

# Tomé/Adelino Community Plan

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**Prepared for:**

Valencia County Commission  
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## Summary

Tomé/Adelino Land Use Plan is both a technical document and a testament to Tomé/Adelino and the people who live there. Community members expressed a need for this plan due to negative changes taking place within the community, including a loss of agricultural land, increasing traffic due to population growth on the mesa, economic development out of place with the community character, and an increase in design elements that did not reflect the history and character of Tomé/Adelino.

### Plan Purpose

In the 2005 Valencia County Comprehensive Plan, Goal B establishes the need to protect and enhance the distinctive identities of the unincorporated communities and subregions within the County. The objectives to meet this goal include:

- Objective B-1: Designate “County Communities” as special planning areas with distinctive levels of development and unique local characteristics.
- Objective B-2: Protect the integrity of traditional historic communities as well as established, master planned developments.
- Objective B-3 Identify sensitive areas in the County and regulate development to achieve environmental, cultural, or natural resource protection.
- Objective B-4 Preserve the rural character of the Rio Grande valley by regulating land use to protect agricultural lands, maintain low density development, and promote open space.

In conjunction with these goals, this plan is comprised of the articulated visions of Tomé/Adelino residents.

### Planning Process

This plan completes a six (6) month process during a moratorium on commercial development imposed by the County. During this process, public participation was a top priority. Over the course of this effort, public input was obtained through the formation of a community advisory council that held public meetings in the evenings once a week and created a brochure and a survey/questionnaire that was sent out to 1,351 land owners within the planning boundary. Throughout the public participation process, the community expressed concerns that were documented and categorized. These categorized concerns included Agriculture/Open Space and Sense of Place. Owners of the property that will be directly impacted were invited to express their views of the plan.

From these categorized concerns, the planning team researched and presented specific issues to the public. After lengthy discussion of the issues, the community advisory council developed policy options. The strategies used to address the issues in this sector plan include maintaining rural Residential and Agricultural zoning categories that work for the goals and developing two new zoning categories in place of the C-1 and C-2 zoning categories:

## I. Introduction

- Historic Commercial Overlay Zone (HCOZ)
- Cerro de Tomé Zone (CdTZ)

The zoning categories that are currently in place and work to meet the goals of this plan are:

- Rural Residential Zone
- Agricultural Preservation

### **Agricultural Preservation District Zone (APZ)**

The purpose of the Agricultural Preservation (AP) District is to protect and preserve areas where lands are predominantly agricultural in their character and use, and comprise irrigated lands for farming or lands for livestock management. Limited residential and other agricultural-related uses may be conditionally permitted in the AP district. Features such as setbacks, large lot, road design, and acequias are all integral components of what make up the rural character and preservation of Tomé/Adelino and are important in maintaining open space for potential agricultural production.

### **Rural Residential District Zone (RRZ)**

The purpose of the Rural Residential Districts is to provide for rural residential development on selected lands identified in the comprehensive plan for preservation of low density rural living. RR Districts are intended to accommodate rural residential development at a parcel size of one (1) acre or two (2) acre minimum level that does not require more than a very basic level of services, such as single local-road access, individual domestic wells and septic tank sewage-disposal systems, and rural fire protection. Opportunities for small-scale or intensive farm activities compatible with low density rural residential uses shall be encouraged in the RR Districts.

### **Historic Commercial Overlay Zone (HCOZ)**

The Historic Commercial Overlay Zone is designed to enhance existing community commercial focal points with zoning that features appropriate use, public space, and design strategies. In the context of this sector plan, a Historic Commercial Center is an area of current and future commercial focus within Tomé/Adelino. All of these centers are existing centers of activity with ample opportunity for new public amenities and design elements that maintain the unique character of Tomé/Adelino.

### **Cerro de Tomé Zone (CdTZ)**

Tomé Hill has been defined as a focal point for the residents of Tomé/Adelino. Tomé Hill has been a site of Native American and Spanish religious activities for many years. Located on the hill is an array of petroglyphs chiseled into the basalt rock and Christian religious symbology. The Hill has also been a landmark for centuries for the various people who have traveled historic trails and roads along the Rio Grande. In recent years, the Hill has become a special place for Good Friday pilgrimages. This zone is created to protect this site as a sacred recreational space for many years to come.

## Introduction

Tomé/Adelino Community Plan honors the history of this community and its resolute desire to remain agricultural. The community planning process for Tomé/Adelino was initiated because this is *a place that matters*; residents know that better than anyone. Values of pride, people, and place are evident within the community: in conversations at the Tomé Community Center, in old-time stories passed down through generations, and at local celebrations such as Las Posadas.



Through its history as land occupied by Native Americans, the Spanish Conquest and the U.S Occupation, Tomé/Adelino has always remained resilient. Many communities have changed dramatically around Tomé/Adelino through the years; however, many families have stayed in this community to maintain and newcomers have adopted the Hispanic irrigation-farming tradition. Today, much of this tradition is threatened due to regional growth, development pressures, and a loss of the area's agricultural viability caused by the sale of water rights and drought. The community plan seeks to build upon the historic, cultural, and economic significance of Tomé/Adelino with planning strategies that protect and enhance what makes this such a special place.



In planning for the future, the Tomé/Adelino Community Plan seeks to enhance the rich history of this place and the people who've made it home.



## A. History of Thomè/Adelíno

The Thomè/Adelíno area forms part of an illustrious past tracing back to over five (5) centuries in the central section of the State of New Mexico. In 1535, Spain created the Viceroyalty of New Spain, thus organizing the immense region from Central America to the mysterious unknown expanses of the interior of the North American continent (Marc Simmons, *New Mexico-Bicentennial History*, W.W. Norton & Company, Inc. New York, 1977, p.16) In 1598, Captain-General-Governor Juan de Oñate received a contract from the King of Spain to colonize the northern territories of New Spain and govern these lands with the soldiers and families he organized to venture into these unknown frontiers (Pauline Jaramillo, *Genealogical and Historical Data of the Jaramillo Family-Almost Four Centuries in New Mexico-1598-1989*, Spring-Summer, 1998, p.2). Additionally, Oñate received the authority to apportion lands to the settlers who joined him in the expedition. Today, many residents living in the Thomè/Adelíno area are direct descendants of those soldiers and families who traveled on foot and by wagon train with Oñate and who crossed and settled in the area now known as Rio Abajo. In 1650 ca., Tomé Dominguez de Mendoza II was granted an “encomienda” for the Indians of Isleta, “a royal protected property.” In executing his duties, Thomé Dominguez established a large estancia or hacienda in the area of Thome.

After the Pueblo Revolt of 1680, those Spanish settlers who survived the conflict returned via El Paso del Norte to the lands of Rio Abajo and Rio Arriba during the Reconquista (the Spanish Conquest) of 1690-1692. Many of the original settlers who had arrived with the Oñate Expedition in 1598, resettled the Thomè/Adelíno area. In 1739, the King of Spain issued the “Town of Tomé Land Grant”, a large tract of land that now extends along the east side of the Rio Grande. Thomè/Adelíno became a buffer for the continuing raids by the Apaches, Comanches, and Navajos. In fact, Thomè/Adelíno became one of the most prominent towns in the Rio Abajo area along El Camino Real in the latter part of the 1700’s.

The Town of Thome was established around a Plaza. Because of the continuous raids on the Town of Tomé, the plaza was built as a fort for protection. The houses were built in a circular form around the plaza, and the entrances were barricaded in case of an attack.

During this early settlement, the residents of the area were farmers, livestock raisers, silversmiths, sheepherders and carpenters. Farming activities provided for community self-sufficiency. By 1790, there were approximately 120 households. During this time, Thome residents continued to be self-reliant amongst themselves through agricultural activities.

In 1850, Thome became the County seat for the new U.S. territorial county of Valencia and a US military presence was established. With the military presence and the rail connection, raids on the community declined. Farming and ranching were still the primary ways to make a living in the area. Even as New Mexico became the 47<sup>th</sup> state in the Union, there was little change in the social and religious activities in Thome.

Through the 1920s, 30s and 40s, Thome residents felt a lot of adversity through floods, droughts and changing landscapes. Many young residents went into the service and many did not return.



During the mid to later parts of the 20<sup>th</sup> century, agricultural production declined in Tomé; however, many families remained to continue the Hispano agricultural tradition.

Adelino, once known as Los Enlames, was originally a Native American settlement. In 1908, Adelino was re-named. It, like Thome, is rich in history and tradition. It too has retained its agricultural base. The old Adelino Schoolhouse and the Miguel Baca mercantile building remain popular landmarks. Tomé and Adelino have, in the eyes of the long-time local residents, been considered sister communities. The Camino Real runs deeply through the towns of Tomé and Adelino binding the two communities and having a lasting historical and cultural impact.

## **B. Plan Purpose**

The planning process for the Tomé/Adelino Community Plan was a community-based model that sought out a wide variety of community opinions and respected local knowledge, and was based upon information exchange rather than a top-down approach. The County Planner attended meetings conducted by the Community Advisory Council and served as technical support.

As expressed by community members, Tomé/Adelino is facing increasing development that could alter its character forever. The urgent planning challenges in the community arise from a threatened transformation from a rich agricultural place into an area losing its traditional agricultural and rural character, facing growing traffic congestion, and in need of carefully planned economic opportunities related to small-scale business and agriculture.

In the 2005 Valencia County Comprehensive Plan, Goal B establishes the need to protect and enhance the distinctive identities of the unincorporated communities and subregions within the County. The objectives to meet this goal include:

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- Objective B-4 Preserve the rural character of the Rio Grande valley by regulating land use to protect agricultural lands, maintain low density development, and promote open space.

Tomé/Adelino Community Plan strives to meet each of the above County-prescribed goals for the plan, but it also responds with care to another set of goals: the articulated visions of community residents. The community-based planning process that led to the publication of this plan was explicitly designed to extract the hopes and desires of residents for their community and then to match those desires with policy language. Therefore, two additional fundamental purpose of this sector plan are to:

- Reaffirm community visions for Tomé/Adelíno
- Help enact those visions with corresponding policy language for Tomé/Adelíno

Tomé/Adelíno Community Plan can be used by local residents, property owners, community groups, Valencia County elected and appointed officials, and County staff as the official guide for future development of Tomé/Adelíno. This plan shall be viewed as an overall planning strategy that builds upon the historic, cultural, and agricultural significance of Tomé/Adelíno while responding to the visions expressed by local residents in the six month planning process.

### C. Planning Principles

Throughout the planning process for the Tomé/Adelíno Community Plan, the community advisory team worked toward fulfilling two important goals: meeting the scope of services set out by the County Planning Department and honoring the community visions articulated throughout the planning process. Thus, the community plan is both a technical document and a testimony of community visions. It is also an expression of the underlying planning principles that inform this sector plan:

- **Building on the past to plan for the future.** A deep respect for the history of Tomé/Adelíno, the local culture, and the communities that have lived here for hundreds of years fundamentally impacts every aspect of this plan. Planning for the future is impossible without valuing the history and culture of this community, which is rooted in a rich heritage of agriculture and small business.
- **Do development right.** The community plan is an opportunity for residents to define the kind of development they want in their community, not an attempt to stop development from occurring. There is broad consensus among a variety of stakeholders that Tomé/Adelíno is in need of infrastructure improvements, better service, small retail and agricultural preservation. This plan attempts to respond to that need in a way that doesn't overdevelop the community, pave over viable agricultural land, and destroy the community's unique sense of place. Rather, development could – and should – be done in a way that continues Tomé/Adelíno's tradition as an agricultural community.

## D. Plan Boundaries

The boundaries of Tomé/Adelino and Village Centers Sector Development Plan include the following map. This boundary reflects the boundary of the six (6) month moratorium on commercial development and zone changes from April 10, 2013 through September 10, 2013.

### Tome-Adelino Boundary

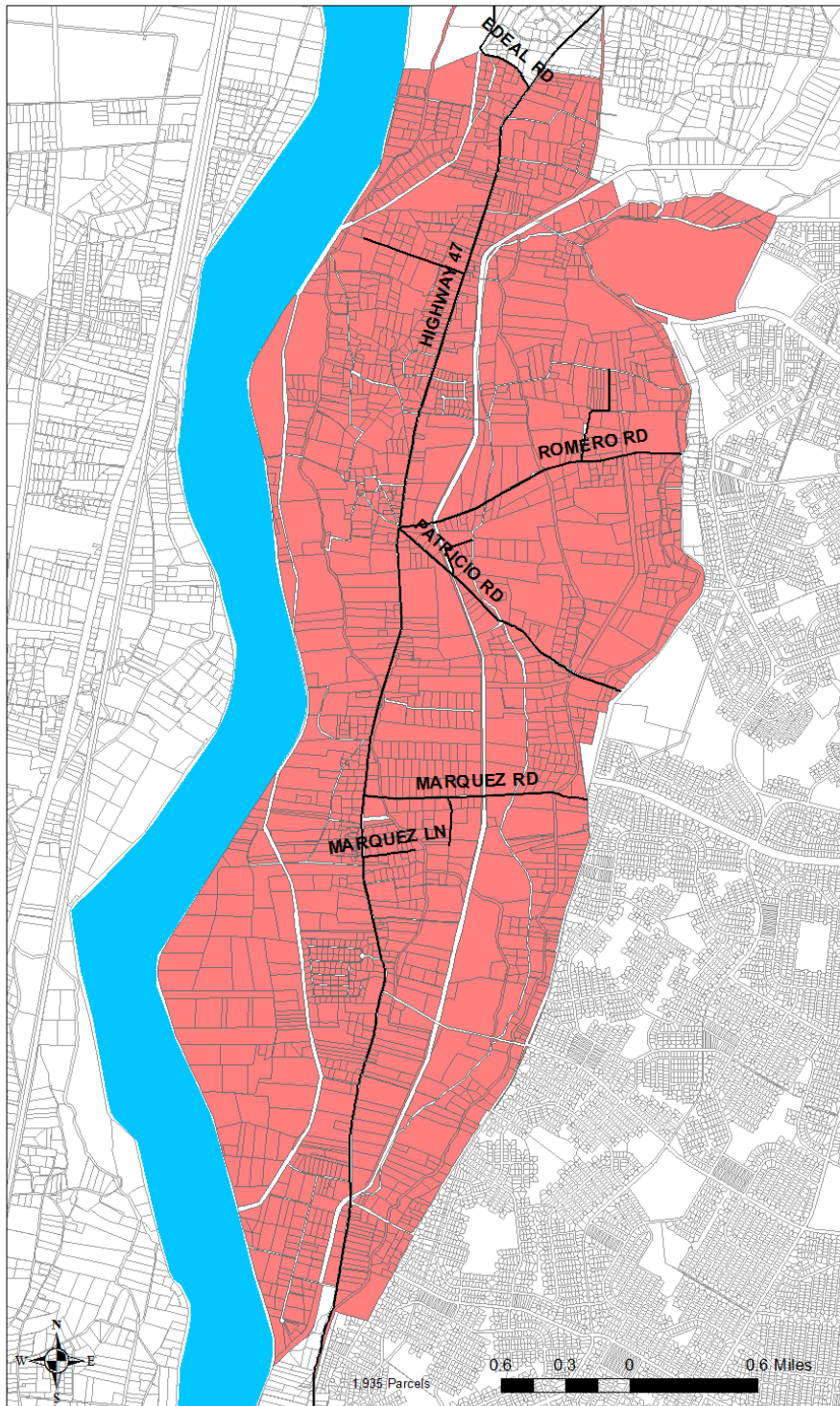


Figure 1



## **Current Conditions**

The majority of the land use in Tomé/Adelino is agricultural as shown in the land use map (Figure. 2). Residential use is found throughout the land use map. There are only a handful of commercial activities within the planning boundary; however, continued growth to the north has recently caused some commercial development issues in Tomé/Adelino.

Currently, Tomé/Adelino is sandwiched between two municipalities, Belen and Los Lunas. In recent years, Los Lunas has seen a tremendous growth in population and amenities. This has caused many from the Southern portion of Valencia County to travel to Los Lunas for services and there has been an increase in traffic through Tomé/Adelino. This has made the area somewhat desirable for commercial activity and has recently stimulated garnered interest by national chain convenience stores whose design does not fit the characteristics of Tomé/Adelino.

According to the 2010 census, there are approximately 1,867 residents within the Tomé designated place area with 765 housing units. The median age is 42 years old and the median household income is \$37,000. 15.5% of the population are below the poverty level. Tomé/Adelino has been described as land rich, cash poor. Much of the land has been handed down from generation to generation, so many people in Tomé/Adelino area own their land. However, educational attainment is low: 82% of qualified age has at least a high school diploma, and household earnings are low. As it is, the only asset that many residents have is their land.

In Tomé, the Church Plaza and the Community Center serve as a major gathering space for the community. The town of Tomé Land Grant's Community Center offers a local opportunity to connect residents with the Tomé Plaza across Highway 47, infusing new life into the historic space. Small-scale commercial development along Highway 47 serves additional needs of the community.

## **RURAL CHARACTER**

Agriculture has been an important part of life in Tomé/Adelino for over 300 years, profoundly influencing the local culture, economy, and rural character. Agriculture's importance to Valencia County cannot be overstated, and its production capacity and cultural significance to Tomé/Adelino is invaluable.

Agriculture has been in decline in Tomé/Adelino for at least a generation, due to a number of factors: growth of large-scale agribusiness, population growth in the region, and declining profits for traditional farmers. New residential development offers current farmers and those holding onto fallow agricultural land the lure of high prices for their land. With every newly developed subdivision, pressure grows upon other landowners to sell, and the critical mass of farm activity needed to sustain an agricultural economy and culture diminishes. If agriculture is to remain an important part of Tomé/Adelino's future, the issues threatening farmers and the land they farm must be addressed without delay.

The preservation of agricultural land (including fallow land that could be used for farming but is sitting vacant) within Tomé/Adelino will need a comprehensive approach in order to be successful. This includes tackling social policy issues and potentially establishing new institutions such as a land trust, as well as revising current zoning policy. Unfortunately, many of these needed reforms are beyond the capacity of this community plan to directly bring about. Important policy issues that were articulated by the community have been included in an appendix to this sector plan for general discussion, including conservation easements, Greenbelt policy, steps to support agricultural production, and acequia preservation.

# Tome-Adelino Current Land Use



Figure 2

# Current Zoning

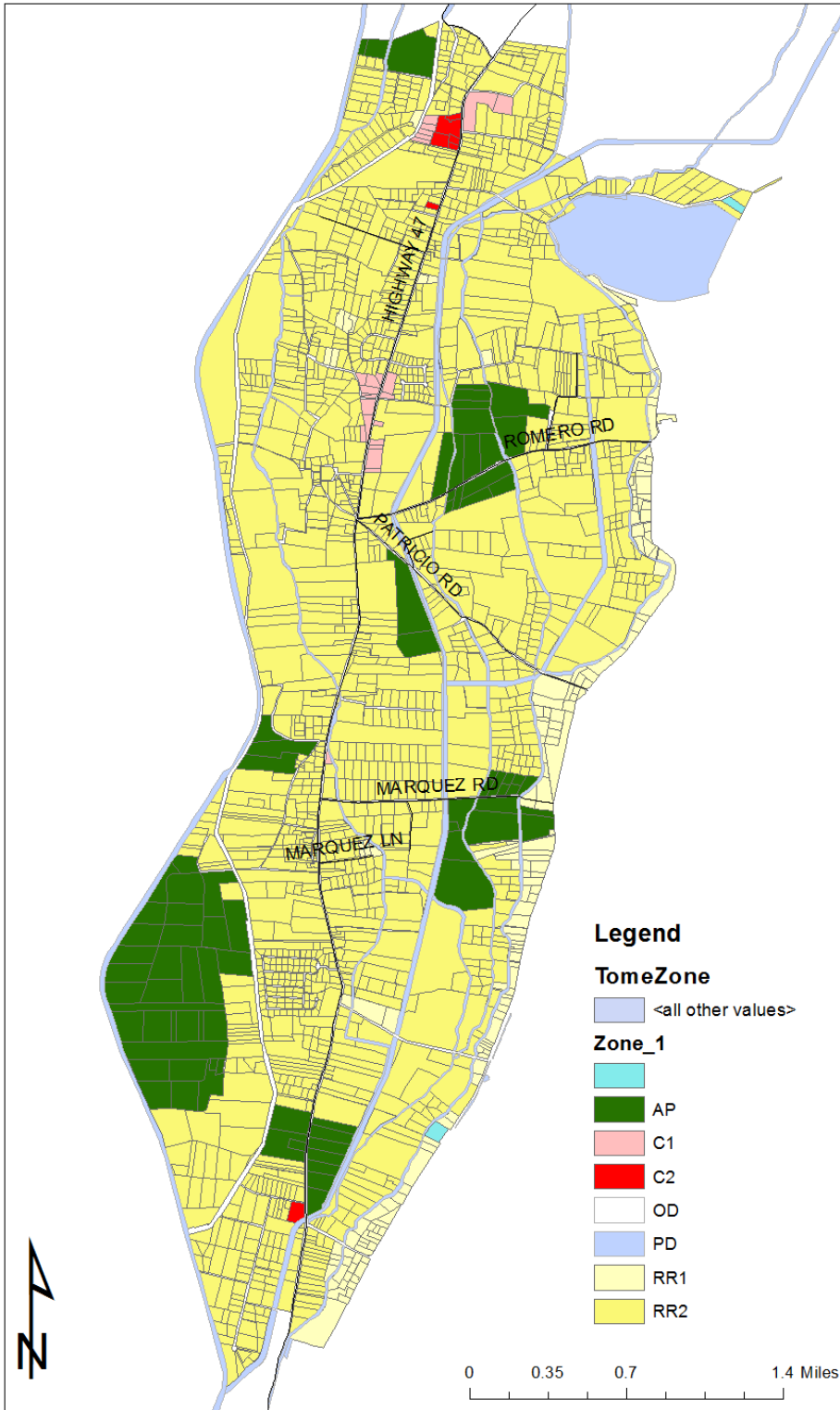


Figure 3



## Policy

Given the significant population growth and economic change in Valencia County today, Tomé/Adelíno's rich character and economic vitality are now vulnerable. Declining agriculture and an increase in suburbanization have paved the way for development that turns its back on local history and creates a sense of "placelessness." Today, the community has been approached by some national chains that jeopardize truly local economic development that will add both to the local economy and to local character.

Yet opportunity exists: Tomé/Adelíno still supplies an element of uniqueness and history, both of which have increasing value in an increasingly homogeneous commercial world. In a time when globalization has spawned a "geography of nowhere," the ultimate irony is that *place* now matters more than ever.

This means that the ability to develop *smart*, with development that supports local markets and honors local uniqueness, is vital to Tomé/Adelíno's economic future. Throughout this planning process, meeting participants felt that community economic development goals are to improve upon existing historical character with restored buildings, culturally-significant businesses, and pedestrian amenities.

In order to increase the economic vitality of Tomé/Adelíno for local businesses and a better circulation of local dollars, a comprehensive approach of social programs and zoning issues must be undertaken. Unfortunately, many of these issues are outside the scope of this sector plan. However, the important policy issues that were articulated by the community have been included here for future discussion, including small business support and historical building re-use found in the appendix of this document.

### Historic Commercial Overlay Zone

The idea of locally owned business development is not new to Tomé/Adelíno; it lies in its history. Land uses along Highway 47 have historically been an eclectic mesh of housing and commercial enterprise coexisting side by side. This coexistence is one of the many elements of the area's unique character. Community members have articulated a need for zoning that allows for appropriate commercial enterprise along the corridor; however, the question remains; What would be appropriate commercial? Many residents expressed that appropriate commercial development enhance the community's "Sense of Place."

Sense of Place is nothing less than the essence of a place, what makes it unique. Tomé/Adelíno's sense of place is found in its beautiful cottonwood trees, the vast alfalfa fields, the wooden fencing that surrounds farmland, the spiritually significant Tomé Hill, and the social gathering spaces of the Church and the Tomé Community Center.

But what can be done to protect an area's sense of place when its very character is in jeopardy? In meeting after meeting during this planning process, community members voiced the importance of preserving the sense of place in the face of development pressures that could alter the area's character forever. For these residents, maintaining their community as a unique place unlike

anywhere else is crucial; to do so, they stress a need to plan against “the geography of nowhere” and “Anywhere USA,” patterns taking hold across the country. Protecting an area’s sense of place involves first identifying what makes it unique, then prescribing tools to help preserve a certain character.

### **i. Signage**

Signs are an integral component of the complex built environment of Tomé/Adelino; they show us where things are, they draw us in, yet they can repel us, too. The use of traditional forms of signage in Tomé/Adelino will enhance the physical appearance of the community and help to maintain a strong connection to Tomé/Adelino’s history and sense of place. These traditional forms of signage include wall signs, monument signs, and low-profile signs. Local businesses are encouraged to rehabilitate and reuse old signs or use models of older signage for newer businesses.

Signage principles for Tomé/Adelino corridor are meant to:

- Enhance and protect the physical appearance of Tomé/Adelino.
- Protect property values of both businesses and residences
- Promote and maintain visually attractive residential, retail, and commercial districts.
- Provide an effective means of way-finding in the community
- Afford the community an equal and fair way to advertise and promote products and services
- Reduce sign clutter and the distractions and confusion that may be contributing factors in traffic congestion and accidents
- Maintain a safe and orderly pedestrian and vehicular environment
- Minimize the disruption of the scenic views that protect important community values
- Afford businesses, individuals, and institutions a reasonable opportunity to use signs as an effective means of communication

The following are examples of signs that are permitted in this Community Plan:

- **Wall Signs:** A sign painted on or applied directly onto the outside wall of a building and which displays only one advertising surface.
- **Monument Signs:** A sign in which the bottom of the sign is flush with the ground and the horizontal dimension is greater than the vertical dimension.
- **Low Profile Signs:** A sign whose face is suspended from a support arm at a right angle from a ground-mounted pier, pillar, column, or pole.

An over-abundance of large vinyl backlit signs, franchise signage, and billboards were all identified in the planning process as signage that detracts from the sense of place. These forms of signs will be prohibited.

- **Portable Signs:** An advertising sign that is not physically located on the premises to which the sign refers. Billboards are also called off-premises signs.
- **Neon Signs:** Glass tube lighting in which a gas and phosphors are used in combination to create a colored light.
- **Backlit Signs:** A sign that is illuminated from the back to produce a visible image



(Examples of Signage that does not fit Tomé/Adelino Character)



(Example of Signage that fits Tomé/Adelino Character)

## ii. Lighting

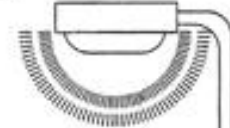

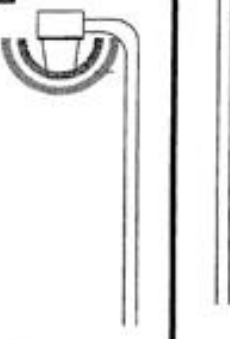
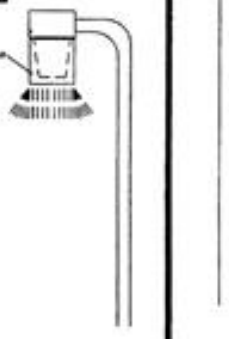
Lighting policy is integral to Tomé/Adelino's sense of place. Many residents in this planning process mentioned that living in Tomé/Adelino allows them to "appreciate the stars" and enjoy "a big, open sky." However, these qualities are quickly becoming endangered by modern forms of lighting that create light pollution, which diminishes the night sky and the ability to see stars.

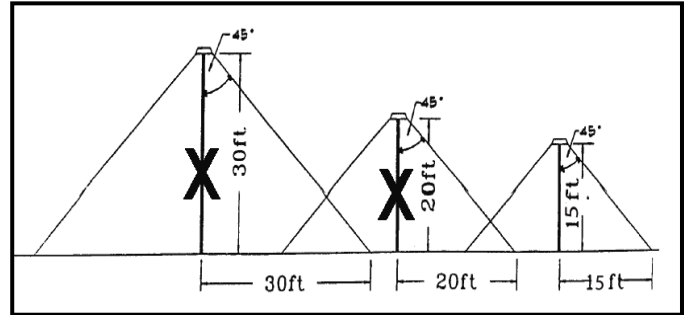
Lighting policy should preserve the unique character of Tomé/Adelino by minimizing light pollution. In accordance with the State of New Mexico Night Sky Protection Act, local lighting policy should help preserve the unique character of Tomé/Adelino, minimize light pollution, promote energy efficiency, respect historic character, and provide enjoyment of the night sky.

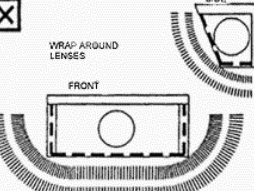
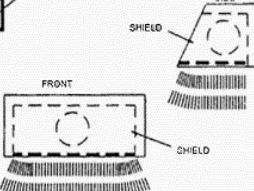
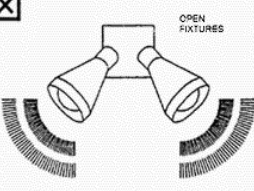
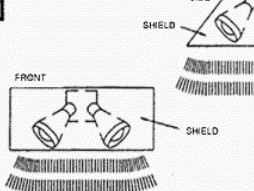
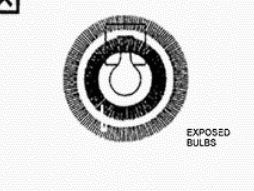
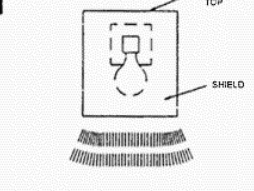
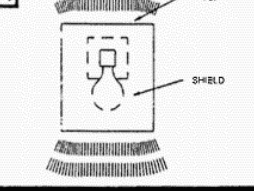
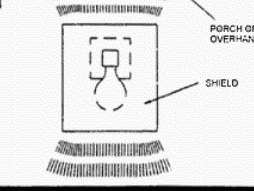
Tomé/Adelino Community Plan will address misdirection of light and glare, excessive brightness of light, and the indiscriminant all-night usage of light. These are causes of dangerous and annoying glare, light trespass, and the unnatural brightness of the night sky. The following strategies can be used in order to deal with light pollution.


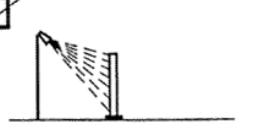

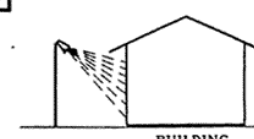
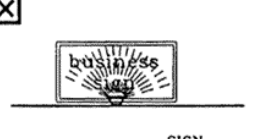
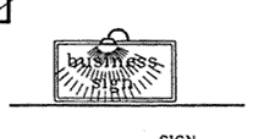



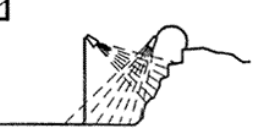
**Directional Control:** Shielded, downwardly focused pedestrian-scale lighting is a simple strategy that can be applied in order to negate light pollution. Directional control can also be utilized for buildings and signs.

**Height:** The height of a stand-alone lighting fixture can make a big difference in the pedestrian-scale of light. A pedestrian friendly height is generally 10 to 15 feet.

UNACCEPTABLE	ACCEPTABLE
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<input checked="" type="checkbox"/> 	<input checked="" type="checkbox"/> 



UNACCEPTABLE	ACCEPTABLE
<input checked="" type="checkbox"/>  <p>WRAP AROUND LENSES</p>	<input checked="" type="checkbox"/>  <p>SHIELD</p>
<input checked="" type="checkbox"/>  <p>OPEN FIXTURES</p>	<input checked="" type="checkbox"/>  <p>SHIELD</p>
<input checked="" type="checkbox"/>  <p>EXPOSED BULBS</p>	<input checked="" type="checkbox"/>  <p>CLOSED TOP</p> <p>SHIELD</p>
<input checked="" type="checkbox"/>  <p>OPEN TOP</p> <p>SHIELD</p>	<input checked="" type="checkbox"/>  <p>PORCH OR OVERHANG</p> <p>SHIELD</p>

UNACCEPTABLE	ACCEPTABLE
<input checked="" type="checkbox"/>  <p>OFF-WALL</p>	<input checked="" type="checkbox"/>  <p>OFF-WALL</p>
<input checked="" type="checkbox"/>  <p>BUILDING</p>	<input checked="" type="checkbox"/>  <p>BUILDING</p>
<input checked="" type="checkbox"/>  <p>SIGN</p>	<input checked="" type="checkbox"/>  <p>SIGN</p>
<input checked="" type="checkbox"/>  <p>FOLIAGE</p>	<input checked="" type="checkbox"/>  <p>FOLIAGE</p>
<input checked="" type="checkbox"/>  <p>ESCARPMENT</p>	<input checked="" type="checkbox"/>  <p>ESCARPMENT</p>

### **iii. Walls and Fences**

Tomé/Adelino rural character has long been characterized by its “openness”. The historic forms of low walls and unobstructed sightlines along Tomé/Adelino have helped shape this sense of place. However, with the increase in traffic intensity along Highway 47, many residents are quick to build a high wall or obstructive fence in order to deter noise and protect their privacy. High walls and obstructive fences around the perimeter of a development contribute to an unsafe and unsightly environment as the walls provide hiding spaces for intruders and surfaces for graffiti. Also, the use of long high walls creates a tunnel effect causing motorists to travel faster along Tomé/Adelino making it unsafe for pedestrians, houses, and vehicles.

As with other physical features, carefully placed walls and fences can play an important role in defining community character and contribute to a sense of place in Tomé/Adelino. Minimizing walls and fences throughout the Plan will maintain a greater sense of openness in the community. Wall and fence standards should ensure safe sight lines and minimize potential negative visual impacts/hazards of high, unsightly fences and walls. The Wall and Fence guidelines in this plan intend to:

- Maintain architectural compatibility.
- Provide vehicular and pedestrian safety through safe fence placement and height that allow proper visibility standards
- Create a more walkable and healthy community

### **iv. Parking**

For most of Tomé/Adelino’s history, customers arrived at local stores by foot, horse, or carriage. Paved parking lots are a relatively recent phenomenon, and the large lots that have been built around businesses such as Lotaburger are even more recent. Parking for businesses is certainly needed, but too much parking will make Tomé/Adelino look like strip development. Current businesses frequently build larger lots than needed, and zoning codes can require overly large amounts of parking. The result is a suburban landscape designed primarily for the automobile but dangerous for pedestrians as cars zoom through large lots.

Many community members have stated that safety and a strong sense of place are crucial components for a high quality of life. With the current parking standards, large slabs of impermeable asphalt do not allow water to filter back into the aquifer, potentially destroying local vegetation, and can substantially increase local temperatures, resulting in a “heat island” effect. Because of these issues, this plan has developed standards that allow business owners flexibility in deciding on the amount of parking they need, but prevent overly large asphalt lots from being created next to the street.

The purpose of these parking standards is to:

- Reduce impervious parking surface
- Minimize the size of parking lots through the use of different tools such as maximum parking requirements and shared parking
- Provide a safer and more walkable environment for local residents
- Look toward future transportation solutions when building today



## v. Vegetation and Landscaping

The traditional vegetation of Tomé/Adelino has helped define its character for generations. The large cottonwoods throughout Tomé/Adelino, the grassy fields of alfalfa, and the patches of New Mexico sunflowers all play a role in the natural character and beauty of Tomé/Adelino. Without vegetation, a landscape is dominated by vehicles and appears barren. Vegetation increases the appeal of walking and enhances the appearance of the street. Therefore, when thinking about space within this plan, it is important to allow sufficient room for tree planting and other forms of landscaping. Sensitive use of the wide variety of draught-tolerant, native vegetation found in Tomé/Adelino can create spaces that are visually stimulating and reinforce the area's traditional rural character.



(Parking with no vegetation)



(Parking with vegetation)

## vi. Architectural Design

Architectural style is an integral part of a community's sense of place. While Tomé/Adelíno has a rich architectural history, modern development has often lacked identifiable character and is threatening the uniqueness of the area. Therefore, the architectural design policies in this plan are developed to:

- Maintain a traditional form of building structure design in Tomé/Adelíno.
- Create a coherent architectural style throughout Tomé/Adelíno.



Examples of historical architecture for Tomé/Adelíno

## vii. Infrastructure

Infrastructure and amenities are the skeletal backbone components that serve Tomé/Adelíno residents. Because private development tends to follow the location, quantity, and quality of public services, deciding where and how a community invests in public services plays a large role in determining where and how commercial, residential, and industrial development occurs.

But infrastructure is about more than what is happening on the street or underground in the water systems. For Tomé/Adelíno, its infrastructure connects it to the entire region, particularly in terms of traffic congestion.



# Proposed Zone Change

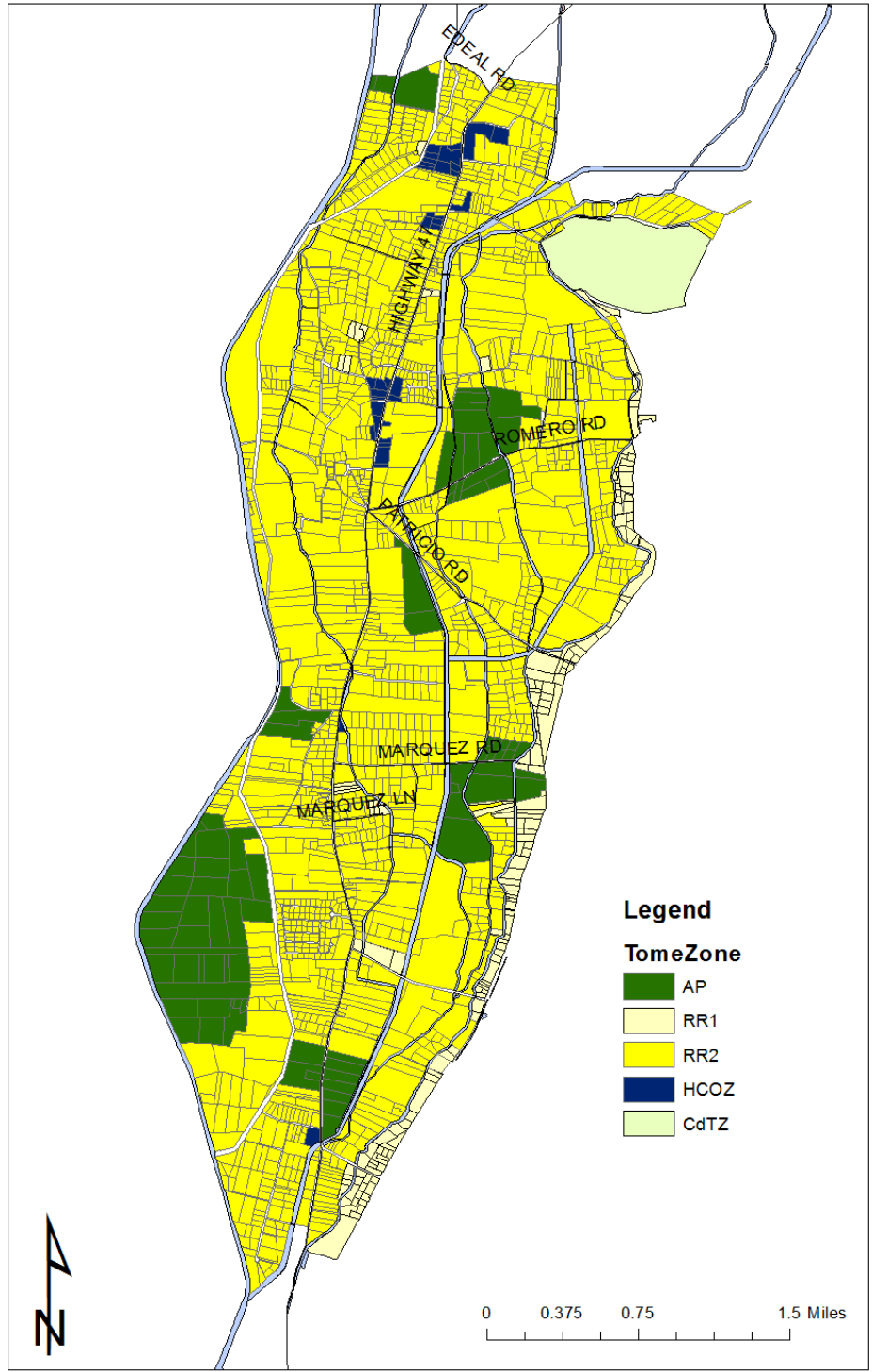


Figure 4



## **§154.154 Historic Commercial Overlay Zone (HOCZ) Regulation and Guidelines.**

### **A. The purpose of the Historic Commercial Overlay Zone is:**

1. To visually connect with the history of the neighborhood;
2. To protect and enhance the neighborhood area and the existing cultural landscape through appropriate design;
3. To facilitate pedestrian activity and access to local business; and,
4. To increase synergy between land uses and promote economic development where appropriate.

### **B. Prohibited Uses**

1. Any use not designated a permissive use or conditional use in this zone.
2. Any use not recognized as customarily incidental to a permitted use in the zone.
3. Drive-through or drive-in establishments such as restaurants, grocery stores, banks, pharmacies or refreshment stands.
4. Car Washes.
5. Contractors' Yards.
6. Service and or Gas Stations or auto repair facilities.
7. Adult Entertainment Facilities

### **C. Permissive Uses- All permitted uses are subject to the design guidelines defined below**

1. All permitted uses in the RR and AP zone.
2. Business services offices
3. Micro-Brewery and Tasting Room
4. Winery and Tasting Room
5. Post Office
6. Firewood Sales
7. Farmer's Market, subject to site design review
8. Churches, subject to site design review
9. Arboretum
10. Community Garden
11. Park
12. Animal Feed Store
13. Veterinarian Hospital
14. Saddle-Tack maker
15. Adobe Sales
16. Animal Clinic
17. Butcher Shop
18. Government Facility

19. Bed and Breakfast
20. Agricultural, Landscape and Garden Supply
21. Farming Supply
22. Greenhouse
23. Blacksmith
24. Restaurant (with or without a beer and wine license)
25. Retail stores
26. General or professional offices
27. Grocery/food store
28. Dwelling in conjunction with a permitted use
  - i. If a dwelling is a mobile home, it shall, in addition to the requirements of this section, also be subject to the mobile home standards set forth in § 154.172;
29. Accessory uses;
30. Temporary structures as may be required during construction of an authorized permanent structure. The temporary structure shall be removed upon final inspection of the permanent structure by the Building Inspector;

D. Conditional Uses: The following use may be permitted if approved by the Zoning Administrator in accordance with procedure set forth by Section 154.057 of the Valencia County Zoning Code.

1. Building footprint greater than 5,000 square feet provided:
  - i. The use was in existence at the adoption of this plan.
  - ii. The use will remain the same or similar in nature.
  - iii. Applicant shall complete a site design review as set forth in § 154.035

E. Design Regulations-This chapter addresses the following components of Tomé/Adelíno's sense of place: height, size, area, signage, lighting, walls and fences, parking, vegetation, and architectural design

1. Height Regulations- Buildings and structures shall not exceed 26 feet or 2 1/2 stories in height.
2. Size Regulations- There shall be a maximum building footprint of 5,000 square feet.
3. Area Regulations
  - i. Front Yard. There shall be a front yard having a depth of not less than 10 feet, but in no case shall the front yard be more than 30 feet as measured from Highway 47 right- of-way.
  - ii. Side Yard- There shall be a side yard setback on both sides of a building of at least 15 feet.
  - iii. Rear yard- There shall be a rear yard setback of at least 15 feet.

#### 4. Signage

##### i. On Premises Signs

1. Wall Signs: Any on-premise sign directly attached and flush-mounted to an exterior wall of a building with its exposed face parallel to the plane of the building on which it is placed. Signs directly painted or printed on walls, windows, canopies, or awnings shall be considered wall signs. No wall sign shall project more than 18 inches from the building wall. Further, no wall sign shall project above the roof of a building.
2. Monument Signs: An on-premise sign attached to or supported from the ground and not attached to a building in which the bottom of the sign is flush with the ground and the horizontal dimension is greater than the vertical dimension. All signs greater than two and one-half (2-1/2) feet in height as measured from the grade of the road shall be located a minimum of ten (10) feet from the public right-of-way. No monument sign shall be greater than 4-feet high by 6-feet wide.
3. Low Profile Signs: An on-premise sign whose face is suspended from a support arm at a right angle from a ground-mounted pier, pillar, column, or pole. No ground-mounted sign shall be greater than 4-feet high by 6-feet wide, and the bottom edge of the sign shall be six feet or more above the grade.
  - a. An on-premise low profile sign shall not exceed ten (10) feet in height.

##### ii. Prohibited Signage

1. The following signs are prohibited:
  - a. Off-premise signs.
  - b. Neon signs
  - c. Backlit signs

#### 5. Lighting

- i. Outdoor light fixtures shall use shielded outdoor light fixtures so that light is directed downward and so that the source of illumination is not visible from any adjacent property or right-of-way.
- ii. Free standing light fixtures shall not exceed 15 feet
- iii. Outdoor walkways shall be lighted.

#### 6. Walls and Fences

- i. Open walls or fences may be built no more than six (6) feet. No solid wall or fence shall be constructed to a height of over four (4) feet.
- ii. General height Limitations
  - a) *Front Yard*: Any fence or wall facing Highway 47 shall not be higher than four (4) feet at any point.

- b) *Backyard*: Any fence or wall along the rear of the property line shall not be higher than six (6) feet.
- c) *Side Yard*: Any fence or wall along the side of the property line shall not be higher than six (6) feet and shall be dropped to four (4) feet in height at the front setback line.

7. Parking

- i. Individual off-street parking areas shall not exceed 5,000 square feet.
- ii. Off-street parking area shall provide landscaping planted with shade-producing trees and other vegetation in the form of landscaped header strips, planter strips between groups of stalls, and islands, equal to at least 10 percent of the surface used for parking and access.
- iii. Apply parking standards to new developments (See following table) except, businesses must provide handicapped spaces as calculated by the Valencia County Zoning Code and provide at least one employee parking space for each business.

<b>Parking space requirements</b> (#s do not include employee or handicapped spaces)
Buildings less than 2,000 square feet in area, at least one parking space for each 200 square feet of floor area shall be provided. However, any additional off-street parking spaces provided in addition of the total number of required spaces shall not exceed 10 percent of the number required.
Buildings between 2,000-5,000 square feet in area, at least one parking space for each 300 square feet of floor area shall be provided. However, any additional off-street parking spaces provided in addition of the total number of required spaces shall not exceed 10 percent of the number required.
Restaurant, café, or an assembly or exhibition hall without fixed seats. One parking space for each 100 square feet of floor area with fixed seats; one parking space for each four seats

- iv. Off-street parking areas shall utilize permeable material such as crusher fines, gravel, or hollow pavers where appropriate:
  - 1. Impermeable surfaces should cover less than 50 percent of any lot.
  - 2. Runoff should be handled on site through use of permeable surfaces and provision of swales and other landscaped infiltration areas.
- v. Shared parking should be encouraged. Shared parking should be allowed when meeting the following standards and criteria:
  - 1. When two or more land uses or uses within a building have distinctly different hours of operation (e.g., office and church), such uses may develop shared parking agreements to satisfy the standards of this title.
  - 2. Only 60 percent of the required parking of any single land use may qualify for shared parking; in other words, 40 percent of any required parking of any single land use must be met on-site while the remainder can be met through shared parking agreements

## 8. Landscaping

- i. A minimum of ten percent of the unbuilt area of a commercial lot shall be landscaped.
- ii. Landscaping shall consist of trees, shrubs, ground cover, or other low growing drought tolerant plants and may include natural or manufactured materials such as rocks and gravel.
- iii. Rock and gravel may comprise no more than twenty-five percent of the landscaped area.
- iv. Cottonwood trees in excess of 12 inches in diameter shall not be removed. If it is necessary to cut down a mature cottonwood tree as determined by the Administrator, a cottonwood or a comparative cultivator must be replanted in its place.
- v. At least fifty percent of walkways and parking areas created within commercial developments shall be shaded at maturity of plantings during summer months.
- vi. Commercial properties shall use cottonwoods and other native vegetation species.
- vii. **Options:** Landscaped material should derive from the recommended plant list including:
  - Large Trees:
    - 1. High Water
      - Valley Cottonwood - *Populus deltoides* sub species *wislizenii*
      - Native Sycamore - *Platanus wrightii* (syn. Arizona Sycamore)
    - 2. Medium Water (are native to semi riparian habitats or where rainfall exceeds 20 inches annually)
      - Hybrid Elms - many cloned cultivars
      - Native Walnut - *Juglans arizonica* (syn. Arizona Walnut)
      - Pecan - *Carya illinoensis*

Native Redwood - *Taxodium novomexicana* (Gila Mountains provenance only)

Texas Redwood - *Taxodium distichum* X *mucronatum* (Chihuahua Desert Hill Country edge native of the Frio River Texas)

Chinquapin White Oak var. El Capitan - *Quercus muehlenbergii* (New Mexico Native)

Valley Oak - *Quercus lobata*

3. Arid Zone Minimum Water (can survive and reproduce in the wild on 12 to 20 inches of precipitation)

Burr Oak - *Quercus macrocarpa* var. Caprock (New Mexico High Desert Native)

#### Medium Size Trees:

##### 1. High Water

Arizona Ash - *Fraxinus velutina* and cultivars (i.e. Modesto, Berrenda, etc.)

Honey Locust - *Gleditsia triacanthos* and cultivars (i.e. Shade Master)

Mexican Elder - *Sambucus mexicana*

Callery Pears - *Pyrus calleryana* and cultivars (i.e. including 'Aristocrat', 'Autumn Blaze', 'Bradford')

Honey Mesquite - *Prosopis glandulosa* (high water if you want it to be a tree)

##### 2. Medium Water

Catalpa - *Catalpa speciosa*

Bigtooth Maple - *Acer grandidentatum* (New Mexico Native)

Box Elder Maple - *Acer negundo*

Purpleblow Maple (syn. Shantung Maple) - *Acer truncatum*

Golden Raintree - *Koelreuteria paniculata*

Lacebark Elm - *Ulmus parvifolia*

Lacy Oak - *Quercus laceyi* (*Q. glaucoides*)

Mulberry - *Morus alba* male cultivar

3. Arid Zone Minimum Water (can survive and reproduce in the wild on 12 to 20 inches of precipitation)

Chisos Red Oak - *Quercus gravesii*

Emory Oak - *Quercus emoryi*

Escarpment Live Oak - *Quercus fusiformis*

Gambels Oak - *Quercus gambelii*

Gray Oak - *Quercus grisea*

Melendrez Oak - *Quercus melendrezii*

West Texas Red Oak - *Quercus buckleyi*

Nogal (syn. Little Walnut) - *Juglans microcarpa*

Western Soapberry - *Sapindus drummondii*

Afghan Pine - *Pinus eldarica* -

Italian Stone Pine - *Pinus pinea*

Rocky Mountain Juniper - *Juniperus scopulorum*



Small Trees: defined as a tree still large enough to walk under but larger than an apricot tree at maturity

1. High Water

None common to landscaping

2. Medium Water

Desert Willow - *Chilopsis linearis* (if you want it to grow larger)

3. Arid Zone Minimum Water

Oklahoma Red Bud - *Cercis reniformis*, 'Oklahoma'

Texas Redbud - *Cercis reniformis* (non cultivar seed grown)

Mexican Redbud - *Cercis canadensis* var. *mexicana*

Desert Willow - *Chilopsis linearis* (including many cultivars)

Turbinella Oak - *Quercus turbinella*

Mohr Oak - *Quercus mohriana*

Trees that should never be planted as they are short lived, problematic or will not provide good future value:

Leyland Cypress

Arizona Cypress





Male pollinating junipers (female clones are fine)

all willow species

all hybrid cottonwood cultivars and hybrids

Green Ash and all cultivars of Green Ash )

9. All commercial structures visible from Highway 47 constructed after the adoption of this Ordinance shall incorporate one of the following architectural styles or a combination thereof. The architecture of new commercial structures should follow traditional precedents as shown by the following options (see table):

<b>Building Design Options</b>	
<p style="text-align: center;"><b>Spanish Colonial</b></p> <p>Flat roofed with low rounded parapets. Material is block adobe with stucco or mud plaster.</p> <p>Usually has only an outside door to each room and few very small windows. Wood details include projecting vigas, canales, and portales.</p>	
<p style="text-align: center;"><b>Pueblo Revival</b></p> <p>Based on, and a combination of, early New Mexican Pueblo and Spanish buildings; flat roofed with rounded parapets; earth toned sloping walls; one to two stories in height, upper story is usually set back. Portales have log posts and wood beams. Details also include vigas, canales and exposed wood lintels above the window.</p>	
<p style="text-align: center;"><b>Northern New Mexico</b></p> <p>Pitched or hipped roof (often of raised ridge metal roofs with a slope of 45 degrees); earth toned adobe or stucco façade. Details include porches with deep portales, decorative woodwork and posts and corbels.</p>	 <p style="color: purple; font-size: small;">Northern NM Sw Style</p>
<p style="text-align: center;"><b>Territorial</b></p> <p>Flat roofed, sometimes with brick coping edging the parapet; multi-paned windows, and sometimes shutters; main entries feature sidelights and a top light. Details include pedimented lintels over windows and doors, and portales with squared posts</p>	

10. All new development and subdivisions shall accommodate runoff as close as possible to where it is generated in an effort to minimize induced drainage costs and to maintain historic runoff patterns using one of the following options:
- a. OPTIONS:
    - Filter strips and swales: These can include vegetated landscape features with smooth surfaces and a gentle downhill gradient to drain water evenly off impermeable surfaces, mimicking natural drainage patterns.

- Filter drains and permeable porous permeable surfaces: These would allow rainwater and run-off to infiltrate into permeable material
- Infiltration devices: Devices would include below-ground or surface structures to drain water directly into the ground.

## **Residential and Agricultural Preservation**

### **Loss of Open Space and Decline of Farm Land**

The population growth all around Tomé/Adelino and the decline of local farming have caused a squeeze on local agricultural land. Whereas the Valley used to be known for large open space and farming areas, the economics of population growth have caused much of these larger lots to be subdivided for housing. In meeting after meeting, area residents expressed the need for comprehensive planning strategies that speak both to farmers' needs and to the development pressures exerted upon their land.

### **Preventing Loss of Rural Character**

As agricultural lands are converted to residential and commercial uses, more is at stake than a simple economic transition. In Tomé/Adelino, agriculture is more than how some residents make a living; it is expressed in the essence of the place. In public processes like the survey provided, Tomé/Adelino residents state overwhelmingly that despite current trends, they desire to maintain the rural character of their community. In a survey conducted, 89.1% of residents expressed their desire to maintain agricultural land and the area's rural quality of life. Yet gradual urbanization is dangerously close to destroying what remains of the Valley's unique character. With piecemeal, unplanned, sprawling development happening at a fast pace, the line between urban and rural is vanishing and a suburban "anywhere" character is taking hold. As more parking lots are paved, more bright signs erected, and more big-box stores opened, the rural character of the Valley inches closer to being gone forever. Tomé/Adelino residents have stated overwhelmingly – through this process and others – that preventing the loss of rural character is one of Tomé/Adelino's most pressing needs. Residents express a crucial need to respond to the threats of vanishing character.

While it's important for work to begin on these longer-term steps to maintain agriculture and open space in Tomé/Adelino, this community plan focuses in the near term on zoning changes to preserve the traditional rural character in Tomé/Adelino.



### **Tomé/Adelino Residential Zone**

Residents expressed that the current Rural Residential Zone placed within the Tomé/Adelino boundary is adequate to meet the goals of single family housing and agricultural preservation. The community would like to express the importance of maintaining this zone and would discourage any zone changes from RR in the future.

### **§ 154.105 RURAL RESIDENTIAL DISTRICTS (RR-1, RR-2).**

(A) *Purpose.*

(1) The purpose of the Rural Residential Districts is to provide for varying densities of rural residential development on selected lands identified in the comprehensive plan for preservation of low density rural living.

(2) The RR Districts are intended to accommodate rural residential development at an anticipated magnitude or density level that does not require more than a very basic level of services, such as single local-road access, individual domestic wells and septic tank sewage-disposal systems, and rural fire protection. Ultimate density limitations in the RR District shall be determined by prevailing lot sizes community character, compatibility with existing uses in the district, limitations of domestic water sources, soil conditions and groundwater tables for subsurface sewage disposal, and area designations identified in the Valencia County comprehensive plan. Opportunities for small-scale or intensive farm activities compatible with low density rural residential uses shall be encouraged in the RR Districts.

(B) *Permitted uses.* In the RR Districts, the following uses shall be permitted subject to the standards and limitations set forth in division (F) below:

- (1) Farm uses, subject to the limitations in division (F) below;
- (2) One principal dwelling per parcel;
- (3) Accessory uses;
- (4) Signs, pursuant to the sign provisions set forth in [§ 154.166](#);
- (5) Public facilities;
- (6) Community or municipal water-supply system; and
- (7) Community or municipal sanitary-sewer system.

(C) *Conditional uses.* In the RR Districts, pursuant to the Type B application procedure set forth in [§ 154.076](#), and subject to the conditional use review criteria listed in [§ 154.057](#), and any other applicable criteria established by this chapter, the following uses may be allowed conditionally:

(1) Temporary secondary mobile home or residential trailer dwelling, in conjunction with a principal dwelling on the same parcel, only for family members requiring special care, subject to the following:

(a) The family member requiring special care is aged, infirm or who, for health-related reasons, is incapable of maintaining a complete separate residence;

(b) The permit for the temporary home for special care shall be valid for a period of 2 years or shorter period as the Zoning Department determines to be appropriate, provided, however, that the permit may be revoked by the Department at any time if any of the reasons for which the permit was granted are no longer applicable, or if any imposed condition is violated;

(c) The permit for the temporary home for special care shall be granted to the applicant only and shall not be deemed to run with the land; and

(d) Under any circumstances, a second dwelling under this section, and in any RR Districts shall not be approved if the net size of the parcel for the principal dwelling is less than 0.76 acres in size.

(2) Home occupation, as defined by this chapter, subject to the standards and limitations set forth in [§ 154.168](#);

(3) Kindergarten, day nursery, or day care facility in conjunction with a principal dwelling on the same parcel, subject to the standards for day care facilities set forth in [§ 154.169](#);

(4) Utility facility, with the exception of energy generation facilities, subject to §§ [154.035](#) through [154.040](#) for site design review;

(5) (a) Temporary structures as may be required during construction of an authorized permanent structure.

(b) The temporary structure shall be removed upon final inspection of the permanent structure by the Building Inspector.

(c) Temporary structures under this subsection shall be reviewed under the Type A application procedure as described in [§ 154.075](#) of this chapter;

(6) Temporary sales offices for permitted uses, pursuant to the Type A application procedure set forth in [§ 154.075](#) and subject to [§ 154.056](#) for temporary permits;

(7) Public or private school, including all buildings essential to the operation of a school, subject to §§ [154.035](#) through [154.040](#), site design review; and

(8) Church, subject to §§ [154.035](#) through [154.040](#), site design review.

(D) *Prohibited uses.*

(1) Uses of land and water not specifically mentioned in this section shall be prohibited in the RR Districts.

(2) Cluster developments and parcel averaging shall not be permitted in the greenbelt as defined in this chapter and in the comprehensive plan.

(3) Recreational vehicles (RVs) shall not be used as primary residences in any Rural Residential (RR) District.

(E) *Non-conforming uses.* Non-conforming uses found in the RR Districts are subject to the non-conforming use provisions of [§ 154.059](#) as well as any other applicable provisions of this chapter.

(F) *Standards and limitations.* In the RR Districts, the following standards and limitations shall apply:

(1) *Dwelling density.*

(a) *Dwelling density for permitted uses.*

1. The maximum overall dwelling density for any new development shall not exceed:

- a. One dwelling per 2 acres net in the RR-2 District; and
- b. One dwelling per 1 acre net in the RR-1 District.

2. Not more than 1 principal dwelling shall be permitted on any parcel, except in the case of clustering development and as follows:

- a. One duplex may be allowed on any 4 acre parcel in the RR -2 District;
- b. One duplex may be allowed on any 2 acre parcel in the RR-1 District.

3. For the division of any contiguous lands under the same ownership or under a common promotional plan, parcel sizes may be averaged if the tract to be averaged under this section is at least 10 acres, and provided that the maximum overall net density of the applicable RR Districts are not exceeded, and provided that no parcel shall be below the applicable minimum parcel size established by division (2) below.

(b) *Dwelling density for conditional uses.* Not more than 1 secondary dwelling (other than guest house secondary dwelling) shall be permitted on any parcel.

(2) *Parcel size and dimension.*

(a) *RR-1 District.*



1. *Newly-created parcels.* The maximum depth-to-width ratio for any newly-created parcel shall be 3 to 1. The minimum size of any newly-created parcel shall be 1 acre, exclusive of any easements for public right-of-way and except as follows:

- a. In the case of parcel-size averaging, the minimum parcel size shall be no less than 3/4 of 1 acre, net 32,670 square feet;
- b. In the case of a duplex, the minimum parcel shall be 1-1/2 acres; and
- c. In the case of a residential planned development, the minimum parcel size shall be 10 acres prior to a subdivision of the parcel.

2. *Pre-existing lots of record.* Any permitted or conditional use provided for in this district may be established on a substandard pre-existing lot of record, subject to the applicable requirements of this section. In addition, prior to issuance of a building permit for a principal dwelling, the provisions of [§ 154.057](#) shall be satisfied.

(b) *RR-2 District.*

1. *Newly-created parcels.* The maximum depth-to-width ratio for any newly-created parcel shall be 3 to 1. The minimum size of any newly-created parcel shall be 2 acres, except as follows:

- a. In the case of parcel-size averaging, the minimum parcel size shall be 1-1/2 acres;
- b. In the case of a duplex, the minimum parcel size shall be 2 acres; and
- c. In the case of a duplex or multi-family planned development, the minimum parcel size shall be 10 acres prior to a subdivision of the parcel.

2. *Pre-existing lots of record.* Any permitted or conditional use provided for in this district may be established on a substandard pre-existing lot of record, subject to the applicable requirements of this section. In addition, prior to issuance of a building permit for a principal dwelling, the provisions of [§ 154.057](#) shall be satisfied.

(3) *Setbacks.* The following setback requirements apply to all RR Districts unless varied or waived by a planned development, subject to [§ 154.121](#).

(a) *Front yard.* The minimum front yard setback shall be 30 feet except that the minimum setback for all yard signs shall be 5 feet.

(b) *Side and rear yard.* The minimum side and rear yard setbacks shall be 15 feet, except as provided in this section.

(c) An accessory structure not more than 15 feet in height, at least 60 feet from a road, and at least 10 feet from any dwelling may be located a minimum distance of 15 feet from the property line in a side yard or rear yard.

(d) Fences, walls and hedges may be permitted in any required yard or along the edge of any yard, subject to the clear-vision area requirements of division (6) below.

(4) *Parcel coverage.*

(a) For any parcel of 1 acre or more, but less than 10 acres, the maximum parcel coverage shall be 20%.

(b) For any parcel of less than 1 acre, the maximum parcel coverage shall be 15%.

(5) *Access.*

(a) Before a dwelling may be established on any parcel as provided in this section, the parcel shall have a legal, safe and passable means of access by abutting at least 30 feet either directly upon a public road, or by a private easement which is at least 30 feet in width for its entire length and which also abuts upon a public road for at least 30 feet.

(b) Nothing in this section shall be construed to vary or waive the requirements for creation of new access contained in the Valencia County Subdivision Chapter adopted by Valencia County.

(6) *Clear-vision areas.*

(a) A clear-vision area shall be maintained on the corner of any parcel at the intersection of any 2 of the following: county roads; public roads; private roads serving 4 or more parcels; and railroads.

(b) A clear-vision area shall contain no sight-obscuring structures or planting exceeding 30 inches within a triangle formed by the projected intersection of the right-of-way or public road easement lines on the lot corner nearest the intersection, and the 2 points 20 feet from this corner as measured along the parcel lines adjacent to the intersecting rights-of-way.

(c) Trees exceeding these requirements may be located so that their branches extend into this triangle, provided they are maintained to allow at least 12 feet of visual clearance within the triangle below the lowest hanging branches.

(7) *Height.*

(a) The maximum building height for any dwelling shall be 30 feet;

(b) The maximum building height for all other structure shall be 45 feet, except for accessory structures on any parcel of less than 10 acres the maximum building height shall be 35 feet; and

(c) Appurtenances usually required to be placed above the roof level and not intended for human occupancy such as spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys and wind generators are not subject to the height limitations of this chapter.

(8) *Occupancy of recreational vehicles.*

(a) One recreational vehicle shall be permitted to be parked on any parcel in conjunction with a principal dwelling, and may be used for the temporary accommodation of guests for a period of up to 45 days total in any year.

(b) In no case shall any recreational vehicle be used as a principal dwelling or rented unless and until the necessary permits have been obtained.

(9) *Off-street parking.*

(a) In the RR Districts, prior to establishment of any dwelling, sufficient area must be provided to allow for at least 1 emergency vehicle turnaround; and

(b) Parking requirements for those uses which may generate traffic beyond what is normally expected in the RR Districts, including multi-family dwellings, shall be determined by the Zoning Department subject to the provisions of [§§ 154.035](#) through [154.040](#).

(10) *Livestock.* The keeping of livestock shall be allowed in the RR Districts subject to the following restrictions:

(a) All livestock shall be properly fenced and contained so as to minimize adverse impacts to surrounding property;

(b) There shall be at least 10,000 separate square feet of pervious surface area for each cow, horse or similar animal;

(c) There shall be at least 4,000 separate square feet of pervious surface area for each sheep, goat, pig or similar animal;

(d) There shall be at least 600 separate square feet of pervious surface area in an enclosed structure for poultry or rabbits or similar animals;

(e) There shall be at least 3,500 separate square feet of surface area for each dog or cat; and

(f) Animals which are less than 6 months old are excepted from the requirements of this division herein.

## **Tomé/Adelino Agricultural Preservation Zone**

Residents expressed that the current Agricultural Preservation Zone placed within Tomé/Adelino boundary is adequate to meet the goals of agricultural preservation. The community would like to express the importance of maintaining this zone and would discourage any zone changes from AP in the future.

## **Tomé/Adelino Agricultural Zone Policy and Regulations.**

The purpose of Tomé/Adelino Agricultural Zone is:

- To encourage the maintenance of agricultural use of land.
- To preserve the maximum amount of the limited supply of agricultural land in order to conserve the County's economic resources which are vital for a healthy agricultural economy within the County.
- To discourage the premature and unnecessary conversion of agricultural land to urban uses in order to prevent unnecessary increases in the costs of providing community services to urban residents.
- To assure the preservation of agricultural lands which have a community value as open space and for the production of agricultural products, so as to preserve an important physical, social, esthetic and economic asset of the residents of the County.

## **§ 154.090 AGRICULTURAL PRESERVATION DISTRICT (AP).**

(A) *Purpose.* The purpose of the Agricultural Preservation (AP) District is to protect and preserve areas where lands are predominantly agricultural in their character and use, and comprising of irrigated lands for farming or lands for livestock management. Limited residential and other, agricultural-related uses may be conditionally permitted in the AP district.

(B) *Permitted uses.* Any of the following permissive uses are allowed in this zone district:

- (1) One singular dwelling unit per minimum 5-acre lot;
- (2) Agricultural activities, including the cultivation and harvesting of crops and the raising, breeding and management of livestock;
- (3) Public facilities.

(C) *Conditional uses.* In the AP District, pursuant to the Type B application procedure set forth in § [154.076](#) and subject to the conditional use review criteria listed in §§ [154.035](#) through [154.040](#), and any other applicable criteria established by this chapter, the following uses may be allowed conditionally:

- (1) Secondary dwelling, as outlined in [§ 154.105](#);
- (2) Home occupations, as outlined in [§ 154.168](#);
- (3) Commercial dairies;
- (4) Commercial feedlots;

(5) Accessory uses; and

(6) Utility facility, with the exception of energy generation facilities, subject to site design review.

(D) *Non-conforming uses.* Non-conforming uses found in the Agricultural Preservation District are subject to the non-conforming use provisions of [§ 154.059](#) as well as any other applicable provisions of this chapter.

(E) *Dimensional requirements.* In the AP District, the following dimensional requirements shall apply:

(1) The minimum parcel size for a permitted or conditional use shall be 5 acres.

(2) The maximum building height of any residential structure shall be 35 feet and the maximum for all other structures shall be 45 feet.

(3) The maximum setbacks for all yards of a residential dwelling in the AP District shall be as follows:

Front yard	30 feet
Side and rear yard	15 feet

(Ord. 2004-05, passed 9-15-2004; Am. Ord. 02, passed 9-15-2004; Am. Ord. 06, passed 9-15-2004; Am. Ord. 09, passed 9-15-2004; Am. Ord. 2006-06, passed 6-16-2006) Penalty, see § 154.999

## Cerro de Tomé

Tomé Hill sits in the ancient floodplain of the Rio Grande, and may have been used as an escape from flooding. Nine anthropological sites have been documented. The pueblo Indian village is believed to be from the Anasazi. Over 1,800 petroglyphs in the Rio Grande style have been documented and catalogued by archaeologists from the University of New Mexico. The oldest petroglyph is believed to be about 2,000 years old. Many of these petroglyphs depict the animals that are still in the area today, such as the coyote. Tomé Hill was the traditional boundary of Isleta Pueblo, but is no longer.

Tomé Hill is also sacred to many Christians in the area. Before 1947, in an annual pilgrimage the Penitentes carried crosses up the hill to the highest point, and then back down again. In 1947 Edwin Berry placed three permanent crosses and a shrine on the top of the hill, where they still stand today. Every year, on Good Friday, the pilgrimage is repeated, with almost everyone walking up Tomé Hill. New crosses have since then been added.

Tomé Hill has been identified by many of the residents as a very sacred and important geographical feature that needs to be preserved for the future.

### § 154.055 Cerro de Tomé Zone (CdTZ)

#### (A) *Purpose.*

(1) The purpose of the Cerro de Tomé Zone is to preserve a sacred space and allow for walking trails within the community

(2) Uses of land and water not compatible with the permissive uses of this zone shall be prohibited.

(B) *Permitted uses.* In the Tomé Hill Recreation Zone District, the following uses shall be permitted subject to the standards, limitations and requirements set forth in this section, and pursuant to §§ [154.035](#) through [154.040](#) for site design review:

(1) Historical, archaeological, or geological site;

(2) Public bicycle and pedestrian paths or trails systems not within county or public rights-of-way;

#### (C) *Prohibited Use.*

(1) Any use not defined as a permitted use.



## A. Glossary of terms

Words used in the present tense include the future tense, and words used in the future tense include the present tense; the singular number includes the plural number, and the plural number includes the singular number. The word "shall" is mandatory, and the word "may" of "should" is permissive.

*Abutting.* Touching.

*Access.* A way of approaching or entering a property primarily devoted to vehicular use from a public street, highway or to a private street or access easement. Access includes ingress and egress.

*Accessory Building or Use.* A subordinate building or use which is incidental to and customary in connection with the principal building or use and which is located on the same lot with such principal building or use.

*Agricultural Assistant.* A person engaged in agricultural activities and occupying a mobile home in accordance with the regulations of the A-1 and A-2 Rural Agricultural Zones.

*Alley.* A public way permanently reserved as a secondary means of access to abutting property.

*Amateur Radio Antenna/Tower.* A free-standing, guyed or building-mounted lattice construction or tubular metal tower or similar type construction, including antennas and appurtenances intended for radiowave communication purposes by a person holding a valid amateur radio ("ham") license issued by the Federal Communications Commission.

*Animal Clinic.* An establishment where animals are admitted for examination and treatment and may be kept overnight.

*Apartment.* One or more structures containing two or more dwelling units each.

*Architecturally Integrated Wireless Telecommunications Facility.* A wireless telecommunications facility which is camouflaged into the structure on which it is located by means of color, texturing, architectural treatment, massing, size, design, and/or shape.

*Automobile Dismantling Yard.* A premises on which is conducted the dismantling of automobiles; there may be the selling of automobile parts and the storage of inoperative automobiles awaiting dismantling or removal.

*Bathroom.* A room containing a wash basin and water closet. Rooms referred to locally as one-half or three-quarter baths are one bath for the purpose of this ordinance.

*Bed and Breakfast House.* Means a dwelling unit containing at least one but not more than two guest rooms where lodging is provided, with or without meals, for compensation.

*Billboard.* Sign, off-premises. A sign which advertises a product, place, activity, person, institution or business not located on the site where the sign is located and which is supported by structural steel



uprights and conforms to all physical requirements prescribed by the Outdoor Advertising Association of America and/or the Eight Sheet Outdoor Advertising Association.

*Boardinghouse or Lodginghouse.* A dwelling other than a hotel or apartment, where, for compensation and by prearrangement for definite periods, lodging with or without meals is provided for five or more persons, not members of the family, but not exceeding 20 persons.

*Buildable Area.* The area of the lot left to be built upon after all setbacks and open space requirements have been met.

*Building.* Any structure having a roof supported by columns or walls built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kinds, but not including any vehicle, trailer, (with or without wheels), not any movable devise, such as furniture, machinery or equipment. When any portion of a building is completely separated from any other portion thereof by a division wall without openings or by a fire wall, then each such portion shall be deemed to be a separate building.

*Building, Height of.* The vertical distance from the grade to (a) the highest point of a flat roof, (b) the decline of a mansard roof, or (c) the average height between eaves and ridge for gable, hip, and gambrel roofs.

*Building, Main.* The building occupied by the principal use of the property.

*Building or Use Permit.* The certificate issued by the Zoning Administrator, required by Subsection C of the Administrative Section hereof.

*Business.* A legal entity operating an enterprise in a space separate from any other enterprise. All related uses shall be accommodated on site with the building or use served.

*Church.* A building for public or private worship; or a body or organization of religious believers.

*Clinic.* See *Medical Clinic* or *Animal Clinic*.

*Club.* Buildings and facilities owned or operated by a corporation, association, person, or persons for a social, educational or recreational purpose, but not primarily for profit and not primarily to render a service which is customarily carried on as a business.

*Cluster Housing Development.* A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, or preservation of environmentally sensitive areas or agriculture.

*Collocation.* The location of more than one wireless telecommunications facility on the same structure by more than one wireless telecommunications facility owner, or the location of one or more wireless telecommunications facility on a public utility structure.

*Commercial Animal Establishment.* Any establishment or premises, operating for profit, where six or more dogs and/or cats or aggregate thereof, over four months of age are boarded, kept, or maintained for any purpose whatsoever; it includes kennels, grooming parlors, pet shops, animal hospitals and breeders.

*Concealed Wireless Telecommunications Facility.* A wireless telecommunications facility that is architecturally integrated with existing buildings, structures, and landscaping, including height, color, style, massing, placement, design, and shape, and which does not stand out as a wireless telecommunications facility.

*Conditional Use.* A use permitted in a zone with approval of the Zoning Administrator.

*Contiguous.* Abutting or separated only by an alley.

*Contractor.* One that contracts or is a party to a contract, one that contracts to perform work or provide services or supplies on a large scale including but not limited to general contractor, road contractor, lath and plaster contractor, plumbing contractor and truck hauling.

*Contractor's Yard.* A premises where equipment, materials and supplies are stored, kept, and/or maintained in connection with a contracting operation.

*Courtyard.* An open space more than one-half surrounded by buildings.

*Customarily Incidental Use.* An incidental use customarily found within the zone and not listed as a permissive, conditional or special use in this ordinance.

*Day Care Center.* A facility which provides care, services, and supervision to seven or more children for a period of less than 24 hours of any day. A Day Care Center may be located in any building which meets the applicable state and local building and safety codes.

*Drainage Plan.* A detailed drainage plan, prepared by a New Mexico registered engineer competent in the area of surface hydrology and hydraulics to properly address how drainage will be handled on a specific site.

*Drive-In Restaurant.* A restaurant or refreshment stand which has one or more of the following:

1. No inside tables or counters for customer eating.
2. Carhop service for parked vehicles in specially equipped stalls for this purpose.
3. Outside tables which are not completely surrounded by a building or fence at least six feet high.

*Drive-Thru Restaurant.* A restaurant or refreshment stand which has:

1. An outside menu board for ordering and a pickup window for picking up an order. The grocery is consumed off the premises.
2. Inside tables or counters for customer convenience.

*Dwelling Unit.* A room or suite of rooms with kitchen and bath facilities designed as a unit for occupancy by one family.

*Electromagnetic Interference.* Disturbance caused by intruding signals or electrical current.

*Existing Vertical Structure.* Any structure for which a building permit has been issued, including a tower or antenna for which a building permit has been issued by the county but which has not been constructed provided approval by the county has not expired, including a tower and antenna that has been given an

approval prior to the effective date of this ordinance and which is not found by the county to be contrary to the purposes of this ordinance, or any other vertical structure.

*Face-Mounted Wireless Telecommunications Antenna.* An antenna attached to and covering a small portion of the surface of a building, which is architecturally integrated into the building and supporting structure.

*Family.* One or more persons occupying a premises and living as a single housekeeping unit as distinguished from a group occupying a boardinghouse, lodging house or hotel, not exceeding 12 people.

*Family Day Care Home.* An occupied dwelling in which a person provides care, services, and supervision for at least three but not more than six children for a period less than 24 hours of any day. The residents providers children who are age six or older shall not be counted for this definition.

*Feedlot.* A place of confinement for cattle, sheep or swine, corralled, penned, or otherwise caused to remain in pens or corrals where feeding is other than grazing and which is operated as a commercial enterprise as the primary use.

*Floor Area.* The gross horizontal areas of the several floors including basement, cellars, and penthouses (but excluding such areas within a building which are used for parking), measured from the exterior faces of the exterior walls of a building.

*Floor Area Ratio.* The total amount of heated floor area within dwelling units divided by the area of the site.

*Floorplate.* The total amount of the first story floor area of building, measured from the exterior of the exterior walls of a building

*Freestanding Wireless Telecommunications Facility.* A wireless telecommunications facility that consists of a stand-alone support structure, antennas, and associated equipment. The support structure may be a wooden pole, steel monopole, lattice tower, or similar structure. This does not include a wireless telecommunication antenna that is mounted on a public utility structure or light standard.

*Frontage.* The distance along a street line from one intersecting street to another, or from one intersecting street to the dead end of a dead-end street.

*Future Street Line.* A line running more or less parallel to the center line of certain existing or proposed streets as established by the county for the purpose of delineating the future widths of street rights-of-way.

*Garage, Private.* A detached accessory building or portion of a main building housing the automobiles of the occupants.

*Garage, Public.* A building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring, selling, storing, or parking motor-driven vehicles. The term "repairing" shall not include the dismantling, or storage of wrecked or junked vehicles.

*Grade.* The average of the finished ground level at the center of all walls of a building. In case the walls are parallel to and within five feet of a sidewalk, the ground level shall be measured at the sidewalk or at the center of such wall nearest the sidewalk.

*Group Home.* A residence providing full-time supervision and training in daily living activities to up to six residents; no infant care is provided.

*Guest Ranch.* A resort providing recreation and entertainment to vacationers.

*Home Occupation.* Any occupation or activity clearly incidental and secondary to use of the premises for a dwelling. There shall be no exterior display, no exterior storage of materials, no nuisances emitted from the premises and no other exterior indication of the home occupation or variation from the residential character of the main building. Only members of the residing family are employed.

*Hospital for Human Beings.* An establishment that provides through an organized medical staff and permanent facilities that include inpatient beds, medical services, and continuous licensed professional nursing services, diagnosis and treatment, both surgical and nonsurgical, for patients who have any of a variety of medical conditions, including mental illness. A facility licensed by the State of New Mexico as a general, limited, or special hospital is presumed to be a hospital for human beings.

*Hotel.* A building in which lodging, or boarding and lodging, are [is] provided and offered to the public for compensation, and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all times. As such, it is open to the public in contradistinction to a boardinghouse, a lodginghouse, or an apartment house, which are herein separately defined.

*Incidental Use.* A use which is appropriate, subordinate, and customarily incidental to the main use of the lot.

*Inoperative Vehicle.* A vehicle which is not parked inside a building, is inoperative, and is wholly or partially dismantled.

*Institution.* A nonprofit establishment for public use.

*Kitchen.* Any room or portion thereof principally used, intended or designed to be used for cooking or the preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall normally be considered as establishing a kitchen.

*Landscape Buffer.* A strip of landscaped land established by the Landscaping and Buffer Landscaping Regulations to protect one type of land use from another with which it is incompatible.

*Landscape Plan.* An accurate plan, drawn to scale, which outlines all proposed areas to be covered with impervious materials, proposed planting beds and vegetative ground cover area; specifies the location, size and species of all proposed trees and shrubs.

*Landscaped Setback.* The planting of at least one tree, 1 1/2-inch minimum caliper measured at two feet above ground, per 30 linear feet of frontage and at least 75 percent of the area must be planted and maintained with live planting material.

*Landscaping.* The planting and maintenance of live plants and inorganic and manufactured materials including trees, shrubs, ground cover, flowers, or other low-growing plants that are native or adaptable to the climatic conditions of Valencia County. In addition, the landscape design may include limited inorganic and manufactured materials such as rocks, fountains, reflecting pools, works of art, screens, walls, fences, benches and other types of street furniture.

*Ldn.* Ldn means day/night equivalent sound level measured over a 24-hour period; it is equivalent in terms of sound energy to the level of a continuous A-weighted sound level with ten dB added to the nighttime levels. Ldn is computed pursuant to United States Environmental Protection Agency Standards and Procedures.

*Living Quarters, Accessory.* Living quarters within an accessory building containing one bedroom, one living room, one bathroom, one closet, one mechanical room, no kitchen facilities and to be occupied by no more than two persons, shall not be rented or otherwise used as a dwelling unit and does not exceed 500 square feet in area.

*Live/work space-* A designated dwelling in which the occupant conducts a home-based business or enterprise.

*Lot.*

a. A tract or parcel of land platted and placed on the County Clerk's record in accordance with laws and ordinances;

*Lot Area.* The area of a lot exclusive of easement(s) for a private way or thoroughfare.

*Lot, Corner.* A lot abutting two or more streets at their intersection.

*Lot, Depth.* The mean horizontal distance between the front and rear lot lines.

*Lot, Double Frontage.* Any lot with frontage on two parallel or approximately parallel streets.

*Lot, Front Line of.* The boundary of a lot bordering on a street. For the purpose of determining yard requirements on a corner lot, the narrower side bordering on a street is the front yard except that if the lot is square or nearly so (dimensions with a ratio of between 3:2 and 3:3), the owner may choose which of the two is to be considered the front yard.

*Lot, Rear Line of.* That boundary which is opposite and more or less parallel to the front lot line. In the case of an L-shaped or other irregularly-shaped lot where two or more lines are so located, all shall be considered to be rear lines, except such as may be within 50 feet of the front lot line, or which may be 20 feet or less in length. In the case of a lot which comes to a point at the rear, the rear lot line shall be that imaginary line parallel to the front lot line, not less than ten feet long, lying wholly within the lot farthest from the front lot line.

*Lot, Width.* The width of a lot at the front yard setback line.

*Manufactured Home.* A manufactured home or modular home that is a single-family dwelling with a heated area of at least 36 by 24 feet and at least 864 square feet, constructed in a factory to the standards of the

United States Department of Housing and Urban Development, the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC 5401 et seq.) and the Housing and Urban Development Zone Code II or the Uniform Building Code, as amended to the date of the unit's construction, and installed consistent with the Manufactured Housing Act (NMSA 1978, § 60-14-1 et seq.) and with the regulations made pursuant thereto relating to ground level installation and ground anchors.

*Medical Clinic.* An establishment where patients are not lodged overnight, but are admitted for examination and treatment by a group of physicians or dentists practicing together.

Mixed use development- Residential and nonresidential uses combined in the same building or buildings, where the owner or tenant is both living and working on the premises.

*Mobile Home.* A vehicle without motive power, designed to be drawn by a motor vehicle and to be used as a temporary or permanent human habitation, including trailer coach, trailer home, and house trailer but not including Manufactured Home or Recreational Vehicle, whether the same be with or without wheels, and whether or not attached to or incorporated in a building and that part of any self-propelled vehicle, whether the same be with or without wheels, and whether or not attached to or incorporated in a building. Skirting is required in addition to a storage building of sufficient size to accommodate all outside storage.

*Mobile Home Park.* Any lot(s) issued a special use permit for a Mobile Home Park in accordance with Section 18 of this ordinance.

*Mobile Home Space.* An improved area within an approved mobile home park designated for the placement of a mobile home.

*Motel.* Any building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with a garage or parking space conveniently located on the lot, and designed, used, or intended wholly or in part for the accommodation of automobile transients. The term "motel" includes motor court, motor lodge, and tourist court, but not mobile home park.

*Nonconforming.* Any building or structure or portion thereof, or use of a building or land which does not conform to the zoning regulations and which lawfully existed on the effective date of those regulations with which it does not conform.

*Nonprofit Animal Facility.* Any facility or premises, not operating for profit, where six or more dogs and/or cats or aggregate thereof, over four months of age are kept or maintained; it includes shelters and refuges, with the exception of state inspected veterinary hospitals, federally inspected laboratory facilities and zoos.

*Nursing or Rest Home.* A home for the aged or infirm in which three or more persons not of the immediate family are received, kept or provided with food and shelter or care, for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

*Office.* A place where consulting, record keeping, the work of a professional person such as a physician or lawyer or a headquarters of an enterprise or organization; with incidental sales of goods or services.

*Open Fence:* A fence, including gates, which has, for each one foot wide segment extending over the entire length and height of the fence, 50 percent of the surface area in open spaces which afford direct views through the fence.

*Open Storage.* Storage of any material, equipment or item outside an enclosed building.

*Park.* An area reserved for recreational, educational, or scenic purposes and designated as a park by the County.

*Parking Lot.* An area or structure used for temporary parking of automobiles and pickup-sized trucks, providing four or more parking spaces, not within the public right-of-way, none of which are required off-street parking.

*Parking Space, Off-Street.* An area at least eight feet, six inches in width and 20 feet in length, not permanently reserved, for the intermittent storage of one automobile and connected to a street or alley by a driveway which affords ingress and egress for an automobile without requiring another automobile to be moved.

*Permissive Use.* A use permitted in a zone.

*Person.* Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, political subdivision, or other group or combination, acting as a unit.

*Planning Commission.* The County Planning Commission of Adjustment.

*Planter Strip.* The area beginning at the back of the curb or outside edge of the shoulder and extending to the property line

*Premises.* A lot, together with all buildings and structures thereon.

*Public Right-of-Way.* The area of land deeded, reserved by plat, or otherwise acquired by the City, the County, or the State of New Mexico, primarily for the use of the public, for utilities, and the movement of people, goods, and vehicles.

*Public Utility Structure.* A structure, owned by a unit of government or by a public utility company, which is an electric switching station; electric substation operating at voltages greater than 50 kilovolts; gas transfer station; city or county-owned lift station, odor control (or chlorine) station, water well or pump station or water reservoir; or any other similar public utility structure controlled by a rank two facility plan.

*Readily Visible Wireless Telecommunications Facility.* An object that stands out visually against its surroundings as a wireless telecommunications facility.

*Recreational Camp.* An institution devoted primarily to outdoor activities.

*Recreational Vehicle.* A vehicular unit not exceeding 40 feet in body length, eight feet in width, or 11 feet in overall height, primarily designed as a temporary living quarters for recreational, camping, or travel use; it either has its own motive power or is designed to be mounted on or drawn by an automotive vehicle. Recreational vehicle includes motor home, truck camper, travel trailer, and camping trailer.

*Residential Zone.* A-P, RR-1, Rr-2 zones and those portions of a Sector Development Plan designated as residential.

*Roof-Mounted Wireless Telecommunications Facility.* A wireless telecommunications facility placed on a rooftop through gravity mounts or other surface attachments and integrated into the natural rooftop profile of the building so as to resemble a permissible rooftop structure, such as a ventilator, cooling equipment, solar equipment, water tank, chimney, or parapet.

*School.* A place utilized by an organized body to educate, cultivate, or advance mentally or culturally, i.e.: private or public school, academies, universities, day care centers, instructions in crafts, fine art, dance, music, etc.

*Service Station.* Any land, building, structure, or premises used for the retail sale of motor vehicle fuels, oil or accessories, or for servicing or lubricating motor vehicles or installing or repairing parts and accessories, but not including the repairing or replacing of motors, bodies, or fenders of motor vehicles, or painting motor vehicles.

*Setback.* The shortest distance between a structure and the present or future street line or property line, or right-of-way line of private access road.

*Shopping Center.* A premises containing a group of commercial retail and service establishments located in a complex containing five or more acres.

*Sign.* An identification, description, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land, and which directs attention to a product, place, activity, person, institution, or business. A back to back sign or V-shaped sign or a billboard constitutes one sign if it employs a common set of supports and if the signs are at some point within ten feet of each other.

*Sign, Off-Premises.* A sign which directs attention to a product, place, activity, person, institution or business not located on the site where the sign is located, including portable signs.

*Sign, On-Premises.* A sign which directs attention to a product, place, activity, person, institution or business on the site where the sign is located, including portable signs.

*Single-Family Dwelling.* A building designed to be occupied by one family and containing one kitchen, including manufactured homes and or prefabricated, modular or sectional units meeting the requirements of the Valencia County Building Code, designed to be permanent structures, placed upon permanent foundations, and taxed as real property.

*Site Development Plan.* A plan, to scale, showing all existing and proposed development for a parcel of land (e.g. buildings, landscaping, parking, storm drainage facilities, signs) and schedule of development.



*Solid Wall or Fence.* A wall, fence or similar enclosure which is visually solid and is kept in good repair. It may include evergreen hedges, trees planted six feet or less apart depending on the type of trees, decorative walls which may have openings and provided the total area of all the openings in such walls does not exceed 25 percent of the total area of the surface of these walls and further provided these openings are evenly distributed over the entire surface of such walls.

*Stand.* A structure for display and sale of products with no space for customers within the structure itself.

*Story.* That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or, if there be no floor above it, then the space between such floor and the ceiling next above it.

*Street.* That portion of a public right-of-way or private way or thoroughfare which is primarily devoted to vehicular use. Such right-of-way or thoroughfare normally shall provide access to abutting property.

*Structural Alterations.* Any change except those required by law or ordinance, which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinances.

*Structure.* Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, backstops for tennis courts, and pergolas, but not including tents or vehicles.

*Urgent Care Center.* See *Medical Clinic*.

*Usable Open Space.* An area on the same lot with a dwelling, in relation to which it serves to permanently provide light and air, as well as visual, psychological, and recreational needs for open space. Usable open space may include, but is not limited to, lawns, decorative plantings, native plants, open balconies, covered patios open on at least two sides, walkways, active and passive recreational areas, fountains, swimming pools, wooded areas, and water courses. Usable open space does not include public right-of-way, parking lots, off-street parking, driveways, other private vehicular surfaces, or buildings other than swimming pool rooms. Such space shall be available for entry and use by the residents involved.

*Variance.* A discretionary waiver from the zoning requirements to grant the property owner reasonable use of his land.

*View Corridor-* 1/8 mile from the Highway 47 Right-of-Way.

*Vision Clearance.* A triangular space at the street corner of a corner lot, which is bounded by the street right-of-way lines and a line connecting points located 25 feet distant from the intersection, or projected intersection, of the street right-of-way lines, within which no obstruction to view between three feet and eight feet above the street level shall be placed or maintained.

*Watchman or Caretaker Residence.* A mobile home, or manufactured home not placed on a permanent foundation, used as a temporary dwelling for security purposes on sites occupied by an active permitted

non-residential use. No other residence may be located on the same lot or parcel and the watchman caretaker unit may not be used for commercial or office purposes.

*Wireless Telecommunications Antenna.* Any exterior transmitting or receiving device which may be mounted on a tower, building, or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), or other commercial signals. It includes, but is not limited to, a directional antenna (e.g. a panel, a microwave dish and satellite dish), and an omni-directional antenna (e.g. a whip), but does not include a non-commercial or amateur antenna.

*Wireless Telecommunications Equipment Building or Cabinet.* A building or cabinet in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.

*Wireless Telecommunications Facility.* A facility that transmits or receives signals or waves radiated or captured by a wireless telecommunications antenna. It may include: antennas of all kinds including microwave dishes and other types of equipment for the transmission or reception of such signals, telecommunications towers or similar structures supporting said equipment, equipment buildings or cabinets, parking area, and other accessory development.

*Wireless Telecommunication Services.* The provision or offering for rent, sale, or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphic, and video programming information between or among points excluding only cable services.

*Wireless Telecommunications Tower.* A structure intended to support wireless telecommunications antennas. Examples of such structures include, but are not limited to, freestanding poles (e.g. monopoles, masts, poles, or guyed towers) and lattice construction steel towers.

*Yard.* An open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this ordinance.

*Yard, Front.* An open area, extending across the full width of a lot, the depth of which is the shortest distance between the front lot line and the front wall of the main building.

*Yard, Rear.* An open area, extending across the full width of a lot, the depth of which is the shortest distance between the rear wall of the main building and the rear lot line.

*Yard, Side.* An open area between the side lot line and the side of the main building, extending from the front yard to the rear yard.

*Zone Map.* A map delineating the zone boundaries.

*Zoning Administrator.* The official designated to enforce this ordinance as provided in the Administrative Section of this ordinance.

*Zoning Commission.* The County Planning Commission is the County Zoning Commission.



## A. Rural Quality

### CONSERVATION EASEMENTS

Without available land, farming would be impossible. With the encroachment of urbanization, prime agricultural land is continuously being paved over and lost forever. For Tomé/Adelino, a future without any available open space land could be a reality if measures to protect this land are not taken soon.

Conservation easements are an innovative approach to the preservation of agricultural land. Besides being extremely effective, conservation easements are easy, practical, are the single best way to preserve agriculture in Tomé/Adelino. Although outside the scope of this sector plan, conservation easements were a major topic of discussion in community meetings, and therefore information about how they could work is included here for information purposes.

### Donated Conservation Easements

A conservation easement is a voluntary agreement that allows a landowner to limit the type or amount of development on their property while retaining private ownership of the land. The easement is signed by the landowner, who is the easement donor, and a qualified conservation organization, which is the party receiving the easement. The conservation organization accepts the easement with the understanding that it must enforce the terms of the easement in perpetuity. In New Mexico, unlike in other states, the state and local governments are not authorized by statute to hold conservation easements. However, they may be held by qualified private associations. Provided that certain conditions are met, donors of easements may be eligible for income, estate, and/or property tax benefits. One condition is that there must be an established, recognizable public benefit, such as protecting rare species and water supplies, providing fresh produce, or preserving scenic vistas visible from roads. Public access is not a requirement.



Agricultural land  
Source: County Planning

A Conservation Easement allows the landowner the ability to:

- Keep the ranch or farm in the family and maintain agricultural production
- Preserve the land for future generations
- Take stewardship of the natural resources on their land
- Preserve open space and the community's agricultural heritage
- Reduce estate taxes and the Internal Revenue Service's influence over the land
- Receive an income tax deduction equal to the appraised value of the development rights



Evidence of uniqueness and sense of place  
Source: County Planning

## Options for Tomé/Adelino

A conservation easement program can be started in a number of ways. The following are possibilities for how a local conservation easement program could begin. (*Note that a conservation easement program is outside the scope of the community plan and should be pursued by local residents and/or organizations.*)

- Utilize the existing Tomé/Adelino Land Grant to hold the easement
- Identify existing Trusts both locally and nationally to hold the easement
- Promote a Countywide Conservation Easement educational initiative

The county government could collaborate with private individuals and organizations to establish a conservation easement program. County assistance might take the form of technical assistance from staff, loan funds, or grant funds, such as through an open space bond measure.



Intensive backyard gardens like this one can often be more profitable than traditional large-lot farming

## GREENBELT POLICY

The purpose of the New Mexico Greenbelt Tax Policy is to preserve agriculture through a tax incentive. However, many Greenbelt tax incentive recipients own land that is not being actively farmed; it is merely being held for development purposes. On the other hand, smaller parcels that do intensive small-scale farming (such as organic produce on small lots) are unable to receive the tax incentive to support their farming because their land is not large enough to qualify.

The Greenbelt Tax policy should be revised so that it operates as a true incentive for agriculture, as it was intended. The tax break should not be abused for land speculation purposes and should include smaller-scale farming in its scope. Changes in Greenbelt Policy must be made at the state level – not at the community planning level.

The following recommendations could be taken to a State Representative or Senator willing to sponsor legislation amending the Greenbelt Tax:

- **Define ‘agriculture’ more specifically.** The current Greenbelt Tax defines agricultural use as a “means of land for production of plants, crops, trees, forest products, orchard crops, livestock, poultry, or fish.” In addition, the policy also references that there must be “evidence of primarily agricultural use.” However, anecdotal evidence in addition to an examination of recipients of Greenbelt Tax breaks shows that many landowners are not using their land for primarily agricultural uses or, since the land is sitting fallow waiting to be developed, are claiming grazing of a few horses as constituting “primarily agricultural” use.



Value-based measurements might better enable backyard farmers of organic produce to receive the Greenbelt tax break



- **Use value-based measurements to determine Greenbelt eligibility, not land measurements.** The current Greenbelt Tax is “based on the capacity of land to produce agricultural products.” This means that large parcels are rewarded and small parcels often don’t qualify. But unless the policy is changed, these backyard farmers (who can often bring in more profit than 10 acre plots of alfalfa) will continue to be shut out of the incentive. Instead of land-based measurements, the Greenbelt Tax should use Value-Based Measurements to determine eligibility, or there could be a lot-by-lot determination if production values should be used instead of land values, based on what is being grown.

### **SUPPORTING AGRICULTURAL PRODUCTION**

A lack of consumer support for local farmers and their crops has helped contribute to the overall decline of agricultural production in Valencia County. Yet signs point toward rising consumer demand for locally-grown food, including an increase in business at farmers’ markets and a strong demand for locally-grown organic produce.

Given these factors, this is an ideal time to capitalize on rising consumer interest in local farming. Options for supporting agricultural production in the Tomé/Adelino include:

- Developing a Tomé/Adelino agricultural economic development plan
- Promoting agricultural education in Valencia County schools
- Developing a farmer support fund to help farmers with the costs of organic certification
- Developing a “Buy Local” campaign that markets locally-grown produce to grocery stores, restaurants, and directly to consumers
- Pursuing relationships with Valencia County Public Schools and local correctional facilities to provide fresh produce
  - Promoting diversification of agriculture throughout Tomé/Adelino. While traditional crops like alfalfa are ideal in large parcels, high-yield organic produce can do very well on small parcels.
  - Promoting temporary and permanent fruit and vegetable stands throughout Tomé/Adelino.
  - Partnering local farmers with the Tomé/Adelino Land Grant to use their facility for value-added production and distribution.



Acequias are a vital natural and cultural resource

*Source: County Planner*

## **ACEQUIA PRESERVATION**

Water is one of the most urgent issues facing New Mexico and Tomé/Adelino agriculture. Complex problems of supply and demand, ownership of water, and water quality are intrinsically inter-related, caught in a web of local, state and federal policy. As such, supply of water to agricultural lands within the project boundary has been an issue because of “first right” to water and the abandonment of private acequias.

Because of these issues, it is important to preserve existing Middle Rio Grande Conservancy District facilities and other networks of irrigation and drainage facilities to the greatest degree possible and to encourage continued irrigation use. However, changes in much of New Mexico Water Policy must be made at the state and federal level – not at the sector planning level.

### **Policy Options**

- Valencia County should establish and enforce an official Acequia Preservation Policy.
- A State of New Mexico-recognized Acequia Association should be established. Community ditch and acequia associations have been declared political subdivisions of the state (NM 73- 2-28) and as such, are self-governing.
- Inventory and declare Priority Ditches for historic easement conservation. The NM Cultural Properties Preservation Easement Act (NMSA 1978, Sections 47-12A-2 to 47-12A-6) defines a cultural properties preservation easement as "preserving the historical, architectural, archaeological or cultural significance of real property."
- Valencia County, in conjunction with MRGCDC and private property owners, should determine unauthorized uses of ditch banks and regulate vehicular traffic, thereby protecting the safety of residents on foot and preventing crime.

## **B. Economic Development**

### **SUPPORTING LOCAL BUSINESS**

Tomé/Adelino enjoys a long history of fostering locally-owned small businesses. Local residents value these small businesses, realizing that as locals, these business owners naturally maintain a sense of loyalty and investment toward local patrons and the surrounding community. Supporting small business enterprises helps ensure that business profit is recycled back into the local economy and honors the corridor's rich history of locally-owned businesses.

### **Steps Toward Increasing Small Business Support**

- Develop small-scale commercial centers for merchants contributing to local character as opposed to superstores run by national corporations
- Provide incentives for small businesses like tax abatements and preferential licensing
- Strive for niche markets like value-added agricultural processing and cold storage
- Formalize the link between small farms and commercial kitchen
- Provide incentives for local hiring practices
- Utilize funding streams such as the MainStreets organization

### **HISTORIC RE-USE**

In addition to preserving the character of the corridor through the strategic placement of new development, the re-use of existing historic structures is an important element to future Tomé/Adelino economic development.

Assisting local businesses with financing to renovate original buildings would help maintain the historic culture of the community while attracting customers to existing businesses. Identifying funding sources (such as the MainStreets façade program) and organizing to request funding is the first step in implementing historically-viable economic development.

Such historic building re-use could be accomplished through the pursuit of official recognition for structures needing repair or renovation. In addition to protecting their valuable historic significance, such recognition could also contribute to their eligibility for receiving rehabilitation funding.





## C. Trail Network

Walking and bike trails play a critical role in the community's health and safety. They allow for safe pedestrian activity, promote utilization of other local amenities, and encourage physical health. Currently, Tomé/Adelino is home to only a limited trail network for pedestrian walkability and safe bicycle paths. Without proper trails infrastructure, walking or biking to and from services can be difficult and hazardous.



Coordination of the acequia system for walking trail purposes would be an invaluable community resource

Yet a prime opportunity to expand the local trail network exists in the area's historic acequia system and around the Tomé Hill leading up to Manzano Expressway, which could act as a major enhancement to existing walking and bicycle trails. The area's acequia system is a major cultural resource of Tomé/Adelino. Local acequias help keep the Valley floor "green" and define Tomé/Adelino as a unique and special place within the Valencia County region. The canals and drains have historically served as trails for utilitarian travel and for recreation on foot, bicycle, and horseback. The canals and drains also serve as a linear open space and habitat for a rich variety of flora and fauna, including many large cottonwoods and other community-valued trees.

The development of adjacent and surrounding land for urban uses increasingly stresses and threatens the canals and drains. Barriers such as fencing and busy roadways have broken up what was once an interconnected and easily accessible trails system.

Also, there is an existing paved trail that leads to Manzano Expressway. However, the trail stops just shy of Tomé Hill Park. Completing the trail will have a tremendous positive impact for the community of Tomé/Adelino.





## D. Roadway Improvement Recommendations

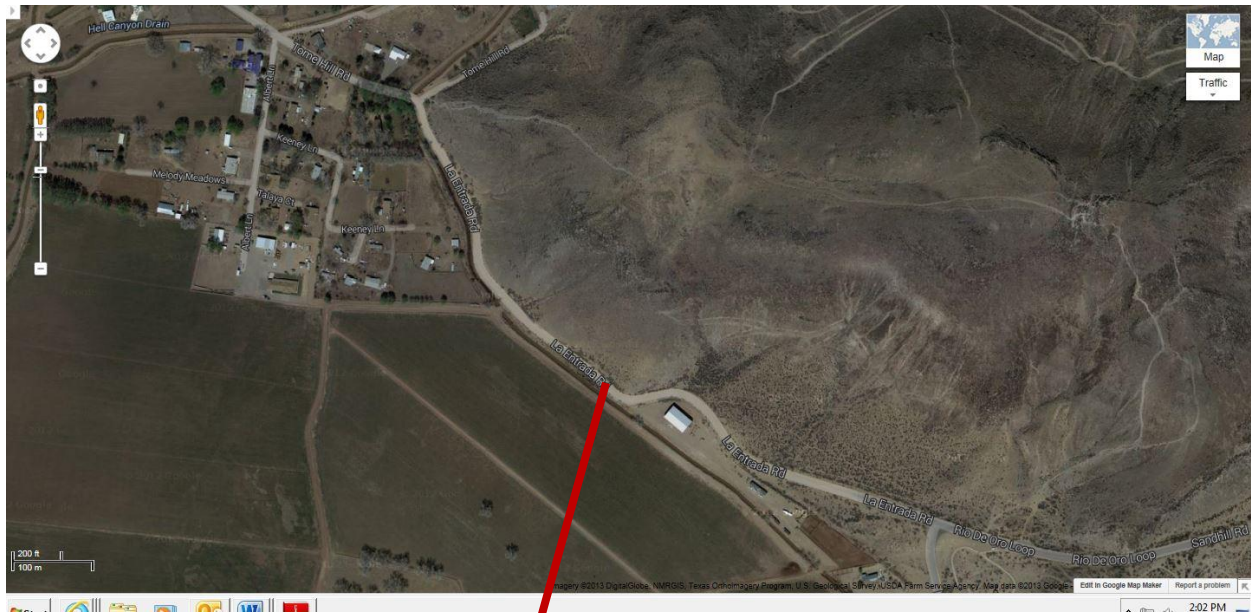
During this phase of the project many community members expressed concerns and recommendations for roadway improvements along road networks within Tomé/Adelino. Community members had conflicting thoughts on this topic; however, a lot of rich dialogue was achieved. The following is an overview on issues and recommendations concerning roadway improvement.

### ROAD DESIGN

As local residents tell it, Tomé/Adelino's rural character and quality of life are being threatened by road design that caters only to the automobile. The U.S. has been a world leader in developing new and better techniques for moving cars faster and more efficiently on our roads. However, this view of design undermines safe pedestrian activity and the use of alternative transportation such as bicycles and mass transit. It also overlooks the negative environmental impacts each automobile makes as driving becomes more predominant. Finally, it overlooks the issue of affordability and mobility, ignoring and discounting those who do not or cannot use automobiles. For these reasons, the residents of Tomé/Adelino have expressed their desire to 'take back the road' and make motorists realize that they are sharing space. Along Highway 47, sharing the roads means sharing them with pedestrians, horseback riders, bicycles, and tractors.



One of the ways in which the residents of Tomé/Adelino can create safer neighborhoods and improve the environment and their quality of life is through encouraging road designs that calm traffic and increase mobility and access for pedestrians. One such road is Tomé Hill Road where it connects to La Entrada. Over the years, the connecting road has been graded more and more making an easier route to La Entrada and to UNM Valencia. This has increased traffic on Highway 47 and Tomé Hill Road. The goal of the Comprehensive Plan is to switch high volume traffic to Manzano Expressway, by-pass Highway 47 and thus move economic growth and activity towards UNM Valencia. The connecting road Tomé Hill Road and La Entrada has negated that plan.



Tomé Hill Road connecting to La Entrada

