

Adoption Draft Changes

Chapter 1

1.7. ENACTMENT AND REPEALS. Upon the adoption of the SLDC, the following are hereby repealed in their entirety: the Flood Prevention and Stormwater Management Ordinance of 2008-10; Ordinance No. 2012-10, the Santa Fe County Land Development Code, Ordinance 1996-10 (except Article III, Sec. 5 “Mineral Exploration and Extraction”); together with all amendments thereto; the original Santa Fe County Land Development Code Ordinance No. 1980-6. Ordinances No. 2000-8, 2000-12, 2000-13, 2002-1, 2002-02, 2002-9, 2003-7, 2005-08, 2006-10 (except Article III, sec. 4 “Mineral Exploration and Extraction”), 2006-11, 2007-2, 2007-10 and 2008-5 shall remain in effect until amended following adoption of revised community plans that are consistent with the SGMP and this ordinance. Ordinance 2008-19 shall remain in effect until amended following adoption of Chapter 11, Developments of County Impact. To the extent there is any conflict between the SLDC and any land-use ordinance that is not repealed by this §1.7 or otherwise addressed in the SLDC, the provisions of the SLDC shall apply.

Chapter 2

Plan Amendments

2.1.5.6. In determining whether a proposed amendment shall be approved, the Planning Commission and Board shall consider the factors set forth in the SLDC, New Mexico judicial decisions and statutes. No ~~SGMP amendment~~, Area, District or Community Plan amendment or SLDC zoning map amendment will be approved unless it is consistent with the SGMP or the applicable Area, District or Community Plan.

Community Participation

2.2.2.3. A CO must file an application for recognition as a CO in order to be recognized by the Board as a CO. The application must be filed with the Administrator, and shall include all of the following:

1. The name, address, telephone number and e-mail address of the ~~CO, and the name, address and telephone number of the~~ person, ~~as applicable~~, who will be designated by the CO to receive notice from the County and to represent the CO in dealings with County staff;

2.2.3.3. An RO must file an application for recognition as a RO in order to be recognized by the Administrator as an RO. The application must be filed with the Administrator, and shall include all of the following:

1. The name, address, telephone number and e-mail address of the ~~RO, and the name, address and telephone of the~~ person, ~~as applicable~~, who will be designated by the RO to receive notice from the County and to represent the RO in dealings with County staff;

Chapter 4

Table 4-1: Procedural Requirements by Application Type

Change Minor subdivision final plat to “yes” under Discretionary Review and remove “*” under major subdivision final plat/BCC.

4.4.4. Pre-Application Neighborhood Meeting. A pre-application neighborhood meeting shall be conducted as specified in Table 4-1.

4.4.4.1. Notice of Pre-Application Meeting. The following entities and persons shall be invited by a letter sent first class mail, return receipt requested 15 days prior to the pre-application meeting:

1. The applicable CO and/or RO (see § 2.2).
2. Property owners entitled to notice of the application as required in § 4.6;

4.4.4. Pre-application meeting

4.4.4.9. The applicant may hold a mediation-land use facilitation meeting to address concerns from the neighborhood pre-application meeting.

4.6 Notice

4.6.6. Notice of Administrative Action. Notice of a proposed land division, ~~or~~ subdivision, multifamily or non-residential use that is to be approved administratively shall provide the following notice:

4.6.6.1. Posting. Notice of the pending application shall be posted on the parcel at least fifteen (15) days prior to the date of the approval of the application. The notice to be posted shall be provided by the Administrator and shall be prominently posted on the property in such a way as to give reasonable notice to persons interested in the application. The notice shall be visible from a public road. If no part of the property or structure is visible from a public road, the property notice shall be posted as required in this paragraph and a second notice shall be posted on a public road nearest the property. Posted notice shall be removed no later than seven (7) days after a final decision has been made on the application.

4.4.8. ~~Mediation.~~ Land Use Facilitation

4.4.8.1 Purpose. Land use facilitation ~~mediation~~ is intended to provide a means of communication between an applicant proposing a development, and persons that would be impacted by the proposed development. Land use ~~facilitation~~ ~~mediation~~ provides an opportunity for the applicant and residents to exchange information, ask questions, and discuss concerns about the proposed development.

4.4.8.2. In General. Land use ~~mediation~~ facilitation uses a professional ~~mediator~~facilitator to assist the applicant and residents to discuss issues related to the proposed development, identify and achieve goals and complete tasks in a mutually satisfactory manner. The process uses a ~~mediator~~ facilitator, who will focus on the process and assist and guide the participants in principles of dispute resolution and decision-making. The ~~mediator~~ facilitator is impartial to the issues being discussed, has no advisory role in the content of the meeting, and has no interest in the outcome of the meeting.

4.4.8.3. Types of Cases Referred. In general, any application which presents controversy, in which residents have questions or concerns, or that the applicant feels is appropriate for ~~facilitation~~mediation, may be referred to ~~mediation~~facilitation.

4.4.8.4. General Process.

1. Referral. An application may be referred to ~~mediation~~ a land use facilitation by the Administrator or the applicant. A matter may also be referred to ~~mediation~~ land use facilitation following the TAC meeting but, more likely, will be referred to ~~mediation~~ land use facilitation coincidentally with the finding of completeness.

2. Assignment of ~~Mediator~~ a Land Use Facilitator. The Administrator shall assign a case referred to ~~mediation~~ land use facilitator employed by the County. Any ~~mediator~~facilitator ~~facilitator~~ selected for a given case shall have no interest in the case and shall not be an employee of Santa Fe County.

3. Initiation of Process. The ~~mediator~~facilitator shall contact the applicant and relevant persons affected by the proposed development to determine the level of interest in a ~~mediated~~ facilitated meeting. If the Administrator is aware of a ~~homeowners' association~~ Community Organization or Registered Organization in the vicinity of the proposed development, the ~~mediator~~ facilitator shall contact the ~~homeowners' association.~~ Community Organization or Registered Organization. If there is no interest in a ~~mediation~~Land Use Facilitation or if there is no person affected by the proposed development, the ~~mediator~~ facilitator shall generate a "no ~~mediation~~ facilitation held" report and refer the matter back to the Administrator.

4. ~~Mediation~~Facilitation. If interest exists, the ~~mediator~~facilitator shall schedule a ~~mediation~~facilitation. During the ~~mediation~~facilitation, the applicant shall present the proposed project, followed by a presentation (if any) of residents or homeowners associations, followed by a discussion among the participants. The ~~mediator~~facilitator shall record comments, questions, concerns and areas of agreement among the parties.

5. Report and Completion of Process. Following the ~~mediation~~facilitation, the ~~mediator~~facilitator shall generate a complete and neutral report on the ~~mediation~~facilitation. All areas of agreement shall be highlighted, and areas of severe disagreement also noted. The report shall be distributed to the Administrator and all participants in the ~~mediation~~facilitation. Areas in which agreement was reached during the ~~mediation~~facilitation shall be reported as resolved in the staff report to the decision maker.

- 6. Timeline. The **mediation** facilitation described in this subsection shall be completed no later than thirty (30) days from the date of referral, unless waived by the applicant.
- 7. Costs of **Mediation** Facilitation. All the costs of **mediation** facilitation shall be paid by the applicant. Following completion of the **mediation** facilitation, the Administrator shall present a invoice to the applicant.

Chapter 5

Chapter 6

Table 6-1: Required Studies, Reports and Assessments (SRAs).

Application Type	SRA Type				
	TIA	APFA	WSAR	FIS	EIR
Development Permit-non-residential (up to 10k sf)***	yes*	no	no	no	no
Development Permit-non-residential (over 10k sf)***	yes*	yes	yes+	yes	yes
Minor subdivision	yes*	yes	no	no	no
Major subdivision	yes	yes	yes+	yes	yes
Conditional Use Permit	yes*	as needed**	as needed**	as needed**	as needed**
Planned development	yes	yes	yes+	yes	as needed**
Rezoning (zoning map amendment)	yes	no	yes+	as needed**	as needed**
Development of Countywide Impact (DCI)	yes	yes	yes+	yes	yes

* If project generates over 100 trips/day based on the Institute of Transportation Engineers' *Trip Generation Manual*.

** As part of the pre-application TAC meeting process (see § 4.4), the Administrator will determine which SRAs are applicable based on the scope and impact of the proposed project.

*** **Non-residential**

6.2. Preparation and Fees (Studies Reports and Assessments)

6.2.3. Project Overview Documentation. In addition to the technical reports required under Table 6-1 and detailed below, every SRA submittal shall include basic project information to facilitate in the evaluation of the application. At a minimum, the project overview documentation shall include the following:

- 6.2.3.1.** an accurate map of the project site ~~and of all property in common ownership~~, depicting: existing topography; public or private buildings, structures and land uses; irrigation systems, including but not limited to acequias; public or private utility lines and

easements, under, on or above ground; public or private roads; public or private water or oil and gas wells; known mines; parks, trails, open space and recreational facilities; fire, law enforcement, emergency response facilities; schools or other public buildings, structures, uses or facilities; nonconforming building, structures or uses; environmentally sensitive lands; archaeological, cultural or historic resources; scenic vistas and eco-tourist sites; agricultural and ranch lands; and all other requirements of the Administrator as established at the Administrator's pre-application meeting with the applicant;

6.2.3.6. the approximate location of all fire, law enforcement, and emergency response service facilities and all roads and public facilities and utilities shown on the capital improvement and services plan; floodways, floodplains, wetlands, or other environmentally sensitive lands and natural resources on the applicant's property; location of historic, cultural and archeological sites and artifacts; location of slopes greater than 15% and 30%; wildlife and vegetation habitats and habitat corridors within ~~five (5)~~ one (1) miles of the proposed project site perimeter;

6.2.3.7. a statement explaining how the proposed project complies with the goals, objectives, policies and strategies of the SGMP and any area or community plan covering, adjacent to, or within ~~five (5)~~ one (1) miles of the proposed project site perimeter;

6.2.3.8. a statement or visual presentation of how the project will relate to and be compatible with adjacent and neighboring areas, within a ~~five (5)~~ one (1) mile radius of the project site perimeter;

6.5 Water Service Availability Report (WSAR)

6.5.5. The WSAR shall include:

6.5.5.1. ~~If a development application is by or on behalf of an individual, an~~ An evaluation of the water supply ~~shall be required~~ as described in Section 7.13.6.1.

6.6. TRAFFIC IMPACT ASSESSMENT (TIA).

6.6.4.4. Residential road impact. Average daily traffic impinging on residential roads shall be within the ranges spelled out in the transportation plan for the class of road involved. ~~No development project traffic shall increase the traffic on a residential road with at least 300 average daily trips by more than 15%, and shall contribute no more than 10% of the traffic on any road segment providing residential access.~~

~~**6.6.4.9. Access Roads.** Access roads shall equal or exceed 1.08 miles per section of road and shall contain a minimum width of twenty (20) feet paved surface based upon County road construction standards for heavy vehicles. Access roads shall be sited in a manner that mitigates or minimizes the impact on the environment and neighboring land uses.~~

6.7 Fiscal Impact Assessment

6.7.2.3. The fiscal impact assessment shall ~~determine whether, and to~~ assess the extent, a development project ~~is~~ fiscally and economically impacts the County positive, meaning forthcoming revenues (operating and capital) exceed the forthcoming costs (operating and capital) of the development project.

Chapter 7

7.3 Residential Performance Standards

7.3.1.5. Double Frontage Lots. Double frontage or through lots are prohibited except in commercial or industrial districts or for alleyways approved as part of a subdivision.

7.6 Landscaping

7.6.8.4. Irrigation.

1. All landscaped areas shall include a permanent, underground irrigation system to ensure long-term landscape health and growth. Irrigation systems shall utilize storm water, grey water or other non-potable irrigation water. Irrigation system design shall take into consideration the water-demand characteristics of plant or landscape materials used.

2. As an alternative to permanent underground irrigation, water harvesting or surface irrigation from an acequia may be used for irrigation so long as the alternative provides sufficient water to maintain the landscaping.

3. Supplemental potable water may be used only when storm water, grey water or other non-potable irrigation water is inadequate.

7.8 Lighting

7.8.5. Road Lighting.

7.8.5.1. When Required. Street lights are required ~~along paved roads and along any road where curb, gutter and sidewalk are provided;~~ an intersection of any road with a highway or arterial; and where necessary to protect the safety of motorists and pedestrians due to the particular characteristics or location of a site.

7.10 Parking and Loading

7.10.9. Surfacing and Maintenance. Parking lots of forty or more spaces shall be paved, and parking lots containing fewer than forty spaces shall have a properly compacted base course surface. Where paved parking is required, permeable pavement ~~shall~~ may be used ~~if technically~~

feasible. Parking areas shall be maintained in a dust-free, well-drained, serviceable condition at all times.

Table 7-12: Urban Road Classification and Design Standards (SDA-1 and SDA-2).

	Avg. daily traffic	# of driving lanes	Lane width (ft)	Sidewalks	Bike lanes	Minimum ROW (ft)	Design Speeds (mph)	Max % Grade	Min. agg. base course	Min. bit. pavement	Max % Super-elev.
Arterial or highway	5000 +	6	12	Two 5'	Two 5 ft on-road	100	Level: 50+ Rolling: 50+ Mount.: 50+	5%	6"	6"	Refer to AASHTO
Minor arterial	2000 to 4999	2 - 4	12	Two 5'	Two 5 ft on-road	60 to 100	Level: 30-60 Rolling: 30-60 Mount.: 30-60	5%	6"	5"	Refer to AASHTO
Collector	601 to 1999	2	11	Two 5'	Two 5 ft on-road	45 to 72	Level: 30+ Rolling: 30+ Mount.: 30+	8%	6"	4"	5%
Sub-collector	301-401 to 600	2	11	Two 5'	Two 5 ft on-road	60	Level: 30+ Rolling: 30+ Mount.: 30+	8%	6"	4"	5%
Local	0 to 300 <u>400</u>	2	10	Two <u>One</u> 5'	n/a	34 to 48	Level: 20-30 Rolling: 20-30 Mount.: 20-30	7%	6"	3"	5%
<u>Cul-de-Sac</u>	<u>0 to 300</u>	<u>2</u>	<u>10</u>	<u>n/a</u>	<u>n/a</u>	<u>20</u>	<u>Level: 30-50</u> <u>Rolling: 20-40</u> <u>Mount.: 20-30</u>	<u>9%</u>	<u>6"</u>	<u>n/a</u>	<u>n/a</u>
Alley	0 to 30 <u>n/a</u>	1	12	n/a	n/a	19	n/a	7%	6"	3"	n/a
Driveway	n/a	1	14	n/a	n/a	20	n/a	6%	n/a	n/a	n/a

Table 7-13: Rural Road Classification and Design Standards (SDA-3).

	Avg. daily traffic	# of driving lanes	Lane width (ft)	Non-vehicular side paths	Bike lanes	Minimum ROW (ft)	Design Speeds (mph)	Max % Grade	Min. agg. base course	Min. bit. pavement	Max % Super-elev.
Major arterial or highway	5000 +	4	12	n/a	Two 5 ft on-road	150	Level: 70 Rolling: 70 Mount.: 50-60	5%	6"	6"	8%
Minor arterial	2000 to 4999	2 - 4	12	n/a	Two 5 ft on-road	70 to 100	Level: 60-75 Rolling: 50-60 Mount.: 40-50	5%	6"	5"	8%
Collector	100 to 1999 <u>401-1999</u>	2	11	n/a	n/a	60 to 80	Level: 40-60 Rolling: 20-50 Mount.: 20-40	8%	6"	4"	8%
Local	1-990- <u>400</u>	2	10	n/a	n/a	56	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	6"	4"	8%
Cul-de-Sac	0 to 300	2	10	n/a	n/a	20	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	6"	n/a	n/a
Driveway	n/a	1	14	n/a	n/a	20	n/a	9%	4"	n/a	n/a

7.11.13 Driveways

7.11.13.2. Additional Standards for Residential Driveways.

1. Residential driveways shall serve no more than two (2) lots.
 2. Lots within residential subdivisions shall be limited to a single access point or driveway.
 3. Access to a lot shall be from a local or collector road, except where the only possible access is from an arterial road or highway.
 4. A twenty-five (25) foot asphalt apron shall be required on a driveway that accesses a paved road.
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Table 7-17: When Connection Required to County Utility Water/Sewer.¹

		Property Location		
		SDA-1	SDA-2	SDA-3
Development Type	<u>Residential Development Permit</u>	<u>if within 200 feet</u>	<u>if within service area and within 400 Feet</u>	<u>if within service area and within 600 Feet</u>
	Residential <u>Land Division (1-4 units)</u>	if within 330 feet	<u>if within service area and if within 1,320 feet</u>	<u>if within service area and if within 2,640 feet</u>
	Multi-family (5+ units)	Yes	<u>if within service area and if within service area</u>	<u>if within service area and if within service area</u>
	Minor Subdivision	Yes	if within service area	<u>if within service area and if within 2,640 feet</u>
	Major Subdivision	Yes	if within service area	if within service area
	Non-residential (under 10,000 sf)	<u>if within 660 400 feet</u>	<u>if within service area and if within 1,320 600 feet</u>	<u>if within service area and if within 2,640 800 feet</u>
	Non-residential (over 10,000 sf)	Yes	if within service area	<u>if within service area and if within 2,640 feet</u>

¹For purposes of this section, all distances shall be measured between the nearest point of County infrastructure that is capable of providing service and the property line of the property to be developed, not from any structure located or to be located on the property.

Table 7-18: When Connection Required to Public Water/Sewer or Publicly-Regulated Water/Sewer.²

		Property Location		
		SDA-1	SDA-2	SDA-3
Development Type	<u>Residential Development Permit</u>	<u>if within service area and within 200 feet</u>	<u>if within service area and within 400 Feet</u>	<u>if within service area and within 600 Feet</u>
	<u>Residential Land Division (1-4 units)</u>	<u>if within service area and within 330 feet</u>	if within service area and within 1,320 feet	if within service area and within 2,640 feet
	Multi-family (5+ units)	Yes	if within service area	if within service area
	Minor Subdivision	Yes	if within service area	if within service area and within 2,640 feet
	Major Subdivision	Yes	if within service area	if within service area
	Non-residential (under 10,000 sf)	<u>if within service area and within 400 660 feet</u>	if within service area and within <u>600 1,320 feet</u>	if within service area and within <u>800 2,640 feet</u>
	Non-residential (over 10,000 sf)	Yes	if within service area	if within service area and within 2,640 feet

²For purposes of this section, all distances shall be measured from the property line of the property to be developed and not from any structure located or to be located on the property.

7.13.11 Water Conservation

7.13.11.1. General Requirements.

1. Total water use shall not exceed that specified in the development order, plat note, or the SLDC.
2. Annual water use for ~~both~~ indoor ~~and outdoor~~ purposes for a single family residential dwelling shall not exceed 0.25 acre foot per year. This limitation shall not apply to use of water derived from a well permitted pursuant to NMSA 1978 Section 72-12-1 that is used for agriculture, so long as the use is consistent with the terms of the permit. Similarly, this limitation shall not apply to persons owning water rights permitted by the Office of the State Engineer and to use of water derived from such water rights for agricultural or other purposes.

7.13.6. Water Supply Requirements.

7.13.6.1. Quantity and Quality in General. Each development shall be required to provide water in adequate quantity and quality to meet the needs of a proposed development for ninety-nine (99) years³. Regardless of the source of water supply, for planning purposes, the minimum required water supply assumed to be required for development of any type shall be 0.25 acre feet per unit notwithstanding that the owner or developer claims that less water is to be used; however, an applicant may demonstrate that less water use can be expected by presenting evidence of the conservation techniques and equipment to be included in the development, or by demonstrating a consistent history of water use, or both. Annual water use limitations are established in subsection 7.13.11 (“Water Conservation”) of the SLDC, and shall also apply.

7.13.7 Self Supplied Water Systems

7.13.7.2.12. An applicant proposing or required to use a shared well system or an individual well shall perform a geo-hydrologic report that conforms to the requirements of this SLDC, or, as specified in the following paragraph, a reconnaissance report. An applicant proposing to develop a single lot existing prior to the effective date of the SLDC using an individual well as the water supply, shall not be required to provide a geo-hydrologic report or a reconnaissance report, but shall be required to provide a copy of the permit issued by the Office of the State Engineer.

7.14 Energy Efficiency

~~**7.14.2.1.** Each new residential structure, excluding mobile homes and manufactured homes, shall be designed, constructed, tested and certified according to the Home Energy Rating Standards (HERS) index, as most recently adopted by the Residential Energy Services Network (RESNET).~~

~~**7.14.2.2.** Each new residential structure, excluding mobile homes and manufactured homes, shall achieve a HERS rating of 70 or less, or have demonstrated that it achieve some equivalent energy performance. Structures constructed according to the standards prescribed by the State of New Mexico Earthen Building Materials Code and New Mexico Historic Earthen Buildings Code are exempt from this requirement.~~

7.14.2.1. Each new residential structure, excluding mobile homes and manufactured homes and structures constructed according to the standards prescribed by the State of New Mexico Earthen Building Materials Code and New Mexico Historic Earthen Buildings Code, shall achieve a HERS rating of 70 or less, or have demonstrated that it achieves some equivalent energy performance. Structures required to achieve this rating shall be designed, constructed, tested and certified according to the Home Energy Rating Standards (HERS) index, as most recently adopted by the Residential Energy Services Network (RESNET).

Renumber the remaining sections of 7.14

7.17 Terrain Management

7.17.5.2.7. ~~Pursuant to Santa Fe County Ordinance No. 2008-10, e~~ Erosion setbacks shall be provided for structures adjacent to natural arroyos, channels, or streams such that: (a) a minimum setback of ~~50~~25' must be provided from all arroyos ~~not mapped as SFHA~~ with flow rates ~~in excess of 25 of 100~~ cubic feet per second (~~25~~100 cfs) ~~generated from a storm of 100 year recurrence, 24 hour duration~~; or (b) a minimum setback of 75' must be provided from all FEMA designated 100 year Floodplains ~~unstudied SFHA~~.

7.18 Flood Prevention and Flood Control

7.18.5. Basis for Establishing Special Flood Hazard Areas. The Special Flood Hazard Areas ("SFHAs") identified by FEMA in a scientific and engineering report entitled "The Flood Insurance Study for Santa Fe County, New Mexico and Incorporated Areas," effective ~~June 17, 2008~~ December 4, 2012 ("FIS"), with accompanying Flood Insurance Rate Maps ("FIRM") and/or Flood Boundary Floodway Maps ("FBFM") and any revisions thereto, are hereby adopted by reference and declared to be a part of the SLDC. These Special SFHAs identified by the FIS and attendant mapping are the minimum area of applicability of the SLDC and may be supplemented by subsequently conducted studies designated and approved as set forth herein. The Floodplain Administrator shall keep a copy of the FIS, FIRMs and/or FBFMs on file and available for public inspection during normal business hours.

7.18 Flood Prevention and Flood Control

7.18.14. Variances. The Floodplain Administrator may recommend to the Hearing Officer and the Planning Commission a variance from the requirements of this section in accordance with this subsection.

7.18.14.1. A variance shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. ~~Moreover, pursuant to Santa Fe County Ordinance No. 2008-10, n~~No variance shall be issued based on floodproofing until the Applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation, and meet current FEMA criteria for floodproofing.

7.22 Financial Guaranty

7.22.8.3. Upon receipt of the application, the Administrator shall inspect the required improvements, both those completed and those uncompleted. If the Administrator determines from the inspection that the required improvements shown on the application have been completed as provided herein, that portion of the collateral supporting the commitment guaranty shall be released. The release shall be made in writing signed by the Administrator and the County Attorney. The amount to be released shall be the total amount of the collateral:

7.25 Special Protection Of Riparian Areas.

7.25.2. Relation to Flood Prevention and Flood Control.

This Section and Section 7.18 of the SLDC (“Flood Prevention and Flood Control”) are related.

7.25.3. Beneficial Use Determination.

A person aggrieved at restrictions applicable to property pursuant to this Section may apply for a beneficial use determination pursuant to Section 14.9.8 of the SLDC.

7.25.42. Riparian Corridors. Riparian corridors are established as described in Table 7-22 and the Official Map. See also Figure 7.7. Distances specified shall be measured as the horizontal, linear distance from the stream bank. There shall be three zones of stream corridors, having the dimensions shown in Table 7-22. Areas designated as Special Flood Hazard Zones under Section 7.18 of the SLDC and are also designated as floodways and described in Section 7.18.13 of the SLDC shall be designated as the “Stream Side Zone.” Areas designated as Special Flood Hazard Zones under Section 7.18 of the SLDC and are also designated as Areas of Shallow Flooding (AO/AH Zones) under Section 7.18.12 of the SLDC shall be designated and correspond to the “Managed Use Zone.” Construction adjoining riparian areas that are also designated as Special Flood Hazard Zones under Section 7.18 of the SLDC, shall be set back as provided in Section 7.17.5.2.7 of the SLDC and shall be designated and correspond to the “Upland Zone.”

7.25.4. Dimensional Regulations. In lieu of the dimensional regulations generally applicable to the zoning district, the standards in Table 7-24 may apply.

Table 7-24—Dimensional Regulations in Riparian Buffers

(A) Dimensional Requirement	(B) Stream Side Zone	(C) Managed Use Zone	(D) Upland Zone
Floor area ratio	0.01	0.019	Same underlying zoning district
Impervious surface ratio (unsewered areas)	0.06	0.12	0.12
Impervious surface ratio (sewered areas)	0.10	0.20	0.20
Disturbed area ratio	0.20	0.40	0.40

Renumber the remaining of section 7.25

Chapter 8

Table 8-1: Base Zoning Districts.

Residential:	
A/R	Agriculture/ranching
RUR	Rural
RUR-F	Rural Fringe
RUR-R	Rural Residential
RES-F	Residential Fringe
RES-E	Residential Estate
RES-C	Residential Community
TC	Traditional Community
Non-Residential:	
CG	Commercial <u>General</u>
CN	<u>Commercial Neighborhood</u>
I	Industrial
P/I	<u>Public/Institutional</u>
Mixed Use:	
MU	Mixed Use

Table 8-4: Use Matrix 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 must 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.
<u>DCI</u>	<u>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.</u>
X	Prohibited Use: The letter “X” indicates that the use is not permitted within the district.

Lot coverage – remove for all residential districts as setback apply.

8.7. NON-RESIDENTIAL ZONING DISTRICTS.

8.7.1. Commercial General (CG).

8.7.1.1. Purpose. The purpose of the Commercial General (CG) district is to designate areas suitable for general commercial activities such as retail and wholesale sales, offices, repair shops, limited manufacturing, warehouses and indoor and outdoor display of goods. The CG district promotes a broad range of commercial operations and services while ensuring that land uses and development are compatible with surrounding areas.

8.7.1.2. Permitted Uses. Appendix B contains a list of all permitted, accessory and conditional uses allowed within the within the CG district.

8.7.1.3. Dimensional Standards. The dimensional standards within the CG district are outlined in Table 8-13.

8.7.1.4. Review/approval procedures. All CG developments must meet the design standards of this section in addition to the applicable standards of Chapter 7. A master site plan must be approved in accordance with procedures outlined in Chapter 4.

Table 8-13: Dimensional Standards – CG (Commercial General).

<u>Zoning District</u>	<u>CG</u>
<u>Density</u>	<u>n/a</u>
<u>Frontage (minimum, feet)</u>	<u>4050</u>
<u>Lot width (minimum, feet)</u>	<u>n/a</u>
<u>Lot width (maximum, feet)</u>	<u>n/a</u>
<u>Height (maximum, feet)</u>	<u>48</u>
<u>Front setback (minimum, feet)</u>	<u>5</u>
<u>Front setback (maximum, feet)</u>	<u>100</u>
<u>Side setback (minimum, feet)</u>	<u>0</u>
<u>Rear setback (minimum, feet)</u>	<u>30</u>
<u>Lot coverage (maximum, percent)</u>	<u>80</u>
<u>Maximum building size (individual buildings, square feet)</u>	<u>2550,000</u>
<u>Maximum building size (aggregate)</u>	<u>75150,000</u>

8.7.1.5 Architectural Design Requirements

1. Buildings 25,000 square feet or less shall be designed with two distinct masses to be defined by four (4) feet change in both vertical and horizontal direction.

2. Buildings over 25,000 square feet or less shall be designed with a minimum of 3 distinct masses to be defined by four (4) feet change in both vertical and horizontal direction. The maximum uninterrupted length of any façade of shall be 50 feet.

3. Fifty percent of the horizontal length of a facade must have features to reduce scale and break up uniform façade appearance.

8.7.2

Table 8-1314: Dimensional Standards – ~~CG-CN~~ (Commercial **General Neighborhood).**

CN Zoning District	CN
Density	n/a
Frontage (minimum, feet)	30 <u>50</u>
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	80
Maximum building size (individual buildings, sq.-ft aggregate)	50,000*
Maximum size of individual establishments (sq. ft.)	10 <u>15</u> ,000**

*Building size may be increased up to 100,000 square feet with the issuance of a conditional use permit.

**Establishment size may be increased up to ~~2~~30,000 square feet with the issuance of a conditional use permit.

8.7.2.5 Architectural Design Requirements

1. Buildings 25,000 square feet or less shall be designed with two distinct masses to be defined by four (4) feet change in both vertical and horizontal direction.

2. Buildings over 25,000 square feet or less shall be designed with a minimum of 3 distinct masses to be defined by four (4) feet change in both vertical and horizontal direction. The maximum uninterrupted length of any façade of shall be 50 feet.

3. Fifty percent of the horizontal length of a facade must have features to reduce scale and break up uniform façade appearance.

Renumber subsequent tables and sections in chapter 8

8.7.2.3 Industrial (I).

8.7.2.3.1. Purpose. The Industrial (I) district accommodates areas of heavy and concentrated fabrication, manufacturing, access to transportation, and the availability of public services and facilities. These districts provide an environment for industry that is unencumbered by nearby residential or commercial development. Industrial districts must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses.

8.7.2.3.2. Permitted Uses. Appendix B contains a list of all permitted, accessory and conditional uses allowed within the within the I district.

8.7.2.3.3. Dimensional Standards. The dimensional standards within the I district are outlined in Table 8-14.

8.7.2.3.4. Review/approval procedures. All I developments must meet the design standards of this section in addition to the applicable standards of Chapter 7. A master site plan must be approved ~~in accordance with procedures outlined in Chapter 4.~~

Table 8-14 15: Dimensional Standards – I (Industrial).

Zoning District	I
Density (maximum, dwelling units/acre)	n/a
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	50
Lot coverage (maximum, percent)	70%
Maximum building size (individual)	50,000*
Maximum building size (aggregate)	100,000*

~~*Building size may be increased up to 100,000/200,000 with the issuance of a conditional use permit.~~

8.9. MIXED USE ZONING DISTRICT (MU).

8.9.1. Purpose. The Mixed Use (MU) district provides for areas of compact development with primarily residential and some commercial uses. The MU district provides a full range of housing choices and promotes a sense of community, vitality, and adequate facilities and services. The purpose of the MU designation is to accommodate compact communities, which typically have public gathering places or community facilities with a mix of associated land use such as residential and neighborhood-scale retail, small businesses, and local commercial uses. Community facilities may include schools, post offices, community centers, and recreational facilities, multi-modal

transportation facilities that promote bicycling, equestrian activities, park and ride, and transit.

8.9.2. Applicability. The MU district requires residential uses and allows commercial, retail, recreational, community and employment uses. A variety of housing types are allowed in this district, including duplexes, multi-family and single family. A housing density bonus is given (as shown in Table 8-17) if at least 10% of the developed square footage within the MU district is allocated to commercial/retail use intended to serve the local community.

8.9.3. Location. SDA-1 areas with adequate public facilities and services.

8.9.4. Permitted Uses. Appendix B contains a list of all permitted, accessory and conditional uses allowed within the within the MU district.

8.9.5. Dimensional Standards. The dimensional standards within the MU district are outlined in Table 8-17.

Table 8-17: Dimensional Standards – MU (Mixed Use).

MU Zoning District	If residential uses only	If at least 10% commercial use
Density (minimum/maximum, dwelling units/acre)	2/5	2/12
Frontage (minimum, feet)	50	50
Lot width (minimum, feet)	50	50
Lot width (maximum, feet)	n/a	n/a
Height (maximum, feet)	36	48
Lot coverage (maximum, percent)	60%	70%
Maximum building size (individual)	n/a	n/a**
Maximum building size (aggregate)	n/a	n/a**

~~* No interior side setbacks are required in the MU district, except when residential uses abut non-residential uses, in which case the minimum side setback shall be 25 feet. If a commercial use in an MU district abuts a residential zone adjacent to the MU district, then the setback shall be equal to that of the adjacent residential zone.~~

~~**The gross floor area of any single commercial establishment may not exceed 10,000 square feet.~~

8.9.6. Design requirements.

8.9.6.6. Architectural Design Requirements

1. Buildings 25,000 square feet or less shall be designed with two distinct masses to be defined by four (4) feet change in both vertical and horizontal direction.

2. Buildings over 25,000 square feet or less shall be designed with a minimum of 3 distinct masses to be defined by four (4) feet change in both vertical and

horizontal direction. The maximum uninterrupted length of any façade of shall be 50 feet.

3. Fifty percent of the horizontal length of a facade must have features to reduce scale and break up uniform façade appearance.

8.10 Planned Development Zoning Districts

8.10.2.2. Application. Every application for creation of a PD zoning shall be accompanied by a master site plan, a rezoning request if applicable and any concurrent preliminary subdivision plat, where applicable.

8.10.9. Planned District Santa Fe Community College District (Ordinance 2000-12).

8.10.10. Planned District Media District (Ordinance 2007-10)

8.11 Overlay Zones

8.11.2. Rural Commercial Overlay (O-RC).

8.11.2.1. Intent. The Rural Commercial Overlay zone (O-RC) accommodates the development of agriculture business, commercial, service-related, and limited industrial activities that have adequate facilities and would not cause a detriment to any abutting rural residential lands. This zone is appropriate for areas where such development should logically locate because of established land use patterns, planned or existing public facilities, and appropriate transportation system capacity and access. Although this zone allows a mixture of land uses, there are controls intended to minimize or buffer any nuisances caused by such land uses.

8.11.2.2. Location. The Rural Commercial Overlay is appropriate for use in the A/R, RUR, RUR-F, RUR-R, RES-F, RES-E, RES-C, and TC districts.

8.11.2.3. Permitted Uses. In addition to those uses allowed by the underlying zoning, the following uses are allowed in the Rural Commercial Overlay upon the issuance of a development permit:

1. Agriculture production, storage and food processing facilities, Business, service, and commercial establishments, provided the maximum floor area for each establishment shall not exceed five thousand (5,000) square feet;

8.11.2.4. Conditional Uses. The following uses may be allowed in the Rural Commercial Overlay upon the issuance of a conditional use permit:

1. Agriculture production, storage and food processing facilities, business, service, and commercial establishments provided the maximum floor area for each establishment shall not exceed fifteen thousand (15,000) square feet;

Chapter 9

9.3 Effect of SLDC On Existing Community Districts

9.3.1. Los Cerrillos Community District (Ordinance 2000-8, amended by Ordinance 2006-11).

9.3.2. ~~Santa Fe Community College District (Ordinance 2000-12).~~

9.3.3. ~~2.~~ Tesuque Community District (Ordinance 2000-13).

9.3.4. ~~3.~~ Madrid Community Planning District (Ordinance 2002-1).

9.3.5. ~~4.~~ San Pedro Community District (Ordinance 2002-2).

9.3.6. ~~5.~~ La Cienega and La Cieneguilla Community Planning District (Ordinance 2002-9).

9.3.7. ~~6.~~ El Valle de Arroyo Seco Highway Corridor District (Ordinance 2003-7).

9.3.8. ~~7.~~ U.S. 85 South Highway Corridor District (Ordinance 2005-08).

9.3.9. ~~8.~~ Tres Arroyos Del Poinente District (Ordinance 2006-10 and Ordinance EZA 2007-01).

9.3.10. ~~9.~~ Village of Agua Fria Planning District (Ordinance 2007-2).

9.3.11. ~~10.~~ Pojoaque Valley Community District (Ordinance 2008-5).

9.3.11. San Marco Community Plan (Resolution No. 2003-83)

9.3.12. Galisteo Community Plan (Resolution No. 2012-36)

9.3.13. Chimayo Community Plan (Resolution Pending)

Chapter 10

10.4. ACCESSORY DWELLING UNITS.

10.4.1. Purpose and Findings. Accessory dwellings are an important means by which persons can provide separate and affordable housing for elderly, single-parent, and multi-generational family situations. This section permits the development of a small dwelling unit separate and accessory to a principal residence. Design standards are established to ensure that accessory dwelling units are located, designed and constructed in such a

manner that, to the maximum extent feasible, the appearance of the property is consistent with the zoning district in which the structure is located.

10.4.2. Applicability. This section applies to any accessory dwelling unit located in a building whether or not attached to the principal dwelling. Accessory dwelling units must be clearly incidental and subordinate to the use of the principal dwelling. Accessory dwelling units are permissible only: (a) where permitted by the Use Matrix; and (b) where constructed and maintained in compliance with the this §10.4.

~~**10.4.2.1. Occupancy.**~~

~~1. Only immediate family members may occupy the principal dwelling unit and the accessory dwelling unit.~~

~~2. The property owner shall execute an affidavit that the accessory dwelling unit is accessory to the principal dwelling unit and that the owner will at all times comply with the provisions of this § 10.4. This affidavit shall be recorded with the County Clerk.~~

10.4.2.2. Number Permitted. Only one accessory dwelling unit shall be permitted per legal lot of record.

10.4.2.3. Size. The heated area of the accessory dwelling unit shall not exceed the lesser of: (a) fifty percent (50%) of the building footprint of the principal residence; or (b) 1,200 square feet.

10.4.2.4. Building and Site Design.

1. In order to maintain the architectural design, style, appearance, and character of the main building as a single-family residence, the accessory dwelling unit shall be of the same architectural style and of the same exterior materials as the principal dwelling.

2. An accessory dwelling shall not exceed one story in height and may not exceed the height of the principal dwelling unit.

3. An accessory dwelling shall be accessed through the same driveway as the principal residence. There shall be no separate curb cut or driveway for the accessory dwelling.

~~4. A manufactured home shall not be considered to be an accessory dwelling.~~

10.6 Home Occupations

10.6.2. Permit Required. Home occupations require a permit as specified in Table 10-1. A permit will not be issued for a home occupation where:

10.6.2.4. Roofing or towing business, construction yard, ~~heavy equipment storage~~, port-a-potty leasing, vehicle leasing, crematories, auto paint and body shop or ~~any heavy~~ industrial ~~use or uses involving heavy equipment/vehicles~~.

Table 10-1: Home Occupation Requirements.

	No Impact	Low Impact	Medium Impact
Permit type	Business Registration	Development Permit	Conditional Use Permit
Non-resident employees (max)	1	3	5
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
<u>Heavy Equipment</u>	<u>None</u>	<u>Up to 2</u>	<u>3-6</u>

10.6.5.2. Traffic. The maximum number of vehicles that are associated with the business and located on the subject property shall not exceed six at any time, including, but not limited to, employee vehicles, customer/client vehicles, and vehicles to be repaired. No more than ~~one two~~ pieces of heavy equipment/~~vehicle~~ may be located on the property at any time for a low impact home occupation. A Conditional Use Permit is required for any more than two pieces of heavy equipment for a Medium Impact Home Occupation.

Chapter 11

11.2. DESIGNATION. On account of their potential impact on the County as a whole, the following activities are deemed DCIs subject to the requirements of this chapter:

11.2.1. oil and gas drilling and production;

11.2.2. mining and resource extraction;

11.2.3. substantial land alteration;

11.2.4. landfills;

11.2.5. junkyards; ~~and~~

11.2.6. large-scale feedlots and factory farms; and

11.2.7. sand and gravel extraction over twenty (20) acres.

11.3 Regulation

11.3.2. Mining and Resource Extraction. Reserved (*but see* Section ~~4~~.1.7. and Chapter 10, *generally* and County Ordinance 1996-10, Article III, Section 5 “Mineral Exploration and Extraction”).

Chapter 12

12.2 Adequate Public facilities Regulations (APFRs)

12.2.3.6. In order to avoid denial, deferral or conditional approval of an application, an applicant for a discretionary development approval may propose to construct, advance or otherwise secure funding for the public facilities and services necessary to provide capacity to accommodate the proposed development at the time of discretionary development approval, incorporating legislative requirements in the SLDC that pre-date the submittal of the application including, but not limited to, the provision of adequate public facilities and services. The terms of the construction or advancement of public facilities and services may be incorporated into a voluntary development agreement consistent with Section 12.4 of the SLDC.

Table 12-1: Adopted Levels of Service (LOS).

(A) Public Facility -Type or Location	(B) Level of Service	(C) Impact Area
Roads	SDA-1 and SDA-2	D within ½ mile of development
	SDA-3	C within ½ mile of development
Emergency Response	Fire Vehicles and <u>Facilities</u>	Must achieve ISO 7/9 countywide
	Sheriff Vehicles	2.4/1,000 residents countywide
	Sheriff Facilities	111 sf/1,000 residents countywide
Water Supply and Liquid Waste	Water	0.25 acre ft/year (residential)* per residence
		0.27 acre ft/year per 10,000 sf nonresidential

	Sewer	Capacity to treat the amount of wastewater created per §7.5.2.	county utility, local treatment facility, or project site
Parks, Trails and Open Space	Parks	1.25 acres/1,000 residents	countywide
	Trails	0.5 miles/1,000 residents	countywide
	Trailheads	1 each at the ends of the trail, and a trailhead every 5 miles	countywide
	Open Space	8.5 <u>85</u> acres/1,000 residents	countywide

*Subject to reduction pursuant to Section 7.13.6.1.

12.4 Development Agreements.

12.4.1. When Required Used. This subsection provides guidelines for use of voluntary development agreements. A voluntary development agreement may be used for any applies to any application for discretionary development approval that requires an AFPA as set forth in Tables 4-1 and 6-1. Any applicant may request a development agreement for any development, even if not specified in tables 4-1 and 6-1. , even if not required.

12.4.6.2. A development agreement may be used to document agreement concerning the advancement of public facilities and services that incorporates the pre-existing requirements and standards set forth in the SLDC. Such a provision in a development shall set forth obligations of the applicant that are roughly proportional to the need for facilities and services determined to exist, based on the SRAs and the application of submittal data to the levels of service and other factors set forth in the SLDC.

Chapter 14

14.8.2. Development Permits. A development permit is a written document that authorizes development in accordance with the SLDC. A development permit may require inspections and a certificate of completion, and may authorize multiple forms of development or may authorize a single development activity. A development permit may include conditions which shall apply to the development. A site development plan is required for any non-residential use or multifamily use requesting a development permit. A development permit shall be required for any of the following activities:

Appendix A

Recreational Vehicle: a vehicle with a camping body that has its own mode of power, is affixed to or is drawn by another vehicle, and includes motor homes, travel trailers and truck campers and is designed for recreational, camping, travel or seasonal use, not as a permanent residential use.

Appendix B:
(Insert before the use matrix)

Use Matrix. Uses permitted in each zoning districts are shown in the Use matrix in Appendix B. All uses are designated as permitted, accessory, or conditional, or prohibited as further explained in Table 8-4. 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.

<u>P</u>	<u>Permitted Use:</u> <u>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.</u>
<u>A</u>	<u>Accessory Use:</u> <u>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 must be clearly incidental and subordinate to the principal use and located on the same tract or lot as the principal use.</u>
<u>C</u>	<u>Conditional Use:</u> <u>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.</u>
<u>DCI</u>	<u>Development Of Countywide Impact:</u> <u>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.</u>
<u>X</u>	<u>Prohibited Use:</u> <u>The letter "X" indicates that the use is not permitted within the district.</u>

Uses not specifically enumerated. When a proposed use is not specifically listed in the use matrix, the Administrator may determine that the use is materially similar to an allowed use if: The use is listed as within the same structure or function classification as the use specifically enumerated in the use matrix as determined by the Land-Based Classification Standards (LBCS) of the American Planning Association (APA). If the use cannot be located within one of the LBCS classifications, the Administrator shall refer to the most recent manual of the North American Industry Classification System (NAICS). The proposed use shall be considered materially similar if it falls within the same industry classification of the NAICS manual. The Use Matrix also includes Function, Activity and Structure Codes in accordance with the Land Based Classification System.