

**SUPPLEMENTAL GUIDELINES**  
**for the**  
**TORRANCE COUNTY SUBDIVISION REGULATIONS**

Adopted by the Torrance County Commission  
on  
December 11, 1996

Effective Date: January 10, 1997

## TABLE OF CONTENTS

<u>SECTION</u>		<u>PAGE</u>
1	Design Requirements for Water Conservation .....	1
2	Quantification of Annual Water Requirements .....	1
3	Water Right Permits for Final Plats .....	2
4	Community Water System Requirements .....	3
5	Water Availability Assessment for all Type-one Type-two, and Type-four Subdivisions, and All Type-three and Type-five Subdivisions Containing Six or More Parcels .....	4
6	Water Availability Assessment for Type-three and Type-five Subdivisions Containing Less than Six Parcels .....	7
7	Liquid Waste Disposal Documentation .....	7
8	Liquid Waste Disposal Requirements .....	9
9	Solid Waste Disposal Documentation .....	10
10	Solid Waste Disposal Requirements .....	11
11	Terrain Management Plan .....	11
12	Traffic Impact Analysis .....	15
13	Fire Protection Requirements .....	16
14	Water Quality Documentation .....	17
15	Water Quality Requirements .....	19
16	Open Space Criteria .....	20
17	Protecting Cultural Properties .....	20
18	Lot Standards .....	21
19	Street Name and Address Requirements .....	21
20	Subdivision Fencing .....	22
21	Road Design Criteria .....	22
22	Standard Forms for Disclosure Statements (5 parcels or less) . . . .	24
	Standard Forms for Disclosure Statements (More than 5 parcels) . .	33

**SUPPLEMENTAL GUIDELINES  
for the  
TORRANCE COUNTY SUBDIVISION REGULATIONS**

THESE SUPPLEMENTAL GUIDELINES ARE ADOPTED BY REFERENCE IN THE TORRANCE COUNTY SUBDIVISION REGULATIONS. ANY MODIFICATIONS TO THESE GUIDELINES SHALL BE SUBJECT TO PUBLIC NOTIFICATION AND MUST BE APPROVED BY RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOLLOWING A REVIEW AND RECOMMENDATION BY THE TORRANCE COUNTY PLANNING AND ZONING COMMISSION.

**Section 1. Design Requirements for Water Conservation**

The following water conservation measures shall apply to all new development in subdivisions approved by the County:

- 1.1 Water-saving fixtures shall be installed in all new residential and non-residential buildings. Water-saving fixtures shall include, but not be limited to, low-flush toilets, low-flow shower heads, low-flow faucets, and insulation of hot water pipes.
- 1.2 Low water use landscaping techniques applying the principles of xeriscaping should be utilized.
- 1.3 All non-residential service connections, regardless of source of supply, and all residential buildings served by a new community water system shall be metered. Water produced from each well in a new community water system or at each surface water source shall also be metered and the volume thereof reported to the State Engineer's Office.
- 1.4 Water distribution mains shall be pressure tested in accordance with New Mexico Standard Specification for Public Works Construction, Section 801.16.
- 1.5 Where water pressure at the customer service connection exceeds 80 pounds per square inch (psi), a pressure reducing valve shall be installed on the service connection.

**Section 2. Quantification of Annual Water Requirements**

In order to calculate the water requirements of the proposed subdivision for planning purposes, one of the following procedures shall be used to quantify the maximum allowable subdivision water use per year:

- 2.1 For residential subdivisions, the subdivider may choose to estimate the maximum annual water requirement for both indoor and outdoor purposes by one of the following methods:
  - a. Apply a multiplier of 0.55 acre-feet of water per year for each parcel in the

subdivision. Subdividers who choose this procedure should limit the maximum area of irrigated landscape on any one parcel to 1,600 square feet or less, and prohibit water features that may consume significant amounts of water, such as outdoor swimming pools. This method is recommended for subdivisions with individual wells; or

- b. The subdivider may, as an option, or if requested by the County, prepare a detailed water demand analysis using the step-by-step computational procedure presented in the relevant State Engineer Technical Report. This method is recommended for subdivisions that will obtain their water supply from a community system. Consideration shall be given to the water use patterns of customers in the local area or on an existing system. If the subdivider proposes limiting water use to less than 0.25 acre-feet of water per year for each parcel, then a water conservation plan or water use restrictive covenants will have to be submitted to demonstrate how the subdivider will assure limited water use. It is not the intent of these Guidelines to limit the right of the subdivider to propose a development with an annual water use in excess of 0.55 acre-feet of water per year per parcel.

- 2.2 A detailed water demand analysis shall be prepared for all non-residential subdivisions and all water uses not directly related to residential uses within a mixed development subdivision. Annual water requirements shall be estimated using the relevant State Engineer Technical Report.

### **Section 3. Water Right Permits for Final Plats**

- 3.1 For all new subdivisions located within the declared underground water basin containing twenty or more parcels any one of which is two or less acres in size, proof of a valid water right permit issued by the State Engineer pursuant to Sections 72-5-1, 72-5-23, 75-5-24, 72-12-3 or 72-12-7 NMSA 1978, sufficient in quantity to meet the maximum annual water requirement of the proposed subdivision and authorized for this purpose, shall be provided by the subdivider as a condition of approval of the final plat.
- 3.2 For all new subdivisions located within the declared underground water basin not covered by 3.1, above, where the proposed water supply for the subdivision will be other than domestic wells to be approved by the State Engineer pursuant to Section 72-12-1, proof of a valid water right permit issued to the subdivider or to an existing community water system or municipal water system sufficient in quantity to meet the maximum annual water requirement of the proposed subdivision and specifically authorized for this purpose, shall be provided by the subdivider as a condition of approval of the final plat.

### **Section 4. Community Water System Requirements**

- 4.1 A community water system is any existing or proposed water supply system which relies upon surface and/or groundwater diversions other than wells permitted by the State Engineer under Section 72-12-1 NMSA 1978, and which consists of a common storage

and/or distribution facilities operated for the delivery of water to multiple service connections. A community water system which serves at least fifteen service connections or serves at least twenty-five individuals is also a public water supply system and is subject to the requirements of the New Mexico Drinking Water Regulations (20 NMAC 7.1).

- 4.2 A community water system shall be required for all subdivisions where any one of the following criteria are met:
- a. Subdivisions containing twenty parcels, any of which is equal to or less than two acres.
  - b. For all subdivisions containing nineteen or less parcels, or subdivisions containing twenty or more parcels in which the minimum parcel size is greater than two acres, where groundwater would be supplied from geologic formations where wells have been determined to produce at a rate of 2 gpm or less, or where available information suggest the likelihood of low yielding wells. In lieu of a community water system, individual or shared wells may be drilled by the developer, provided that it can be demonstrated that production can be sustained at rates greater than 2 gpm, and is adequate to meet maximum annual water requirements of all parcels.
- 4.3 If water will be supplied from a community water system, the subdivider shall submit a plat of the proposed subdivision, and preliminary plans for the water production, storage, and distribution facilities prepared by or under the supervision of a registered professional engineer. The site plans shall show the topography, parcel boundaries, streets, wells, and water storage and distribution system, including hydrants. The size or capacity of the water system components should also be indicated on the site plans. Preliminary well plans shall include casing diameter, total depth, screened interval and proposed pump setting. All distribution mains shall be a minimum of six inches in diameter.
- 4.4 Shared well systems, permitted under Section 72-12-1 NMSA, may be allowed subject to Subsection 4.2.b, under the condition that the maximum number of parcels served by one well shall not exceed five parcels.
- 4.5 Covenants and land use restrictions shall be adopted strictly prohibiting the drilling or use of individual and/or shared domestic wells for any subdivision which requires or utilizes a community water system.
- 4.6 If a community water system is proposed or required, the developer should consult with the New Mexico Public Utilities Commission regarding the applicability of the Public Utility Act to the community water system.

**Section 5. Water Availability Assessment For All Type-one, Type-two, and Type-four Subdivisions, and All Type-three and Type-five Subdivisions Containing Six or More Parcels.**

- 5.1 Subdivisions that are being served by an existing Public Utility shall provide a water availability statement from the approved utility.
- 5.2 A water availability assessment shall be submitted by the subdivider:
  - a. As a condition of preliminary plat approval for all Type-one, Type-two, and Type-four subdivisions, and Type-three subdivisions containing six or more parcels.
  - b. As a condition of final plat approval for type-five subdivisions containing six or more parcels.
- 5.3 The requirements of the water availability assessment are dependent on the source of water supply such that:
  - a. For subdivisions where the source of water will be a new groundwater diversion and community system permitted pursuant to Section 72-12-3 or 72-12-7 NMSA 1978, the subdivider shall demonstrate a 70-year supply, and shall submit a geohydrologic report in accordance with Subsection 5.4.
  - b. For subdivisions where the source of supply will be an existing community or municipal water supply system permitted pursuant to Sections 72-5-1, 72-5-23, 72-5-24, 72-12-1, or 72-12-3, the subdivider shall submit a water utility plan in accordance with Subsection 5.5.
  - c. For subdivisions where the source of water will be individual domestic wells, or shared wells permitted pursuant to Section 72-12-1, the subdivider shall demonstrate a 70-year supply and shall submit a geohydrologic report in accordance with Subsection 5.6.
- 5.4 For new community wells and water systems, the subdivider shall submit a water supply plan and geohydrologic report which meets the following requirements:
  - a. Geohydrologic reports shall demonstrate that groundwater sufficient to meet the maximum annual water requirement of the subdivision is physically available and be practically recovered to sustain the development for a continuous period of 70 years. These analyses shall take into account the production of existing wells and shall demonstrate that the wells serving the subdivision, as proposed or as designed, will be capable of producing the full annual demand for at least 70 years.
  - b. The subdivider shall drill sufficient exploratory wells within the boundaries of the proposed subdivision to adequately characterize the aquifer, unless the subdivider can demonstrate that existing wells in the area are representative of general aquifer conditions within the subdivision. Where existing wells are not adequate to demonstrate aquifer conditions, aquifer parameters required to demonstrate the availability of water should be obtained from aquifer tests, performed on site, which

are adequate for predicting long-term water availability or from tests conducted on nearby wells. Alternate, tests can be conducted on nearby off-site wells if the subdivider can demonstrate that these wells are representative of general aquifer conditions within the subdivision.

- c. The assessment shall include a calculated 70-year schedule of effects on the proposed subdivision's production well(s) which may result from existing demands and from the increase of groundwater withdrawals for the subdivision. Analyses shall be performed to assess whether future water level declines will be within the limits of allowable draw down in the subdivision production wells as provided in Subsection 5.4.d. Predicted draw downs shall be calculated in a conservative manner (which estimates maximum draw down). These calculations shall include estimates of future water uses.
  - d. The subdivider shall calculate the lowest practical pumping water level in the proposed subdivision pumping wells by any of the following methods as appropriate, provided there shall be no presumption made as to additional available water below the bottom of the proposed production well, and further provided that the total available draw down shall be reduced by a factor of 20 percent as a margin of safety to account for seasonal fluctuations, drought allowance, reduction of well efficiency over time, and peak production requirements:
    - 1. By using the results of acceptable on-site aquifer pump tests. The lowest allowable pumping level may be the lowest water level reached during the test.
    - 2. By setting the level at the top of the uppermost screened interval.
    - 3. In wells completed in fractured aquifers, the lowest practical pumping water level may be above the top of the fracture zone.
    - 4. In wells completed in alluvial aquifers, the lowest practical pumping water level may be defined by a maximum allowable draw down equal to 70 percent of the initial water column.
  - e. The geohydrologic report should present all hydrologic information pertinent to the study area including that available from past geohydrologic studies. All sources of information used in the report should be identified including basic data collected by the consultant who prepared the report. The report shall contain maps and cross-sections showing geology, depth to the water bearing formation, water level contours, and estimated thickness of saturation in the aquifer. Basic data for the immediate area of the subdivision must be current, with the date of collection noted and the location identified on a map. The report on the investigation should be in the form of a technical narrative; spreadsheets, tables, graphs, maps and cross-sections shall be included.
- 5.5 For community water systems in which existing utility companies is proposed as the source of water supply, the subdivider shall submit a water supply plan which meets the following requirements.

- a. For all water utilities:
  - 1. Name of the utility proposed as the source of supply. Letter of intent from the utility that they are ready, willing, and able to provide the maximum annual water requirements for the subdivision for at least 70 years. The letter must also state any requirements for the subdivider to provide water rights.
  
- b. For water utilities other than municipal owned water utilities:
  - 1. Documentation showing the quantity of water presently produced annually, quantity of water supply commitments to date, and proof of sufficient water rights to meet both existing commitments and the requirements of the proposed subdivision.
  - 2. For New Mexico Public Utilities Commission (PUC) certified utilities, a copy of the most recent annual report submitted to the PUC.
  - 3. Plans for the existing water system to which the proposed system will tie into. The plans shall show diversion point locations, and water storage and distribution system. The size or capacity of the water system components should also be indicated on the plans.
  - 4. Any other information, including any or all of the requirements of subsection 5.4. required by the Board of County Commissioners to make a determination that the utility has the capability to meet the water requirements of the proposed subdivision.
  
- 5.6 For subdivisions where the source of water will be individual domestic wells, or shared wells, permitted under Section 72-12-1 NMSA 1978, the subdivider shall submit a water supply plan and geohydrologic report which meets the following requirements:
  - a. A geohydrologic report conforming to the requirements of Subsection 5.4.
  - b. The geohydrologic report shall also include a calculated 70-year schedule of off-site effects (draw downs) which may result from the increase of groundwater withdrawals for the subdivision. These calculations shall include estimates of future water uses. The report shall identify by ownership and location all existing wells which will either go dry, experience dewatering of 50 percent of their water column or more, or experience an average annual rate of water decline of one foot or more as a consequence of the proposed subdivision's groundwater diversions. The report shall also identify by name and location all springs, streams, ditches and drains, the flows of which will be diminished by the proposed groundwater diversions. All natural or man-made ponds, lakes, reservoirs, or wetlands that will be impacted shall also be identified.

**Section 6. Water Availability Assessment For Type-three and Type-five Subdivisions Containing Less Than Six Parcels**

- 6.1 If the source of water supply will be an existing community water system or municipal water system, the subdivider shall submit a water availability assessment containing the following information:
  - a. Name the utility proposed as the source of supply.
  - b. Letter of intent from the utility that they are ready, willing, and able to provide the maximum annual water requirements for the subdivision.
  
- 6.2 If the subdivider proposes that the source of water shall be individual domestic wells or shared wells to be approved by the State Engineer pursuant to Section 72-12-1 NMSA 1978, the subdivider shall submit a water availability assessment containing the following information:
  - a. At least one well log from an on-site well or from an existing nearby well completed in geologic conditions representative of the conditions within the proposed subdivision.
  - b. A description of the water bearing formation including a statement of the maximum and minimum depths to water in the subdivision and the basis for these statements.
  - c. A statement of the estimated yield of wells in gallons per minute based upon well logs from existing nearby wells.
  - d. Any additional information which is required by the Board of County Commissioners that will enable it to determine whether or not the subdivider can fulfill the proposals contained in his disclosure statement.

**Section 7. Liquid Waste Disposal Documentation.**

For a subdivider to document conformance with the liquid waste disposal requirements of the Torrance County Subdivision Regulations and the New Mexico Subdivision Act, a liquid waste disposal documentation package shall accompany the preliminary plat submittal.

- 7.1 The liquid waste disposal documentation package shall:
  - a. State the subdivider's name and mailing address;
  - b. State the date the package was completed;
  - c. State the subdivider's proposal for meeting the liquid waste disposal requirements of these Regulations;
  - d. Be accompanied by a copy of the subdivider's draft disclosure statement on liquid waste disposal;

- e. Be accompanied by the information required in subsections 7.2, 7.3, and 7.4 of this Section as applicable to the subdivider's liquid waste disposal proposal; and,
  - f. Be accompanied by other relevant information as may be necessary for determination of compliance with the liquid waste disposal requirements of this Section and Section 8 herein.
- 7.2 If the subdivider proposes a new community liquid waste system, the following information shall be submitted as part of the liquid waste disposal documentation package:
- a. An engineer's report and preliminary plans for the proposed community liquid waste system;
  - b. Maps showing the location of all water supply sources and the flood plain of all watercourses and surface bodies of water or wetlands within 1,000 feet of the proposed liquid waste treatment and liquid waste disposal site; and,
  - c. Documentation of the filing of a "Notice of Intent to Discharge" with the New Mexico Environment Department in accordance with the New Mexico Ground and Surface Water Quality Protection Regulations (20 NMAC 6.2).
- 7.3 If the subdivider proposes a liquid waste system by connection to and extension of an existing community liquid waste system, the following information shall be submitted as part of the liquid waste disposal documentation package:
- a. A statement of availability of liquid waste service signed by an official of the existing liquid waste system; and,
  - b. An engineer's report and preliminary plans for the proposed extension to the existing liquid waste system.
- 7.4 If the subdivider proposes individual liquid waste systems, the following information shall be submitted as part of the liquid waste disposal documentation package:
- a. A soils investigation report (soil survey, soil borings to a minimum depth of eight feet, soil test results and analysis of the soil survey, soil boring, and soils test) defining soil depth to bedrock, seasonal high water ground water table or other limiting soil layer, and percolation rate for the soils present within the proposed subdivision;
  - b. Maps showing the location of all water supply sources and the flood plain of all watercourses and surface bodies of water or wetlands within the proposed subdivision and within 500 feet of the proposed subdivision boundaries;
  - c. A liquid waste system feasibility map, superimposed on the subdivision plat, delineating the areas of suitable, limited, and prohibitive soil categories as defined below:

1. A suitable soil has all of the following characteristics: a percolation rate from 5 to 60 minutes per inch; a ground slope from 0 to 8 percent; a soil depth to seasonal high ground water table or bedrock or other limiting soil layer of 8 or more feet; and a location outside of a flood plain.
  2. A limited soil has one or more of the following characteristics: a percolation rate faster than 5 minutes per inch, or from 61 to 120 minutes per inch; a ground slope from 9 to 15 percent; a soil depth to seasonal high ground water table or bedrock or other limiting soil layer from 4 to 8 feet; and a location outside a flood plain.
  3. A prohibitive soil has one or more of the following characteristics: a percolation rate slower than 120 minutes per inch; a ground slope greater than 15 percent; a soil depth to seasonal high ground water table or bedrock or other limiting soil layer less than 4 feet; and a location that is within a flood plain.
- d. Preliminary plans for the individual liquid waste systems if a system will serve more than one connection.
- 7.5 Documentation of approval for the discharge from a community liquid waste system from the New Mexico Environment Department will be required for final plat approval.

### **Section 8. Liquid Waste Disposal Requirements**

The following liquid waste disposal requirements shall apply to all subdivisions.

#### 8.1 Community liquid waste systems.

- a. A community liquid waste system shall be permitted, designed, and constructed by the time of first occupancy within the subdivision, to comply with 20 NMAC 6.2; and, operated, maintained, and expanded as necessary to insure that the system will comply with 20 NMAC 6.2.
- b. The subdivider shall disclose and covenant that all lots within the subdivision must connect to the community liquid waste system at the time of occupancy.

#### 8.2 Individual liquid waste systems.

- a. Individual liquid waste systems shall be located, installed, operated, and maintained in a manner which will not cause a hazard to public health or degrade any body of water.
- b. Individual liquid waste systems shall not be:
  1. installed on a lot with a net lot size of less than one acre;
  2. installed where an existing community liquid waste system is available for

3. use within the subdivision;  
installed in prohibitive soils as defined above;
  4. Installed at less than the setback distances as designated in the New Mexico Liquid Waste Disposal Regulations (20 NMAC 7.3); or,
  5. privies (outhouses) or cesspools.
- c. The subdivider shall disclose and covenant that the lots cannot be further divided or subdivided to lot sizes smaller than those approved for the subdivision. Any subsequent changes to covenants regarding the subdivision of lots shall require written approval by the Board of County Commissioners.
- 8.3 The disclosure statement for the subdivision shall contain a description of the means of liquid waste disposal for the subdivision.

### **Section 9. Solid Waste Disposal Documentation**

For a subdivider to document conformance with the solid waste disposal requirements of the Torrance County Subdivision Regulations and the New Mexico Subdivision Act, a solid waste disposal documentation package shall accompany the preliminary plat.

- 9.1 A solid waste documentation package shall:
- a. State the subdivider's name and mailing address;
  - b. State the date the package was completed;
  - c. State the subdivider's proposal for meeting the solid waste disposal requirements of this Section and Section 10 herein;
  - d. Be accompanied by a copy of the subdivider's draft disclosure statement on solid waste disposal; and,
  - e. Be accompanied by other relevant information as may be necessary for determination of compliance with the solid waste disposal requirements of this Section and Section 10 herein.
- 9.2 If the subdivider proposes solid waste collection by use of an existing solid waste collection service, the following information shall be submitted as part of the solid waste disposal documentation package:
- a. A statement of availability of solid waste collection and disposal service signed by an official of the solid waste collection service; and
  - b. The name, location and owner or operator of the solid waste disposal site used by the collection service.

- 9.3 If the subdivider proposes solid waste disposal by use of an existing solid waste disposal site, the following information shall be submitted as part of the solid waste disposal documentation package:
- a. A statement of availability of solid waste disposal service signed by an official of the disposal site; and,
  - b. The travel distance from the center of the subdivision to the disposal site.

### **Section 10. Solid Waste Disposal Requirements**

The following solid waste disposal requirements shall apply to all subdivisions.

- 10.1 At the time of first occupancy of the subdivision the subdivider shall provide for:
- a. Disposal of solid wastes at an approved solid waste disposal facility; and,
  - b. For a subdivision with 20 or more lots, an approved solid waste collection system to collect and transport solid wastes to the disposal facility.
- 10.2 The disclosure statement for the subdivision shall contain a description of the means of solid waste disposal for the subdivision.

### **Section 11. Terrain Management Plan**

- 11.1 Any person seeking approval of a subdivision plat must address terrain management. No subdivision plat shall be approved unless terrain management has been reviewed by the County.
- 11.2 A terrain management plan shall include a vicinity map showing the relationship of the site to its general surroundings, delineation of topographic contours, and the location of all existing drainage channels, water courses, and surface water bodies or wetlands within three miles of the proposed subdivision.
- 11.3 A terrain management plan shall include a natural features map for the lands within the subdivision. The natural features map shall include existing topographic contours with intervals of not less than two feet where the slope is less than eight percent and not more than five feet where the slope is eight percent or greater. The natural features map shall also indicate steep areas with slopes of 25 percent or greater, watercourses and floodways, major geologic features, and the types and distribution of vegetation.
- 11.4 Prior to plat approval the subdivider shall prove to the County that all lands to be developed are composed of soils suitable for the intended use. A soil survey map is recommended.

- a. Types-one, two, and four subdivisions shall have soil suitable for at least the following uses:
  1. Building foundation support;
  2. Road fill;
  3. Road location;
  4. Underground utilities;
  5. Water control structures; and,
  6. Erosion control structures.
- b. Types Three and Five subdivisions shall have soil suitable for, but not limited to:
  1. Building foundation support;
  2. Road fill; and,
  3. Road location.
- c. Soils not suitable or having a high degree of hazard for the intended use shall not be developed for the intended use unless the subdivider or purchaser can prove to the County that the inherent soil limitations may be overcome by engineering design.
- d. Soil suitability will be ascertained from soil survey engineering interpretations and shall be based on national standards as set forth by the USDA Natural Resources Conservation Service.

11.5 Grading plans will be subject to the following requirements:

- a. All grading, filling and clearing operations including road development shall be designed to:
  1. Preserve, match or blend with the natural contours of the land;
  2. Retain trees and other native vegetation to stabilize hillsides and cut and fill slopes, retain moisture, reduce erosion, reduce runoff, and preserve the natural scenic beauty;
  3. Minimize scars from cuts and fills;
  4. Reduce the amount of cuts and fills, and to round off sharp angles of all necessary cut and fill slopes;
  5. Minimize the transport of sediment; and,
  6. Ensure compatibility with the soil survey engineering interpretations and the local soil and water conservation district technical guide.
- b. The following discharges attributable to grading are prohibited whether the discharge is direct or indirect:
  1. Sediment and other organic or earthen materials discharged into a

