

**RESOLUTION OF THE  
RESOURCES AND DEVELOPMENT COMMITTEE  
23<sup>rd</sup> Navajo Nation Council --- Fourth Year, 2018**

**AN ACTION**

**RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE; CERTIFYING  
TS'AH BII KIN CHAPTER'S COMMUNITY-BASED LAND USE PLAN WHICH HAS  
REEVALUATED AND READJUSTED TS'AH BII KIN CHAPTER'S FIRST  
COMMUNITY-BASED LAND USE PLAN**

**BE IT ENACTED:**

**SECTION ONE. AUTHORITY**

- A. The Resources and Development Committee, pursuant to 26 N.N.C. § 2004(D)(2) shall certify community-based land use plans.
- B. Pursuant to 26 N.N.C. § 2004(D)(2), "Every five years the plan shall be reevaluated and readjusted to meet the needs of the changing community" and such readjustment is subject to the certification of the Resources and Development Committee of the Navajo Nation Council.
- C. Pursuant to 26 N.N.C. § 2004 (B), "Community-Based Land Use Plan. The chapter, at a duly-called chapter meeting shall by resolution, vote to implement a community-based land use plan, after the CLUPC has educated the community on the concepts, needs, and process for planning and implementing a community-based land use plan. The community-based land use plan shall project future community land needs, shown by location and extent, of areas identified for residential, commercial, industrial, and public purposes. The land use plan shall be based upon the guiding principles and vision as articulated by the community; along with information revealed in inventories and assessments of the natural, cultural, human resources, and community infrastructure; and, finally with consideration for the land-carrying capacity. Such a plan may also include the following: 1. An open space plan which preserves for the people certain areas to be retained in their natural state or developed for recreational purposes. 2. A thoroughfare plan which provides information about the existing and proposed road network in relation to the land use of the surrounding area. 3. A community facilities plan which shows the location, type, capacity, and area served, of present and projected or required community

including, but not limited to, recreation areas, schools, libraries, and other public buildings. It will also show related public utilities and services and indicate how these services are associated with future land use."

## **SECTION TWO. FINDINGS**

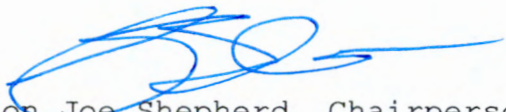
- A. The Ts'ah Bii Kin Chapter Community-Based Land Use Plan, attached as **Exhibit A**, was approved by Ts'ah Bii Kin Chapter Resolution TBK 2018-070-005, attached as **Exhibit B**.
- B. The Resources and Development Committee of the Navajo Nation Council finds it in the best interest of the Navajo Nation to certify the Ts'ah Bii Kin Chapter's Community-Based Land Use Plan which has been reevaluated and readjusted to meet the needs of the changing community.

## **SECTION THREE. CERTIFICATION OF TS'AH BII KIN CHAPTER'S REEVALUATED AND READJUSTED COMMUNITY-BASED LAND USE PLAN**

- A. The Resources and Development Committee of the Navajo Nation Council hereby certifies the reevaluated and readjusted Ts'ah Bii Kin Chapter's Community-Based Land Use Plan, attached hereto as **Exhibit A**.
- B. Certification of this Community-Based Land Use Plan shall not delineate adjacent chapter boundaries. Any chapter disputes rest solely with the Courts of the Navajo Nation.

## **CERTIFICATION**

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting at the Indian Wells Chapter, Indian Wells, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained on this 11<sup>th</sup> day of April 2018.

  
Alton Joe Shepherd, Chairperson  
Resources and Development Committee  
of the 23<sup>rd</sup> Navajo Nation Council

Motion: Honorable Walter Phelps  
Second: Honorable Benjamin Bennett

TSELANI PROFESSIONAL BUSINESS CONSULTING SERVICES, LLC  
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# TS'AH BII KIN CHAPTER

April 2017

## COMPREHENSIVE LAND USE PLAN Ts'ah Bii Kin Chapter's Mission Statement

The goal of the Ts'ah Bii Kin Chapter is to improve and enhance the quality of life and health of our residents in its Chapter service by providing appropriate services such as modernizing and building onto existing infrastructures to a growing community. Plan for the Ts'ah Bii Kin Community to include municipal services, residential development, rural development, business development and thoroughfare plan while preserving the traditional rural environment and maintaining harmony within the community. We strive to achieve this goal by obtaining available funding sources and creating partnerships with the Navajo Nation, county, State, and Federal entities.



Submitted to:  
**Ts'ah Bii Kin Chapter**

**Comprehensive  
Community Land Use  
Plan (CLUP)**

**TBK CLUPC Members:**

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Ms. Loretta Tisi, VP

Vacant, Secretary/Treasurer

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**Submitted: March 2017**

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# I. TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN (CLUP) OVERVIEW

## A. INTRODUCTION

The focus of the previous study was the former Inscription House Chapter now identified as "Ts'ah Bii Kin" chapter area, located in the northwestern region of the Navajo Nation proper, fifty (50) miles east of Page, Arizona. Ts'ah Bii Kin is considered a traditional community that is ready for commercial, economic and tourism development. Strategically placed between two tourist destinations of Lake Powell and Monument Valley, the community of Ts'ah Bii Kin realizes its prime location to develop economic success. The boundaries of the chapter can be seen in the overall TBK community map Exhibit 5: Ts'ah Bii Kin Chapter's Overall Chapter Map.

The Navajo Nation and Ts'ah Bii Kin Chapter are identifying housing developments and relational zones for the area. The projected housing would be supported by the land use plan in that it would work with identifying commercial, industrial, recreational and tourist proposed enterprises that would provide jobs for prospective housing applicants to become homeowners within their own community.

The Local Government Act (LGA) requires that Chapters wishing to administer land must develop a Community Based Plan, and that the Plan must:

1. Include projections of future community land needs, shown by location and extent.
2. Identify areas for residential, commercial, industrial and public purposes.
3. Be based upon the guiding principles and vision as articulated by the community.
4. Include information revealed in inventories and assessments of the natural, cultural, human resources, and community infrastructure as well as consideration for land-carrying capacity.

The Plan may also include the following:

1. A "Natural Resource Element" (open-space) plan which preserves for community members and certain areas to be retained in their natural state or developed for recreational purposes.
2. A "Transportation Element" (thoroughfare) plan which provides information about the existing and proposed road networks in relation to land use in the surrounding area.





3. A "Community Facilities Element" plan which shows the location, type, capacity, and area served, of present and projected or proposed community facilities.

1. **Tribal Planning**

Jojola (2008), stated that "tribal planning has long been based upon the principles of land tenure, management of resources, land stewardship, and sustainability" (p. 37), which, until recently, has been in direct conflict with the Western notion of land- use regulation as the primary tool in land use planning (Gromulat, 2012, p. 87).

The advancement of indigenous planning in the United States is dependent upon continuous evolution, the embracing of traditional cultural values, and innovative policy-making. Self-determination and self-governance are essential to the advancement of indigenous planning; ending the paternalistic approach that the federal government has taken in the past will hasten the flourishing tribal sovereignty that has grown stronger in recent years.

2. **Community-Based Planning**



Community-based planning is the current model used by the Chapters of the Navajo Nation at this point in time. Community based planning focuses on the involvement and empowerment of the community. Public participation is critical to cultural sustainability, embracing the sacred Navajo principles of nitsáhákees, nahatá, iiná and siih hasin (Gardner, Piawka & Trevan, 2014, p. 40).

A land-use plan has to be "guided by community assessments including natural resources, cultural resources and should project future community land needs by location and extent of areas for residential, commercial, industrial and public purposes Nation was a first step in embracing the idea of community based planning" (Gardner, Piawka & Trevan, 2014, p. 40).

## **B. TS'AH BII KIN CHAPTER**

1. **BACKGROUND**

Ts'ah Bii Kin Chapter is located in a rural area of the Navajo Nation approximately five (5) miles North of Junction Hwy 98 & N16 and approximately 60 miles north of Tuba City, AZ. The chapter house was built in the 1960. The community consists of a Senior Citizens Center, Head Start School, two (2) convenience stores, and an Indian Health Service (IHS) clinic. According to the 2010 U.S. Census, the total population of the community is 1,252 with 343 households, and the median age being 29.2. The community is predominately Navajo and Navajo continues to be the dominant language and four (4) major clans are Taabaahii, Tachiinii, To Dich'iinii and Kin Lichiinii.



Ts'ah Bii Kin is approximately fifty eight (58) miles within 1 hour travel time from Tuba City, Arizona. And it is about fifty one (51) miles and 1 hour travel time from Kayenta, Arizona. Most community members travel to Page, Arizona for household needs and it is 59 miles with 1 hour travel time to Page, AZ and it is 2 1/2 hrs and 134 miles from Flagstaff, Arizona.

**Name** - Until 2007, this Chapter was known as Inscription House, after a beautifully preserved Anasazi ruin with a much later inscription: "Shapeiro Ano Dom (Year of our Lord) 1661,"

presumably left by a Spanish missionary or explorer. Because of erosion and vandalism, Inscription House has been closed to the public since 1968. The chapter's present Navajo name, Ts'ah Bii Kin, or "House in the Sagebrush," refers to the old stone trading post you can still see next to one of the chapter's two convenience stores. From a distance, said local elder Henry Calamity, "it looked like the store was inside a huge sagebrush bush."

**Land area** - according Navajo Nation court's decision in 1970 the review of Bureau of Indian Affairs determined the official boundary of Ts'ah Bii Kin as that to be the district grazing boundary.

**Issues** - feral horses, erosion, bad roads, eroded dams, unmaintained windmills, illegal dumping sites, lack of land for development (housing, economic development, tourism, etc) overgrazing, no ordinance or codes, and no RMU.

**Assets** - beautiful landscape, Head Start, IHS clinic, two convenience stores, U.S. 98 frontage road.

## 2. LOCAL GOVERNMENT

The Ts'ah Bii Kin Chapter community elects individuals to lead and to make decisions for the community. The panel of Chapter officials is a four (4) member governing body which sets the policy and allocates the resources. The Chapter day to day operations is overseen by a Chapter Manager, Administrative Assistant, Planning Aide, Office Assistant, and Maintenance Technician. The Planning Meetings are the 1st Sunday of the month, and the Chapter Meetings are the 2<sup>nd</sup> Sunday of the month.

## 3. CURRENT TS'AH BII KIN CHAPTER'S GOALS:

- a) **Ts'ah Bii Kin House Wiring & Electrification Initiative:** Wire and electrify all homes in the community.
- b) **Solid Waste Station and Recycling Center:** Provide the community with a solid waste station so community members are not traveling miles to dump their household waste, and to combat illegal dumping and encourage proper waste disposal.

- c) Provide **adequate roads** for the community, repair dirt roads by first repairing and addressing **problems of erosion by Earthen Dams Restoration, Erosion Control, and Soil Conservation**, and to pave major roads like South N 16.
- d) **Rural addressing**- naming and mapping roads of Ts'ah Bii Kin Community enabling rapid emergency response.

### C. COMMUNITY SETTING

The community members of Ts'ah Bii Kin Chapter have some of the best views on the reservation, down into the canyons and up to Black Mesa, White Mesa, Square Butte and Navajo Mountain.

Ts'ah Bii Kin Chapter is located in a rural area of the Navajo Nation approximately five (5) miles North of Junction Hwy 98 & N16 and approximately sixty (60) miles north of Tuba City, AZ. The Chapter House was built in the 1960.



### D. COMMUNITY LAND USE PLAN OVERVIEW

Ts'ah Bii Kin Chapter's Community Land Use Plan presents the desired future community & economic development, enhancement, and local community-based and revitalization directions.

The Community Land Use Plan is the Chapter's "blue print" for land use and development, as well as conservation and preservation; it serves as the basis for rational decisions regarding the local community's long-term physical development and the protection of the Ts'ah Bii Kin community's natural and cultural resources. The Community Land Use Plan expresses the Ts'ah Bii Kin Chapter government's development goals and embodies public policy relative to the distribution of future land uses, both public and private. The goals, objectives, and programs of the Community Land Use Plan are intended to underlie most land



use decisions. Preparing, adopting, implementing, and maintaining a Community Land Use Plan (CLUP) serves to:

- Identify the local community's land use, transportation, environmental, economic, and social goals and objectives as they relate to land use and development.
- Provide a basis for decision-making, including decisions on development approvals.
- Provide local community members with opportunities to participate in the planning and decision making processes of the community.
- Inform local community members, developers, decision makers, and adjacent communities of the ground rules that govern development within the Ts'ah Bii Kin Chapter government.

Community Land Use Plans typically have three (3) defining qualities. **First**, they are general in nature, providing general guidance for the future, particularly regarding growth and development. More precise direction is provided in implementation documents and plans, such as annexations, zoning codes and other ordinances, design regulations, annual budgets, and capital improvements program. **Second**, Community Land Use Plans are comprehensive in scope, addressing a broad range of environmental, social, and economic factors that affect how communities change over time. These factors include land use and circulation, environment and natural resources, economic and fiscal conditions, as well as a host of others. These factors should be addressed in an interrelated and, wherever possible, consistent manner. **Third**, Community Land Use Plans address the long-range future of communities. While they may take immediate concerns into consideration, they focus primarily on the community future developments.

## E. SUSTAINABLE CHAPTER..PLANNING FOR FUTURE

Through the course of preparing the Community Land Use Plan, the Ts'ah Bii Kin Chapter continued to focus on the theme of sustainability. There is widespread recognition in the local community that the Community Land Use Plan must establish a framework of sustainability to ensure that current and future generations can sustain the social, economic, and environmental health of the Ts'ah Bii Kin community. This will entail continuous review and evaluation to ensure that the actions taken in implementing this Plan are consistent with this intent, and that the pre-eminent focus of the Plan should always be on the needs of Community members, both now and in the future.

In 1998, the Navajo government passed the Local Governance Act (LGA) which permits Chapters to be "certified" resulting in greater autonomy in their financial and decision-making actions among other local matters. This legislation is transformative as it gives significant empowerment to local decision-making and a strong role of community members in governance. The legislation is also important to planning in that it provides authority to the Chapters to administer and manage the lands within their jurisdictions and produce community land use plans.



The LGA was promulgated in 1998 as a way to decentralize authority from the central government toward greater local control and decision-making based on local culture and traditions. The critical point for this study is that the LGA also instructed Chapters that these plans were to be updated every five years. The principal reason for this study is to examine the existing plans and identify problems and barriers to effective plan-making, in order to provide guidelines for updating plans.

## **1. Certification and AFOG**

Certification under the Local Governance Act of 1998 holds many advantages and should be pursued. Among these advantages are greater funding, more autonomy from the Navajo Nation government, the ability to appoint members to the CLUPC, and perhaps most importantly, the ability to form an Alternative Form of Government (AFOG). An AFOG can enable the Chapter government to form a stronger local governing structure and create policy without the need for a quorum of twenty-five (25) Chapter members present for decision-making. Empowering the local government in this way will enable accelerated decision-making. (Gardner, Piawka & Trevan, 2014, p. 19).

On June 24th, 2016, Ts'ah Bii Kin Chapter became the 45th chapter to obtain certification under the Local Governance Act (LGA) that provides more autonomy and power. As part of its authority as a LGA certified chapter, Ts'ah Bii Kin Chapter have the opportunity to proceed with the formation of an Alternative Form of Governance (AFOG) that will allow the Chapter to operate in a fashion similar to a municipality by creating either a council-mayor form of government or a council-city manager form of government. Ts'ah Bii Kin Chapter has recently decided to maintain its current governmental structure. Eventually the implementation of AFOG will enable stronger leadership at the Ts'ah Bii Kin's government level and provide alternative solutions to various barriers.

Although it is recommended that zoning and eminent domain be used at all times when land development for economic development or for housing is being initiated. According to the Arizona State University (2014), "it is interesting to note that many of the Chapters stated that they knew that eminent domain was available as a tool for enforcing the community's wishes, but that at this time it is not culturally embedded, and therefore not often used" (p. 19). Zoning early defines the proposed future land use on a certain site, for example, commercial zoning typically allows retail and office buildings, while residential allows only apartments or homes. When zoning is in place throughout a community, it is easier for all parties involved in the land development process to understand what the people of that the community have envisioned for the future.

This land use plan updates satisfies the land use certification process and forwards the Ts'ah Bii Kin Chapter government to effectively and collaboratively managing and making future decisions regarding local matters pertaining to land uses. In addition, the land use plan articulates that "the land use plan serves as a guide for future development and provides a foundation for zoning ordinances ... it also allows the Chapter to evaluate potential

development projects while balancing the diverse needs of the community with concerns, cultural traditions and natural resources... a solid land development plan is needed" (Gardner, Piawka & Trevan, 2014, p. 19).

## **F. METHODOLOGY**

### **1. Community Assessment (Socioeconomic & Demographic Analysis)**

As part of the community assessment, Ts'ah Bii Kin Chapter government performed disparate levels of socioeconomic and demographic analysis. Socioeconomic and demographic analysis was conducted for the purpose of building a solid understanding of the Ts'ah Bii Kin community's core features and structures in addition to the social and economic features that is a combination of the body of the community assessment section.

The updating of Ts'ah Bii Kin Chapter's CLUP reviewed process started with a community assessment phase that summarizes the community's key social, demographic and economic conditions. Updated data on the number and size of households, population size, gender distribution, age, workforce and other common identifiers are used to characterize the Ts'ah Bii Kin community.

The primary data are those derived from quantitative and qualitative analytics, such as Ts'ah Bii Kin CLUP's Community, Business, Mission and Tribal Program surveys. The CLUP includes community survey data including satisfaction, quality of life and other interview approaches techniques. The secondary data were derived from third-party sources; the most common example is U.S. Census data and Navajo Nation/Ts'ah Bii Kin research based studies, i.e., feasibility or economic development reports.

Ts'ah Bii Kin Chapter's 2016 CLUP was evaluated for its individual merits and deficiencies within each "Element." Particular attention was paid to the approach or methodology provide within each Element. Content analysis was performed by comparing word usage, the amount of attention paid to particular subjects (such as NAHASDA, Navajo Nation's Overall Economic Development Strategies, etc.), and the quality of analysis when compared with recommendations from the planning literature. The CLUP and its element were development and/or updated individually compared with literature from contemporary, rural, tribal and urban planning and comprehensive planning, but also incorporated the "best practices" with the other land use plans, such as the Salt River Indian Community's General Plan. Triangulation of this knowledge with local CLUPC members, officials, and administration staff assisted the determination of various outcomes from the planning process, and identify strengths and weaknesses in these processes. Overall, updates and recommendations made the revised CLUP were based upon findings from the literature, the reviews of the CBLUPs, community surveys, CLUPC meetings/work sessions, focus groups and interviews conducted over a period of approximately three (3) months.

## **2. Survey Development & Methodology**

Tselani Professional Business Consulting Services, LLC (TPBCS) and Ts'ah Bii Kin Chapter government's administrative staff and volunteers conducted personal surveys to approximately 200 local residents and surrounding local residents/community members. The community survey included topics such as growth management, affordable housing, natural resources conservation, renewable energy, transportation, infrastructure development, agricultural and economic development. As part of the general land use plan updates, TPBCS proposed changes in existing land uses and planned land uses as allowed under the general Plan update, and consistency with tribal, federal and state plans and policies.

TPBCS's overall methodology approach included: first, TPBCS reviewed the technical requirements to simply understand the proposed requirements of the community land use plan. Secondly, TPBCS explored the proposed various urban, tribal and rural land use models after assessing the current land use need and the Ts'ah Bii Kin Chapter's CLUPC ability to revise and execute the plan.

TPBCS utilized primary research that is defined as "factual, firsthand accounts of the study written by a person who was part of the study. This is a scientific methods that is typically considered original research" (Kowalczyk, D., 2014, p. 2). The data collection technique that was utilized through the development of the attached "Ts'ah Bii Kin Chapter's Community Survey" (including business, mission, and tribal program focused surveys) that were administered through personal interviews and by utilizing Constant Contact™'s online survey software program.

## **3. Conduct Literary Review (Secondary Research)**

A literature review includes researching published information in a particular subject area within a certain time period and location. TPBCS researched and assessed topics such as land use planning, strategic land use plans, land use plan models, elements development, tribal planning, etc. Our literature review was more than just a simple summary of the sources, but was coordinated as an organizational pattern and combined both comprehensive summary and synthesis. The "references" documented in this CLUP are secondary research references, maps and related pertinent research that are relevant to updating Ts'ah Bii Kin Chapter's CLUP.

## **G. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY**

The Ts'ah Bii Kin's Comprehensive Land Use Plan (CLUP) Community Survey had 131 respondents that filled out the comprehensive survey that indicated that the Chapter was in the process of updating the current Land Use Plan. The Ts'ah Bii Kin Land Use Planning Committee (TBK CLUPC) proceeded to update the Land Use Plan Element of the Ts'ah Bii Kin CLUP to protect quality of life in the local community and ensure that it remains a community where residents choose to live, work, and play. Through the initiation of the "Community Survey" (Appendix D: Community Survey), the CLUP members and Chapter administration



asked community members to provide feedback which were collected from the community survey that will aid the Chapter in understanding the priorities of its citizens and thus developing a future land use plan based on community needs.

The responses will assist the CLUPC create and update their plan for the community that will guides future development and responds to Ts'ah Bii Kin residents' needs. The questions developed for the comprehensive community survey pertain to current and future land use in Ts'ah Bii Kin and aimed to gather input on issues, concerns, or aspirations regarding the comprehensive elements encompassed within land use. The survey was conducted TPBCS, staff, and community members from September 2016 to October 2016 and the results were inputted into the ConstantContact® online software for tabulation and assessments. TBK's community survey results are as follows and were inserted in the appropriate element section:

1. In regards to the **"importance of the Ts'ah Bii Kin Community"** to the 110 respondents, fifty eight (58%) or 63 residents considered it "most important" to have a "strong sense of community pride"; fifty-five percent (55%) or 61 respondents that "public participation and/or community involvement" was "most important"; seventy-seven (77) or 71 % surveyed indicated that diversity among residents and neighbors were either somewhat important and/or most important factors; and a majority (58%) or 63 respondents stated that "maintaining the community as it is", was most important to them.
2. The Quality of Life questions that allowed community members to rank the questions from 1-Not Important to 5-most important; for "health and safe community" approximately eight-eight (88 or 80%) responded that it was "most important" to them. Seventy-nine (79 or 73%) stated that "housing for residents of varying ages and income levels" were most important; fifty-five (55 or 51%) indicated that "diversity in houses of worship" was most important; while seventy-three percent (73% or 80 respondents) recorded that an "increase in family time" was most important.
3. The Mobility and Transportation survey questions; sixty-seven (67 or 62%) of the respondents listed "accessible to public transportation" as the most important; seventy-nine (79 or 72%) found that "roads safe for walking and biking" was most important for the community; eighty-six (86 or 81%) indicated that "linkage to regional or reservation-wide transportation opportunities" was either "somewhat" and "most" important factor; while "maintaining the existing community roadways as they currently exist with little or no change" was most important to sixty-four (64 or 60%) of the residents.
4. A majority of the Ts'ah Bii Kin's Environment questions were ranked high from 62% to 83% were considered "most important" for preservation of the wildlife habitat (62%); clean air (83%); exploring alternative form of energy production and reduction of waste (76%); installing and establishing alternative form of energy production-wind mills or wind mills production (74%); and installing and establishing alternative form of energy products-solar panel energy production (74%).
5. Community members ranked the following Economic issues such as increasing the "variety of local businesses" as somewhat and most important factors (82 or 75% approval rating);



addressing “local employment opportunities” was ranked very high at seventy-three percent (73% or 79 respondents); “incorporating commercial development into appropriate community design” scored a fifty-four percent (54% or 58); and “access to and use advances in technology” scored a fifty-nine percent (59% or 64 respondents).

6. A majority of the community members indicated that they have been residents for 25 years and over (76.4% or 81 respondents). Only eight (8 or 7.5%) of the residents indicated that they were in Ts’ah Bii Kin between 21 to 25 years while eighteen (18 or 16.79%) stated they were residents of the community between 1 to 20 years.

7. A high majority (93 or 83%) of those surveyed were registered voters of Ts’ah Bii Kin Chapter; while only nine respondents were not registered voters; and ten (10) had “no response” to the question.

8. A majority of those surveyed were female (70 respondents or 62.5%) while male respondents were thirty-three (33 or 29.5%) while nine (9 or 8.0%) individuals provided no responses.

9. The age ranges from 55 to 64 years of ages ranked the most responses with 35 individuals while followed closely with 30 household members were 9 years old or younger. Community members that were from the age of 15 to 19 ranked third with 29 recorded while the elders that were 64 years of age or higher ranked fourth (25 respondents).

10. A majority of Ts’ah Bii Kin’s community members recorded that their gross income for their household in 2015 was less than \$10,000 per year (24% or 26 respondents) but equally (24% or 26 respondents) also indicated their 2015 income was between the range of \$15,000 to \$34,000 per annum. Fifteen community members or 14.1% stated they did not file or the gross income question was not applicable to their situation.

11. Ts’ah Bii Kin’s residents’ educational levels were 1) less than high school (89% or 26 respondents); 2) some college (87% or 27 respondents); 3) college degree (85% or 12 respondents); 4) high school/GED (92% or 51 respondents); 5) associate or technical degree (2 years) (88% or 8 respondents); and 6) post graduate work or degree (100% or 8 members).

12. Overall, a high respondents (65 individuals or 58%) stated they were “satisfied” with the Ts’ah Bii Kin and/or surrounding community as a place to reside. Approximately, twenty six (26) or 23.2% of the residents were “somewhat satisfied” residing within the community while 13.3% or 15 respondents recorded that they was “dissatisfied” with their residency.

13. The Ts’ah Bii Kin community “agree” the following top five (5) economic and/or business development initiatives: Convenience Store (71% or 76 respondents); Other Services (i.e., health, gasoline, restaurant, etc.) (70% or 75 respondents); Shopping Centers or other retail outlets (55% or 59 respondents); Recreational Facilities (i.e., youth centers or multi-purpose buildings) (68% or 61 respondents); and Agricultural-related businesses (63% or 68 respondents). Overall, community members “agree” and “allow but not encouraged” averaged very high in all potential economic and business development initiatives while 33% of the respondents “disagree” with large corporate livestock farms followed by other office-type of business at 23%. Office parks (35% or 37 respondents), other office-type of businesses (33%

or 35 respondents) and shopping centers or other retail outlets (28% or 30 respondents) ranked in the high percentile as "allow but not encourage."

14. The type of economic or business development initiative(s) that Ts'ah Bii Kin community members additionally indicated that the community needs also "agree[d]" on are single family residents (58% or 61 respondents); scattered site homes (66% or 70 respondents); light industry & manufacturing (38% or 40 respondents); multi-family residences (50% or 53 respondents) and mobile home parks (35% or 38 respondents). Approximately, 49% or 52 respondents "disagree[d]" on mineral extraction; condominiums (45% or 48 respondents) and duplexes (43% or 46 respondents). Additional comments included 1) clustered homes; 2) electricity high[ly] recommend for homes that have elders for medical items that they need to live a healthy and safe life...the chapter is trying to get things like business and other nonsense things...they should first help the elders in the community first!; 3) the community needs housing in order for our younger generation to come back and work within our community; and 4) community development corporation (non-profit).

15 & 16. In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents); farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), , churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile agreed to "strongly promote" and "promote" a majority of the categories listed, however, tourism development was "strongly discourage[d]" at 12% or 13 respondents.

17. Ts'ah Bii Kin residents stated the following most important issues and/or concerns that is facing their community; 1) community services & facilities (i.e., police, fire, ambulance services) (78% or 82 respondents); 2) environmental degradation in the community (erosion, storm water run-off, etc.); 3) crime (60% or 63 respondents); 4) available and/or affordable housing (59% or 62 respondents); and 5) amount of development in the Ts'ah Bii Kin community as a whole (58% or 61 respondents). A high percentage or majority of the potential issues and concerns all rated above 48 percent with the loss of farmland and/or agricultural activities was ranked the lowest but still managed to pull in 48.5% or 51 respondents. Eight other comments included 1) more temp[orarily] jobs; 2) stray dogs, cats control; 3) more business[es] for jobs; 4) detox center; 5) community post office; 6) housing (elders), trash bins; 7) home care or nursing homes; and 8) go out into the community and help elders.

18. Ts'ah Bii Kin's residents indicated their satisfaction with the following public services in the community; "very satisfied" and "satisfied" were 1) public water (61% or 66 respondents); 2) electric services (53% or 57 respondents); 3) ambulance services ( 50% or 55 respondents); 4) emergency health care (50% or 54 respondents); and 5) public sewer service (49% or 53 respondents). Alternatively, police services (51% or 55 respondents) and fire services (51% or 55 respondents) were ranked "dissatisfied" and "very dissatisfied."

19. Out of 106 respondents, the Ts'ah Bii Kin community ranked where they would like to see new housing development to be located in the following order; 1) homesite or scattered locations (46.2%) 2) existing Navajo Housing Authority (NHA) locations (33%); 3) existing Indian Health Services (IHS) locations (21.6%); 4) new mixed use town design (commercial, office, residential) (18.8%); and 5) existing BIA locations(not located in Ts'ah Bii Kin community) (13.2%). Five additional comments from residents included 1) we don't need NHA housing (high crime); 2) in area there people have to live and have other grand kids and the[ir] kids to live; 3) any where land is available BUT NOT @ crossroads. TOO MANY Troubles!!; 4) on current homesite leases or within fenced areas of homesite leases; and 5) these housing ideas don't help the local residents that need help they go out to people that don't live near or around this area. It just brings in people that bring crime and violence.

20. Based on 104 respondents, the community members ranked the following locations where business development should be concentrated or dispersed throughout Ts'ah Bii Kin; 1) locate in the proposed/approved Ts'ah Bii Kin's business corridor or location (46.1 %); and 2) located in current or expired business site lease locations (32.6%). Twenty one (21) community members indicated they had "no opinion" while thirteen (13) stated "none." Seven additional comments included 1) just hope it's better for the communities; 2) both; 3) near the chapter house; 4) two (2) – crossroads; 5) where it easy location; and 6) not to be racist but if TBK community says yes to business development, white people....

21. Based on the map provided, residents stated they resided in Area "A" (5); Area "B" (14); Area "C" (30); and Area "D" (34). Only 4 indicated they live in another Chapter location but a member of Ts'ah Bii Kin Chapter and another 4 stated they live within another chapter, city, town or state such as Shonto, New Mexico, Cow Springs, TBIC, Inscription House and Chinle, Arizona.

22. On Ts'ah Bii Kin's community members' employment status; approximately 39.2% or 40 respondents stated they were employed; 47.0% or 48 indicated they were not employed. Ten (10) community members recorded they were self-employed; five (5) were retired; and three (3) were students.

23. Of those Ts'ah Bii Kin 's residents that stated they were employed in the following areas; 1) Other Chapter, City or town/state, such as Page, Kayenta (2), TCRHCC, out of state, Georgia, Utah(2), Nevada, and Texas. (31.5% or 23) ; 2) within Ts'ah Bii Kin (27.3% or 20); and 3) outside Ts'ah Bii Kin but within 20 miles radius of the Chapter (8.2% or 6). Twenty four (24) community members or 32.8% stated that the question was not applicable or their situation or they were unemployed.

24. Base on the map provided, community members of Ts'ah Bii Kin recorded they held land use leases or permits in the following ranking order; 1) Housing Leases (53.5% or 30 respondents); 2) Grazing Permits (35.7% or 20 respondents); 3) Business Site Lease (5.3% or 3 respondents); and 4) Farming Permits (3.5% or 2 respondents). A majority stated they had leases and/or permits in Area "D" (8); Area "A" (1); and Area "C" (2).

25. Respondents ranked the Ts'ah Bii Kin's land development purposes as "very important" were 1) natural beauty of the area (68% or 69 individuals); 2) areas of traditional and historic



importance (54% or 56 individuals); 3) highway corridors available for development (52% or 53 individuals); 4) residential areas (50% or 50 individuals); and 5) current facilities at TBK/surrounding areas (47% or 48 individuals). Highway corridors available for development was considered the "least important" at 10% or 11 respondents.

26. The three most important improvements that TBK Chapter should consider based on 90 respondents are as follows, 1) public service facilities (hospital, police/fire stations, etc.) ( 85% or 77 respondents); 2) develop more home sites (64% or 58 respondents); and 3) developing a better utility system (65% or 55 respondents). The least two items that were considered "least important" are commercial, economic or industrial development (38% or 30 respondents) and housing (scattered or clustered) (25% or 23 respondents). Only one (1) comment stated "dirt road).

27. Ts'ah Bii Kin community members ranked the potential housing projects to be considered by the chapter as "most important" are as follows: 1) scattered sites for housing (56% or 43 respondents); 2) new clustered sites for housing (37% or 26 respondents); 3) new subdivisions (26% or 19 respondents); and 4) clan pods (36% or 15 respondents). Additional comments included located c, b, & d; none (2); somewhere else besides crossroads area; junction; homesite community input; family pod; own home-anywhere but the crossroads; close to road; and crossroads.

28. Ts'ah Bii Kin's residents ranked the top five (5) community projects that the Chapter should consider as "most important" were powerline extensions (83% or 84 respondents); clean up illegal dumping trans/solid waste (78% or 79 respondents); water line extensions (77% or 71 respondents); and new senior center (63% or 57 respondents). The high percentile of the community members indicted that an "airport" was the least important (35% or 26 respondents). Ten community members comments were no airport; grade to home for better excess during winter; south N-16 road to be paved; own post office-police protection 24/7; improve dirt roads every time it rains or snow; sewer lagoon; transfer station; community graveyard; need community trash waste center at no charge; land erosion repair, road maintenance, and restore earthen dams; and business corridors and business site lease areas.

29. The top three actions considered to be "most important" that Ts'ah Bii Kin Chapter Officials and the Navajo Nation Departments/Programs need to improve are 1) Work with Grazing Permit holders for them to work with other Chapter needs (69% or 57 respondents); 2) Work with Chapter on Livestock Management (65% or 56 respondents); 3) Work with other Chapter on regional projects (58% or 45 respondents); 4) developing zoning codes (54% or 39 respondents); and 5) Establish Range Management Units (RMU) (47% or 36 respondents). The least two considered "least important" were Establish Range Management Units (RMU) (28% or 22 respondents and developing zoning codes (25% or 18 respondents). Additional comments included "none; #1 electric; treat everyone equal; transfer station, post office, hardware store that supplies animal grains and food, vaccines for animals, veterinarian; and works with the community."

30. The top three actions that 100 TBK's individual households and families can take to improve the Ts'ah Bii Kin community that are considered "most important" are 1) Obey all



permit regulations (77% or 66); 2) Respect and obey all Tribal resource laws (75% or 61 respondents); 3) Take an active role in Chapter government, programs, development & projects (67% or 54 respondents); 4) Work with Officials to maintain agriculture (62% or 48 respondents) and 5) Work with Officials regarding self-employment (60% or 44 respondents). Two additional comments provided were 1) workers need to be friendly; and 2) more business and economic development projects.

31. In the TBK's resident's opinion regarding development in the Ts'ah Bii Kin community indicated YES (42% or 42 respondents) that the Ts'ah Bii Kin community has maintained utilizing the prior comprehensive land use plan as guidance for land use decisions; YES (76% or 77 respondents) agreed that the Ts'ah Bii Kin community must work more closely with the Chapter to reach community goals and objectives; YES (51% or 51 respondents) positively for the Ts'ah Bii Kin Chapter takes the appropriate measures to preserve & protect open spaces, forestland, and recreational opportunities; YES (58% or 58 respondents) the Ts'ah Bii Kin Chapter takes appropriate measures to preserve & protect open space, forestlands, and recreational opportunities; and YES (50% or 50 respondents ) agreed that the Ts'ah Bii Kin Chapter guides development in the appropriate areas within the community. Response for NO for all 5 items remained low or less than 17% while 48% or 48 responded that they "didn't know" how the Ts'ah Bii Kin community has maintained utilizing the prior comprehensive land use plan as guidance for land use decisions. Four additional comments included 1) electric; 2) Please be respectful to those who live in/ around crossroads area to saying no to development. They have family who need want homes for their children/ grandchildren!!; 3) no hiring of close relatives; and 4) We need to get rid of the TBK painting at the point of the next to the powerline make laws against graffiti on the TBK Land.

32. Other general suggestions and/or opinions stated were: have respect for the land, it's our mother; need wellness center; need summer youth to work longer; more jobs; electricity; tourist attraction leads to trash and destruction; and good survey and results should be shared.

## H. COMMUNITY VISION AND VALUES

Through the course of the outreach efforts conducted for the Ts'ah Bii Kin's Community Land Use Plan update, the local community identified a series of recurring themes or core values that exemplify the Chapter. These themes or values collectively constitute the Vision for the future.

***Ts'ah Bii Kin Chapter CLUPC's vision of the community is to foresee a positive future for the community through effective management of its natural resources, to support education and employment opportunities, to provide strong healthy families through cultural values and traditions, to produce exceptional citizens, ensure self-sufficiency and take ownership of our community plans.***

This vision includes the preservation of our values and traditions and the passing of our ancestors' wisdom to future generations. While clearly involved in many aspects of the Ts'ah

Bii Kin community, our Navajo elders fulfill an especially important role regarding the preservation of values and traditions.

Community elders will tell us that in the Navajo culture planning is a foreign concept. As [the community] have wrestled with the need to plan and the need to honor tradition, we have chosen the tradition of the Wedding Basket to help community members identify with the concept of planning. Traditionally, the Wedding Basket is viewed as a map through which the Dine'--the Navajo people--chart their lives. This basket is then filled with the important and necessary "tools" for an abundant and beautiful life. Our vision for [Ts'ah Bii Kin] is a vibrant, thriving community where the traditions of our fathers are maintained, while we continue to lead our people into economic prosperity and individual self-sufficiency. This plan is our basket filled with the blend of traditions, as well as new knowledge that will help us to remain true to our culture and responsible to future generations (Apache County Report).

There are several challenges for Ts'ah Bii Kin as we look to the future. Most of those challenges are linked to tribal policies. The Navajo Nation's LGA (Local Governance Act) certification will allow the Chapter to move in a more autonomous direction, circumventing layers of bureaucracy. Moving forward the Ts'ah Bii Kin Chapter can respond to the needs of our community effectively.

# II. TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN (CLUP) ELEMENTS

## OVERVIEW

The balance of this planning document consists of the Community Land Use Plan “elements”, that are the Ts’ah Bii Kin’s Land Use Planning Committee (TBK CLUPC)’s endorsed statements of the local community land use and development policy. These elements are as follows:



Land Use



Housing and  
Neighborhoods



Economic  
Prosperity



Community Heritage,  
Culture, and Design



Transportation  
and Mobility



Healthy  
Communities



Natural  
Environment



Public  
Facilities

1. **Land Use Element:** Establishes the framework for orderly physical development and environmental protection.
2. **Transportation Element:** Provides for an efficient community transportation system for the safe and efficient movement of the local community members, tourist and residents.
3. **Housing Element:** Promotes a mix of potential housing selections for local community residents/members while enhancing alternative housing opportunities.
4. **Natural Resources/Preservation Element:** Outlines the local community’s policy commitment to use the Ts’ah Bii Kin’s natural resources for the long-term well-being of current and future community members. For preservation, this element provides direction to preserve and maintain the Ts’ah Bii Kin community’s sacred and valued cultural resources.
5. **Community/Economic Development Element:** Provides guidance for developing and maintaining the Ts’ah Bii Kin community’s potential commercial areas, particular the proposed business corridors. This element also presents strategies to expand the Ts’ah Bii Kin Chapter government’s economy to ensure sustainable development that promotes the standard of living and self-sufficiency for local community members.
6. **Agricultural Development Element:** Reinforces the Ts’ah Bii Kin’s community’s commitment to continued diversification and enhancement of agriculture and agri-business opportunities.

7. **Infrastructure Development Element:** Provides direction to ensure that adequate infrastructure is available to support current and future Ts'ah Bii Kin community members, enterprises and economic development initiatives.
8. **Community Facilities Element:** Provides direction for providing services and developing Ts'ah Bii Kin's community amenities and facilities that enhance the quality of life for local residents and community members.
9. **Community Land Use Plan Administration:** Describes how the Plan will be administered over time, including such issues as exceptions, amendments, and periodic reporting on the progress of the Plan's implementation.

The "elements" includes a series of goals that are related to key topics. Under each goal is a set of strategies intended to guide the achievement of that goal. At the end of each element are several action/implementation measures that identify the actions necessary to effectively implement the Community Land Use Plan. The following definitions describe the nature of the statements of goals, objectives, and the implementation measure as they are used in this Plan:

- **Goal:** The ultimate purpose of an effort stated in a way that is general in nature and immeasurable.
- **Strategies/Actions:** A specific statement in text or diagram guiding action and implying clear commitment. Strategies/Actions are nested under each goal and they correspond with their goal and the sequence of policies under that goal.



# TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN ELEMENTS

## LAND USE GOALS AND OBJECTIVES

### A. TS'AH BII KIN COMMUNITY LAND USE ELEMENT

The Land Use Element establishes guidelines for future development and the general distribution of land for scattered homesites, clustered housing (single and multi-family), commercial establishments, public and community facilities and open space. The future land use maps are shown in Exhibit 3: TBK Chapter Housing Parcel Map and Exhibit 5: TBK Chapter Overall Map. These maps serve as a visual guide for future land-use decisions. Land-use classifications include housing parcels (green); potential commercial (pink); government & public facilities (blue); and churches & religious institutions (orange).

Future commercial development will occur at the highway intersections where the highest traffic counts occur. Future housing developments will occur along the primary and secondary roads within 1/4 mile of the highway right of way, where there is easy access and where utilities are located. Future public and community facilities will be located within the Ts'ah Bii Kin Chapter Tract.

There are no physical constraints for developments at the proposed locations, nor are there restrictions from a law that protect various natural resources. Utility infrastructures are available for the future development areas. There are water and power utilities located along the primary roads and along some secondary roads where the developments are proposed.

#### 1. Community Land Use Plan's Community Survey

In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents; farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), , churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile



agreed to “strongly promote” and “promote” a majority of the categories listed, however, tourism development was “strongly discourage[d]” at 12% or 13 respondents.

Ts’ah Bii Kin residents stated the following most important issues and/or concerns that is facing their community; 1) community services & facilities (i.e., police, fire, ambulance services) (78% or 82 respondents); 2) environmental degradation in the community (erosion, storm water run-off, etc.); 3) crime (60% or 63 respondents); 4) available and/or affordable housing (59% or 62 respondents); and 5) amount of development in the Ts’ah Bii Kin community as a whole (58% or 61 respondents). A high percentage or majority of the potential issues and concerns all rated above 48 percent with the loss of farmland and/or agricultural activities was ranked the lowest but still managed to pull in 48.5% or 51 respondents. Eight other comments included 1) more temp[orarily] jobs; 2) stray dogs, cats control; 3) more business[es] for jobs; 4) detox center; 5) community post office; 6) housing (elders), trash bins; 7) home care or nursing homes; and 8) go out into the community and help elders.

Overall, a high respondents (65 individuals or 58%) stated they were “satisfied” with the Ts’ah Bii Kin and/or surrounding community as a place to reside. Approximately, twenty six (26) or 23.2% of the residents were “somewhat satisfied” residing within the community while 13.3% or 15 respondents recorded that they was “dissatisfied” with their residency.

In regards to the “importance of the Ts’ah Bii Kin Community” to the 110 respondents, fifty eight (58%) or 63 residents considered it “most important” to have a “strong sense of community pride”; fifty-five percent (55%) or 61 respondents that “public participation and/or community involvement” was “most important”; seventy-seven (77) or 71 % surveyed indicated that diversity among residents and neighbors were either somewhat important and/or most important factors; and a majority (58%) or 63 respondents stated that” maintaining the community as it is”, was most important to them.

The Quality of Life questions that allowed community members to rank the questions from 1-Not Important to 5-most important; for “health and safe community” approximately eight-eight (88 or 80%) responded that it was “most important” to them. Seventy-nine (79 or 73%) stated that “housing for residents of varying ages and income levels” were most important; fifty-five (55 or 51%) indicated that “diversity in houses of worship” was most important; while seventy-three percent (73% or 80 respondents) recorded that an “increase in family time” was most important.

Ts’ah Bii Kin’s residents indicated their satisfaction with the following public services in the community; “very satisfied” and “satisfied” were 1) public water (61% or 66 respondents); 2) electric services (53% or 57 respondents); 3) ambulance services ( 50% or 55 respondents); 4) emergency health care (50% or 54 respondents); and 5) public sewer service (49% or 53 respondents). Alternatively, police services (51% or 55 respondents) and fire services (51% or 55 respondents) were ranked “dissatisfied” and “very dissatisfied.”

The three most important improvements that TBK Chapter should consider based on 90 respondents are as follows, 1) public service facilities (hospital, police/fire stations, etc.) (85% or 77 respondents); 2) develop more home sites (64% or 58 respondents); and 3) developing a better utility system (65% or 55 respondents). The least two items that were considered "least important" are commercial, economic or industrial development (38% or 30 respondents) and housing (scattered or clustered) (25% or 23 respondents). Only one (1) comment stated "dirt road).

## **2. GOALS AND OBJECTIVES**

The goals under this Land Use Element are about balancing future development with preservation, and ensuring there are future enforcement mechanisms for this plan.

### **Goal A: Preserve all open rangeland when considering all future housing, economic development and industrial developments.**

<b>No.</b>	<b>Objectives</b>
1.	Community land usage must have a valid land withdrawal for homesite and business site leases.
2.	Encourage all community livestock owners to have and/or obtain valid permits.
3.	Promote future developments that will occupy and re-use spaces between existing and pre-developed areas.
4.	Locate future residential within 750 feet off the infrastructure along all primary and secondary roads while encouraging family-cluster housing developments.
5.	Locate all government office and service programs in one area to promote one stop shopping for the community.
6.	Encourage enforcement of all approved grazing regulations.
7.	Preserve identified environmentally sensitive areas for wildlife and protected species.

### **Goal B: Adopt applicable zoning, building and developing ordinances to ensure future growth and development is consistent with this plan.**

<b>No.</b>	<b>Objectives</b>
1.	Regulate illegal land uses, prohibit illegal dumping, require removal of all non-working vehicles located outside valid homesite lease area, and remove all abandoned houses.
2.	Develop a unified development theme that defines suitable building materials, landscape concepts and signage.
3.	TBK CLUPC will oversee development of zoning, subdivision, or building ordinances, educating the Chapter membership on the need for these ordinances, and seeking their approval.
4.	Create a Chapter Zoning Office to begin compiling past records on land withdrawals, track future land withdrawal, business/commercial home-site leases and other developments.



**Goal C: All community land use elements must have valid business and homesite leases, this includes that all livestock owners have valid permits.**

**No.**

**Objectives**

1. Manage the following land use and create zoning ordinances for each land use elements:
  - a. Existing Residential & Potential Residential: Housing Element represents conventional single-family homes for low to medium density in subdivisions and scattered development patterns, including mobile homes. Several sites is/are identified on Exhibit 3: TBK Chapter Housing Parcel Map and Exhibit 5: TBK Overall Chapter Map for future residential/housing development. This includes potential identified housing sites located within the community.
  - b. Community Facilities Element: This element represents community public use facilities such as hospital, clinic, police, fire stations, recreational/parks, and other community government facilities. Potential future community facility developments are on Exhibit 3: TBK Chapter Housing Parcel Map and Exhibit 5: TBK Chapter Overall Chapter Map.
  - c. Economic, Community and Commercial Development: This element represents economic and commercial developments such as c-stores, cafes, gas stations, etc. Currently the community has two (2) business site leases located within the community Giant Convenient Store and Inscription House Market & Laundromat Potential development sites includes corridor and vendor sites.
  - d. Natural Resource/Open Space Element: Natural Resource Element (formally referred to as "Open Space") is identified undeveloped sites that is accessible and zoned for the community and/or public in accordance with the comprehensive plan adopted by a local government. Locations such as natural scenic sites such as canyons, lakes, ruins, etc. have been identified as natural resource element to conserve and enhance natural and/or scenic resources, protect water supplies, enhance recreational opportunities, and preserve visual quality along the highway, county roads, and street corridors.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.



## B. TRANSPORTATION ELEMENT



### 1. TRANSPORTATION PURPOSE STATEMENT

The "Transportation Element" is intended to provide a multi-modal transportation system for a safe and efficient movement of the Ts'ah Bii Kin community members, employees, tourists, and visitors and to provide a safe and efficient multi-modal system. This element is to provide safe and efficient modes of transportation, and to improve transportation, identify transportation needs, and

advocate for Navajo Nation and transportation entities; and, to resolve problems concerning transportation issues among transportation entities.

- a) The overall purpose of the Transportation Element is to plan for and provide a system of design for:
  - Existing and proposed major streets;
  - Distinguish between limited access, primary and secondary thoroughfares; and
  - Relate major thoroughfares to the road network and land use of the surrounding area.

This plan will help the Ts'ah Bii Kin community make decisions regarding:

- Allocation of resources for road improvements and maintenance;
- Location of new facilities and buildings; and
- Emergency planning.

### 2. TRANSPORTATION ELEMENT OVERVIEW

The purpose of the Transportation Element is to set forth a plan for future road improvements. In addition, the plan provides a system of and design for major streets/highway/roads, existing and proposed, distinguishing between limited access, primary and secondary thoroughfares, and relating major thoroughfares to the road network and land use of the surrounding area. TBK community survey revealed that the residents want road improvements for unpaved secondary roads which are used to access approximately 300 scattered homes. Improved access is needed especially during inclement weather and to receive emergency and public safety services.

As with the Land Use Element, the policy content of the Transportation Element is conveyed through a combination of mechanisms. Overall, the purpose of the Transportation Element is to set forth a plan for future road improvements. In addition, the plan provides a



system of and design for major streets/highway/roads, existing and proposed, distinguishing between limited access, primary and secondary thoroughfares, and relating major thoroughfares to the road network and land use of the surrounding area.

Ts'ah Bii Kin Chapter's transportation system has been categorized into primary roads and secondary roads as shown in the Navajo Nation's NDOT map –Exhibit 6. Individual limited access roads are not shown. The goals and policies of this element are aimed at improving the road conditions.

An understanding of land uses is important because land use influences travel patterns. Land use is integrated with transportation since land use decisions affect transportation systems and can increase viable options for people to access opportunities, goods, services, and other resources to improve the quality of their lives. In turn, multi-modal transportation decisions may have effects on existing and future land use demand, choices, and patterns. Coordinating land use and transportation planning and development is imperative to "Smart Growth" and sustainable development of communities (Kimley-Horn & Associates, 2012, p. 5).

### **3. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY**

In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents); farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile agreed to "strongly promote" and "promote" a majority of the categories listed, however, tourism development was "strongly discourage[d]" at 12% or 13 respondents.

The Mobility and Transportation survey questions; sixty-seven (67 or 62%) of the respondents listed "accessible to public transportation" as the most important; seventy-nine (79 or 72%) found that "roads safe for walking and biking" was most important for the community; eighty-six (86 or 81%) indicated that "linkage to regional or reservation-wide transportation opportunities" was either "somewhat" and "most" important factor; while "maintaining the existing community roadways as they currently exist with little or no change" was most important to sixty-four (64 or 60%) of the residents.

### **4. GOALS AND OBJECTIVES**

**Goal A: Develop a comprehensive transportation plan to provide adequate roads for TBK community to utilize.**

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No.	Objectives
1.	Provide accessible roads for emergency occurrences and to pave the remainder of Navajo Rt. 16 South to US 160.
2.	Repair BIA Rd. 6323 (dirt road) east of the chapter house to maintain accessibility for community members to travel to work & meet the school buses.* Re-route BIA Rd. 6323.
3.	Improve bus routes (BIA Rd. 6323 & N6326)
4.	Collaborate with regional chapters on developing a comprehensive transportation plan.
5.	Create a viable public transportation system with Navajo Transit system.
6.	Identify local gravel sites for future transportation project.
7.	Create recreational trails such as bike, jogging, hiking routes, etc.
8.	Promote safety by supporting the installation of street lights/caution lights at the crossroad and upper business corridor.

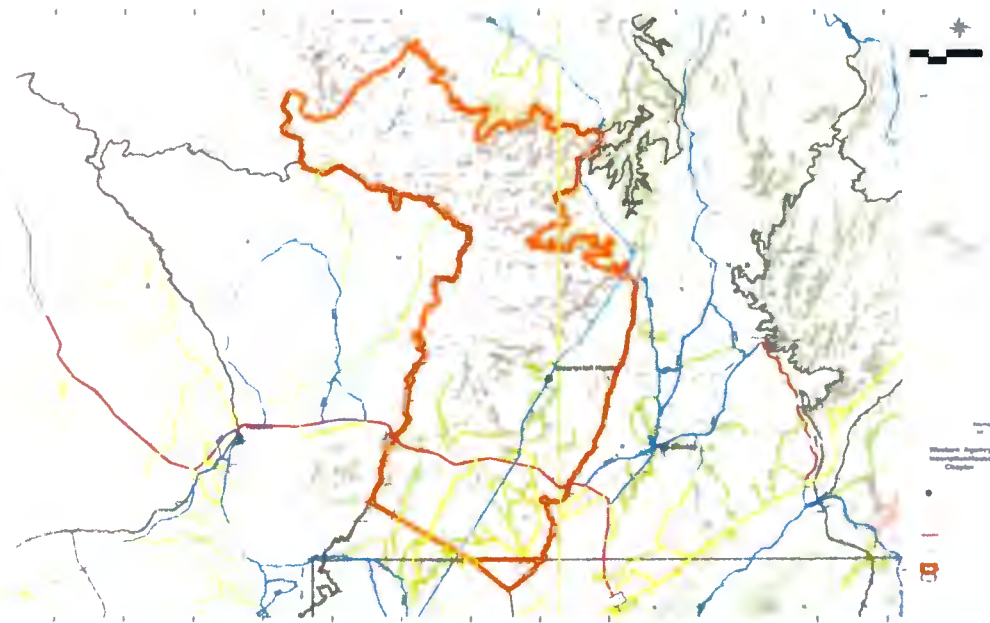
**Goal B: Promote the maintenance & improvement of primary highways (N-16) North**

No.	Objectives
1.	The Chapter membership shall approve the primary road project by resolution during a duly-called Chapter meeting. The resolution shall contain information on the project's scope, budget, and schedule. The approved resolution will be submitted to either NDOT, BIA or appropriate department/entity.
2.	Advocate for N-16 road improvement in order to increase safety measures for vehicle and pedestrian traffic, including school buses. <ul style="list-style-type: none"> <li>a) Collaborate with NDOT and Roads Committee regarding status of the projects.</li> <li>b) Develop and compile a roads project summary for Council Delegate that provides a current status description.</li> <li>c) Request Chapter Support Resolution to local School District/BIA School/County to improve the bus stops for safety and accessibility purposes.</li> </ul>

**Goal C: Reclamation of dirt roads/recreational vehicles that are no longer used by resident in order to increase the available rangeland.**

No.	Objectives
1.	Identify all unnecessary/secondary roads within the TBK community.
2.	The Chapter shall work with local residents and Chapter Grazing Officer to identify roads that are no longer being used and encourage residents to decrease number of roads leading to a single residential site.
3.	The Chapter shall develop a reclamation road plan to identify roads no longer being utilized (re-contour areas and reseed) and to turn the land back into grazing land.
4.	The Chapter shall provide resources to restore existing roads damaged by inclement weather, upon availability of funding.

#### 4. NDOT's ROADWAY MAP (Exhibit 6: NDOT's TBK Road Map)



### C. HOUSING ELEMENT

#### 1. HOUSING PURPOSE STATEMENT

"The Housing Element" is targeted at ensuring that TBK community members have access to a full range of housing opportunities in addition to addressing the issues surrounding housing development. According to the 2016, Ts'ah Bii Kin comprehensive community survey, a majority of the residents agreed that scattered housing development are not well planned, as a result many homes lack infrastructure have poor accessibility. Furthermore, scattered home sites and their associated developments, such as utilities and dirt roads, are diminishing prime rangelands.

Other housing issues addressed in this element include the lack of available residential housing programs for elderly and disabled residents and poor-credit standing of many families who apply for any home ownership programs. TBK and the Navajo Nation have identified potential housing developments for the community. The projected housing development would be supported by the community land use plan since the members will work with the Chapter administration to identify not only residential areas but commercial, industrial, recreational and tourist proposed enterprises that would provide employment opportunities for homeowners and residents.

#### 2. HOUSING ELEMENT OVERVIEW

The Housing Element's goal is to attain "Safe and Decent housing" for all members of the Ts'ah Bii Kin community through an assessment of available sites, and assistances to the



development community, also, addressing local constraints, while conserving existing stock, and promoting equal housing opportunities.

According to Gardner, Pijawka & Trevan (2014), the importance of population projections, demographic and socioeconomic (for public provided housing) analysis, and citizen preference, through community-based surveys and community participation is vital to the development of appropriate housing options (p. 222). An analysis of local housing needs was performed through investigation of recent NHA's housing reports, census data, collected socio-economic data, projections, and identified preference of the community members from within the community meetings or requesting housing assistance from different housing programs on the Navajo Nation.

In recognition of the dire economic situation of residing on the Navajo Indian reservation, the overcrowded nature of Diné housing, the lack of solid waste management systems, indoor plumbing, homelessness, and an excessive poverty rates requires the Ts'ah Bii Kin Chapter to promote new housing opportunities; and to encourage rehabilitation and/or preservation of current community members' existing housing stock.

Scattered housing is preferred by many members of the Navajo Nation, stated to be closest to the traditional way-of-life, but this can be expensive to provide infrastructure to, especially utilities, such as waterlines and electricity. Clustered housing, generally based on clans of extended families, alleviates some of the cost-prohibitive features of scattered housing while still allowing for grazing to occur near home-sites, and is not susceptible to the social ills of subdivision style housing. Lastly, subdivision style housing, with curvilinear, planned streets and small lots in a concentrated pattern, is seen as a more efficient way to provide utilities, infrastructure, and housing, but has been associated with social ills such as gang activity and litter (Gardner, Pijawka & Trevan, 2014, p. 222). Integrating housing with economic and/or community development is an "up most" important consideration.

### **3. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY**

Ts'ah Bii Kin' CLUPC's comprehensive survey indicated the following results on current and potential housing development:

Ts'ah Bii Kin residents stated the following most important issues and/or concerns that is facing their community; 1) community services & facilities (i.e., police, fire, ambulance services) (78% or 82 respondents); 2) environmental degradation in the community (erosion, storm water run-off, etc.); 3) crime (60% or 63 respondents); 4) available and/or affordable housing (59% or 62 respondents); and 5) amount of development in the Ts'ah Bii Kin community as a whole (58% or 61 respondents). A high percentage or majority of the potential issues and concerns all rated above 48 percent with the loss of farmland and/or agricultural

activities was ranked the lowest but still managed to pull in 48.5% or 51 respondents. Eight other comments included 1) more temp[orarily] jobs; 2) stray dogs, cats control; 3) more business[es] for jobs; 4) detox center; 5) community post office; 6) housing (elders), trash bins; 7) home care or nursing homes; and 8) go out into the community and help elders.

Out of 106 respondents, the Ts'ah Bii Kin community ranked where they would like to see new housing development to be located in the following order; 1) homesite or scattered locations (46.2%) 2) existing Navajo Housing Authority (NHA) locations (33%); 3) existing Indian Health Services (IHS) locations (21.6%); 4) new mixed use town design (commercial, office, residential) (18.8%); and 5) existing BIA locations(not located in Ts'ah Bii Kin community) (13.2%). Five additional comments from residents included 1) we don't need NHA housing (high crime); 2) in area there people have to live and have other grand kids and the[ir] kids to live; 3) any where land is available BUT NOT @ crossroads. TOO MANY Troubles!!; 4) on current homesite leases or within fenced areas of homesite leases; and 5) these housing ideas don't help the local residents that need help they go out to people that don't live near or around this area. It just brings in people that bring crime and violence.

Base on the map provided, community members of Ts'ah Bii Kin recorded they held land use leases or permits in the following ranking order; 1) Housing Leases (53.5% or 30 respondents); 2) Grazing Permits (35.7% or 20 respondents); 3) Business Site Lease (5.3% or 3 respondents); and 4) Farming Permits (3.5% or 2 respondents). A majority stated they had leases and/or permits in Area "D" (8); Area "A" (1); and Area "C" (2).

The three most important improvements that TBK Chapter should consider based on 90 respondents are as follows, 1) public service facilities (hospital, police/fire stations, etc.) (85% or 77 respondents); 2) develop more home sites (64% or 58 respondents); and 3) developing a better utility system (65% or 55 respondents). The least two items that were considered "least important" are commercial, economic or industrial development (38% or 30 respondents) and housing (scattered or clustered) (25% or 23 respondents). Only one (1) comment stated "dirt road).

Ts'ah Bii Kin community members ranked the potential housing projects to be considered by the chapter as "most important" are as follows: 1) scattered sites for housing (56% or 43 respondents); 2) new clustered sites for housing (37% or 26 respondents); 3) new subdivisions (26% or 19 respondents); and 4) clan pods (36% or 15 respondents). Additional comments included located c, b, & d; none (2); somewhere else besides crossroads area; junction; homesite community input; family pod; own home-anywhere but the crossroads; close to road; and crossroads.

#### 4. GOALS AND OBJECTIVES

**Goal A: Encourage housing developments in a manner that does not reduce prime rangeland.**

No.	Objectives
1.	Develop an educational program for preserving these areas.
2.	Identify potential land to withdraw for housing development.
3.	Develop zoning ordinances that addresses development in open space areas.
4.	Enforce & restrict future home site lease within available infrastructure.

**Goal B: Increase adequate housing and bathroom additions.**

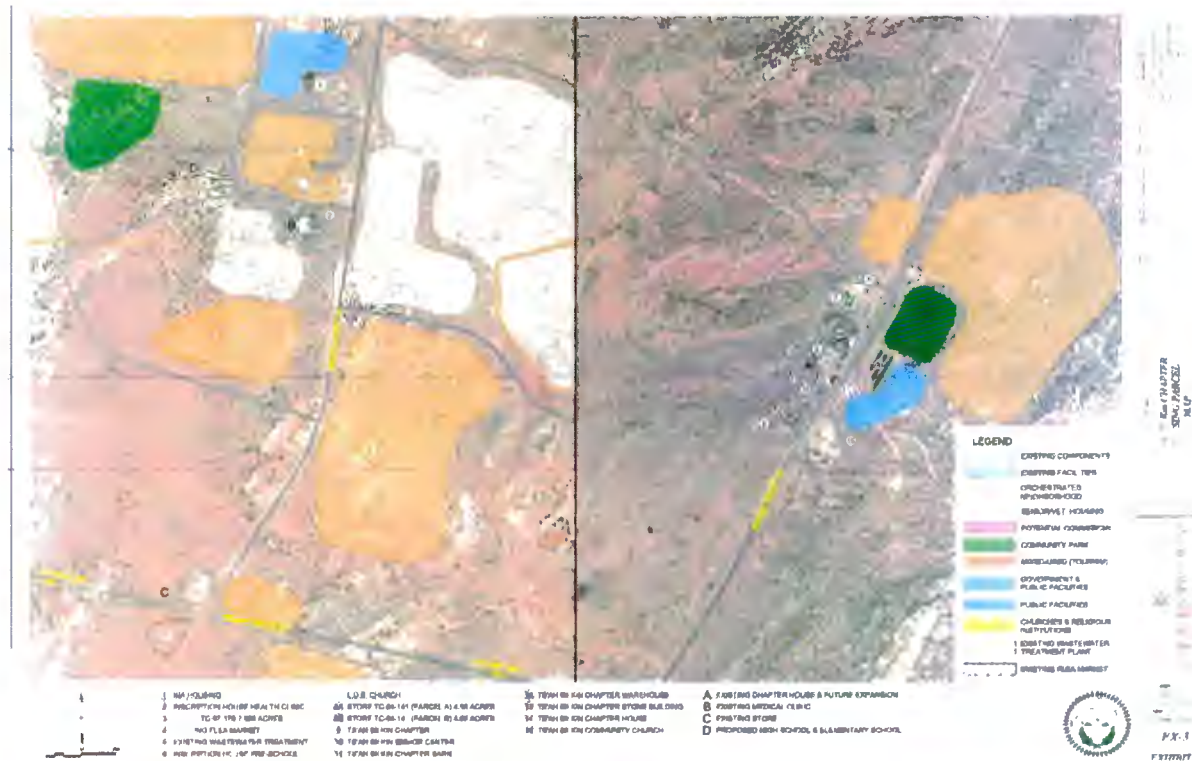
No.	Objectives
1.	Update housing assessment to determine the needs for housing development and improvements.
2.	Provide opportunities for housing programs that provide financial literacy programs and financing opportunities.
3.	Collaborate with housing service providers to establish housing projects within the Chapter, such as Navajo Housing Services, Navajo Partnership for Housing, Indigenous Community Enterprises, Veterans Homes and others.
4.	Finalize rural addressing program using GIS technology to map all houses & roads location and seek funding for the activities.
5.	Conduct an assessment & identify community homes with incomplete or inadequate bathroom additions.
6.	Support the housing assistance for community members with renovation and weatherization funding.
7.	Continue to identify and recommend Elderly Community Members for home weatherization.

**Goal C: To promote new housing opportunities for TBK community members.**

No.	Objectives
1.	Hosting a home ownership training and/or housing fair to disseminate housing program and opportunities.
2.	Address TBK's housing for special need groups such as elders, homeless, adult living, nursing homes, etc.
3.	Encourage the development of TBK's housing development program.



5. TS'AH BII KIN HOUSING MAP (Exhibit 12):



## D. PRESERVATION/NATURAL RESOURCE ELEMENT

### 1. PRESERVATION/NATURAL RESOURCE PURPOSE STATEMENT

The purpose for the "open space/natural resource plan" is to preserve for the current and future community certain areas of land to be retained in a natural state or developed for recreational purposes. In addition to providing directions for conserving, maintaining, and enhancing the cultural and historic values of the Ts'ah Bii Kin community. Natural resource spaces includes highly sensitive wildlife zones that have been identified by Navajo Nation Fish and Wildlife Department (NNFWD). The goal and policies of the Natural Resource plan are to encourage no future developments within these means in order to preserve them for future generations.

## 2. PRESERVATION/NATURAL RESOURCE ELEMENT OVERVIEW

The Ts'ah Bii Kin's community is rich in cultural and archaeological resources. The actual number and sensitivity of cultural and archaeological sites throughout the community is unknown. The specific discoveries often would accompany construction or other surface-disturbing activities. TBK's community members [acknowledge that the] elderly members of the community are focused on



"traditional ways and preservation" of their lifestyle through land. Although, the youth of the Chapter are often educated off the [Navajo Nation], and bring back ideas from their education that include a certain style of Development and Governance (Gardener, Pijawka & Trevan, 2014).

## 3. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY

A majority of the Ts'ah Bii Kin's Environment questions were ranked high from 62% to 83% were considered "most important" for preservation of the wildlife habitat (62%); clean air (83%); exploring alternative form of energy production and reduction of waste (76%); installing and establishing alternative form of energy production-wind mills or wind mills production (74%); and installing and establishing alternative form of energy products-solar panel energy production (74%).

In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents); farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), , churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile agreed to "strongly promote" and "promote" a majority of the categories listed, however, tourism development was "strongly discourage[d]" at 12% or 13 respondents.]

Ts'ah Bii Kin residents stated the following most important issues and/or concerns that is facing their community; 1) community services & facilities (i.e., police, fire, ambulance services) (78% or 82 respondents); 2) environmental degradation in the community (erosion, storm water run-off, etc.); 3) crime (60% or 63 respondents); 4) available and/or affordable housing (59% or 62 respondents); and 5) amount of development in the Ts'ah Bii Kin community as a whole (58% or 61 respondents). A high percentage or majority of the potential issues and concerns all rated above 48 percent with the loss of farmland and/or agricultural activities was ranked the lowest but still managed to pull in 48.5% or 51 respondents. Eight other comments included 1) more temp[orarily] jobs; 2) stray dogs, cats control; 3) more business[es] for jobs; 4) detox center; 5) community post office; 6) housing (elders), trash bins; 7) home care or nursing homes; and 8) go out into the community and help elders.

Respondents ranked the Ts'ah Bii Kin's land development purposes as "very important" were 1) natural beauty of the area (68% or 69 individuals); 2) areas of traditional and historic importance (54% or 56 individuals); 3) highway corridors available for development (52% or 53 individuals); 4) residential areas (50% or 50 individuals); and 5) current facilities at TBK/surrounding areas (47% or 48 individuals). Highway corridors available for development were considered the "least important" at 10% or 11 respondents.

#### 4. GOALS AND OBJECTIVES

**GOAL A: To effectively and efficiently maintain solid waste, transfer and recycling stations within the Chapter community.**

No.	Objectives
1.	Maintain a solid waste management program for the community's current & future necessities.
2.	Regulate & comply with all environment laws.
3.	Publicize the announcements to the public & community members of Ts'ah Bii Kin.
4.	Maintain sanitary dump sites within the community of Ts'ah Bii Kin.
5.	Improve accessibility.
6.	Identify and clean up all illegal dump sites.
7.	Put up signs at all illegal dump sites.

**GOAL B: To address and maintain earthen dams restoration, erosion control, and soil conversation.**

No.	Objectives
1.	To repair the community's problem of soil erosion. Engineers without Borders & other entities.
2.	Support the Chapter's administration of managing and monitoring the TBK Earthen Dam Restoration and Erosion Control Project.



- 
3. Develop a maintenance plan for earthen dams.
- 

**GOAL C: To increase knowledge and processes of community range management.**

No.	Objectives
1.	Develop an educational program for preserving these areas.
2.	Develop zoning ordinances that addresses development in open space areas.
3.	Develop a Range Management Improvement Plan (i.e., open space). Chapter Grazing Official shall provide a recommendation for grazing and open space areas.
4.	Work with Soil & Water Conservation District, USDA Farming & Agriculture, and other pertinent entities.

## **E. ECONOMIC & COMMUNITY DEVELOPMENT ELEMENT**

Economic and community development is an important element for the Ts'ah Bii Kin Chapter since it addresses unemployment and increases revenues for the Navajo Nation. TBK has ample opportunities for small business, economic, community and tourism developments.

Exhibit 4: TBK Chapter BSL Map identify current business site leases and potential future commercial development along highway and corridor.

The Economic and Community Development Element's goals and objectives are strategies that will assist the community initiate and increase small business, economic, community and tourism developments:

### **1. PURPOSE STATEMENT**

"The Community & Economic Development Element" provides general direction for business and economic development initiatives to expand the Ts'ah Bii Kin community by encouraging sustainable economic, industrial and micro-enterprise development and to raise the standards of living for members. TBK Chapter has extremely limited amount of local small businesses, economic & industrial and/or commercial developments that provides local employment opportunities, products and services, and tax revenues. About 75% of the residents want the Chapter to promote economic development in order to create local employment opportunities. In addition to Tuba City Regional Business Development Center (RBDO), Ts'ah Bii Kin Chapter Administration and Officials should continue to collaborate with other tribal, state, federal and non-profit organizations to develop and implement local business and economic development initiatives such as establishing business and commercial tracts at the junction/crossroad of the primary roads in Ts'ah Bii Kin, Arizona.

### **2. ECONOMIC/COMMUNITY DEVELOPMENT ELEMENT OVERVIEW**

Ts'ah Bii Kin vicinity is located within the northwestern region of the Navajo Nation approximately fifty (50) miles East of Page, Arizona. Strategically located between two (2)

tourist destinations of Lake Powell and Monument Valley, the community of TBK is considered as a prime location to develop economic development and increase tourism activities. The TBK CLUPC and Chapter Officials recently identified potential business and economic development corridor was identified at the Junction of Highway 98 and Navajo Route 16. The community expressed a desire for commercial, industrial, recreational, hotel, health, government and public safety zones. Land on the Navajo Reservation is held in Federal Trust and is utilized by different individuals, businesses and governmental entities by leases contracted usually by the Navajo Nation.

Ts'ah Bii Kin has two (2) business site leases that includes a store, gas station at the junction of Highway 98 and Navajo Route 16, and the Historical Trading Post that has expanded into a small market gas station and laundromat complex. A flea market area was recently designated and cleared by the TBK Chapter House to promote local business to incubate. A vendor village site was selected and was slated to be in operation by 1997, but this has not materialized.

The Navajo Nation and Ts'ah Bii Kin Chapter's long-term economic goal is to achieve tribal self-sufficiency and thereby to improve the overall quality of life of every Navajo member by creating a diversified, job-generating private sector capable of supporting and increasing new job creation efforts every year. This economic and community development initiative is to be accomplished by fostering the development of both Navajo and non-Navajo businesses and industries on the reservation. The major objective in meeting with this goal is to massage the local economy by enhancing or establishing a local and regional economic base and that encourages Navajo people to invest their dollars in their people and the local economy. By developing such a private sector, the Navajo Nation will be able to eventually reduce its support on the Federal Government.

TBK Chapter's objective will be to encourage, foster, and support private business within and surround the Ts'ah Bii Kin community that are owned and operated by community members, and to plan for and encourage private land development owned by tribal members. This includes the recruitment of outside businesses to establish operations within the community while offering local employment opportunities to community members. The local business and economic development program should be designed to foster education, entrepreneurship and leadership development growth in rural small business and economic development ventures. The current administration and officials can develop a dynamic program to rekindle dormant visions, refresh current leadership and empower emerging Navajo entrepreneurs and leaders to create avenues for Native Americans to learn business development techniques to either promote or start their own small businesses. This proposed program will be designed for the local residents and other reservation-based tribal community members who wish to "own and operate" their own business within the community.

### 3. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY

Community members ranked the following Economic issues such as increasing the "variety of local businesses" as somewhat and most important factors (82 or 75% approval rating); addressing "local employment opportunities" was ranked very high at seventy-three percent (73% or 79 respondents); "incorporating commercial development into appropriate community design" scored a fifty-four percent (54% or 58); and "access to and use advances in technology" scored a fifty-nine percent (59% or 64 respondents).

The Ts'ah Bii Kin community "agree[d]" the following top five (5) economic and/or business development initiatives: Convenience Store (71% or 76 respondents); Other Services (i.e., health, gasoline, restaurant, etc.) (70% or 75 respondents); Shopping Centers or other retail outlets (55% or 59 respondents); Recreational Facilities (i.e., youth centers or multi-purpose buildings) (68% or 61 respondents); and Agricultural-related businesses (63% or 68 respondents). Overall, community members "agree" and "allow but not encouraged" averaged very high in all potential economic and business development initiatives while 33% of the respondents "disagree" with large corporate livestock farms followed by other office-type of business at 23%. Office parks (35% or 37 respondents), other office-type of businesses (33% or 35 respondents) and shopping centers or other retail outlets (28% or 30 respondents) ranked in the high percentile as "allow but not encourage."

The type of economic or business development initiative(s) that Ts'ah Bii Kin community members additionally indicated that the community needs also "agree[d]" on are single family residents (58% or 61 respondents); scattered site homes (66% or 70 respondents); light industry & manufacturing (38% or 40 respondents); multi-family residences (50% or 53 respondents) and mobile home parks (35% or 38 respondents). Approximately, 49% or 52 respondents "disagree[d]" on mineral extraction; condominiums (45% or 48 respondents) and duplexes (43% or 46 respondents). Additional comments included 1) clustered homes; 2) electricity high[ly] recommend for homes that have elders for medical items that they need to live a healthy and safe life...the chapter is trying to get things like business and other nonsense things...they should first help the elders in the community first!; 3) the community needs housing in order for our younger generation to come back and work within our community; and 4) community development corporation (non-profit).

In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents; farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), , churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile agreed to



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Based on 104 respondents, the community members ranked the following locations where business development should be concentrated or dispersed throughout Ts'ah Bii Kin; 1) locate in the proposed/approved Ts'ah Bii Kin's business corridor or location (46.1 %); and 2) located in current or expired business site lease locations (32.6%). Twenty one (21) community members indicated they had "no opinion" while thirteen (13) stated "none." Seven additional comments included 1) just hope it's better for the communities; 2) both; 3) near the chapter house; 4) two (2) – crossroads; 5) where it easy location; and 6) not to be racist but if TBK community says yes to business development, white people....

The three most important improvements that TBK Chapter should consider based on 90 respondents are as follows, 1) public service facilities (hospital, police/fire stations, etc.) (85% or 77 respondents); 2) develop more home sites (64% or 58 respondents); and 3) developing a better utility system (65% or 55 respondents). The least two items that were considered "least important" are commercial, economic or industrial development (38% or 30 respondents) and housing (scattered or clustered) (25% or 23 respondents). Only one (1) comment stated "dirt road).

Base on the map provided, community members of Ts'ah Bii Kin recorded they held land use leases or permits in the following ranking order; 1) Housing Leases (53.5% or 30 respondents); 2) Grazing Permits (35.7% or 20 respondents); 3) Business Site Lease (5.3% or 3 respondents); and 4) Farming Permits (3.5% or 2 respondents). A majority stated they had leases and/or permits in Area "D" (8); Area "A" (1); and Area "C" (2).

Respondents ranked the Ts'ah Bii Kin's land development purposes as "very important" were 1) natural beauty of the area (68% or 69 individuals); 2) areas of traditional and historic importance (54% or 56 individuals); 3) highway corridors available for development (52% or 53 individuals); 4) residential areas (50% or 50 individuals); and 5) current facilities at

TBK/surrounding areas (47% or 48 individuals. Highway corridors available for development were considered the “least important” at 10% or 11 respondents.

#### 4. GOALS AND OBJECTIVES

##### **GOAL A: Establish commercial zones for potential business and economic development ventures.**

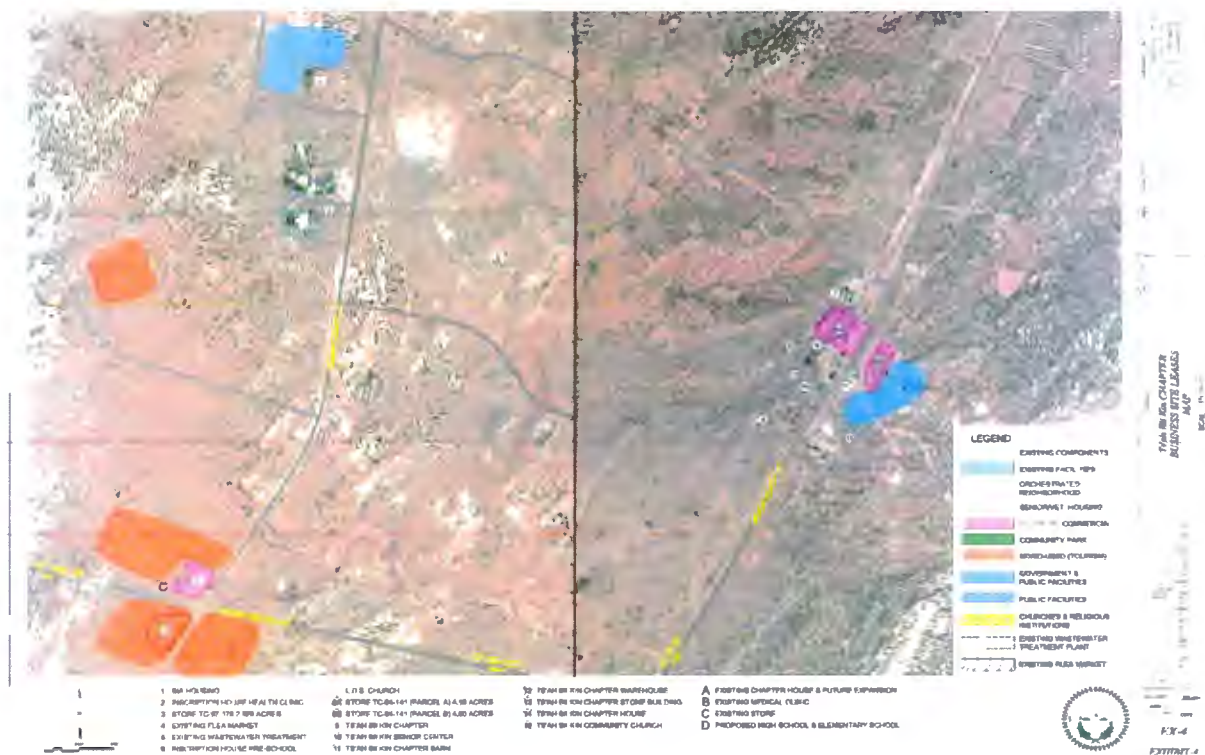
No.	Objectives
1.	Conduct a community business and economic development feasibility study.
2.	Conduct other research to identify other possible options for land acquisitions.
3.	Establish business and commercial zoning map and ordinances that will guide any future development of business and commercial industries.
4.	Provide incentives so current land use permit holders in exchange for land or economic development projects.
5.	Develop and adopt local development regulations and design procedures to assist potential businesses & developers.
6.	Leverage and/or obtain additional funding, grants or loans to develop infrastructure to accommodate future development.
7.	Tuba City Regional Business Development Office (RBDO) will advertise available commercial lots for lease in Ts’ah Bii Kin Chapter.

##### **GOAL B: Establishing new business and economic development initiatives.**

No.	Objectives
1.	Encourage the development of a non-profit community development corporation.
2.	Identify potential sites for commercial development (land withdrawal process).
3.	Develop a local artisan vendor village.
4.	Register with Systems for Award Management (SAMs) and grants.gov for potential grant leveraging opportunities for various projects such as the broadband connectivity funding, etc.
5.	Develop TBK’s BSL Administrative Management Plan.
6.	Encourage Eminent Domain process to obtain land for business and economic development purposes.
7.	Promote kiosks for advertisement & increase tourism & promote the TBK’s community assets & resources.
8.	Support land withdrawals for areas designed for Economic and Industrial Development. <ul style="list-style-type: none"> <li>a) Develop a scope of work for legal land description &amp; survey, and environmental, archaeological and biological studies/clearances.</li> <li>b) Collaborate with Chapter/Grazing Officials to identify site and initiate the withdrawal process by working with community members/land use permit holders.</li> <li>c) Identify funds and develop Request for Proposal (RFP) to obtain professional</li> </ul>

- development services.
- d) Coordinate with Chapter Officials/Committees to obtain a support Chapter Resolution for the project and land withdrawal process.
9. Develop zoning ordinance for areas identify for Economic and Industrial development.
  - a) Obtain the legal services of an Attorney to develop commercial zoning ordinances.
  - b) Conduct community public meetings/training and formally adopted zoning ordinances.
10. Develop a master plan for Economic and Community Development vicinity to guide future development.
  - a) Develop comprehensive scope of work for the Master Plan and identify potential funding.
  - b) Develop a Request for Proposal (RFP) and obtain services of an architect/engineer to conduct the work.
  - c) Present Master Plan to the Chapter and community members to adopt the plan.

5. TS'AH BII KIN'S BUSINESS SITES MAP (Exhibit 4):





## F. AGRICULTURE ELEMENT

### 1. AGRICULTURAL DEVELOPMENT PURPOSE STATEMENT

"The Agricultural Development Element" will provide strategies to enhance agribusiness opportunities and maintain the Ts'ah Bii Kin community.

### 2. AGRICULTURAL ELEMENT OVERVIEW

Some of the existing land uses could be used for agricultural, which is the most common use besides open space. Abundant flat, irrigated land is available throughout half of the Ts'ah Bii Kin community, and past plans and zoning have supported a strongly agricultural, low-density land use pattern. In addition, agriculture is a strong cultural tradition, and is viewed as a contributor to



economic development efforts to provide sustainable revenue and employment within the Community. Ts'ah Bii Kin Chapter has approximately 182,527.80 acres that includes a majority of the land being designated for grazing and/or agricultural usage. The identified sites for future housing, are grazing lands and have not been withdrawn. There are small cornfields and gardens in close proximity to residences throughout the chapter area. There is no large scale commercial farming in the chapter area.

### 3. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY

In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents; farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), , churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile agreed to "strongly promote" and "promote" a majority of the categories listed, however, tourism development was "strongly discourage[d]" at 12% or 13 respondents.

Ts'ah Bii Kin residents stated the following most important issues and/or concerns that is facing their community; 1) community services & facilities (i.e., police, fire, ambulance services) (78% or 82 respondents); 2) environmental degradation in the community (erosion, storm water run-off, etc.); 3) crime (60% or 63 respondents); 4) available and/or affordable housing (59% or 62 respondents); and 5) amount of development in the Ts'ah Bii Kin community as a whole (58% or 61 respondents). A high percentage or majority of the potential

issues and concerns all rated above 48 percent with the loss of farmland and/or agricultural activities was ranked the lowest but still managed to pull in 48.5% or 51 respondents. Eight other comments included 1) more temp[orarily] jobs; 2) stray dogs, cats control; 3) more business[es] for jobs; 4) detox center; 5) community post office; 6) housing (elders), trash bins; 7) home care or nursing homes; and 8) go out into the community and help elders.

Based on the map provided, community members of Ts'ah Bii Kin recorded they held land use leases or permits in the following ranking order; 1) Housing Leases (53.5% or 30 respondents); 2) Grazing Permits (35.7% or 20 respondents); 3) Business Site Lease (5.3% or 3 respondents); and 4) Farming Permits (3.5% or 2 respondents). A majority stated they had leases and/or permits in Area "D" (8); Area "A" (1); and Area "C" (2).

#### 4. GOALS AND OBJECTIVES

**GOAL A: Establish an agricultural education program to educate the youth and community about traditional Navajo farming, introducing new agricultural products while reducing overgrazing.**

No.	Objectives
1.	Assist the Chapter to create small farm plots for educational purposes and to coordinate a local farmers market.
2.	Support the Chapter's organic food initiatives which will promote a healthy life style.
3.	Support the Chapter's goals of producing, processing of medicinal plants.
4.	Submit a chapter resolution to the BIA & U.S. Department of Agriculture to enforce overgrazing.

### G. INFRASTRUCTURE DEVELOPMENT ELEMENT

#### 1. INFRASTRUCTURE DEVELOPMENT PURPOSE STATEMENT

The purpose of the Infrastructure Development Element is to provide directions for providing improvements to the Ts'ah Bii Kin Chapter's community's basic infrastructure to improve public health and safety and enhance economic development opportunities. This includes the plans for any future expansion of utility lines and services to meet current unmet needs and future growth expansions requirements. Utilities considered include the following:

- Domestic (potable) Water
- Telephone/Internet
- Waste Water
- Electrical Power
- Natural Gas
- Solid Waste Management

## **2. INFRASTRUCTURE ELEMENT OVERVIEW**

The timely expansion of Agricultural, Livestock, Portable water and Wastewater protection Facilities and Services will enable growth to occur in a well-planned manner. The TBK community's intent on promoting a quality environment for its residents, workers, and visitors also, in doing so, recognizes the needs to work with local and regional partners. The Ts'ah Bii Kin community also understands the precious commodity of water, practicing sound water management. This plan will assist the community in making decisions regarding:

- Allocation of resources for utility extensions and maintenance.
- Location of new facilities related to utilities and buildings.
- Planning for new building projects and community growth.

## **3. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY**

In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents); farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), , churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile agreed to "strongly promote" and "promote" a majority of the categories listed, however, tourism development was "strongly discourage[d]" at 12% or 13 respondents.

Ts'ah Bii Kin residents stated the following most important issues and/or concerns that is facing their community; 1) community services & facilities (i.e., police, fire, ambulance services) (78% or 82 respondents); 2) environmental degradation in the community (erosion, storm water run-off, etc.); 3) crime (60% or 63 respondents); 4) available and/or affordable housing (59% or 62 respondents); and 5) amount of development in the Ts'ah Bii Kin community as a whole (58% or 61 respondents). A high percentage or majority of the potential issues and concerns all rated above 48 percent with the loss of farmland and/or agricultural activities was ranked the lowest but still managed to pull in 48.5% or 51 respondents. Eight other comments included 1) more temp[orarily] jobs; 2) stray dogs, cats control; 3) more business[es] for jobs; 4) detox center; 5) community post office; 6) housing (elders), trash bins; 7) home care or nursing homes; and 8) go out into the community and help elders.

The three most important improvements that TBK Chapter should consider based on 90 respondents are as follows, 1) public service facilities (hospital, police/fire stations, etc.) ( 85% or 77 respondents); 2) develop more home sites (64% or 58 respondents); and 3) developing a better utility system (65% or 55 respondents). The least two items that were



considered “least important” are commercial, economic or industrial development (38% or 30 respondents) and housing (scattered or clustered) (25% or 23 respondents). Only one (1) comment stated “dirt road).

#### 4. GOALS AND OBJECTIVES

**GOAL A: Collaborate with Navajo Tribal Utilities Authority (NTUA) to provide necessary economic power development for community members and businesses’ electrical infrastructure requirements (house wiring and electrification initiatives).**

No.	Objectives
1.	To address house wiring and electrical initiatives.
2.	Comply with the Nation’s & NTUA’s Electrification Code.
3.	Provide necessary refrigeration for diabetic medication & perishable food.
4.	Provide oxygen equipment for individuals in need of oxygen.
5.	Support the completion of the TBK House Wiring and Electrification initiative.

**GOAL B: Increase local promotion of renewable energy development, particularly windpower/windmills to provide water resources for livestock, residential and agricultural usages.**

No.	Objectives
1.	To provide adequate water supply for livestock and residents with no access to water.
2.	Identify all the windmills in the community that require maintenance repairs.
3.	Submit all documents to NN Water Resource for potential funding.
4.	Seek all external potential funds for all projects.

## H. PUBLIC & COMMUNITY FACILITIES ELEMENT

Ts’ah Bii Kin Chapter’s, Senior Center, and Health Clinic are the currently existing public community facilities

### 1. COMMUNITY FACILITIES PURPOSE STATEMENT

“The Community Facilities Element” provides direction for developing basic Infrastructure and Amenities that will add to the quality of life for the TBK community members that will show the location, type, capacity, and area served of:

- Present,
- Projected, and
- Required community facilities.

## 2. COMMUNITY FACILITIES ELEMENT OVERVIEW

Ts'ah Bii Kin community provides community services and facilities which include Health & Human services, Public safety, Education & Employment, public works (utilities) and Recreation. TBK's community provides several valuable services including Indian Health Service, social support, and youth/Senior citizen services.

### *Recreation/Tourism*

Ts'ah Bii Kin vicinity is located within the northwestern region of the Navajo Nation approximately fifty (50) miles East of Page, Arizona. Strategically located between two (2) tourist destinations of Lake Powell and Monument Valley, the community of TBK realizes its prime location to develop economic success.

### *Police & Emergency Response*

Navajo Police Department – Kayenta District enforces Tribal, Federal and State law with the primary responsibility in the areas of traffic safety, criminal interdiction, narcotics, organized crime, auto theft, and specific Navajo Nation law enforcement functions. For TBK, the closet emergency facility would be Kayenta, AZ.

Services include homeland security, criminal intelligence, emergency first care, criminal information systems, training, and public safety. Operational and technical assistance is provided to tribal and state agencies and other components of the criminal justice and civilian community. Emergency Response services provided by Kayenta Service Unit via Inscription House Health Care.

### *Fire and Rescue*

Shonto Fire Department is located at Shonto Preparatory Schools Campus with the Western Fire Station #20 delivery area. Firefighting involves a lot more than many people would think. For the fire service, the control and mitigation of fires historically has been and currently still is the sole purpose of its existence, and a key component in the philosophy and mission statement of the organization. As the philosophy and mission statement changed (to accommodate a changing world), and grew from preventing and controlling fires, to a general term of protecting life and property, so did the duties and responsibilities of the firefighter. In any event, when life and property is affected, firefighters are the first to be called to control the



threat and stabilize the incident. From fighting fires, the roles to protect life and property have now expanded to include:

- Emergency Medical Response
- Hazardous Materials Response
- Technical Rescue (Vehicle/Machinery, High Angle, Trench, Ice/Swift Water, Structural Collapse and Confined Space)

### ***Education***

Education within the Ts'ah Bii Kin community ranges from early childhood programs and preschool next to the Inscription House Trading Post, Shonto Az has K-8 and also a High School, Kaibeto Az has K-8, Page AZ has Lake View and Desert View K-5 and Page Middle School 6-8 and a High School. Additionally there are higher education opportunities such as the Dine College Sub-Office at Tuba City AZ; and Coconino Community College at Page AZ; and Norther Arizona University, Flagstaff AZ.

Under this Element a couple of tribal, government and community facilities will be considered to be constructed over the next 5 to 10 years. This element proposes to construct several new facilities; rehabilitate or renovate existing facilities; and construct streets and parking lots inside the 4 acre tract (see Exhibit 3: TBK Housing Parcel Map). The Chapter will prioritize the list of projects, but the timing of the projects will be based on available funds and the assertiveness of the Chapter. This element also promotes educational farming activities and housing for the elderly and handicapped citizens.

Based on the availability of funding, the Chapter will utilize the Project Manager to oversee the work and represent the Chapter throughout the planning, design and construction phases. Each phase involves an increasing amount of work and money. The Chapter has already completed most of the planning work, which involved land withdrawal, environmental assessment, and soils analysis. Therefore, the Chapter is ready to move into the design phase for each project

The design phase requires the services of a qualified architect and engineering (A/E) firm. The A/E's work will involve the following responsibilities: evaluation and planning, design services (schematic, design and preparation of construction documents), construction procurement (bidding and negotiation) and contract administration. The Chapter will utilize capital outlay funds for these services.

Chapters will develop funding proposals for construction phase as soon as the A/Es has prepared preliminary designs and cost estimates. Potential funding sources include the Navajo Community Block Development Grant (CBDG), Navajo Department of Transportation (NDOT), Navajo CIO, and Navajo Abandoned Mine (AML) Program Navajo Housing



Authority (NHA) Grant Department, and State & Federal agencies. This Public and Community Facilities Element establish operational actions to get projects started and keep them moving. By having this public and community facilities element in place, the Chapter can plan for efficient expenditure of capital outlay funds.

### 3. Community Priorities for Community Facilities

Specific community priorities relating to Community Facilities are shown below. Additional community service and facility needs are listed in the table summarizing the results of the Community Facilities Survey.

The facilities and services listed below were determined to be community priorities by the Chapter Members.

### 4. Community Land Use Plan's Community Survey

In planning for future development, Ts'ah Bii Kin Chapter Officials should "strongly promote" senior citizen centers/programs (68% or 72 respondents); employment opportunities (63% or 66 respondents); youth recreational centers/activities (59% or 61 respondents); environmental preservation (53% or 53 respondents); educational institutional development (52% or 55 respondents); recreational facilities (47% or 48 respondents; farmland preservation (45% or 46 respondents), artisan vendor/training programs (45% or 48 respondents), , churches/religion purposes (44% or 46 respondents) and small business and/or economic development (43% or 45 respondents). While viewing the charts a high percentile agreed to "strongly promote" and "promote" a majority of the categories listed, however, tourism development was "strongly discourage[d]" at 12% or 13 respondents.



Ts'ah Bii Kin residents stated the following most important issues and/or concerns that is facing their community; 1) community services & facilities (i.e., police, fire, ambulance services) (78% or 82 respondents); 2) environmental degradation in the community (erosion, storm water run-off, etc.); 3) crime (60% or 63 respondents); 4) available and/or affordable housing (59% or 62 respondents); and 5) amount of development in the Ts'ah Bii Kin community as a whole (58% or 61 respondents). A high percentage or majority of the potential issues and concerns all rated above 48 percent with the loss of farmland and/or agricultural activities was ranked the lowest but still managed to pull in 48.5% or 51 respondents. Eight other comments included 1) more temp[orarily] jobs; 2) stray dogs, cats control; 3) more business[es] for jobs; 4) detox center; 5) community post office; 6) housing (elders), trash bins; 7) home care or nursing homes; and 8) go out into the community and help elders.

Respondents ranked the Ts'ah Bii Kin's land development purposes as "very important" were 1) natural beauty of the area (68% or 69 individuals); 2) areas of traditional and historic importance (54% or 56 individuals); 3) highway corridors available for development (52% or 53 individuals); 4) residential areas (50% or 50 individuals); and 5) current facilities at TBK/surrounding areas (47% or 48 individuals). Highway corridors available for development were considered the "least important" at 10% or 11 respondents.

## 5. GOALS AND OBJECTIVES

**Goal A:** Design and construct necessary infrastructures such as streets, sidewalks and parking lots within the four (4) acre Chapter tract.

**Goal B:** Address public facilities such as Police/Fire/NDOT Maintenance/Housing/Fitness Center/Assisted Living for Elders, etc.

**Goal C:** Expand and renovate Chapter house and Senior Citizen Building.

**Goal D:** Plan, design and construct an outdoor picnic area and playground.

No.	Objectives
1.	The Chapter membership shall approve each proposed project by resolution at a duly-called Chapter meeting. The resolution shall contain information on the project's scope, estimated budget, and schedule.
2.	Based on the availability of funds, the Chapter shall hire a Planning Aide (PA) to oversee the project and to serve the best interest of the Chapter.
3.	The PA shall develop a Request for Proposal (RFP) aimed at hiring an Architecture & Engineering (A/E) firm to design the specific project in accordance to FMS. <ul style="list-style-type: none"> <li>a) Develop a scope of work for the master plan.</li> <li>b) Collect all pertinent research and/or studies conducted, i.e., environmental, archeological assessments, geotechnical data, surveys, etc.</li> <li>c) Identify and secure potential funding sources.</li> <li>d) Refer to NHA's master plan for any development project.</li> </ul>
4.	In accordance to the Five Management System (FMS) and the Navajo Business Preference Opportunity Act.
5.	The PA shall coordinate the development of the design documents among the A/E with NTUA, NN Design & Engineering, BIA and Indian Health Service.
6.	The PA shall be responsible for ensuring that the design project stays within the specified project scope, budget, and schedule.
7.	Chapter Manager shall prepare construction grant applications to various programs using the A/E's preliminary or final designs and cost estimates.
8.	Planning Aide and the Chapter Manager shall effectively coordinate the project.
9.	The Chapter shall promote the use of alternative energy technology to the extent feasible.

# III. TS'AH BII KIN CHAPTER'S INVENTORY ASSESSMENT

## A. PURPOSE

The purpose of the "data assessment" is to determine if there are conditions which will affect the future use of the land. The report looks at conditions related to Land, Water, Air and Wild Life. Then how people have resided on the land is evaluated and finally recommendations are made as to how the land can be best protected and used.

This assessment will help the community make decisions regarding:

- ✓ Areas of land that require special protection;
- ✓ Environmental problems which need to be addressed;
- ✓ The use of land within the Chapter area;
- ✓ Whether a certain site is good for a proposed land use, lease land withdrawal; and
- ✓ Where it would be good to place different land uses.

For TBK Chapter, the Evaluation was based on the following sources of information:

- ✓ US Census Bureau 2010;
- ✓ Navajo Department of Transportation;
- ✓ Navajo Historic Preservation Department maps and review;
- ✓ Navajo Department of Water Resources data and materials;
- ✓ Navajo Department of Fish and Wildlife recommendations;
- ✓ Navajo Forestry Department materials; and
- ✓ Other available resources.

## B. NATURAL RESOURCES INVENTORY AND ASSESSMENTS\*

### 1. Ground/Surface Water

Ground water is located approximately 620 to 1180 feet below the surface, and there are no surface water entities on the future housing sites. Inscription House is fed by the N aquifer. Surface water flows northwest for 5/6 of the chapter land with the greatest drainage following the western boundary of Inscription House.

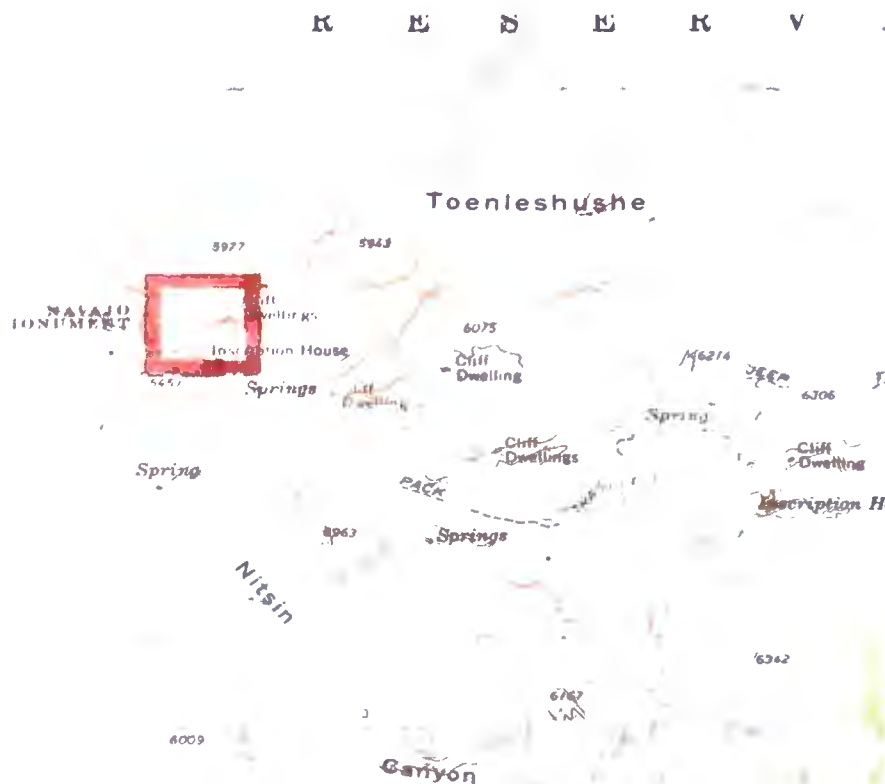


## 2. Soils Information

The housing site is relatively flat and lies at an elevation near 6,300 feet above mean sea level. It is located on flat terrain on the east side of Route 16. No cliffs, Kaibab limestone, sand dunes, streams, seeps, springs, ponds or other waterways exist on the property. Soils are sandy with some silt. The area is made up of red sandy soil sitting on the Jurassic and Triassic sedimentary rock period units. The main surface component is Navajo sandstone, which is grayish-orange-pink even grained highly cross bedded sandstone. Ts'ah Bii Kin Chapter is located upon the Kaibeto Plateau with resultant slopes creating the Navajo Canyon.

## 3. Slopes/Topography

USGS topography maps were used to show topography and resultant slopes in the identified area for development retrieved from USGS website, titled: Map Name: [Inscription House Ruin, AZ](#) Map MRC: 36110F7Map Center: N36.66910° W110.80950° :



## 4. Vegetation/Wildlife

The plant community is considered to be a part of the Great Basin Desertscrub biome, with big sagebrush (*Artemisia tridentata*) and snakeweed (*Gutierrezia sarothrae*) as dominant species. A few juniper (*Juniperus* spp.) and galleta grass (*Hilaria jamesii*) also exist on the property. The property has been used to graze domestic livestock in the past. A minor amount of existing development exists within a ¼ mile of this parcel.

Wildlife that occupies the housing site is expected to be typical of Great Basin Desertscrub habitat. Although no animal were seen during the site visit, it can be expected that coyotes, foxes, rabbits, lizards, snakes, small rodents, and birds of prey could be a common resident of the property.

## 5. Housing Site

This proposed housing sites are not intended to provide a comprehensive list, but to give the community an indication of the habitat found within the housing site. The Great Basin spadefoot toad is known to occur within three miles of the proposed housing site (Nelson 2000); although, no habitat is present for this species within the parcel. Though foraging habitat exists for the golden eagle, peregrine falcon and ferruginous hawk, there is no suitable nesting habitat for any of these species except the ferruginous hawk. No prairie dog colonies were found on the site that would provide habitat for the black-footed ferret. No suitable habitat for any of the other listed species occurs.

The Navajo Natural Heritage Program was contacted regarding a list of species of concern that are known to occupy or could occur near the project sites. They responded by listing 13 species with the potential to occur on the USGS Whirlwind Rock, Arizona 7.5-minute quadrangle, which encompasses the proposed housing site (Nelson 2000). Species of concern include protected, candidate, and other rare or otherwise sensitive species, including certain native species and species of economic or cultural significance. For each species, the following tribal and federal statuses are indicated: Navajo Endangered Species List (NESL); federal Endangered Species Act (ESA); Migratory Bird Treaty Act (MBTA); and, Eagle Protection Act (EPA). No legal protection is afforded species with only ESA-candidate or NESL-group 4 status.

**Table 3: Species of Concern**

COMMON NAME	SCIENTIFIC NAME	STATUS
Black-footed Ferret	<i>Mustela nigripes</i>	NESL group 2, ESA endangered
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	NESL group 3, ESA threatened, MBTA
Ferruginous Hawk	BUTEO REGALIS	NESL group 3, MBTA
Peregrine Falcon	FALCO PEREGRINUS	NESL group 3, MBTA
Golden Eagle	AQUILA CHRYSAETOS	NESL group 4, MBTA, EPA
Mountain Plover	CHARADRIUS MONTANUS	NESL group 4, ESA candidate, MBTA
Southwestern Willow Flycatcher	EMPIDONAX TRAILLII EXTIMUS	NESL group 2, ESA endangered, MBTA
Northern Leopard Frog	RANA PIPIENS	NESL group 3
Parish's Alkali Grass	PUCCINELLIA PARISHII	NESL group 2
Welsh's Milkweed	ASCLEPIAS WELSHII	NESL group 4, ESA threatened

Navajo Sedge	CAREX SPECUICOLA	NESL group 3, ESA threatened
Alcove Bog-orchid	PLATANThERA ZOTHECINA	NESL group 3
Great Basin Spadefoot Toad	SCAPHIOPUS INTERMONTANUS	an endemic species

Upon receiving a response from the Navajo Natural Heritage Program, a field visit was conducted to identify the habitat within the project sites and evaluate the potential for sensitive species habitat to occur on the project sites. A visual inspection of the site was completed by walking randomly throughout the study area.

The following descriptions provide background information regarding plant and animal species that are listed in Table 3: Species of Concern. This is the general information that was used to evaluate the habitat found in the study area.

The Black-Footed Ferret is usually found in association with prairie dog towns in grassland plains and surrounding mountain bases up to 10,500 feet above sea level. A survey for black-footed ferrets is required if a prairie dog town is present and larger than 80 acres (for black-tailed prairie dogs) or 200 acres (for white-tailed and Gunnison's prairie dogs).

The Arizona Game and Fish Department (1998) stated that "suitable habitat for the Mexican Spotted Owl is generally described as a relatively closed canopy ponderosa pine/mixed conifer forest associated with steep canyons and/or with deciduous vegetation in steep canyons". This species is thought to generally require the cool microclimates provided by these types of habitats.

The Smithsonian's Hawk, Eagle, and Falcons of North America's report indicated the following:

Ferruginous Hawks are found in open habitats, such as grasslands, shrub steppes, sagebrush, deserts, saltbush-greasewood shrublands, and outer edges of pinyon pine and other forests. It nests in small trees or rock outcrops or on the ground or haystacks if no other site is available. Generally, they avoid high elevations, narrow canyons, and interior regions of forests. Trees, utility poles and towers, fence posts, rocky outcrops, cliffs, and the ground are perching substrates used by ferruginous hawks.

Peregrine Falcons are birds of open spaces usually associated with high cliffs and bluffs overlooking rivers and coasts (Farrand 1988 and AGFD 1988). Recently many cities with tall buildings have become home to pairs of peregrines. Many populations are migratory (their name means "wandering falcon") and will travel great distances. Their nest is a scrape made on the bare rock of a cliff, where 2-4 eggs are laid. There are also a few records of tree-nesting peregrine falcons in the eastern United States. Recently many cities in North America have had peregrines nesting on the ledges of tall buildings or under bridges. The most spectacular of hunters, peregrines feed almost exclusively on birds they take in the air. High-speed dives enable peregrines catch everything from songbirds to herons and ducks (Johnsgard 1990 and Phillips et al 1964).



The Golden Eagle inhabits open country from barren areas to open coniferous forests. They are primarily found in hilly and mountainous regions, but also in rugged deserts, on the plains, and in tundra (Farrand 1988). The golden eagle prefers cliffs and large trees with large horizontal branches and for roosting and perching. The golden eagle nests on cliff ledges, preferably overlooking grasslands; 10 to 100 feet above ground in dead or live trees; in artificial structures; or on the ground. In western mountains, golden eagles nest at elevations of 4,000 to 10,000 feet. Pairs may use the same nest year after year or use alternate nests in successive years. Golden eagles are most likely to use trees for nesting if cliff sites are unavailable. The golden eagle generally forages in open habitats where rabbits and small rodents are available. During the nesting season the golden eagle usually forages within 4.4 miles (7 km) of the nest (Johnsgard 1990 and Phillips et al 1964). Trees, live or dead, are often used for perches if they are near open areas where prey can be easily seen.

The Southwestern Willow Flycatcher inhabits thickets, riparian woodlands, pastures, and brushy areas. At low elevations, dense willow, cottonwood, and tamarisk thickets and woodland along streams and rivers are considered habitat, and (at high elevations) pure, streamside stands of Geyer willow are preferred.

The Mountain Plover is generally considered an inhabitant of the arid short-grass prairie, which is dominated by blue grama and buffalo grass with scattered clumps of cacti and forbs. More recently it has been considered a disturbed-prairie or a semi-desert species. Mountain plovers are very selective in choosing nest sites, preferring expansive, arid flats with very short grass and a high proportion of bare ground. In parts of its breeding range the mountain plover selectively nests in prairie dog towns. Prairie dogs create unique patches of habitat ideal for mountain plovers. In short-grass prairie, prairie dog grazing promotes the short grasses like buffalo grass and grama grasses, and their digging creates areas of bare soil important for plover nesting. Prairie dog towns also attract many species of insects. Mountain plovers will forage on slopes and ridges. Adults with young have been observed in tall vegetation and around livestock watering facilities, which probably provide an abundance of insects. Adults also use plowed fields.

The Northern Leopard Frog was once widely distributed across much of the United States and Canada. Since the 1970's however, declines of leopard frogs have been documented from every state in the Rocky Mountain region and large parts of Canada. This species reaches the southern extent of its range in central Arizona and New Mexico. The northern leopard frog is found in all water types found in association with open meadows and grasslands (e.g., lakes, ponds, rivers, stock tanks, springs, streams, large and small wetlands, even homemade ponds). Leopard frogs move considerable distances from water especially in wet grasslands or damp woodlands (USGS web-site 2000).

Parish's Alkali Grass is generally found on wet saline or alkaline soils, particularly near mineral springs. Its range includes the western Mojave Desert through southern California and east to New Mexico. The species elevational range is  $\pm 3,000$  feet. All but one location in New Mexico and a few in Arizona have been severely impacted by water development and agriculture (New Mexico Forestry and Resources Conservation Division 1992).

According to the U.S. and Wildlife Service (1991)'s on "Endangered and Threatened Species of Arizona" report:

Welsh's Milkweed is currently known from three populations. Most of the known individuals are located on the Coral Pink Sand Dunes about 7 miles west of Kanab in Kane County, Utah. A second population is located in the Sand Hills about 8 miles north of Kanab, also in Kane County. A third population is located in Sand Cove about 28 miles east of Kanab, Utah, and Fredonia, Arizona, on the Arizona-Utah border in Coconino County, Arizona, and Kane County, Utah. Populations of Welsh's milkweed occur on eolian sand dunes in a plant community dominated by sand mulesears (*Wyethia scabrida* var. *attenuata*) with prominent groves of ponderosa pine (*Pinus Ponderosa*) and clumps of Gambel oak (*Quercus gambelii*). Other plant species commonly associated with this plant include: blowout grass (*Redfieldia flexuosa*), sand dropseed (*Sporobolus* spp.) giant dropseed (*Sporobolus* spp.), Indian ricegrass (*Stipa hymenoides*), sand hill muhly (*Muhlenbergia nunciens*), sand-spurge (*Reverchonia arenaria*), dune scurfpea (*Psoralea lanceolata*), Kanab yucca (*Yucca kanabensis*), rubber rabbit-brush (*Chrysothamnus nauseosus*), and winged wild-buckwheat (*Eriogonum alatum*).

Navajo Sedge is a grass-like, perennial plant, which grows in clumps of long, narrow, wispy pale green leaves. The plant can reach up to 16 inches in height, and its leaves are usually about 16 six inches long. During the spring and summer months, inconspicuous flowers, consisting of small, green-brown, scale-like parts, bloom. This threatened sedge grows in dense colonies in damp, sandy to silty soils around shady, spring-fed seepages that occur at about 5,800 feet elevation. Because of this, the Navajo sedge was probably never common outside of its current distribution in Coconino County, Arizona. Presently, this plant is found at three sites near the Inscription House Ruin on the Navajo Indian Reservation. Each colony covers an area of about 20 square meters (2,152 sq. ft) around the springs, and as of 1980, all of the populations appeared to be healthy.

The Alcove Bog-orchid is also found in association with seeps, hanging gardens, moist stream areas.

The Great Basin Spadefoot Toad is typically found with permanent water sources from pools created by heavy rains or permanent waterbodies (e.g., streams, lakes, ponds, springs).

### **Conclusion/Recommendations**

According to the previous CLUP research there are currently no designated critical habitat for Navajo or federally listed species on the proposed housing site. However, prior to development of either proposed housing site, the Navajo Natural Heritage Program would need to be contacted for an updated list of species of concern and intensive biological surveys would be required for those listed species during the appropriate field season and following established protocol.

### Culturally Significant Areas

No Class I Archeological Sites were found.

### Traditionally Sensitive Areas

No Traditionally Areas were noted or observed.

### Environmentally Sensitive Areas

No Environmentally Sensitive Areas were found.

### Accessibility

Site is accessible through Route 16 that is connected to Highway 98.

#### **Culturally Significant Areas**

No Class I archeological sites were found in the area identified for development.

#### **Traditionally Sensitive Areas**

No traditional sensitive areas were noted or observed in the area identified for development.

#### **Environmentally Sensitive Areas**

No environmentally sensitive areas were found in the area identified for development.

#### **Accessibility**

The site is accessible through unpaved Indian Route 16 which is connected to Highway 98 which is paved.

\*Research Provided in Previous TBK Manual (author unknown)

## **C. COMMUNITY DEMOGRAPHICS**

Ts'ah Bii Kin (TBK) Chapter is located adjacent to Highway 16 in the northwestern region of the reservation and is located within the Western Navajo Agency of the Navajo Nation. To put Ts'ah Bii Kin community in a regional perspective, Table 2 presents the chapters that are near TBK and are located within the vicinity and within Western Agency.

### **1. The Navajo Population Profile 2010 U.S. Census:**



The Navajo Population Profile 2010 U.S. Census was prepared by the Navajo Division of Health Navajo Epidemiology Center, with data provision and analytic support from Ms. Amadeo Shije, Data Dissemination Specialist with the U.S. Census Bureau Denver Region Partnership and Data Services. The problems encountered and witnessed by many programs prior to the Profile include: the lack of consistent collection and coding of geographic information; the multijurisdictional overlap of programs and in geography among local, state, county, tribal and federal entities.

Shije (2013) stated "the Profile aims to provide an accurate picture of the Navajo population throughout the U.S. to identify target or at risk populations when assessing the health status of the Navajo people; [and] other factors and determinants affecting the health of the Navajo people including socioeconomic status, environmental conditions, poverty status, and access to quality medical care need further evaluation and research and the Profile provides a baseline of the target or at risk populations" (p. 3).

According to the Navajo Times (2011), Navajo Nation claims over 300,000<sup>1</sup> enrolled tribal members and is the second largest tribe in population, following the Cherokee Nation. According to 2010 U.S. Census, there were a total of 332,129 individuals living in the U.S. who claimed to have Navajo ancestry. The Navajo Nation's Profile includes the population on the Navajo Nation, the Navajo population in the bordering towns of the Navajo Nation, and in the metropolitan areas with a high populace of Navajos. Using the 2010 U.S. Census American Indian and Alaska Native (AIAN) Summary Files data, the Profile provides a documentation of the population in three enumeration groups, listed below.

- ✓ "Navajo tribal grouping alone" (*Navajo alone*)
- ✓ "Navajo tribal grouping alone or in any combination" (*Navajo in combination*)
- ✓ "All race population includes all races" (*All race*)

The *Navajo alone* consist of individuals who claim to be only Navajo as their race during the 2010 U.S. Census. The *Navajo in combination* include individuals who claim to be Navajo only or individuals who claim to be *Navajo in combination* with another race or tribe. For example, in a formula:

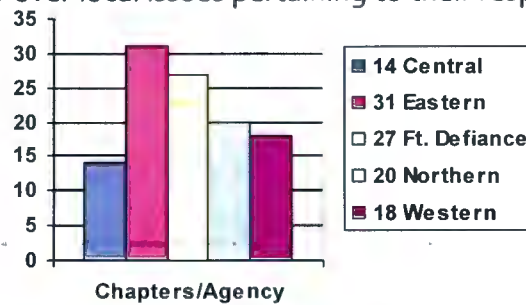
$$\text{Navajo in combination} = \text{Navajo alone} + \text{Navajo mixed with other race}$$

Since *Navajo in combination* has a larger population for the Navajo population, it would be beneficial to use as a health indicator at the geographic local and national level when comparisons are made with other races, tribes, or populations.

Each of the five Navajo agencies are geographically and politically divided into chapters; for a total of 110 chapters. The chapters are sub-governmental entities within the Navajo Nation delegated to address local issues pertaining to the land and health status of their respective

chapter population. According to the U.S. Census Bureau, each chapter is designated as a Census Designated Place (CDP) with the exception of San Juan Chapter, located in northwestern New Mexico

There are a total of 110 chapters that constitute the Navajo Nation with a certain number of chapters per agency, graph below. Eastern agency has the most chapter representation at thirty-one. Central agency has the least chapter representation with fourteen (14). Each chapter is designed some authority over local issues pertaining to their respective chapter area.



Ts'ah Bii Kin Chapter is located within the Western Agency and the 2010 U.S. Census data was analyzed for the Navajo Nation chapters and TBK has a population counts for *Navajo in combination*(*Navajo in Comb pop*) of 1,161, *Navajo alone* (*Navajo alone pop*) of 1,139, and total population with all races (*All race pop*) of 1,252.

**Table 1: Arizona Navajo Chapters Population by Navajo in Combination, Navajo Alone, and Total with all Races.**

Chapter	County	Agency	Navajo inc comb* pop^	Navajo Alone Pop^	All Race Pop^
Ts'ah Bii Kin	Coconino/San Juan/Navajo	Western	1,161	1,139	1,252

## 2. 2010 U.S. Census

According to the U.S. Census Bureau' American Fact Finder, Ts'ah Bii Kin (formally known as Inscription House) registered 1,252 community members profile of general population and housing characteristics of 2010. The following is a summary of the 2010 Census Summary:

TBK has 118 of community members that are under the age of 5 years; 10 to 19 years of age (247); 20 to 29 years of age (166); 30 to 39 years of age (129);

For the period between 1990 and 1997, an increase in population was the general trend for Inscription House and other chapters in the region. Most of the chapters experienced a positive percent change in a range between 8.4 and 11.4 percent. The only exception to this was the chapter of Coppermine, whose population only increased by 4.7 percent. The average growth rate for the selected chapters was 9.7 percent. In terms of absolute growth, the chapter of Tuba City gained the most with an increase of

767 residents. Following Tuba City were the chapters of Shonto and Lechee gaining 226 and 169 residents, respectively. The chapter of Inscription House was even farther behind gaining only 91 residents between 1990 and 1997.

According to the Navajo Nation's Division of Community Development's statistics represented in Table 2 presents population projections for Ts'ah Bii Kin and other nearby chapters. Between the period of 2000 to 2020, most of chapters are projected to experience positive growth in a range between 27.7 and 35.3 percent. The exceptions to this are Navajo Mountain and Coppermine, which are projected to grow at 19.2 and 14.4 percent, respectively. Annualized growth is expected to be the highest in Kaibeto and Lechee, at 1.5 percent per year. This rate of growth is more than twice that of the slowest growing nearby chapter, Coppermine, with expected annualized growth of 0.7 percent.

**Table 2**

**INSCRIPTION HOUSE VICINITY POPULATION PROJECTION BY CHAPTER,  
2000-2020**

Chapter	2000 to 2020					
	2000	2010	2020	Total Change	Total % Change	Annual Change
Coppermine	458	490	524	66	14.4%	0.7%
TS'AH BII KIN	<b>1,150</b>	<b>1,299</b>	<b>1,468</b>	<b>318</b>	<b>27.7%</b>	<b>1.2%</b>
Kaibeto	1859	2,163	2,516	657	35.3%	1.5%
Lechee	1,907	2,207	2,554	647	33.9%	1.5%
Navajo Mountain	691	777	824	133	19.2%	0.9%
Red Lake	2,380	2,727	3,124	744	31.3%	1.4%
Shonto	2,675	3,035	3,444	769	28.7%	1.3%
Tuba City	9,085	10,364	11,823	2,738	30.1%	1.3%

Source: Division of Community Development



**Table 3: 2010 US Census for TBK**

	2010 TBK*	
	Count	Percent
<b>Total Population</b>	<b>1,252</b>	<b>100.0%</b>
Under 5	118	9.4
5 to 9 years	108	8.6
10 to 19	247	19.7
20 to 29	166	13.2
30 to 39	129	10.3
40 to 49	153	12.2
50 to 59	133	10.6
60 to 69	97	7.7
70 to 79	63	5.1
80 to 42	23	1.8
85 years and over	15	1.2

\*2010 U.S. Census Bureau American Fact Finder

### **Medium Age**

Medium age for TBK community members is 29.2 years of age; males is 27.5 years of age and females is 32.1 years of age. Total community members that are 16 years and over is 873 or 69.7%; 18 years and over is 828 or 66.1%; 21 years or over is 761 or 60.8%; 62 years and over is 171 or 13.7%; and 65 years or over is 135 or 10.8%. Female population for TBK community reflects that 16 years and over is 437 or 34.9%; 18 years and over is 415 or 33.1%; 21 years and over is 386 or 30.8%; 62 years and over is 99 or 7.9%; and 65 years and over is 84 or 6.7%. TBK's male population is 16 years and over is 436 or 34.8%; 18 years and over is 413 or 33.0%; 21 years and over is 375 or 30.0%; 62 years and over is 72 or 5.8%; and 65 years and over is 51 or 4.1%.

### **Race**

TBK's total population's race of Navajos is 1,196 or 95.5%; white is 24 or 1.9%; African American is 8 or 0.6%; other race is 5 or 0.4%; and those that are two or more race is 19 or 1.5%.

### **Household by Type**

TBK has a total of 334 or 100% of total households within the community. This includes 267 or 77.8% of family households (families); households with children 18 years and under is 115 or 33.5%; husband and wife households is 168 or 49.0%; husband and wife household with own children under 18 years is 77 or 22.4%; male householder (no wife present) is 27 or 7.9%; female householders (no husband present) is 72 or 21.0%; female householder (no husband present) with own children under 18 years is 30 or 8.7%; non-family households [7] is 76 or 22.2%;

householders residing alone is 71 or 20.7%; male householders is 35 or 10.2%; male householders 65 years and over is 5 or 1.5%; female householders is 36 or 10.5%; female householders 65 years or over is 24 or 7.0%; households with individuals under 18 years is 170 or 49.6%; households with individuals 65 years and over is 102 or 29.7%; average household size is 3.65; and average family size is 4.31.

### Household Occupancy

TBK community's total occupied housing units is 324 or 94.5%; population in the owner-occupied housing units is 1,215; average household size of owner-occupied units is 3.75; renter-occupied housing units is 19 or 5.5%; population in renter-occupied housing units is 37; and average household size of renter-occupied units is 1.95.

## D. COMMUNITY LAND USE PLAN'S COMMUNITY SURVEY

A majority of the community members indicated that they have been residents for 25 years and over (76.4% or 81 respondents). Only eight (8 or 7.5%) of the residents indicated that they were in Ts'ah Bii Kin between 21 to 25 years while eighteen (18 or 16.79%) stated they were residents of the community between 1 to 20 years.

A high majority (93 or 83%) of those surveyed were registered voters of Ts'ah Bii Kin Chapter; while only nine respondents were not registered voters; and ten (10) had "no response" to the question.

A majority of those surveyed were female (70 respondents or 62.5%) while male respondents were thirty-three (33 or 29.5%) while nine (9 or 8.0%) individuals provided no responses.

The age ranges from 55 to 64 years of ages ranked the most responses with 35 individuals while followed closely with 30 household members were 9 years old or younger. Community members that were from the age of 15 to 19 ranked third with 29 recorded while the elders that were 64 years of age or higher ranked fourth (25 respondents).

A majority of Ts'ah Bii Kin's community members recorded that their gross income for their household in 2015 was less than \$10,000 per year (24% or 26 respondents) but equally (24% or 26 respondents) also indicated their 2015 income was between the range of \$15,000 to \$34,000 per annum. Fifteen community members or 14.1% stated they did not file or the gross income question was not applicable to their situation.

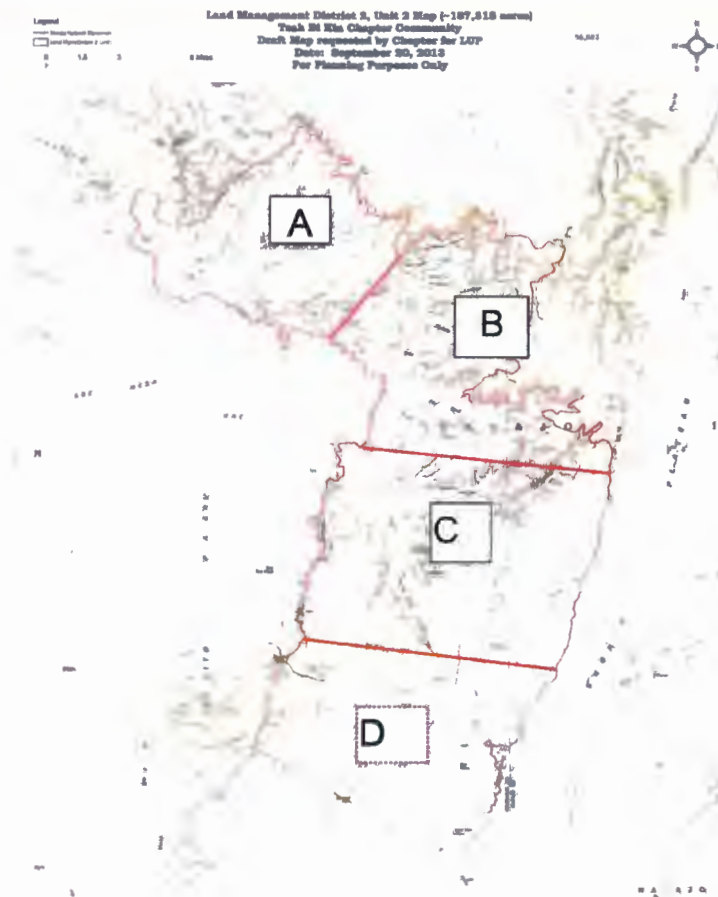


Ts'ah Bii Kin's residents' educational levels were 1) less than high school (89% or 26 respondents); 2) some college (87% or 27 respondents); 3) college degree (85% or 12 respondents); 4) high school/GED (92% or 51 respondents); 5) associate or technical degree (2 years) (88% or 8 respondents); and 6) post graduate work or degree (100% or 8 members).

On Ts'ah Bii Kin's community members' employment status; approximately 39.2% or 40 respondents stated they were employed; 47.0% or 48 indicated they were not employed. Ten (10) community members recorded they were self-employed; five (5) were retired; and three (3) were students.

Of those Ts'ah Bii Kin 's residents that stated they were employed in the following areas; 1) Other Chapter, City or town/state, such as Page, Kayenta (2), TCRHCC, out of state, Georgia, Utah(2), Nevada, and Texas. (31.5% or 23) ; 2) within Ts'ah Bii Kin (27.3% or 20); and 3) outside Ts'ah Bii Kin but within 20 miles radius of the Chapter (8.2% or 6). Twenty four (24) community members or 32.8% stated that the question was not applicable or their situation or they were unemployed.

## E. TBK SURVEY MAP





Based on the map provided, community members of Ts'ah Bii Kin recorded they held land use leases or permits in the following ranking order; 1) Housing Leases (53.5% or 30 respondents); 2) Grazing Permits (35.7% or 20 respondents); 3) Business Site Lease (5.3% or 3 respondents); and 4) Farming Permits (3.5% or 2 respondents). A majority stated they had leases and/or permits in Area "D" (8); Area "A" (1); and Area "C" (2).

Based on the map provided, residents stated they resided in Area "A" (5); Area "B" (14); Area "C" (30); and Area "D" (34). Only 4 indicated they live in another Chapter location but a member of Ts'ah Bii Kin Chapter and another 4 stated they live within another chapter, city, town or state such as Shonto, New Mexico, Cow Springs, TBIC, Inscription House and Chinle, Arizona.

# IV. TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN (CLUP) ADMINISTRATION

## A. PURPOSE

Ts'ah Bii Kin Chapter's Community Land Use Plan (TBK CLUP) is considered a "general expression" of the local community's vision, hope and aspiration for community and economic development based on the stated vision of the TBK CLUP's community on behalf of the residents that is focused on planning for generations. The Chapter's Community Land Use Plan will be utilized as a policy guide for the Ts'ah Bii Kin Chapter's CLUPC; Chapter officials/administrative staff, community members, tribal entities/programs, mission/religious institutions, and potential economic or business developers. As a locally developed policy document, the Community Land Use Plan (CLUP) will be used when reviewing and making decisions about development projects within the Ts'ah Bii Kin's community. All forthcoming proposals or potential land development projects will be reviewed to ensure that they are consistent with the CLUP's vision, goals, and policies & regulations as outlined in the CLUP and reflected in the community maps.

The overall purpose of developing and modifying the Ts'ah Bii Kin Chapter's CLUP is to incorporate an effective land use plan to address the community's socioeconomic activities and goals such as agriculture, housing, economic development, recreation and commerce based on the visions of the community. The immediate benefits of the CLUP are as follows:

- A. To increase TBK CLUP, Chapter Administration and Officials' knowledge and skills on local community land use development and planning activities.
- B. To ensure that Ts'ah Bii Kin Chapter's staff, officials and community members are aware of any potential development to assure the infrastructure availability for any future community development.
- C. To leverage current funding utilizing the CLUP to securing additional funding sources for project development.
- D. To increase rural community capacity building efforts by generating confidence and credibility in the community planning process.
- E. To avoid any unregulated community growth while ensuring our future generation's residential, economic and agricultural opportunities.

It is important to note that the nature of planning must recognize the ever-evolving nature of the environment and local community members' desires. Therefore, the Community

Land Use Plan should be reviewed and updated regularly to reflect desired changes. But it is important that the Plan's focus on the planning for future generations is not compromised by the demands of current development trends.

## **B. COMMUNITY LAND USE PLAN CONSISTENCY DEFINED**

Ts'ah Bii Kin Chapter's Community Land Use has listed the following criteria and benefits for determining if a proposal is consistent with the TBK CLUP.

- ✓ To initiate a community-based capacity building process by empowering community members;
- ✓ Directly mirror the Ts'ah Bii Kin Community Land Use Plan;
- ✓ Reflects the local community's adopted vision;
- ✓ Addresses the plan's goals and strategies;
- ✓ To generate interest, develop community support and participation of community members in the planning process;
- ✓ To assure availability of infrastructure systems for anticipated community growth;
- ✓ To ensure that future generations have adequate housing and sufficient space to reside and expand;
- ✓ Proposal considers the long-term sustainability that fits within the "Planning for Generations" ideal; and
- ✓ To leverage the TBK CLUP in identifying and securing the required resources to accomplish the desired potential development.

## **C. COMMUNITY LAND USE PLAN ADMENDMENTS**

Ts'ah Bii Kin Chapter's Community Land Use has listed the following criteria for determining if a proposal is consistent with the TBK CLUP. Frequent changes to the TBK CLUP are not recommended. There will, however, be cases where the "elements" content of the Plan is determined to be outdated or inconsistent with the evolving needs of the Ts'ah Bii Kin community. In such cases, the Ts'ah Bii Kin's Community Land Use Plan may need to be amended. Since considerable local community involvement contributed to the creation of the Community Land Use Plan, any and all major updates to the Plan should be accompanied by opportunities for local community involvement.



# IV. TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN (CLUP) ADMINISTRATION & IMPLEMENTATION

## A. PURPOSE

Ts'ah Bii Kin Chapter's Community Land Use Plan (TBK CLUP) is considered a "general expression" of the local community's vision, hope and aspiration for community and economic development based on the stated vision of the TBK CLUP's community on behalf of the residents that is focused on planning for generations. The Chapter's Community Land Use Plan will be utilized as a policy guide for the Ts'ah Bii Kin Chapter's CLUPC; Chapter officials/administrative staff, community members, tribal entities/programs, mission/religious institutions, and potential economic or business developers. As a locally developed policy document, the Community Land Use Plan (CLUP) will be used when reviewing and making decisions about development projects within the Ts'ah Bii Kin's community. All forthcoming proposals or potential land development projects will be reviewed to ensure that they are consistent with the CLUP's vision, goals, and policies & regulations as outlined in the CLUP and reflected in the community maps.

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- A. To increase TBK CLUP, Chapter Administration and Officials' knowledge and skills on local community land use development and planning activities.
- B. To ensure that Ts'ah Bii Kin Chapter's staff, officials and community members are aware of any potential development to assure the infrastructure availability for any future community development.
- C. To leverage current funding utilizing the CLUP to securing additional funding sources for project development.
- D. To increase rural community capacity building efforts by generating confidence and credibility in the community planning process.
- E. To avoid any unregulated community growth while ensuring our future generation's residential, economic and agricultural opportunities.

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- ✓ Addresses the plan's goals and strategies;
- ✓ To generate interest, develop community support and participation of community members in the planning process;
- ✓ To assure availability of infrastructure systems for anticipated community growth;
- ✓ To ensure that future generations have adequate housing and sufficient space to reside and expand;
- ✓ Proposal considers the long-term sustainability that fits within the "Planning for Generations" ideal; and
- ✓ To leverage the TBK CLUP in identifying and securing the required resources to accomplish the desired potential development.

## C. TS'AH BII KIN COMMUNITY LAND USE ELEMENT - IMPLEMENTATION

This section provides recommendations for successful implementation of the Ts'ah Bii Kin Chapter's CLUP. Implementation of the Plan will involve translating policies into zoning ordinances and translating future land use map into zoning maps. It will involve establishing a Zoning Officer position to monitor and enforce the zoning regulations. And since regulations are being established, the Chapter will need to set up a legal administration review process to ensure due process for all residents. These topics are discussed in this Chapter.

### 1. Zoning Ordinances

The basic components of a land use regulatory system are the comprehensive plan and zoning ordinances (Kelly and Becker 2000). Zoning ordinances are used to limit the types of uses allowed in developing areas. Zoning is a system which regulates what uses may be made of land, where the uses may be located, how the uses may be conducted, and the restricted uses of land to further the public health, safety and general welfare of the community

#### Basic Ordinance Components:

- ✓ Zones
- ✓ Use Regulations
- ✓ Development Density
- ✓ Bulk Regulations
- ✓ Parking Lot Standards
- ✓ Fences
- ✓ Landscaping
- ✓ Signs
- ✓ Definitions
- ✓ Conditional Use Permits
- ✓ Unclassified Uses
- ✓ Non-conforming Uses
- ✓ Variances
- ✓ Mobile/Modular Housing
- ✓ Development Permits

(Kelly and Becker 2000). The purpose of a zoning ordinance is to implement community values reflected in a comprehensive plan and provide authority to regulate uses of land within the Chapter.

Developing zoning ordinances will require a professional to work with the Chapter to ensure that the ordinances are consistent with the intent of the comprehensive CLUP. The officials in the zoning process may include a Planner or a Zoning Compliance Officer to work for the Chapter on planning and development matters and a Hearing Examiner or a professional who serves as administrative law judge for quasi-judicial land use matters. If the Chapter does not have an administrative review process, it can use the local Navajo Nation District Court.

The ordinance must be easy to understand and should not cause any undue burden to residents. Once a zoning ordinance is adopted by the Chapter membership, the Chapter government and TBK CLUPC must be prepared to monitor and enforce the ordinance.

## **2. Subdivision and Building Ordinances**

The Ts'ah Bii Kin Chapter may decide to adopt other ordinances to complement the zoning ordinance, such as subdivision and building ordinances. Subdivision ordinances can complement zoning ordinances by further defining the quality of new developments such as the creation of lots, blocks, streets, utilities and other improvements within the subdivision (Kelly and Becker 2000). Building ordinances are mainly for public health and safety purposes. They are written provisions and structural requirements for the construction, repair, alteration, or addition to a structure. They can regulate such factors as building height, building coverage, building materials, size of building, and permit requirements. In addition, building ordinances can stipulate the building design to ensure that they blend in with the nature of the community.

## **3. Monitoring and Enforcement**

Implementation of a zoning, subdivision and building ordinance requires: 1). daily administration, 2). monitoring, 3). a quasi-judicial permit process, 4). legislative amendments, 5). rezoning, and 6). enforcement (Kelly and Becker 2000). The proposed Planner and/or Enforcement Officer is responsible for reviewing all proposed developments to ensure their compatibility with the comprehensive CLUP and the zoning ordinance and to make recommendations to the land commission. The proposed Planner and/or Enforcement Officer are also responsible for inspecting new buildings to ensure conformance to the zoning ordinance. The ability to enforce a zoning ordinance or any other ordinance for that matter is as important as the ordinance itself.

## **4. Understand the Legal Framework**

The community officials, committee(s) and citizens involved in the planning of their community must have an understanding of the Navajo Nation's legal framework. In implementing LGA authority, there are two main issues that must be kept in mind, especially as chapters develop local ordinances:



- a) **Navajo Nation Law.** The Navajo Nation has a comprehensive set of codes and Chapter governments cannot exceed this authority. However, Chapter governments should develop ordinances that build upon these codes to meet the specific needs of the local government.
- b) **Due Process.** Ordinances should provide equal treatment and due process for all individuals. Chapter governments must understand jurisdictional issues relating to non-tribal members.

#### 5. **Continue Education**

In adopting a zoning ordinance the Zoning Commission should develop a theme to explain the goals of the ordinance and how it will help the Chapter. It will need to involve the community to generate support for the ordinance and publicize the need and benefits of the new regulations. It will also have to notify the development community of the new code, such as utility operators, schools, churches, etc.

#### 6. **Conclusion**

The CLUPC sets forth the vision and long range goals of the Ts'ah Bii Kin community, which are intended to address the most pressing issues confronting the community and achieve long range goals. Implementation of this Plan requires adherence to the policies and future zoning ordinances. The implementation process will be difficult and lengthy, but will be well worth the effort. The implementation process may take up to ten (10) years, but the starting point is the development of the necessary ordinances which can occur much sooner.

### **D. COMMUNITY LAND USE PLAN ADMENDMENTS**

Ts'ah Bii Kin Chapter's Community Land Use has listed the following criteria for determining if a proposal is consistent with the TBK CLUP. Frequent changes to the TBK CLUP are not recommended. There will, however, be cases where the "elements" content of the Plan is determined to be outdated or inconsistent with the evolving needs of the Ts'ah Bii Kin community. In such cases, the Ts'ah Bii Kin's Community Land Use Plan may need to be amended. Since considerable local community involvement contributed to the creation of the Community Land Use Plan, any and all major updates to the Plan should be accompanied by opportunities for local community involvement.

# APPENDIX A:

## TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN COMMITTEE

### A. REVIEW AND APPROVAL OF PLANNING POLICIES AND PROJECTS

Ts'ah Bii Kin Chapter's Community Land Use Planning Committee (TBK CLUPC)'s review and approval will be the first step in the review and approval process for all land use and land development projects within the Chapter's boundaries. This will include submission of the following items which shall be referred to as "proposed projects."

1. Business Site Leases (BSL)
2. Homesite Leases
3. Land Withdrawals for Development
4. Mission/Church Site Leases
5. Infrastructure Development/Improvements
6. Zoning Ordinances
7. Ceremonial Site Leases

All proposed development projects will go through a review process. Major projects and Comprehensive Land Use Plans will have additional requirements.

### B. MINOR PROJECTS REVIEW AND APPROVAL PROCESS

Ts'ah Bii Kin Chapter's Community Land Use Planning Committee (TBK CLUPC)'s **Minor Projects** are defined as:

- ✓ Homesite Leases; and
- ✓ All projects which do not meet the requirements for major projects as defined below.

## Graph A: Minor Project Review & Approval Process

**Step 1:** Submit Interest Letter to Chapter

**Step 2:** Chapter will forward request to CLUP for processing and/or review

**Step 3:** CLUPC review and/or recommendation on Proposed Project in Open Meeting

**Step 4:** CLUPC Recommendation Submitted to Chapter via CLUPC Support Resolution

**Step 5:** Chapter Planning Meeting Action and to Chapter Meeting\*

**Step 6:** Notification of Chapter Action

*\*Denied: Chapter may request additional information or table action.*

### Minor Project Review & Approval Process

Step(s)	Action(s)
One (1)	Initial Project Letter of Interest
Processes	
Submit a Letter of Application to the Chapter. This letter will describe the project, outline the requested action, list the name, address and phone number of the Applicant, and provide a location map, survey and site plan for the proposed project.	
Step(s)	Action(s)
Two (2)	Set Date(s) for TBK CLUPC Review
Processes	
The Chapter will forward these requests to the Ts'ah Bii Kin Land Use Planning Committee	



(TBK CLUPC) for processing and review. TBK CLUPC will add the proposed project to their next meeting agenda or will set up a project review meeting, which will occur within one (1) month of receipt of the Letter of Application. The Chapter will send a letter back to the Applicant notifying them about the day, time and place of the review. The Chapter will also make a public notification of such notice that shall be provided at least seventy-two (72) hours before the TBK CLUPC Meeting.

Step(s)	Action(s)
Three (3)	TBK CLUPC Review and Recommendation(s)
Processes	

TBK CLUPC will review the proposed project(s) in a meeting open to the public. The Applicant will have an opportunity to present their proposed project and to answer questions regarding the project. Chapter members and community members will have an opportunity to express their support or concerns regarding the project. The presiding member of the TBK CLUPC will have the authority to set a time limit on public comments as long as that time limit is applied equally to all commenter and the time limit is stated at the beginning of the comment period.

TBK CLUPC will then discuss and consider the proposed project and may request additional information from the Applicant. TBK CLUPC has the authority to set conditions and/or requirements on the project.

TBK CLUPC will take action(s) to make a recommendation regarding the proposed project based on an approved TBK CLUPC Support Resolution and will submit this recommendation to the next Chapter Planning Meeting. TBK CLUPC has the ability to table or postpone this action to later meetings if additional study or information is required.

Step(s)	Action(s)
Four (4)	TBK CLUPC Recommendation(s) Chapter Submittal
Processes	

Once TBK CLUPC has made their recommendation to the Chapter Planning Meeting, the TBK CLUPC Secretary will write up a recommendation report along with a request for the item(s) to be placed on the agenda for the Chapter Planning Meeting to be considered for approval at the next scheduled Chapter Meeting. The Chapter Administration will make copies of the recommendation report and will send one to the Applicant, post one (1) on a public information bulletin board at the Chapter House, distribute a copy to each of the Chapter Officials and file a record copy at the Chapter Offices. The Chapter Administration can also electronic post (email or via website) this information along with a notice of the next scheduled Chapter Meeting.

Step(s)	Action(s)
Five (5)	TBK Chapter Meeting Action
Processes	

At the Chapter Planning Meeting, the Chapter Officials will discuss and consider the proposed project and may request additional information from the Applicant. It shall be required of the Applicant to attend the Chapter Planning Meeting.

At the Chapter Planning Meeting review of the proposed project, the Applicant will have an opportunity to make a presentation to the Chapter. Chapter Officials will make a motion to approve or deny the proposed project.

At the Chapter meeting, members of the public will have an opportunity to express their support or concern regarding the project. The Chapter President or his/her "designee" will have the authority to set a time limit on public comments as long as that time limit is applied equally to all commenter and the time limit is stated at the beginning of the comment period.

The Chapter membership attending the meeting will then vote on the motion. The Chapter has the ability to table or postpone this action to later meetings if additional study or information is required.

The Chapter will also take action to forward the Chapter's decision to the Navajo Nation in the form of a Chapter Resolution and if approved; the Chapter's Support Resolution is there and business will be given two (2) years development period with the possible extension, if undeveloped within one (1) year.

Step(s)	Action(s)
Six (6)	Notification of Chapter Action(s)
Processes	
Within two (2) weeks of the Chapter's action, the Chapter will send the Applicant a letter informing them of the Chapter's Action and a letter with an official Chapter Resolution attached to the appropriate Division or Department of the Navajo Nation and/or the Bureau of Indian Affairs Office in Window Rock, Arizona.	

## C. MAJOR PROJECTS REVIEW AND APPROVAL PROCESS

Ts'ah Bii Kin Chapter's Community Land Use Planning Committee (TBK CLUPC)'s

### 1. Purpose of Review Requirements

Major Projects will go through a two (2) phase project review. The first phase will be a **Conceptual Master Plan Review** and the second phase will be a **Final Project Review**.

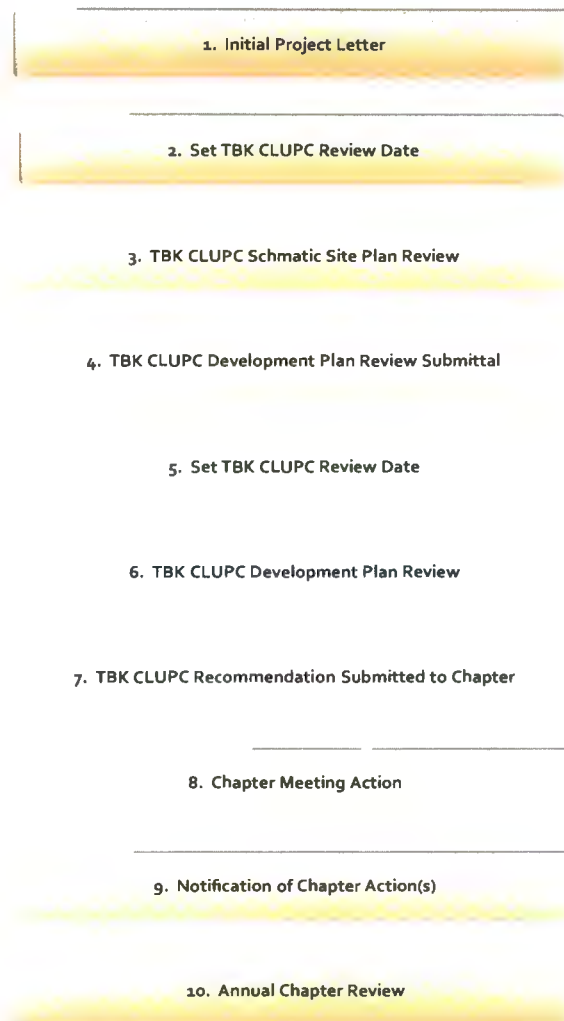
The purpose of the two (2) phase approach will be to provide the Chapter with an opportunity to review large projects at an early stage of development in order to assess the impact the project will have on the community and to determine if there are any potential adverse impacts that can be mitigated.

The Conceptual Master Plan review allows the TBK CLUPC and the Chapter to evaluate a project's impact on the community, Chapter member's concerns about the project and to recommend changes that would mitigate or eliminate potential adverse impacts.

The Final Project Review will take place at the point the Applicant is ready to move into the plan development and construction phase. The purpose of the review is to evaluate whether the Applicant has adequately resolved all of the potential adverse impacts that were identified in the first phase review.

Since Large Projects are more complex and have the potential for greater impacts on the community; more detailed information about the projects will be required to give the CLUPC and the Chapter adequate information to evaluate the project.

### **Graph B: Letter of Application and Schematic Site Plan Review**





## Letter of Application and Schematic Site Plan Review

Step(s)	Action(s)
One (1)	Initial Project Letter of Interest
<b>Processes</b>	
<p>Submit a Letter of Application to the TBK Chapter. This letter will describe the project, outline the requested action, and list the name, address and phone number of the Applicant. The Letter of Application will include these additional attached items:</p> <ol style="list-style-type: none"> <li>1. A location map.</li> <li>2. A boundary and improvement survey prepared by a surveyor licensed in the State of Arizona.</li> <li>3. An Archeological Records Check of records held at the Navajo Nation's Historic Preservation Department.</li> <li>4. A schematic site plan for the proposed project.</li> </ol> <p>The schematic site plan will incorporate the following information and some of this information can be preliminary and conceptual:</p> <ul style="list-style-type: none"> <li>→ Base map using the boundary and improvement survey information. This will show the proposed property boundary; topographical features; existing roads and structures; existing trees or tree-lines; wells and/or other water features including dams, dikes, ponds, etc.; the general location and extent of any archeological features identified, by the Archeological Records Check, on the site or within 100 feet of the site; and topographical lines at two foot intervals for areas which are either a less than 3 degree slope or a greater than a 20 degree slope.</li> <li>→ Conceptual location and footprint of the proposed new buildings, and notes as to the re-use or demolition of any existing structures. Notes will be made on the total square footage and the number of stories for each building; the proposed use for each building; and the proposed construction materials.</li> <li>→ Conceptual location of new roads, driveways, parking areas, docking areas, and storage areas. The plan will show access and egress into the site and indicate how the site access will be made from primary or secondary roads or highways. Parking areas will be laid out showing parking spaces and driveways and the amount of proposed parking will be calculated and written on the plan. Storage areas will note the types of materials to be stored.</li> <li>→ Conceptual location of any pedestrian walkways, patios, plazas, playgrounds or recreational facilities.</li> <li>→ Location of trash bins.</li> <li>→ Concept for site landscaping.</li> </ul>	

- Preliminary information regarding the potential water use of the building will be noted and this will include information regarding the number of toilets, sinks and kitchen facilities; any recreational or spa uses of water in the facility; landscape watering; other water uses; and any water re-use or water harvesting.
- Preliminary information regarding the location of and size of utilities. This might include the location of new power and gas line extensions, the location of propane tanks, the location of water and wastewater lines, the location of wastewater treatment facilities, and the location of communication system lines or facilities. A preliminary assessment of the average daily total potable (drinkable) water demand and the amount of wastewater to be treated is required along with a description on how the Applicant proposes to treat and dispose of the wastewater.

A conceptual plan for emergency services on the site is required. This plan might include information about fire safety and fire suppression systems, emergency services access and egress, and other emergency planning which may be applicable to the site related to flooding, wildfires, and other emergencies.

Step(s)	Action(s)
Two (2)	Set Date for TBK CLUPC Review
Processes	

The Chapter will forward these requests to the Ts'ah Bii Kin Land Use Planning Committee (TBK CLUPC) for processing and review. TBK CLUPC will add the proposed project to the agenda for their next meeting or will set up an initial project review meeting, which will happen within one (1) month of receipt of the Letter of Application. The Chapter will send a letter back to the Applicant notifying them about the day, time and place of the initial project review. The Chapter will also make a public notification of the review via a locally distributed and read newspaper. Such notice shall be provided at least seventy-two (72) hours before the Chapter Meeting.

Step(s)	Action(s)
Three (3)	TBK CLUPC Schematic Site Plan Review
Processes	

TBK CLUPC will conduct the initial project review in a meeting open to the public. The Applicant will have an opportunity to present their proposed project and to answer questions regarding the project.

TBK CLUPC will then discuss and consider the proposed project and may request additional information from the Applicant. TBKCLUPC has the authority to set conditions and/or requirements on the project.

TBK CLUPC will then either schedule a next review meeting or will accept the Schematic Site Plan and give the Applicant permission to move the project to the Development Plan stage. TBKCLUPC has the ability to table or postpone this action to later meetings if additional study

or information is needed.	
Step(s)	Action(s)
Four (4)	TBK CLUPC Development Plan Submittal Review
Processes	
<p>The Applicant has up to eighteen (18) months after the date TBK CLUPC accepts the Schematic Site Plan to prepare the Development Plan and submit it to the Chapter for review and approval. The Applicant will have the option to request one (1) extension of time before submittal.</p> <p>The Development Plan submittal shall be similar to the requirements for the Schematic Site Plan, but will present the final site plan and development that the Applicant seeks to construct. Therefore, information regarding the design and engineering for the project must be at a stage where the next development step would be to create the construction documents for the project. All information regarding the site design, the building locations and sizes, the landscaping and the utilities must be complete and final.</p> <p>Additional information to be included in the Development Plan submittal includes:</p> <ul style="list-style-type: none"> <li>→ A <u>preliminary environmental assessment</u>. This assessment will look at the impact the project might have on the surrounding environment as it relates to water run-off, on-site air pollution, night sky light pollution, noise, and traffic impacts. Potential impacts will be identified and mitigation plans will be incorporated into the Development Plan.</li> <li>→ <u>Utility requirements for electric, gas, water and wastewater will be delineated</u>. The Development Plan will show how the project will collect, treat and dispose of wastewater and storm run-off water.</li> <li>→ <u>The Applicant will provide documentation showing the Development Pro-forma for the project as well as the proposed financing for the project</u>. TBK CLUPC will review these documents to determine the financial stability of the proposed project before making a final decision.</li> <li>→ The Development Plan will incorporate any and all conditions that TBK CLUPC may have imposed on the project during the Schematic Site Plan review.</li> </ul>	
Step(s)	Action(s)
Five (5)	Set Date for TBK CLUPC Review
Processes	
<p>The Chapter will forward the Development Plan submittal to the TBK CLUPC for processing and review. TBK CLUPC will add the proposed project to the agenda for their next meeting or will set up an initial project review meeting, which will happen within one (1) month of receipt of the Letter of Application. The Chapter will send a letter back to the Applicant letting them know the day, time and place of the Development Plan review. The Chapter will also make a public notification of the review via a local bulletin board.</p>	



Step(s)	Action(s)
Six (6)	<b>TBK CLUPC Development Plan Review</b>
<b>Processes</b>	
<p>TBK CLUPC will conduct the <u>Development Plan Review</u> in a meeting open to the public. The Applicant will have an opportunity to present the Development Plan and to answer questions regarding the project. Chapter Members and members of the public will have an opportunity to express their support or concerns regarding the project. The presiding member of the TBK CLUPC will have the authority to set a time limit on public comments as long as that time limit is applied equally to all commenter and the time limit is stated at the beginning of the comment period.</p> <p>TBK CLUPC will then discuss and consider the proposed project and may request additional information from the Applicant. TBK CLUPC has the authority to set conditions and/or requirements on the project.</p> <p>TBK CLUPC will then either schedule a next review meeting or will accept the Development Plan and take action to make a recommendation regarding the proposed project to the next Chapter Planning Meeting. TBK CLUPC has the ability to table or postpone this action to later meetings if additional study or information is needed.</p>	
Step(s)	Action(s)
Seven (7)	<b>TBK CLUPC Recommendations Chapter Submittal</b>
<b>Processes</b>	
<p>After TBK CLUPC has made their recommendation(s), the TBK CLUPC Secretary will write up a recommendation report along with a request for the item to be placed on the agenda for the Chapter Planning Meeting to be considered for approval at the next scheduled Chapter Meeting.</p> <p>TBK Chapter Administration will make copies of the recommendation report and will send one to the Applicant, post one on a public information bulletin board at the Chapter House, distribute a copy to each of the Chapter Officials and file a record copy at the Chapter Offices.</p> <p>The Applicant will also receive written notice regarding the day, time and location of when the Chapter will review and take action on the proposed project. Such notice shall be provided at least seventy-two (72) hours before the Chapter Meeting.</p>	
Step(s)	Action(s)
Eight (8)	<b>TBK Chapter Meeting Action(s)</b>
<b>Processes</b>	
<p>At the Chapter Meeting review of the proposed project, the Applicant will have an opportunity to make a presentation of the Development Plan to the Chapter. Chapter Members and community members will have an opportunity to express their support or concerns regarding the project. The Chapter President or his/her designee will have the authority to set a time limit</p>	

on public comments as long as that time limit is applied equally to all commenter and the time limit is stated at the beginning of the comment period.

The Chapter Officials will make a motion to approve or deny the proposed project and the Development Plan. The Chapter membership attending the meeting will then vote on the motion. The Chapter has the ability to table or postpone this action to later meetings if additional study or information is needed.

The Chapter will also take action to forward the Chapter's decision on to the Navajo Nation in the form of a Chapter Resolution; this Resolution will include the power and the conditions under which the Chapter can rescind project approval.

Step(s)	Action(s)
Nine (9)	Notification of TBK Chapter Action(s)
Processes	
Within one (1) month of the Chapter's action, the Chapter will send the Applicant a letter informing them of the Chapter's Action and a letter with the Chapter Resolution attached to the appropriate Division or Department of the Navajo Nation and/or the Bureau of Indian Affairs Office in Window Rock.	
Step(s)	Action(s)
Ten (10)	Annual Chapter Review
Processes	
TBK CLUPC and the Chapter will review the progress of the approved project and Development Plan on an annual basis. The Chapter reserves the right to rescind Chapter approval if the project is not following the Approved Development Plan and Conditions of Approval or if the project is not moving forward. The power to rescind and the conditions under which project approval can be rescinded will be incorporated into the Chapter Resolution approving the project.	
TBK CLUPC may, but is not required to, inform the Applicant of their intention to review the project's approval. TBK CLUPC has the ability to table or postpone this action to later meetings if additional study or information is needed or if the TBK CLUPC decides to invite the Applicant to make a presentation on the status of the project. Such notice shall be provided at least seventy-two (72) hours before the Chapter Meeting.	
The purposes for reservation of the power to rescind project approval include but are not limited to:	
<ul style="list-style-type: none"> <li>✓ To prevent land identified as developable in the land use plan from sitting "fallow" for years because a group or individual holds a land withdrawal or business lease on the land but is not putting the land to beneficial use.</li> <li>✓ To prevent sites and developments from being developed or used in a manner which are different from that which was approved by the Chapter in the Development Plan.</li> </ul>	

- ✓ To prevent partially completed but un-usable projects from being developed and sitting vacant; thus creating a image of "blight" in the community or creating a potential hazard to the health, safety and welfare of the people.

After the annual review, if the TBK CLUPC should decide that approval should be rescinded for a specific project, the TBK CLUPC will take official action to recommend the rescinding action to the Chapter Meeting on the following month. Such notice shall be provided at least seventy-two (72) hours before the Chapter Meeting.

Once the TBK CLUPC has made their recommendation(s), the TBK CLUPC Secretary will provide a write-up within the recommendation report along with a request for the recommendation to be placed on the agenda for the Chapter Planning Meeting to be considered for approval at the next scheduled Chapter Meeting. The Chapter Administration will make copies of the recommendation report and will send one to the Applicant, post one on a public information bulletin board at the Chapter House, distribute a copy to each of the Chapter Officials and file a record copy at the Chapter Offices.

The Applicant will also receive written notice regarding the day, time and location of when the Chapter will review and take action on rescinding project approval. Such notice shall be provided at least seventy-two (72) hours before the Chapter Meeting.

At the Chapter Meeting review of rescinding project approval, the Applicant will have an opportunity to make a presentation on the status of the project and the reasons why he feels project approval should not be rescinded. Chapter Members and members of the public will have an opportunity to express their support or concerns regarding rescinding approval. The Chapter President or his/her designee will have the authority to set a time limit on public comments as long as that time limit is applied equally to all commenter and the time limit is stated at the beginning of the comment period.

The Chapter Officials will make a motion to approve or deny the proposed rescinding of project approval. The Chapter membership attending the meeting will then vote on the motion. The Chapter has the ability to table or postpone this action to later meetings if additional study or information is needed.

The Chapter will also take action to forward the Chapter's decision on to the Navajo Nation in the form of a Chapter Resolution.

Within two (2) weeks of the Chapter's action, the Chapter will send the Applicant a letter informing them of the Chapter's Action and a letter with the Chapter Resolution attached to the appropriate Division or Department of the Navajo Nation and/or the Bureau of Indian Affairs Office in Window Rock.



# APPENDIX B:

## TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN COMMITTEE

### TBK CLUPC'S PURPOSE, ROLES AND RESPONSIBILITIES

#### **A. TS'AH BII KIN COMMUNITY LAND USE PLANNING COMMITTEE (TBK CLUPC) PURPOSE**

1. The purpose of TBK CLUPC shall be to approve all processes for the planning activities according to 26 N.N.C. (2004).
2. The CLUPC shall execute and oversee functions associated with planning, designing, implementing and evaluating of local developments and zoning ordinances for the community.
3. The TBK CLUPC, with the support of the TBK Chapter Officials, shall have the option to enact on 26 N.N.C (2004) for the development of local needs as well as to unify the community by bringing businesses and opportunities.

#### **B. TS'AH BII KIN COMMUNITY LAND USE PLANNING COMMITTEE (TBK CLUPC) ROLES AND RESPONSIBILITIES**

Ts'ah Bii Kin Chapter's Community Land Use Planning Committee (TBK CLUPC) will serve as the advisory committee to the Chapter Officials and the Chapter on land use and development project issues. The TBK CLUPC will act in good faith and the best of their ability to perform the following role and responsibilities:

1. Comply with 26 N.N.C. § 2004. Zoning; Community Land Use Plan; Land Use Variation.
2. Develop and/or revise CLUPC Plan of Operation every five (5) years.
3. Initiate and/or prepare Community Land Use Plan (original and 5-year revisions).
4. Approve the processes for planning/oversee planning activities (including, but not limited to the development of master plan, ordinances, AFOG, emergency response plan, capital improvement project plan, comprehensive plan, and strategic plan).
5. CLUPC can hire and supervise a "Planner" pending on funding availability.
6. Provide land use planning advice and recommendations to chapter officials and administrators (in conjunctions with a Planner).
  - a) Community education and participation plan.
  - b) Community assessment(s)-baseline and annual.
  - c) Inventory and assessment of resources and infrastructure-baseline and annual.

7. Initiate variations in land use such as land withdrawals, eminent domain, right-of-ways (in collaboration with chapter officials and administrators).
8. Coordinate with Navajo Nation Addressing Authority to collect data (in collaboration with chapter officials and administrators).
9. Subcommittees can be created to assist TBK CLUPC and may include voting and non-voting members.
10. To inform community members of TBK CLUPC activities and decisions through public education and participation efforts.
11. To establish a comprehensive land use plan including planning for land use, community infrastructure (utilities, roads and transportation), natural resources (open space) and recreation, community facilities, and public safety.
12. Review and revise this plan every five (5) years and obtain Navajo Nation's Resource and Development Committee's approval and re-certification for the plan.
13. To use the comprehensive land use plan as the guide and resource for the CLUPC to review and make recommendations to the Chapter on proposed development projects, land withdrawals, home site lease, business site lease, church site lease applications, utility line extensions and community facilities.
14. To assist the Chapter in strategic planning for the community including the development of goals and objectives, community priorities and action plans.
15. To develop a growth management master plan, zoning ordinances and other land development standards and guidelines that will ensure that new growth and projects within the Chapter area are built in a manner that protects the health, welfare and safety of residents and visitors.
16. To identify needs, develop plans and implementation programs for community utility and infrastructure needs.
17. To develop plans and surveys for streets, traffic and community transportation needs.
18. To develop plans for cultural and civic centers and other community facilities.
19. To ensure that the Chapter's land use and land development planning activities are consistent with Navajo Nation and Federal guidelines.
20. To guide growth and development in a way that enhances the quality of life for Chapter members.
21. To work with the Chapter Officials to review the state of the Chapter on an annual basis and to determine concerns which need planning policy development or review. This task would include an annual review of the Chapter's goals and objectives.
22. To develop administrative procedures for the review and approval of proposed development projects, land withdrawals, home site lease, business site lease, church/mission site lease applications, utility line extensions and community facilities.

### **C. COMMUNITY LAND USE PLAN COMMUNITY MEMBERS**

Ts'ah Bii Kin Chapter's Community Land Use has listed the following criteria and benefits for determining if a proposal is consistent with the TBK CLUP.

1. Committee members must be voting members of the Chapter. Sub-committee members can be voting or non-voting members of the chapter.
2. TBK CLUPC members must adhere to the requirements of their Chapter's CLUPC Plan of Operation:
  - a) CLUPC President presides over duly called meetings and signs documents.
  - b) CLUPC Vice President assumes duties and responsibilities of the CLUPC President for meeting purposes only, or as delegated.
  - c) The Secretary/Treasurer takes roll, keeps minutes and maintains records and documentation.

### **D. COMMUNITY LAND USE PLAN ADMENDMENTS**

Ts'ah Bii Kin Chapter's Community Land Use has listed the following criteria for determining if a proposal is consistent with the TBK CLUP. Frequent changes to the TBK CLUP are not recommended. There will, however, be cases where the "elements" content of the Plan is determined to be outdated or inconsistent with the evolving needs of the Ts'ah Bii Kin community. In such cases, the Ts'ah Bii Kin's Community Land Use Plan may need to be amended. Since considerable local community involvement contributed to the creation of the Community Land Use Plan, any and all major updates to the Plan should be accompanied by opportunities for local community involvement.





# APPENDIX C:

## TS'AH BII KIN CHAPTER'S COMMUNITY LAND USE PLAN COMMITTEE

### PROCESS AND PUBLIC AND COMMUNITY INVOLVEMENT & IMPLEMENTATION

#### PROCESS AND PUBLIC AND COMMUNITY INVOLVEMENT

**1. Planning Process:** The input from members of the community was essential to the planning process. To this end, the TBK CLUPC conducted community meetings and disseminated the comprehensive community survey. Housing and infrastructure issues were identified and prioritized. The concerns, ideas and recommendations which resulted from these inputs were synthesized and now make up the community land use plan. The process for community input consisted of several public meetings, of which the first were informational gathering, and thereafter were presentation of the finalized findings.

#### B. TS'AH BII KIN COMMUNITY LAND USE ELEMENT - IMPLEMENTATION

This section provides recommendations for successful implementation of the Ts'ah Bii Kin Chapter's CLUP. Implementation of the Plan will involve translating policies into zoning ordinances and translating future land use map into zoning maps. It will involve establishing a Zoning Officer position to monitor and enforce the zoning regulations. And since regulations are being established, the Chapter will need to set up a legal administration review process to ensure due process for all residents. These topics are discussed in this Chapter.

##### 1. Zoning Ordinances

The basic components of a land use regulatory system are the comprehensive plan and zoning ordinances (Kelly and Becker 2000). Zoning ordinances are used to limit the types of uses allowed in developing areas. Zoning is a system which regulates what uses may be made of land, where the uses may be located, how the uses may be conducted, and the restricted uses of land to further the public health, safety and general welfare of the community (Kelly and Becker 2000). The purpose of a zoning ordinance is to implement community values reflected in a comprehensive plan and provide authority to regulate uses of land within the Chapter.

##### Basic Ordinance Components:

- ✓ Zones
- ✓ Use Regulations
- ✓ Development Density
- ✓ Bulk Regulations
- ✓ Parking Lot Standards
- ✓ Fences
- ✓ Landscaping
- ✓ Signs
- ✓ Definitions
- ✓ Conditional Use Permits
- ✓ Unclassified Uses
- ✓ Non-conforming Uses
- ✓ Variances
- ✓ Mobile/Modular Housing
- ✓ Development Permits

Developing zoning ordinances will require a professional to work with the Chapter to ensure that the ordinances are consistent with the intent of the comprehensive CLUP. The officials in the zoning process may include a Planner or a Zoning Compliance Officer to work for the Chapter on planning and development matters and a Hearing Examiner or a professional who serves as administrative law judge for quasi-judicial land use matters. If the Chapter does not have an administrative review process, it can use the local Navajo Nation District Court.

The ordinance must be easy to understand and should not cause any undue burden to residents. Once a zoning ordinance is adopted by the Chapter membership, the Chapter government and TBK CLUPC must be prepared to monitor and enforce the ordinance.

## **2. Subdivision and Building Ordinances**

The Ts'ah Bii Kin Chapter may decide to adopt other ordinances to complement the zoning ordinance, such as subdivision and building ordinances. Subdivision ordinances can complement zoning ordinances by further defining the quality of new developments such as the creation of lots, blocks, streets, utilities and other improvements within the subdivision (Kelly and Becker 2000). Building ordinances are mainly for public health and safety purposes. They are written provisions and structural requirements for the construction, repair, alteration, or addition to a structure. They can regulate such factors as building height, building coverage, building materials, size of building, and permit requirements. In addition, building ordinances can stipulate the building design to ensure that they blend in with the nature of the community.

## **3. Monitoring and Enforcement**

Implementation of a zoning, subdivision and building ordinance requires: 1). daily administration, 2). monitoring, 3). a quasi-judicial permit process, 4). legislative amendments, 5). rezoning, and 6). enforcement (Kelly and Becker 2000). The proposed Planner and/or Enforcement Officer is responsible for reviewing all proposed developments to ensure their compatibility with the comprehensive CLUP and the zoning ordinance and to make recommendations to the land commission. The proposed Planner and/or Enforcement Officer are also responsible for inspecting new buildings to ensure conformance to the zoning ordinance. The ability to enforce a zoning ordinance or any other ordinance for that matter is as important as the ordinance itself.

## **4. Understand the Legal Framework**

The community officials, committee(s) and citizens involved in the planning of their community must have an understanding of the Navajo Nation's legal framework. In implementing LGA authority, there are two main issues that must be kept in mind, especially as chapters develop local ordinances:

- a) **Navajo Nation Law.** The Navajo Nation has a comprehensive set of codes and Chapter governments cannot exceed this authority. However, Chapter



governments should develop ordinances that build upon these codes to meet the specific needs of the local government.

- b) **Due Process.** Ordinances should provide equal treatment and due process for all individuals. Chapter governments must understand jurisdictional issues relating to non- tribal members.

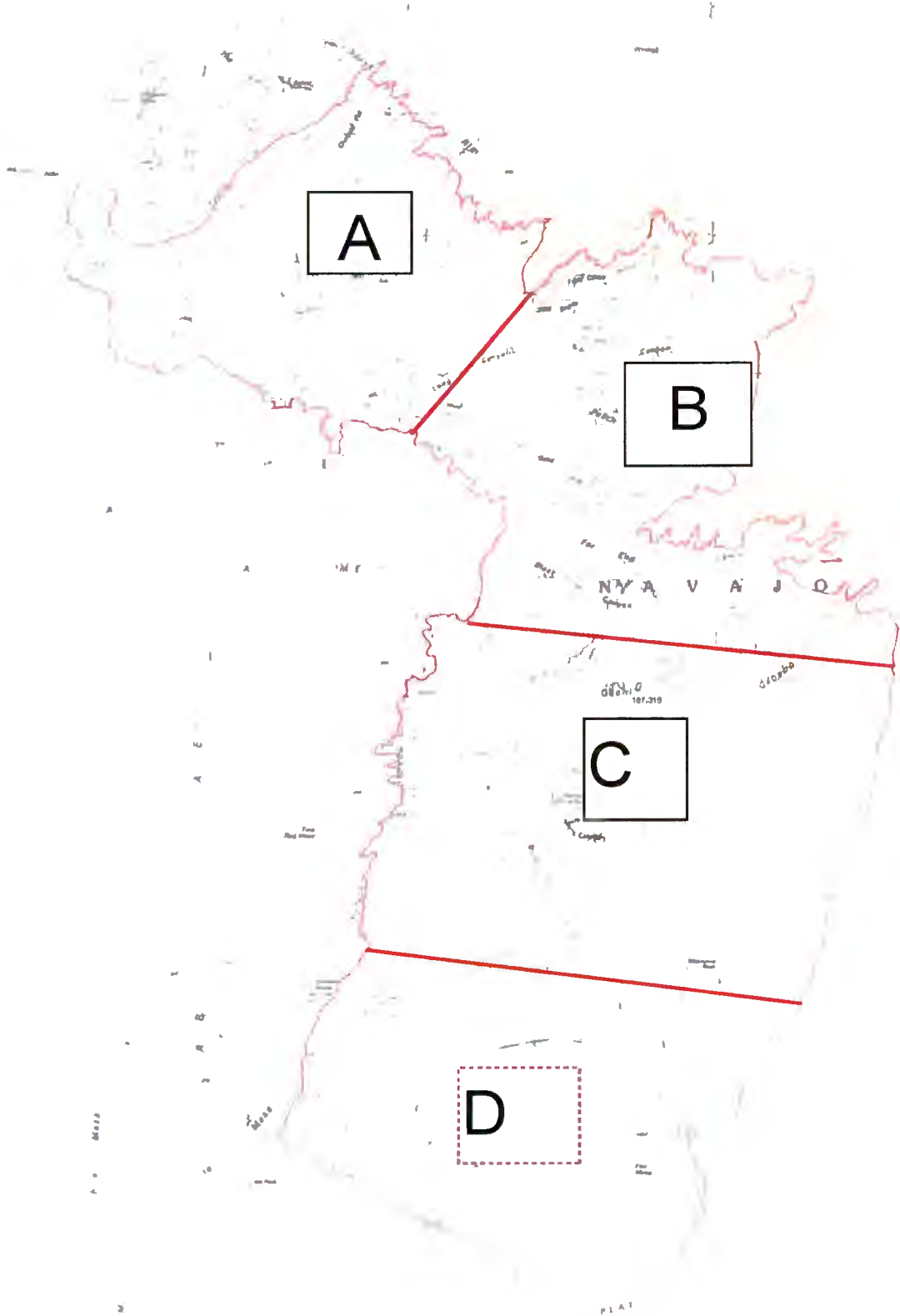
## **5. Continue Education**

In adopting a zoning ordinance the Zoning Commission should develop a theme to explain the goals of the ordinance and how it will help the Chapter. It will need to involve the community to generate support for the ordinance and publicize the need and benefits of the new regulations. It will also have to notify the development community of the new code, such as utility operators, schools, churches, etc.

## **6. Conclusion**

The CLUPC sets forth the vision and long range goals of the Ts'ah Bii Kin community, which are intended to address the most pressing issues confronting the community and achieve long range goals. Implementation of this Plan requires adherence to the policies and future zoning ordinances. The implementation process will be difficult and lengthy, but will be well worth the effort. The implementation process may take up to ten (10) years, but the starting point is the development of the necessary ordinances which can occur much sooner.

Land Management District 2, Unit 2 Map (~187,315 acres)  
Tsah Bi Kin Chapter Community  
Draft Map requested by Chapter for LUP  
Date: September 20, 2013  
For Planning Purposes Only



# Ts'ah Bii Kin Chapter



## Community Land Use Plan (CLUP) S

### Constant Contact Survey Results

Survey Name: TBK Chapter Community Survey

Response Status: Partial & Completed

Filter: None

10/18/2016 10:29 AM MDT

Please rank the COMMUNITY statement below on a scale of 1 to 5 regarding the importance of the Ts'ah Bii Kin Community to you. (1 = Not Important to 5 = Most Important)

1 = Not Important, 2 = Somewhat Unimportant, 3 = Indifferent, 4 = Somewhat Important, 5 = Most Important

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Strong sense of community pride?						108	4.3
Public participation and/or Community Involvement?						110	4.2
Diversity among residents and neighbors?						107	4.0
Maintaining the community as it is?						108	4.3

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.



Please rank the QUALITY OF LIFE statement below on a scale of 1 to 5 regarding the importance of the Ts'ah Bii Kin's Quality of Life to you. (1 = Not Important to 5 = Most Important)

1 = Not Important, 2 = Somewhat Unimportant, 3 = Indifferent, 4 = Somewhat Important, 5 = Most Important

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Healthy & Safe Community?						110	4.6
Housing for residents of varying ages and income levels?						107	4.4
Diversity in houses of worship?						106	4.1
Increase family time?						109	4.5

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Please rank the MOBILITY AND TRANSPORTATION statement below on a scale of 1 to 5 regarding the importance of Ts'ah Bii Kin's Mobility and Transportation to you. (1 = Not Important to 5 = Most Important)

1 = Not Important, 2 = Somewhat Unimportant, 3 = Indifferent, 4 = Somewhat Important, 5 = Most Important

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Accessible Public Transportation?						107	4.3
Roads safe for walking and biking?						109	4.5
Linkage to regional or reservation wide transportation opportunities?						105	4.3
Maintaining the existing community roadways as they currently exist with little or no change?						106	4.4

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Please rank the ENVIRONMENT statement below on a scale of 1 to 5 regarding the importance of Ts'ah Bii Kin's Environment to you. (1 = Not Important to 5 = Most Important)

1 = Not Important, 2 = Somewhat Unimportant, 3 = Indifferent, 4 = Somewhat Important, 5 = Most Important

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Preservation of wildlife habitat?						109	4.3
Clean Air?						109	4.7
Clean Water?						108	4.8
Saving energy resources?						108	4.7
Exploring alternative form of energy production and reduction of waste?						109	4.6
Installing & establishing alternative forms of energy productions: windmill or wind energy production?						109	4.5
Installing & establishing alternative forms of energy productions: solar panel energy production?						108	4.5

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Please rank the ECONOMY statement below on a scale of 1 to 5 regarding the importance of Ts'ah Bii Kin's Economy to you. (1 = Not Important to 5 = Most Important)

1 = Not Important, 2 = Somewhat Unimportant, 3 = Indifferent, 4 = Somewhat Important, 5 = Most Important

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Variety of local businesses?						108	4.1
Local employment opportunities?						108	4.4
Incorporating commercial development into appropriate community design?						106	4.1
Access to and use advances in technology?						108	4.2

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

#### TextBlock:

Community Values: What is the best way to accommodate future growth?

How long have you been a resident of Ts'ah Bii Kin and/or surrounding communities?

Answer	0%	100%	Number of Response(s)	Response Ratio
Less than 1 year			2	1.8 %
1 to 5 years			3	2.8 %
6 to 10 years			6	5.6 %
11 to 15 years			2	1.8 %
16 to 20 years			5	4.7 %
21 to 25 years			8	7.5 %
More than 25 years			81	76.4 %
Totals			106	100%

Are you a registered voter of Ts'ah Bii Kin Chapter?

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes			93	83.0 %
No			9	8.0 %
No Response(s)			10	8.9 %
Totals			112	100%

### What is your gender?

Answer	0%	100%	Number of Response(s)	Response Ratio
Male			33	29.4 %
Female			70	62.5 %
No Response(s)			9	8.0 %
		<b>Totals</b>	<b>112</b>	<b>100%</b>

### How many individuals in your household are in the following age ranges?

1 = 1, 2 = 2, 3 = 3, 4 = 4, 5 = 5, 6 = 6, 7 = 7, 8 = 8+

Answer	1	2	3	4	5	6	7	8	Number of Response(s)	Rating Score*
9 or younger									30	1.3
10 to 14 years of age									23	1.1
15 to 19 years of age									29	1.1
20 to 24 years of age									19	1.2
25 to 34 years of age									25	1.1
35 to 44 years of age									18	1.0
45 to 54 years of age									22	1.1
55 to 64 years of age									35	1.0
More than 64 years of age									25	1.1

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

### About how much was the gross income for your household in 2015? (Include all persons in the household for which a tax return was filed).

Answer	0%	100%	Number of Response(s)	Response Ratio
Less than \$10,000			26	24.5 %
\$10,000 to \$14,999			9	8.4 %
\$15,000 to \$24,999			11	10.3 %
\$25,000 to \$34,999			15	14.1 %
\$35,000 to \$49,999			9	8.4 %
\$50,000 to \$74,999			9	8.4 %
\$75,000 to \$99,999			7	6.6 %
\$100,000 to \$149,999			3	2.8 %
\$150,000 to \$199,999			2	1.8 %
\$200,000 or more			0	0.0 %
Not Applicable or Did Not File			15	14.1 %
		<b>Totals</b>	<b>106</b>	<b>100%</b>








What is the highest level of education attainment among those in your household?

1 = 1, 2 = 2, 3 = 3, 4 = 4, 5 = 5

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Less than High School						29	1.1
Some College						31	1.2
College Degree						14	1.2
High School/GED						55	1.1
Associate or Technical Degree (2 Years)						9	1.1
Post Graduate Work or Degree						8	1.0

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Overall, how satisfied are you with Ts'ah Bii Kin/vicinity as a place to live?

Answer	0%	100%	Number of Response(s)	Response Ratio
Satisfied			65	58.0 %
Somewhat Satisfied			26	23.2 %
Somewhat Dissatisfied			15	13.3 %
Dissatisfied			3	2.6 %
No Response(s)			3	2.6 %
<b>Totals</b>			<b>112</b>	<b>100%</b>

#### TextBlock:

Future population growth will result in an increase number of land-use decisions facing Ts'ah Bii Kin Chapter and community.

### What type of economic or business development initiative do you think Ts'ah Bii Kin community needs?

1 = Agree, 2 = Allow but Not Encouraged, 3 = Disagree

Answer	1	2	3	Number of Response(s)	Rating Score*
Convenience Store				107	1.4
Other Services (ie health, gasoline, restaurant, etc)				106	1.4
Shopping Centers or Other Retails				107	1.6
Office Parks				104	1.7
Other Office-Type Businesses				103	1.8
Agricultural-related Businesses				105	1.7
Recreational Facilities (ie youth centers or multi-purpose buildings)				107	1.5
Family Farms				104	1.5
Community Farms				103	1.6
Large Corporate Livestock Farms				102	1.9

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

### What type of economic or business development initiative(s) do you think Ts'ah Bii Kin community needs?

1 = Agree, 2 = Allow but Not Encouraged, 3 = Disagree

Answer	1	2	3	Number of Response(s)	Rating Score*
Light Industry & Manufacturing				105	1.9
Heavy Industry & Manufacturing				106	2.1
Mineral Extraction				105	2.3
Condominiums				106	2.2
Duplexes				106	2.2
Mobile-Home Parks				106	2.0
Multi-family Residences				104	1.7
Single-family Residences				105	1.6
Scattered Site Homes				105	1.5
Other(s): Please Comment				23	1.6

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

In planning for future development, to what degree should Ts'ah Bii Kin Chapter's Officials promote or discourage action in each of the following areas? (check one box per item)

1 = Strongly Promote, 2 = Promote, 3 = Take No Action, 4 = Discourage, 5 = Strongly Discourage

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Environmental Preservations						100	1.8
Farmland Preservation						101	1.9
Industrial Development						101	2.6
Residential Development						101	2.2
Commercial Development						100	2.5
Recreational Facilities						101	1.9
Tourism Development						102	2.4
Employment Opportunities						104	1.7
Youth Recreational Center/Activities						103	1.7
Senior Citizen Center/Programs						105	1.5

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Continue: In planning for future development, to what degree should Ts'ah Bii Kin Chapter's Officials promote or discourage action in each of the following areas? (check one box per item)










1 = Strongly Promote, 2 = Promote, 3 = Take No Action, 4 = Discourage, 5 = Strongly Discourage

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Artisan Vendor/Training Programs						106	2.0
Small Business and/or Economic Development						104	2.0
Educational Institutional Development						104	1.8
Churches/Religion Purposes						104	2.0
Other(s) Comment Below:						23	2.0

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.













From the list below, please check the most important issues and or concerns that you feel currently face the Ts'ah Bii Kin Chapter/community. (check as many as possible)

Answer	0%	100%	Number of Response(s)	Response Ratio
Amount of development in the Ts'ah Bii Kin community as a whole.			61	58.0 %
Loss of farmland and/or agricultural activities.			51	48.5 %
Environmental degradation in the community (i.e., erosion, storm water run off, etc.)			68	64.7 %
Community Services & Facilities (i.e., police, fire, ambulance services, etc)			82	78.0 %
Recreational Opportunities			59	56.1 %
Schools and/or Higher Education Institutions			61	58.0 %
Crime			63	60.0 %
Available and/or Affordable Housing			62	59.0 %
Other			9	8.5 %
		<b>Totals</b>	<b>105</b>	<b>100%</b>

Are you satisfied with the public services in the Ts'ah Bii Kin community? (The following list includes primary services provided to Ts'ah Bii Kin residents. Please check the best corresponds to your level of satisfaction with each service).

1 = Very Satisfied, 2 = Satisfied, 3 = Uncertain or Undecided, 4 = Dissatisfied, 5 = Very Dissatisfied, 6 = Not Available

Answer	1	2	3	4	5	6	Number of Response(s)	Rating Score*
Police Services							107	3.8
Fire Services							107	3.9
Ambulance Services							107	2.8
Emergency Health Care							105	2.9
Public Water Service							106	2.5
Public Sewer Service							106	2.9
Recycling							104	3.7
High Speed Internet or Public Wifi Access							106	3.8
Cable Services							105	3.6
Electric Services							106	2.9

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

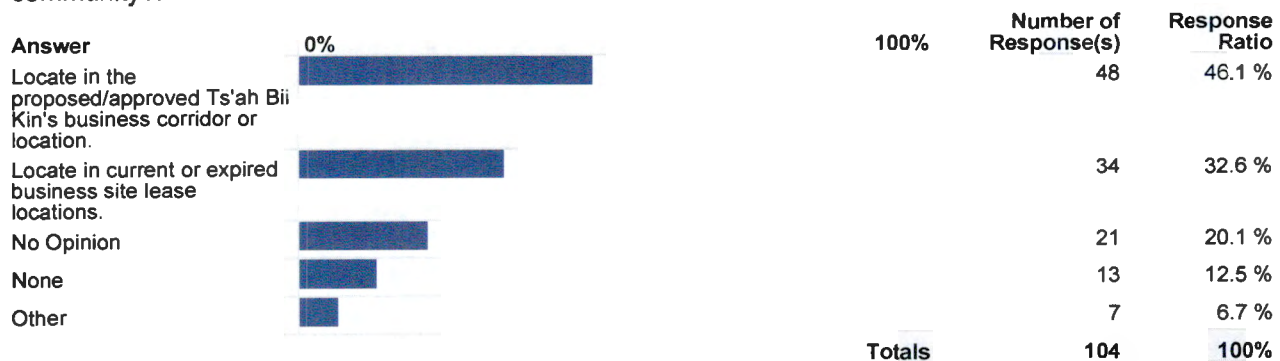
#### TextBlock:

Residential, Commercial and Industrial Land Use Issues: What Should Be Allowed and Where?

Where should new housing development be located in Ts'ah Bii Kin?



Should business development be concentrated in selected areas or dispersed throughout the community?.



Please indicate where you reside (please refer to the map). I live in Ts'ah Bii Kin Chapter, Area (A to D).

Answer	0%	100%	Number of Response(s)	Response Ratio
A			5	5.4 %
B			14	15.3 %
C			30	32.9 %
D			34	37.3 %
I live in another Chapter but a member of Ts'ah Bii Kin Chapter (identify your Chapter in Comment Section)			4	4.3 %
I live within another chapter, city, town or state. (please indicate location below)			4	4.3 %
Other			3	3.2 %
		<b>Totals</b>	<b>91</b>	<b>100%</b>







Are you employed?

Answer	0%	100%	Number of Response(s)	Response Ratio
Yes			40	39.2 %
No			48	47.0 %
Self Employed			10	9.8 %
Retired			5	4.9 %
Student			3	2.9 %
Other			0	0.0 %
		<b>Totals</b>	<b>102</b>	<b>100%</b>

If employed, indicate where you work:







Answer	0%	100%	Number of Response(s)	Response Ratio
Within Ts'ah Bii Kin.			20	27.3 %
Outside Ts'ah Bii Kin but within 20 mile radius of the Chapter.			6	8.2 %
Other Chapter, City or town/state (please indicate in Comment Section)			23	31.5 %
Not Applicable or Unemployed			24	32.8 %
		<b>Totals</b>	<b>73</b>	<b>100%</b>

Do you hold any land use leases or permits? Indicate which type and Areas (See Map, areas are lettered "A" though "D.")

Answer	0%	100%	Number of Response(s)	Response Ratio
Grazing Permit (Indicate Area in Comment Section Below)			20	35.7 %
Farming Permit (Indicate Area in Comment Section Below)			2	3.5 %
Housing Lease (Indicate Area in Comment Section Below)			30	53.5 %
Business Site Lease (Indicate Area in Comment Section Below)			3	5.3 %
No Grazing Permit, Farming Permit, Housing or Business Leases.			10	17.8 %
Other			0	0.0 %
		<b>Totals</b>	<b>56</b>	<b>100%</b>

Please check the following selection with 1 being the most important to 5 least important. What is best about Ts'ah Bii Kin's land development purposes right now?

1 = 1 - Very Important, 2 = 2 - Important, 3 = 3 - Neutral, 4 = 4 - Somewhat Important, 5 = 5 - Least Important

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Current Facilities at Ts'ah Bii Kin /surrounding communities.						101	2.0
Highway corridors available for development.						101	2.0
Areas of traditional and historical importance.						103	1.8
Agricultural Land.						101	2.1
Residential Areas.						99	2.0
Natural Beauty of the Area.						101	1.6

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.



Please rank, with (1) being the most important and (3) being the least important; the three most important improvements that could be made to the Chapter's land area:

1 = 1 - Most Important, 2 = 2 - Neutral, 3 = 3 - Least Important

Answer	1	2	3	Number of Response(s)	Rating Score*
Develop more home-sites.				90	1.6
Preserve agriculture (while developing other areas).				75	1.8
Develop a better utility system.				84	1.5
Commercial, Economic or Industrial Development.				77	2.1
Housing (Scattered or Clustered)				89	1.7
Public Service Facilities (Hospital, Police/Fire Stations, etc.)				90	1.2

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Please rank, with (1) being the most important and (3) being the least important; the following three most specific housing projects for the Ts'ah Bii Kin Chapter:

1 = 1 - Most Important, 2 = 2 - Neutral, 3 = 3 - Least Important

Answer	1	2	3	Number of Response(s)	Rating Score*
New Subdivision (List preferred location in the Comment section).				71	2.2
Scattered Sites for Housing (List preferred location in the Comment section).				76	1.7
New Clustered Sites for Housing (List preferred location in the Comment section).				70	2.1
Clan pods (List preferred location in the Comment section).				41	1.9

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Please rank, with (1) being the most important and (5) being the least important; the top five specific other projects for the Ts'ah Bii Kin Chapter:

1 = 1 - Most Important, 2 = 2 - Important, 3 = 3 - Neutral, 4 = 4 - Somewhat Important, 5 = 5 - Least Important

Answer	1	2	3	4	5	Number of Response(s)	Rating Score*
Power Line Extensions						101	1.4
Water Line Extensions						92	1.5
New Senior Center						90	1.7
Airport						74	3.1
New Youth Recreational Facility						84	1.8
New Pre-School						83	1.7
Clean up illegal dumping of trans/solid waste						101	1.5
Irrigation systems improvements						84	1.9
Other Projects (please list in Comment Section below)						20	1.4

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Please rank, with (1) being the most important, the top three actions that Chapter Officials/Navajo Nation Programs can take to improve the Ts'ah Bii Kin community.

1 = 1 - Most Important, 2 = 2 - Important, 3 = 3 - Least Important

Answer	1	2	3	Number of Response(s)	Rating Score*
Develop Zoning Codes.				72	1.7
Establish Range Management Units (RMU).				76	1.8
Work with Grazing Permit holders for them to work with other Chapter needs.				82	1.5
Work with other Chapter on regional projects.				77	1.6
Work with Chapter on Livestock Management.				85	1.5
Other Actions (please list in Comment Section below)				23	1.5

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Please rank, with (1) being the most important, the top three actions that individuals households and families can take to improve the Ts'ah Bii Kin community.

1 = 1 - Most Important, 2 = 2 - Important, 3 = 3 - Least Important

Answer	1	2	3	Number of Response(s)	Rating Score*
ObeY all permit regulations.				85	1.3
Work with Officials to maintain agriculture.				77	1.5
Work with Officials regarding self-employment.				73	1.6
Respect and obey all Tribal resource laws.				81	1.3
Take an active role in Chapter government, programs, development & projects.				80	1.5
Other Actions (please list in Comment Section below)				10	1.0

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

What relates to your opinion regarding development in the Ts'ah Bii Kin community? IN MY OPINION.....

1 = Yes, 2 = No, 3 = Do Not Know

Answer	1	2	3	Number of Response(s)	Rating Score*
...the Ts'ah Bii Kin community has maintained utilizing the prior comprehensive land use plan as guidance for land use decisions.				100	2.1
...the Ts'ah Bii Kin community must work more closely with the Chapter to reach community goals and objectives.				101	1.5
...the Ts'ah Bii Kin Chapter takes the appropriate measures to preserve & protect open spaces, forestland, and recreational opportunities.				100	1.8
... the Ts'ah Bii Kin Chapter takes appropriate measures to preserve & protect open space, forestlands, and recreational opportunities.				99	1.7
...the Ts'ah Bii Kin Chapter guides development in the appropriate areas within the community.				99	1.8

\*The Rating Score is the weighted average calculated by dividing the sum of all weighted ratings by the number of total responses.

Other general suggestions and/or opinions:

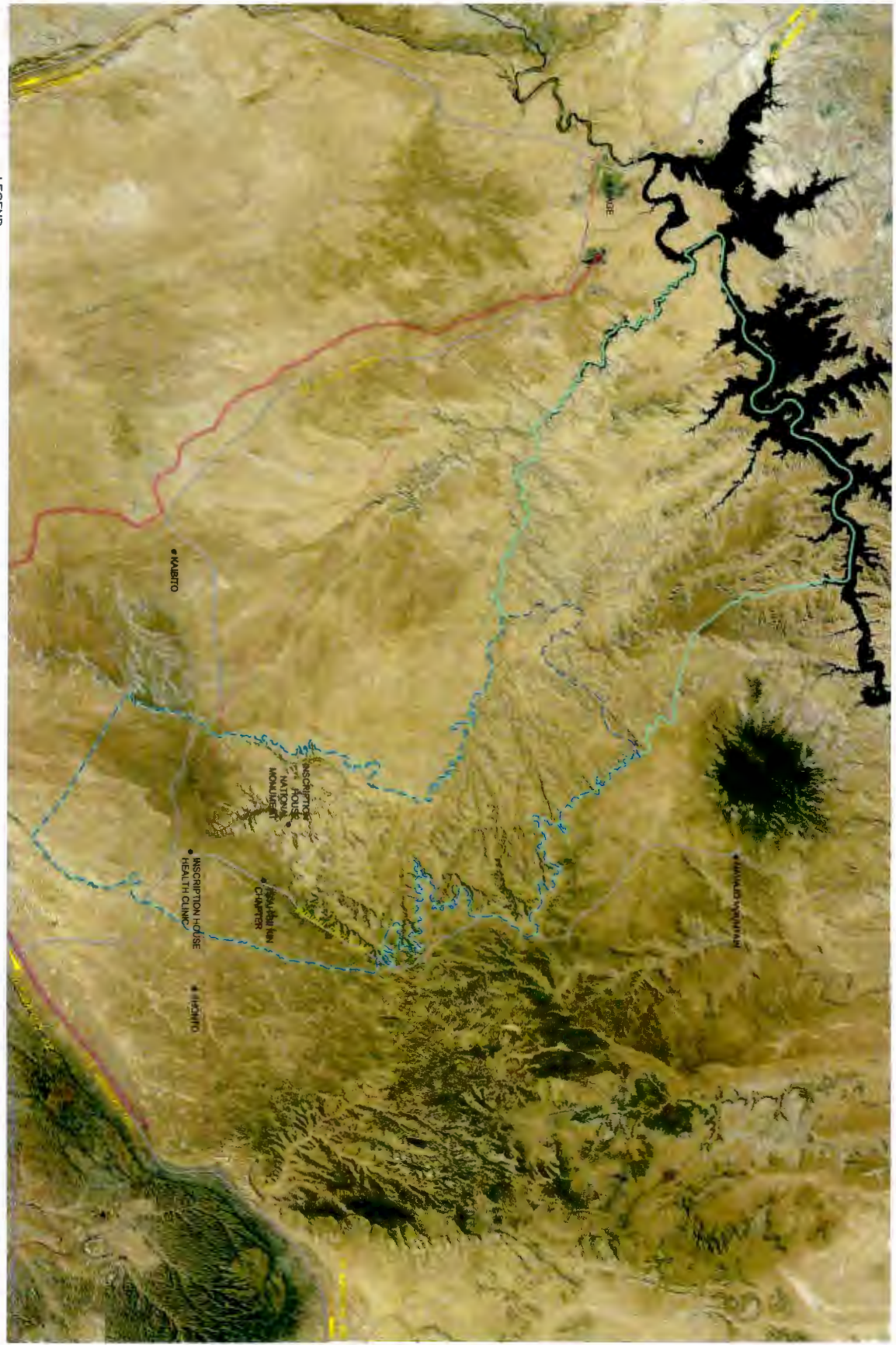
8 Response(s)





**LEGEND**

- INSCRIPTION HOUSE DISTRICT BOUNDARY
- - - - TS'AH BII KIN CHAPTER BOUNDARY
- RAILROAD
- - - - OVERHEAD ELECTRIC TRANSMISSION



DATE: 5/24/17  
 PREPARED BY: JAMES  
 DESIGNED BY: JAMES  
 FILE: EXHIBIT-B.DWG  
**EX-B**  
**EXHIBIT-B**

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EXHIBIT  
**Ts'ah Bii Kin CHAPTER  
 OVERALL CHAPTER MAP**  
 NOT TO SCALE

NO.	DATE	REVISION DESCRIPTION

PREPARED FOR:  
**TSELANI PROFESSIONAL BUSINESS  
 CONSULTING SERVICES, LLC**  
 IN ASSOCIATION WITH  
**Ts'ah Bii Kin CHAPTER**



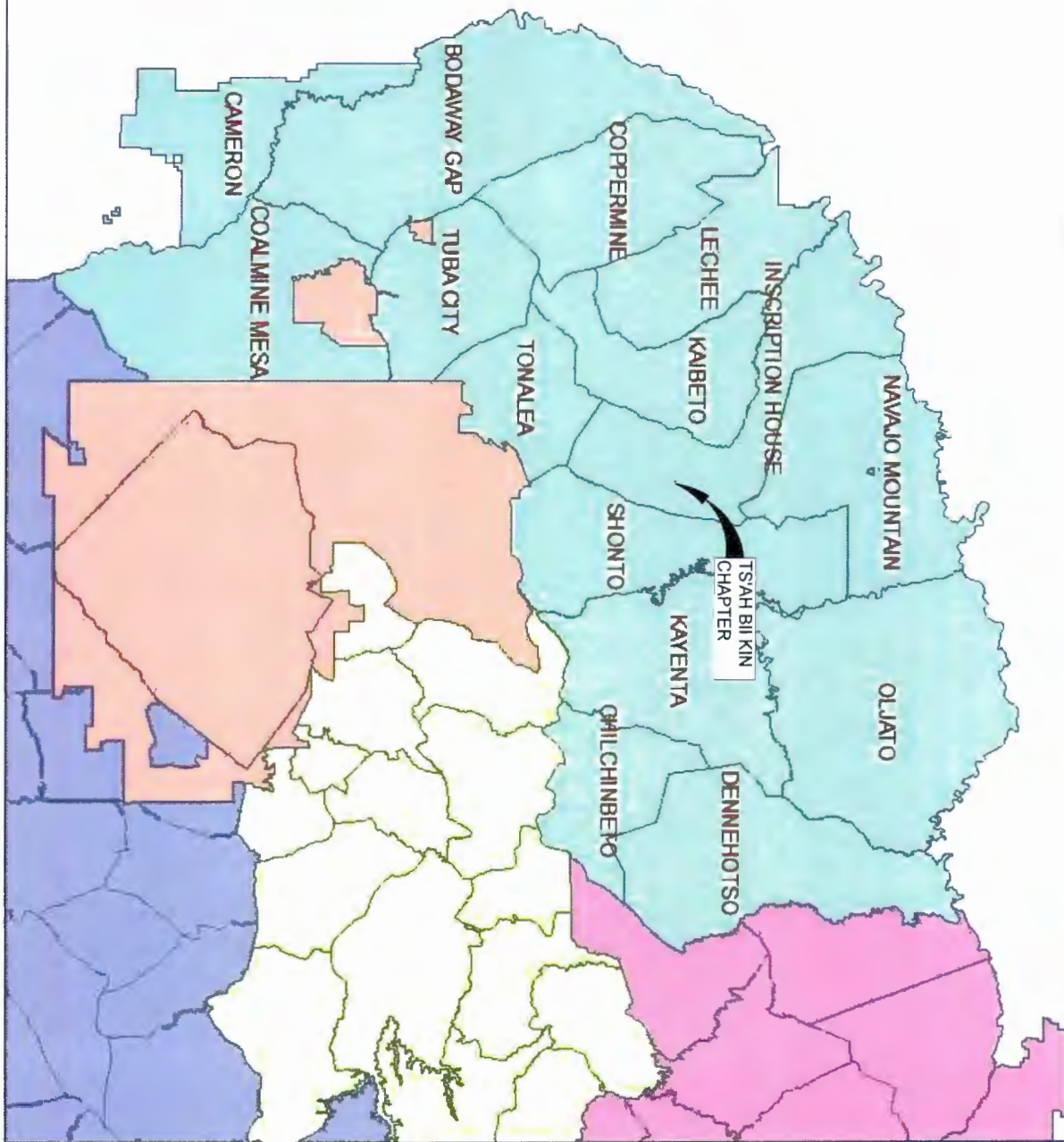


EXHIBIT-1

EX-1

DATE: 08/11/2011  
 DRAWN BY: J. J. JONES  
 CHECKED BY: J. J. JONES  
 FILE: EXHIBIT-1.DWG



P.O. BOX 2883 | CHULA VISTA, CA 92011 | 619-594-0243

EXHIBIT  
 NAVAJO NATION Ts'ah Bii Kin CHAPTER  
 TUBA CITY AGENCY  
 MAP

NOT TO SCALE

NO.	DATE	REVISION DESCRIPTION

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- ① BIA HOUSING
- ② INSCRIPTION HOUSE HEALTH CLINIC
- ③ STORE TC-97-178 2.829 ACRES
- ④ EXISTING FLEA MARKET
- ⑤ EXISTING WASTEWATER TREATMENT
- ⑥ INSCRIPTION HOUSE PRE-SCHOOL
- ⑦ L.O.S. CHURCH
- ⑧ STORE TC-94-141 (PARCEL A) 4.58 ACRES
- ⑨ STORE TC-94-141 (PARCEL B) 4.00 ACRES
- ⑩ TS'AH BII KIN CHAPTER
- ⑪ TS'AH BII KIN SENIOR CENTER
- ⑫ TS'AH BII KIN CHAPTER BARN
- ⑬ TS'AH BII KIN CHAPTER WAREHOUSE
- ⑭ TS'AH BII KIN CHAPTER STONE BUILDING
- ⑮ TS'AH BII KIN CHAPTER HOUSE
- ⑯ TS'AH BII KIN COMMUNITY CHURCH

- A EXISTING CHAPTER HOUSE & FUTURE EXPANSION
- B EXISTING MEDICAL CLINIC
- C EXISTING STORE
- D PROPOSED HIGH SCHOOL & ELEMENTARY SCHOOL

- LEGEND**
- EXISTING COMPONENTS
  - EXISTING FACILITIES
  - ORCHESTRATED NEIGHBORHOOD
  - SENIORCET, HOUSING
  - POTENTIAL COMMERCIAL
  - COMMUNITY PARK
  - MIXED-USED (TOURISM)
  - GOVERNMENT & PUBLIC FACILITIES
  - PUBLIC FACILITIES
  - CHURCHES & RELIGIOUS INSTITUTIONS
  - EXISTING WASTEWATER TREATMENT PLANT
  - EXISTING FLEA MARKET



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EXHIBIT  
**Ts'ah Bii Kin CHAPTER  
TRIBAL PROGRAM AND MISSIONS  
MAP**  
SCALE: 1"=5000'

PK.	DATE	REVISION DESCRIPTION

PREPARED FOR  
**TSELANI PROFESSIONAL BUSINESS  
CONSULTING SERVICES, LLC**  
IN ASSOCIATION WITH  
**Ts'ah Bii Kin CHAPTER**

DATE: APRIL 17, 2018  
DESIGNED BY: JESSICA  
DRAWN BY: JESSICA  
FILE: EXHIBIT-2.DWG  
**EX-2**  
**EXHIBIT-2**





- ① BA HOUSING
- ② INSCRIPTION HOUSE HEALTH CLINIC
- ③ STORE TC-67-718 2.205 ACRES
- ④ EXISTING FLEA MARKET
- ⑤ EXISTING WASTEWATER TREATMENT
- ⑥ INSCRIPTION HOUSE PRE-SCHOOL
- ⑦ LD.S. CHURCH
- ⑧ STORE TC-64-141 (PARCEL A) 4.58 ACRES
- ⑨ STORE TC-64-141 (PARCEL B) 4.00 ACRES
- ⑩ TS'AH BII KIN CHAPTER
- ⑪ TS'AH BII KIN SENIOR CENTER
- ⑫ TS'AH BII KIN CHAPTER BARN

- ⑬ TS'AH BII KIN CHAPTER WAREHOUSE
- ⑭ TS'AH BII KIN CHAPTER STONE BUILDING
- ⑮ TS'AH BII KIN CHAPTER HOUSE
- ⑯ TS'AH BII KIN COMMUNITY CHURCH

- A EXISTING CHAPTER HOUSE & FUTURE EXPANSION
- B EXISTING MEDICAL CLINIC
- C EXISTING STORE
- D PROPOSED HIGH SCHOOL & ELEMENTARY SCHOOL

- LEGEND**
- EXISTING COMPONENTS
  - EXISTING FACILITIES
  - ORCHESTRATED NEIGHBORHOOD
  - SENIOR/ET. HOUSING
  - POTENTIAL COMMERCIAL
  - COMMUNITY PARK
  - UNDEVELOPED (TOURISM)
  - GOVERNMENT & PUBLIC FACILITIES
  - PUBLIC FACILITIES
  - CHURCHES & RELIGIOUS INSTITUTIONS
  - EXISTING WASTEWATER TREATMENT PLANT
  - EXISTING FLEA MARKET



No.	DATE	REVISION DESCRIPTION





- ① BIA HOUSING
- ② INSCRIPTION HOUSE HEALTH CLINIC
- ③ STORE TC-97-178 2.226 ACRES
- ④ EXISTING FLEA MARKET
- ⑤ EXISTING WASTEWATER TREATMENT
- ⑥ INSCRIPTION HOUSE PRESCHOOL

- ⑦ L.D.S. CHURCH
- ⑧ STORE TC-94-141 (PARCEL A) 4.58 ACRES
- ⑨ STORE TC-94-141 (PARCEL B) 4.00 ACRES
- ⑩ TS'AH BII KIN CHAPTER
- ⑪ TS'AH BII KIN SENIOR CENTER
- ⑫ TS'AH BII KIN CHAPTER BARN

- ⑬ TS'AH BII KIN CHAPTER WAREHOUSE
- ⑭ TS'AH BII KIN CHAPTER STONE BUILDING
- ⑮ TS'AH BII KIN CHAPTER HOUSE
- ⑯ TS'AH BII KIN COMMUNITY CHURCH

- A EXISTING CHAPTER HOUSE & FUTURE EXPANSION
- B EXISTING MEDICAL CLINIC
- C EXISTING STORE
- D PROPOSED HIGH SCHOOL & ELEMENTARY SCHOOL

- LEGEND**
- EXISTING COMPONENTS
  - EXISTING FACILITIES
  - ORCHESTRATED NEIGHBORHOOD
  - SENIOR/ET. HOUSING
  - POTENTIAL COMMERCIAL
  - COMMUNITY PARK
  - WAXED-USED (TOURISM)
  - GOVERNMENT & PUBLIC FACILITIES
  - CHURCHES & RELIGIOUS INSTITUTIONS
  - EXISTING WASTEWATER TREATMENT PLANT
  - EXISTING FLEA MARKET



DATE: 10/1/2013  
 PREPARED BY: TSELANI  
 CHECKED BY: J. L. LARSEN  
 FILED: EXHIBIT-4/2013

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 P.O. BOX 2883 | CHANDLER, ARIZONA 85226 | (480) 795-0303

EXHIBIT  
**Ts'ah Bii Kin CHAPTER  
 BUSINESS SITE LEASES  
 MAP**

SCALE: 1"=5000'

NO.	DATE	REVISION DESCRIPTION

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 CONSULTING SERVICES, LLC**  
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 Ts'ah Bii Kin CHAPTER

EXHIBIT-4

EX-4



# COMMUNITY MASTER PLANNING & DESIGN

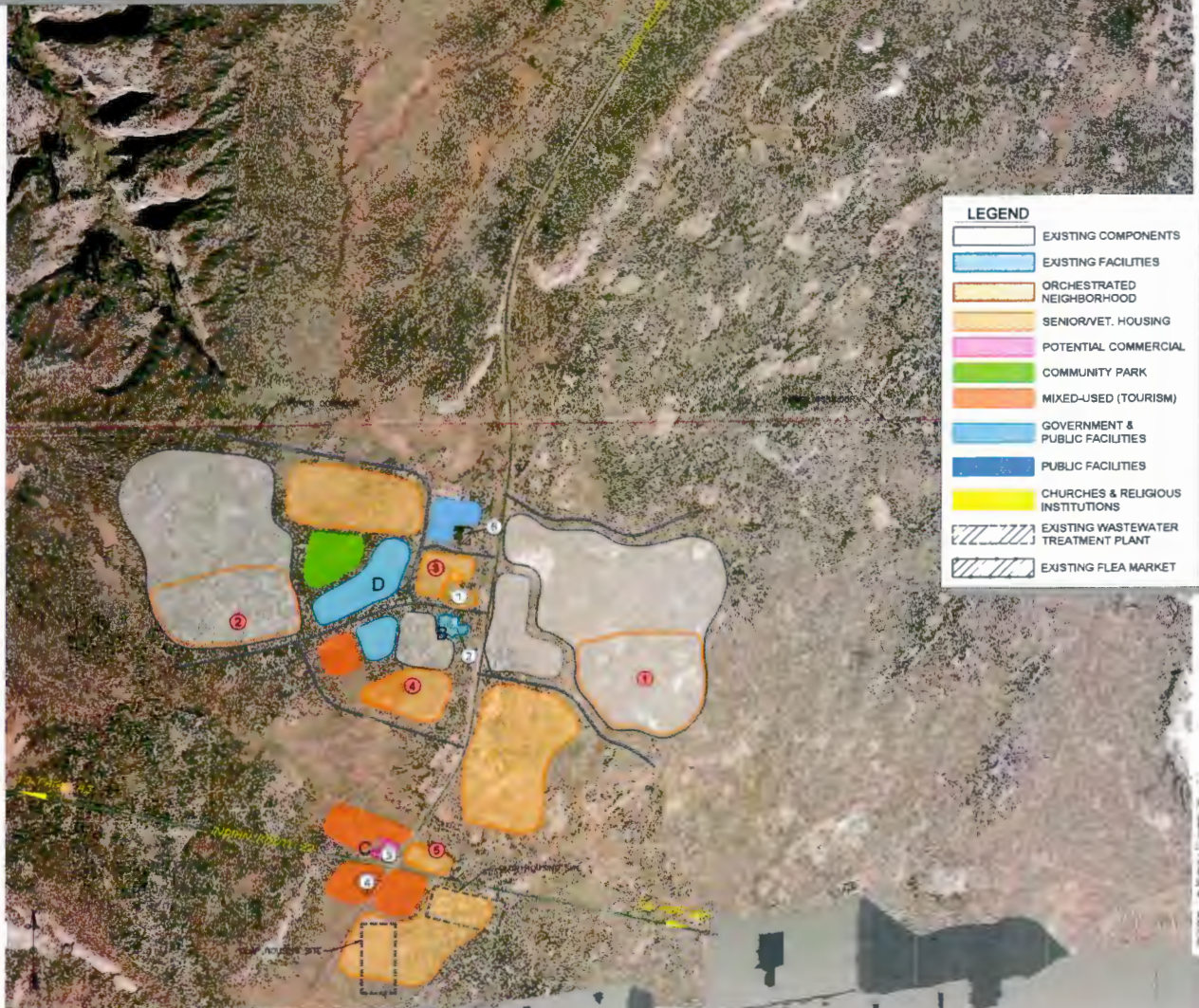
## Ts'ah Bii Kin CHAPTER

### KEY NOTES

- 1 BIA HOUSING
- 2 INSCRIPTION HOUSE HEALTH CLINIC
- 3 STORE TC-97-178 2.926 ACRES
- 4 EXISTING FLEA MARKET
- 5 EXISTING WASTEWATER TREATMENT
- 6 INSCRIPTION HOUSE PRE-SCHOOL
- 7 L.D.S. CHURCH
- 8A STORE TC-94-141 (PARCEL A) 4.58 ACRES
- 8B STORE TC-94-141 (PARCEL B) 4.00 ACRES
- 9 TS'AH BII KIN CHAPTER
- 10 TS'AH BII KIN SENIOR CENTER
- 11 TS'AH BII KIN CHAPTER BARN
- 12 TS'AH BII KIN CHAPTER WAREHOUSE
- 13 TS'AH BII KIN CHAPTER STONE BUILDING
- 14 TS'AH BII KIN CHAPTER HOUSE
- 15 TS'AH BII KIN COMMUNITY CHURCH

- 1 CONSERVATION HOUSING
- 2 CONSERVATION HOUSING
- 3 ORCHESTRATED NEIGHBORHOODS
- 4 SENIOR/VETERANS
- 5 APARTMENTS

- A EXISTING CHAPTER HOUSE & FUTURE EXPANSION
- B EXISTING MEDICAL CLINIC
- C EXISTING STORE
- D PROPOSED HIGH SCHOOL & ELEMENTARY SCHOOL



### LEGEND

- EXISTING COMPONENTS
- EXISTING FACILITIES
- ORCHESTRATED NEIGHBORHOOD
- SENIOR/VET. HOUSING
- POTENTIAL COMMERCIAL
- COMMUNITY PARK
- MIXED-USED (TOURISM)
- GOVERNMENT & PUBLIC FACILITIES
- PUBLIC FACILITIES
- CHURCHES & RELIGIOUS INSTITUTIONS
- EXISTING WASTEWATER TREATMENT PLANT
- EXISTING FLEA MARKET



EXHIBIT  
Ts'ah Bii Kin CHAPTER  
OVERALL COMMUNITY MAP

NOT TO SCALE

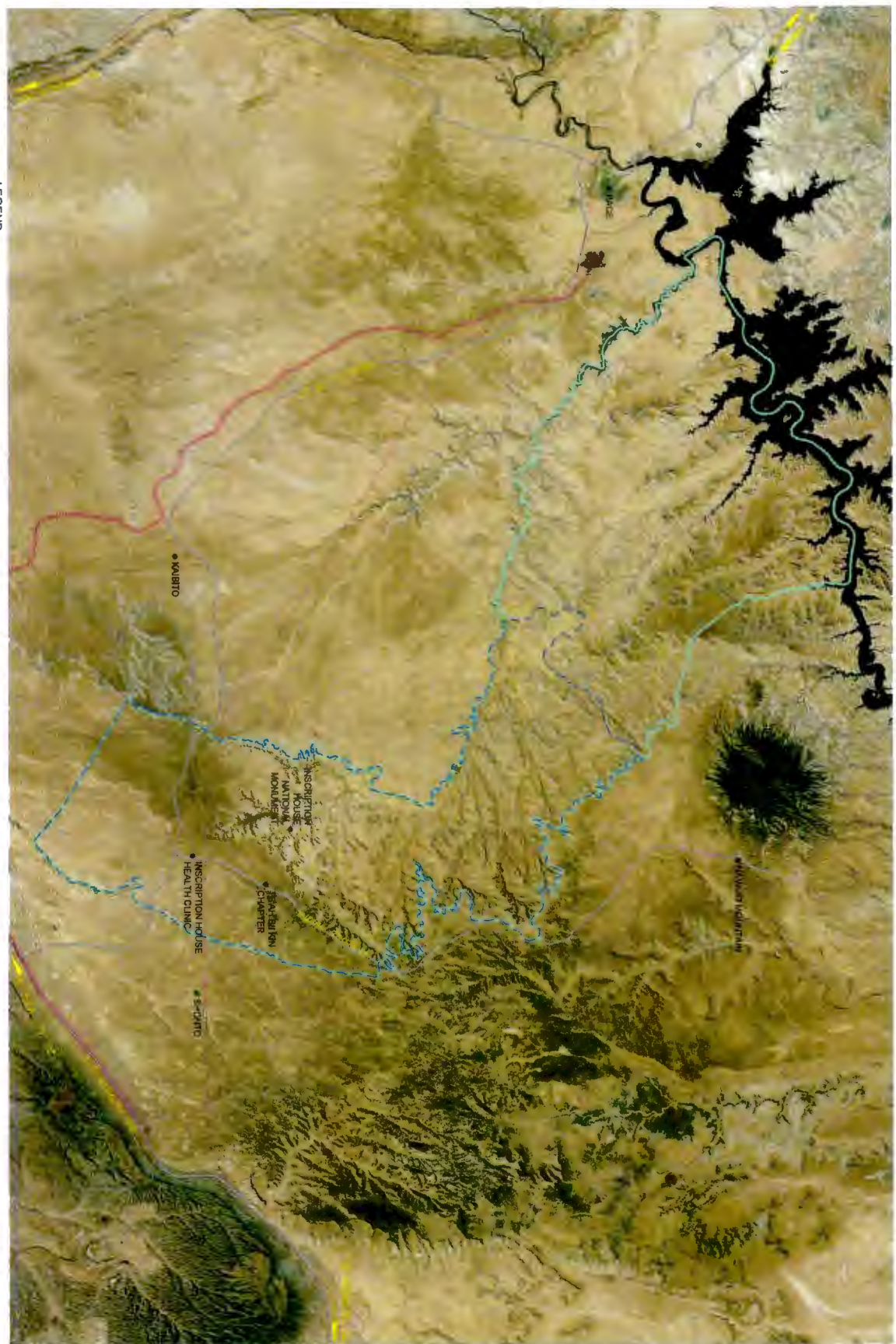
PREPARED FOR  
TSELANI PROFESSIONAL BUSINESS  
CONSULTING SERVICES, LLC  
IN ASSOCIATION WITH  
Ts'ah Bii Kin CHAPTER

**native techsulting**  
IT & CAD CONSULTING  
BIO X 2003 | CHAMBERLAIN, ARIZONA 85003 | (480) 795-0242





- LEGEND**
- INSCRIPTION HOUSE DISTRICT BOUNDARY
  - - - TS'AH BII KIN CHAPTER BOUNDARY
  - ==== RAILROAD
  - OVERHEAD ELECTRIC TRANSMISSION



DATE: 4/17/17  
 REVIEWED BY: DGBS  
 DESIGNED BY: LARSEN  
 DRAWN BY: CHAN  
 FILE: EXHIBIT-6.DWG

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 IT & CAD CONSULTING  
 P.O. BOX 2000 | CHAPLE ARIZONA 86505 | (480) 794-0243

EXHIBIT  
**Ts'ah Bii Kin CHAPTER  
 NDOT'S ROAD MAP**  
 NOT TO SCALE

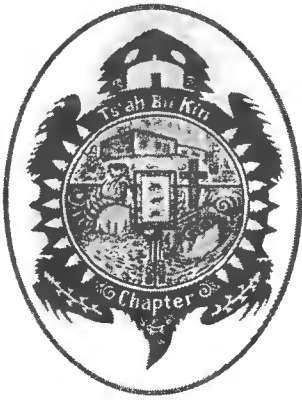
No.	DATE	REVISION DESCRIPTION

PREPARED FOR:  
**TSELANI PROFESSIONAL BUSINESS  
 CONSULTING SERVICES LLC**  
 IN ASSOCIATION WITH  
 Ts'ah Bii Kin CHAPTER









# Ts'ah Bii Kin Chapter

Martha Tate  
President

Geraldine Ch  
Vice-President

Chancy Nodesti  
Secretary/Treasurer

Jerry Happy Beg  
Grazing Officer

Herman Dani  
Council Delegate

Resolution  
Of the  
Ts'ah Bii Kin Chapter  
TBK 2018-070-005



## APPROVING THE TS'AH BII KIN CHAPTER COMPREHENSIVE COMMUNITY – BASED LAND USE PLAN AND REQUESTING THE RESOURCES AND DEVELOPMENT COMMITTEE OF THE 23<sup>RD</sup> NAVAJO NATION COUNCIL TO GRANT CERTIFICATION OF THE COMPREHENSIVE COMMUNITY – BASED LAND USE PLAN

### WHEREAS:

1. Pursuant to N.N.C., Section 3 (A), the Ts'ah Bii Kin Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10; and vested with the authority to discuss all matters affecting the Navajo people and its Nation; and
2. Pursuant to N.N.C., Section 1 (B), the Ts'ah Bii Kin Chapter is vested with the authority to review all matters affecting the community, make appropriate corrections when necessary, and provide recommendations to the Navajo Nation and other local agencies for appropriate action(s); and
3. The Ts'ah Bii Kin Chapter approving the Ts'ah Bii Kin Comprehensive Community – Based Land Use Plan and requesting the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council to grant certification of the Land Use Plan, and;
4. The Ts'ah Bii Kin Chapter is vested with the authority and establishment of the Ts'ah Bii Kin Community Land Use Planning Committee to oversee all land use planning activities, and;
5. The Ts'ah Bii Kin Chapter in consultation with the Tselani Professional Business Consulting Services, LLC, developed the Comprehensive Community – Based Land Use Plan, and;
6. The Ts'ah Bii Kin Chapter community members were given the opportunity to participate in the planning process through monthly public committee meetings and public hearings, and;
7. The Ts'ah Bii Kin Chapter provided the community with a 300 day public comment period that started in April of 2017 through March of 2018, and;
8. The Ts'ah Bii Kin Chapter Comprehensive Community Land Use Plan (attached hereto as Exhibit A) was prepared in the best interest of the Ts'ah Bii Kin Chapter Community.

### NOW THEREFORE BE IT RESOLVED THAT:

1. The Ts'ah Bii Kin Chapter hereby approves its Comprehensive Community – Based Land Use Plan in accordance with the requirements of the LGA:
2. The Ts'ah Bii Kin Chapter further hereby requests the approval and certification of the Comprehensive Community – Based Land Use Plan by the Resources and Development Committee of the 23<sup>rd</sup> Navajo Nation Council.

### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by Ts'ah Bii Kin Chapter at a duly called meeting in Ts'ah Bii Kin, Arizona at which a quorum was present and the same was passed by a vote of 26 in favor 0 opposed and 10 abstained on this 11<sup>th</sup> day of MARCH 2018.

Motioned By:

Priscilla Tsosie

Second By:

Rose T. Hurley

Martha Tate  
Martha Tate, President

**RESOURCES AND DEVELOPMENT COMMITTEE**

**Regular Meeting  
April 11, 2018**

**ROLL CALL  
VOTE TALLY SHEET:**

**Legislation # 0111-18:** An Action Relating to Resources and Development, Certifying Ts'ah Bii Kin Chapter's Community-Based land Use Plan Which has Reevaluated and Readjusted Ts'ah Bii Kin Chapter's First Community Based Land Use Plan. *Sponsor: Honorable Herman Daniels*

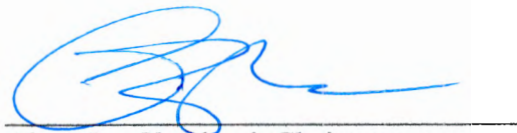
**MAIN MOTION:** Walter Phelps    S: Benjamin Bennett    V: 3-0-1 (CNV)

**ROLL CALL VOTE TALLY:**

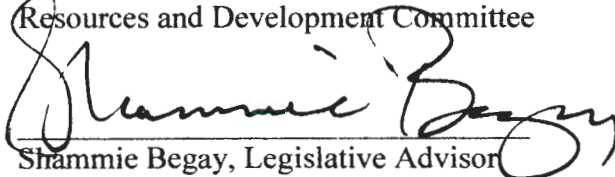
**YEAS:** Benjamin Bennett; Leonard H. Pete and Walter Phelps

**NAYS:** NONE

**NOT VOTING/EXCUSED:** Jonathan Perry, Davis Filfred and Alton Joe Shepherd (Presiding)



Alton Joe Shepherd, Chairperson  
Resources and Development Committee



Shammie Begay, Legislative Advisor  
Resources and Development Committee