWED BY DATE	REVIEWED BY DATE	REVIEWED BY DATE
	100% 100% 100%		100% 100% 100%	100% 100% 100%	100% 100% 100%
	100% 100% 100%		100% 100% 100%	100% 100% 100%	100% 100% 100%

Attachment B

EXHIBIT C:

SANTA FE COUNTY

AND CITY

EXTRATERRITORIAL

LAND USE JOINT

POWERS AGREEMENT

**SANTA FE COUNTY AND CITY  
EXTRATERRITORIAL LAND USE  
JOINT POWERS AGREEMENT**

This EXTRATERRITORIAL LAND USE JOINT POWERS AGREEMENT ("Agreement") between Santa Fe County ("County"), a political subdivision of the State of New Mexico, and the City of Santa Fe ("City"), a municipal corporation, is entered into on this 10<sup>th</sup> of September, 2008, for the purpose of clarifying matters of jurisdiction and approvals relating to planning, platting, subdivisions, zoning and annexation in the extraterritorial zones within the concurrent jurisdiction of both the County and the City.

**RECITALS**

**WHEREAS**

A. In accordance with the Joint Powers Agreement Act, §§11-1-1 through 11-1-7 NMSA 1978 the City and the County are public agencies and are authorized by law to enter into this agreement;

B. The City and County desire to clarify the jurisdiction each has over planning and platting, subdivisions, zoning, permitting and annexation with regard to the extraterritorial territory within two and five miles of city boundaries that are within the concurrent jurisdiction of the City and the County;

C. NMSA 1978 §3-21-3.2 authorizes cities and counties to enter into joint powers agreements and enact ordinances to work cooperatively on issues of planning, platting and subdivision, zoning, permitting and annexation in the territory within the concurrent jurisdiction of the City and the County;

D. The City and County have previously entered into a Joint City/County Extraterritorial Zoning and Subdivision Agreement establishing an Extraterritorial Zoning Authority and Extraterritorial Zoning Commission, which Agreement has been amended several times;

E. Disputes arose over planning and annexation matters within the extraterritorial zone that led to several lawsuits involving the City, the County and others; and

F. The City and County have resolved differences over annexation issues with a Settlement Agreement dated May 19, 2008, in which the City and County have agreed to a different approach to handling planning and platting, subdivision, zoning, permitting and annexation matters in the extraterritorial zone.

NOW, THEREFORE, THE CITY AND THE COUNTY HEREBY AGREE:

I. TERMINATION OF THE JOINT CITY/COUNTY EXTRATERRITORIAL ZONING AND SUBDIVISION AGREEMENT (1991)

The City and County hereby terminate the Joint City/County Extraterritorial Zoning and Subdivision Agreement (1991), as amended.

II. EXTRATERRITORIAL LAND USE AUTHORITY AND EXTRATERRITORIAL LAND USE COMMITTEE.

- A. Establishment - By City and County Ordinances, the City and the County shall establish a Santa Fe Extraterritorial Land Use Authority (ELUA) and Santa Fe Extraterritorial Land Use Commission (ELUC) pursuant to NMSA 1978 § 3-21-3.2.
- B. Extraterritorial Land Use Authority - The ELUA shall be made up of three members of the City Council or two members of the City Council and the Mayor, and four members of the Board of County Commissioners. The remaining member of the board of county commissioners shall be appointed as an alternate to the ELUA and the City shall appoint alternates from among the remaining city councilors. The alternates shall be notified prior to a meeting of the ELUA if an appointed member cannot attend. When replacing a member, an alternate shall have the same duties, privileges and powers as other appointed members.
- C. Extraterritorial Land Use Commission - The ELUC shall be composed of five members of the county planning commission appointed by the Board of County Commissioners of Santa Fe County and five members of the Planning Commission of the City of Santa Fe appointed by the City Council. Alternates to the ELUC shall be appointed by the Board of County Commissioners from the remaining members of the Santa Fe County Planning Commission and by the City of Santa Fe from the remaining members of the Planning Commission, who shall be notified prior to a meeting of the ELUC if an appointed member cannot attend. When replacing a member, the alternate shall have the same duties, privileges and powers as other appointed members.

III. ANNEXATION - The ELUC shall review and recommend to the ELUA approval or disapproval of annexation petitions brought pursuant to NMSA 1978 § 3-7-17.1, and the ELUA shall approve or disapprove such petitions.

IV. EXTRATERRITORIAL JURISDICTION OVER ZONING - With regard to that area lying outside the municipal boundaries and within two miles of the municipal boundary over which the City and the County have concurrent zoning authority, the City and the County through this Joint Powers Agreement hereby provide for zoning as follows:

- A. over those lands lying outside the Presumptive City Limits, as defined in that certain Settlement Agreement entered into between the City and County dated May 19, 2008, the City and the County, through the ELUC and the ELUA, shall adopt County zoning ordinances as the Extraterritorial Zoning Ordinance for that zone and shall expressly delegate to the County all decisions with regard to zoning in that area and by such delegation hereby ratify such decisions; and
- B. over those lands within the Presumptive City Limits, the City and the County, through the ELUC and ELUA, shall adopt City zoning ordinances as the Extraterritorial Zoning Ordinance for that zone and shall expressly delegate to the City all decisions over zoning in that area and by such delegation hereby ratify such decisions.

V. PLATTING AND SUBDIVISION APPROVAL - With regard to that area lying outside municipal boundaries but within five miles of the municipal boundaries over which the City and the County have concurrent planning, platting and subdivision jurisdiction, the City and the County through this Joint Powers Agreement hereby provide for planning, platting and subdivision determinations as follows:

- A. the City and County, through the ELUC and the ELUA, shall adopt County ordinances as the applicable platting and subdivision rules for lands outside the Presumptive City Limits and shall expressly delegate to the County platting and subdivision review and approval decisions for that area and by such delegation hereby ratify those decisions; and
- B. the City and the County, through the ELUC and the ELUA, shall adopt City ordinances as the applicable platting and subdivision rules for lands within the Presumptive City Limits and shall expressly delegate to the City planning, platting and subdivision review and approval decisions over lands within that area and by such delegation hereby ratify those decisions.

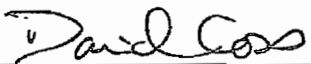
VI. PERMITTING – With regard to lands within the Presumptive City Limits for which final development approvals have been granted by the City pursuant to the delegations described above, the permitting of construction shall be delegated by the County to the City under applicable building codes.

V. REGIONAL PLANNING AUTHORITY – The City and the County shall conduct regional planning through the Regional Planning Authority established in the Sixth Amended and Restated Regional Planning Authority Joint Powers Agreement dated \_\_\_\_\_, 2008. The ELUC shall provide such information and consultation to the Regional Planning Authority as the Regional Planning Authority may direct.

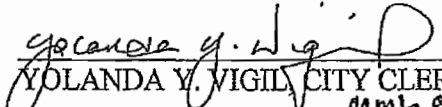
IN WITNESS WHEREOF, the parties have executed this Agreement.

CITY OF SANTA FE

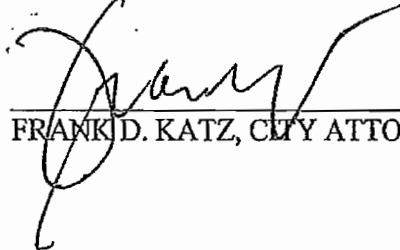


  
\_\_\_\_\_  
DAVID COSS, MAYOR

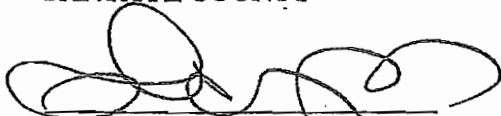
ATTEST

  
\_\_\_\_\_  
YOLANDA Y. VIGIL, CITY CLERK  
cmty 9/10/08

APPROVED AS TO FORM:

  
\_\_\_\_\_  
FRANK D. KATZ, CITY ATTORNEY


THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY

  
\_\_\_\_\_  
PAUL CAMPOS, CHAIR

ATTEST:

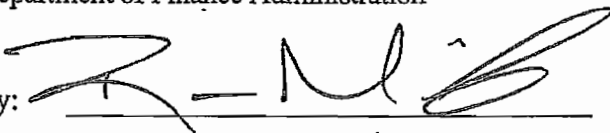
  
\_\_\_\_\_  
VALERIE ESPINOZA, COUNTY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
STEPHEN C. ROSS, COUNTY ATTORNEY

THIS Agreement HAS BEEN APPROVED BY:

State of New Mexico  
Department of Finance Administration

By: \_\_\_\_\_

Date: 1/6/9\_\_\_\_\_



**EXHIBIT D:**

**ANNEXATION PHASING**

**AGREEMENT BETWEEN**

**THE CITY OF SANTA FE**

**AND SANTA FE COUNTY**

ITEM # 08-1112

**ANNEXATION PHASING AGREEMENT BETWEEN THE  
CITY OF SANTA FE AND SANTA FE COUNTY**

This Agreement is entered by and between the Governing Body of the City of Santa Fe, New Mexico, a municipal corporation organized and existing under the Laws of the State of New Mexico (hereinafter referred to as "the City"), the Board of County Commissioners of Santa Fe County, a political subdivision of the State of New Mexico (hereinafter referred to as "the County").

**WHEREAS**, the City and County entered into a Settlement Agreement and Mutual Release of Claims dated May 19, 2008 (the "Agreement");

**WHEREAS**, the Agreement provided for the annexation over the succeeding five years of 17 areas of land currently within the County the phasing of which would be set by further agreement;

**WHEREAS**, the Agreement provides for Area 10 to be annexed by landowner-initiated petition and such petition has been file with the City;

**WHEREAS**, the Agreement calls for the replacement of the Extraterritorial Zoning Commission (EZC) and Extraterritorial Zoning Authority (EZA) with the Extraterritorial Land Use Commission (ELUC) and the Extraterritorial Land Use Authority (ELUA);

**WHEREAS**, the City and the County, by Ordinance, have established the ELUC and ELUA and have by Joint Powers Agreement abolished the EZA and EZC and specified the authorities and powers of the ELUC and ELUA; and

**WHEREAS**, the parties hereto now desire to specify target dates for the filing of appropriate petitions for annexations anticipated in the Agreement.

**NOW, THEREFORE, THE CITY AND THE COUNTY AGREE AS FOLLOWS:**

1. **LAS SOLERAS ANNEXATION.** The City will continue to process the annexation petition filed by the Las Soleras owners for a portion of Area 10.
2. **PHASE ONE OF ANNEXATION.** The City will file a petition for annexation of Areas 3, 6, 8, 9, the remaining portion of 10, 11, 13, 15, 16, 17 and the I-25 right-of-way from NM 599 to Old Pecos Trail and that portion of NM 14 (Cerrillos Road) from I-25 to the current city limit by the end of 2008.
3. **PHASE TWO OF ANNEXATION.** The City will file a petition for annexation of Areas 2, 4, 5, 7 and the NM 599 right-of-way from I-25 to the city limits east of Camino La Tierra by the end of 2011.
4. **PHASE THREE OF ANNEXATION.** The City will file a petition for annexation of Areas 1, 12, 18 and the NM 475 (Hyde Park Road) right-of-way from the current city limits to the Santa Fe National Forest boundary by the end of 2012.
5. **AMENDMENT.** This Annexation Phasing Agreement can be amended or modified only by a written agreement duly executed by all of the parties.
6. **EFFECTIVE DATE.** This Annexation Phasing Agreement shall become effective as of the date of the last signature below.

**IN WITNESS WHEREOF,** the Parties hereto have executed this Agreement as of the date of last signature below.

**THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

By: *Mike Anaya*  
Mike Anaya, Chairman

2/10/09  
Date

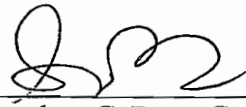
ATTEST:  
*Valerie Espinoza*  
Valerie Espinoza, County Clerk

2/10/09  
Date





Approved as to form:



  
Stephen C. Ross, County Attorney

1-27-09  
Date

THE GOVERNING BODY OF THE CITY OF SANTA FE

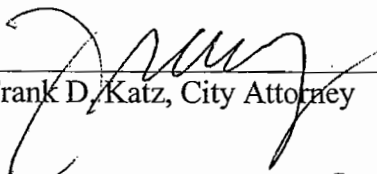
By:   
David Coss, Mayor

11/24/08  
Date

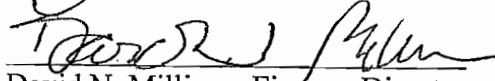
  
ATTEST  
  
Yolanda, City Clerk  
11/24/08

11-25-08  
Date

Approved as to form:

  
Frank D. Katz, City Attorney

11/13/08  
Date

  
David N. Millican, Finance Director

11/25/08  
Date



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

ANNEXATION AGREE (N/C)  
PAGES: 3

I Hereby Certify That This Instrument Was Filed for  
Record On The 12TH Day Of February, 2009 at 09:45:42 AM  
And Was Duly Recorded as Instrument # 1552072  
Of The Records Of Santa Fe County

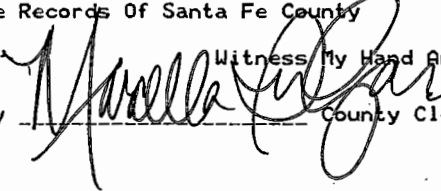
Deputy  Witness My Hand And Seal Of Office  
Valerie Espinoza  
County Clerk, Santa Fe, NM

EXHIBIT E:

CITY OF SANTA FE

PETITION FOR

ANNEXATION OF

PHASE I

**CITY OF SANTA FE  
PETITION FOR ANNEXATION OF PHASE 1 INCLUDING  
AREAS 3, 6, 8, 9, 10, 11, 13, 15, 16, 17 and the Interstate 25 Right-of-Way from Old Pecos Trail  
to NM 599 AS SHOWN ON THE PROPOSED ANNEXATION PHASES CITY/COUNTY  
AGREEMENT 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 the City/County Phasing Agreement, dated February 10, 2009. 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:

- Entire Phase 1 Annexation (Exhibit A);
- Area 3 covers lands generally bounded by Rufina Street, Richards Avenue, Cerrillos Road and both sides of Lopez Lane (Exhibit B);
- Area 6 covers lands generally north and east of the municipal airport (Exhibit C);
- Area 8 covers lands along the west side of Cerrillos Road on both sides of Ocate Road (Exhibit D);
- Area 9 covers the Outlet Mall at Cerrillos road and I-25 (Exhibit E);
- Area 10 covers parcels along the east side of Cerrillos Road directly across from Ocate Road (Exhibit F);
- Area 11 covers land on both sides of Governor Miles Road and west of Nava Ade (Exhibit G);
- Area 13 covers land north and south of Governor Miles Road and east of Richards Avenue (Exhibit H);
- Area 15 covers land east of the end of Governor Miles Road and south of the end of Yucca Street, and along I-25 (Exhibit I);
- Area 16 covers various islands of unincorporated land east of St. Francis Drive along Rodeo Road, West Zia Road and Old Arroyo Chamiso Road (Exhibit J);
- Area 17 covers pockets of unincorporated land along the west side of Old Santa Fe Trail, south of East Zia Road (Exhibit K);
- Interstate 25 Right-Of-Way between NM 599 and Old Pecos Trail (Exhibit L).

**B. The total land area included in this annexation contains 924.87 acres of land, more or less.**

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

- 1) Fire/EMS service through a shared service agreement with Santa Fe County;
- 2) Police service through a mutual aid agreement with Santa Fe County;
- 3) Water and/or Wastewater provided by the city to some of the areas included in the annexation;

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

- 1) Police, Fire/EMS public safety service will be provided immediately for existing residences and businesses within the subject area as well as to new development as it occurs;
- 2) Water and Wastewater will be provided at the developer/landowner's cost and according to all city rules and regulations;

POTENTIAL ANNEXATION AREAS

DATA SHEET

	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1299.36	948	386
AREA 2 (SF River to NM 599)	507.60	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Village)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.91	6597	2176
AREA 5 (South of Airport Rd and North of Tierra Contenta)	598.23	4678	1747
AREA 6 (Airport / WWTP)	439.23		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd near Ocate Road)	49.29	339	120
AREA 9 (Premium Outlets)	37.05		
AREA 10 (South of Nava Ade, East of Cerrillos Rd)	55.66		
AREA 11 (Immediately West of Nava Ade)	88.40	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I-25 & West of Pueblos del Sol)	173.92	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation	18.61		
AREA 15 (East of Carlos Rey del Sur Subd - North of I-25)	48.29	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I-25)	134.24	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.51	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.87	228	138
NM 599 ROW (from City Limits to I-25)	550		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>10535.69</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data. Information excludes the Agua Fria traditional historic community.

City Limit  
Existing City Water Line

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrammetric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained  
from the City Planning Division.

## Annexation Phases City/County Agreement (2008)

### Legend

- Phase 1
- Phase 2
- Phase 3

## ANNEXATION AREAS CITY OF SANTA FE

	ACRES	CENSUS 2000 POPULATION	CENSUS 2000 HOUSING UNITS
Phase 1	1,852.31	1,313	507
Phase 2	3,767.00	13,650	4,674
Phase 3	5,039.00	1,334	586
<b>TOTAL</b>	<b>10,658.31</b>	<b>16,297</b>	<b>5,767</b>





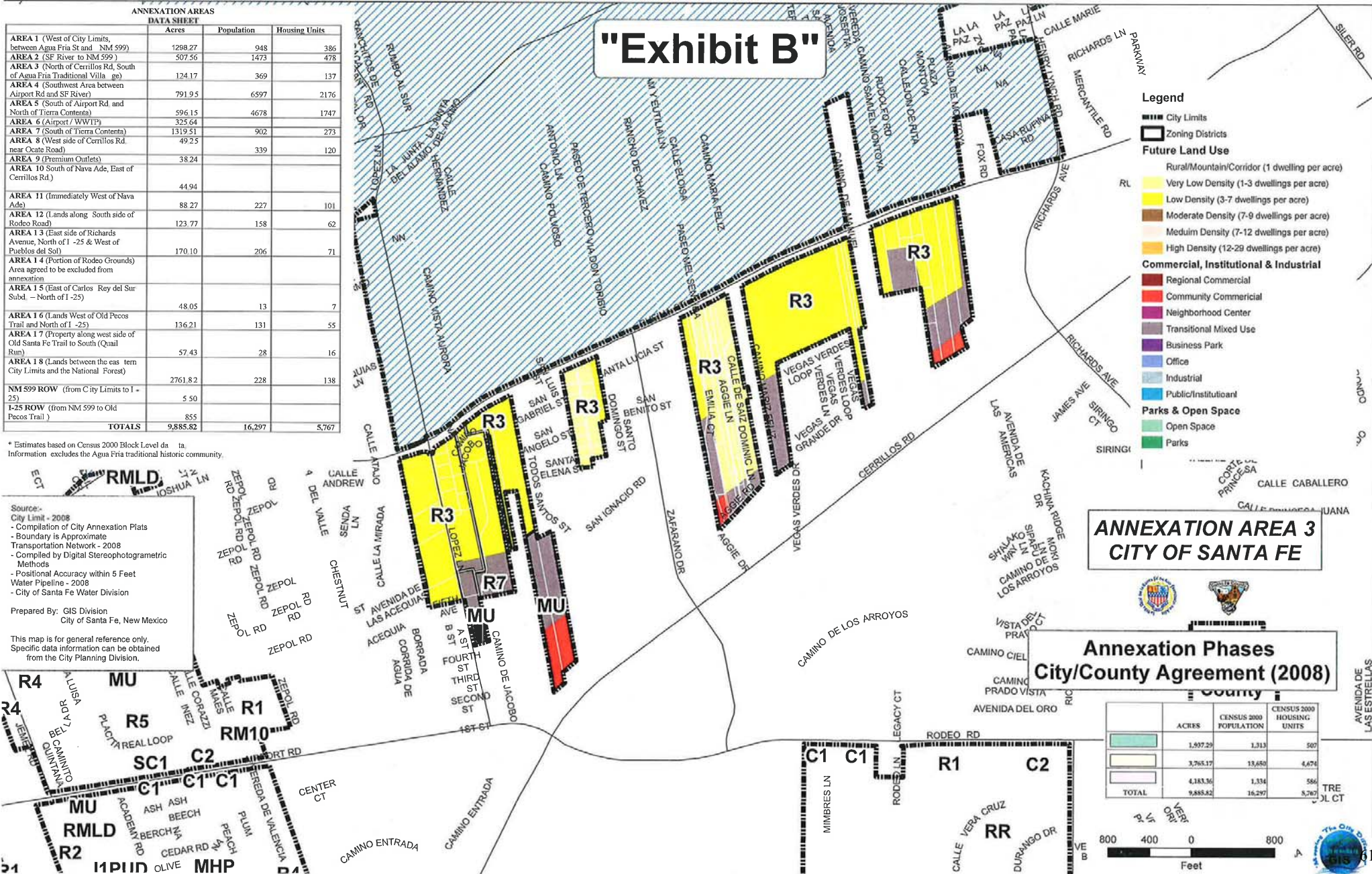
ANNEXATION AREAS DATA SHEET			
Area	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1298.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Villa - ge)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6597	2176
AREA 5 (South of Airport Rd. and North of Tierra Contenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd near Ocate Road)	49.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I -25 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd. - North of I -25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I -25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I -25)	5.50		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block-Level data.  
Information excludes the Agua Fria traditional historic community.

Source:  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrametric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained  
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	Acres	Population	Housing Units
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AREA 9 (Premium Outlets)	38.24		
AREA 10 South of Nava Ato, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ato)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
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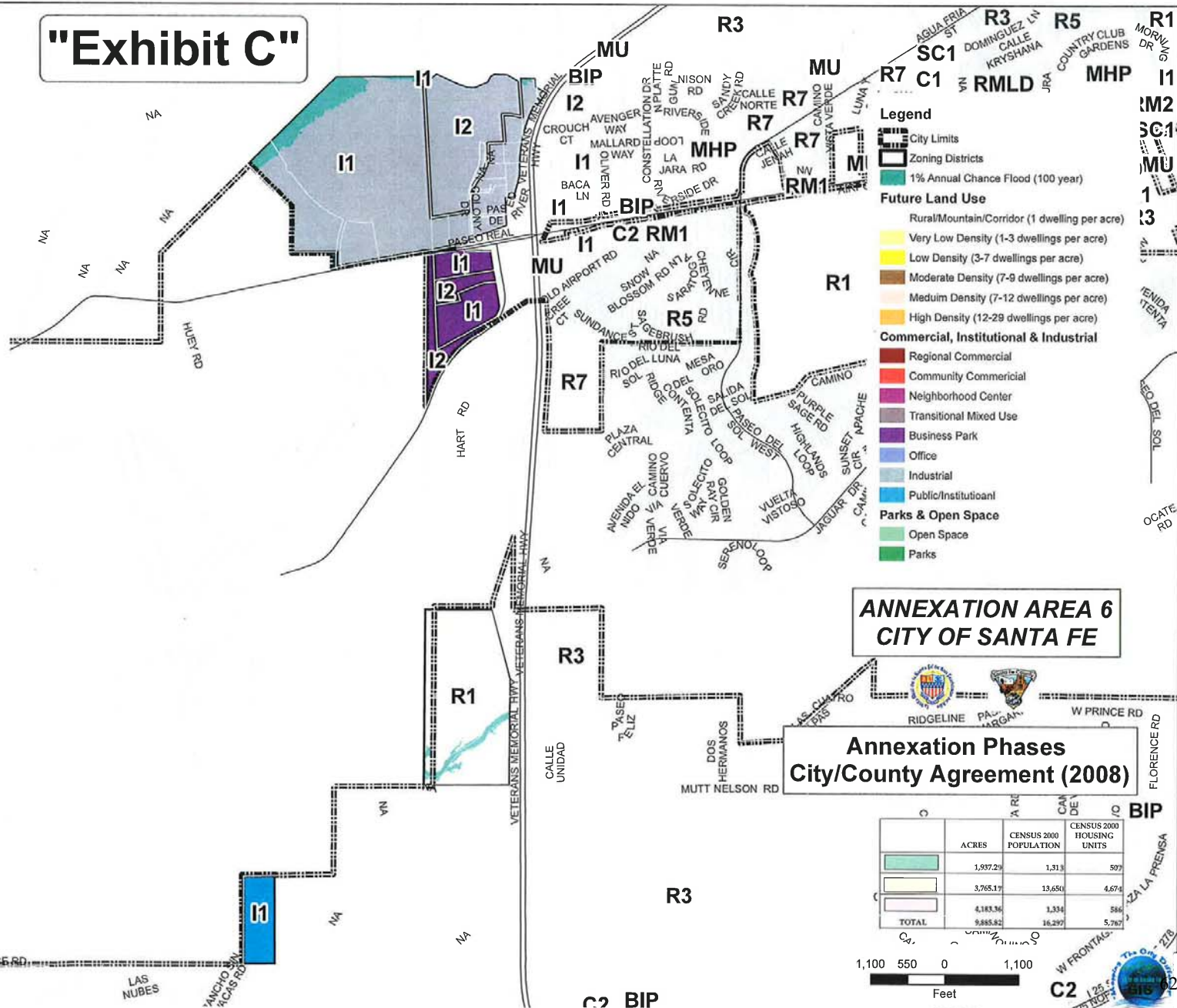
\* Estimates based on Census 2000 Block Level data.  
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Source:-  
City Limit - 2008  
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- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained from the City Planning Division.

## "Exhibit C"





ANNEXATION AREAS DATA SHEET			
	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1298.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Village)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6597	2176
AREA 5 (South of Airport Rd and North of Tierra Contenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd near Oeste Road)	49.25	339	120
AREA 9 (Pharmaceutical Outlets)	38.24		
AREA 10 (South of Nava Ave, East of Cerrillos Rd)	44.94		
AREA 11 (Immediately West of Nava Ave)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I-25 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd. - North of I-25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I-25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I-25)	5.50		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data.  
Information excludes the Agua Fria traditional historic community.

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrammetric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained from the City Planning Division.

R1

## "Exhibit D"

3AN  
S

CAMINO VERDE

CALLE VICTORIA

CALLE PACIFICO

CALLE SERENO

CALLE ALEGRE

CALLE FELIZ

MHP

C2

OCATE RD

CERRILLOS RD

CERRILLOS RD

LAS SOTERAS DR

HERNANDEZ RD

HERRERA DR

### Legend

City Limits

Zoning Districts

Future Land Use

Rural/Mountain/Corridor (1 dwelling per acre)  
Very Low Density (1-3 dwellings per acre)  
Low Density (3-7 dwellings per acre)  
Moderate Density (7-9 dwellings per acre)  
Medium Density (7-12 dwellings per acre)  
High Density (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

C2

### ANNEXATION AREA 8 CITY OF SANTA FE



### Annexation Phases City/County Agreement (2008)

	ACRES	CENSUS 2000 POPULATION	CENSUS 2000 HOUSING UNITS
	1,937.29	1,313	507
	3,765.17	13,650	4,674
	4,183.36	1,334	586
<b>TOTAL</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

400 200 0 400  
Feet



# ANNEXATION AREAS DATA SHEET

	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1298.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Village)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6597	2176
AREA 5 (South of Airport Rd and North of Tierra Contenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd near Oate Road)	49.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I-25 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd. - North of I-25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I-25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I-25)	550		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data.  
Information excludes the Agua Fria traditional historic community.

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrammetric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained from the City Planning Division.

## "Exhibit E"

CHAMISO  
CROSSING

### Legend

- City Limits
- Zoning Districts

### Future Land Use

- Rural/Mountain/Corridor (1 dwelling per acre)
- Very Low Density (1-3 dwellings per acre)
- Low Density (3-7 dwellings per acre)
- Moderate Density (7-9 dwellings per acre)
- Medium Density (7-12 dwellings per acre)
- High Density (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

## ANNEXATION AREA 9 CITY OF SANTA FE



## Annexation Phases City/County Agreement (2008)

	ACRES	CENSUS 2000 POPULATION	CENSUS 2000 HOUSING UNITS
	1,937.29	1,313	807
	3,765.17	13,650	4,674
	4,183.36	1,334	586
<b>TOTAL</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

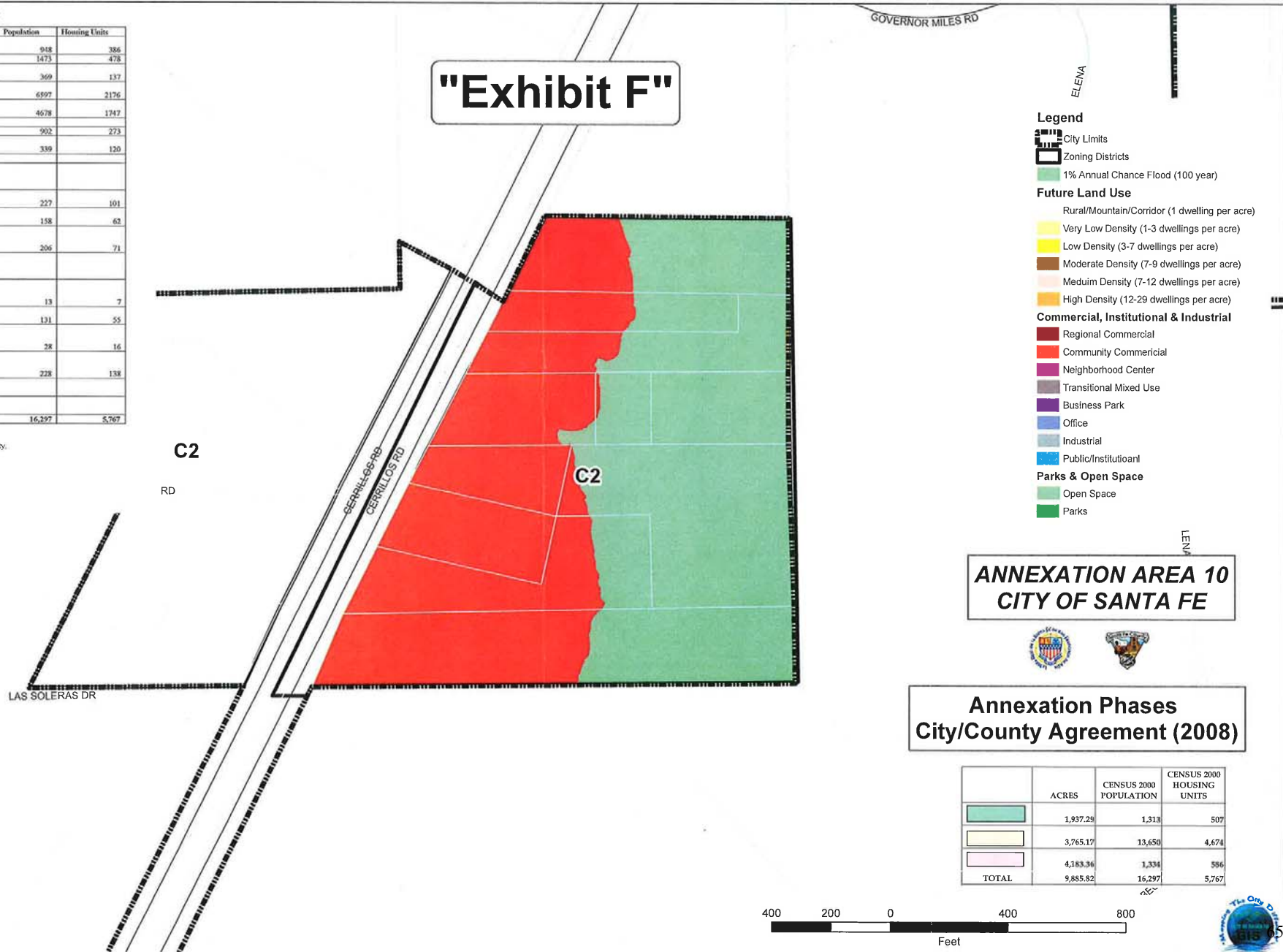


# ANNEXATION AREAS DATA SHEET

Area	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1299.27	918	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Villa go)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6997	2176
AREA 5 (South of Airport Rd. and North of Tierra Costenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Costenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd. near Ocate Road)	492.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I -25 & West of Paulinos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd. - North of I -25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I -25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eas term City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I -25)	5.50		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data  
Information excludes the Agua Fria traditional historic community.

## "Exhibit F"





ANNEXATION AREAS DATA SHEET			
Area	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1208.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd. South of Agua Fria Traditional Village)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6597	2176
AREA 5 (South of Airport Rd. and North of Tierra Cententa)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Cententa)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd. near Ocate Road)	49.23	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I-25 and West of Franklin del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd - North of I-25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I-25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I-25)	5.50		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data. Information excludes the Agua Fria traditional historic community.

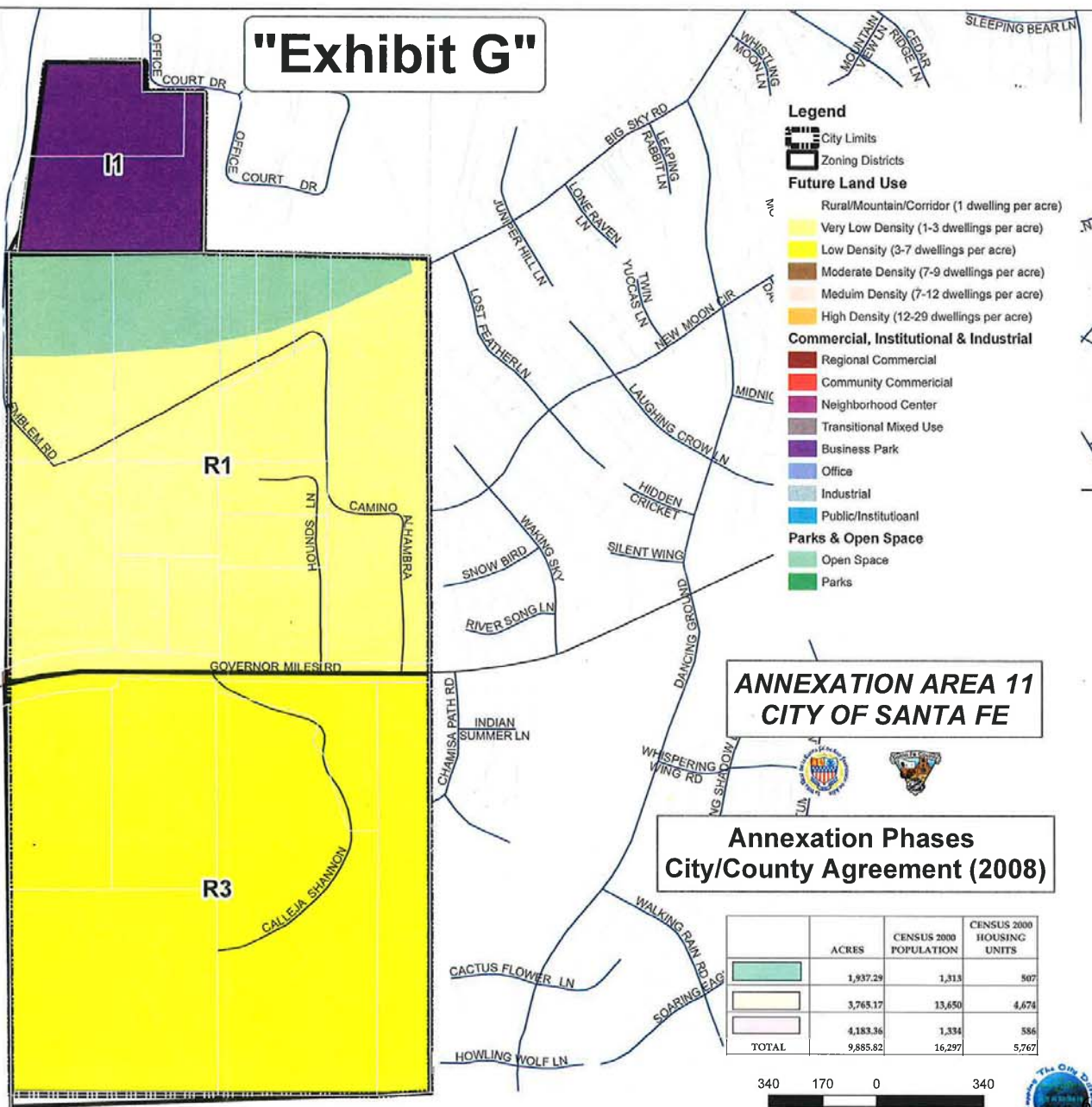
Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrammetric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained  
from the City Planning Division.

C2

## "Exhibit G"



# ANNEXATION AREAS

## DATA SHEET

	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1298.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Villa go)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6597	2176
AREA 5 (South of Airport Rd. and North of Tierra Contenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd. near Ocate Road)	49.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I-25 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd. - North of I-25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I-25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run)	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I-25)	550		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

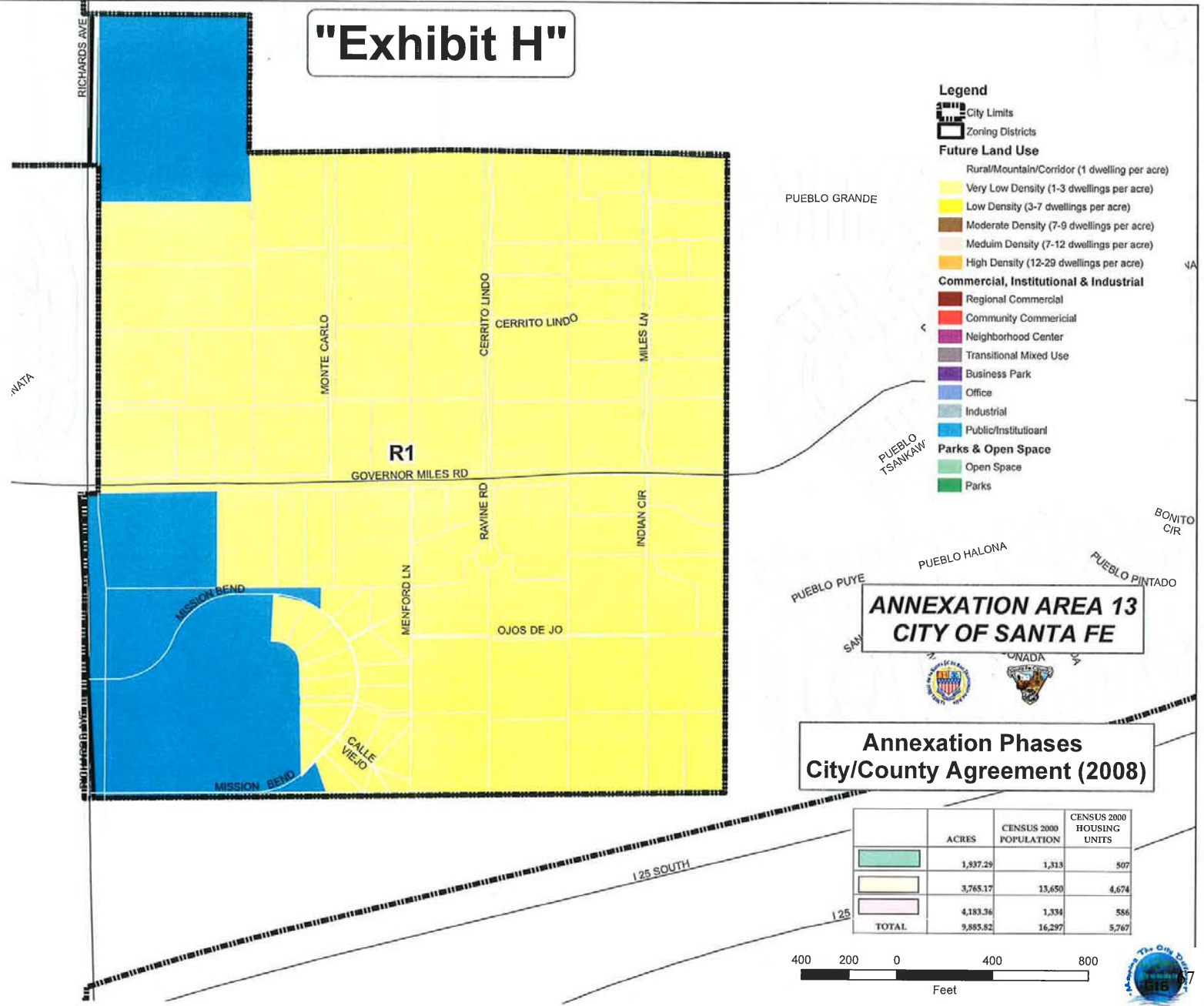
\* Estimates based on Census 2000 Block Level data.  
Information excludes the Agua Fria traditional historic community.

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network- 2008  
- Compiled by Digital Stereophotogrametric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained  
from the City Planning Division.

# "Exhibit H"





# ANNEXATION AREAS

## DATA SHEET

	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1288.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Village)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6597	2176
AREA 5 (South of Airport Rd, and North of Tierra Contenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd, near Ocotillo Road)	49.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I25 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd. - North of I25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I-25)	50		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data  
Information excludes the Agua Fria traditional historic community.

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrammetric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division  
  
Prepared By: GIS Division  
City of Santa Fe, New Mexico  
  
This map is for general reference only.  
Specific data information can be obtained  
from the City Planning Division.

# "Exhibit I"

## Legend

- City Limits
- Zoning Districts

## Future Land Use

- Rural/Mountain/Corridor (1 dwelling per acre)
- Very Low Density (1-3 dwellings per acre)
- Low Density (3-7 dwellings per acre)
- Moderate Density (7-9 dwellings per acre)
- Medium Density (7-12 dwellings per acre)
- High Density (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

## ANNEXATION AREA 15 CITY OF SANTA FE



## Annexation Phases City/County Agreement (2008)

	ACRES	CENSUS 2000 POPULATION	CENSUS 2000 HOUSING UNITS
	1,937.29	1,313	507
	3,765.17	13,650	4,674
	4,183.36	1,334	586
<b>TOTAL</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>



# "Exhibit J"

## ANNEXATION AREAS DATA SHEET

Area	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1298.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Village)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River and North of Tierra Contenta)	791.95	6597	2176
AREA 5 (South of Airport Rd and North of Tierra Contenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		273
AREA 7 (South of Tierra Contenta)	1319.51	902	
AREA 8 (West side of Cerrillos Rd, near Ocate Road)	49.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (South of Nava Ade, East of Cerrillos Rd)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of 45 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds Area agreed to be excluded from annexation)			
AREA 15 (East of Carlos Rey del Sur Subd. - North of 125)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of 25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to 125)	50		
1-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data  
Information excludes the Agua Fria traditional historic community.

AVENIDA CHAPARRAL  
CALLE MIQUELA  
CALLE DE BONITO

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrammetric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained  
from the City Planning Division.

## Legend

- City Limits
- Zoning Districts
- Future Land Use

- Rural/Mountain/Corridor (1 dwelling per acre)
- Very Low Density (1-3 dwellings per acre)
- Low Density (3-7 dwellings per acre)
- Moderate Density (7-9 dwellings per acre)
- Medium Density (7-12 dwellings per acre)
- High Density (12-29 dwellings per acre)

## Commercial, Institutional & Industrial

- Regional Commercial
- Community Commercial
- Neighborhood Center
- Transitional Mixed Use
- Business Park
- Office
- Industrial
- Public/Institutional

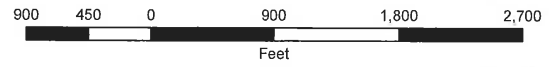
## Parks & Open Space

- Open Space
- Parks

## ANNEXATION AREA 16 CITY OF SANTA FE

## Annexation Phases City/County Agreement (2008)

	ACRES	CENSUS 2000 POPULATION	CENSUS 2000 HOUSING UNITS
Phase 1	1,922.29	1,313	507
Phase 2	3,765.17	13,650	4,674
Phase 3	4,183.36	1,334	586
<b>TOTAL</b>	<b>9,870.82</b>	<b>16,297</b>	<b>5,767</b>







# ANNEXATION AREAS DATA SHEET

	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1298.27	948	386
AREA 2 (SE River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Villa go)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SE River)	791.9 5	6597	2176
AREA 5 (South of Airport Rd. and North of Tierra Contenta)	59 6.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd. near Ocate Road)	492.5	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I -25 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation.			
AREA 15 (East of Carlos Rey del Sur Subd. - North of I -25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I -25)	13 6.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eas term City Limits and the National Forest)	2761.8 2	228	138
NM 599 ROW (from City Limits to I -25)	5 50		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data.  
Information excludes the Agua Fria traditional historic community.

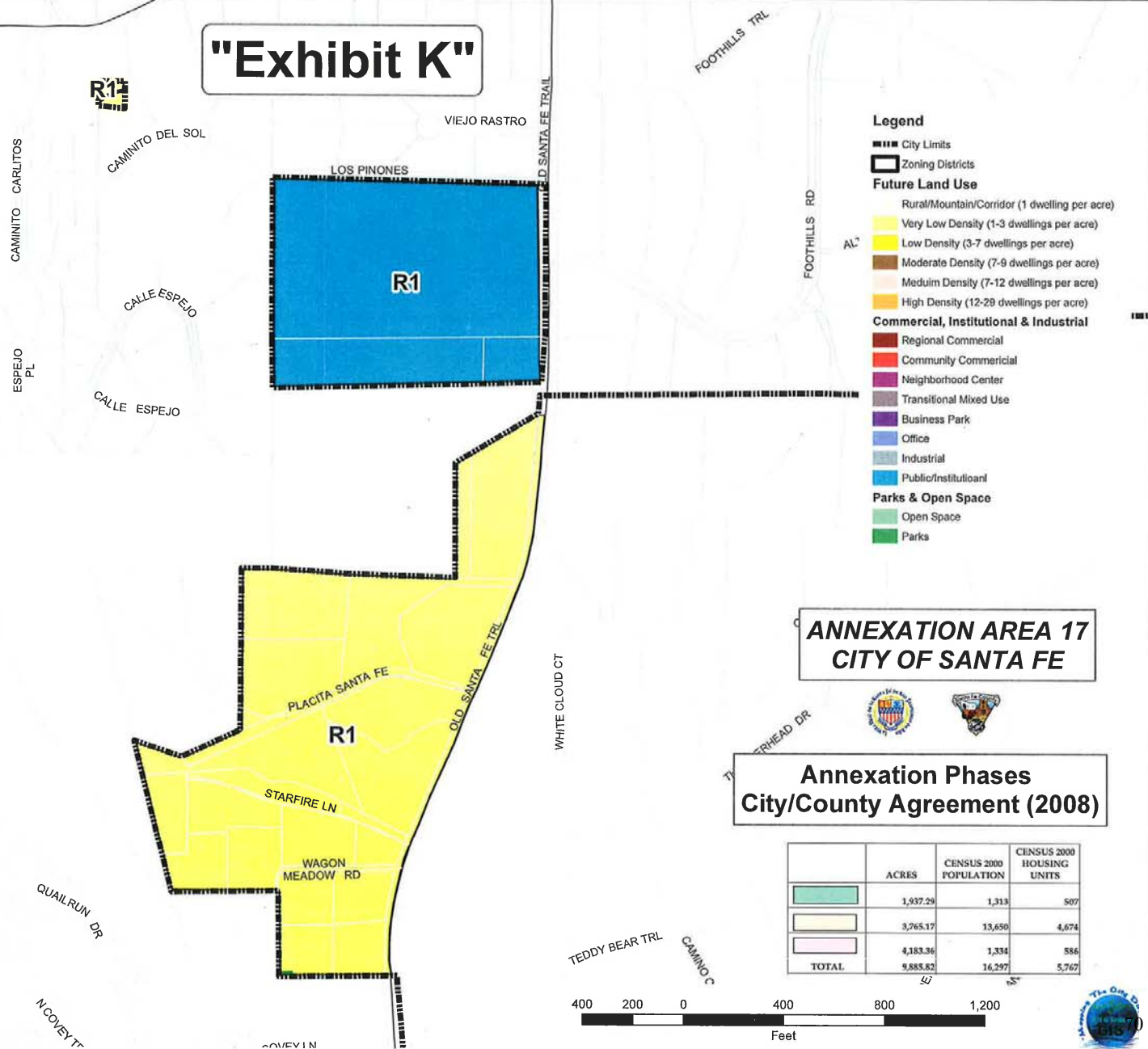
 City Limit  
 Existing City Water Line

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrametric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained  
from the City Planning Division.

## "Exhibit K"





ANNEXATION AREAS DATA SHEET			
	Acres	Population	Housing Units
AREA 1 (West of City Limits, between Agua Fria St and NM 599)	1298.27	948	386
AREA 2 (SF River to NM 599)	507.56	1473	478
AREA 3 (North of Cerrillos Rd, South of Agua Fria Traditional Village)	124.17	369	137
AREA 4 (Southwest Area between Airport Rd and SF River)	791.95	6597	2176
AREA 5 (South of Airport Rd, and North of Tierra Contenta)	596.15	4678	1747
AREA 6 (Airport / WWTP)	325.64		
AREA 7 (South of Tierra Contenta)	1319.51	902	273
AREA 8 (West side of Cerrillos Rd, near Ocate Road)	49.25	339	120
AREA 9 (Premium Outlets)	38.24		
AREA 10 (South of Nava Ade, East of Cerrillos Rd.)	44.94		
AREA 11 (Immediately West of Nava Ade)	88.27	227	101
AREA 12 (Lands along South side of Rodeo Road)	123.77	158	62
AREA 13 (East side of Richards Avenue, North of I-25 & West of Pueblos del Sol)	170.10	206	71
AREA 14 (Portion of Rodeo Grounds) Area agreed to be excluded from annexation			
AREA 15 (East of Carlos Rey del Sur Subd - North of I-25)	48.05	13	7
AREA 16 (Lands West of Old Pecos Trail and North of I-25)	136.21	131	55
AREA 17 (Property along west side of Old Santa Fe Trail to South (Quail Run))	57.43	28	16
AREA 18 (Lands between the eastern City Limits and the National Forest)	2761.82	228	138
NM 599 ROW (from City Limits to I-25)	550		
I-25 ROW (from NM 599 to Old Pecos Trail)	855		
<b>TOTALS</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

\* Estimates based on Census 2000 Block Level data.  
Information excludes the Agua Fria traditional historic community.

City Limit  
Existing City Water Line

Source:-  
City Limit - 2008  
- Compilation of City Annexation Plats  
- Boundary is Approximate  
Transportation Network - 2008  
- Compiled by Digital Stereophotogrammetric Methods  
- Positional Accuracy within 5 Feet  
Water Pipeline - 2008  
- City of Santa Fe Water Division

Prepared By: GIS Division  
City of Santa Fe, New Mexico

This map is for general reference only.  
Specific data information can be obtained  
from the City Planning Division.

"Exhibit L"

## ANNEXATION AREA I-25 ROW CITY OF SANTA FE

### Annexation Phases City/County Agreement (2008)

	ACRES	CENSUS 2000 POPULATION	CENSUS 2000 HOUSING UNITS
	1,937.29	1,313	507
	3,765.17	13,650	4,674
	4,183.36	1,334	586
<b>TOTAL</b>	<b>9,885.82</b>	<b>16,297</b>	<b>5,767</b>

## ANNEXATION AREAS CITY OF SANTA FE

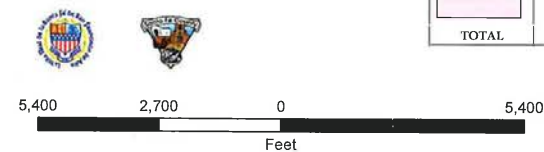
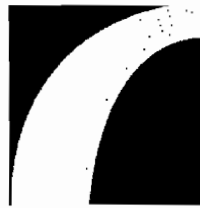


EXHIBIT F:

SUMMARY OF EARLY  
NEIGHBORHOOD  
NOTIFICATION (“ENN”)  
MEETINGS



**jenkinsgavin**  
DESIGN & DEVELOPMENT INC

## City-Initiated Annexations, Phase 1

### Summary of Early Neighborhood Notification Meetings

*August 21, 2009*

In accordance with the provisions of §14-3.1(F)(3)(b) of the City of Santa Fe Land Development Code, three Early Neighborhood Notification meetings were held to discuss Phase 1 of the City-Initiated Annexations, as noted below:

1. July 20, 2009 – Areas 16 and 17, Santa Fe Woman's Club
2. July 22, 2009 – Areas 3, 6 and 8, Southside Library
3. July 23, 2009 – Areas 9, 10, 11, 13, and 15, Southside Library

In an effort to ensure meaningful dialogue, the Phase 1 Annexation Areas were divided into three geographical groups according to Council district. Each meeting was facilitated by Reed Liming, Director of the City's Long Range Planning Division, and Jennifer Jenkins with JenkinsGavin Design & Development, the City's consultant. In addition, the following members of City Staff were present to answer questions specific to their divisions:

- Frank Katz, City Attorney
- Jack Hiatt, Director of the Planning and Land Use Department (Meeting 1)
- Tamara Baer, Planner Manager, Current Planning Division (Meetings 1 and 2)
- Greg Smith, Director of the Current Planning Division (Meeting 3)
- Antonio Trujillo, Engineer, Water Division
- Stan Holland, Engineer, Wastewater Division (Meetings 1 and 2)
- Bryan Romero, Director of the Water Division (Meeting 3)
- Chris Ortega, Engineer, Public Works Department

Each meeting began with a one-hour informal "open house" where residents were able to view maps and ask questions of specific staff persons. Then, Mr. Liming and Ms. Jenkins made a brief presentation, which addressed the following topics: (1) the Settlement Agreement between the City and County as the basis for the current annexation effort; (2) the annexation and proposed zoning maps; (3) frequently asked questions; and (4) the approval process and public hearing schedule for the Phase 1 Annexations. The meeting was then opened up to questions and answers.

Outlined below is a summary of the questions and discussions at each meeting.

**I. Meeting #1; Areas 16 and 17; July 20, 2009:**

1. *How does the General Plan Land Use Designation of Very Low Density (1-3 dwellings per acre) relate to R-1 zoning designation?*

R-1 is at the low end of the General Plan Land Use range of 1-3 dwellings per acre, which is how most zoning designations have been assigned in the annexation areas. Landowners are not automatically entitled to the highest density in the range, but would have to go through the rezone process to request higher density, which requires City Council approval. The neighborhood character is taken into consideration.

2. *Colors from General Plan Land Use Map, what do they mean?*

General Plan Land Use designations are identified by different colors, while the proposed zoning is shown as text.

3. *Will my property assessment go up after annexation?*

Frank Katz: "The County is responsible for property assessments. Property is not assessed at a higher value simply by virtue of being in the City."

4. *Which method of annexation is the City using?*

They are using the petition method.

5. *Question regarding a bed and breakfast and would it be subject to the short term rental ordinance?*

If they are a commercial enterprise, then they just need to renew their business license with the City. If only doing private vacation rentals, then the ordinance applies.

6. *Currently have a legal non-conforming property; will it be the same in the City?*

If property is legal non-conforming in the City, likely will be after annexation, depending on zoning.

7. *Can I replace my domestic well?*

Yes. Permitting for new and replacement wells are governed by the Office of the State Engineer.

8. *What is the process of hooking up to City water lines?*

Those wishing to connect to city water and/or sewer must pay to construct the necessary line extensions and applicable connection fees.

9. *When will the zoning and annexation happen?*

The zoning map is scheduled to be approved by ELUA on August 27<sup>th</sup> and the annexations will follow this fall and should be approved by the City Council before the end of this year.

10. *Are newly annexed properties going to be automatically reassessed?*

No.

11. *What about current short term rentals in the County?*

Per Frank Katz, will need to comply with City ordinance governing short-term rentals.

12. *My meeting notice was sent to the wrong mailing address. I checked with the County and they had the correct address. What happened?*

The City gets their property data from the County. If the County has the correct address and not the City, it's because the data wasn't imported to the City before this mailing went out. The City is requesting a new data batch before future mailings to alleviate this problem.

13. *What about striping existing roads?*

Depends on roadway width (if road narrow, striping is unsafe, per C. Ortega).

**II. Meeting #2; Areas 3, 6 and 8; July 22, 2009:**

1. *Small area west of 599 on Airport Road – in paper/website shown as Phase I, but maps shows it as Phase 2. Which one is it?*

599 ROW and area in question are in Phase 2.

2. *Question about a 0.75 acre lot/R3 zoning – what can they do?*

2 lots, 1 house with guest house; need sewer from City, can't do the septic with less than .75 acre lot; no rounding up for purpose of calculating density.

3. *Question on solid waste rates for unidentified lot.*

Trash pick-up – City solid waste customers pay the following rates: residential, \$12.78/month (incl. recycling); commercial (one day per week pick-up) –

90-Gallon Cart, \$30 monthly,  
3-yd, \$85.14 monthly  
4-yd, \$94.86 monthly  
6-yd, \$113.70 monthly  
8-yd dumpster, \$131.31 monthly

4. *Auto Body Shop – permissible in C2 or I1 zoning?*

Yes, both.

5. *What if land use authority ordinance is not adopted? How are the zoning and annexation going to be approved?*

Land Use & Zoning Map approval should occur first; with the Annexation to follow. If the zoning ordinance is not adopted, then the zoning for Phase 1 would be approved as part of the Phase I annexation. The zoning ordinance is not dependent on annexation – it applies to all three phases. Therefore, properties in Phases 2 and 3 will still be in the County, but have City zoning and be under City land use authority. Annexation process: ELUC makes recommendation to ELUA, who recommends to Planning Commission, who makes a recommendation to City Council.

6. *What if a road does not meet the grade requirements? The State built the driveway to the private property for Paseo de River, but driveway does not meet code.*

Will not have to change if improvements in place, but for a permit application, then need to come up to City standards. Private roads will remain private with no maintenance from the City.

7. *Where can I find the City code for land use?*

Go to [www.santafenm.gov](http://www.santafenm.gov) home page; click on "Santa Fe City Code" on left side; then select "Land Development". Permitted Uses are outlined in Section 14-6.1. A "S" indicates that a use requires a Special Exception approval from the Board of Adjustment. Walk-in hours at City Current Planning Division for zoning questions: Monday 1:30-4:30 pm and Friday 8:30-11:30 am.

8. *Are there any incentives to cap wells and remove a septic system? Can I build more?*

No financial incentive. Standard fees would apply and extensions of lines to a property are at the owner's expense. The incentive is the increase in property value. In order to have City water, a property must also be served by City sewer. Sewer customers on a well are billed at a flat rate, because water usage is not known.

9. *Can the City meter the well if you have City sewer?*

The City is exploring the possibility of using well meter readings to more accurately bill for sewer usage, but nothing is in place yet.

10. *Solid Waste - will they pick up trash on a private road?*

Depends on the condition of the road. If the road is not navigable (i.e. too narrow, too steep, inadequate surface, etc.), then homeowners may be required to wheel their containers to the nearest public street. The Solid Waste Division will be contacting newly annexed residents to set up service.

11. *What about mailboxes, will there be a change?*

Mailboxes are the purview of the Federal Government, so there will be no change.

12. *Concern with trash cans being place on a driveway at edge of City road/private road.*

Understand concern and may want to work with neighbors to create a shared enclosure.

13. *Hacienda Mobile Home Park trying to acquire water rights, but very difficult. Walmart to be developed to the south of the Park; can we hook up to City sewer there? Are water rights needed?*

Yes, you can hook up to City sewer. For residential uses, if your annual water budget is 10.0 acre feet per year or more, then you are required to transfer water rights to the City in order to obtain water service. Once land use map is adopted, you can apply for City water/sewer. Water ordinance is being revised now. The Park's 111 units and 3 apartments would require the of transfer water rights.

14. *Will annexation happen?*

Yes, annexation will happen per the terms of the Settlement Agreement.

15. *Will the City extend a fire hydrant to my property?*

If a hydrant is warranted, it will be a requirement when a water mainline is extended and will be the responsibility of the property owner. However, a fire hydrant will not necessarily be required in order to obtain water service. The City Fire Department has recently requested a larger tanker truck to serve the areas to be annexed that do not have hydrants.

### **III. Meeting #3; Areas 9, 10, 11, 13, and 15; July 23, 2009:**

1. *Will there be notices sent out for the August and September ELUC/ELUA meetings?*

No, but there will be an ad in the New Mexican prior to the meetings and the dates will be posted on the City's website. Notices will be sent to affected property owners/residents for the Planning Commission and City Council meetings.

2. *Double wide trailer question. Area 15 – trailers permitted?*

Yes, but there are City Code requirements that apply (i.e. must be on a permanent foundation).



3. *It appears that 100 Year Flood Plains are identified as "Open Space" on the Land Use and Zoning Map. Are these areas buildable? Does it lower the allowable density if you have 100 Year Flood Plain on your property?*

100 Year Flood Plains, as defined by FEMA, are not buildable and are, therefore, identified as Open Space. For the purpose of calculating maximum allowable density, the area in 100 Year Flood Plain is subtracted from the total parcel area and the remainder is used to determine density.

4. *How was the zoning determined?*

Several factors were used, primarily the City's General Plan Land Use Map. In addition, existing uses and density patterns were examined.

5. *What about Area 11 where R-1 is proposed for the north side of Governor Miles Road and R-3 for the south side?*

The north side of Governor Miles is already developed at densities that correspond to R-1 zoning. However, across the street, there are vacant lands that can be developed in the future, so R-3 is proposed to allow for higher infill densities that mirror the existing Nava Adé neighborhood to the east.

6. *Can they get in writing that they will be allowed to have the well and septic?*

These issues are already addressed in the City Code.

7. *Will there be language in the annexation ordinance regarding this?*

No, but it states that City rules will apply. No existing provisions in the City code to restrict an existing well and/or septic system. New construction is required to connect to City water if the property is within 300' of a water main and must connect to City sewer if within 200' of a sewer main.

8. *What about road maintenance?*

Existing County roads will be taken over and maintained by the City after annexation. Private roads will remain private.

9. *Property value assessments?*

The County Assessor conducts property assessments. No assessments are conducted by the City. Property will not be reassessed simply by virtue of being annexed.

10. *What efforts have been made to reach out to neighbors?*

The ENN meetings were noticed via regular mail to property owners and residents, a newspaper ad in the New Mexican, and the City website. In addition, information regarding the Land Use Authority Ordinance and the proposed Zoning Map has been made available on the City and County websites, in newspaper ads, and outreach meetings happening this month.

11. *Can this be delayed? Can our property be annexed in a different phase?*

The phasing plan was established and agreed upon by the City Council and Board of County Commissioners, so any change would require their approval and is, therefore, unlikely. Residents are encouraged to contact their County Commissioner and future City Councilors to voice their concerns and to attend the public hearings.

12. *When do the residents get to vote on annexation? Taxing of land with this? New layer of regulation on land (Area 15 resident).*

The City-Initiated Annexations are not subject to a vote. The City's and County's elected officials agreed on the annexation plan outlined in the Settlement Agreement. Property taxes will go up slightly, as discussed.

13. *City code vs. HOA covenants – differences?*

The City does not enforce nor overrule covenants.

14. *What do you do if you have a private road that you want the City to take over?*

You can petition the City to takeover ownership and maintenance of a private road if it meets the City standards for width, surface, details, etc. in found in Chapter 14.

15. *Residents want input on the road plans and transportation plans.*
16. *Area 15 stated their desire not to be annexed at all or, at a minimum to be postponed until Phase 2 or 3.*

Again, residents encouraged to contact their elected officials and attend the public hearings to make their concerns known.

17. *Some Area 13 residents off of Governor Miles Road expressed their opposition to the annexation. They talked to some City Councilors and the vote to approve the annexation has not happened yet. There may be enough votes to deny it. Concern expressed about the state of their existing rural roads; want them to be safely passable for emergency vehicles.*

City Public Works/Fire Dept. can come out and identify issues with road for emergency vehicles. The City is actually better equipped than the County to provide services in the annexation areas.

18. *A section of Governor Miles east of Richards Ave. is still a private easement. City approved subdivisions off of Richards and Camino Carlos Rey and created a public street on both ends of the easement.*

Logically, this section should be made public right-of-way and maintained by the City. Resident asked to fill out a Staff Follow-Up Form regarding this issue.

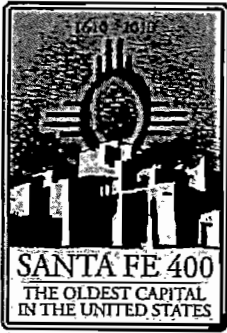
# EXHIBIT G:

## SUPPLEMENTAL

### ENN

## DOCUMENTATION

1. ENN MEETING NOTICES
2. FAQ'S (ACCOMPANIED ENN MEETING NOTICES)
3. ENN MEETING SIGN-IN SHEETS
4. COPY OF NEWSPAPER AD NOTICING ENN MEETINGS
5. RESPONSES TO ENN GUIDELINES



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

**Councilors:**

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Rosemary Romero, Dist. 2

Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

July 2, 2009

**RE: EARLY NEIGHBORHOOD NOTIFICATION MEETING  
CITY-INITIATED ANNEXATION, PHASE 1  
ANNEXATION AREAS 16 & 17 (see map on reverse side)**

Dear Property Owner/Resident:

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification program, this letter is being sent as notice of a meeting to discuss the pending City-Initiated Annexation, General Plan amendment, and zoning of certain lands currently in Santa Fe County. This meeting will specifically address Annexation Areas 16 and 17, as shown on the map on the reverse side of this page.

In 2008, the City of Santa Fe and Santa Fe County reached an historic Settlement Agreement under which the City will annex certain lands within the next five years, creating clear, readily identifiable City boundaries. The City's new boundaries will be defined by the major highways, I-25 to the south and NM 599 to the west, as well as the National Forest to the east. The annexations will occur in three phases beginning in 2009 and finishing in 2013.

Please find a list of *Frequently Asked Questions* with answers attached that may address some of your questions and concerns.

**The meeting will be held on Monday, July 20, 2009 at 6:00 p.m. at the Santa Fe Women's Club, 1616 Old Pecos Trail.**

An informal "open house" from 5:00 p.m. to 6:00 p.m. will precede the meeting. This provides time for individuals to review maps and other documentation, as well as to discuss issues with staff, one-on-one.

If you are unable to attend the meeting, or have questions before the meeting, please do not hesitate to call.

Sincerely,

Reed Liming, Planner  
City of Santa Fe  
Ph: (505) 955-6610

Jennifer Jenkins, Meeting Facilitator  
JenkinsGavin, Consultants  
Ph: (505) 820-7444

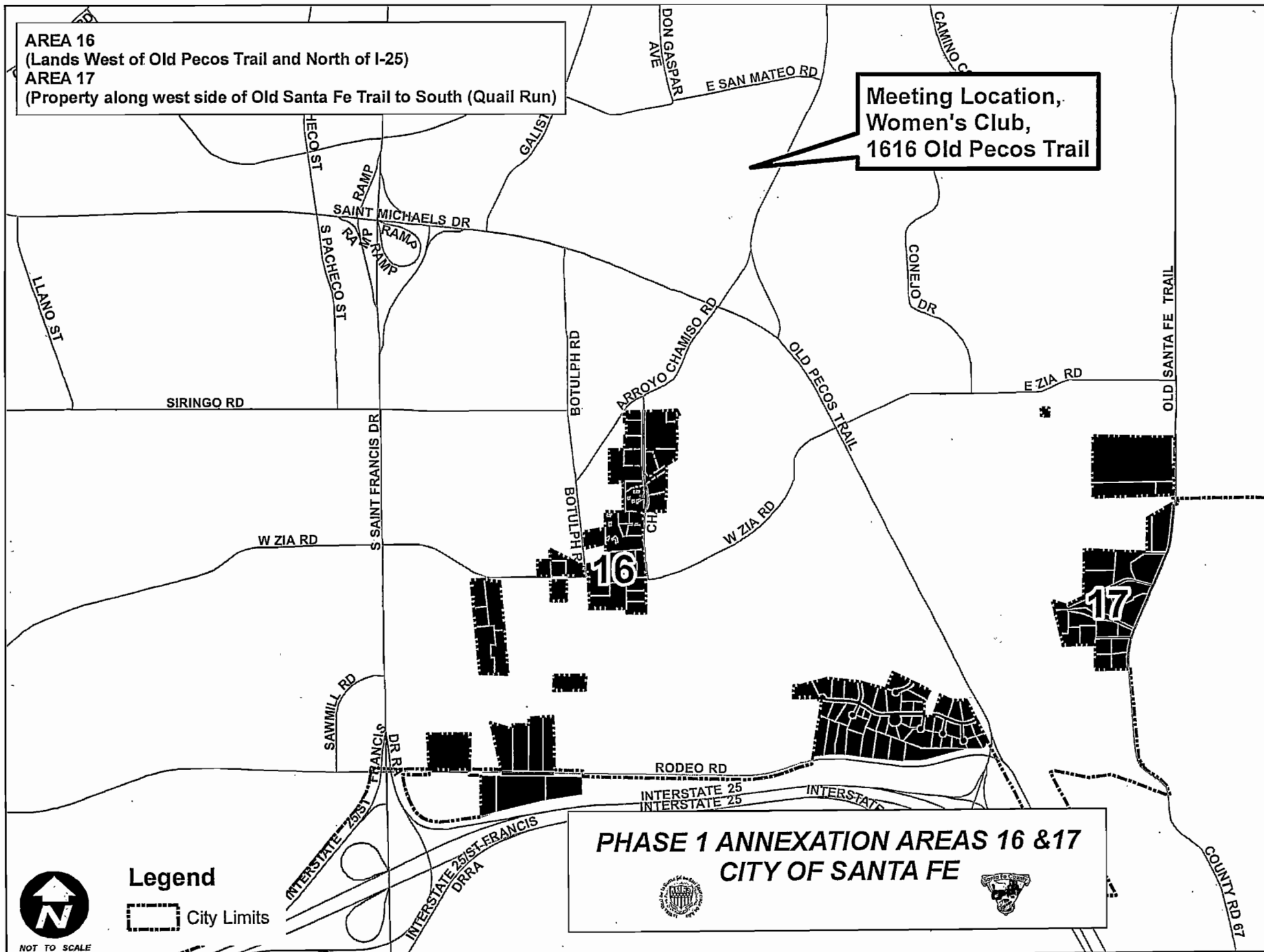
*Si necesita esta información en español, favor de llamar a Maria Vigil en la municipalidad de Santa Fe al 955-6625 o mandar e-mail a [mrvigil2@santafenm.gov](mailto:mrvigil2@santafenm.gov).*

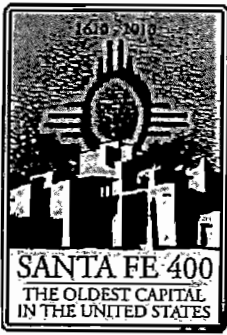
MAP ON REVERSE



**AREA 16**  
 (Lands West of Old Pecos Trail and North of I-25)  
**AREA 17**  
 (Property along west side of Old Santa Fe Trail to South (Quail Run))

Meeting Location,  
 Women's Club,  
 1616 Old Pecos Trail





# City of Santa Fe, New Mexico

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Rosemary Romero, Dist. 2

Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

July 7, 2009

**RE: EARLY NEIGHBORHOOD NOTIFICATION MEETING  
CITY-INITIATED ANNEXATION, PHASE 1  
ANNEXATION AREAS 3, 6 & 8 (see map on reverse side)**

Dear Property Owner/Resident:

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification program, this letter is being sent as notice of a meeting to discuss the pending City-Initiated Annexation, General Plan amendment, and zoning of certain lands currently in Santa Fe County. This meeting will specifically address Annexation Areas 3, 6, and 8, as shown on the map on the reverse side of this page.

In 2008, the City of Santa Fe and Santa Fe County reached an historic Settlement Agreement under which the City will annex certain lands within the next five years, creating clear, readily identifiable City boundaries. The City's new boundaries will be defined by the major highways, I-25 to the south and NM 599 to the west, as well as the National Forest to the east. The annexations will occur in three phases beginning in 2009 and finishing in 2013.

Please find a list of *Frequently Asked Questions* with answers attached that may address some of your questions and concerns.

**The meeting will be held on Wednesday, July 22, 2009 at 6:00 p.m. at the Southside Library, 6599 Jaguar Drive.**

An informal "open house" from 5:00 p.m. to 6:00 p.m. will precede the meeting. This provides time for individuals to review maps and other documentation, as well as to discuss issues with staff, one-on-one.

If you are unable to attend the meeting, or have questions before the meeting, please do not hesitate to call.

Sincerely,

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City of Santa Fe  
Ph: (505) 955-6610

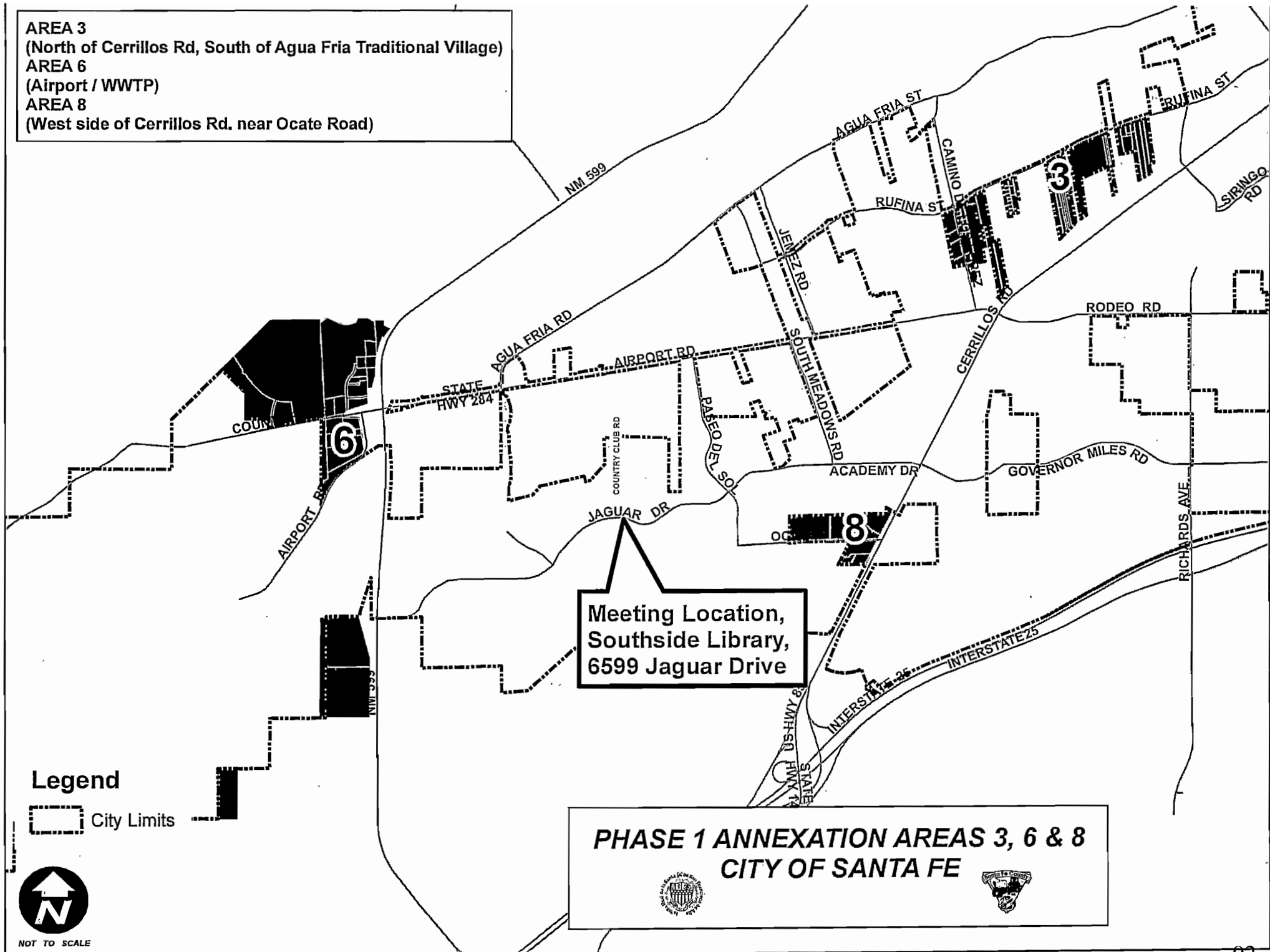
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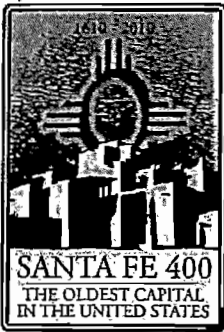
MAP ON REVERSE



AREA 3  
(North of Cerrillos Rd, South of Agua Fria Traditional Village)  
AREA 6  
(Airport / WWTP)  
AREA 8  
(West side of Cerrillos Rd. near Ocate Road)







# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

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Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

July 8, 2009

**RE: EARLY NEIGHBORHOOD NOTIFICATION MEETING  
CITY-INITIATED ANNEXATION, PHASE I  
ANNEXATION AREAS 9, 10, 11, 13 & 15 (see map on reverse side)**

Dear Property Owner/Resident:

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification program, this letter is being sent as notice of a meeting to discuss the pending City-Initiated Annexation, General Plan amendment, and zoning of certain lands currently in Santa Fe County. This meeting will specifically address Annexation Areas 9, 10, 11, 13, and 15, as shown on the map on the reverse side of this page.

In 2008, the City of Santa Fe and Santa Fe County reached an historic Settlement Agreement under which the City will annex certain lands within the next five years, creating clear, readily identifiable City boundaries. The City's new boundaries will be defined by the major highways, I-25 to the south and NM 599 to the west, as well as the National Forest to the east. The annexations will occur in three phases beginning in 2009 and finishing in 2013.

Please find a list of *Frequently Asked Questions* with answers attached that may address some of your questions and concerns.

**The meeting will be held on Thursday, July 23, 2009 at 6:00 p.m. at the Southside Library, 6599 Jaguar Drive.**

An informal "open house" from 5:00 p.m. to 6:00 p.m. will precede the meeting. This provides time for individuals to review maps and other documentation, as well as to discuss issues with staff, one-on-one.

If you are unable to attend the meeting, or have questions before the meeting, please do not hesitate to call.

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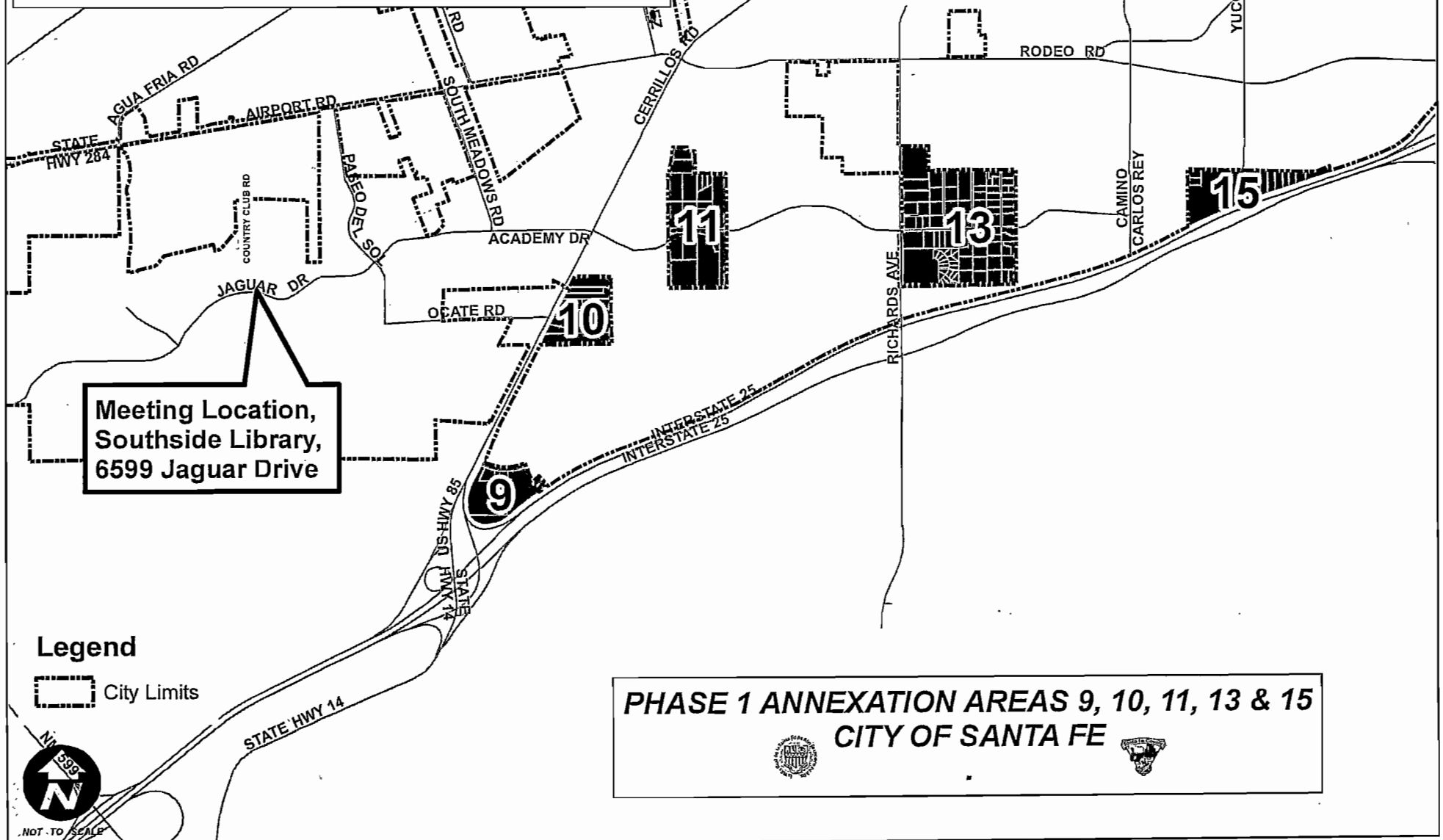
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MAP ON REVERSE



- AREA 9  
(Premium Outlets)
- AREA 10  
(South of Nava Ade, East of Cerrillos Rd.)
- AREA 11  
(Immediately West of Nava Ade)
- AREA 13  
(East side of Richards Avenue, North of I-25 & West of Pueblos del Sol)
- AREA 15  
(East of Carlos Rey del Sur Subd. – North of I-25)



## **City of Santa Fe Annexation Frequently Asked Questions**

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**I am currently on a well and septic system. After annexation, will I have to connect to the City's water and sewer systems?**

No. Current City ordinances do not require properties with existing wells and septic systems to connect to the City water and sewer systems. Municipal ordinance does not allow a new domestic well on a property located within 300 feet of an existing water line. Similarly, new projects must connect to the City sewer system if the property is within 200 feet of a sewer line.

**Will I be able to re-drill my domestic well after my property is annexed?**

The city does not prohibit the re-drilling of domestic wells. A property owner with an existing domestic well that needs to be re-drilled would make the necessary application through the Office of the State Engineer (OSE), Water Rights Division, District 6, 827-6120.

**Will my property taxes go up after annexation?**

Yes, your property taxes will increase slightly after annexation. The current City tax rate is \$50 more per \$100,000 of assessed value for residential properties, and \$82 more per \$100,000 of assessed value for commercial properties than current County tax rates.

**What will my zoning be?**

The City is establishing zoning for the lands to be annexed, taking into account existing land uses, current project approvals, and the City's General Plan. A map of the proposed zoning will be available at the Early Neighborhood Notification Meeting.

**Can I build a guesthouse or add a manufactured home on my property?**

In the City, most residential lots are permitted one guesthouse. Check with the City Land Use Department for specific rules and regulations as they apply to your property.

Manufactured homes are permitted by City code. You must obtain a preliminary City zoning approval and building permit before adding a manufactured home. The New Mexico State Manufactured Housing Division is responsible for issuing building, plumbing, and electrical permits. Please visit [www.rld.state.nm.us](http://www.rld.state.nm.us) for more information on manufactured homes.

**Will the City take over and maintain County roads? What about my private road?**

Public roads in the County will become City-maintained public streets after annexation. Private roads will continue to remain privately owned and maintained. Any new roads or streets will have to be built to City standards.

**What number will I call in case of an emergency?**

You will still call 911. All 911 calls are routed to a regional dispatch center. Fire protection and EMT services are coordinated between the City and the County by mutual agreement, and the

## City of Santa Fe Annexation Frequently Asked Questions

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units that respond to emergencies are typically the personnel and equipment closest to the location requiring assistance. Police protection will be enhanced by additional officers specifically assigned to the annexed areas.

### **Will the City collect my trash and recyclables after annexation?**

Yes. Private solid waste haulers are not allowed to provide services to residences within the City limits. The City's residential solid waste collection fee is \$12.78/month (including recyclables), while a private hauler, such as Waste Management, charges around \$30.00/month.

### **What City council district will I be in after annexation, and who will be my elected representatives?**

Your district will depend on the location of your residence. The City has four council districts with two councilors serving each district. It is unknown at this time if it will be necessary to modify district boundaries as a result of the Phase 1 Annexation. A current district map will be available for viewing at the Early Neighborhood Notification Meeting. A preliminary review suggests that the Phase 1 annexation areas may be located within the following City Council Districts:

- Annexation Areas 3, 6 & 8: Council District 3 (Councilors Miguel Chavez and Carmichael Dominguez)
- Annexation Areas 9, 10, 11, 13 & 15: Council District 4 (Councilors Matthew Ortiz and Ronald Trujillo)
- Annexation Areas 16 & 17: Council District 2 (Councilors Rebecca Wurzbarger and Rosemary Romero).

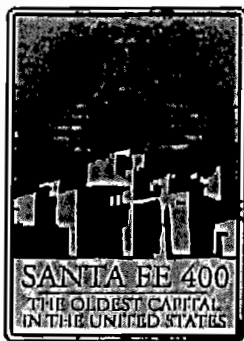
### **Can I still keep livestock and horses on my property?**

Yes. The City does not prohibit farm animals within the City limits, as long as the animals do not create a public nuisance or health hazard.

~~~~~

For additional information, please contact the appropriate City Department using the contact list below or visit [www.santafenm.gov](http://www.santafenm.gov):

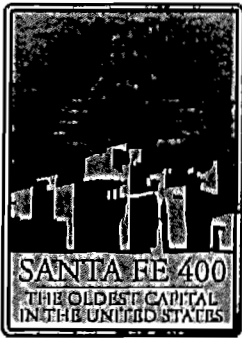
| <i><b>Division/Department</b></i> | <i><b>Phone Number</b></i> | <i><b>Division/Department</b></i> | <i><b>Phone Number</b></i> |
|-----------------------------------|----------------------------|-----------------------------------|----------------------------|
| Office of the Mayor               | 955-6590                   | Public Works                      | 955-6621                   |
| Constituent Services              | 955-6949                   | Streets                           | 955-6621                   |
| City Clerk                        | 955-6521                   | Public Utilities                  | 955-4233                   |
| Fire Department                   | 955-3110                   | Solid Waste                       | 955-2200                   |
| Land Use                          | 955-6925                   | Wastewater (Sewer)                | 955-4650                   |
| Historic Preservation             | 955-6605                   | Water Division                    | 955-4202                   |
| Inspections/Enforcement           | 955-6689                   | Short-Term Rentals                | 955-6324                   |
| Police Department                 | 955-5010                   | Fire Inspections                  | 955-3110                   |



City of Santa Fe  
Phase I Annexation ENN Meeting  
Monday, July 20th at Santa Fe Women's Club  
Annexation Areas 16 & 17

DID YOU RECEIVE  
A MEETING NOTICE  
AT THE CORRECT  
MAILING ADDRESS? Y/N

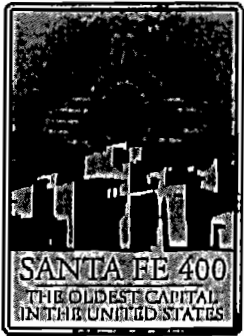
| NAME                  | PHYSICAL ADDRESS                    | MAILING ADDRESS | DID YOU RECEIVE<br>A MEETING NOTICE<br>AT THE CORRECT<br>MAILING ADDRESS? Y/N |
|-----------------------|-------------------------------------|-----------------|-------------------------------------------------------------------------------|
| Cherie Su-Jessing     | 82 Emblem Road SF, 87507            | "               | No                                                                            |
| Donna McReynolds      | 570 N. Guadalupe St SF 87501        |                 |                                                                               |
| John T. J. Trane      | 2349 - Botolph Rd 87505             |                 | Yes                                                                           |
| Denny Olmsted         | 822 Bishopshofer Rd                 | SAME            | NO                                                                            |
| Bernardo Griego       | 2439 Camino Capitan, SF. NM 87505   |                 | No                                                                            |
| Pat McCreight         | 450 Rodeo Rd                        | "               | Yes                                                                           |
| Louise Fox            | 2386 SANTA BARBARA DR.              | same            | No                                                                            |
| PAT & Melinda Olachen | 111 Tierra Rica                     | SF              | Yes                                                                           |
| Sal Randoel           | 901 Alto St. SF 87501               | SR Realty       | NO                                                                            |
| Mike Kitter           | 2115 Old Arroyo Chamiso SF 87505    |                 |                                                                               |
| Brad Buck             | Rio Rancho, NM                      |                 | NO                                                                            |
| Paul Effsted          | 2117 Botolph Rd                     |                 | Yes                                                                           |
| Mary Dykton           | 1824 Arroyo Chamiso Rd SF 87505     |                 | —                                                                             |
| Kathy Holian          | 4 Camino Cielo Azul SF 87508        |                 | —                                                                             |
| William Mel           | 2073 Camino Samuel Montoya SF 87507 |                 | N/A                                                                           |
| Michael Carroll       | 1714 UPPER CANYON 87501 SF          |                 | NO                                                                            |



City of Santa Fe  
Phase I Annexation ENN Meeting  
Monday, July 20th at Santa Fe Women's Club  
Annexation Areas 16 & 17

DID YOU RECEIVE  
A MEETING NOTICE  
AT THE CORRECT  
MAILING ADDRESS? Y/N

| NAME                          | PHYSICAL ADDRESS         | MAILING ADDRESS    | MAILING ADDRESS? Y/N |
|-------------------------------|--------------------------|--------------------|----------------------|
| William C. Jordan             | 2128 Old Arroyo Chamiso  | Santa Fe, NM 87505 | yes                  |
| Virginia A. Jordan            | " " "                    | " " "              |                      |
| Patricia Cody                 | 2218 Old Arroyo Chamiso  | 87505              |                      |
| Jeff Sand                     | "                        |                    |                      |
| Rich Ranney                   | 342 W. 21st Rd           |                    |                      |
| Eleanor Bernau                | Santa Fe NM              | 87505              | yes                  |
| SILVER FARMER                 | PO Box 2473,             | 87504              |                      |
| FRANK & LISA GARCIA           | 109 TIERRA RICA DR.,     | Santa Fe, NM 87505 | Yes                  |
| C. VOGEL                      | 2303 Old Arroyo Chamiso, | Santa Fe, NM 87505 | Yes                  |
| <del>LORE SAND</del>          |                          |                    |                      |
| Nancy & Cindy Lyon            | 762 Placita Santa Fe     | SE, NM 87505       | yes                  |
| ROB RILKON                    | 2218 OLD ARROYO CHAMISCO |                    | yes                  |
| Tomas ENOS                    | 1714 Canyon Hill Lane    |                    | Yes                  |
| Ursula Hofer & Lee Cartwright | 2201 Old Arroyo Chamiso  |                    | yes                  |
| A. MERRILL & R. SAKIESTER     | 7198 Old S. Fe Trail     |                    | yes                  |
| Jim & Jan Patterson           | 6 Starfire Ln.           | 87505              | yes                  |



City of Santa Fe  
Phase I Annexation ENN Meeting  
Monday, July 20th at Santa Fe Women's Club  
Annexation Areas 16 & 17

DID YOU RECEIVE  
A MEETING NOTICE  
AT THE CORRECT  
MAILING ADDRESS? Y/N

NAME

PHYSICAL ADDRESS

MAILING ADDRESS

Tom + Elise Noble

2255 Old Arroyo Chamisa Rd 87505 (same)

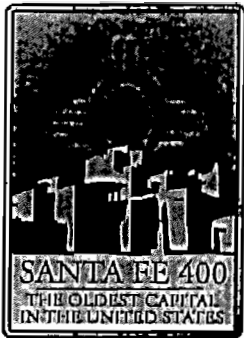
NO

Earl Potten

7000 OLD SK TR 87505-

202





City of Santa Fe  
Phase I Annexation ENN Meeting  
Wednesday, July 22nd at the Southside Library  
Annexation Areas 3, 6 & 8

| NAME               | PHYSICAL ADDRESS<br>OF PROPERTY TO BE ANNEXED                                                   | MAILING ADDRESS               | DID YOU RECEIVE<br>A MEETING NOTICE<br>AT THE CORRECT<br>MAILING ADDRESS? Y/N |
|--------------------|-------------------------------------------------------------------------------------------------|-------------------------------|-------------------------------------------------------------------------------|
| DONKER             | ± 110 ACRES (ANNEX AREA 78)<br>EAST OF CITY<br>SHELVING & REFRIG. (NORTH SIDE<br>OF AIRPORT RD) | 2865 RUFINA ST<br>SF NM 87507 | ✓ YES                                                                         |
| Rob Dwyer          | Sulam Property                                                                                  | NA                            | ✓ NA n                                                                        |
| Jenny Quian        | 101 Calle Jaco El Monte                                                                         | Same                          | ✓                                                                             |
| Denny Olmsted      | 31 Paseo de River                                                                               | 822 Bishops Lodge 87501       | NO                                                                            |
| MATIAS Padilla     | 11 Florence RD.                                                                                 | Same                          | Yes                                                                           |
| JOHN Scott         |                                                                                                 |                               | ✓                                                                             |
| Janette Smith      | 3085 Jemez Road 87507                                                                           | Same                          | NO —                                                                          |
| Louis V Montoya    | 2204 Camino Polvoso                                                                             | Same                          | no                                                                            |
| Fred Pearson       | 4121 New Moon Circle                                                                            | Santa Fe                      | NO                                                                            |
| JEFFS, Jeff        | 2300 ANTONIO LANE                                                                               | 2300 ANTONIO Lane Santa Fe    | Yes                                                                           |
| FRANK KATZ         | City                                                                                            |                               |                                                                               |
| Walter Padilla     | 2810 Jaco Lane                                                                                  | SF NM                         | Yes                                                                           |
| Patrick R Martinez | 2152 Camino Polvoso                                                                             | SF. NM                        | Yes                                                                           |
| Matthew Gomez      |                                                                                                 |                               |                                                                               |
| Kenny Kevin        | 5760 RUFINA / 10004 29854<br>87592                                                              | SF NM                         | NO                                                                            |
| JOE Annan          | 1316 Luna ST<br>3984 Rufina                                                                     | SF NM                         | Yes                                                                           |



City of Santa Fe  
Phase I Annexation ENN Meeting  
Wednesday, July 22nd at the Southside Library  
Annexation Areas 3, 6 & 8

DID YOU RECEIVE  
A MEETING NOTICE  
AT THE CORRECT  
MAILING ADDRESS? Y/N

NAME \_\_\_\_\_

PHYSICAL ADDRESS  
OF PROPERTY TO BE ANNEXED

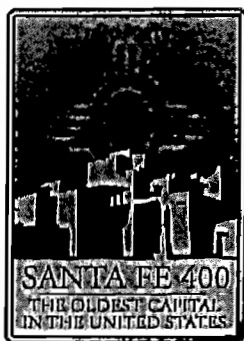
MAILING ADDRESS

SF Mobile Home Hacienda

Gary & GAIL AYCOCK 115ocate Road #110 Santa Fe, NM 471-3112 Yes - Thank you

915 Mercer 27505

Jim Siebert 915 mercur 87505  
Aggie Chaz 2199 Manuel Modiano K. 87NM 87025 43



City of Santa Fe  
Phase I Annexation ENN Meeting  
Thursday, July 23rd at the Southside Library  
Annexation Areas 9, 10, 11, 13 & 15

| NAME                               | PHYSICAL ADDRESS<br>OF PROPERTY TO BE ANNEXED | MAILING ADDRESS                             | DID YOU RECEIVE<br>A MEETING NOTICE<br>AT THE CORRECT<br>MAILING ADDRESS? Y/N |
|------------------------------------|-----------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------|
| Mela Sanchez                       |                                               | 2157 Camino San Andres Santa Fe, N.M. 87505 |                                                                               |
| Ethel G. Chufillo                  |                                               | 4580 Governor Miles Rd. S.F., N.M. 87507    |                                                                               |
| Renee Herndon                      |                                               | 2036 Paseo de Enrique SF NM 87505           | Y                                                                             |
| Joseph Lopez                       |                                               | 2036 Paseo de Enrique SF NM 87505           | Y                                                                             |
| Bette Sue Curren                   |                                               | 2157 Camino San Andres SF, NM 87505         |                                                                               |
| John L. Connor                     |                                               | 2157 Camino San Andres SF, NM 87505         |                                                                               |
| Lorella Gonzales & Randy Mondragon |                                               | 1894 Paseo de Enrique SF NM 87505           |                                                                               |
| Connie Sue Jessup                  |                                               | 82 Emblem Rd, SF 87507                      |                                                                               |
| Joe R. Menby                       |                                               | 4231 Menford Ln. S.F. 87507                 |                                                                               |
| John A. Padilla                    | 1425 Aspen Dr. Suite 201A SF, NM SF.          | 87507                                       | jpadilla@scsao.com                                                            |
| LINDA HORTER                       | 3405 Calle Viejo SF                           | 87507                                       | yes - lhorter@comcast.net                                                     |
| Steve Ricklin                      | PO Box 16075, SF, NM                          | 87502                                       | yes                                                                           |



# CITY INITIATED ANNEXATIONS - PHASE I

In 2008, the City of Santa Fe and Santa Fe County reached an historic Settlement Agreement under which the City will annex certain lands within the next five years, creating clear, readily identifiable City boundaries. The City's new boundaries will be defined by the major highways, I-25 to the south and NM 599 to the west, as well as the National Forest to the east. The annexations will occur in three phases beginning in 2009 and finishing in 2013.

The City of Santa Fe is holding Early Neighborhood Notification (ENN) meetings to discuss Phase 1 annexation, General Plan amendment, and zoning of the areas as shown on the map below. Each ENN meeting will focus on specific Phase 1 annexation areas. The meetings will be held at 6:00p.m. City Staff will hold an informal open house before each meeting from 5:00 p.m. to 6:00 p.m. at which time you can ask questions and review maps and other documentation that will be available.

For more information, you can visit the City's website at [www.santafenm.gov](http://www.santafenm.gov) and click on "Hot Topics" in the left column or contact Reed Liming at 955-6610.

## ENN MEETING SCHEDULE

### AREAS 16 & 17

MONDAY, JULY 20<sup>TH</sup>  
Santa Fe Women's Club  
1616 Old Pecos Trail  
6:00 p.m.

### AREAS 3, 6 & 8

WEDNESDAY, JULY 22<sup>ND</sup>  
Southside Library  
6599 Jaguar Drive  
6:00 p.m.

### AREAS 9,10,11, 13 & 15

THURSDAY, JULY 23<sup>RD</sup>  
Southside Library  
6599 Jaguar Drive  
6:00 p.m.

**AREA 3** - North of Cerrillos Rd, South of Agua Fria Traditional Village

**AREA 6** - Airport / Waste Water Treatment Plant Area

**AREA 8** - West side of Cerrillos Rd, near Ocate Road

**AREA 9** - Premium Outlets

**AREA 10** - East side of Cerrillos Rd across from Ocate Road

**AREA 11** - Immediately West of Nava Ade

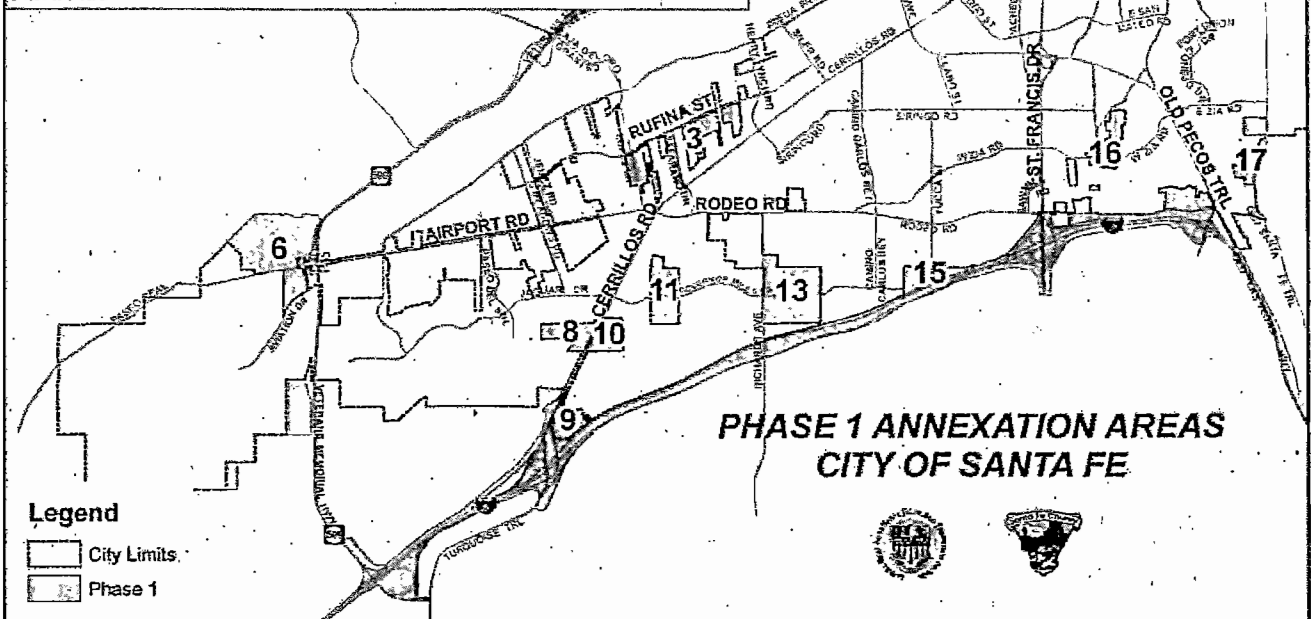
**AREA 13** - Area between Richards Avenue and Pueblos del Sol

**AREA 15** - East of Carlos Rey del Sur Subd. - North of I-25

**AREA 16** - Lands West of Old Pecos Trail and North of I-25

**AREA 17** - Property along west side of Old Santa Fe Trail

**I-25 ROW** - From NM 599 to Old Pecos Trail



City of Santa Fe  
Responses to Early Neighborhood Notification Guidelines  
Phase 1 City-Initiated Annexation, General Plan Amendment and Zoning

*June 2, 2009*

**1. Effect on Character and Appearance of the Surrounding Neighborhoods:**

Annexation will bring this area under the jurisdiction of the City of Santa Fe. The proposed General Plan amendment and zoning of the areas to be annexed are typically consistent with current land uses and/or valid project approvals granted under the Extraterritorial Zoning Ordinance. Large tracts of vacant land will be zoned at the lowest density allowed within the Land Use category density range. The General Plan anticipates future re-zoning and urban uses for these tracts. The immediate actions of annexing, General Plan amendment and zoning would not change the character and appearance of the surrounding neighborhoods.

**2. Effect on protection of the physical environment:**

The proposed actions would not result in any physical changes, only a change in the jurisdiction from the county to the City. Therefore, there would be no effect on the protection of the physical environment.

**3. Impact on any prehistoric, historic, archaeological or cultural site or structure, including acequias and the historic downtown:**

The proposed actions would result in no physical changes. In accordance with the City of Santa Fe Land Development Code, Archaeological Clearance Permits are required prior to development of certain properties located in an archaeological review district.

**4. Relationship to existing density and land use within the surrounding area and with the land uses and densities proposed by the City General Plan:**

The annexation, General Plan amendment and zoning would not alter densities of current land uses, such as the Santa Fe Outlets. The proposed annexation is necessary to ensure that land development occurs according to the City's General Plan. The annexation is consistent with the City's General Plan. The Future Land Use map, once amended, would guide eventual rezoning and development.

**5. Effects upon parking, traffic patterns, congestion, pedestrian safety, impacts of the project on the flow of pedestrian or vehicular traffic and provision of access for the disabled, children, low-income and elderly to services:**

Annexation, General Plan amendment and zoning would not affect existing parking, traffic patterns, congestion, and pedestrian safety, nor have impacts on the flow of pedestrian or vehicular traffic.

**6. Impact upon the economic base of Santa Fe:**

Annexation, General Plan amendment and zoning would result in increased property tax and gross receipts tax revenue for the City of Santa Fe, thereby slightly expanding the economic base. Currently, the City receives neither gross receipts tax from businesses, nor property tax from landowners located in the proposed annexation area. Annexation of the area is estimated to generate an additional \$100,000 to \$250,000 in gross receipts revenue and an additional \$25,000 in property tax revenue annually during the initial years after annexation.

**7. Effect upon the availability of affordable housing and availability of housing choices for all Santa Fe residents:**

Annexation, General Plan amendment and zoning will not affect the existing availability of affordable housing and housing choices. However, the City of Santa Fe affordable housing requirement is greater than that required in the county. Therefore, any residential development within the area to be annexed would be subject to the greater requirement for affordable housing and would increase the availability of housing choices for all Santa Fe residents.

**8. Effect upon public services such as fire, police protection, school services and other public services or infrastructure elements such as water, power, sewer, communications, bus systems, commuter or other services or facilities:**

The City of Santa Fe already serves the areas proposed for annexation with fire/EMS service and “back-up” police protection. Annexation would make the City police department the first responder to the area, slightly increasing the demand for police services.

Once located within the City limits, landowners of annexed property could request City water and sewer service.

Electricity and natural gas are provided by PNM. Communication services are provided by the open market. These would not be affected by annexation.

Annexation will not directly affect Santa Fe Public School District zones, nor where children will attend public school.

**9. Impacts upon water supply, availability and conservations methods:**



The annexation involves the potential for new development and, therefore, could have an impact on water supply. However, any new development scheduled for the area would be subject to the City's water conservation regulations, as well as the City's water rights transfer regulations.

**10. Effect on opportunities for community integration and social balance through mixed land use, pedestrian oriented design, and linkages among neighborhoods and recreational activity and employment centers:**

Proposed zoning of the annexation areas will create opportunities for mixed-use development. Furthermore, land for parks and open space is specifically identified, as are locations for stores, schools and business parks to encourage nearby job location. The City's General Plan also makes specific transportation recommendations for the area that includes location of new roads to serve the community.

**11. Effect upon Santa Fe's Urban Form:**

The annexation, General Plan amendment and zoning of land do not, by themselves, have any effect on the urban form of Santa Fe. The City's General Plan recommendations for the vacant lands are aimed at improving the City's urban form by requiring a more compact and mixed approach to land development, integrating places to live, work, shop, play and go to school.

# EXHIBIT H:

## PUBLIC HEARING

## NOTIFICATION

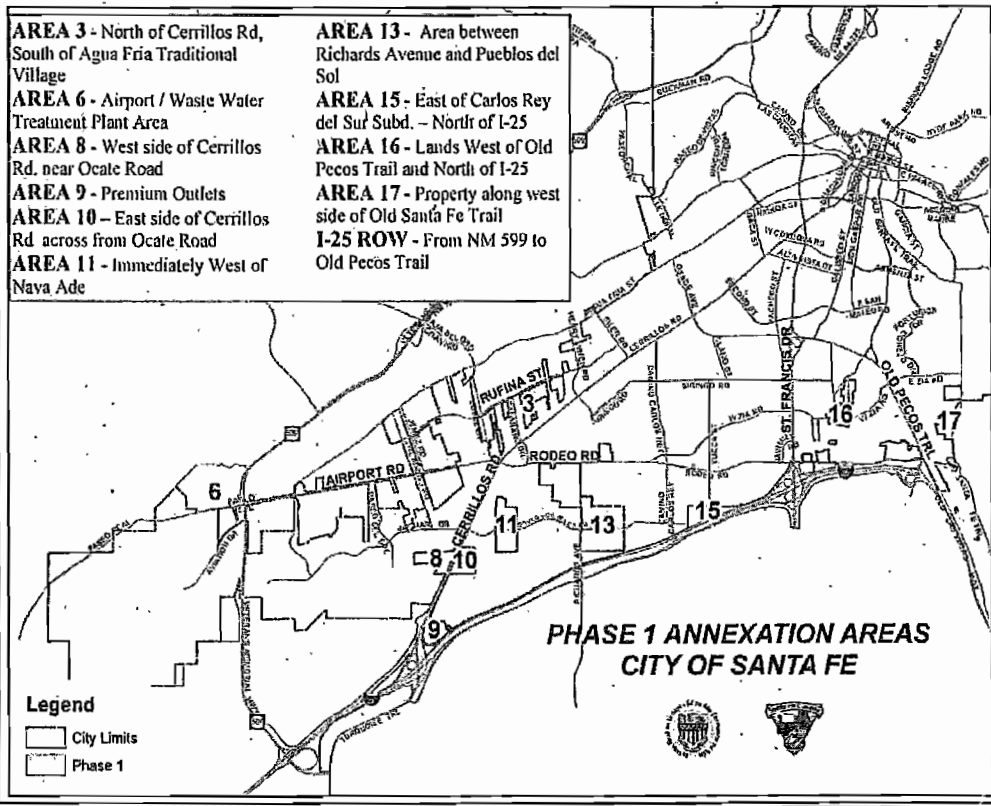
1. COPY OF NEWSPAPER AD  
NOTICING PLANNING  
COMMISSION/CITY COUNCIL  
PUBLIC HEARINGS
2. COPY OF NOTIFICATION LETTER  
ANNOUNCING PLANNING  
COMMISSION/CITY COUNCIL  
PUBLIC HEARINGS

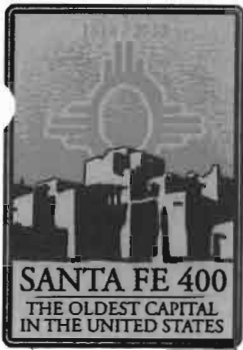
# CITY INITIATED ANNEXATION - PHASE I

Public hearings are being held by the City of Santa Fe Planning Commission and the Santa Fe City Council to consider approving the Phase I City-Initiated Annexation. For more information, you can visit the City's website at [www.santafenm.gov](http://www.santafenm.gov), click on "Hot Topics" or contact Reed Liming at 955-6610.

**The public hearings will be held in the City Council Chambers at City Hall, 200 Lincoln Ave.**

|                                              |                                              |
|----------------------------------------------|----------------------------------------------|
| <b>Planning Commission</b>                   | <b>City Council</b>                          |
| <b>Thursday, October 15, 2009, 6:00 p.m.</b> | <b>Tuesday, November 10, 2009, 7:00 p.m.</b> |





# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

**Councilors:**

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Rosemary Romero, Dist. 2

Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

September 30, 2009

**RE: NOTICE OF PLANNING COMMISSION & CITY COUNCIL HEARINGS  
CITY-INITIATED ANNEXATION, PHASE 1  
AREAS 3, 6, 8, 9, 10, 11, 13, 15, 16, 17, & a portion of the of I-25 Right-of-Way**

Dear Property Owner/Resident:

In 2008, the City of Santa Fe and Santa Fe County reached an historic Settlement Agreement under which the City will annex certain lands within the next five years, creating clear, readily identifiable City boundaries. The City's new boundaries will be generally defined by the major highways, I-25 to the south and NM 599 to the west, as well as the National Forest to the east. The annexations will occur in three phases beginning in 2009 and finishing in 2013.

Public meetings are being held by the City of Santa Fe Planning Commission and the Santa Fe City Council to consider adopting an ordinance approving the Phase 1 Annexation.

**The meetings will be held in the Council Chambers at City Hall, 200 Lincoln Avenue.**

**Planning Commission**

**City Council**

**Thursday, October 15, 2009, 6:00 p.m.**

**Tuesday, November 10, 2009, 7:00 p.m.**

For more information, you can visit the City's website at [www.santafenm.gov](http://www.santafenm.gov), click on "Hot Topics" or contact Reed Liming at 955-6610.

Sincerely,

Reed Liming, Planner  
City of Santa Fe  
Ph: (505) 955-6610

Jennifer Jenkins, Meeting Facilitator  
JenkinsGavin, Consultants  
Ph: (505) 820-7444

*Si necesita esta información en español, favor de llamar a Maria Vigil en la municipalidad de Santa Fé al 955-6625 o mandar e-mail a [mrvigil2@santafenm.gov](mailto:mrvigil2@santafenm.gov).*

**AREA 3** - North of Cerrillos Rd,  
South of Agua Fria Traditional  
Village

**AREA 6** - Airport / Waste Water  
Treatment Plant Area

**AREA 8** - West side of Cerrillos  
Rd. near Ocate Road

**AREA 9** - Premium Outlets

**AREA 10** - East side of Cerrillos  
Rd across from Ocate Road

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Nava Ade

**AREA 13** - Area between  
Richards Avenue and Pueblos del  
Sol

**AREA 15** - East of Carlos Rey  
del Sur Subd. - North of I-25

**AREA 16** - Lands West of Old  
Pecos Trail and North of I-25

**AREA 17** - Property along west  
side of Old Santa Fe Trail

**I-25 ROW** - From NM 599 to  
Old Pecos Trail

