

9.13. POJOAQUE VALLEY COMMUNITY DISTRICT OVERLAY.

9.13.1. Purpose and Intent. The provisions of the Pojoaque Valley Community District Overlay (PVCD) are intended to implement and be consistent with the land use goals, objectives and policies of the Pojoaque Valley Community Strategic Plan and the Sustainable Growth Management Plan (SGMP). The PVCD is designed to preserve the rural character, history and culture of the Pojoaque Valley, to help manage growth, maintain sustainable water and wastewater, preserve a high quality of life, protect and strengthen relationships between neighbors, and accommodate a variety of lifestyles and meet future needs. The rural character of the valley includes a mixture of uses including agricultural, residential and nonresidential uses.

9.13.2. Sustainable Design Standards. The development standards of Chapter 7 of this Code shall be applicable to all development, except as otherwise specified herein.

9.13.3. Establishment of Zoning Districts. The development standards of Chapter 8 of this Code shall be applicable to all development, except as otherwise specified herein.

9.13.3.1. Generally. The PVCD Overlay modifies the underlying base zoning districts in order to address special siting, use, and compatibility issues requiring regulations that supplement or supplant those found in the underlying zoning districts. If an overlay zone regulation conflicts with any standard of this Code, the standard of this overlay zone shall govern.

9.13.3.2. Base Zoning Districts. Base zoning districts approved for use in the PVCD are listed in Table 9.13.1:

Table 9.13.1 Pojoaque Valley Base Zoning Districts.

TC	Traditional Community
PI	Public/Institutional

1. PVCD Traditional Community (PVCD TC); Purpose. This district designates areas suitable for residential, small-scale commercial and traditional agricultural uses consistent with the existing development patterns of the Pojoaque Valley traditional communities. The TC district accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses, including agriculture served by acequia systems, from encroachment by development. Density bonuses and transfers of development rights may be utilized to achieve the purposes of the district. Density transfers and clustered development shall be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas.

a. Use Regulations. Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on PVCD Use Table.

b. Dimensional Standards. As identified in Chapter 8 of this Code, Traditional Community, except as prescribed below:

i. Minimum Density. The minimum lot size for PVCD TC is one dwelling unit per .75 acre.

c. Density Bonus. Density may only be increased to one dwelling unit per .33 acre with community or public water and public, not private, wastewater and if the development is clustered in accordance with the standards of this Code.

d. Setbacks. A minimum of 10 feet is required between neighboring dwelling units. Where zero lot lines exist, new development on neighboring lots requires a 10 foot minimum setback between property line and structure.

Table 9.13.2 Dimensional Standards: PVCD TC (Traditional Community).

Zoning District	PVCD TC
Density (# of acres per dwelling unit)	.75
Frontage (minimum, feet)	50
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Height (maximum, feet), hay or animal barn, silo	36
Maximum building size (commercial)	2,500 sq. ft.
Lot coverage residential and non-residential (maximum, percent)	40

2. PVCD Public/Institutional (PVCD PI); Purpose. This district accommodates governmental, educational, and non-profit or institutional uses, including public or community parks and recreation facilities, and public, non-profit, and institutional residential uses, but excluding any such uses of an extensive heavy industrial character.

a. Use Regulations. Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on PVCD Use Table.

b. Dimensional standards. As identified in Chapter 8 of this Code, Traditional Community, except as prescribed in PVCD Table 9.13.3.

Table 9.13.3: Dimensional Standards PVCD PI (Public/Institutional).

Zoning District	PVCD PI
Density (# of acres per dwelling unit)	.75
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	48
Lot coverage residential and non-residential (maximum, percent)	40

9.13.4. PVCD Overlay Zones.

9.13.4.1. PVCD Rural Commercial Overlay (PVCD O-RC); Purpose. The Rural Commercial Overlay allows for non-residential development in the O-RC which shall be compatible with existing land use patterns, existing residential areas, land ownership characteristics, and geographic features near the property. The Rural Commercial Overlay is intended to support the needs of the community and to retain the predominantly residential character of the Village. Commercial uses that are small in scale are appropriate within this overlay zone in order to support the development of the village as a mix of residential and commercial. Commercial development should support local employment and provide local services which do not disrupt the quiet of the Village and promote self-sufficiency for the community.

1. Location. Boundaries of the O-RC are shown on the Official Zoning Map. There are three subdistricts within the PVTCD O-RC: Area A Jacona, Area B Pojoaque and Area C Cuyamungue. The three areas are described as follows:

a. Area A Jacona O-RC. This area is located on NM 502 and consists of areas that lie 500 feet from the right of way, into the properties adjacent to NM 502. Two parcels south of NM 502 and north of the Pojoaque Valley School District at the Jacona Campus, and one parcel north of NM 502.

b. Area B Pojoaque O-RC. This area follows property lines of specific parcels east and west of U.S. 84/285 between NM 503 intersection and CR 109 (North Shining Sun Road). Properties included in this area are those parcels with direct access to U.S. 84/285 from Old Pueblito Road, and the parcels located off the frontage road with access on Grazing Elk Drive. Also included are those parcels located east of the U.S. 84/285 frontage road adjacent to Camino Trujillo.

c. Area C Cuyamungue O-RC. This area is located off the frontage road on the west side of U.S. 84/285 in the northern area of Cuyamungue.

2. Permitted Uses. In addition to those uses allowed by the underlying zoning, the following uses are allowed in the PVCD O-RC upon the issuance of a development permit and shall not exceed five thousand (5,000) square feet:

a. Retail services including market shops and open markets, convenience stores, offices, medical clinics, retail shops and stores, exhibition spaces and art galleries, theater, dance, restaurants, and music establishment, bicycle sales and repair shops, automobile repair and service, open markets, offices and stores with residence included, retreats, and small scale lodging, such as bed and breakfast inns (up to 7 units), with square footages of up to 5,000 square feet; and

b. Community and social services including library, museum, postal services, bus stop shelters, and community center, public recreation facilities, bus shelters, community food services, other services

including janitorial, landscaping, cleaning, research and development, services for elderly and disabled, and animal hospitals; and

c. All agricultural uses including agricultural production and sales; and

d. Utilities such as local distribution facilities for water, natural gas and power, telecommunication lines, water tanks, water wells, well fields and water transmission pipelines.

3. Conditional Uses. The following uses may be allowed in the PVCD O-RC upon the issuance of a conditional use permit, provided the maximum floor area for each establishment shall not exceed fifteen thousand (15,000) square feet:

a. Community Services such as retirement housing, assisted living facilities, life care or continuing care facilities, skilled nursing and facilities; and

b. Moderate scale lodging, such as bed and breakfast inns (between 7 and 12 units), rooming and boarding housing (under 12 units), resorts, with or without conference center, hotels motels and inns (under 12 units) and retreats (up to 6 events per year, no more than 3 days per week, and no more than 10 participants at a time); and

c. Entertainment facilities such as fitness, recreational sports, gyms, and athletic clubs, exhibitions and art galleries, performing arts and supporting establishments, bars taverns and nightclubs (to replace existing facilities only).

4. Architectural Design Standards. In order to preserve the historical design character of Pojoaque, any new non-residential development under the PVCD O-RC shall be designed to integrate with the general style of the Pojoaque Valley.

9.13.5. Supplemental Zoning Standards. Standards shall be regulated as identified in Chapter 10 of this Code with the following exceptions:

9.13.5.1. Home Occupations. Purpose: Home Occupations are small-scale uses that are conducted from one's home and are clearly incidental and secondary to primary use of a residence. All Home Occupations shall meet the criteria established in this Overlay and as regulated in Chapter 10 of this Code with the following exceptions as identified in Table 9.13.4.

1. Home occupations are allowed throughout the PVCD in accordance with Chapter 10 of this Code except for, home businesses that include, but are not limited to retail shops, galleries, offices or restaurants.

2. No Impact and Low Impact Home Occupations shall be permitted throughout the PVCD.

3. **Medium Impact Home Occupations.** Medium Impact Home Occupations shall be approved with a Conditional Use permit in accordance with this Code provided they comply with the following:

a. A Site Development Plan shall be submitted.

b. A maximum of six (6) nonresident employees may regularly work at the home occupation.

Table 9.13.4: PVCD Home Occupations Standards:

	No Impact	Low Impact	Medium Impact
Permit type	Business Registration	Development Permit	Conditional Use Permit
Non-resident employees (max)	1	3	6
Area used for business (maximum)	25% of heated square footage*	35% of heated square footage*	50% of heated square footage*
Accessory building storage	100 SF	600 SF	1,500 SF
Appointments/patron visits (max/day)	0	4	12
Business traffic	none	see §10.6.5	see §10.6.5
Signage	not permitted	see §7.9.4.3	see §7.9.4.3
Parking and access	Resident and employee only	see §10.6.5	see §10.6.5
Heavy Equipment	None**	Up to 2**	3-6**

* A maximum of 2,500 square feet may be used for the home occupation.

** Heavy equipment necessary and used for land maintenance in a rural agricultural setting, such as tractors and farm related equipment not connected to the home occupation, is not subject to the home occupation requirements for Medium Impact heavy equipment.

9.13.6. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the PVCD Use Table 9.13.6. All uses are designated as permitted, accessory, or conditional, as further explained in Table 9.13.5. Accessory uses may be subject to specific regulations as provided in Chapter 10, and conditional uses are subject to the conditional use permit standards provided in Chapter 14. In addition, uses may be subject to modification by the overlay zoning regulations included in this chapter.

Table 9.13.5: Use Table Labels

P	Permitted Use: The letter “P” indicates that the listed use is permitted by right within the zoning district. Permitted uses are subject to all other applicable standards of the SLDC.
A	Accessory Use: The letter “A” indicates that the listed use is permitted only where it is accessory to a use that is permitted or conditionally approved for that district. Accessory uses shall be clearly incidental and subordinate to the principal use and located on the same tract or lot as the principal use.
C	Conditional Use: The letter “C” indicates that the listed use is permitted within the zoning district only after review and approval of a Conditional Use Permit in accordance with Chapter 14.
DCI	Development of Countywide Impact: The letters “DCI” indicate that the listed use is permitted within the zoning district only after review and approval as a Development of Countywide Impact.
X	Prohibited Use: The letter “X” indicates that the use is not permitted within the

Table 9.13.6: PVCD Use Table.

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
Residential						
Single family		1110		P	A	
Accessory dwelling units		1130		A	A	Ch. 10
Townhouses				X	A	
Multifamily dwellings		1202-99		X	A	
Retirement Housing	1210			X	P	
Assisted living facility	1230			X	P	
Life care or continuing care facilities	1240			X	P	
Nursing facilities	1250			X	P	
Community Home, NAICS 623210				C	P	
Barracks		1310		X	P	
Dormitories		1320		X	P	
Temporary structures, tents etc. for shelter		1350		X	P	
Hotels, motels, or other accommodation services						
Bed and Breakfast inn	1310			C	X	Ch. 10
Rooming and boarding housing	1320			X	C	
Resorts				X	X	
Retreats				C	P	
Hotels, motels, and tourist courts	1330			X	X	
Commercial						
Shop or store with drive-through facility		2210		X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		C	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		C	X	
Stand-alone store or shop		2230		C	X	
Department store		2240		X	X	
Warehouse discount store/superstore	2124	2250		X	X	
Market shops, including open markets		2260		C	X	
Gasoline station		2270		X	X	
Automobile repair and service		2280		C	X	
Car dealer	2111			X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	
Boat or marine craft dealer	2114			X	X	
Automotive Parts, accessories, or tires	2115			C	X	

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
Gasoline service	2116			X	X	
Lumberyard and materials	2126			X	X	
Outdoor resale business	2145			X	X	
Pawnshops	NAICS 522298			X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	
Shopping center		2510-2580		X	X	
Convenience stores or centers		2591		C	X	
Car care center		2593		C	X	
Car washes	NAICS 811192			X	X	
Office or bank (without drive-through facility)		2100		C	X	
Office (with drive-through facility)		2110		X	X	
Office or store with residence on top		2300		C	X	
Office-over storefront structure		2400		C	X	
Research and development services (scientific, medical, and technology)	2416			C	X	
Car rental and leasing	2331			X	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			C	X	
Bars, taverns and nightclubs				X	X	
Sexually oriented business				X	X	Sec. 10.20
Tattoo parlors				X	X	
Industrial , manufacturing and wholesale trade						
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	
Loft		2611		X	X	
Mill-type factory structures		2612		X	X	
Manufacturing plants		2613		X	X	
Industrial parks		2614		X	X	
Laboratory or specialized industrial facility		2615		X	X	
Assembly and construction-type plants	3000	2621		X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	
Construction-related businesses	7000			X	X	
Heavy construction	7400			X	X	
Machinery related	7200			X	X	

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
Special trade contractor	7300			X	X	
Automotive paint and body				X	X	Sec. 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	DCI	
Vehicle storage for towing or related business				X	C	
Demolition, building and structure business				X	X	
Warehouse or storage facility Structure		2700		X	X	
Mini-warehouse, mini-storage units		2710		X	X	
High-rise mini-warehouse		2720		X	X	
Warehouse structure		2730		X	X	
Produce warehouse		2740		X	X	
Refrigerated warehouse or cold storage		2750		X	X	
Large area distribution or transit warehouse		2760		X	X	
Wholesale trade— durable goods	3510			X	X	
Wholesale trade nondurable goods	3520			X	X	
Food, textiles, and related products				X	X	
Wood, paper, and printing products				X	X	
Tank farms		2780		X	X	
Public assembly structures						
Performance theater			3110	C	P	
Movie theater			3120	X	P	
Amphitheater			3130	X	P	
Drive-in theaters			3140	X	X	
Indoor games facility		3200		X	P	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	C	
Amusement or theme park	5310			X	X	
Arcade	5320			X	X	
Miniature golf establishment	5340			X	X	
Fitness, recreational sports, gym, or athletic club	5370			C	P	
Bowling, billiards, pool, etc.	5380			X	C	
Skating rinks	5390			X	P	
Sports stadium or arena		3300		X	C	
Racetrack or raceway	5130			X	X	
Exhibition, convention or conference structure		3400		X	P	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	*

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
Covered or partially covered atriums and public enclosure		3700		X	P	
Passenger terminal, mixed mode		3810		C	P	*
Active open space/ athletic fields/golf courses	6340			C	P	*
Passive open space	6340			P	P	
Arts, entertainment, and recreation						
Active leisure sports and related activities			7100	X	P	
Movie Ranch				X	P	
Camps, camping, and related establishments	5400			C	P	
Exhibitions and art galleries		4410		C	P	
Performing arts or supporting establishment	5100			C	P	
Theater, dance, or music establishment	5101			C	P	
Institutional or community facilities						
Community center		2200		C	P	
Hospitals		4110		X	P	
Medical clinics		4120		C	P	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			C	P	
Child and youth services	6561			C	P	
Child care institution (basic)	6562			C	P	
Child care institution (specialized)	6562			C	P	
Day care center	6562			C	P	
Community food services	6563			C	P	
Emergency and relief services	6564			C	P	
Other family services	6565			C	P	
Services for elderly and disabled	6566			C	P	
Animal hospitals	6730			C	P	
School or university (privately owned)		4200		C	P	
Grade school (privately owned)		4210		X	P	
College or university facility (privately owned)		4220		X	P	
Technical, trade, and other specialty schools	6140	4230		X	P	
Library		4300		X	P	
Museum, exhibition, or similar facility	5200	4400		C	P	
Planetarium		4420		C	P	
Aquarium		4430		X	P	
Zoological parks		4450		X	P	
Public safety related facility			4500	C	P	
Fire and rescue station			4510	C	P	

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
Police station			4520	C	P	
Emergency operation center			4530	C	P	*
Correctional or rehabilitation facility			4600	X	P	*
Cemetery, monument, tombstone, or mausoleum			4700	C	P	
Funeral homes			4800	X	P	
Cremation facilities			4800	X	P	
Public administration		6200		X	P	
Post offices		6310		X	P	
Space research and technology		6330		X	P	*
Clubs or lodges				X	C	
Transportation-related facilities						
Commercial automobile parking lots		5200		X	X	
Commercial automobile parking garages				X	X	
Surface parking, open		5210		X	A	
Surface parking, covered		5220		X	A	
Underground parking structure with ramps		5240		X	A	
Rooftop parking facility		5250		X	A	
Bus terminal		3830		X	P	
Bus stop shelter		5300		P	P	
Truck storage and maintenance facilities		5400		X	X	
Truck freight transportation facilities	4140			X	X	
Light rail transit lines and stops	4151			P	P	
Local rail transit storage and maintenance facilities	4153			X	X	
Taxi and limousine service maintenance and storage facilities	4155			X	X	
Taxi and limousine service dispatch facilities				X	X	
Bus transportation storage and maintenance facilities	4156			X	C	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	C	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	
Courier and messenger service facilities	4190			C	X	
Commercial airports		5600		X	C	
Private airplane runways and landing strips		5610		X	X	
Airport maintenance and hangar facilities		5620		X	C	
Heliport facility		5640		X	C	

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
Helistops				X	C	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	C	
Railroad tracks, spurs, and sidings				C	P	
Railroad switching, maintenance, and storage facility		5700		X	C	
Railroad passenger station		5701		C	P	
Railroad freight facility		5702		X	X	
Utility						
Local distribution facilities for water, natural gas, and electric power		6100		P	P	
Telecommunications lines				P	P	
Electric power substations				C	C	
High-voltage electric power transmission lines				C	C	
Dam		6220		C	C	
Livestock watering tank or impoundment				P	P	
Levee		6230		C	C	
Water tank (elevated, at grade, or underground)		6250		C	P	
Water wells, well fields, and bulk water transmission pipelines		6260		P	P	
Water treatment and purification facility		6270		C	P	
Water reservoir		6280		C	P	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	P	
Solid waste landfill facility	4345	6320		X	C	
Composting facility		6330		X	X	
Recycling transfer center		6331		X	P	
Solid waste collection transfer station (Governmental)	4343		3210	X	P	
Solid waste collection transfer station (Private)	4343		3210	X	C	
Solid waste combustor or incinerator	4344			X	X	
Septic tank service, repair, and installation business	4346			C	X	
Household hazardous waste collection facility				X	X	
Hazardous waste storage facility		6340		X	X	
Hazardous waste treatment and disposal facility				X	X	
Sewage treatment plant and disposal facilities		6350		X	C	
Gas or electric power generation facility		6400		X	DCI	

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes		6500		X	C	
Modification of existing wireless communication facility with no substantial changes/Collocation		6500		P	P	
Roof Mounted/Surface Mounted/Stealth		6500		C	P	
Amateur radio antenna		6510		X	P	
Weather stations		6520		C	P	
Environmental monitoring station (air, soil, etc.)		6600		C	P	
Commercial solar energy production facility				X	X	
Geothermal production facility		6450		X	C	
Large scale wind facility				X	X	Sec. 10.16
Highway rest stops and welcome centers		6930		X	P	
Fountain, sculpture, or other similar decorative structures		6950		C	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	P	
Agriculture, forestry, and conservation/open space						
Grain silos and other storage structure for grains and agricultural products		8100		C	C	
Animal production that includes slaughter	9300			C	X	
Livestock pens or hog houses		8200		C	X	
Commercial greenhouses		8500		P	C	
Nurseries and other growing of ornamental plants				P	P	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		C	P	
Stables and other equine-related facilities - Commercial over 12 horses				C	C	
Kennels and commercial dog breeding facilities		8700		C	P	
Apiary and other related structures		8700		P	P	
Crop production outdoor	9100			P	P	
Crop production greenhouse		8500		P	P	
Display or sale of agricultural products raised on the same premises				A	P	
Forestry and logging operations	9300			X	P	
Game preserves and retreats	9400			X	P	
Support business and operations for agriculture and forestry				C	P	

Use	Function	Structure	Activity	PVCD TC	PVCD PI	Special Conditions
Parks, open space areas, conservation areas, and preservation areas				P	P	
Public or community outdoor recreation facilities				C	P	
Concentrated animal feeding operation		8310		X	X	Ch. 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	P	
Dairy farms		8210		C	X	
Other farm and farming-related structures		8900		P	A	
Poultry farms and poultry production facilities		8220		C	X	
Sheds, or other agricultural facilities		8000		P	A	
Animal waste lagoons		8420		X	X	Ch. 11
Mining and extraction establishments						
Oil and natural gas exploration or extraction	8100			DCI	DCI	Ch. 11
Hard rock mining	8200			DCI	DCI	Ch. 11
Sand and gravel Mining				X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				DCI	DCI	Ch. 11

*** Subject to inclusion in approved list of uses that is part of the site plan for the Mixed Use and Planned Development District.**