

CHAPTER SEVEN

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7.01 Governance Structure

The City of Española was incorporated in 1925. The City operates under a mayor / council form of government. The mayor serves as Chair of the City Council and is elected at large for a four-year term. Eight council members are elected at large for four-year terms with staggered elections every two years. The most recent council election was held on March 5, 2000. The City Mayor appoints, and the City Council ratifies, a City Manager who acts as chief administrative officer for the City. (CUED 2001)

To guide interpretation and enforcement of Española's *Official Zoning Code*, the City of Española has established a Zoning Official and a Planning and Zoning Commission. Queries related to interpretation and enforcement of the *Official Zoning Code* are presented to the Zoning Official. Upon appeal from the decision of the Zoning Official queries are directed to the Planning and Zoning Commission. Recourse of the decision of the Planning and Zoning Commission is made through appeal to the City Council. Appeals to Council's decisions (as they relate to the Ordinance) are presented to the district court. (Planning and Zoning Department 2002)

The Local Government Division of the State of New Mexico Department of Finance and Administration approves and certifies the City of Española's budget. Española's City Manager is authorized to transfer budgeted amounts between departments within any fund, but must obtain approval of City Council and the Local Government Division prior to making revisions that alter the total expenditures of any fund. (CUED 2001)

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7.02 County & Pueblo Jurisdictions

Jurisdictional boundaries amongst the City of Española, Rio Arriba County, Santa Fe County, pueblo land are complex. The complexity of these boundaries both within (there are small pockets of pueblo and private land holdings within the City boundary) and outside of City limits influences the provision of services and regulation. (City of Española 1998) For example, on the east side of North McCurdy Road, there are problems related to fire and police protection, as well as problems related to political subdivision jurisdiction. For instance, voters have either voted in City elections when they did not actually reside in city limits, and individuals that reside in City limits, have voted based on the difficulty of identifying the City boundary (City of Española 1998).

In some cases, the City is providing services to communities because of uncertainty of the City boundary. (City of Española 1998) In addition to impacts on servicing and regulations, the uncertainty of jurisdictional boundaries influences the City's ability to add to its property tax revenue. And, land within city limits that is purchased by pueblos is removed from the City tax role after five years. (CUED 2001)

There is increasing economic development and land use activity within Santa Clara and San Juan Pueblos, as well as other pueblos near Española. The first Native American custodial service was started on Santa Clara Pueblo, and a new private sector multiplex cinema has been built on Santa Clara property in Sombrillo. Santa Clara has also opened Big Rock Casino in Española, as well as the areas first golf course, Black Mesa Golf, a semi-private course. Juan Pueblo recently opened a major hotel and casino just north of Española. The business development branch of the San Juan Pueblo, Tsay Corporation, is planning to expand the casino to include a health spa, golf course, and airport. In addition, the Tsay Corporation is preparing plans for a sports arena, to host Indian and regional rodeos, boxing and wrestling matches, and outdoor concerts. A new recycling center has been built on Nambe Pueblo by Johnson Controls Northern New Mexico. Through a partnership agreement, the recycling center will be managed by Nambe.

7.03 Zoning & Other Development Ordinances

Española's zoning code was adopted in 1976. The following zoning classifications are used:

R-1	Rural Residential District	1 lot per acre
R-2	Semi-Rural Residential District	2 lots per acre minimum lot size 21,780 sqft for single family
R-3	Suburban Residential District	3 lots per acre minimum lot size 14,520 sqft for single family
R-4	Large Lot Residential District	4 lots per acre minimum lot size 10,890 sqft for single family
R-5	<i>reserved</i>	
R-6	Urban Residential District	minimum lot size 7,500 sqft for single family
R-O-I	Residential-Office-Institutional District	mixed zoning district for institutional and commercial activities
RC-PUD	Residential Compound Planned Unit Development	development of 5 acre or less consistent with city's compound area
RM-PUD	Residential Multi-Family Planned Unit Development	development of multi-family units and related uses in keeping with Planned Unit Development requirements
MHP-PUD	Manufactured Housing Park Planned Unit Development	3 acre minimum overlay zone allowed in any district except LI and HI
SC-PUD	Shopping Center Planned Unit Development	Unified grouping of retail shops in or outside of commercial zoned areas for convenience of adjacent residential areas
B-1	Local Commercial District	Intended for retail trade & services for regular needs
B-2	General Commercial District	Personal, business & general retail service for the community
TC	Tourist Commercial District	Commercial activities for needs of tourists
MSD	Main Street District	Personal, business & general retail service along Main Street
LI	Light Industrial District	Light industrial uses as defined in the ordinance
HI	Heavy Industrial District	Heavy industrial uses as defined in the ordinance
IP	Industrial Park District	Administrative facilities, offices, research institutions and similar enterprises

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The majority of land within Española's city limits is zoned residential—specifically R-6 (Urban Residential) and R-1 (Rural Residential)—followed by Local Commercial District and General Commercial District land, zoned B-1 and B-2. There are only three parcels in Española that are zoned for industrial use; two are zoned L-I (Light Industrial) and the other is H-I (Heavy Industrial). The two L-I parcels are located in Española's Industrial Park District.

Apart from two baseball fields located adjacent to the Industrial Park District, no land within Española's corporate limit is zoned for agriculture, recreation, or open space, specifically.

Española has two historic districts within city limits—Santa Cruz Plaza and Plaza de Española. Specifications for preserving the historic character of these areas are included in the zoning ordinance for these two historic districts.

In late 1999, City officials began redrafting the zoning ordinance. The new zoning ordinance has been completed. The revised ordinance, "City of Española Official Zoning Code," was adopted September 18, 2002.

7.03 Past & Current Planning Efforts

A. Comprehensive Plans. The most recent Comprehensive Plan for Española was completed in December of 1971 - *Comprehensive Plan to 1991 Española Planning Area Including Portions of Rio Arriba and Santa Fe Counties: A Guide to Growth*, prepared by Kenneth W Larson and Associates. The comprehensive plan contains data and recommendations for the City of Española and the immediate surroundings, as well as planning provisions for Velarde, Chimayo, and Cuyamungue. The plan focuses on issues of housing, offers a population study and projections up to the year 2000, and provides an analysis of economic, employment and labor trends. It offers a future land use scenario that includes a designated central urbanizing area and outlines water and sewage management plans for the City of Española and the larger planning area of that time.

B. Annexation. In the past, individual property owners outside of City boundaries have been allowed to petition the City Council for annexation. This scenario has led to small pockets of land being annexed over time versus the strategic annexation of significant land parcels to develop a uniform, comprehensive municipal

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boundary. In 1998, the City Manager's office conducted an Annexation Feasibility Study. The first objective of the Annexation Study was to review existing City boundaries and create an urban growth policy which focused on managing growth within the City boundaries and adjacent communities. The second objective was to determine the feasibility of annexing the adjacent unincorporated areas of El Llano, Santa Cruz, Sombrillo, and San Pedro. (City of Española 1998)

The study also addressed: non-municipal communities relying on municipal services such as sewer and water services and fire and police protection; potential nitrate contamination of municipal ground water sources due to use of septic systems in dense residential areas outside the City; loss of community cohesiveness due to the annexation of sections of established neighborhoods; and, interest on the part of the City to manage growth and development on its borders. (City of Española 1998)

The plan developed three alternatives. Alternative one suggested a phased annexation of the three areas based on their impact to the City, environmental conditions, transportation, infrastructure need, and connection to City services. The second alternative was an adoption of a City policy to enter into joint powers agreements with Rio Arriba and Santa Fe counties to exercise an extra-territorial zoning and subdivision jurisdiction in order to control growth at the City's borders. The third alternative – and the one preferred by City staff – was to annex the unincorporated areas of El Llano and Santa Cruz and establish a growth boundary until adequate infrastructure is in place to accommodate current and future growth. The Boundary and Re-alignment Committee has adopted the plan and requested its implementation. The Department is currently working at identifying property owners with the goal of completion of Phase One (El Llano - Rio Arriba) by December 2003.

C. Council for Urban Economic Development. In the late 1990's, the Council of Urban Economic Development (CUED) was retained by the Department of Energy (DOE) to provide assistance to communities that have been or may be adversely affected by the downsizing and closure of DOE facilities. Working with the Office of Worker and Community Transition, CUED provided assistance to communities in designing and implementing economic development strategies and preparing for new economic opportunities. In 1998, Española enlisted CUED's assistance in addressing issues and barriers for economic development. And, in May 2001, the CUED provided the City

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with *Española: Planning for the Future* – a broad planning and economic development document that provided recommendations for: land use planning and zoning; infrastructure; economic development; education; and, performance measurements for the City.

7.04 Key Regional Institutions & Collaborations

A. Jemez y Sangre Water Planning Council. Water planning is normally conducted on a regional basis, which reflects the natural basins and sub-basins of streams and rivers. The Jemez y Sangre Water Planning Council is studying water availability and potential demands for 10 sub-basins in the Jemez y Sangre region. The Council is made up of representatives from the City of Española, as well as other cities, counties, pueblos, state agencies, and interested parties in or adjacent to the watershed sub-basins. The Jemez y Sangre Water Planning Council is working to ensure an adequate supply of water for the region into the future.

B. Española Valley, Pojoaque Regional Wastewater Treatment Project. In 1998, Española Mayor Richard Lucero initiated the development of a steering committee to address groundwater supply and contamination in the region. The steering committee is comprised of representatives from Española, the city and county of Santa Fe, Rio Arriba County, the Eight Northern Indian Pueblos Council, as well as acequia and domestic water associations. The committee will work on completion of the development a regional septage facility in Pojoaque. Initial groundwork and technical studies are being completed to set the stage for construction activities of the facility. (Utton 2001)

C. Tri-Area Association for Economic Development (TRADE). Trade was established in 1983 as a private, non-profit economic development organization to serve regional economic development needs for Santa Fe, Rio Arriba County, and Los Alamos County, as well as associated municipalities and Indian Pueblos. TRADE focuses on regional economic development and industry cluster development (focusing on bioscience, publishing and woodworking), and has developed and marketed a business park promotional piece for industrial parks in the region. TRADE has also conducted an annual forum on telecommunications. (CUED 2002)

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D. Regional Development Corporation (RDC). To minimize social and economic impacts to communities from Department of Energy workforce restructuring, the DOE established a community transition program under the 1993 Defense Authorization Act. The transition program encourages communities to chart their own economic future by establishing community reuse organizations (CROs) which serve to unify the community voice during the planning and implementation of economic transition from DOE dependence. The RDC is recognized by the DOE as the Community Reuse Organization for Rio Arriba, Santa Fe, and Los Alamos counties.

The RDC has facilitated the development of three business parks, two incubator businesses, a job training program, and a revolving loan fund for the three-county region, as well as a recent initiative to improve telecommunications by funded Range Fire, a company providing high-speed internet access in Española. (Funding from RDC is expected to assist Range Fire in providing broadband access to Northern New Mexico Community College, free of charge.)

In addition, the RDC has funded an information technology program that provides web design training. The program also links college services, students, and members of the Northern New Mexico Internet Professionals Association to small businesses throughout the region. (CUED 2002)

E. Eight Northern Pueblo Indian Council. The Eight Northern Pueblos Council is an inter-tribal nonprofit organization that provides community based services in economic development, community services, social services, employment, and training to the Taos, Picuris, San Juan, Santa Clara, San Ildefonso, Nambe, Pojoaque, and Tesuque pueblos. At the time of this report, the Department of Energy was reviewing the Council for official designation as a Community Reuse Organization. (CUED 2002)

F. Greater Española Valley Community Development Corporation. The Greater Española Community Development Corporation focuses on economic development in the Española Valley, and has been involved in the preparation of an economic development plan for the region. Members of the CDC were instrumental in bringing Valor Telecommunications to Española. The CDC's goals include:

- Create a sustainable diversified economy;
- Provide quality education and training opportunities;
- Strengthen families; and,

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- Respect the diverse culture of the region. (CUED 2001)

G. New Mexico Small Business Development Center (SBDC).

The SBDCs are statewide network of business assistance centers which provide information and assistance to small businesses throughout New Mexico. The centers offer a variety of services including: one-on-one business counseling; business plan development; business related workshops and seminars; assistance in assembling loan packages or financial plans; financial analysis; references to other services; marketing and sales planning; computer use; market research assistance; general business information; access to PRO-Net and SBA information; business startup information; and, a local youth grant program. Española's local center is based at Northern New Mexico Community College. (CUED 2001) The Center is currently conducting an Economic Development Business Survey for the City of Española. The results from the business survey will be available by May 2003.

H. North Central New Mexico Economic Development District.

NCNMEDD was formed in 1967 as a result of the federal Public Works and Economic Development Act of 1965. The District was created to assist units of local government in the development and implementation of a regional economic development program. The District includes the following counties: Rio Arriba, Santa Fe, Los Alamos, Taos, Colfax, Mora, San Miguel, and Sandoval. NCNMEDD is governed by a 35-member board comprised of local elected officials, economic development committee representatives, members at large, and representatives from pueblos.

At the Regional Development Corporations request, the NCNMEDD manages an economic development loan fund for Rio Arriba, Santa Fe and Los Alamos counties. The NCNMEDD also manages a separate revolving loan fund for businesses within the City of Santa Fe. In 1997, the NCNMEDD joined a strategic partnership with TRADE to provide economic development activities targeted toward business development, with a special emphasis on industrial clusters appropriate for the three-county region. (CUED 2001)

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I. Los Alamos National Laboratory (LANL). In 1997, the University of California's contract for the management of the Los Alamos National Laboratory was renewed. Under the Department of Energy's renewal provision, the university was to provide an assessment of LANL's regional involvement within the first two years of the five year contract, and improve LANL's outreach and responsiveness to communities throughout the five year term. The LANL Foundation was established as a means to improve economic development and involvement with nearby communities. Actions taken through the Foundation range from maintaining an up-to-date community contact list to conducting ongoing one-on-one meetings with community leaders and holding annual community leader summits. The university and DOE are expected to contribute \$40 million over the five year renewal period to support education initiatives and community projects in the Española Valley (CUED 2001).

In 1997, LANL established the Technology Commercialization office (TCO) which offers training, networking opportunities, venture capital development, and small business partnerships to technology related entrepreneurs and businesses in the region (CUED 2001). In addition to development of the LANL Foundation, a purchasing program with local business from seven Northern New Mexican counties has been implemented. Currently, of the top fifty companies doing sales with LANL, thirty-eight are located in Northern New Mexico. To assist small businesses in establishing procurement with the Lab, LANL has hosted seminars that address procurement process and policies, instructions for responding to requests for proposals or quotations, and marketing. They have also scheduled weekly meetings between LANL procurement staff and local business to negotiate purchase orders (CUED 2001). In April of 2002, LANL designated a small business liaison to staff an outreach office at Northern New Mexico Community College. The LANL small business liaison works closely with the Northern New Mexico Suppliers Alliance to match local businesses with LANL contracts. From 1996 to 2001, procurements from seven northern counties increased by 84%. In Rio Arriba County, procurements have increased 12-fold in this same time period, from 1.35 million to \$16.24 million (Collins 2002).

J. Northern New Mexico Suppliers Alliance (NNMSA). The Northern New Mexico Supplier Alliance is a member-driven organization that promotes economic growth through business development in Northern New Mexico. The NNMSA focuses on

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bringing corporations, government agencies, and the NNMSA members together to create business opportunities, and better the communities in which NNMSA members live and work. NNMSA has a partnership with LANL, and works to match local member businesses with LANL contracts. The NNMSA is committed to: providing a forum where sustainable business and community relations can be forged; becoming a force for economic growth and development in New Mexico; committing to a creation of a Northern New Mexico legacy. (NNMSA 2002)

K. Johnson Controls Northern New Mexico (JCNNM). In 1997, Johnson Controls won a bid for a five year contract with LANL to assist in economic growth and job creation for surrounding communities. Johnson Controls developed a \$2.6 million business center at NNMCC comprised of a commercial kitchen. The kitchen is used to teach culinary arts and food processing techniques and is also rented to vendors who process foods for retail sale. Johnson Controls had also assisted in the establishment of the Northern New Mexico Development Corporation, and was responsible for the development of a recycling depot at Nambe Pueblo and management assistance for a Santa Clara custodial service (CUED 2002). Johnson Controls will complete its current contract, September 30, 2002. Upon completion of Johnson's Controls contract, a newly formed company (comprised of a joint venture among Kellog Brown and Root Inc., Shaw Infrastructure Inc, and Los Alamos Technical Associates Inc) will continue the subsequent five year contract, and will begin transitional work with Johnson's Controls on October 1, 2002. (Collins 2002)

L. Northern Pueblos Regional Planning Organization (NPRPO). The Regional Planning Organization was established in the early 1990's through federal funding and as a means to engage local government / regional organizations in State highway and transportation planning. There are seven RPO's throughout the state. The majority of these RPO's are administered by Council of Govenors (COGs) The Northern New Mexico Region RPO represents four counties and eight pueblos (and includes District 5 of the State Highway & Transportation Department).

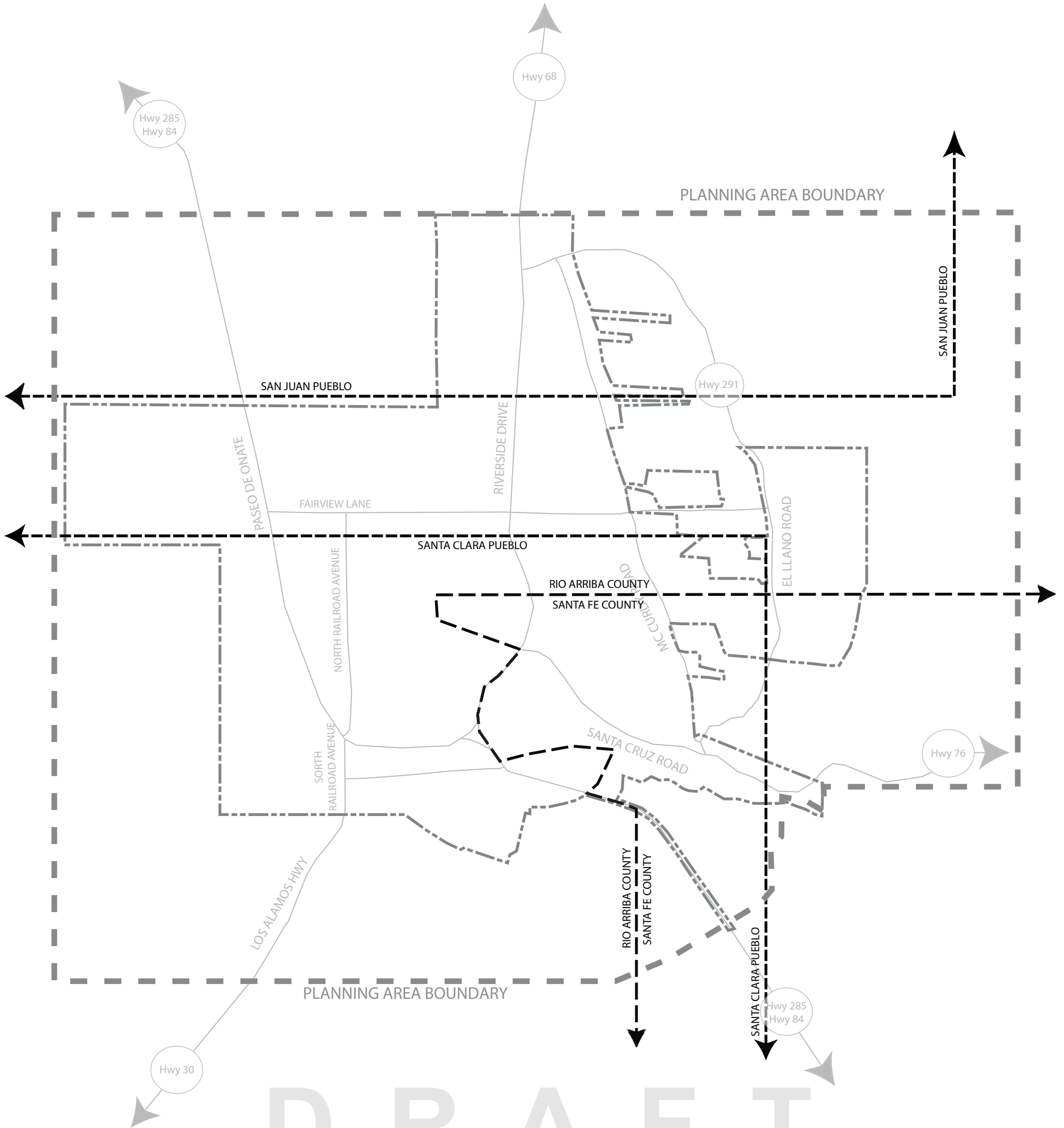
The RPO prioritizes, recommends and submits to the State Transportation Improvement Program (STIP) regional transportation proposals (that range from enhancement projects, safety projects, transit projects, to the public's transportation concerns and issues) for each fiscal year. The RPO is involved in at least three transportation projects that relate to the City, including:

- State Bypass / Relief Route
- Pojoaque to Espanola Highway Corridor Study
- North of Espanola to Abiqui Highway Study
- Potential Scenic Byway from Santa Fe to San Juan

The RPO has assisted in placing the Main Street District on STIP for funding in the range of \$800,000. Currently, this project is on hold as the State and City negotiate ownership transfer of the Main Street District portion of Onate Street. The RPO is developing a Regional Transportation Plan for Northern New Mexico. The plan is expected to be available for public distribution in January 2003; final adoption of the plan is expected in 2004.

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