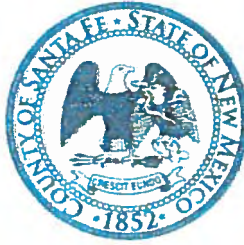


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Katherine Miller
County Manager

Date: October 7, 2015

To: Board of County Commissioners

From: Penny Ellis-Green, Growth Management Director
Willie Brown, Assistant County Attorney

Via: Katherine Miller, County Manager

Item: Sustainable Land Development Code (SLDC) Amendments: Presentation and Possible Direction

SUMMARY:

This item is a presentation to outline the Sustainable Land Development Code (SLDC) changes that are proposed.

BACKGROUND:

In December 2013, the BCC approved the Sustainable Land Development Code (SLDC) which provides the regulatory and procedural structures for implementation of the Sustainable Growth Management Plan (SGMP). The SLDC does not go into effect until the Zoning Map is approved.

In 2014, the Board began review of the County wide draft zoning map and SLDC changes as part of the SLDC implementation process. Public meetings were held by the Board including three area wide public meetings held in the community.

In October 2014, the BCC directed staff to complete major reserved sections, including community overlays, for adoption at the same time in 2015 as the Zoning Map and for adoption of the SLDC amendments, major reserved sections, and the Fee Ordinance.

In September 2014, the Board imposed a one year moratorium on certain DCI's. In August 2015, the Board approved an Ordinance regulating those DCIs.

DISCUSSION:

Attached are the proposed changes to the SLDC, the major changes of which include:

- Chapter 4 (Procedures) have been updated to include a conceptual plan process.

- Chapter 7 (Design standards) have been amended, including inserting text similar to the MSRD, allowing road construction exemptions for land divisions and subdivisions exemptions and making changes to the archaeology requirements consistent with the Galisteo Basin Sites Protection Act and the State Historic Preservation Office comments.
- Chapter 8 (Zoning) changes include updates related to the use of Transfer of Development Rights, a Density Bonus section (previously reserved) and the existing Community College District Ordinance which is written into Planned Development (previously reserved).
- Chapter 9 (Community Districts) changes include community overlays from 13 planned communities that were developed through an extensive community planning process.
- Chapter 10 (Supplemental Zoning Standards) changes include regulations for small scale sand and gravel extraction and for wireless communications facilities (updated to conform to the federal 2014 Spectrum Act).
- Chapter 11 (DCIs), the text of the DCI Ordinance was written into this chapter.
- Chapter 12 (Growth management) includes a new Transfer of Development Rights section (previously reserved).
- Chapter 13 (Housing and Fair Housing) updates the affordable housing section in accordance with Ordinance 2012-1.
- Chapter 14 (Inspections, Penalties, Enforcement, Miscellaneous Permits and their Expirations) changes were made to the review process and criteria for conceptual plans.

When staff brings this ordinance forward to request to publish Title and General Summary, the changes will be included in the existing SLDC which will be restated, therefore allowing approval and recordation of a single integrated document. Staff will also correct and update the table of contents and page numbers in the final document.

Staff has included the provision from the previous Ordinance requiring a review of the SLDC 6 months after implementation in the Ordinance approving the 2015 SLDC.

ACTION REQUESTED:

This presentation is for informational purposes as part of a special study session. No action is requested.

ATTACHMENT:

SLDC proposed changes.

CHAPTER 1 – GENERAL PROVISIONS

1.7

The following change shall be made to § 1.7:

1.7. ENACTMENT AND REPEALS. Upon the effective date of the SLDC, the following are hereby repealed in their entirety: the Flood Prevention and Stormwater Management Ordinance, Ordinance No. 2008-10; Ordinance No. 2012-10, the Santa Fe County Land Development Code, Ordinance 1996-10, together with all amendments thereto (except Article III, Sec. 45 “Mineral Exploration and Extraction”), save and except Ordinances No. 2000-8, 2000-12, 2000-13, 2002-1, 2002-02, 2002-9, 2003-7, 2005-08, 2006-10, 2006-11, 2007-2, 2007-10, and 2008-5, which shall remain in effect to the extent they are consistent with the SGMP until amended following adoption of revised Community Plans that are consistent with the SGMP and the SLDC, together with all amendments thereto; the Wireless Communications Ordinance No. 2001-9, the Water Conservation Ordinance No. 2004-7 and the original Santa Fe County Land Development Code Ordinance No. 1980-6. 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.

1.15.6.2

The following change shall be made to § 1.15.6.2:

1.15.6.2. Criteria.

* * *

3. Suitability as Presently Zoned. The Board shall consider the suitability or unsuitability of the tract, parcel or lot for its use as presently zoned. This factor shall however, be weighed in relation to proof of a clerical mistake in the text or map dimensions and uses of the zoning district, substantially changed conditions in the area surrounding the property, or to effectuate the important findings of ~~§ 1.15.7.2~~ § 1.15.6.2, and is supported by the goals, policies, and strategies of the SLDC, the SGMP, Area, District or Community Plan.

CHAPTER 4 – PROCEDURES

Table 4-1 shall be changed as follows:

a. in the “Development permit: non-residential, mixed use & multi-family” row, the word “yes” should be stricken under the Discretionary Review column and changed to “no.”

b. in the “Exempt land divisions and other plat reviews” row the application type shall now read “land divisions, subdivisions exemptions and other plat reviews”

c. in the “Minor subdivision – final plat” row, the words “5 or fewer lots” shall be added to the application type column, “yes” should be stricken under the discretionary review column and replaced with “no”, “yes” should be stricken under the Pre-application TAC meeting column and replaced with “no”.

d. A new row titled “Minor Subdivision – final plat more than 5 lots” shall be inserted on the 8th row of the table. The columns shall read “yes under Discretionary review, “yes” under Pre-application TAC meeting, “no” under Pre- application neighborhood meeting, “See Table 6-1” under Studies, reports and assessments, “as needed” under Agency review, “no” under Approval by Administrator, “no” under Hearing Officer, “no” under Planning Commission, “yes” under BCC.

e. in the “Major subdivision – final plat” row, the word “no” should be stricken under the Discretionary Review column and changed to “yes.”

f. A new row titled “Conceptual Plan for subdivisions phased or more than 24 lots, [phased MU, I, CG, CN” shall be inserted on the 11th row of the table. The columns shall read “yes under Discretionary review, “yes” under Pre-application TAC meeting, “Subdivion – yes, others - no” under Pre- application neighborhood meeting, “See Table 6-1” under Studies, reports and assessments, “as needed” under Agency review, “no” under Approval by Administrator, “no” under Hearing Officer, “no” under Planning Commission, “yes” under BCC.

g. A new row titled “Conceptual plan – PDD, CCD” shall be inserted on the 12th row of the table. The columns shall read “yes under Discretionary review, “yes” under Pre-application TAC meeting, “yes” under Pre- application neighborhood meeting, “See Table 6-1” under Studies, reports and assessments, “yes” under Agency review, “no” under Approval by Administrator, “yes” under Hearing Officer, “yes” under Planning Commission, “yes” under BCC.

A complete version of Table 4-1 depicting all changes follows:

Application Type	Discretionary Review?	Application Requirements			Review/Approval Process				
		Pre-application TAC meeting	Pre-application neighborhood meeting	Studies, reports, assessments	Agency review	Approval by Administrator	Hearing Required?		
							Hearing Officer	Planning Commission	BCC
Development permit: Residential	no	no	no	no	as needed	yes	no	no	no
Development permit: non-residential, mixed use & multi-family	Yes no	yes	as needed	see Table 6-1	as needed	yes	no	no	no
Exempt land divisions, <u>subdivision exemptions</u> and other plat reviews	no	no	no	no	as needed	yes	no	no	no
Family transfer	no	no	no	no	as needed	yes	no	no	no
Temporary use permit	no	no	no	no	as needed	yes	no	no	no
Minor subdivision – final plat <u>5 or fewer lots</u>	yes no	yes	no	see Table 6-1	as needed	yes	no	no	no
<u>Minor Subdivision – final plat more than 5 lots</u>	<u>yes</u>	<u>yes</u>	<u>no</u>	<u>See Table 6-1</u>	<u>As needed</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>yes</u>
Major subdivision - preliminary plat	yes	yes	yes	see Table 6-1	yes	no	no	no	yes
Major subdivision final plat	no yes	yes	No	no	no	no	no	no	yes
<u>Conceptual plan for subdivision – phased or over 24 lots, phased MU, I, CG, CN</u>	<u>yes</u>	<u>yes</u>	<u>Subdivision – yes Others - no</u>	<u>See Table 6-1</u>	<u>As needed</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>yes</u>
<u>Conceptual plan PDD, CCD</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>See Table 6-1</u>	<u>yes</u>	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
Vacation of subdivision plat	yes	no	no	no	as needed	no	no	no	yes
Conditional use permit	yes	yes	as needed	see Table 6-1	as needed	no	yes	yes	no
Variance	yes	yes	as needed	no	as needed	no	yes	yes	no
Time Extension	yes	no	no	As needed	As needed	No	No	No	yes
Planned development district	yes	yes	yes	see Table 6-1	yes	no	yes	yes	yes
Overlay zones	yes	yes	yes	no	as needed	no	yes	yes	yes
Zoning map amendment (rezoning)	yes	yes	yes	see Table 6-1	as needed	no	yes	yes	yes
Text amendment	yes	yes	no	no	as needed	no	no	yes	yes
Area, District Community Plan, or Plan Amendment	yes	yes	yes	no	as needed	no	no	yes	yes
Development of countywide impact	yes	yes	yes	see Table 6-1	yes	no	yes	yes	yes
Beneficial use determination	yes	yes	no	no	no	no	yes	no	yes
Appeals	See Sec. 4.5	no	no	no	no	no	no	See Sec. 4.5	See Sec.

									4.5
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4.4.5

The following changes shall be made to § 4.4.5:

4.4.5. Application.

* * *

4.4.5.3. Fees. Before an application will be deemed complete for consideration, all required application fees as set forth in the Board-approved Permit and Review Ordinance, shall be paid to the Administrator.

4.4.7.

The following new language shall be added to § 4.4.7:

4.4.7. Agency Review and Opinions. Except as otherwise provided in § 5.7.5 (agency review of major subdivisions), the Administrator shall refer applications, as appropriate, to the following federal, State or County agencies for completeness review, substantive review and opinions:

4.4.7.1. the Office of the New Mexico State Engineer (OSE);

4.4.7.2. the New Mexico Environment Department (NMED);

4.4.7.3. the New Mexico Department of Transportation (NMDOT);

4.4.7.4. the applicable Soil and Water Conservation District;

4.4.7.5. the State Historic Preservation Office (SHPO);

4.4.7.6. a Tribal Government within Santa Fe County; and

4.4.7.7. Any County Departments and other public agencies that the Administrator deems necessary to assist the Administrator and staff to determine compliance with this and other relevant Ordinances.

4.4.7.8. The County may hire qualified technical experts to review any application submitted at the expense of the applicant in accordance with the approved fee schedule.

4.4.13

The following new language shall be added to § 4.4.13:

4.4.13. Findings of Fact, Conclusions of Law. Written notice of a final decision of the Planning Commission or the Board to approve, or approve with conditions, an application pursuant to NMSA 1978, Sec. 39-3-1.1, which can be in the form of a development order, shall constitute the issuance of the permit. Staff or the Hearing Officer where one is used as indicated in Table 4-1, shall prepare findings of fact and conclusions of law pursuant to NMSA 1978, Sec.

39-3-1.1 to document final action taken on each application. Such findings and conclusions shall be approved by the decision-making body and filed with the County Clerk.

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CHAPTER 5 – Subdivisions and Land Divisions

5.4

The following change shall be made to § 5.4:

5.4. ~~EXEMPT LAND DIVISIONS~~ AND SUBDIVISIONS EXEMPTIONS.

5.4.1. Applicability. Certain land divisions are not deemed subdivisions under New Mexico law (NMSA 1978, § 47-6-2) and therefore are not subject to the subdivision requirements of this Chapter. Such divisions are referred to as ~~exempt~~ land divisions and subdivisions exemptions and are listed in § 5.4.3 below. Regardless of being exempted from subdivision requirements, these ~~exempt~~ land divisions and subdivisions exemptions remain subject to all other provisions of the SLDC and therefore require review and approval of a final plat by the Administrator and shall be required to comply with the requirements of final plats and all applicable design standards of chapter 7. The applicable procedures for review and approval of exempt land divisions are set forth in Table 4-1.

5.4.2. Approval Criteria. No discretionary or ministerial development approval shall be granted for any exempt land division until it is demonstrated that all resulting tracts, parcels or lots meet all applicable sections of SLDC including the requirements of the zoning district in which they are located.

5.4.3. ~~Qualifying Exempt Land Divisions~~ and Subdivisions Exemptions. The following land divisions shall not be deemed subdivisions and are exempt from the imposition of subdivision requirements of this Chapter.

5.5.4.

The following change shall be made to § 5.5.4:

5.5.4. Review Procedures. Separate procedures are prescribed for review of major and minor subdivisions in Table 4-1 to reflect differing levels of complexity in the applications. Before any land is subdivided, the applicant shall apply for and secure approval of the proposed subdivision in accordance with the following procedures:

5.5.4.1. Major Subdivision: In the case of major subdivisions, the procedure shall include two principal steps: (i) preliminary plat approval and (ii) final plat approval. In addition to the above, all major subdivisions creating more than 24 lots and any phased major subdivision shall be required to submit a conceptual plan.

5.5.4.2. Minor Subdivision. In the case of minor subdivisions, creating no more than five (5) lots, the procedure shall include administrative approval of the final plat in a single step known as summary review. The final plat for minor subdivisions creating over five (5) lots will be approved by the Board. Preliminary plat review is not required for minor subdivisions.

5.7.11

The following new language shall be added to § 5.7.11:

5.7.11. Expiration of Preliminary Plat. An approved or conditionally approved preliminary plat shall expire unless the applicant obtains a development order granting approval of the final plat within twenty-four months (24) from the date of preliminary plat approval or conditional approval. Prior to the expiration of the approved or conditionally approved preliminary plat, the applicant may submit an application for extension, for approval by the Board, for a period of time not to exceed a total of thirty-six (36) months from the original approval date. No further extension shall be granted under any circumstances and the preliminary approval shall become null and void upon expiration of the preliminary plat. No application for final plat approval shall be allowed to be submitted after the preliminary plat has expired. The expiration of the approved or conditionally approved preliminary plat shall terminate all proceedings on the subdivision, and no final plat shall be filed without first processing a new preliminary plat.

5.11.2..

The following change shall be made to § 5.11.2.:

5.11.2. Vacation of Approved Plat.

5.11.2.1. Applicability. Any final plat filed in the office of the county clerk may be vacated, or a portion of the final plat may be vacated, if:

1. the owners of the land proposed to be vacated sign an acknowledged statement, declaring the final plat or a portion of the final plat to be vacated; and
2. the statement is approved by the Board.
3. if the plat, or portion of plat, to be vacated was initially approved through an administrative process, the Administrator may approve the vacation or partial vacation of the plat.

5.11.2.2. Application. The owners of all or a portion of the lots in any approved subdivision or land division, may initiate a plat vacation by filing an application with the Administrator. The application shall include the acknowledged statement required by § 5.11.2.1.1. The application requesting vacation of the plat and an application requesting a re-subdivision of the plat may be filed concurrently.

5.11.2.3. Review.

1. Process. The Administrator shall review and process the application and the acknowledged statement of plat vacation as provided Table 4-1. The application and acknowledged statement shall be approved, conditionally approved, or disapproved at a regular public meeting of the Board, or by the Administrator in accordance with Section 5.11.2.1.3. above.

2. Standards. The Board shall approve the application for vacation on such terms and conditions as are reasonable to protect the public health, safety, and welfare. The Board shall not approve an application for vacation if it will adversely affect the interests of persons on contiguous land or persons within the subdivision being vacated.

CHAPTER 6 – STUDIES, REPORTS AND ASSESSMENTS (SRAs)

Table 6-1

The following change shall be made to Table 6-1 (Required Studies, Reports and Assessments (SRAs)):

The acronym “FIS” appearing as an SRA Type at the head of a column shall be deleted and replaced with “FIA” which stands for “fiscal impact assessment.”

6.2.

The following changes shall be made to § 6.2.:

6.2. PREPARATION AND FEES.

6.2.1. Applicant prepared. ~~Except for DCIs, an~~An applicant for discretionary development approval shall prepare their own SRAs as required in this Chapter. The applicant shall deposit, as determined in the Fee Schedule approved by the Board, cash, a certified check, bank check or letter of credit, to cover all of the County’s expenses in reviewing the SRA, including engaging consultants.

6.2.2. ~~County prepared~~ Expert review. The County may hire outside experts to review any of the submitted SRAs at the expense of the applicant in accordance with an approved fee schedule. ~~All SRAs concerning an application for approval of a DCI shall be prepared by the County. Upon submittal of an application for a DCI, the applicant shall pay to the Administrator the actual administrative cost and consultant fees of the SRAs in order to cover the costs of the County preparing the SRAs, including but not limited to, staff time and the employment of independent consultants retained by the County.~~

6.4.2.1

The following new language shall be added to § 6.4.2.1:

6.4.2.1. Roads. The APFA shall calculate the LOS for roads consistent with Table 12-1. The impact of the proposed development shall be measured by average daily trips and peak-hour trips based upon the Transportation Research Board’s “Highway Capacity Manual 2000”. The APFA shall describe the means by which the transportation capacity of the system will be expanded without destroying historic and traditional built environment. For purposes of the APFA, average daily traffic assumes 10 trips per day per dwelling unit or building lot.

CHAPTER 7 – SUSTAINABLE DESIGN STANDARDS

7.3.3.7.

The following changes shall be made to § 7.3.3.7.

7.3.3.7. Dimensional Requirements. The dimensions of required setbacks are provided in the following Setback Table: The setback standards do not apply to fences and walls.

7.4. The following changes shall be made to §7.4.1.

7.4.1. General Access Requirement. All development shall provide access for ingress and egress, utility service, and fire protection whether by public access and utility easement or direct access to a public right-of-way. No structures are permitted to be built within or obstructing a platted access easement.

7.9.9. The following changes shall be made to §7.9.9.

7.9.9. Prohibited Signs. The following signs are not allowed in any zoning district:

7.9.9.1. Rooftop signs and signs that extend above the roof of any building.

7.9.9.2. Signs which contain any flashing, rotating, animated or otherwise moving features. The appearance of electronic or changeable message signs cannot change more frequently than once every minute. Exempted from this provision are electronic signs used specifically for the purpose of enhancing traffic safety during a traffic event, roadway construction project, or permitted special event.

7.9.9.3. Strings of light bulbs used for commercial purposes other than traditional holiday decorations.

7.9.9.4. Searchlights, beacons or other similar devices, whether stationary or revolving, used for the purpose of advertising or attracting attention to a property.

7.9.9.5. Signs with any obscene, indecent or immoral matter.

7.9.9.6. Off-site advertising.

7.9.9.7. Oversized signs or billboards.

TABLE 7-12

Table 7-12 shall be changed as follows:

a. The word Major shall be added before “Arterial or highway” in the far left column; the reference 2- shall be added before the number “6” under the “# of driving lanes” column; the number ~~400~~ shall be stricken and replaced with 150 under the “Minimum ROW (ft)” column.

b. In the “Minor arterial” row, the numbers ~~60 to 100~~ shall be stricken and replaced with 120 under the “Minimum ROW (ft)” column.

c. In the “Collector” row, the numbers ~~45 to 72~~ shall be stricken and replaced with 80 under the “Minimum ROW (ft)” column.

d. In the “Local” row, the numbers ~~34 to 48~~ shall be stricken and replaced with 50 under the “Minimum ROW (ft)” column.

e. In the “Cul-de-Sac” row, the number ~~20~~ shall be stricken and replaced with 38 under the “Minimum ROW (ft)” column.

f. In the driveway row, the number 6 shall be stricken and replaced with 10 in the Max % grade column.

A complete version of Table 7-12 depicting all technical changes follows:

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. aggregate base course	Min. bit. pavement	Max % Super-elev.
Major Arterial or highway	5000 +	2-6	12	Two 5'	Two 5 ft on-road	150	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	120	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	80	Level: 30+ Rolling: 30+ Mount.: 30+	8%	6"	4"	5%
Sub-collector	301 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 400	2	10	One5'	n/a	50	Level: 20-30 Rolling: 20-30 Mount.: 20-30	7%	6"	3"	5%
Cul-de-Sac	0 to 300	2	10	n/a	n/a	38	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	6"	3"	n/a
Alley	n/a	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	10%	n/a	n/a	n/a

TABLE 7-13

Table 7-13 shall be changed as follows:

a. In the "Major arterial" row, the reference 2- shall be added before the number "4" under the "# of driving lanes" column.

b. In the "Minor arterial" row, the numbers ~~70 to 100~~ shall be stricken and replaced with 120 under the "Minimum ROW (ft)" column.

c. In the "Collector" row, the reference ~~60 to~~ shall be stricken under the "Minimum Row (ft)" column.

d. In the "Local" row, the reference ~~0 to 400~~ shall be stricken and replaced with 201-400 under the top half of the "Avg. daily traffic" column; in the same row, add the reference 0-200 under the bottom half of the "Avg. daily traffic" column.

e. In the "Local" row, the number ~~56~~ shall be stricken and replaced with 50 under the "Minimum ROW (ft)" column.

f. In the "Local" row, the number 6" shall be added as the value for both the top and bottom half of the "Min. agg. base course" column. In the same row, the number 4 shall be stricken and replaced with the number 3 on the top half of the "Min. bit. pavement" column.

g. In the "Cul-de-Sac" row, the number ~~20~~ shall be stricken and replaced with 38 under the "Minimum ROW (ft)" column; in the same row, the number 4 shall be stricken and replaced with 6 under the "Min. agg. Base course" column.

h. A new column entitled Double penetration chipseal with fog coat shall be added between the "Min. agg. Base course" and "Min. bit. pavement" columns; under the same new column, the reference n/a shall be added in each corresponding box except for the word yes which shall be added under the bottom half of the box in the corresponding "Local" row.

i. In the “Driveway” row the number 9 shall be stricken and replaced with the number 10 in the “Max % Grade” column. In the same row, the number 4 shall be stricken and replaced with the reference “n/a” in the “Min. agg. Base course” column.

A complete version of Table 7-13 depicting all technical changes follows:

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

	Avg. daily traffic	# of driving lanes	Lane width (ft)	Non-vehic- ular side paths	Bike lanes	Min- imum ROW (ft)	Design Speeds (mph)	Max % Grade	Min. agg. base course	Double penet- ration chips seal with fog coat	Min. bit- um- en- t	Max % Super- elev.
Major arterial or highway	5000 +	2-4	12	n/a	Two 5 ft on- road	150	Level: 70 Rolling: 70 Mount.: 50-60	5%	6"	n/a	6"	8%
Minor arterial	2000 to 4999	2 - 4	12	n/a	Two 5 ft on- road	120	Level: 60-75 Rolling: 50-60 Mount.: 40-50	5%	6"	n/a	5"	8%
Collector	401- 1999	2	11	n/a	n/a	80	Level: 40-60 Rolling: 20-50 Mount.: 20-40	8%	6"	n/a	4"	8%
Local	201- 400	2	10	n/a	n/a	50	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	6"	n/a	3"	8%
	0-200								6"		yes	n/a
Cul-de- Sac	0 to 300	2	10	n/a	n/a	38	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	4" n/a	n/a	n/a	
Driveway	n/a	1	14	n/a	n/a	20	n/a	10%	n/a	n/a	n/a	n/a

7.11.3.1. The following changes shall be made to §7.11.3.1.

7.11.3.1. Connectivity. The arrangement of roads in any development shall provide for the continuation or appropriate projection of existing or proposed highway or arterial roads in surrounding areas according to the Official Map, and shall provide reasonable means of ingress and egress to surrounding property. Roads within subdivisions shall not be gated unless the road is a dead end road serving no more than five (5) lots.

7.11.11. The following changes shall be made to §7.11.11.1.

7.11.11. Road Access.

7.11.11.1. Generally.

1. Legal road access shall be provided to each lot.
2. Each lot shall directly access a road constructed to meet the requirements of this section.
3. Except as provided below in Section 7.11.11.4, all new lots created, shall be provided with adequate access for ingress, egress, utility service, fire protection and emergency services whether by constructing on-site and off-site roads meeting the standards of this Section 7.11 or by direct access to a public road.
4. When a tract to be developed borders an existing road having a right-of-way insufficient to conform to the minimum standards required by these regulations, which right-of-way will be used by the proposed development, sufficient right-of-way shall be platted, and dedicated or reserved in such a way as would make the resulting right-of-way or road conform with the requirements of this Section 7.11.

7.11.11.3.2

The following changes shall be made to § 7.11.11.3.2:

7.11.11.3. Access to Subdivisions, Non-Residential Development and Multi-Family Development.

2. Major subdivisions of thirty-one (31) lots or more, those with 31 or more development units, or those non-residential developments consisting of 25,000 square feet or more, shall provide access to an existing County road, highway, state highway or federal highway and shall provide a minimum of two (2) access points to the referenced roadway. Such development shall also provide for connections to roads and highways identified on the Official Map.

7.11.11.4

The following new section 7.11.11.4 shall be added:

7.11.11.4. Standards for Land Divisions and Subdivisions Exemptions.

1. Divisions of land for grazing or farming as identified in Section 5.4.3.8. are exempt from on-site and off-site road requirements.
2. Divisions of land that create no parcel smaller than one hundred forty (140) acres as identified in Section 5.4.3.11 are exempt from on-site and off-site road requirements, except when more than one (1) such parcel is created in an area of land, the Administrator may require on and off-site road improvements.
3. Other land divisions and subdivisions exemptions may reduce the road easement width for off-site roads to no less than 20 feet if adequate drainage control is provided and may allow the surface to be hardpacked dirt with compaction of 95% of the maximum density.
4. required off-site and on-site road improvements shall be constructed prior to plat recordation.

7.11.6.11

The following changes shall be made to § 7.11.6.11:

7.11.6.11. Corner setbacks. A corner setback consists of the area formed by the legs of a triangle whose apex is the point of intersection of the rights-of-way lines of the adjacent roads, as shown in Figure 7.5. Table 7-14 establishes the minimum required corner setbacks, ~~measured in accordance with subsections 7.11.6.1, 7.11.6.2 and 7.11.6.7.~~

1. No structure or planting (at mature growth) that exceeds three feet in height shall be permitted within a corner setback, except for utility poles, lighting standards, mail boxes, county or state traffic signs, and trees so long as the lower canopy of the tree permits a clear line of sight between three and seven feet above the road grade as shown in Figure 7.4.

Table 7-17

Table 7-17 shall be changed as follows:

- a. the development type row “non-residential (under 10,000 sf)” shall be changes to read “non-residential (using up to 0.25 AF water)”
- a. the development type row “non-residential (over 10,000 sf)” shall be changes to read “non-residential (using over 0.25 AF water)”

Table 7-17: When Connection Required to County Utility Water/Sewer.

		Property Location		
		SDA-1	SDA-2	SDA-3
Development Type	Residential Development Permit	if within 200 feet	if within service area and within 400 feet	if within service area and within 600 feet
	Residential Land Division	if within 330 feet	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 using up to 0.25 AF water)	if within 400 feet	if within service area and within 600 feet	if within service area and within 800 feet
	Non-residential (over 10,000 sf using over 0.25 AF water)	Yes	if within service area	if within service area and within 2,640 feet

Table 7-18

Table 7-18 shall be changed as follows:

- a. the development type row “non-residential (under 10,000 sf)” shall be changes to read “non-residential (using up to 0.25 AF water)”
- a. the development type row “non-residential (over 10,000 sf)” shall be changes to read “non-residential (using over 0.25 AF water)”

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

		Property Location		
		SDA-1	SDA-2	SDA-3
Development Type	Residential Development Permit	if service area and within 200 feet	if service area and within 400 feet	if service area and within 600 feet
	Residential Land Division	if within service area and within 330 feet	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 using up to 0.25 AF water)	if within service area and within 400 feet	if within service area and within 600 feet	if within service area and within 800 feet
	Non-residential (over 10,000-sf using over 0.25 AF water)	Yes	if within service area	if within service area and within 2,640 feet

7.13.7.1

The following language shall be deleted from § 7.13.7.1:

7.13.7. Self-Supplied Water Systems.

7.13.7.1. Community Water Systems.

1. A ~~self-supplied~~ subdivision shall be required to create a community water system or connect to an existing community water system if specified in Table 7-19.
2. A community water system shall meet or exceed all applicable design standards of the New Mexico Environment Department, the Construction Industries Division of the Regulation and Licensing Department and the Office of the State Engineer.
3. Water wells supplying a community water system shall be capable of providing the water needs of the development for at least 40 99 years (see footnote 5 of Section 7.13.6.1), or shall put in place a reasonable and funded capital replacement program through which the construction of necessary replacement wells and other infrastructure can be assured.

7.13.7.2.5 and 7.13.7.2.6.

The following changes shall be made to § 7.13.7.2.5 and 7.13.7.2.6.:

5. A shared well system or an individual well, together with its associated equipment and infrastructure, shall provide adequate water for fire protection consistent with the requirements of the ~~New Mexico~~ Fire and building Codes specified in Section 7.2.
6. Water storage to address requirements of the ~~New Mexico~~ Fire and

~~building Codes specified in section 7.2, Santa Fe County Fire Code,~~ or to maintain deliveries during periodic drought or as a result of climate change, shall be provided.

7.13.7.2.12

The following changes shall be made to § 7.13.7.2.12:

7.13.7.2. Shared Wells Systems and Individual Wells.

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 (i) develop a single lot existing prior to the effective date of the SLDC using a single domestic well permitted under NMSA 1978 Sec. 72-12-1 as the water supply, (ii) develop a single nonresidential use that has a water budget of 0.25 acre foot per year or less, (iii) divide land through a land division or exempt subdivision, or (iv) create a minor subdivision or no more than five (5) lots, shall not be required to provide a geo-hydrologic report or a reconnaissance report, but shall be required to provide a copy of the well permit issued pursuant to NMSA 1978, Sec., 72-12-1 by the Office of the State Engineer.

7.13.10

The following language shall be added to and deleted from § 7.13.10:

7.13.10. Self-Supplied Wastewater Systems. As is the case with water supply and distribution systems, the type of wastewater system required of any development is dependent upon the nature of the development, the adopted Sustainable Development Area (SDA) in which the development is located, and the proximity of the development to the County's wastewater utility. See Table 7-17 and proximity of the development to any public or publicly-regulated wastewater system; See Table 7-18.

7.13.10.1. ~~General Requirements.~~ Community Wastewater Systems.

1. A subdivision shall be required to create a community wastewater system or connect to an existing community water system if specified in Table 7-18.

2. A community wastewater system shall meet or exceed all applicable design standards of the New Mexico Environment Department, the Construction Industries Division of the Regulation and Licensing Department and the Office of the State Engineer.

3. A community wastewater system shall be capable of treating the volume of wastewater produced by the development at full build-out and shall be designed to treat a peak rate of flow.

4. A community wastewater system shall be designed under the supervision of a New Mexico registered professional engineer. Any expansion of an existing community wastewater system to supply new development shall likewise be designed under the supervision of a New Mexico registered professional engineer.

5. Easements, including construction easements, shall be provided.

6. Management of a community wastewater system shall be accomplished by a competent, professional manager or management consultant. A qualified and certified operator shall be employed or contracted to operate the community wastewater system. The management structure of a community wastewater system shall be capable of ensuring that all required reporting is completed and submitted on a timely basis.

7. Financial guaranty shall be deposited pursuant to § 7.22 herein to secure the construction of a new or expanded community wastewater system.

8. Regardless of whether the County's wastewater system is utilized, all development shall include wastewater systems built to standards established by the County wastewater utility and may be designed and constructed so that they may be connected to the County utility when available.

9. A wastewater system shall meet all applicable requirements of the Public Utility Act, Chapter 62, NMSA 1978.

~~7.13.10.2. Required Connection to County Wastewater Utility. Table 7-17 provides the requirements for connection to the County wastewater utility. In all cases, it is the responsibility of the owner/developer/applicant to provide wastewater infrastructure to the point of connection with the County wastewater utility.~~

7.13.10.32. Where Alternative Wastewater System Allowed.

1. Any wastewater system provided pursuant to this Section shall meet the requirements and standards of 20.7.3 NMAC and 20.6.2 NMAC and shall comply with regulations promulgated by the New Mexico Environment Department.

2. Where a development is not required to connect to the County's wastewater system or a public system pursuant to Tables 7-17 or 7-18, an alternative wastewater disposal system shall be used ~~when specified on Table 7-19~~ so long as the appropriate liquid waste permit is obtained from the New Mexico Environment Department and presented to the Administrator as a part of the application.

3. Any liquid wastewater treatment system that involves a surface discharge or land application of treated or untreated effluent, shall require presentation of the appropriate permit from the New Mexico Environment Department at the time of application.

7.13.11.2

The following language shall be added to and deleted from § 7.13.11.2:

7.13.11.2. Outdoor Conservation.

* * *

7. Car and truck Vehicle washing is only allowed with the use of a shut-off hose nozzle.

* * *

10. Swimming Pools of a permanent or temporary nature shall be prohibited on all newly

created lots.

11. All swimming pools, hot tubs and spas must be covered to prevent evaporation when not in use. Swimming pools may only be emptied once per year.

7.13.11.5

The following changes and additions shall be made to § 7.13.11.5:

7.13.11.5. Domestic Well Use Metering Program.

1. Every person engaging in development after the effective date of Ordinance No. 2004-07 this Code shall participate in the well use metering program.

2. Meters shall be installed on wells of all persons subject to Ordinance No. 2004-7 and all persons for any development subject to the SLDC. All meters shall be a Santa Fe County-approved meter. The meter shall be read by the property owner annually within the first two weeks of each calendar year. Meter readings shall be provided to the Administrator no later than April 30 of the same calendar year.

3. All properties that are required to report water meter readings as a condition of plat approval shall have the name and address of the property owner entered into the database when the building permit is issued.

4. All properties that are required to have water meters shall also be required to test their water meter for reading accuracy every ten (10) years and replace if necessary.

5. Failure to submit the meter reading will result in the same penalties as outlined in Chapter 14.

6. When water is used in excess of the amount allocated to the property, the first year a letter with educational/informational materials on how to reduce water use will be sent to the water user and they will be required to submit water meter readings every six months to track their progress. All subsequent water usage violations will result in the same penalties as outlined in Chapter 14

7.13.11.6. Water Waste, Fugitive Water

1. **Water Waste.** No person, firm, corporation, county, state, federal or municipal facility or operation shall cause or permit to occur any water waste. In general the occurrence of unforeseeable or unpreventable failure or malfunction of plumbing and irrigation system hardware shall not be deemed sufficient grounds for issuance of a citation or other enforcement proceedings unless and until the County issues a formal written notice.

a. Water waste means any non-beneficial use of water. Waste includes but is not limited to leaks from indoor and outdoor plumbing systems in excess of 0.25 gallons per minute.

b. For unforeseeable or unpreventable outdoor violations, the County shall generally issue a formal warning notice prior to taking enforcement action. Prior to taking formal enforcement action the County may instruct the water user not to operate the faulty system until it is appropriately repaired. If operating the system is integral to the operation of the facility the County may at its own discretion provide a period of time in which to remedy the violation prior to commencing formal enforcement action. Once a warning notice or an official citation has been issued for an outdoor occurrence, subsequent water waste events shall be subject to strict enforcement. Strict enforcement may include the issuance of citations and other such activities as the County deems necessary to bring the water user into compliance. For indoor water waste events and for those water waste events outdoors caused by a faulty system which is integral to the operation of the facility, the waste must be abated within 15 calendar days of the issuance of a warning notice or initiation of enforcement action. Enforcement action shall be taken if the waste continues beyond the 15-day period.

c. Water waste does not include:

i. Flow resulting from fire fighting or other routine inspection of fire hydrants or other training activities.

ii. Water applied to abate spills of flammable or otherwise hazardous materials.

iii. Water applied to prevent health, safety or accident hazards when alternate methods are not available.

iv. Water that reaches or flows onto adjacent property or public or private right-of-way when caused by vandalism, wind, emergencies or acts of God.

v. Flow resulting from a routine inspection or maintenance of a water utility system.

vi. Water used by Santa Fe County in the installation, maintenance, repair or replacement of public facilities and structures such as traffic control devices, storm and sanitary sewer structures and road or street improvements.

vii. Water used by contractors or utilities including but not limited to saw-cutting and pavement compaction or other use required under terms of their contract.

viii. Any water that is discharged as a result of well development or a pumping test.

2. Fugitive Water. Fugitive water is prohibited. No person, firm, corporation, county, state, federal, municipal or other governmental facility or operation shall cause or permit the occurrence of fugitive water.

a. Fugitive water means the pumping, flow, release, escape or leakage of any water from any pipe, valve, faucet, irrigation system or facility onto any hard surface such that water accumulates as to either create individual puddles in excess of ten (10) square feet in size or cause flow along or off of the hard surface or onto adjacent property or the public right-of -way, arroyo, or other water course, natural or manmade. Fugitive water also means, during the irrigation of landscaping, the escape or flow of water away from the landscaping plants being irrigated even if such flow is not onto a hard surface.

b. Fugitive water shall not include:

i. Incidental run-off caused by vehicle washing provided that a shut-off nozzle is in use,

ii. Periodic draining of swimming pools and spas.

iii. Storm run-off, including snowmelt run-off,

iv. Flowing resulting from temporary water system failures or malfunctions,

v. Water applied, such as in the cleaning of hard surfaces, to prevent or abate public health, safety or accident hazards when alternate methods are not available. The washing of outdoor eating areas and sidewalks is not included in this exemption,

vi. Flow resulting from vandalism, high winds, emergencies and acts of God, or

vii. The occurrence of an unforeseeable or unpreventable failure or malfunction of plumbing or irrigation system hardware, prior to the issuance of a formal warning notice. Once a formal warning notice has been issued, the water user is instructed not to operate the faulty system until it is appropriately repaired, unless operating the system is integral to the operation of the facility. Once a warning notice has been issued, subsequent fugitive water events at the same location will be subject to issuance of citations.

Renumber Section 7.13.11.6. Water Harvesting to 7.13.11.7.

7.14.2.5.

The following changes shall be made to § 7. 14.2.5.

7.14.2.5. To demonstrate compliance with these requirements, a preliminary certification of energy performance, signed and/or stamped by the independent third party verifier, shall be documented on a form provided or approved by the County and included as a part of the application package submitted for development review. Similarly, compliance with the ventilation and thermal enclosure checklist requirements will be documented by submittal of forms signed by an independent third party verifier.

7.16.3.1

The following edits shall be made and new language shall be added to §7.16.3.1:

7.16.3.1. Development that proposes to remove, demolish or adversely affect a property listed on the new Mexico Register of Cultural Properties and/or the National ~~register~~ Register of historic Places is not permitted unless the applicant first obtains a beneficial use and value determination pursuant to subsection 14.9.8 of the SLDC, and provides a copy of an excavation permit issued pursuant to 4.10.14 New Mexico Administrative Code by the State Cultural Properties Review Committee with approvals from the State Archaeologist and the State Historic Preservation Officer.

7.16.3.2

The following new language shall be added to §7.16.3.2:

7.16.3.2. Development that affects in any way a Registered Cultural Property (including any removal or demolishing pursuant to the previous paragraph) is not permitted unless the applicant first submits a report concerning the proposed development for review of the Historic Preservation Office, Historic Preservation Officer. The report shall describe in detail the proposed changes to the Registered Cultural Property. Such a report shall be prepared by a professional qualified under § 7.16.8 of this subsection. The report shall include a complete treatment plan for protection and preservation of the Registered Cultural Property, and shall contain at least as much information as is listed in Section 4.10.16.14 New Mexico Administrative Code (“Preliminary Reports”). The treatment plan shall be reviewed by the New Mexico State Historic Preservation Office, Historic Preservation Officer and conditions on the development proposed by the State Historic Preservation Officer may, as appropriate, be incorporated into the development permit.

7.16.4.1, 7.16.4.2, 7.16.4.3, and 7.16.4.4

Four new sections with the following language shall be added as §7.16.4.1, §7.16.4.2, §7.16.4.3, and §7.16.4.4.:

7.16.4.1. On March 19, 2004, Congress enacted Public Law 108-208 as the Galisteo Basin Archaeological Sites Protection Act (“the Act”), Section 2 of which stated that its purpose was “to provide for the preservation, protection, and interpretation of the nationally significant archeological resources in the Galisteo Basin in New Mexico.” The Act found the Galisteo Basin to be “the location of many well preserved prehistoric and historic archeological resources of Native American and Spanish colonial cultures.” Further, that “these resources included the largest ruins of Pueblo Indian settlement in the United States, spectacular examples of Native American rock art, and ruins of Spanish colonial settlements...[all of which] are being threatened by natural causes, urban development, vandalism, and uncontrolled excavations.”

7.16.4.2. The Act designated some 24 specific sites, comprising 4,591 total acres, as constituting the Galisteo Basin Archaeological Protection Sites. Those sites consist of: Arroyo Hondo Pueblo, Burn Corn Pueblo, Chamisa Locita Pueblo, Comanche Gap Petroglyphs, Espinosa Ridge Site, La Cienega Pueblo & Petroglyphs, La Cienega Pithouse Village, La Cieneguilla Petroglyphs/Camino Real Site, La Cieneguilla Pueblo, Lamy Pueblo, Lamy Junction Site, Las Huertas, Pa’ako Pueblo, Petroglyph Hill, Pueblo Blanco, Pueblo Colorado, Pueblo Galisteo/Las Madres, Pueblo Largo, Pueblo She, Rote

Chert Quarry, San Cristobal Pueblo, San Lazaro Pueblo, San Marcos Pueblo, and Upper Arroyo Hondo Pueblo. Section 3 of the Act permits any private property owner included within the boundary of the designated site upon written request to the Secretary of the Interior, to have their property immediately removed from within that boundary. Section 4 of the Act prohibits additions to or deletions from the listed sites except by an act of Congress.

7.16.4.3. Section 2 of the Act protects the archeological protection sites by restricting activity on any Federal lands within the sites including but not limited to disposal of lands, mining activity and mineral/geothermal leasing. The Act authorizes the Secretary of the Interior to enter into cooperative agreements with owners of non-Federal lands as to an archaeological protection site located on their property. Such an agreement would enable the Secretary to assist with the protection, preservation, maintenance, and administration of the archaeological resources and associated lands. Section 5 of the Act prohibits the Secretary from administering archaeological protection sites which are on non-Federal lands unless the landowner consents in a cooperative agreement.

7.16.4.4. The Act specifically prohibits the regulation of privately owned lands located within archeological protection sites and permits the Department of Interior to only acquire lands or interests within the protected sites with the consent of the owner. Similarly, Section 18-6-10 of the Cultural Properties Act deems it “an act of trespass and a misdemeanor for any person to remove, injure or destroy registered cultural properties situated on private lands or controlled by a private owner without the owner’s prior permission.” Also, under the state law, if a cultural property is on private land and the State Cultural Properties Review Committee determines that cultural property to be worthy of preservation and inclusion on the official register of cultural property, “the Committee may recommend the procedure best calculated to ensure preservation.” The procedures include providing technical assistance to the owner to preserve the cultural property, acquiring the property outright or acquiring an easement, advising the County to consider zoning the property as an historic area/district under the Historic District Act, advising the County of the tools available to obtain control of the cultural property under the Historic District Act, and acquiring the property for the State by use of eminent domain.

7.16.5.1.

The following changes shall be made to §7.16.5.1.

7.16.5. Development Within Areas of High Potential for Discovery of Archeological Resources; Required Investigation, Treatment and Mitigation.

7.16.5.1. Any proposed development of a (i) non-residential use, (ii) a multi-family use, or (iii) any division or subdivision of land encompassing 5.0 acres or more within an area of “high” potential, or 2.0 acres within a traditional community and any application for small scale sand and gravel extraction, or a DCI ~~and~~ in a “high” potential for discovery of archeological resources on Map 7-1, shall first investigate the property for archeological resources and shall preserve, mitigate, or treat the archeological resources as specified herein before a development permit is issued.

7.16.5.10

The following changes shall be made to §7.16.5.10.

7.16.5.10. For those resources determined to be significant under the previous paragraph and for which a treatment plan is recommended, a sample of surface artifacts shall be collected and documented, and if there is any reason to believe that subsurface resources exist, excavations shall be conducted according to the most current standards of the Historic Preservation Officer set forth in Section 4.10.16.12 NMAC (~~“standards for~~ “Excavation Standards” and Test Excavation”).:-

7.16.5.12

The following changes shall be made to §7.16.5.12.

7.16.5.12. The total cost of treatment shall not exceed ten percent (10%) of the total cost of development of the applied-for development, including all future phases. If future phases are not planned sufficiently to determine ~~development~~ total development costs, then development of future phases consistent with the applied-for development shall be assumed. ~~To the extent that~~ Where the cost of treatment exceeds ten percent of development costs, treatment shall be completed up to the ten percent limit. ~~extent that funds do not exceed ten percent of the costs of development.~~ If treatment is incomplete, the applicant shall contact the State Historic Preservation Officer and the County’s Open Space and Trails Division for additional funds to complete the treatment. Only if such requests are denied may the treatment plan be terminated and a development permit issued.

7.16.6.1.

The following changes shall be made to §7.16.6.1.

7.16.6. Development Within Areas of Medium Potential for Discovery of Archeological Resources, Required Investigation; Treatment and Mitigation.

7.16.6.1. Any proposed development of a (i) non-residential use, (ii) a multi-family use, or (iii) any division or subdivision of land encompassing 10.0 acres or more and any application for small scale sand and gravel extraction, or a DCI within an area of “medium” potential for discovery of archeological resources on Map 7-1, shall first investigate the property for archeological resources, and shall preserve, mitigate, or treat the archeological resources as specified herein before making application for a development permit.

7.16.7.1.

The following changes shall be made to §7.16.7.1.

7.16.7. Development Within Areas of Low Potential for Discovery of Archeological Resources, Required Investigation; Treatment and Mitigation.

7.16.7.1. Any proposed development of a (i) non-residential use, (ii) a multi-family use, or (iii) any division or subdivision of land encompassing 40.0 acres or more and any application for small scale sand and gravel extraction, or a DCI within an area of “low” potential for discovery of archeological resources on Map 7-1, shall first investigate the property for archeological resources, and shall preserve, mitigate, or treat the archeological resources as specified herein before making application for a development permit.

7-7.16.12

A new section with the following language shall be added as §7.16.12:

7.16.12. Excavating an Archaeological Site on Private Land. Pursuant to Section 18-6-11 of the Cultural Properties Act, no person shall excavate an archaeological site located on private land in the State unless the person obtains a permit issued by the State Cultural Properties Review Committee with approvals from the State Archaeologist and the State Historic Preservation Officer. This requirement shall not apply to the private landowner unless the landowner transfers the property with the intent to excavate an archaeological site.

17.5.2.1

The following new language shall be added at the end of the sentence at § 7.17.5.2.1:

7.17.5.2. All Other Development. Subdivision, multi family, non-residential and single family residential development shall comply with the following standards:

1. Drainage structures shall be designed and sized to detain or safely retain storm water on site.
2. Storm drainage facilities shall have the sufficient carrying capacity to accept peak discharge runoff from the development;
3. The peak discharge of storm water resulting from the development shall not exceed the peak discharge calculated prior to the development and differences between pre- and post-development discharge shall be detained or retained on site. Calculation of the design peak discharge of storm water shall be based on a one hundred (100) year frequency, twenty-four (24) hour duration rainstorm;
4. No development shall disturb any existing watercourse or other natural drainage system, in a manner which causes a change in watercourse capacity or time to peak, time of concentration or lag time or other natural drainage system or increase of the pre-development stormwater discharge.
5. All natural drainage ways and arroyos which traverse or affect one or more lots or development sites shall be identified on the plan and/or plat.
6. Erosion setbacks shall be provided for structures adjacent to natural arroyos, channels, or streams such that: (a) a minimum setback of 25' shall be provided from all arroyos with flow rates of 100 cubic feet per second (100 cfs); or (b) a minimum setback of 75' shall be provided from all FEMA designated 100 year Floodplains. Setbacks from FEMA designated Floodplains may be reduced if bank stabilization or stream bed and bank stability is designed or provided by a professional engineer. In no case shall the setback be reduced to less than 25'.
7. For single-family residences, where a proposed development site is located outside of a regulated one hundred (100) year flood plain and on slopes less than ten percent (10%) and the proposed development site, including patios, garages,

accessory structures, driveways and other development that decreases the permeability of infiltration of pre-development surfaces is no more than six thousand (6,000) square feet and total impermeable surfaces (roofs, paved areas, patios, etc.) do not exceed twenty-five hundred (2,500) square feet, a retention/detention pond(s) or checkdams(s) with a minimum volume of six hundred (600) cubic feet shall be installed at a location to be approved by the Code Administrator. Such ponds shall be integrated with the landscaping or revegetation on the lot.

7.17.10.1 to 17.17.10.8

The following new sections with the following language shall be added as § 7.17.10.1 to § 17.17.10.8 to Chapter 7.

7.17.10. Development at or above 7400 Feet In Elevation. Development at or above an elevation of 7400 feet will be subject to additional requirements.

7.17.10.1 Buildable Area Analysis. Each lot or parcel shall be analyzed for buildable areas which must satisfy each of the following criteria that:

1. the average slope of the buildable area is less than twenty percent (20%), except that only fifty percent (50%) of any structure may be located on slope that is between twenty and thirty percent (20% and 30%);
2. soils within the area are acceptable for construction of foundations; and
3. the buildable area be closest to the nearest pre-existing public or private roadway or right-of-way, unless the resulting location of the buildable area would make the development in the area visible from the nearest major arterial road or unless such siting of the buildable area would not conform to the purposes, development criteria and design standards of this Section 7.17;

7.17.10.2. Visual Impact Analysis. Each proposed development site within a buildable area shall be subject to a visual impact analysis that will indicate whether such structures will be visible from a major arterial road. Such visual impact analysis shall include:

1. Erection of white story poles on each and every corner and, if applicable, on the pitch of any proposed structure on the site proposed for development. Story poles shall be consistent with the height of the proposed structure.
2. Photographs, using a telephoto lens or other technique that is adequate to establish a viewline and that adjusts for distances, or computer simulations taken from the nearest applicable major arterial road where a view of the site is possible.
3. Viewpoints shall be approved by the Administrator prior to the analysis, and additional viewpoints may be selected by the Administrator if the additional viewpoints would provide greater visual perspective on the proposed development site.
4. Sites that are visible. Where it is determined that the proposed development site is visible from a major arterial road, then the following alternatives shall be considered:

- a. Selection of a less visible or non-visible development site;
- b. Consolidation and/or adjustment of lot lines, relocation of buildable areas, and/or realignment of proposed roads and driveways.
- c. Use of additional screening, buffering or setbacks.

7.17.10.3 Disturbed Area Limitation.

- 1. The disturbed area on any lot shall not exceed twelve thousand (12,000) square feet. The location and calculation of the disturbed area on the lot shall be identified on the site development plan.
- 2. All construction staging areas shall be fenced prior to construction to prevent damage to all areas that are not designated as the disturbed area on a lot.
- 3. Utility corridors, septic leach fields, construction staging areas and any other portion of the designated disturbed area that is not occupied by improvements shall be revegetated.
- 4. Walls or fences shall be included in calculating disturbed area when such walls or fences are impermeable with respect to overland sheet flow of water or would inhibit water infiltration.

7.17.10.4 Roads and driveways.

- 1. Roads and driveways shall not be designed or constructed on slopes of over twenty-five percent (25%).
- 2. Exceptions may be approved by the Administrator for roads and driveways proposed to cross slopes greater than twenty five percent (25%) that disturb no more than three (3) isolated occurrences of up to one thousand (1000) square feet each, provided the applicant demonstrates that crossing such slopes has minimal impact to terrain or to visual quality and otherwise would conform to the purposes, design criteria and development standards set forth in this Section 7.17.

7.17.10.5 Architectural and Appearance Standards

- 1. Window and door glazing shall be limited to no more than thirty percent (30%) of a facade, except:
 - a. glazing shall be limited to no more than fifty percent (50%) under portals eight feet (8') or deeper.
 - b. Glazing shall be non-mirrored and the LRV shall be less than twenty percent (20%).

7.17.10.6 Setbacks. Setbacks shall be no less than one hundred feet (100') from a ridge, ridgetop, ridgeline or shoulder unless it can be demonstrated to the Administrator after a field inspection, that structures are non-visible from applicable public rights of way.

7.17.10.7 Screening Requirements.

- 1. The facade of any structure taller than four feet (4'), including retaining walls, which is

visible from any public right-of-way shall be screened with appropriate shrubs or trees. New plants shall be the same as or similar to existing, indigenous trees on the site.

2. Screening requirements shall be coordinated with fire safety zones.

3. Trees used for required screening structures shall be a minimum of six feet (6') tall and one and one-half inch (1.5") caliper at the time of planting. In addition, fifty percent (50%) of required new shrubs shall be of a minimum size of five (5) gallons at the time of planting.

4. Except as otherwise required for screening purposes or fire safety zones, new vegetation shall be planted at commensurate density to that on the site prior to development.

5. Except as set forth below, all cut and fill slopes and retaining walls more than four feet (4') high and with a grade of 3:1 or more shall have screening vegetation planted and maintained at the base of the slope. However, those with a grade of less than 3:1 shall have screening vegetation planted and maintained on the entire cut or fill slope as follows:

a. Screening vegetation shall be planted and maintained in addition to all revegetation required elsewhere in this Code, and shall be indigenous evergreen trees characteristic of the immediately adjacent area. No trees are required for solid rock terrain.

b. All trees shall be a minimum of six feet (6') high at the time of planting, and shall be planted and maintained at a similar density to the adjacent existing natural landscape. The landscaping density shall be determined by an inventory of existing natural trees of four feet (4') or greater in height in a fifty by fifty foot (50' x 50') square within the cut or fill area prior to excavation. The inventory of the existing natural trees within the cut and fill area shall be shown on the landscape plan.

c. Existing indigenous evergreen trees over six feet (6') high and located within four feet (4') of the base of the cut and fill slope may be counted toward fulfilling the number of trees required for screening.

d. Cut slopes with a slope or retaining wall closer than six feet (6') from the edge of a road or driveway may be screened with a trellis supporting planted vegetation.

6. Where any structure is greater than eight feet (8') high but no more than fourteen feet (14') high, there shall be at least one (1) indigenous evergreen tree such that no more than fifty percent (50%) of the structure is exposed from the highest point on the structure to the top of the tree. Where any structure is greater than fourteen feet (14') high, there shall be at least one (1) indigenous evergreen tree of at least eight feet (8') in height, which shall be located not more than fifteen feet (15') from the structure. The result must meet the objective of breaking up both the vertical and horizontal mass of the structure. The tree or shrub, at maturity, shall be a few feet higher than the structure.

7. There shall be at least one tree existing or planted of at least six feet (6') in height for every fifteen linear feet (15') of horizontal wall of each structure which shall be located not more than fifteen feet (15') from such wall.

8. No retaining walls shall be greater than five feet (5') in height. When retainage greater

than five feet (5') is required, multiple retaining walls shall be used, which must be set back a minimum of six horizontal feet (6') from face of wall to face of wall. Setback area grading shall not exceed a one percent (1%) cross slope and all walls shall be screened in accordance with subsection 7.17.10.7 above.

9. The landscaping requirements set forth in this subsection shall be in addition to all other landscaping requirements in Section 7.6.

7.17.10.8. Lighting Design Standards.

1. Use of cut off or shielded luminaires is required. All light sources or bulbs shall be shielded so they are not visible from any adjacent lot or public roadway and so that no light rays are emitted by the installed fixture at angles above the horizontal plane. All outdoor lighting fixtures shall meet the requirements for lamp type and shielding set forth in Section 7.8.

2. Spillover of lighting of any type onto adjacent property is prohibited.

3. No light fixture or mounting device shall be higher than the buildings on a parcel.

4. Ground-mounted luminaires for pedestrian or parking areas are limited to height of three feet (3').

5. Flood lights to enhance architectural features of a building or garden areas at night are prohibited.

6. Decorative lamps shielding low watt incandescent, low pressure sodium or other energy efficient light sources for walls under portals are permitted.

7. Spotlights, mercury vapor and halogen security lights are prohibited.

8. Automatic timing devices may be required to turn off lighting at specified hours.

9. A range of lighting design solutions for the various aspects of a development shall be considered over a single lighting solution.

10. Where the installation of street lights is required for reasons of safety or convenience, standards for street lights are set forth in subsection 7.8.4, and are incorporated by reference herein.

11. No new lighting shall be used or installed that is visible from a major arterial when illuminated.

12. The lighting requirements set forth in this subsection shall be in addition to all other lighting requirements in Section 7.8 of this Code.

7.17.11

The following new section with the following new language shall be added as § 7.17.11 to Chapter 7. § 7.17.11:

7.17.11. Development at or above 7800 Feet in Elevation. Development at or above an elevation of

7800 feet is a restricted build area and will be subject to additional requirements as follows:

1. Proposed development in this area shall not be visible from major arterial roads.
2. Proposed development in this area is subject to a conditional use permit.

TABLE 7-19

The following changes shall be made to the Table 7-19 heading:

Table 7-19: Community Water and Wastewater System Requirement for Developments
Subdivisions in SDA-2 and SDA-3.

CHAPTER 8 – ZONING

The following new subsections shall be added at the end of § 8.4:

8.4.3. Default Zoning. Any property to which the SLDC applies that is not depicted on the zoning map within a zoning district established in Chapter 8 of the SLDC, shall be deemed to be located in the A/R Zoning District unless otherwise specifically provided for herein.

8.4.4. Interpretation of Zoning District Densities. Maximum densities that are specified for zoning districts in this chapter are maximum gross densities that apply to the entire area within a development project or subdivision and are not necessarily minimum lot sizes for individual lots.

The following changes shall be made to § 8.7.1:

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. Multifamily residential development at densities above the base density indicated in Table 8-13 requires the Transfer of Development Rights in accordance with 12.14 of this SLDC.

8.7.1.4. Review/approval procedures. All CG developments shall meet the design standards of this section in addition to the applicable standards of Chapter 7. A ~~master~~ site conceptual plan shall be required for all phased development approved in accordance with procedures outlined in Chapter 4.

Table 8-13 shall be changed as follows:

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

CG Zoning District	CG
Density (# acres per dwelling unit)	n/a 2.5*
Multifamily Density with TDRs*	Up to 2015
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	48

Lot coverage (maximum, percent)	80
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*Multi-Family Residential shall comply with supplemental use standards in Chapter 10.

** density shall be 1 acre if the surrounding zoning district is RC, or reduced to 0.75 acres if the surrounding zoning district is TC.

A final version of Table 8-13 depicting all technical changes follows:

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

CG Zoning District	CG
Density (# acres per dwelling Unit)	2.5**
Multifamily Density with TDRs*	Up to 15
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	48
Lot coverage (maximum, percent)	80

*Multi-Family Residential shall comply with supplemental use standards in Chapter 10.

** density shall be 1 acre if the surrounding zoning district is RC, or reduced to 0.75 acres if the surrounding zoning district is TC.

The following changes shall be made to § 8.7.2:

8.7.2. Commercial Neighborhood (CN).

8.7.2.1. Purpose. The purpose of the Commercial Neighborhood (CN) district is to allow for low-rise low-intensity convenience retail and personal services, as well as office uses, that are intended to serve and are in close proximity to individual residential neighborhoods. Generally, the desired location of these commercial areas is at the periphery, focal point, or a major entrance to one or more neighborhoods, along a minor or subdivision collector or higher roadway classification, or along a major access road at the entrance to or in a focal point of a neighborhood. The size of neighborhood commercial districts will typically be between one and twenty contiguous acres.

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

8.7.2.3. Dimensional Standards. The dimensional standards within the CN district are outlined in Table 8-14 below. Adjacent to residential zoning districts, setbacks shall be provided consistent with Subsection 7.3.3.

8.7.2.4. Review/approval procedures. All CN developments shall meet the design standards of this section in addition to the applicable standards of Chapter 7. A ~~master site~~ conceptual plan shall be required for all phased development approved in accordance with procedures outlined in Chapter 4.

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 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 shall be 50 feet.

Table 8-14 shall be changed as follows:

Table 8-14: Dimensional Standards – CN (Commercial Neighborhood).

CN Zoning District	CN
Density (# acres per dwelling unit)	n/a 2.5***
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	80
Maximum building size (aggregate)	50,000*
Maximum size of individual establishments (sq.ft.)	15,000**

*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 30,000 square feet with the issuance of a conditional use permit.

*** density shall be 1 acre if the surrounding zoning district is RC, or reduced to 0.75 acres if the surrounding zoning district is TC.

A final version of Table 8-14 depicting all technical changes follows:

Table 8-14: Dimensional Standards – CN (Commercial Neighborhood).

CN Zoning District	CN
Density (# acres per dwelling Unit)	2.5***
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	80
Maximum building size (aggregate)	50,000*
Maximum size of individual establishments (sq.ft.)	15,000**

*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 30,000 square feet with the issuance of a conditional use permit.

*** density shall be 1 acre if the surrounding zoning district is RC, or reduced to 0.75 acres if the surrounding zoning district is TC.

The following changes shall be made to § 8.7.3:

8.7.3. Industrial (I).

8.7.3.1. 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 shall be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses.

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

8.7.3.3. Dimensional Standards. The dimensional standards within the I district are outlined in Table 8-1415.

8.7.3.4. Review/approval procedures. All I developments shall meet the design standards of this section in addition to the applicable standards of Chapter 7. A ~~master site conceptual~~ plan shall be ~~approved~~required for all phased development.

8.7.3.5. Base Density. Development at levels above the base standards identified in Table 8-15, requires the Transfer of Development Rights in accordance with 12.14 of this SLDC.

Table 8-15 shall be changed as follows:

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

Zoning District	<u>I Base</u>	<u>With TDRs</u>
Density (maximum, dwelling units/acre)	n/a	
Frontage (minimum, feet)	50	<u>25</u>
Lot width (minimum, feet)	n/a <u>50</u>	<u>25</u>
Lot width (maximum, feet)	n/a	
Height (maximum, feet)	50 <u>36</u>	<u>50</u>
Lot coverage (maximum, percent)	70 <u>60</u> %	<u>80</u> %

A final version of Table 8-15 depicting all technical changes follows:

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

Zoning District	Base	With TDRs
Frontage (minimum, feet)	50	25
Lot width (minimum, feet)	50	25
Height (maximum, feet)	36	50
Lot coverage (maximum, percent)	60%	80%

The following changes shall be made to § 8.8:

8.8 PUBLIC/INSTITUTIONAL ZONING DISTRICT.

8.8.1. Purpose. The purpose of the Public/Institutional (PI) district is to accommodate 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.

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

8.8.3. Dimensional Standards. The dimensional standards within the PI district are outlined in Table 8-15 below.

8.8.4. Review/approval procedures. All PI developments must meet the design standards of this section in addition to the applicable standards of Chapter 7. A ~~master site conceptual plan~~ shall be ~~approved~~ required for all phased development in accordance with procedures outlined in Chapter 4.

Table 8-16 shall be changed as follows:

Table 8-16 Dimensional Standards – PI (Public/Institutional)

PI Zoning District	CN-PI
Density	n/a <u>(2) 2.5*</u>
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	48
Lot coverage (maximum, percent)	80

A final version of Table 8-16 depicting all technical changes follows:

Table 8-16 Dimensional Standards – PI (Public/Institutional)

PI Zoning District	P/I
Density (# acres per dwelling Unit)	2.5*
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	48
Lot coverage (maximum, percent)	80

*density shall be 1 acre if the surrounding zoning district is RC, or reduced to 0.75 acres if the surrounding zoning district is TC.

The following changes shall be made to § 8.8.5:

8.8.5. Side and Rear Setbacks. For buildings in the PI district that are over 12 feet in height, side and rear setbacks adjacent to any A/R, RUR, RUR-F, RUR-R, RES-F, RES-E, R-C, or TC districts, and any predominantly single-family detached or attached dwelling districts or sub-districts in areas subject to community district zoning, as well as any existing or approved development consisting of predominantly single-family detached dwellings or 1- or 2-story duplex or single-family detached dwellings in MU or PDD districts, are ~~outlined~~ outlined in Table 8-16 ~~below~~ above.

The following changes shall be made to § 8.9:

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

8.9.4. Base Density. The base density permitted in the MU zone is one (1) dwelling unit per acre for residential use. A minimum of ten percent (10%) nonresidential development is required with a maximum of 15% non-residential development allowed. Development at densities above the base density requires the Transfer of Development Rights in accordance with 12.14 of this SLDC.

8.9.45. Dimensional Standards. The dimensional standards within the MU district are outlined in Table 8-18.

8.9.6. Review/approval procedures. All MU developments must meet the design standards of this section in addition to the applicable standards of Chapter 7. A conceptual plan shall be required for all phased development in accordance with procedures outlined in Chapter 4.

Table 8-18 shall be changed as follows:

Table 8-18: Dimensional Standards – MU (Mixed Use).

MU Zoning District	<u>If residential uses only Base</u>	<u>If at least 10% commercial use With TDRs</u>
Density (minimum/maximum , <u>Number of dwelling units/ per acre</u>)	<u>2/5</u>	<u>15-2/12</u>
<u>Non-residential (Min required, percent/Max permitted, percent)</u>	<u>10/15</u>	<u>5/50</u>
Multi-Family Residential Density*	<u>15</u>	<u>20</u>
Frontage (minimum, feet)	<u>50</u>	<u>50 25</u>
Lot width (minimum, feet)	<u>50</u>	<u>50 25</u>
Lot width (maximum, feet)	<u>n/a</u>	<u>n/a</u>
Height (maximum, feet)	<u>36-27</u>	<u>48</u>
Lot coverage (maximum, percent)	<u>60 40%</u>	<u>70 80%</u>
<u>Setback where existing residential uses adjoin property (ft)</u>	<u>50</u>	<u>50</u>
<u>Setback where existing residential uses adjoin property (ft)</u>	<u>100</u>	<u>100</u>
<u>Setback from adjoining community district (ft)</u>	<u>1000</u>	<u>1000</u>

*Multi Family Residential shall comply with supplemental use standards in Chapter 10

A final version of Table 8-18 depicting all technical changes follows:

Table 8-18: Dimensional Standards – MU (Mixed Use).

MU Zoning District	Base	With TDRs
Density Number of dwelling units per acre)	2	15
Non-residential (Min required, percent/Max permitted, percent)	10/15	5/50
Frontage (minimum, feet)	50	25
Lot width (minimum, feet)	50	25
Height (maximum, feet)	27	48
Lot coverage (maximum, percent)	40%	80%
Setback where no existing residential uses adjoin property (ft)	50	50
Setback where existing residential uses adjoin property (ft)	100	100
Setback from adjoining community district (ft)	1000	1000

Note: All numbering for the remainder of §8.9 affected by the amendments will be renumbered accordingly.

The following changes shall be made to newly renumbered § 8.9.7.2:

8.9.57.2. Services. Mixed-use developments shall at a minimum include public water and wastewater, garbage and recycling pickup, walkways and parking area lighting. In addition, the following performance standards shall be met:

- 1.** Adequate safe pedestrian walkways shall be established within the development;
- 2.** Street lighting shall be provided along walkways adjacent to and within the development;
- 3.** Security lighting shall be provided in parking and designated outdoor recreation areas;
- 4.** Garbage, maintenance, and recycling facilities shall be screened; and
- 5.** Pedestrian connections to adjacent development shall be provided, in public rights-of-way, or along designated trail corridors.

The following new § 8.9.7.3 shall be added:

8.9.7.3. Open Space. A minimum of 30% Open Space is required in a MU District. Developed parks shall be in accordance with Section 8.10.3.

1. The following property may be considered open space for the purpose of meeting the 30 percent requirement:

a. Open space identified on the Zoning Map shall be public open space;

b. Common or Public Parks and Plazas;

c. Trails allowing public access and connecting to County trails;

d. Public trailheads;

e. Archaeological easements;

f. Setbacks required by this section or other Ordinances; or

g. Open space shall be dedicated or reserved on the final plat.

2. Open space may be dedicated on property not contiguous to the area for which the applicant is seeking subdivision approval where all of the following circumstances exist:

a. Open space adjacent to or within the proposed development is not feasible or has already been dedicated as part of another development phase;

b. The continuous property is within property designated as open space on the Zoning Map; and

c. The proposed open space dedication is contiguous to other lands dedicated as open space

The following § 8.9.5.3 renumbered to § 8.9.7.5 shall be changed as follows:

8.9.5.47.5. Landscaping. Landscaping shall demonstrate compliance with the following performance standards:

1. Landscaping areas between public roads and parking shall be provided;

2. Outside storage areas shall be screened from view from public roads and neighboring properties.

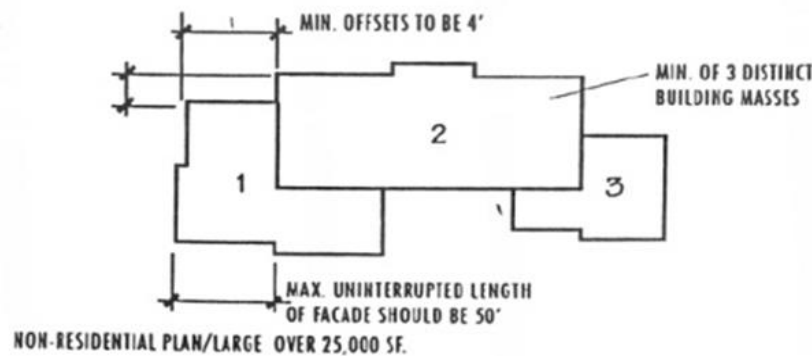
3. Landscaping areas shall be provided as a buffer to adjacent residential uses or neighborhoods.

The following § 8.9.5.6 renumbered to § 8.9.7.7 shall be changed by adding a Figure 8-1 as follows:

8.9.5.67.7. 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 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 shall be 50 feet.

Figure 8-1 Architectural Design Example



The following changes shall be made to § 8.10.2:

8.10.2. Planned Development District (PD).

8.10.2.1. Purpose and findings. Planned Development (PD) districts are established to:

1. Provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties;
2. Provide an environment within the layout of a site that contributes to a sense of community and a coherent living style;
3. Encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape, and size; and to provide for a minimum amount of open space;
4. Provide for a more efficient arrangement of land uses, buildings, circulation systems, and infrastructure; and

5. Encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility, or topography.

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

8.10.2.3. Review/approval procedures. All MU developments must meet the design standards of this section in addition to the applicable standards of Chapter 7. A conceptual plan shall be required for all phased development in accordance with procedures outlined in Chapter 4.

8.10.2.3.4. Criteria. In order to foster the attractiveness of a PD district and its surrounding neighborhoods, preserve property values, provide an efficient road and utility network, ensure the movement of traffic, implement comprehensive planning, and better serve the public health, safety, and general welfare, the following criteria shall apply to the required ~~master site~~ conceptual plan. These criteria shall neither be regarded as inflexible requirements nor are they intended to discourage creativity or innovation:

1. Insofar as practicable, the landscape shall be preserved in its natural state by minimizing tree and soil removal;
2. Proposed buildings shall be sited harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings;
3. With respect to vehicular and pedestrian circulation and parking, special attention shall be given to the location and number of access points to public roads, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and the arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed structures and neighboring properties; and
4. Private roads and gates may be approved as part of the application but are not required.

8.10.2.4. Minimum Size. The minimum size for a PD district is five acres.

Table 8-19 shall be changed as follows:

Table 8-19: Dimensional Standards – PD (Planned Development).

PD Zoning District	If residential uses only Base	If at least 10% commercial use With TDRs
Density (minimum/maximum, dwelling units/acre)	2/5 1	2/12 15
Multi-Family Residential Density*	15	20
Non-residential (Min required, percent/Max permitted, percent)	5/15	0/50
Frontage (minimum, feet)	50	50 25
Lot width (minimum, feet)	50	50 25
Lot width (maximum, feet)	n/a	n/a
Height (maximum, feet)	36 27	48
Lot coverage (maximum, percent)	60 40%	70 80%
Setback from outside property boundary – no existing residential uses adjoining property	50	50
Setback from outside property boundary – existing residential uses adjoining property	100	100

*Multi-Family Residential shall comply with supplemental use standards in Chapter 10.

A final version of Table 8-19 depicting all technical changes follows:

PD Zoning District	Base	With TDRs
Density (minimum/maximum, dwelling units/acre)	1	15
Non-residential (Min required, percent/Max permitted, percent)	5/15	0/50
Frontage (minimum, feet)	50	25
Lot width (minimum, feet)	50	25
Height (maximum, feet)	27	48
Lot coverage (maximum, percent)	40%	80%
Setback from outside property boundary – no existing residential uses adjoining property	50	50
Setback from outside property boundary – existing residential uses adjoining property	100	100

The following changes shall be made to § 8.10.2.5 to § 8.10.2.8:

8.10.2.5. Permitted Uses and Density.

1. Uses. A PD district may include residential, commercial, and industrial uses; cluster housing; common areas; unusual arrangements of structures on site; or other combinations of structures and uses that depart from standard development. The uses permitted in a PD district are those designated in the approved master site plan. Density limits are used to determine the maximum number of permitted dwelling units.

2. Base Density. The base density permitted in the PD zone is one (1) dwelling unit per acre for residential use. A minimum of five percent (5%) nonresidential development is required with a maximum of 15% nonresidential development allowed. Development at densities above the base density requires the Transfer of Development Rights in accordance with 12.14 of this SLDC.

Dimensional Standards. The dimensional standards within the PD district are outlined in Table 8-4819.

3. Density Table. ~~As shown on Table 8-18, the master site plan shall divide the PD district into land use categories and shall indicate the uses permitted in each category.~~

4. Lots. As shown on Table 8-4819, there is no minimum area requirement for lots, and lots do not need to front onto a road. Lot boundaries may coincide with structure boundaries except where perimeter lot setbacks are required.

8.10.2.6. Height and Yard Requirements. Setbacks shall be governed by the PD ~~master site conceptual plan~~ and the Setback Table in Chapter 7. Lots located on the perimeter of a PD district shall adhere to the minimum and maximum setback requirements of the base zoning district set forth in the Setback Table in Chapter 7 unless a lesser setback is approved in the ~~master site conceptual plan~~. There are no setbacks for interior lots, provided that the requirements of the New Mexico Building Code are met.

8.10.2.7. Infrastructure Requirements. Publicly owned and/or maintained utilities shall be placed in public roads or easements that are a minimum of 16 feet in width unless a narrower width is approved by the applicable utility. Dead-end easements shall not be permitted unless an approved vehicular turnaround is provided at the end of each such easement.

8.10.2.8. Open Space. A minimum of 30% Open Space is required in a PD District. Developed parks shall be in accordance with Section 8.10.3.

1. The following property may be considered open space for the purpose of meeting the 30 percent requirement:

a. Open space identified on the Zoning Map shall be public open space;

b. Common or Public Parks and Plazas;

c. Trails allowing public access and connecting to County trails;

d. Public trailheads;

e. Archaeological easements;

f. Setbacks required by this section or other Ordinances; or

g. Open space shall be dedicated or reserved on the final plat.

2. Open space may be dedicated on property not contiguous to the area for which the applicant is seeking subdivision approval where all of the following circumstances exist:

a. Open space adjacent to or within the proposed development is not feasible or has already been dedicated as part of another development phase;

b. The continuous property is within property designated as open space on the Zoning Map; and

c. The proposed open space dedication is contiguous to other lands dedicated as open space

8.10.2.8. Parks/Open Space Each master site plan shall provide for a minimum amount of parks/open space as required by Table 8-19.

Table 8-19: Planned Development: Parks and open space requirements.

Land Use Category	Required Parks/Open Space*
Residential	2,500 SF per dwelling unit
Nonresidential	200 SF per 1,000 SF of floor area, and 250 SF per 1,000 SF of parking and loading area

*Total required parks/open space is calculated by dividing the total open space within a PD district by the gross site area. The land use category shall be determined by the base zoning district.

8.10.2.9. Reduction in Parks/Open Space. The Planning Commission may approve a decrease of no more than 50% in the amount of required parks/open space when the master plan includes design features or amenities such as, terraces, sculptures, water features, preservation and enhancement of unusual natural features, or landscape sculpture.

The following new section shall be added as § 8.10.3:

8.10.3 Planned District Santa Fe Community College District (Ordinance 2000-12):

8.10.3.1. Purpose and Intent. The Community College District (CCD) is a planned development district as is intended to promote and focus compact, mixed-use development in a village land use pattern in the large county area south of the city of

Santa Fe. It is a major employment, education and cultural center serving the city, county and other regional areas; and, its presence has led to the development of related public and institutional uses including churches and other educational institutions, which are integral to the creation of “community” and historically have been uses around which new communities and settlements have successfully developed.

The CCD was created to curb sprawl, maximize infrastructure efficiency and preserve open space in an area of Santa Fe County under substantial development pressure, and to otherwise to implement the vision, goals and principals of the CCD Plan. The CCD is expected to be the first of a number of new communities to be developed outside the urban area over the next 20 years.

The CCD Plan calls for New Community Centers, Neighborhood Centers and Employment Centers. These centers should be active places with identities and ambiance that attract people. They shall have a mixture of uses that keep them active and the heart of commerce and community activities in the District. Centers should be designed to principles that are different than typical strip commercial. Buildings, plazas, walks, parking and the landscape shall be designed to create centers that will be the focus of community life described in the CCD Plan.

The CCD Plan designates areas for Institutional Campuses. Campuses shall be anchored by an educational, large-scale non-profit, vocational, research or similar institution that desires a campus setting. In all Campuses, the first phase of the anchor institution must be built prior to or in conjunction with all other buildings. Commercial and residential uses support the anchor institution and its users, but are subordinate in design and size. Without the anchor institution, no other uses are allowed in this zone. Institutional campuses are not intended for large-scale commercial or retail businesses that desire a campus setting; these users may locate in Employment Centers or New Community Centers.

8.10.3.2 Adoption of CCD Land Systems Map, CCD Circulation Map, CCD Zoning Map and CCD Media Subdistrict Map. The CCD Land Systems Map, the CCD Circulation Map, the CCD Zoning Map and the CCD Media District Map are hereby adopted and incorporated, by reference, into the Code and attached as Appendix F. The road and trail network shown on the CCD Circulation Map shall be used as a guide for the establishment of the road and trail alignments and transit corridors in the CCD district.

8.10.3.3 General

1. The regulations, standards and provisions described herein are specific to the Planned District Community College District. Where conflict arises between SLDC regulations and the community district standards and provisions, the district’s standards and provisions shall prevail. However, when the district’s standards are silent on an issue that would otherwise be governed by the SLDC or other applicable County codes, the SLDC or those other codes shall prevail.

2. All development within the PD-CCD shall follow the procedures set forth in Chapter 4 of this SLDC.

8.10.3.4. Conceptual Plan. A conceptual plan is required for multi-phased development within the CCD. The Conceptual Plan shall:

1. Define the boundaries of the landscape types and the resulting designation and configuration of Village, Employment Center, Institutional Campus, and Fringe Zones and Open Space;

2. Calculate the zoning allowances and requirements including the minimum and maximum number of residential units, the minimum and maximum range of commercial square footage, FAR and the open space and park requirements;

3. Establish categories of land uses with sufficient specificity to allow for an analysis of the traffic and other impacts of the proposed uses, within each category;

4. Identify the location and general configuration of New Community Centers, Neighborhood Centers, Neighborhoods, Employment Center Zones and Institutional Campus Zones that are included in the Master Plan area. A digitized aerial photograph containing metes and bounds description may be used to establish zone locations;

5. Identify the proposed categories of land uses to be developed to demonstrate the mixed-use nature of the development;

6. Establish the general road layout and classification of road segments as living-priority, mixed-priority and traffic-priority roads;

7. Establish the general trail network and classification as district, village, local or any separate equestrian trails;

8. Establish a phasing schedule which details the timing for the proposed development which shall include a general description of each phase of the development, with projected sales and buildout;

9. An explanation of how each development phase promotes the mixed-use intent of this Section; a description of the phased development of the on-site infrastructure and the manner in which it is coordinated with development of needed off-site infrastructure to ensure that the standards of the zones and densities of the development required by this Section are achieved; and

10. In an Employment Center Zone, an applicant may propose a phase which is not mixed use if:

a. the phase following the non-mixed use is a mixed use phase;

b. the proposed use is for a major employer, is not retail, creates a significant number of new jobs and all infrastructure is adequate;

c. the proposed non-mixed use phase bear a sufficient connection to the approved, proposed or built residential uses in the same Zone or any adjacent or contiguous Zone such that the overall mixed use intention of this Ordinance will be achieved and the uses in the non-mixed use phase promote and advance the County regional goals for employment and economic development and are compatible and appropriate with principles of the CCD and meet the requirements of the Land Use Table.

8.10.3.5. Conceptual Plan Review Criteria. The criteria for approval of a Conceptual Plan in the CCD are as follows:

- 1. Conformance to the Sustainable Growth Management Plan as amended by the Community College District Plan;**
- 2. Viability of the proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or completed; and**
- 3. Conformance to this section 8.10 and other applicable law and ordinances in effect at the time of consideration, including required improvements, proposed roads and trails, community facilities, design and or construction standards, and open space standards.**

8.10.3.6. Land System. The location of land system boundaries shall be indicated on a digital or photo topographic map; a boundary survey is not required. Landscape classification boundaries and the location of subdistrict boundaries shall be established at the time Conceptual Plans are approved. Thereafter, such boundaries may be modified as new information becomes available as the project moved forward for final approval or final plat approval. The location of subdistricts within the CCD district is based on the land types shown on the Land System Map. This criteria is intended to establish a balance between preservation on the natural landscape and creation of concentrations of development that are adequate to create a vital community. The following landscape types are identified:

- 1. Mountains.** Mountains open space begins at the 15 percent slope line at the base of the mountains and extend to the top.
- 2. Flatland/Grasslands.** Upper flatland/ grasslands are open level areas that are elevated above arroyos and covered by grass and sparse tree cover. The edges of these areas are delineated by sharp breaks in the topography that slope down to the arroyo corridors. Tree edges often correspond to the topographic breaks. In the absence of breaks in topography the edges of upper flatland/grasslands will occur along the line where slopes exceed 10 percent.
- 3. Flatlands/ Piñon Juniper.** Upper flatland/piñon juniper are open level areas that are elevated above arroyos and covered by piñon and juniper. The edges of these areas are delineated by sharp breaks in the topography that slope down to the arroyo corridors. Tree edges often correspond to the topographic breaks. In the absence of breaks in topography the edge of upper flatland/ piñon juniper will occur along the line where slopes exceed 10 percent.
- 4. Hillside/ Piñon Juniper.** The hillside/piñon juniper land type includes the wooded hillsides that transition between the upper flatland areas and the arroyo corridor edges. They are delineated on the uphill side by the slope break or the 10 percent slope line that establishes the edge of the upper flatland land type. The downhill side is defined by the topographic break of the 10 percent slope line that delineates the arroyo corridor.

5. Hillside/Grasslands. The hillsides/grassland land type includes the grassy hillsides that slope between the upper flatland areas and the arroyo corridor edges. They are delineated on the uphill side by the slope break or the 10 percent slope line that establishes the edge of the upper flatland land type. The downhill side is defined by the topographic break or the 10 percent slope line that delineates the arroyo corridor.

6. Arroyo Corridors. Arroyo corridors are arroyos and the adjacent level areas that together form the level bottoms of the major drainage ways that pass through the district. Arroyo corridors extend on both sides of arroyos to the point that there is a distinct slope break between from the arroyo corridor and the adjacent hillside. If no distinct slope break exists the arroyo corridor shall be delineated by the 5 percent slope line at the base of the adjacent hillsides.

7. Arroyo Hondo Corridor. The arroyo hondo is a special circumstance because of its broad width and rolling terrain without a clear slope break between the arroyo bottom and the adjacent hillsides. The arroyo corridor in this area extends a minimum of 50 feet outside of the 100-year floodplain boundary.

8.10.3.7. District Development Standards. The development standards of Chapter 7 of this Code shall be applicable to all development, except as otherwise specified herein.

1. Off-site Improvements. The County may require developers, as a condition of approval, to enter into a development agreement pursuant to which the developer shall be required to pay a pro-rata share of future off-site improvements.

2. Development Performance Standards.

a. Building Design. Buildings of 15,000 sq ft or larger shall comply with the following:

i. Buildings of 15,000 sq ft to 24,000 sq ft shall be designed with a minimum of three distinct masses with four foot vertical and horizontal offsets.

ii. buildings of 25,000 sq ft or larger shall have an additional two feet of vertical and horizontal offsets for each additional 5,000 sq ft of footprint.

iii. The maximum uninterrupted length of any façade shall be 50 ft.

b. Blocks. The maximum block length shall be 2000 feet.

c. Centers and Campuses. All buildings in centers and campuses shall comply with the following standards:

i. Such buildings shall be oriented to street or plaza.

ii. Parking and storage areas shall be located to rear and side of buildings.

d. Middle and High Schools. Such uses should be located at edge of village subdistricts or the Institutional Campus Subdistrict.

e. Open Space Village Separators.

i. Within the CCD district open space village separators are intended to accommodate a connective system of open space that will:

(a) Provide natural drainage systems, aquifer recharge channels, core wildlife habitat and corridors, important community views, and community recreational amenities;

(b) Provide a connective community trails network and community recreational amenities; and

(c) Define and buffer development areas.

ii. These open space village separators includes the north/ south open space corridors that separate long linear village subdistricts into compact development areas with walkable centers. They are located on Arroyo Corridors and Mountains land types, and adjacent areas already designated as Open Space on plans and plats.

iii. The open space village separators shall be a minimum of 1000 feet in width at any point.

3. Landscaping and Buffering.

a. Buffers and landscaping for road frontages shall be provided as shown on the CCD Zoning Map or on the Road Cross Sections.

b. Street trees shall be provided every 500 linear ft. along mixed use and living priority roadways, this number can be reduced by 50% if a tree is provided in the front yard of at last 50% of single family lots accessing the road.

c. Residential yards shall be required to use Xeriscape designs incorporating drought-tolerant and native vegetation to the maximum extent possible. Cool season turf will not be permitted. Areas to be used for recreation, parks, playfields, and plazas shall be excluded from this requirement.

d. industrial areas shall have installed effluent reuse lines for irrigation of community and commercial landscapes. Subject to acquisition of applicable State and Federal permits, irrigation of such areas shall be converted to non-potable water when a reliable source is available from a district wastewater treatment facility that meets all applicable standards and requirements.

e. The following buffers shall apply for development within the CCD:

i. Buffers from road frontages shall be provided in as shown on the CCD Zoning Map;

ii. 150 feet from the I-25 ROW line; or, where a frontage road exists, 50 feet from the I-25 Frontage Road ROW line. This setback may be reduced to 25 feet with a landscaped buffer, berm and 4 foot masonry wall to screen parking on parcels where there is double frontage between SR 14 and the I-25 Frontage Road.

f. No more than 50 percent of the trees shall be evergreen with the remainder being low water use deciduous shade trees.

g. Evergreen trees shall be a minimum of 8 feet tall at time of planting. Deciduous trees shall be a minimum of 1½ inch caliper and 6 feet tall at time of planting.

4. Parking and Loading.

a. Minimum parking for residential uses shall be as follows:

i. For each detached dwelling unit, at least 2 off-street spaces shall be provided; and

ii. For each attached or multi family dwelling unit, at least one assigned and 1/4 unassigned off-street spaces shall be provided.

b. An applicant may propose a parking budget using shared parking, differential time use, one-stop multiple use, and on-street parking. Diagonal on-street parking may also be approved consistent with pedestrian safety.

5. Road Design Standards.

a. Road Improvements. A Traffic Impact Analysis (TIA) is required in accordance with Chapter 6. If the TIA shows that the development increases the burden on existing public roadways or generates traffic that will exceed the capacity of an existing or proposed public roadway, the developer shall make such improvements or contribute a fair share of improvements required to increase the capacity of the public roadway to the acceptable level of service.

b. Road Circulation and Design Standards. The following standards are applicable to all development in the CCD district:

i. Roadway circulation within the CCD district shall provide a network of roads that will integrate automobile traffic, pedestrian and other modes of transportation in a safe and controlled manner. Road networks shall be designed in such a way as to discourage high speed traffic.

ii. Within each development, roadway circulation shall be interconnected as shown on the Circulation Map. The developer shall be required to construct any portion of the roadway necessary to maintain connectivity throughout the CCD district.

iii. No-outlet roadways shall be used only to preserve open space contiguity or in cases that terrain does not allow connectivity. No-outlet roadways shall not exceed 300 feet in length and shall have a minimum 50-foot turn around. If an applicant can show that a particular fringe or rural area is not wide enough to allow more than a single road without negatively affecting open space corridors or terrain, a no-outlet roadway may exceed the 300 foot maximum as determined by the Administrator, but in no case shall exceed 1,000 feet.

iv. Roads shall not be gated.

v. Roadways shall be laid out to intersect as nearly as possible at right angles.

vi. Roadway networks shall be laid out to have the minimum number of intersections with state highways, arterials and traffic priority roads, consistent with sound engineering practice and the access needs for emergency and service vehicles.

vii. When 2 roadway categories intersect, the intersection design shall be for the largest road category and shall be consistent with pedestrian safety.

viii. Intersections and driveways shall be designed to meet the most current AASHTO standards (American Association of State Highway Transportation Officials, Policy on Geometric Design of Highways and Roads, latest edition) for sight distance. Clear sight triangles required by AASHTO shall be maintained.

ix. Minimum distance required between driveways or road intersections are as specified in Table 8-19-1 below:

Table 8-10-1 Driveway or Intersection Separation

<u>DRIVEWAY OR INTERSECTION SEPARATION</u>	
<u>Roadway Classification (1)</u>	<u>Minimum Separation (feet)</u>
<u>Living</u>	<u>75</u>
<u>Mixed</u>	<u>125</u>
<u>Traffic</u>	<u>200</u>

x. The design standards for each class of roadway are the minimum standards. Increased pavement thickness, subgrade or base material, turning lanes, extra width at medians or other

improvements may be necessary where projected traffic loads, type of traffic (trucks or heavy equipment, etc.) or soil conditions require a higher standard pursuant to AASHTO standards and the Manual on Uniform Traffic Control Devices (MUTCD).

xi. When reviewing road designs and circulation plans, the Administrator shall consider whether the development's proposed circulation plan provides adequate overall capacity to meet the intent of the Community College (CCD) District Plan. Design details shall comply with the Institute of Traffic Engineer's Traditional Neighborhood Development: Street Design Guidelines for living priority and mixed priority roads and AASHTO or the Institute of Traffic Engineer's (ITE) Guidelines for Major Urban Street Design for traffic priority roads. Modification to these standards may be considered and approved administratively by the Administrator if sound technical evidence demonstrating effective alternatives is provided. Such evidence shall include but is not limited to engineering designs, drawings, studies and/or specifications.

c. Construction Standards. Any and all road construction shall conform to and comply with AASHTO 17 standards, ITE guidelines, New Mexico State Highway and Transportation Department specifications and all applicable National codes. Construction standards shall be according to sound engineering practice as follows:

i. Vertical and horizontal curves and the super-elevation of the horizontal curves shall conform to the requirements set forth in the AASHTO Standards.

ii. Vertical grade percentages shall not exceed eight percent (8%) for any roadway type. In order to minimize cuts and fills and the cutting of trees on steep and mountainous terrain which can lead to erosion problems and visual scars, the Code Administrator may allow a maximum driveway grade of fifteen percent (15%) with consideration for emergency access and maintenance and consistent with sound engineering practices for difficult terrain.

iii. Grades at the approach of intersections shall not exceed five percent (5%) for one hundred lineal feet (100') from the radius return of the intersection, excluding vertical curve distance.

iv. No horizontal road grade shall be less than one percent (1%).

v. Soil classification and subgrade conditions shall determine the base course thickness required. A minimum of six inches (6") of base course shall be required in all cases and more than six inches (6") may be required if soil conditions so indicate. Base course shall be compacted to no less than ninety five percent (95%) of maximum density, according to methods

specified by the AASHTO, T-180 modified moisture density test.

vi. Base course and sub-base aggregate shall meet the gradation requirements specified in Table 304, Class I, II or III, NMSHTD “Standard Specifications for Road and Bridge Construction”.

vii. All mixed priority and traffic priority roads shall be paved. All living priority roads, except lanes, closes and alleys shall be paved. Lanes, closes and alleys shall be, at a minimum, base course. All roadways that require asphalt paving shall be paved to minimum of four inches (4”) in depth.

viii. There shall be a minimum of three percent (3%) crown in the driving surface for water runoff.

ix. Adequate provisions for drainage shall be installed at all waterway crossings. Culverts shall also be sized to accommodate a twenty-five year (25 yr.) storm, with provisions to safely pass a one hundred year (100 yr.) storm. Culverts shall also be of sufficient gauge or thickness and length, and placed appropriately deep to withstand projected traffic loading and storm runoff. Where necessary to accommodate roadside drainage, driveways entering roads shall have eighteen inch (18”) minimum diameter culverts installed so as not to impede flowing water. Driveways shall also be designed and constructed so as to prevent flowing water from entering onto or crossing the roadway.

x. Adequate road drainage shall be provided as shown in this Section. Notwithstanding other requirements of this Section, the Administrator may require curb and gutter whenever that is the best option for drainage control or to protect the safety of pedestrians and traffic.

xi. Pedestrian sidewalks are required as shown in the above road sections. All sidewalks shall conform to the Americans With Disabilities Act (ADA) Compliance Guide as amended. Notwithstanding other requirements of this Section, the Code Administrator may require sidewalks wherever needed to protect the safety of pedestrians due to the particular characteristics or location of the site. Sidewalks shall be constructed of four inch (4”) thick concrete. Other hard surface materials may be used if evidence is shown that the design is coordinated with streetscape and project design. Sidewalks shall not be located on the roadway surface or in a storm drainage.

xii. All wet utilities shall be located under the roadway surface. All dry utilities shall be located in the prescribed utility easement or right-of-way, in a shared trench.

xiii. Pavement striping is required as shown in the above road sections in accordance with the MUTCD.

xiv. On-street parking is allowed as shown in the above road sections.

xv. Curb radii minimum standards are shown in the above road sections. Where necessary, the County Fire Marshal may require that on-street parking, street trees, vertical curbs and other obstructions be restricted from being located on or near intersections with curb return radii of less than 20 feet, in order to allow emergency vehicles to drive over the curb return.

d. Roadway Classifications. Roadways within the CCD district are classified in a hierarchy by function and are designed to accommodate the traffic integration and purpose for which the roadway is intended. Various portions of a road may be more than one type of classification in order to respond to surrounding development, topographic and land use context.

i. Living Priority Roads. Living Priority Roads are slow speed roads that will comprise the majority of roads in the CCD district, even when high traffic volumes are present. The design priority is for the non-motorist. These roads have low design speeds, tight curb radii and narrow travel lanes to slow traffic speeds. Living priority roads vary greatly in character and are similar to or match “traditional neighborhood” engineering designs as defined by the Institute of Traffic Engineers. Living priority roads are found in the New Community Center, Neighborhood Center, Village Neighborhood, Existing Neighborhoods, Village Fringe, Institutional Campus, Employment Center, and Village Rural subdistricts.

ii. Mixed Priority Roads. Mixed Priority Roads are moderate speed roads that serve as transition areas between living priority and traffic priority roads and as internal links from one area to another within each village subdistrict. Design for mixed priority roads shall consider the safety and efficiency of non-motorists and motorists equally. These roads are usually found in Village Separators, but may be used in portions of Employment Center, Institutional Campus, and Village Rural subdistricts to transition between density clusters. Since mixed priority roads are used as transitions, their length does not generally exceed 2,500 feet.

iii. Traffic Priority Roads. Traffic Priority Roads are higher speed, long distance through roads primarily for efficient movement of motorists, but non-motorists shall also be safely accommodated. Traffic priority roads link village subdistricts and external regional roadways such as State Highway 14.

Buildings do not generally front on traffic priority roads. These roads are usually found in Open Space Subdistrict and Village Separators Subdistrict.

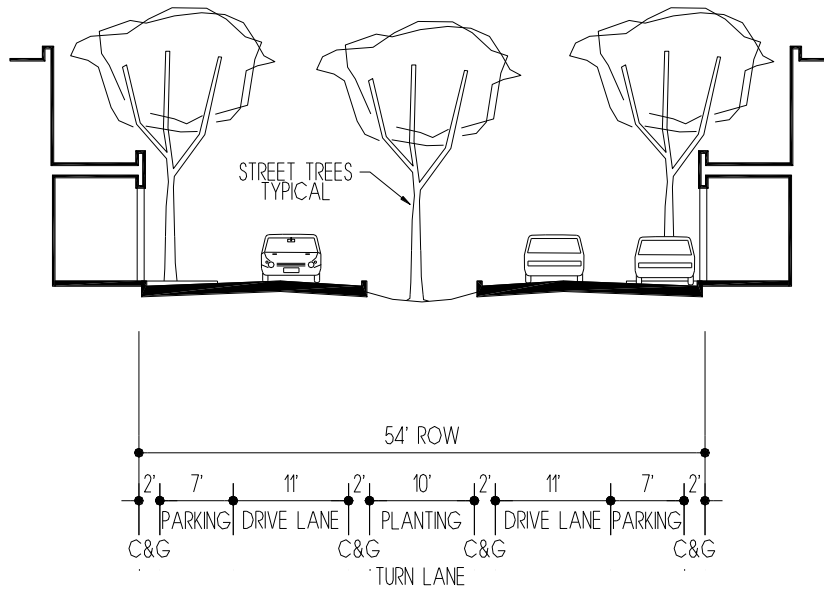
iv. Road Ownership and Maintenance. Ownership and maintenance of all roads is to remain the responsibility of the developer, owner or designated Home Owners Association. All roads designated as primary roads identified on the Circulation Map may be conditionally dedicated to Santa Fe County.

v. Road Sections. Road design sections for the CCD district are described below. Other road design options may be approved as long as the minimum standards of the CCD district and the intent of the Community College (CCD) District Plan are met.

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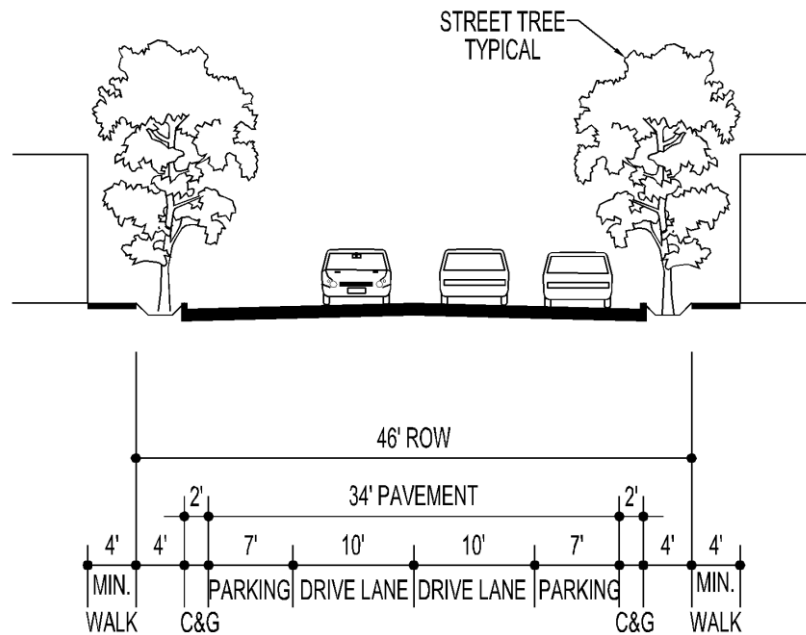
e. Living Priority Roads Cross Sections.

i. Main Street. The main street design is urban in character and may be used for roads that traverse the center of a New Community Center Subdistrict.



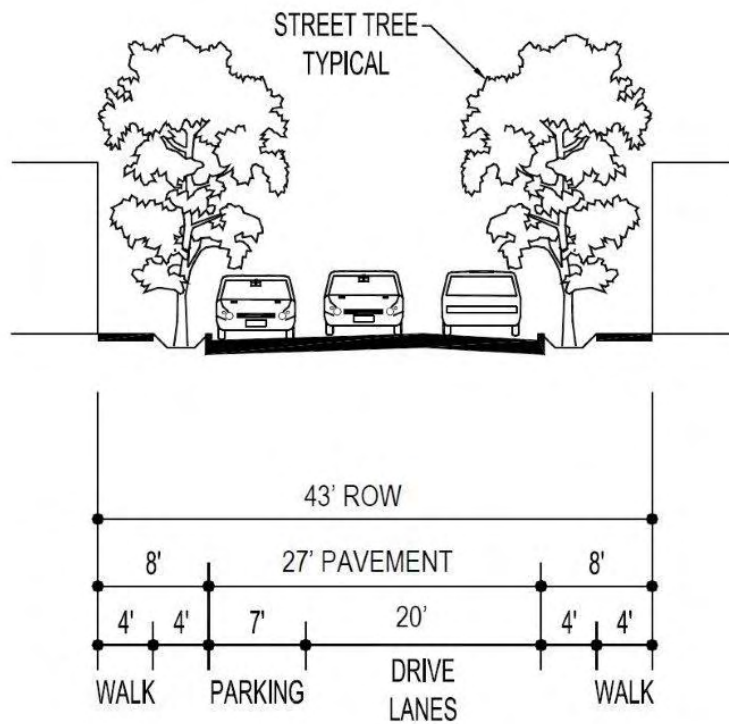
LIVING PRIORITY: MAIN STREET CROSS SECTION			
Design Speed	30 mph	Bike lanes	No
Travel lanes	2, with center turn lane	Median	10 foot minimum
Curb Radii	15 feet	Drainage	Curb and gutter
Striping	Centerline & turn lanes only	On street parking	Both sides, parallel
Sidewalks	Both sides, minimum 6 feet wide		

ii. Village Street. This design is urban in character and may be used throughout New Community Center, Neighborhood Center, Employment Center or Institutional Campus Subdistricts.



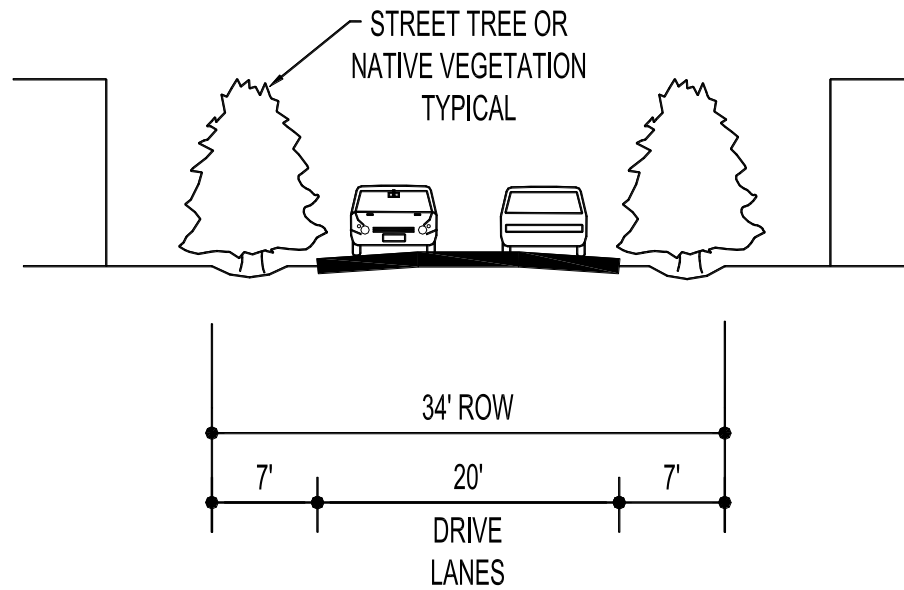
LIVING PRIORITY: VILLAGE STREET CROSS SECTION			
Design Speed	30 mph	Bike lanes	No
Travel lanes	2	Median	No
Curb Radii	15 feet	Drainage	Curb and gutter
Striping	Centerline only	On street parking	Yes, both sides
Sidewalks	Both sides, 4' minimum		

iii. Neighborhood Street. This design is typical for Neighborhood or Neighborhood Center Subdistricts; it may be urban or rural in character.



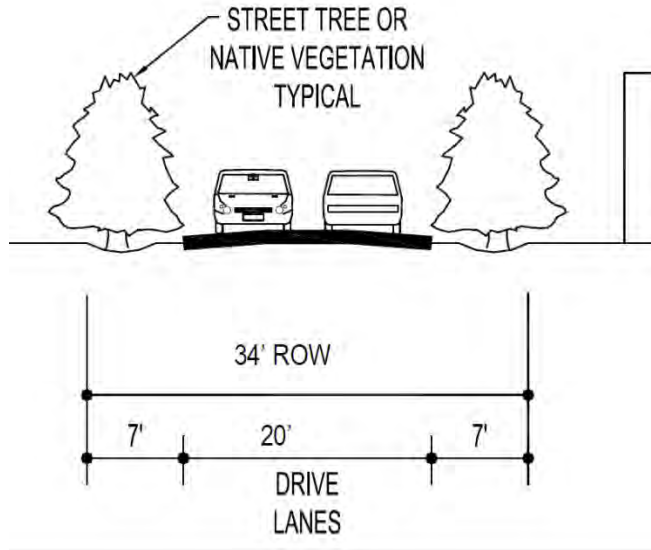
LIVING PRIORITY: NEIGHBORHOOD STREET			
Design Speed	25 mph	Bike lanes	No
Travel lanes	2	Median	No
Curb Radii	15 feet	Drainage	Curb and gutter or swale
Striping	Centerline	On street parking	Yes, one or both sides
Sidewalks	One or both sides, 4' minimum		

iv. Lane. This Section is suitable for low density Neighborhood, Fringe and Rural Subdistricts.



LIVING PRIORITY: LANE			
Design Speed	25 mph	Bike lanes	No
Travel lanes	2	Median	No
Curb Radii	10 feet	Drainage	Swale
Striping	Centerline only	On street parking	No
Sidewalks	Optional, may be "shared street"		

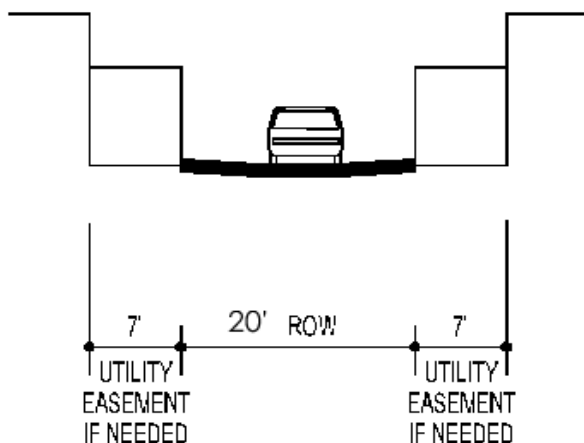
v. Close. This section is designed to be used in all village areas. A close is a road loop, used in place of 2 parallel dead-end roads. A close is typically less than 1,000 feet in total length.



LIVING PRIORITY: CLOSE			
Design Speed	20 mph	Bike lanes	No
Travel lanes	2	Median	No
Curb Radii	10 feet	Drainage	Curb and gutter, sales, or inverted crown
Striping	No	On street parking	No
Sidewalks	No		

vi. Alley. Provides rear access for residential and commercial uses in high density areas such as Village Center, Neighborhood Center, Neighborhood, and Employment Center Subdistricts. Alleys must bisect an entire block "L" type or dead end alleys are not permitted.

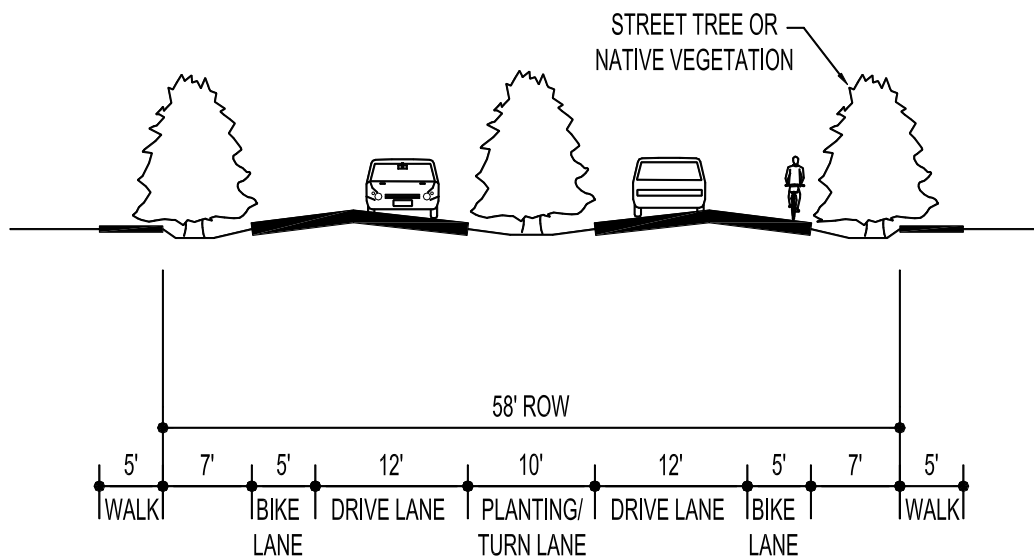
Note: a 2-way alley is illustrated below; one-way alleys are also allowed.



<u>LIVING PRIORITY: ALLEY</u>			
<u>Design Speed</u>	<u>10 mph</u>	<u>Sidewalks</u>	<u>No</u>
<u>Travel lanes</u>	<u>1-2</u>	<u>Bike lanes</u>	<u>No</u>
<u>Curb Radii</u>	<u>10 feet</u>	<u>Median</u>	<u>No</u>
<u>Striping</u>	<u>No</u>	<u>Drainage</u>	<u>Inverted crown</u>
		<u>On street parking</u>	<u>No</u>

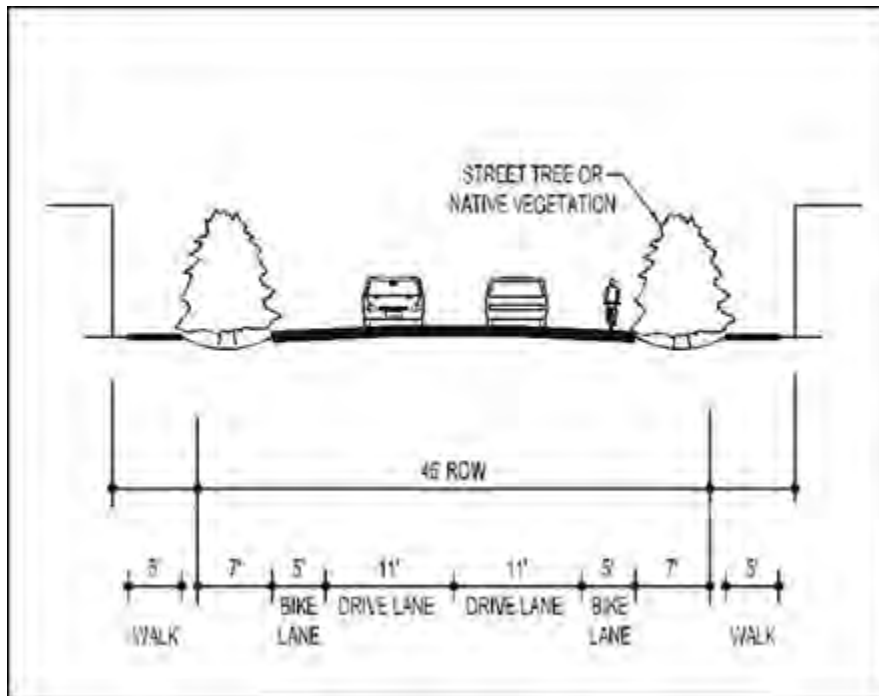
f. Mixed Priority Road Cross Sections.

i. Split Rural Connector. Used in the Village Separator Subdistrict, these roads typically provide views of open space on one or both sides.



MIXED PRIORITY: SPLIT RURAL CONNECTOR			
<u>Design Speed</u>	<u>30 mph</u>	<u>Bike lanes</u>	<u>Yes, both sides</u>
<u>Travel lanes</u>	<u>2 w/ center turn lane</u>	<u>Median</u>	<u>10 foot minimum</u>
<u>Curb Radii</u>	<u>20 feet</u>	<u>Drainage</u>	<u>Swales</u>
<u>Striping</u>	<u>Edgeline, both sides</u>	<u>On street parking</u>	<u>No</u>
<u>Sidewalks</u>	<u>Yes, both sides</u>		

ii. Community Road. This Section may be used to transition between density clusters, in the Institutional Campus and Employment Center Subdistrict. It may also be used to connect one neighborhood to another.

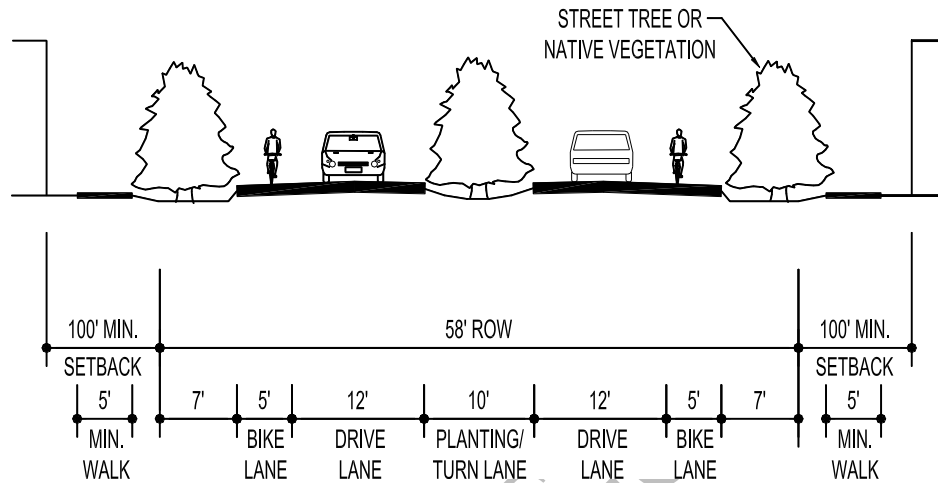


MIXED PRIORITY: COMMUNITY ROAD			
Design Speed	20 mph	Bike lanes	Yes
Travel lanes	2	Median	Optional*
Curb Radii	15 feet	Drainage	Curb and gutter or swales
Striping	Centerline	On street parking	Optional*
Sidewalks	Yes, one or both sides*		

*May increase right of way width

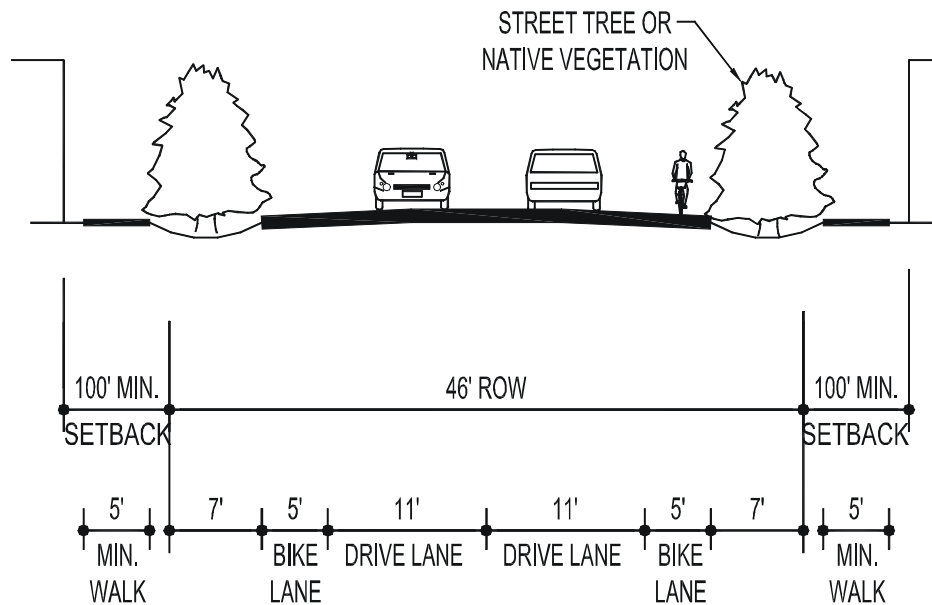
g. Traffic Priority Road Cross Sections.

i. Split Lane Rural Highway. The preferred design for traffic priority roads, it provides views of open space on both sides of the road.



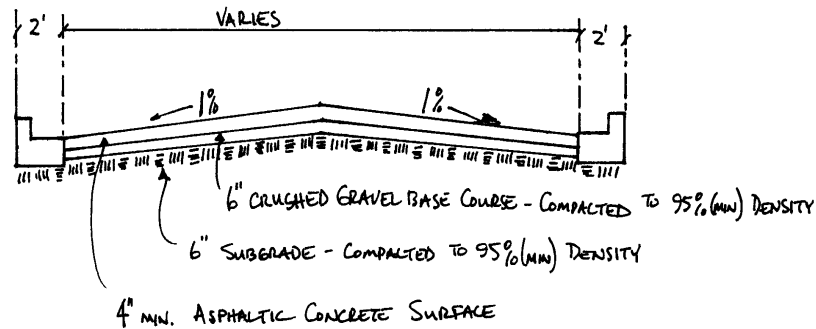
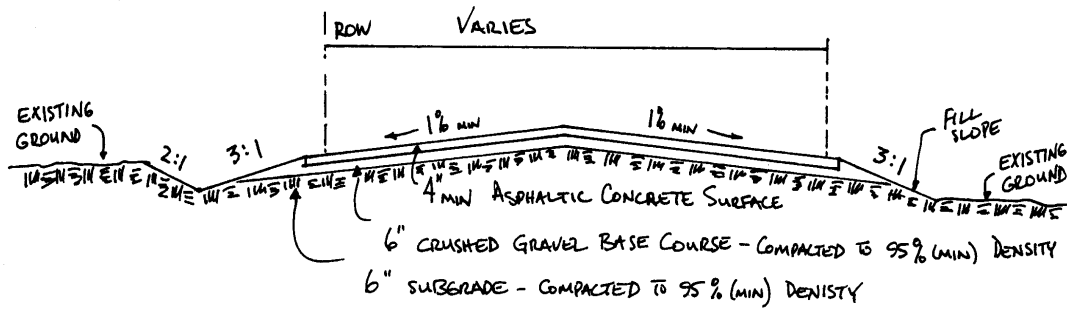
<u>Traffic Priority: Split Lane Rural Highway</u>			
<u>Design Speed</u>	<u>40 mph</u>	<u>Bike lanes</u>	<u>Yes</u>
<u>Travel lanes</u>	<u>2 w/ center turn lane</u>	<u>Median</u>	<u>10 foot minimum</u>
<u>Curb Radii</u>	<u>30 feet</u>	<u>Drainage</u>	<u>Swales</u>
<u>Striping</u>	<u>Edgeline, both sides</u>	<u>On street parking</u>	<u>No</u>
<u>Sidewalks</u>	<u>Trail, on 1 or 2 sides</u>		

ii. Village Connector Highway. Used in areas when a split lane rural highway may not be possible due to steep terrain or the presence of mature vegetation.



TRAFFIC PRIORITY: VILLAGE CONNECTOR HIGHWAY			
Design Speed	35 mph	Bike lanes	Yes
Travel lanes	2	Median	No
Curb Radii	25 feet	Drainage	Swales
Striping	Yes	On street parking	No
Sidewalks	Trail, on 1 or 2 sides		

h. Typical Cross sections.



6. Open Space. Subdivisions in the CCD district shall comply with the park and open space requirements of Section 7.15 (Open Space), except as modified in this subsection; provided, however, this section shall not apply in the Existing Neighborhoods Subdistrict.

a. General.

- i. Minimum open space: 50 percent of total land area for development.
- ii. The following property may be considered open space for the purpose of meeting the 50 percent requirement:

(a) Open space identified on the Zoning Map shall be common or public open space;

(b) Common or Public Parks and Plazas;

(c) Trails allowing public access and connecting to the District Trail System;

(d) Public trailheads;

(e) Archaeological easements;

(f) Setbacks required by this section or other Ordinances; or

(g) In village subdistricts, private open space up to 15 percent of total residential floor area shall be counted if it is physically contiguous or separated only by road or trail features from adjacent open space and is not enclosed by fences, walls or other structures.

iii. Open space shall be dedicated or reserved on the final plat. Open space may be dedicated on property not contiguous to the area for which the applicant is seeking subdivision approval where all of the following circumstances exist:

(a) Open space adjacent to or within the proposed development is not feasible or has already been dedicated as part of another development phase;

(b) The continuous property is within property designated as open space on the Zoning Map; and

(c) The proposed open space dedication is contiguous to other lands dedicated as open space.

b. Parks, Plazas and Trails.

i. Purpose. Parks and plazas are intended to provide a variety of recreational facilities and improvements. Trails are intended to provide an equestrian, bicycle, and pedestrian transportation system.

ii. Applicability. The park, plaza, and trail standards of this subsection shall apply to all development within the CCD district, except in the Existing Neighborhood Subdistrict.

iii. General.

(a) Parks, plazas or trails must be dedicated or reserved on the Site Development Plan or Final Plat;

(b) Submittal of plans or plats showing the location of parks, plazas, and trails shall be accompanied by the following:

(i) An improvement plan showing trail sections, building materials, and trailhead improvements, and required improvements as set forth in the Park/Plaza Table in this subsection;

(ii) A landscaping and irrigation plan; and

(iii) A maintenance plan.

c. Park Categories.

i. Plaza. Plazas are developed community gathering areas, including seating, walks, shade trees and landscaping.

ii. Community Park. Community Parks are developed active recreational areas including: open play fields, seating or picnic facilities, walks, and trees. Public-accessible school play fields meeting minimum size requirements may be used to meet this requirement. No night lighting shall be allowed. Such land area should range between 3 and 5 acres. One park is needed for each neighborhood or village subdistrict of up to 1000 dwellings; a larger community park might serve an entire village subdistrict of up to 1500 dwellings.

iii. Neighborhood Park. Neighborhood Parks are to be developed quiet activity parks, including toddler play facilities, seating, walks, and trees. Such land area should range from 0.25 to 1.0 acres minimum.

iv. Passive Park Alternative. Passive Parks may be provided as an alternative to a Community Park, provided, that passive parks must be a minimum of 10 acres, with 10 percent of the park developed with seating or picnic facilities, walks and shade trees. The developed portion of a park can be an aggregate of several developed areas within the park. Trails are not considered development.

v. District Park. District Parks may include, but are not limited to, multi-use play fields, soccer fields, ball fields, parking, and hard courts. Night lighting is allowed. Large scale recreational fields on Institutional Campuses may fulfill this requirement if accessible for public use.

d. Park and Plaza Standards. Standards for parks and plazas are set forth in Table 8-19-2 below.

Table 8-19-2 Parks and Plaza Standards.

PARKS AND PLAZA STANDARDS								
<u>Allowable Locations</u>	<u>Subdistricts</u>							
	<u>Employment Center Zone</u>	<u>Institutional Campus</u>	<u>New Community Center</u>	<u>Neighborhood Center</u>	<u>Neighborhood</u>	<u>Village Fringe</u>	<u>Village Separators</u>	<u>Village Rural</u>
<u>Plaza</u>	<u>Required</u> <u>.33-1.0</u> <u>Ac.</u>	<u>Required</u> <u>.33-1.0</u> <u>Ac.</u>	<u>Required</u> <u>.75-1.0</u> <u>Ac.</u>	<u>Required</u> <u>.33-1.0</u> <u>Ac.</u>				<u>X</u>
<u>Community Park (1)</u>	<u>X</u>	<u>X</u>	<u>Alternate location</u>	<u>Alternate location</u>	<u>Required</u> <u>3-6 Ac.</u>	<u>Alternate location</u>	<u>Alternate location</u>	
<u>Neighborhood Park (2)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>Required</u> <u>.25-1.0</u> <u>Ac.</u>			<u>X</u>
<u>Passive Park (3)</u>	<u>X</u>	<u>X</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>District Park (4)</u>	<u>X</u>	<u>X</u>			<u>X</u>			
<u>Notations:</u> (1) <u>Required, one per neighborhood can be placed adjacent in alternate locations as noted on matrix.</u> (2) <u>Required, one within 1000 ft. of each residence in neighborhood.</u> (3) <u>Alternate to Community Park.</u> (4) <u>Recommended (1) per 5000 dwelling units.</u> <u>Required = Required minimum one per zone</u> <u>Alternate = Alternate location for required park</u> <u>X = Option per development</u>								

e. Substitution for Acreage Requirements. The following may be counted in the acreage calculation for parks:

i. Active recreation areas on school sites and on other institutional sites may be counted as parks if accessible to the public.

ii. Land for trails does not count towards the acreage required for parks. Land for trailheads does count toward the acreage required for parks.

iii. Community gardens and recreational facilities count toward the required acreage for parks.

f. General Landscaping Requirements.

i. Unpaved areas of parks and plazas shall be re-vegetated with native grasses or native wildflowers (turf grasses may be required for active recreation or high traffic areas only), and planted with shrubs, or a combination thereof.

ii. All non-native plant materials in parks and plazas shall be irrigated by a permanent automated irrigation system. All native plant materials shall be irrigated for a 3 year period or planted with permacultural methods to minimize irrigation.

g. Trail Categories.

i. District Trails. District Trails are the district-wide connective trail systems. District trails are an alternative transportation system. They connect the village subdistricts, Employment Center and Institutional Campus Subdistricts. District Trails are shown on the CCD Circulation Map. District Trails shall be designed for pedestrian, bicycle and equestrian use. Site development plans, Conceptual site development plans and subdivision plats shall show District Trails in the approximate locations shown on the CCD Circulation Map.

ii. Village Trails. Village Trails are the main trails connecting the centers of the village subdistricts, the Employment Center Subdistrict and Institutional Campus Subdistrict to the District Trail system. These are to be identified at the Preliminary Plat submittal. At a minimum, Village Trails shall be designed for pedestrian and bicycle use.

iii. Local Trails. Local Trails are the secondary trails connecting the Village Neighborhood Subdistrict, Neighborhood Center Subdistrict, Village Fringe Subdistrict or Village Rural Subdistrict to the Village and District Trails network. These are to be identified at the Preliminary Plat submittal. At a minimum, Local Trails shall be designed for pedestrian and bicycle use.

iv. Equestrian Trails. If additional equestrian trails are provided they shall be identified at the Preliminary Plat submittal.

h. Trail Standards. Trail standards are set forth in table 8-19-3 below:

Table 8-19-3 Trail Standards

TRAIL STANDARDS			
<u>Trail Category (1)</u>	<u>Minimum Trail Width</u>	<u>Min. Easement Width</u>	<u>Min. Surface Required</u>
District Trail	<u>8</u>	<u>20</u>	<u>Natural Soil</u>
Village Trail	<u>6</u>	<u>20</u>	<u>4" Base Course or 3" Paved</u>
Local Trail	<u>5</u>	<u>15</u>	<u>4" Base Course</u>
Equestrian Trail (2)	<u>5</u>	<u>15</u>	<u>Natural Soil</u>
<u>Notes:</u> <u>(1) Trails shall be established as public easements and shall be subject to reasonable notes and regulation. Trails may be located within the 100-year flood plain.</u> <u>(2) Except for District Trails, Equestrian Trails should be separate from other trails.</u> <u>(3) Subgrade surfaces for proposed trails shall be treated for weed control.</u>			

7. Terrain Management. The CCD is intended, in part, to provide opportunities for water harvesting, recharge, recycling and reuse of runoff and wastewater flows.

a. Terrain management standards.

- i.** Approved silt control measures shall be in place prior to the start of construction and shall remain until landscaping and revegetation is in place.
- ii.** Grading shall be kept to within 15 feet of development except as otherwise approved on the development plan.
- iii.** Areas disturbed by construction shall be revegetated within one year of completion of construction.

b. Stormwater Management.

- i.** Stormwater conveyance systems shall use methods that maximize infiltration and do not erode soil. The maximum flow rate from the developed area shall not exceed the historic pre-development flow rates. Conveyance systems that meet this requirement include, without limitation, shallow-sloped, gravel filled trenches and grass swales with in-line check dams, or other such systems as may be determined by the Administrator for the flow rate being managed.
- ii.** Retention and detention ponds or other proposed drainage structures shall be located downstream from the stormwater source to allow for positive drainage and erosion control.

iii. The entire length of the stormwater management system (including conveyance and detention) shall be used for infiltration.

iv. Stormwater control devices shall be located as close to the stormwater source as possible, except where impractical due to lot size and density. Control devices should include, without limitation, stormwater harvesting and irrigation to limit stormwater velocity and volume.

v. Stormwater control devices shall be designed to detain stormwater to maximize infiltration while accommodating a possible stormwater event the next day. Such design shall make allowance for the accumulation of silt.

vi. Drop inlets, catch basins and piped systems shall be avoided when practical. Where used, such facilities shall have downstream stilling basins or energy dissipaters to slow stormwater velocity and minimize erosion.

vii. A National Pollution Discharge Elimination System permit shall be provided, if applicable.

8.10.3.8. CCD subdistricts Established. The following subdistricts are hereby established and approved for use in the PD-CCD district:

Table 8-19-4 CCD Subdistricts

<u>V</u>	<u>Village Zone</u>
<u>NCC</u>	<u>New Community Centers</u>
<u>NC</u>	<u>Neighborhood Centers</u>
<u>VN</u>	<u>Village Neighborhoods</u>
<u>EC</u>	<u>Employment Center</u>
<u>IC</u>	<u>Institutional Campus</u>
<u>M</u>	<u>Media District</u>
<u>RUR</u>	<u>Community College Rural</u>
<u>F</u>	<u>Community College Fringe</u>
<u>EN</u>	<u>Existing Neighborhoods</u>

8.10.3.9. Village Subdistricts Development Standards. Village subdistricts are development areas where the most intense uses are clustered within the New Community Center and Neighborhood Center Subdistricts. Village subdistricts are further delineated by the Village Separators Subdistrict that generally runs north/south and defines and separates village areas.

1. General. Development is allowed in the village subdistricts on flatland areas and adjacent areas in accordance with applicable requirements of this section and the following sustainable development requirements:

a. Each phase of a village subdistrict must include both residential and nonresidential development;

b. A variety of housing types and household income levels shall be integrated within each village subdistrict;

c. 75 percent of dwellings are located on south facing slopes and designed to use passive solar gain;

d. Development is tightly structured (generally of more than one story) and pedestrian-oriented with inner areas free of roads and parked vehicles; and

e. Structures are energy efficient (passive solar gain, energy efficient appliances, recycled building materials, nontraditional electric energy sources).

2. Open Space, Plazas, Parks and Trails. Private open space shall be provided equal to a minimum of 15 percent of total residential floor area.

3. Village Zone Dimensional Standards. The dimensional standards in Table 8-19-5 below shall apply in the Village Zone.

Table 8-19-5 Dimensional standards – CCD Village Zone (V)

<u>Zoning District</u>	<u>VILLAGE (V)</u>
<u>Density (# of acres per dwelling unit)</u>	<u>Minimum of 3.5 DU per acre</u>
<u>Lot Size - Residential</u>	<u>1500 sq ft</u>
<u>Setback</u>	<u>No minimum</u>

8.10.3.10. New Community Centers Subdistrict Development Standards (NCC). The New Community District subdistrict is intended to accommodate compact mixed use, with the highest density possible in relation to design standards, and a variety of housing choices. Civic, community, commercial, retail and services for the CCD district are to be concentrated in the New Community Center Subdistrict.

1. General. The New Community Center Subdistrict shall be located in Flatlands/Grasslands or Flatlands/Piñon Juniper land types, and within ½ mile walking distance of any residence of the neighborhood it serves. Development shall be in accordance with applicable requirements of this section and the following sustainable development requirements:

a. The maximum size of a NCC is 60 acres.

b. Residential uses shall constitute a minimum of 50 percent of gross square footage.

c. A mix of housing types is required, including single-family and multi-family.

d. The New Community Center Subdistrict shall be the location and focus of retail, office and service uses and major civic and public uses within the CCD district.

e. New Community Center Subdistricts shall be located on a primary district road with potential transit connections. Roads, open space and walkways connect to surrounding village subdistricts.

2. Parking and Loading. The parking budget may include on street parking, shared parking, one-stop multiple use.

3. Blocks. The maximum block length shall be 2000 feet.

4. Buffers. The New Community Center Subdistrict shall be located outside of required buffer areas.

5. New Community Center Subdistrict Dimensional Standards. The dimensional standards in Table 8-19-6 below shall apply in the New Community Center.

Table 8-19-6 Dimensional standards – New Community Center (NCC)

<u>Zoning District</u>	<u>NCC</u>
<u>Density with community water and community sewer</u>	<u>Minimum of 3.5 DU per acre</u>
<u>Lot size -Residential</u>	<u>1500 sq ft min</u>
<u>Floor Area Ratio</u>	<u>0.33 min, 3 max</u>
<u>Height (maximum, feet)</u>	<u>36ft with 42 ft allowed up to 25% of footprint</u>
<u>Setback</u>	<u>No minimum</u>

8.10.3.11. Neighborhood Centers Subdistrict development standards (NC). The Neighborhood Center Subdistrict is less intense than the New Community Center Subdistrict, and intended to allow mixed uses providing services to surrounding neighborhoods.

1. General. The Neighborhood Center subdistrict shall be located on Flatlands/ Grasslands and Flatlands /Juniper. The Neighborhood Center subdistrict shall be located within village subdistricts, Employment Center Subdistricts, and Institutional Campus subdistricts, and within ½ mile (walking distance) of any residence of the neighborhood it serves. Development shall be in accordance with applicable requirements of this section and the following sustainable development requirements:

a. The minimum size of a NC is 3 acres, there is no maximum size on a NC.

b. Residential uses shall constitute a minimum of 50 percent of gross square footage.

c. Mix of housing types is required, including single-family and multi-family.

d. Commercial, industrial and civic/Public buildings shall be oriented to the surrounding neighborhoods.

e. Living priority roads are required. Roads, open space and walkways shall connect to surrounding village subdistricts.

2. Buffers. The Neighborhood Center Subdistrict shall be located outside of required buffer areas.

3. Neighborhood Center Density and Dimensional Standards. The dimensional standards in Table 8-19-7 below shall apply in Neighborhood Center.

Table 8-19-7 Dimensional standards – Neighborhood Center (NC)

<u>Zoning District</u>	<u>NC</u>
<u>Density with community water and community sewer (Sq.Ft per dwelling Unit)</u>	<u>Minimum of 3.5 DU per acre</u>
<u>Lot size -Residential</u>	<u>1500 sq ft min</u>
<u>Floor Area Ratio</u>	<u>0.25 min, 2 max</u>
<u>Height (maximum, feet)</u>	<u>24ft.</u>
<u>Height within 500 ft of perimeter of plaza</u>	<u>30 ft with 36ft allowed for up to 25% of building footprint</u>
<u>Setback</u>	<u>No minimum</u>

8.10.3.12. Village Neighborhood Subdistrict development standards (VN). The Village Neighborhood Subdistrict is intended for application to village subdistrict lands outside of the Village Center and Neighborhood Center Subdistricts where residential uses predominate. The Village Neighborhood Subdistrict may have distinct identities based on location, natural landscape, design theme or the nature of the adjacent neighborhood center.

1. General. The Village Neighborhood subdistrict is appropriate for Flatlands/ Grasslands and Flatlands/Piñon Juniper land types, and shall be located within a village subdistrict outside of the New Community Center Subdistrict and Neighborhood Center Subdistrict. Development shall be in accordance with applicable requirements of this section and the following sustainable development requirements:

a. There is no minimum or maximum size on a VN.

b. A mix of housing types is required, including single-family and multi-family.

c. Non residential and civic/Public uses shall be small scale and neighborhood oriented.

d. Living Priority Roads are required.

2. Village Neighborhood Density and Dimensional Standards. The dimensional standards in Table 8-19-8 below shall apply in the Village Neighborhood Zone.

Table 8-19-8 Dimensional standards – Village Neighborhood (VN)

<u>Zoning District</u>	<u>VN</u>
<u>Density with community water and community sewer (Sq.Ft per dwelling Unit)</u>	<u>Minimum of 3.5 DU per acre</u>
<u>Lot size -Residential</u>	<u>1500 sq ft min</u>
<u>Height (maximum, feet)</u>	<u>24ft.</u>
<u>Setback</u>	<u>No minimum</u>

8.10.3.13. Employment Center Subdistrict Development Standards (EC). The Employment Center Subdistrict is intended to accommodate mixed uses, where large scale employers, anchor businesses and light industry can locate in support of New Community Center Subdistrict development. Businesses with special needs for access; buffering for visual, noise or other impacts; technology; storage and size can located in the Employment Center Subdistrict. The Employment Center Subdistrict provides a concentrated planned multi-use environment for light industrial and business uses. Retail uses may be included as necessary to support the needs of anchor employees.

1. General. The Employment Center Subdistrict shall be located on Flatlands/Grasslands and Flatlands/Piñon, Juniper land types, provided housing opportunities and a New Community Center Subdistrict are located within one mile. Development shall be in accordance with applicable requirements of this section and the following sustainable development requirements:

- a.** There is no minimum or maximum size on a EC.
- b.** Each phase of development in a multi-phase project shall include mixed use, unless the EC complies with Section 8.10.9.3.3.9 of this SLDC.
- c.** A mix of housing types appropriate to the characteristics of the Employment Center Subdistrict shall be required, including single-family and multi-family.
- d.** Living or Mixed Priority Roads are required and shall include direct primary road connection to a New Community Center with potential transit connections.
- e.** The Neighborhood Center Subdistrict may be utilized and located within the Employment Center Subdistrict.

2. Parking and Loading. Parking shall be designed around internal pedestrian walkways, with parking in a series of small parking areas.

3. Open Space, Parks, Plazas and Trails. District, Village and Local trails are required to connect the Employment Center Subdistrict to the CCD district trail system.

4. Building design. Feature buildings shall provide a focal point for each Employment Center Subdistrict and adjacent neighborhoods.

5. Employment Center Density and Dimensional Standards. The dimensional standards in Table 8-19-9 below shall apply in the Employment Center Zone.

Table 8-19-9 Dimensional standards – Employment Center (EC)

<u>Zoning District</u>	<u>EC</u>
<u>Density with community water and community sewer (Sq.Ft per dwelling Unit)</u>	<u>Minimum of 3.5 DU per acre</u>
<u>Lot size -Residential</u>	<u>1500 sq ft min</u>
<u>Floor Area Ratio</u>	<u>No min, 3 max</u>
<u>Height (maximum, feet)</u>	<u>30ft with 36 ft allowed for up to 25% of building footprint</u>
<u>Setback</u>	<u>No minimum</u>

8.10.3.14. Institutional Campus Subdistrict Development Standards (IC). The Institutional Campus Subdistrict is a mixed use subdistrict that is reserved for large civic and public uses and to allow a concentration of facilities and room for flexibility and growth. The anchor institutional use is a large civic or public institution for which the campus is created.

1. General. The Institutional Campus Subdistrict shall be located on Flatlands/ Grasslands and Piñon/ Juniper land types as shown on the Zoning Map. Development shall be in accordance with applicable requirements of this section and the following sustainable development requirements:

a. The minimum size of an IC is 5 acres. The maximum size of an IC is 100 acres.

b. Residential, commercial and industrial uses must be accessory to the anchor institutional use.

c. Neighborhood Center Subdistricts may be located within the Institutional Campus Subdistrict.

d. Living or Mixed Priority Roads are required and shall include direct primary road connection to an Institutional Campus with potential transit connections.

e. Each phase of development in a multi-phase project shall include mixed use, unless the EC complies with Section 8.10.9.3.3.9 of this SLDC.

f. A mix of housing types appropriate to the characteristics of the Employment Center Subdistrict shall be required, including single-family and multi-family.

g. The Neighborhood Center Subdistrict may be utilized and located within the Institutional Campus Subdistrict.

h. Commercial and residential uses support the anchor institution and its users, but are subordinate in design and size. Without the anchor institution, no other uses are allowed in this subdistrict.

2. Parking and Loading. Parking shall be designed around internal pedestrian walkways, with parking in a series of small parking areas.

3. Open Space, Parks, Plazas and Trails. District, Village and Local trails are required to connect and Institutional Campus Subdistrict to the CCD district trail system.

4. Building design. Feature buildings shall provide a focal point for each Institutional Campus Subdistrict and adjacent neighborhoods.

5. Phasing. The first phase of the anchor institution must be built prior to or in conjunction with all other buildings.

6. Institutional Campus Density and Dimensional Standards. The dimensional standards in Table 8-19-10 below shall apply in the Institutional Campus Zone.

Table 8-19-10 Dimensional standards – Institutional Campus (IC)

<u>Zoning District</u>	<u>IC</u>
<u>Density with community water and community sewer (Sq.Ft per dwelling Unit)</u>	<u>Minimum of 3.5 DU per acre</u>
<u>Lot size -Residential</u>	<u>1500 sq ft min</u>
<u>Floor Area Ratio</u>	<u>No min, 3 max</u>
<u>Height (maximum, feet)</u>	<u>30ft with 36 ft allowed for up to 25% of building footprint</u>
<u>Setback</u>	<u>No minimum</u>

8.10.3.15. Media Subdistrict Development Standards (M). The Media Subdistrict creates a specific district within the Santa Fe Community College District where a variety of media businesses, including the film industry, publishing industry and broadcast media, can be located to accommodate and support the special needs of such uses. The Media Subdistrict is intended to facilitate media uses and media-related uses in a functional and pedestrian friendly development.

1. General. The Media Subdistrict shall be located on Flatlands/ Grasslands, Flatlands/ Pinon, juniper land types in the location identified on the CCD Zoning Map. Development shall be in accordance with applicable requirements of this Section and the following development requirements:

a. No requirement for residential use.

b. Uses shall be oriented to a street or plaza.

c. Feature buildings shall provide a focal point for the center and adjacent neighborhoods.

2. Building Design. Building massing should incorporate vertical and horizontal offsets as well as architectural detailing that articulation as well as visual and tactile relief.

3. Roads.

a. Perimeter Service Roads are permitted and shall be shown on final development plan.

b. Direct Primary District road connections to new Community Center with potential transit connections.

c. Direct primary District roads, open space and walkways connect to surrounding Village Zone and Fringe.

4. Open space.

a. Trails shall be provided along primary District Road Connections to new Community Center and Village Zones.

b. Private Open Space to include Community Center walkways and Plaza within secured perimeter.

5. Media Subdistrict Density and Dimensional Standards. The dimensional standards in Table 8-19-11 below shall apply in the Media Zone.

Table 8-19-11 Dimensional standards – Media Subdistrict (M)

<u>Zoning District</u>	<u>M</u>
<u>Floor Area Ratio</u>	<u>No min, 3 max</u>
<u>Height (maximum, feet)</u>	<u>36 ft</u>
<u>Height for Special Needs Structures</u>	<u>80 ft</u>
<u>Height for Ancillary Special Needs Structures</u>	<u>48 ft with 60 ft allowed for up to 40% of building footprint</u>
<u>Setback</u>	<u>No minimum</u>

8.10.3.16. Community College Fringe Subdistrict Development Standards (F). The Community College Fringe Subdistrict is intended for hillsides, which are more sensitive to development. Residential and nonresidential development shall be sited and designed to blend into the Fringe and protect the character of the land. Developed Community College Fringe Subdistrict lands shall be designed with minimal disturbance as lower density additions to village subdistricts, Employment Center Subdistrict or Institutional Campus subdistrict.

1. General. The Community College Fringe Subdistrict is located on Hillside/Grasslands and Hillside/Piñon Juniper land types; and the slopes that transition between Flatlands and Arroyo Corridors as shown on the Zoning Map.

a. There is no minimum or maximum size on a EC.

b. Lands not developed shall remain Open Space Subdistrict or Village Separator Subdistrict.

c. Development in the Community College Fringe Subdistrict shall be permitted to occur only after or simultaneously with development in the adjacent village subdistricts, Employment Center Subdistrict and Institutional Campus Subdistrict.

d. Clustering of development is required; minimum residential density in each development shall be 1.0 dwelling units per gross acre. Such density may be clustered up to 4 dwelling units per gross acre.

e. Living or Mixed Priority Roads are required. Roads, open space and walkways shall connect to neighboring subdistricts.

f. Commercial, industrial, civic and public uses may be allowed on flatlands as an extension of adjacent nonresidential development.

g. A minimum of 50 percent of gross square footage must be residential use.

2. Buildings.

a. Buildings shall step down hillsides to appear as a continuation of building clusters on the Flatlands.

b. Building pads shall be close to natural grade; on steeper slopes this may require that buildings step (up or down) with the natural grade or be built as separate structures to fit the natural grade.

c. Mass grading of multiple building sites shall be avoided and grading contained within individual building envelopes.

d. Nonresidential buildings shall parallel hillsides and parking shall be separated and placed at different elevations to prevent overlot grading.

3. Open Space, Parks, Plazas and Trails.

a. Map and protect significant trees.

b. Private open space is not required in the Community College Fringe Subdistrict.

c. Village and Local trails required connecting to CCD District trails and adjacent village subdistricts. Equestrian trails are optional.

d. The Community College Fringe Subdistrict is an alternative location for community or passive parks required for adjacent village subdistricts.

4. Community College Fringe Density and Dimensional Standards. The dimensional standards in Table 8-19-12 below shall apply in the Community College Fringe Zone.

Table 8-19-12 Dimensional standards – Community College Fringe (F)

<u>Zoning District</u>	<u>F</u>
<u>Density with community water and community sewer</u>	<u>1 DU per acre</u>
<u>Lot size -Residential</u>	<u>Cluster up to 4 du per acre. 1500 sq ft min</u>
<u>Floor Area Ratio</u>	<u>No min, 2 max</u>
<u>Height (maximum, feet)</u>	<u>20ft</u>
<u>Setback</u>	<u>No minimum</u>
<u>Lot coverage (building and parking)</u>	<u>50%</u>

8.10.3.17. Community College Rural Subdistrict Development Standards (R). The Community College Rural Subdistrict should be applied to lands where topography and vegetation are not suitable for concentrated center and neighborhood development.

1. General. The Community College Rural Subdistrict shall be located on Flatlands/ Piñon, juniper; Hillside/Grasslands; and Hillside/Piñon, juniper land types, as shown on the Zoning Map.

a. There is no minimum or maximum size of a rural subdistrict.

b. Clustering of development is required; minimum residential density in each development shall be one (1) dwelling units per five (5) gross acres. Such density may be clustered up to four (4) dwelling units per gross acre.

c. Living or Mixed Priority Roads are required. Roads, open space and walkways shall connect to surrounding Village Subdistrict.

d. Commercial, industrial, civic and public uses shall be small scale and limited to neighborhood oriented uses.

e. A minimum of 25 percent of gross square footage must be residential use.

f. Mix of housing types is required, including single-family and multi-family.

2. Community College Rural Density and Dimensional Standards. The dimensional standards in Table 8-19-13 below shall apply in the Community College Rural Zone.

Table 8-19-13 Dimensional standards – Community College Rural (R)

<u>Zoning District</u>	<u>R</u>
<u>Density with community water and community sewer</u>	<u>1 DU per acre</u>
<u>Lot size -Residential</u>	<u>Cluster up to 4 du per acre. 1500 sq ft min</u>
<u>Floor Area Ratio</u>	<u>No min, 2 max</u>
<u>Height (maximum, feet)</u>	<u>20ft</u>
<u>Setback</u>	<u>No minimum</u>
<u>Lot coverage (building and parking)</u>	<u>50%</u>

8.10.3.18. Existing Neighborhood Subdistrict Standards. (EN) The Existing Neighborhood Subdistricts are identified on the CCD Zoning Map and include Valle Lindo/Vista Del Monte, Vista Ocaso and West Arroyo Hondo.

1. Road Design Standards. Living Priority or Mixed Priority Roads are required where roads directly connect to roads within the CCD.

2. Open Space. Trails conforming and connecting to the district trail system shall be provided as required for subdivision and land division roads.

3. Community College Existing Neighborhood Density and Dimensional Standards. The dimensional standards in Table 8-19-14 below shall apply in the Community College Existing Neighborhood Subdistrict.

Table 8-19-14 Dimensional standards – Existing Neighborhood (EN)

Zoning District	EN
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

8.10.3.19 CCD Use Matrix. The Use Matrix attached to this section shall apply within the CCD.

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8.10.34. Planned Traditional Neighborhood Development (PD-TND). Reserved.

8.10.45. Planned Neighborhood Center (PD-NC). Reserved.

8.10.56. Planned Regional Center (PD-RC). Reserved.

8.10.67. Planned Campus/Opportunity Center (PD-C/O). Reserved.

8.10.78. Planned Transit Oriented Development (PD-TOD). Reserved.

8.10.89. Planned Conservation Subdivision (PD-CS). Reserved.

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

8.10.10. Planned District Media District (Ordinance 2007-12).

The following new subsection shall be added as § 8.10.9.1:

8.10.9.1. Existing Neighborhood Zones. Existing Neighborhood Zones established in the Santa Fe Community College District shall have a minimum lot size of 2.5 acres per dwelling unit.

The following new subsection shall be added as § 8.10.11:

8.10.11. Existing Master Plans Identified as PDDs. In order to recognize existing approvals, PDDs identified on the initial zoning map may be built out in accordance with their approved master plans which were approved prior to the effective date of this SLDC.

8.10.11.1. Expansion of existing PDDs. Non-residential structures within an existing PDD may expand up to twenty-five (25%) under a conditional use permit.

The following changes shall be made to § 8.11.3.5:

8.11. OVERLAY ZONES.

* * *

8.11.3.5. Community Overlay District Regulations.

1. A community overlay district may regulate the following:

- a. building design, including scale, mass and distinctive architectural characteristics such as front porches, height or roof styles;
- b. streetscape, including lot frontage, fences, walls, parking, lighting and landscaping;
- c. ~~density~~ base zoning district and minimum lot size;

- d. lot coverage;
- e. setbacks;
- f. building height;
- g. Developments of Countywide Impact or DCIs; and
- h. uses.

2. A community overlay district shall not restrict the following:

- a. Countywide policies and priorities;
- b. County affordable housing requirements;
- c. no impact and low impact home occupations, however, design standards may be modified for low impact home occupations;
- d. group or foster homes;
- e. day care facilities;
- f. public or private schools for elementary, middle or senior high students;
- g. religious institutions;
- h. other uses determined by the Administrator as necessary for the health and safety of the community; ~~or~~
- i. procedures established in the SLDC found in Chapters 4 and 5; or
- j. wireless communications facilities and amateur radio facilities.

The following changes shall be made to § 8.11.4.1 to §8.11.4.7:

8.11.4. Environmental and Resource Protection Overlay (O-ERP).

8.11.4.1. Purpose. The purpose of the Environmental and Resource Protection Overlay (O-ERP) is to ensure that property is developed in a manner consistent with the protection of environmental, natural, historical and archeological resources and that development is designed and arranged to protect both on-site and adjacent resources. Damage to the natural, scenic, and cultural environment has significant impacts on visual and natural resources. The County has identified goals to protect archaeological, historic and cultural resources, species, habitat and biodiversity, scenic beauty and environmentally sensitive lands. Preserving and supporting the conservation of these resources will enhance the character and function of communities, neighborhoods and rural areas. This section establishes procedures to enable the applicant to achieve the mutually compatible objectives of reasonable use of land and resource protection.

8.11.4.2. Applicability. The boundaries of an Environmental and Resource Protection Overlay zone shall be delineated using the most current and best available location data and be of sufficient size to guarantee the appropriate level of resource protection. Boundaries may be modified as necessary as new data becomes available.

8.11.4.3. Establishment of Presumed Protection Areas. ~~The SGMP Land Development Suitability Analysis (LDSA) identifies areas of high, moderate and low development suitability. All areas identified as Low Development Suitability are most sensitive to development pressures.~~ Environmentally critical areas such as unique and scenic areas, or endangered habitats may be identified as areas in need of protection. The County may determine that a development site includes areas with environmental, natural, historical or archeological resources in need of protection based on other information or the findings of the EIR.

8.11.4.4. Required Mitigation. While development is not anticipated inside the Environmental and Resource Protection Overlay zone, if development is proposed, the burden is on the applicant to establish that the applicant will not disturb these areas and shall undertake adequate mitigation measures to restore any damaged or lost resources. The applicant shall propose a mitigation plan that includes a timeline for restoration and mitigation of disturbed areas, and may include a performance guaranty ensuring fulfillment of, and compliance with, the mitigation plan. Buffer zones shall be established adjacent to areas of priority protection, as reasonably appropriate. ~~(See also § 7.3.3)~~

8.11.4.5. Restoration, Protection and Preservation. All development within the Environmental and Resource Protection Overlay zone shall ensure:

1. That restoration of previously disturbed or degraded areas;
2. That if the development site contains areas that connect to other off-site areas of a similar nature, to the maximum extent feasible, then the applicant shall preserve or mitigate such connections;
3. That important cultural resources, including historic, archaeological, and scenic resources are taken into consideration, and protected to the maximum extent feasible; and
4. That projects located adjacent to and within an O-ERP zone shall be designed to complement the visual context of the natural area. Techniques such as architectural design, site design, the use of native landscaping, choice of colors and building materials and lighting shall be utilized in such manner that scenic views across or through the site are protected, and manmade facilities are screened from off-site observers and blend with the natural visual character of the area.

8.11.4.6. Encroachment. Encroachment into or through the O-ERP zone may be permitted provided the following standards are met:

1. Roads, utilities and stormwater management facilities will be limited;
2. No more land shall be disturbed than is necessary; and

3. Indigenous habitat and other resources shall be preserved to the maximum extent feasible.

8.11.4.7 Turquoise Trail Environmental and Resource Protection Overlay (TT O-ERP).

1. Purpose. Some of the County's most significant resources are the views from the Turquoise Trail National Scenic Byway. The Turquoise Trail National Scenic Byway was forged centuries ago by Native Americans, miners and Spanish Conquistadores. The character of rural and scenic highway corridors should be preserved and protected as an important resource.

2. Applicability. The Turquoise Trail Environmental and Resource Protection Overlay (TT-OERP) is a segment of the Turquoise Trail National Scenic Byway on State Road 14.

3. Sustainable Design Standards. Sustainable design standards shall be as identified in Chapter 7 of this Code, except as prescribed below:

a. Buffers:

i. Nonresidential development is prohibited within 1,000 feet of the centerline of State Road 14.

ii. Nonresidential development requires a 2,000-foot wide buffer adjacent to a community overlay district.

iii. Residential development is required to provide a 500 foot wide buffer from centerline of State Road 14.

iv. Residential development is required to provide a 500 foot wide buffer adjacent to a community overlay district.

The following title change and new language additions shall be made to § 8.12:

8.12. ~~BONUS AND INCENTIVE ZONING~~ DENSITY BONUS. ~~[Reserved]~~

8.12.1. Purpose. The purpose of the Density Bonus section is to support continued farming and/or ranching activities, conserve open space, and protect scenic features and environmentally sensitive areas, that are not already protected, by clustering development to allow the remaining land to be protected. The density bonus provisions will be scaled based on the size of the tracts and the underlying zoning. Cluster development may be tied to community water and sewer services with minimum lot sizes in higher density area and zoning district.

8.12.2. A Density Bonus project may be approved on land zoned AR, RUR, RUR-F, RUR-R, RES-F, RES-E, and TC and containing the minimum lot size within each residential zone in

accordance with the SLDC. If a property is governed by an adopted Community Overlay District, the respective provisions and regulations apply.

8.12.3. The Area required for a Density Bonus project within the RES-F and RES-E zones shall be 10 acres.

8.12.4. Density calculations by zone are outlined in Table -22.

The following new Table 8-22 shall be added:

Table 8-22: Density Bonus Calculations, Requirements and Criteria by Zoning District

<u>Zoning District</u>	<u>Base Density</u>	<u>Density with Bonus</u>	<u>Bonus Calculation</u>	<u>Open Space Easement Required</u>	<u>Criteria</u>
<u>A/R</u>	<u>1 du/160 acres</u>	<u>1 du/80 acres</u>	<u>Base Density x 2 = Total Bonus Density</u>	<u>Three Quarters (.75) of the Total Site Area</u>	<u>Plat, Easement/Deed Restriction</u>
<u>RUR</u>	<u>1 du/40 acres</u>	<u>1 du/20 acres</u>	<u>Base Density x 2 = Total Bonus Density</u>	<u>Three Quarters (.75) of the Total Site Area</u>	<u>Plat, Easement/Deed Restriction</u>
<u>RUR-F</u>	<u>1 du/20 acres</u>	<u>1 du/10 acres</u>	<u>Base Density x 2 = Total Bonus Density</u>	<u>Three Quarters (.75) of the Total Site Area</u>	<u>Plat, Easement/Deed Restriction</u>
<u>RUR-R</u>	<u>1 du/10 acres</u>	<u>1 du/5 acres</u>	<u>Base Density x 2 = Total Bonus Density</u>	<u>One half (.5) of the Total Site Area</u>	<u>Plat, Easement/Deed Restriction/ Community Water</u>
<u>RES-F</u>	<u>1 du/5 acres</u>	<u>1 du/3.75 acres</u>	<u>Base Density x 1.33 = Total Bonus Density</u>	<u>One half (.5) of the Total Area</u>	<u>Minimum area of 10 acres, Plat, Easement/Deed Restriction, Community Water and Sewer</u>
<u>RES-E</u>	<u>1 du/2.5 acres</u>	<u>1 du/1.875 acres</u>	<u>Base Density x 1.33 = Total Bonus Density</u>	<u>One half (.5) of the Total Site Area</u>	<u>Minimum area of 10 acres, Plat, Easement/Deed Restriction, Community Water and Sewer</u>
<u>RES-C</u>	<u>1 du/1 acre</u>	<u>1 du/1 acre</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Density bonus not available in this zone</u>
<u>TC</u>	<u>1 du/ .75 ac.</u>	<u>3 du/acre</u>	<u>Base Density x 2.25 = Total Bonus Density</u>	<u>Not Applicable</u>	<u>Community Water and Sewer</u>

8.12.5. All plats with approved density bonus shall comply with the provisions of Chapter 5 (Subdivision and Land Division) and Chapter 4 (Procedures) for total number of lots created.

8.12.6. The open space easement shall be used exclusively for agriculture, landscaping, recreation, open space or any combination thereof and any accessory structures needed to support these uses.

8.12.7. The area of land covered by the open space easement shall be a contiguous area unless otherwise approved. Considerations for approval on non-contiguous open space areas include:

8.12.7.1. Irrigated lands that are separate.

8.12.7.2. Special features to be protected such as rock outcroppings, arroyos, archaeological sites, scenic features and environmental sensitive areas that are separate.

8.12.8. For the purposes of preserving areas to include open space, scenic features and environmentally sensitive areas the open space easement areas shall be visible from a public right-of-way, except where impractical.

8.12.9. Land used for streets, driveways, parking, sidewalks and private yards may not be counted as part of an open space easement. No buildings or structures are permitted in an open space easement except those necessary to support the operation and maintenance of the easement. An open space easement may include underground utility easements.

8.12.10. Refer to Section 7.15.3.5 for covenants governing the restriction of the open space easement.

The current Chapter 9 will be deleted in its entirety and replaced by the new Chapter 9 below:

CHAPTER NINE – COMMUNITY DISTRICTS

~~**9.1. PURPOSE.** The Community District is a zoning tool intended to preserve and protect unique communities and areas through the implementation of an adopted Community Plan that is consistent with the SGMP as set forth in Chapter 2. As a matter of public policy, Santa Fe County aims to preserve, protect, enhance, and perpetuate the value of these areas through the establishment of Community Districts. The Board, pursuant to Chapter 8, may establish Community District Overlay Zones (O CD) that are consistent with the SGMP, an adopted Community Plan and any applicable Land Use Plans adopted by the County.~~

~~**9.2. ESTABLISHMENT OF COMMUNITY DISTRICT OVERLAY ZONES.** Chapter 8 sets forth the standards and procedures for establishment of a Community District Overlay Zone (O CD) to implement the zoning related provisions of an adopted Community Plan. With the adoption of the SLDC, local communities are encouraged to revise their Community Plans to become consistent with the SGMP and this ordinance, and to propose appropriate overlay zoning regulations to establish an O CD in accordance with Chapter 8. Upon the establishment of an O CD for any given Community District, the regulations of the applicable O CD will be inserted into this section and become part of the SLDC.~~

~~**9.3. EFFECT OF SLDC ON EXISTING COMMUNITY DISTRICTS.** Prior to the adoption of the SLDC, numerous community districts were established by ordinance, and these individual community district ordinances shall remain in effect until such time as new community plans are adopted in accordance with Chapter 2, and a corresponding O CD is established in accordance with Chapter 8. Previously established community districts are as follows:~~

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

~~**9.3.2.** Tesuque Community District (Ordinance 2000-13).~~

~~**9.3.3.** Madrid Community Planning District (Ordinance 2002-1).~~

~~**9.3.4.** San Pedro Community District (Ordinance 2002-2).~~

~~**9.3.5.** La Cienega and La Cieneguilla Community Planning District (Ordinance 2002-9).~~

~~**9.3.6.** El Valle de Arroyo Seco Highway Corridor District (Ordinance 2003-7).~~

~~**9.3.7.** U.S. 85 South Highway Corridor District (Ordinance 2005-08).~~

~~9.3.8. Tres Arroyos Del Poniente District (Ordinance 2006-10 and Ordinance EZA 2007-01).~~

~~9.3.9. Village of Agua Fria Planning District (Ordinance 2007-2).~~

~~9.3.10. Pojoaque Valley Community District (Ordinance 2008-5).~~

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

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

~~9.3.13. Chimayo Community Plan (Resolution Pending).~~

9.1. PURPOSE. The Community District is a zoning tool intended to preserve and protect unique communities and areas through the implementation of an adopted Community Plan that is consistent with the SGMP as set forth in Chapter 2. Santa Fe County is committed to preserving, protecting, enhancing, and perpetuate the value of these areas through the establishment of Community Districts. The Board, pursuant to Chapter 8, may establish Community District Overlay Zones (O-CD) that are consistent with the SGMP, an adopted Community Plan and any applicable County Land Use Plans.

9.2. ESTABLISHMENT OF COMMUNITY DISTRICT OVERLAY ZONES. Chapter 8 sets forth the standards and procedures for establishment of a Community District Overlay Zone (O-CD) to implement the zoning-related provisions of an adopted Community Plan. With the adoption of the SLDC, local communities are encouraged to revise their Community Plans to be consistent with the SGMP and this ordinance, and to propose appropriate overlay zoning regulations to establish an O-CD in accordance with Chapter 8. Upon the establishment of an O-CD for any given Community District, the regulations of the applicable O-CD will be inserted into this section and become part of the SLDC.

9.2.1. Adoption of Community District's Overlay Zone. This community district overlay zone shall be established upon adoption by the BCC of an overlay zone ordinance specific to this community district which includes adoption of base zoning set forth in an attached map.

9.3. EFFECT OF OVERLAY DISTRICTS ON SLDC.

9.3.1. General Provisions. The regulations, standards and provisions described herein are specific to each community district's overlay zone. Where conflict arises between SLDC regulations and the community district standards and provisions, the district's standards and provisions shall prevail. However, when the district's standards are silent on an issue that would otherwise be governed by the SLDC or other applicable County codes, the SLDC or those other codes shall prevail.

9.3.2.Use Matrix. Where a community district overlay has established a Use Matrix that Use Matrix shall prevail. Where a community district overlay has not established a Use Matrix, the SLDC Use Matrix other than exceptions identified by the community district overlay shall prevail.

9.3.3.Effect on Zoning Map. As stated in Chapter 8 of this Code, an approved overlay community district does not replace the underlying zoning of the area. Instead, it allows for a modification of the regulations of the underlying zoning district to accommodate unique conditions that do not fit the base zoning district.

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9.4. LOS CERRILLOS COMMUNITY DISTRICT OVERLAY.

9.4.1. Purpose and Intent. The provisions of the Los Cerrillos Community District (LCCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Los Cerrillos Community Plan and the Sustainable Growth Management Plan (SGMP). The LCCD is designed to ensure compatibility among various land uses, encourage cluster development, protect cultural, historical and scenic features and environmentally sensitive areas, enhance rural Los Cerrillos development patterns, support a variety of lifestyles, delineate historic community spaces and conserve water resources while accommodating the anticipated natural growth of the community. Provisions include standards, dimensions and incentives to encourage cluster development in conjunction with conservation easements that preserve agricultural land and open space, preserve authentic rural village values, atmosphere, peace and quiet, village's dirt or base course roads, and encourages economic activity that reinvests into the community.

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

9.4.2.1. NM 14 Setbacks. As regulated in Chapter 7 of this Code with the following exceptions:

9.4.2.1.1. Parcels fronting NM 14 shall have a minimum 200 foot setback in LCCD RUR-R and RES-E. If an existing legal parcel is unable to meet the setback requirements, the third of the parcel furthest away from NM 14 can be built upon.

9.4.2.2. Non-residential setbacks. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.2.1. No front setbacks are required for new, non-residential development along First Street. For all other new non-residential development, front setbacks shall be a minimum of 10 feet from property line.

9.4.2.2.2. Landscaping is required in all front setbacks for non-residential development as specified in Chapter 7 of this Code.

9.4.2.2.3. Side setbacks shall be minimum of 5 feet from the property line throughout the planning district. Reduced side setbacks may be approved by the administrator. In this instance, fire restrictive construction between commercial buildings must be used pursuant to applicable Fire Code standards as approved by the County Fire Marshal.

9.4.2.2.4. Rear setbacks shall be a minimum of 10 feet from the property line.

9.4.2.3. Residential setbacks. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.3.1. Setbacks for residential development shall be a minimum of 10 feet between neighboring dwelling units. Where zero lot lines exist, new development on neighboring lots shall require a 10 foot minimum set back between property line and structure.

9.4.2.4. Lighting. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.4.1. Solar lighting shall be used in parking and associated public walkways.

9.4.2.4.2. Street lights shall be shielded.

9.4.2.5. Glare Reduction. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.5.1. All new buildings and additions to existing structures shall be constructed of non-reflective material.

9.4.2.6. Road Design. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.6.1. With the exception of First Street, all roads in the Los Cerrillos Planning Area shall remain dirt or base course.

9.4.2.7. Terrain Management. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.7.1. Landscaping and Screening. Evergreen trees at least 5 feet tall shall be used for screening and buffering of structures, cuts and fills in order to maintain year round screening of previously disturbed areas.

- 1.** Cut slopes with a slope or retaining wall closer than 6 feet from the edge of a road or driveway, where the planting area for trees is limited, may be screened with a trellis supporting planted vegetation or some other similar means that creates a natural screened effect.

9.4.2.8. Special Protection of Riparian Areas. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.8.1. Native vegetation endemic to riparian areas is exempted from the xeriscape requirements set forth in Chapter 7 of this Code.

9.4.2.9. Wildlife Corridors. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.4.2.9.1. In all instances where wildlife corridors are identified, development shall be adjusted to avoid disturbance.

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

9.4.3.1. Generally. The LCCD 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.

9.4.3.2. Use Regulations. Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the TCD Use Matrix and below:

9.4.3.2.1. Bicycle, motorcycle, all-terrain vehicle dealers:

1. Bicycle only are permitted.

9.4.3.2.2. All office or bank uses:

1. Limited to 1,500 sq. foot per level.

9.4.3.2.3. Services including pest control, janitorial, landscaping, carpet, upholstery, cleaning and other:

1. Pest control services are prohibited.

9.4.3.2.4. Active open space/athletic fields/golf courses:

1. Golf courses are prohibited.

9.4.3.2.5. Camps, Camping, and related establishments:

1. Stay is limited to 2 weeks.
2. Electricity and electric/gas generators are prohibited.
3. The camping perimeter shall be fenced.
4. Campsites shall be self-contained.
5. Motor coaches shall be prohibited.
6. Adequate bathroom facilities shall be provided and maintained by the property owner.

9.4.3.3. Base Zoning Districts. Base zoning districts approved for use in the LCCD are listed in Table 9.4.1.:

Table 9.4.1 Los Cerrillos Base Zoning Districts.

RUR-R	Rural Residential
RES-E	Residential Estate
TC	Traditional Community
PI	Public/Institutional

9.4.3.3.1. LCCD Rural Residential (LCCD RUR-R); Purpose. This designation covers areas associated with contemporary residential subdivisions and is appropriate for single-family development with options for clustering and accessory dwelling structures, agricultural related uses and home occupations.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCCD Use Matrix.
2. **Dimensional Standards.** As identified in Chapter 8 of this Code, Rural Residential, except as prescribed in LCCD Table 9.4.2.

Table 9.4.2: Dimensional Standards LCCD RUR-R (Rural Residential)

Zoning District	LCCD RUR-R
Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Height (maximum, feet), hay or animal barn, silo	36
Lot coverage residential (maximum, percent)	25
Lot coverage non-residential (maximum, percent)	50

9.4.3.3.2. LCCD Residential Estate (RES-E); Purpose. This designation covers areas adjacent to the LCCD Traditional Community District which is historically associated with the historic village core due to proximity, use and subdivision patterns. It is the intent of this designation to preserve the existing development pattern and recognize this area as contributing to the character of the historic village and as a transition zone from the denser village area to the larger agricultural and ranching lots. This area is appropriate for single-family development with options for clustering, agricultural related uses and home occupations.

1. **Use Regulations.** Uses permitted, conditional, accessory and prohibited as identified in Chapter 8 of Appendix B of this Code with exceptions identified on LCCD Use Matrix.
2. **Dimensional Standards.** As identified in Chapter 8 of this Code, Residential Estate, except as prescribed in LCCD Table 9.4.3.

Table 9.4.3.: Dimensional Standards LCCD RES-E (Residential Estate)

Zoning District	LCCD RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Height (maximum, feet), hay or animal barn, silo	36
Lot coverage residential (maximum, percent)	25

Lot coverage non-residential (maximum, percent)	50
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9.4.3.3.3. LCCD Traditional Community (TC); Purpose. The purpose of this district is to continue to reflect the unique historic development patterns of the old village with a mixed pattern of lot sizes, shapes and housing types. This district accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses. It should remain as a primarily single-family residential district consistent with historic options for compact residential development including clustered housing, and family compounds. Community facilities, institutional uses, agricultural uses, and home occupations that are residential in scale should continue to be allowed in the district.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 of Appendix B of this Code with exceptions identified on LCCD Use Matrix.
2. **Dimensional Standards.** As identified in Chapter 8 of this Code except as prescribed in LCCD Table 9.4.4.
 - a. **Minimum Density.** The minimum lot size for LCCD TC is 1 DU/.75 acres.

Table 9.4.4: Dimensional Standards LCCD TC (Traditional Community)

Zoning District	LCCD 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)	20
Height (maximum, feet), hay or animal barn, silo	24
Maximum building size (commercial)	2,000 sq. ft.
Lot coverage residential (maximum, percent)	50
Lot coverage non-residential (maximum, percent)	70

3. **Architectural Design Standards.** All new non-residential development shall be designed to integrate with the general style of Los Cerrillos.

9.4.3.3.4. LCCD Public/Institutional (PI); Purpose. The purpose of this district is to continue to accommodate 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 of this Code with exceptions identified on LCCD Use Matrix.
2. **Dimensional Standards.** As identified in Chapter 8 of this Code except as prescribed in LCCD Table 9.4.5.

Table 9.4.5: Dimensional Standards LCCD PI (Public/Institutional)

Zoning District	LCCD PI
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	30
Lot coverage residential (maximum, percent)	25
Lot coverage (maximum, percent)	50

3. **Architectural Design Standards.** In order to preserve the historical design character of Los Cerrillos, any new development in PI district shall be designed to integrate with the general style of Los Cerrillos.

9.4.4. LCCD Overlay Zones.

9.4.4.1. LCCD Rural Commercial Overlay (LCCD O-RC); Purpose. LCCD O-RC is intended to support the needs of the community and to retain the predominately 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 and promote self-sufficiency for the community. This zone is appropriate for areas where such developments should logically locate because of established historic land use patterns in Los Cerrillos, planned or existing public facilities, and appropriate access.

9.4.4.1.1. Location. The Rural Commercial Overlay is appropriate for use in the area identified on the zoning map, within the TC district. Commercial and non-residential development shall conform to all requirements of this Code with exceptions identified in this section.

9.4.4.1.2. Uses permitted, conditional, accessory and prohibited as regulated in the LCCD base zoning districts, with exceptions identified below:

- 1. Permitted Uses.** In addition to those uses allowed by the underlying zoning, the following uses are allowed in the LCCD O-RC upon the issuance of a development permit, and are limited to 2,500 square feet:
 - a.** Retail services such as: market shops, open markets, bicycle sales and repair shops, outdoor resale business, beer/wine/liquor stores, offices, banks, services such as janitorial, landscaping, carpet, upholstery cleaning, tattoo parlors; and
 - b.** Public facilities such as: medical clinics, highway rest stops, covered atriums and public enclosures, public administration buildings, bus shelters, community center, bus stop shelters; and
 - c.** Arts, entertainment, and recreation services such as: restaurants with and without the consumption of alcohol, movie theaters, performance theaters,

fitness/active open space, theater/dance/music establishments, exhibitions and art galleries, performing arts and supporting establishments.

9.4.4.1.3. Conditional Uses. The following uses may be allowed in the Rural Commercial Overlay upon the issuance of a conditional use permit, and are limited to 2,500 square feet:

- a. Services such as stand-alone stores, convenience stores, bars/taverns/nightclubs, support business and operations for agriculture and forestry, fitness/recreational sports/gym/athletic club, passenger terminal mixed mode.
- i. Shooting ranges and activities are prohibited.

9.4.4.1.4. Parking. All businesses within the LCCD O-RC shall be eligible for on street parking. A maximum of sixty-six percent (66%) of customer parking shall be allowed on the County right-of-way within the commercial district. All designated on street parking shall be parallel parking, except where the width of the street allows for diagonal parking.

9.4.4.1.5. Architectural Design Standards. In order to preserve the historical design character of Los Cerrillos, any new non-residential development in LCCD O-RC shall be designed to integrate with the general style of Los Cerrillos.

9.4.5. Supplemental Zoning Standards.

9.4.5.1. Accessory Dwelling Units. The standards shall be regulated as identified in Chapter 10 of this Code with the following exceptions:

9.4.5.1.1. Accessory Dwelling Units are allowed in the LCCD RUR-R and LCCD RES-E zones. Accessory Dwelling Units are prohibited within the LCCD TC, and PI zones.

9.4.5.1.2. Accessory Dwelling Units located within the LCCD RES-E zone.

- 1. Accessory dwelling units constructed within the LCCD RES-E zone shall be limited to 600 square feet of heated interior square footage.
- 2. Accessory dwelling units constructed within the LCCD RES-E zone shall be required to install rain barrels, cisterns or other rain water catchment system, per Chapter 7 of this Code.

9.4.5.1.3. The combined water consumption of the primary and accessory structures shall not exceed .25 acre feet/year.

9.4.5.2. 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 9.4.6.

Table 9.4.6: LCCD Home Occupations Standards:

	No Impact	Low Impact	Medium Impact
Permit type	Business Registration	Development Permit	Conditional Use Permit
Non-resident employees (max)	1	2	3
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	6	8
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

9.4.5.3. Low Impact Home Occupations, as identified in Chapter 10 of this Code are permitted throughout the Los Cerrillos Community Planning Area with the following adjustments:

9.4.5.3.1. Limited to 2 employees.

9.4.5.3.2. Up to 6 patron visits per day.

9.4.5.4. Medium Impact Home Occupations, as identified in Chapter 10 of this Code are conditionally allowed within the LCCD RUR-R, RES-E, and O-RC.

9.4.5.4.1. Medium impact home occupations shall be prohibited within the LCCD TC zone.

9.4.5.5. Home Occupation parking. Parking for Home Occupations shall be provided on-site unless historic land use and small lot development pattern of Los Cerrillos prohibits parking on-site. In that case, the Home Occupation proprietor shall provide alternative parking sites for customers, staff and associated vehicles without infringing on neighbors or blocking driveways. All designated on street parking shall be parallel parking, except where the width of the street allows for diagonal parking.

9.4.5.6. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use matrix in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.4.7: 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 9.4.8. LCCD Use Table

Table 9.4.8: Los Cerrillos Community District (LCCD) Use Table

Use	Function	Structure	Activity	LCCD RUR-R	LCCD RES-E	LCCD TC	LCCD P/I	Special Conditions
Residential								
Single family detached units		1110		P	P	P	A	
Single family attached units		1120		P	P	P	A	
Duplex	-	1121		E	E	E	X	
Accessory dwelling units		1130		A	A	X	X	Chapters 9 & 10
Townhouses				X	X	X	X	
Multifamily dwellings		1202-99		X	X	X	X	
Retirement Housing	1210			P	P	P	P	
Assisted living facility	1230			C	C	C	P	
Life care or continuing care facilities	1240			C	C	C	P	
Skilled-nursing facilities	1250			C	C	C	P	
Community Home, NAICS 623210				C	C	C	C	
Barracks		1310		X	X	X	X	
Dormitories		1320		X	X	X	X	
Single room occupancy units	-	1340		X	X	X	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		C	C	C	X	
Hotels, motels, or other accommodation services								
Bed and Breakfast inn	1310			C	C	P	X	Chapter 10
Rooming and boarding housing	1320			X	X	X	X	
Resorts				X	X	X	X	
Retreats				C	C	C	C	
Hotels, motels, and tourist courts	1330			X	X	X	X	
Commercial								
Shop or store with drive-through facility		2210		X	X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	X	
Stand-alone store or shop		2230		X	X	X	X	
Department store		2240		X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	
Market shops, including open markets		2260		X	X	X	C	
Gasoline station		2270		X	X	X	X	
Automobile repair and service		2280		X	X	X	X	
Car dealer	2111			X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	X	X	Chapter 9
Boat or marine craft dealer	2114			X	X	X	X	
Automotive Parts, accessories, or tires	2115			X	X	X	X	
Gasoline service	2116			X	X	X	X	
Lumberyard and materials	2126			X	X	X	X	
Outdoor resale business	2145			C	C	X	X	
Pawnshops		NAICS 522298		X	X	X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	X	X	

Table 9.4.8: Los Cerrillos Community District (LCCD) Use Table

Use	Function	Structure	Activity	LCCD RUR-R	LCCD RES-E	LCCD TC	LCCD P/I	Special Conditions
Shopping center		2510-2580		X	X	X	X	
Convenience stores or centers		2591		X	X	X	X	Chapter 10
Car care center		2593		X	X	X	X	
Car washes		NAICS 811192		X	X	X	X	
Office or bank (without drive-through facility)		2100		X	X	X	X	Chapter 9
Office (with drive-through facility)		2110		X	X	X	X	Chapter 9
Office or store with residence on top		2300		X	X	X	X	Chapter 9
Office-over storefront structure		2400		X	X	X	X	Chapter 9
Research and development services (scientific, medical, and technology)	2416			X	X	X	X	
Car rental and leasing	2331			X	X	X	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	X	X	X	Chapter 9
Bars, taverns and nightclubs				X	X	X	X	
Sexually oriented business				X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	X	
Industrial , manufacturing and wholesale trade								
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	X	
Loft		2611		X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	
Manufacturing plants		2613		X	X	X	X	
Industrial parks		2614		X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	
Construction-related businesses	7000			X	X	X	X	
Heavy construction	7400			X	X	X	X	
Machinery related	7200			X	X	X	X	
Special trade contractor	7300			X	X	X	X	
Automotive paint and body				X	X	X	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	X	
Vehicle storage for towing or related business				X	X	X	X	
Demolition, building and structure business				X	X	X	X	
Reeyeling business-				X	X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	X	
Mini-warehouse, mini-storage units		2710		X	X	X	X	
High-rise mini-warehouse		2720		X	X	X	X	
Warehouse structure		2730		X	X	X	X	
Produce warehouse		2740		X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	

Table 9.4.8: Los Cerrillos Community District (LCCD) Use Table

Use	Function	Structure	Activity	LCCD RUR-R	LCCD RES-E	LCCD TC	LCCD P/I	Special Conditions
Wholesale trade— durable goods	3510			X	X	X	X	
Wholesale trade nondurable goods	3520			X	X	X	X	
Food, textiles, and related products				X	X	X	X	
Wood, paper, and printing products				X	X	X	X	
Tank farms		2780		X	X	X	X	
Public assembly structures								
Performance theater			3110	X	X	X	X	
Movie theater			3120	X	X	X	X	
Amphitheater			3130	X	X	X	C	
Drive-in theaters			3140	X	X	X	X	
Indoor games facility		3200		X	X	X	X	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	X	C	
Amusement or theme park	5310			X	X	X	X	
Arcade	5320			X	X	X	X	
Miniature golf establishment	5340			X	X	X	X	
Fitness, recreational sports, gym, or athletic club	5370			X	X	X	C	Chapter 9
Bowling, billiards, pool, etc.	5380			X	X	X	X	
Skating rinks	5390			X	X	X	X	
Sports stadium or arena		3300		X	X	X	X	
Racetrack or raceway	5130			X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	*
Covered or partially covered atriums and public enclosure		3700		X	X	X	P	
Passenger terminal, mixed mode		3810		X	X	X	C	*
Active open space/ athletic fields/golf courses	6340			X	X	X	P	Chapter 9
Passive open space	6340			P	P	P	P	
Arts, entertainment, and recreation								
Active leisure sports and related activities			7100	X	X	X	X	
Movie Ranch				P	C	C	P	
Camps, camping, and related establishments	5400			C	C	X	X	Chapter 9
Exhibitions and art galleries		4410		X	X	X	X	
Performing arts or supporting establishment	5100			C	C	X	C	
Theater, dance, or music establishment	5101			C	C	C	P	
Institutional or community facilities								
Community center		2200		C	C	C	P	
Hospitals		4110		X	X	X		
Medical clinics		4120		P	P	X	P	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			P	P	P	P	
Child and youth services	6561			P	P	P	P	
Child care institution (basic)	6562			P	P	P	P	

Table 9.4.8: Los Cerrillos Community District (LCCD) Use Table

Use	Function	Structure	Activity	LCCD RUR-R	LCCD RES-E	LCCD TC	LCCD P/I	Special Conditions
Child care institution (specialized)	6562			P	P	P	P	
Day care center	6562			P	P	P	P	
Community food services	6563			P	P	P	P	
Emergency and relief services	6564			P	P	P	P	
Other family services	6565			P	P	P	P	
Services for elderly and disabled	6566			P	P	P	P	
Animal hospitals	6730			X	X	X	C	
School or university (privately owned)		4200		C	C	X	C	
Grade school (privately owned)		4210		P	P	P	P	
College or university facility (privately owned)		4220		X	X	X	X	
Technical, trade, and other specialty schools	6140	4230		X	X	X	C	
Library		4300		P	P	P	P	
Museum, exhibition, or similar facility	5200	4400		C	C	P	P	
Planetarium		4420		X	X	X	P	
Aquarium		4430		X	X	X	X	
Outdoor facility, no major structure			4440	C	C	C	P	
Zoological parks		4450		C	C	C	P	
Public safety related facility			4500	P	P	P	P	
Fire and rescue station			4510	P	P	P	P	
Police station			4520	P	P	P	P	
Emergency operation center			4530	X	X	X	C	*
Correctional or rehabilitation facility			4600	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	C	C	C	P	
Funeral homes			4800	X	X	X	X	
Cremation facilities			4800	X	X	X	X	
Public administration		6200		X	X	X	P	
Post offices		6310		X	X	X	P	
Space research and technology		6330		X	X	C	P	*
Clubs or lodges				C	C	C	C	
Transportation-related facilities								
Commercial automobile parking lots		5200		X	X	X	X	
Commercial automobile parking garages				X	X	X	X	
Surface parking, open		5210		C	C	C	C	
Surface parking, covered		5220		C	C	C	C	
Multistoried parking structure with ramps		5230		X	X	X	X	
Underground parking structure with ramps		5240		X	X	X	X	
Rooftop parking facility		5250		X	X	X	X	
Bus terminal		3830		X	X	X	X	
Bus stop shelter		5300		C	C	C	C	
Truck storage and maintenance facilities		5400		X	X	X	X	
Truck freight transportation facilities	4140			X	X	X	X	
Light rail transit lines and stops	4151			C	C	C	C	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	

Table 9.4.8: Los Cerrillos Community District (LCCD) Use Table

Use	Function	Structure	Activity	LCCD RUR-R	LCCD RES-E	LCCD TC	LCCD P/I	Special Conditions
Taxi and limousine service maintenance and storage facilities	4155			X	X	X	X	
Taxi and limousine service dispatch facilities				X	X	X	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	
Courier and messenger service facilities	4190			X	X	C	X	
Commercial airports		5600		X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	
Heliport facility		5640		X	X	X	C	
Helistops				X	x	X	C	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	C	
Railroad passenger station		5701		C	C	C	C	
Railroad freight facility		5702		x	X	x	X	
Utility								
Local distribution facilities for water, natural gas, and electric power		6100		X	X	X	X	
Telecommunications lines				P	P	P	P	
Electric power substations				X	X	X	X	
High-voltage electric power transmission lines				X	X	X	X	
Dam		6220		X	X	X	X	
Livestock watering tank or impoundment				C	X	X	X	
Levee		6230		C	C	C	C	
Water tank (elevated, at grade, or underground)		6250		P	P	P	P	
Water wells, well fields, and bulk water transmission pipelines		6260		P	P	P	P	
Water treatment and purification facility		6270		P	P	P	P	
Water reservoir		6280		C	C	C	C	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		C	C	X	X	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		X	X	X	X	
Solid waste landfill facility	4345	6320		X	X	X	X	
Composting facility		6330		C	X	X	X	
Recycling transfer center		6331		X	X	X	X	
Solid waste collection transfer station (Governmental)	4343		3210	X	X	X	X	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	X	
Septic tank service, repair, and installation business	4346			X	X	X	X	
Household hazardous waste collection facility				X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	

Table 9.4.8: Los Cerrillos Community District (LCCD) Use Table

Use	Function	Structure	Activity	LCCD RUR-R	LCCD RES-E	LCCD TC	LCCD P/I	Special Conditions
Hazardous waste treatment and disposal facility				X	X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	X	X	
Gas or electric power generation facility		6400		X	X	X	X	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		<u>6500</u>		<u>C</u>	<u>X</u>	<u>X</u>	C	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		<u>6500</u>		<u>P</u>	<u>P</u>	<u>P</u>	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		<u>6500</u>		<u>P</u>	<u>C</u>	<u>C</u>	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		X	X	X	X	
Weather stations or transmitters		6520		X	X	X	X	
Environmental monitoring station (air, soil, etc.)		6600		P	P	P	P	
Commercial solar energy production facility				X	X	X	X	
Geothermal production facility		6450		X	X	X	X	
Large scale wind facility				X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	X	X	
Highway rest stops and welcome centers		6930		P	P	X	P	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	P	
Agriculture, forestry, and conservation/open space								
Grain silos and other storage structure for grains and agricultural products		8100		A	A	C	X	
Animal production that includes slaughter	9300			X	X	X	X	
Livestock pens or hog houses		8200		C	X	X	X	
Commercial greenhouses		8500		P	C	C	C	
Nurseries and other growing of ornamental plants				P	C	C	C	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		X	X	X	X	
Stables and other equine-related facilities - Commercial over 12 horses				X	X	X	X	
Kennels and commercial dog breeding facilities		8700		X	X	X	X	
Apiary and other related structures		8700		P	P	P	P	
Crop production outdoor	9100			P	P	P	P	
Crop production greenhouse		8500		P	P	P	P	
Display or sale of agricultural products raised on the same premises				A	A	A	P	
Forestry and logging operations	9300			X	X	X	X	
Game preserves and retreats	9400			X	X	X	X	
Support business and operations for agriculture and forestry				A	A	X	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	
Public or community outdoor recreation facilities				P	P	P	P	
Concentrated animal feeding operation		8310		X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	X	X	X	
Dairy farms		8210		X	X	X	X	
Other farm and farming-related structures		8900		A	A	A	A	
Poultry farms and poultry production facilities		8220		X	X	X	X	

Table 9.4.8: Los Cerrillos Community District (LCCD) Use Table

Use	Function	Structure	Activity	LCCD RUR-R	LCCD RES-E	LCCD TC	LCCD P/I	Special Conditions
Sheds, or other agricultural facilities		8000		A	A	A	A	
Animal waste lagoons		8420		X	X	X	X	Ch 11
Mining and extraction establishments								
Oil and natural gas exploration or extraction	8100			X	X	X	X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	X	X	X	Ch 11
Coal mining	8300			X	X	X	X	
Nonmetallic minerals mining	8400			X	X	X	X	
Quarrying and stone cutting	8500			X	X	X	X	
Sand and gravel Mining				X	X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	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.**

9.5. TESUQUE COMMUNITY DISTRICT OVERLAY.

9.5.1. Purpose and Intent. The provisions of the Tesuque Community District (TCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Tesuque Community Plan and the Sustainable Growth Management Plan (SGMP). The TCD is designed to ensure compatibility among various land uses, encourage compact development, protect scenic features and environmentally sensitive areas, enhance rural development patterns, accommodate a variety of lifestyles, delineate historic community spaces and conserve water resources while accommodating the anticipated natural growth of the community. Provisions include standards and dimensions based on historic development patterns and incentives to facilitate compact development where appropriate in conjunction with conservation easements that preserve agricultural land and open space.

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

9.5.2.1. Fences and Walls. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.5.2.1.1. Intent. In order to maintain and enhance the rural character of Bishops Lodge Road north of the Santa Fe City boundary to its intersection with Hwy 285, fencing and walls in this area shall be built to reflect historic design patterns. Fencing in this area has historically been short, open fencing for farming and grazing management which created the sense of a small rural agricultural community.

9.5.2.1.2. Location and Height. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Any new or replacement fences or yard walls within 25 feet of any property line fronting Bishops Lodge Road shall not be opaque above 3 feet in height. Coyote fences are considered opaque.
2. Any new or replacement front yard fence or wall with any opaque sections facing Bishop's Lodge Road and Tesuque Village Road shall incorporate landscaping with permanent trees, shrubs or vines for a minimum of 40% of the wall length.
3. Any new or replacement front yard fence or wall beyond the 25 foot setback may be fully opaque to a maximum of 6 feet and shall be landscaped to the Bishops Lodge Road side with permanent trees, shrubs or vines for a minimum of 40% of the wall length. See Chapter 7 of this Code for landscape standards for planting requirements.
4. Fencing and walls shall not exceed 6 feet in height.

9.5.2.1.3. Fencing Materials and Design. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Fencing or walls above 3 feet but limited to 6 feet, must be constructed with materials that allow for safety for traffic by assuring clear visibility through the fencing.
2. Fence materials to be utilized above the 3 foot limit may not include glass or similar plastic or polycarbonate type materials.
3. Chain link fencing is prohibited.
4. Fencing and walls visually accessible from Bishop's Lodge Road, and greater than 30 feet in length, shall incorporate architectural offsets at a minimum of 1 every 30 feet.
5. All opaque portions of walls shall be colored in tones consistent with shades historically used in Tesuque, including earth tones, brown, tan, or white.

9.5.2.2. Signs. The standards for signs shall be as regulated by Chapter 7 of the Code with the following exception:

- 9.5.2.2.1.** Pole mounted signs are prohibited.
- 9.5.2.2.2.** Wall, fence, and pedestal signs with a maximum size of 6 square feet are allowed for non-residential uses.
- 9.5.2.2.3.** Electronic and internally illuminated signs are prohibited.
- 9.5.2.2.4.** Indirect sign illumination for way-finding purposes during the hours of operation is permitted, so long as it is shielded, with the light source concealed from view and directed downward.

9.5.2.3. Parking. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 9.5.2.3.1. Parking Lot Location.** Rear or side parking is required for all non-residential parking when the property is adjacent to a public road.
- 9.5.2.3.2. Parking Lot Setback.** Non-residential front parking must be set back 10' from the roadway and the setback area must be landscaped to provide screening.
- 9.5.2.3.3. Parking Lot Design Standards.** All non-residential parking should be designed with base course except as required to meet accessibility standards.

9.5.2.4. Terrain Management. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 9.5.2.4.1. Steep Slopes and Ridges.** These standards apply to all new structures and additions to existing structures located on development sites where any portion of the land has a natural slope prior to development of 15 % or greater, and on ridgetops.

1. Exterior walls, façades and roof shall be darker shades of the natural earth tones (such as tan, brown) of the soils on the building site. Tones of gray, green and white are prohibited for exterior building colors.
2. Roof colors and all wall and façade colors visible from adjacent properties or from US 84/285, CR 73 and CR 73A shall be muted and of non-reflective or non-glossy materials with a Light Reflective Value (LRV) of less than forty pursuant to manufacturer's specifications. When such data is unavailable, compliance will be determined by a comparison of samples for which data is available.
3. Windows and door glazing shall be limited to no more than 30% of a façade and shall be non-mirrored and the LRV shall be less than 20, except:
 - a. Glazing shall be limited to no more than 50% under portals of 8 feet or deeper. This subsection shall not apply to glazing on a south-facing façade where incorporated into a documented design solar heating application equivalent to one for which the annual "Solar Saving Fraction (SSF)" exceeds 60%.

9.5.2.4.2. Height on Steep Slopes and Ridges. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. **Structure heights on slopes greater than 15%.** Structure heights are limited to 18 feet. The distance between the highest point of the structure and the lowest point at the natural grade or finished cut shall not exceed 18 feet.
2. **Structures on ridge tops.** Pitched roofs are prohibited on ridge tops throughout the planning area.

9.5.2.4.3. Storm Drainage. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. In order to protect the Little Tesuque and Big Tesuque rivers from siltation and contaminants, drainage from all land uses which may discharge runoff containing high nitrogen content or other contaminants, such as stables or kennels, shall be retained in ponds which must be setback set back a minimum of 25 feet from the natural edge of the river or FEMA designated floodplain, whichever is closer. Retention ponds shall be cleaned regularly to maintain their planned capacity and shall be incorporated into the landscaping to maintain the integrity of aesthetics for the site.

9.5.2.4.4. Landscaping. These standards apply to all new structures and additions to existing structures located on development sites where any portion of the land has a natural slope prior to development of 15 % or greater, and on ridgetops.

1. Indigenous evergreen trees at least 5 feet tall and approximating the original density and type existing on the site prior to disturbance shall be used for screening and buffering of structures and cuts and fills, where required, in order to maintain year round screening.

2. Cut slopes with a slope or retaining wall closer than 6 feet from the edge of a road or driveway, where the planting area for trees is limited, may be screened with a trellis supporting planted vegetation or some other similar means which creates a natural screened effect.

9.5.2.5. Special Protection of Riparian Areas. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 9.5.2.5.1.** Native vegetation endemic to riparian areas are exempted from the xeriscape requirements set forth in Chapter 7 of this Code.

9.5.2.6. Special Protection of Wildlife Corridors. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 9.5.2.6.1.** In all instances where wildlife corridors are identified, development shall be adjusted to avoid disturbance.

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

9.5.3.1. Generally. The TCD 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 base zoning districts of this Code. If an overlay zone regulation conflicts with any standard of the underlying zone, the standard of the overlay zone shall govern.

9.5.3.2. Base Zoning Districts. Base zoning districts approved for use in the TCD are listed in Table 9.5.1.

Table 9.5.1: Tesuque Base Zoning Districts.

TCD RUR-R	Rural Residential
TCD RES-F	Residential Fringe
TCD RES-E	Residential Estate
TCD RES-C	Residential Community
TCD TC	Traditional Community
TCD PI	Public/Institutional

9.5.3.2.1. Use Regulations. Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the TCD Use Table and below:

1. Research and development services:

- a. Animal testing is prohibited.

2. Active leisure sports and related activities:

- a. Shooting activities and archery are prohibited.

3. **Commercial and crop production greenhouses:**

- a. Limited to 3,000 square feet.

4. **Weather stations or transmitters:**

- a. Limited to 10 feet in height.

5. **Accessory farm structures, sheds, and agricultural facilities:**

- a. In all zoning districts, farming related structures, sheds and other agricultural facilities are considered accessory to the primary use of crop production.

9.5.3.2.2 Lot coverage. The standards shall be regulated as identified in Chapter 8 of this Code with the following exceptions:

1. **Residential Uses.** The maximum lot coverage throughout the Tesuque Community Planning Area is 20%, calculated by the combined roofed area of principal and accessory structures.
2. **Non-residential Uses.** The maximum lot coverage throughout the Tesuque Community Planning Area is 20%, calculated by the combined roofed area of all structures, parking areas and driveways.
 - a. In the event that an existing non-conforming use is replaced with a similar use, the same or similar lot coverage of the previous use may be maintained.
3. **Density Transfer.** Whenever density transfers are used to create open space in perpetuity by easement or other legal means, and new lots are created, maximum lot coverage shall increase up to 50% and shall be calculated based on each individual new development lot.

9.5.3.2.3. TCD Rural Residential (TCD RUR-R); Purpose. The purpose of this district is to provide for the development of single family homes on large lots, either individually or as part of rural subdivisions; to preserve the scenic and rural character of the County; to provide consolidated open space and agricultural lands; and to recognize the desirability of carrying on compatible agricultural operations and home development in areas near the fringes of urban development while avoiding unreasonable restrictions on farming or ranching operations. This designation applies to two areas encompassing approximately 420 acres that cover large residential lots located in the foothills which border Santa Fe National Forest. This zoning district is characterized by less level, buildable area and more sloping terrain. Most of the area has good tree cover, with piñon and juniper trees predominant in the landscape. Many of the residential lots that are less than 10 acres are associated with land set aside as conservation easements or permanent open space. Uses limited to single-family residential development, agricultural related uses and home occupations that are residential in scale.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the TCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.5.2:

Table 9.5.2: Dimensional Standards TCD-RUR-R (Rural Residential).

Zoning District	TCD RUR-R
Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	20
Height (maximum, feet), hay or animal barn, silo	36

9.5.3.2.4. TCD Residential Fringe (TCD RES-F); Purpose. The purpose of this district is to designate areas associated primarily with contemporary residential subdivisions that were established off the valley floor in the surrounding piñon/juniper covered hills. The East Ridge District encompasses approximately 185 acres in the northeast portion of the plan area and abutting the Santa Fe National Forest. The West Ridge District encompasses approximately 1025 acres along the western boundary of the plan area abutting highway US 285. Uses are limited to single-family residential development, agricultural related uses and home occupations that are residential in scale.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on TCD Use Table.
 - a. **Community Center:**
 - i. Conditional Use only allowed with access from Bishops Lodge or Tesuque Village Road.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of the Code except as prescribed in Table 9.5.3.

Table 9.5.3: Dimensional Standards TCD RES-F (Residential Fringe).

Zoning District	TCD RES-F
Density (# of acres per dwelling unit)	5
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	20
Height (maximum, feet), hay or animal barn, silo	36

9.5.3.2.5. TCD Residential Estate (TCD RES-E); Purpose. The purpose of this district is to designate properties that are situated on a flat ridge above the valley floor adjacent to Bishop's Lodge Hills Subdivision and accessed by either

Mama Kay Way or Eccola Lane or Bauer Road. This area should continue to evolve as a primarily low-density single-family residential district with appropriate infrastructure and options for clustering in conjunction with contiguous common areas or conservation easements.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified below and on TCD Use Table.
 - a. **Stables and other equine-related facilities- All personal and commercial up to 12 horses.**
 - i. Stables and other equine related facilities limited to 4 horses in this zoning district.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of the Code except as prescribed in Table 9.5.4.

Table 9.5.4: Dimensional Standards TCD RES-E (Residential Estate).

Zoning District	TCD RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	20
Height (maximum, feet), hay or animal barn, silo	36

- 9.5.3.2.6. TCD Residential Community (TCD RES-C); Purpose.** The purpose of this district is to recognize the area along both the Big and Little Tesuque Rivers as the green heart of the plan area and the feature that differentiates Tesuque from other areas. It encompasses more than 850 acres and represents much of Tesuque's historic and agricultural past, as well as the community's hopes for continued agricultural use in the future. Preservation of this area as rural and open is tied to the need to keep the lands available and suitable for pastures, orchards and other agricultural uses; and for the preservation of the acequias. Uses are limited to single-family residential development, agricultural related uses, home occupations, and small scale commercial uses centrally located near the intersection of Bishop's Lodge Road and Tesuque Village Road. (See Tesuque Rural Commercial Overlay).

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on TCD Use Table and as prescribed below:
 - a. **Stables and other equine-related facilities- All personal and commercial up to 12 horses.**
 - i. Stables and other equine related facilities limited to 4 horses in this zoning district.

b. Community Center:

- i.** Conditional Use only allowed with access from Bishops Lodge or Tesuque Village Road.

- 2. Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.5.5.

Table 9.5.5: Dimensional Standards TCD RES-C (Residential Community).

Zoning District	TCD RES-C
Density (# of acres per dwelling unit)	1*
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	20
Height (maximum, feet), hay or animal barn, silo	36

*Subject to Open Space Design Standards below.

- a. Density.** Density for the TCD RC is one dwelling unit per acre subject to the Open Space Design Standards identified below.

- i. Open Space Design Standards:** A minimum of 75% of the gross area of the property must be identified on the plat or through a conservation easement as open space in order to meet planning objectives including preservation of visual open space, grazing, or other agricultural lands; trail easements; or the preservation of historic and cultural sites to meet the base density. Structures on the open space areas are prohibited. The open space conservation area shall include arable, irrigable land including grazing land and land associated with any acequia system if these conditions are present on the property.
- ii.** Solid walls are prohibited. Any fencing shall allow for unobstructed views of the property.
- iii.** If the property does not meet the open space design standards above, density shall be a minimum of one dwelling unit per 1.5 acres.

9.5.3.2.7. TCD Traditional Community (TCD TC); Purpose. The purpose of the TCD TC district is to continue to reflect the unique historic development patterns of the old village with a mixed pattern of lot sizes and shapes and housing types. This district is primarily single-family residential district consistent with historic options for compact residential development including clustered housing, family compounds, and secondary dwelling units. Community facilities, institutional uses, agricultural uses, and home occupations that are residential in scale are appropriate in the district. The TCD Traditional Community district accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses, including agricultural found in traditional communities with acequia systems, from encroachment by development.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on TCD Use Table and as prescribed below:
 - a. **Stables and other equine-related facilities- All personal and commercial up to 12 horses.**
 - i. Stables and other equine related facilities limited to 4 horses in this zoning district.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.5.6.

Table 9.5.6: Dimensional Standards TCD TC (Traditional Community)

Zoning District	TCD 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)	20
Height (maximum, feet), hay or animal barn, silo	36
Maximum building size (commercial)	2,500 sq. ft.

- a. **Density.** The minimum lot size for TCD Traditional Community is 1 DU/.75 acres.
- b. **Setbacks.** A minimum of 10 feet is required between neighboring dwelling units. Where zero lot lines are existing, new development on neighboring lots requires a 10 foot minimum set back between property line and structure.

9.5.3.2.8. TCD Public/Institutional (TCD PI); Purpose. The purpose of the TCD PI district is to accommodate 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the TCD Use Table.
2. **Dimensional Standards.** As identified in Chapter 8 of this Code except as prescribed in Table 9.5.7.

Table 9.5.7: Dimensional Standards TCD PI (Public/Institutional).

Zoning District	TCD 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)	20
Lot coverage (maximum, percent)	20

9.5.3.2.9. Existing Master Plans Identified as PDDs. In order to recognize existing approvals, PDDs identified on the initial zoning map may be built out in accordance with their approved master plans which were approved prior to the effective date of this SLDC.

1. **Expansion of existing PDDs.** Non-residential structures within an existing PDD may expand up to twenty-five (25%) under a conditional use permit.

9.5.4. TCD Overlay Zones.

9.5.4.1. Tesuque Rural Commercial Overlay (TCD O-RC); Purpose. 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.

9.5.4.1.1. Location. The Tesuque Rural Commercial Overlay district is identified on the Official Zoning Map. The TCD Rural Commercial Overlay includes two subdistricts: Area A and Area B:

9.5.4.1.2. TCD O-RC Area A. Area A is centrally located within the village core and covers lots or portions of lots with established historic commercial land uses. Area A Subdistrict has frontage on Bishop's Lodge Road and/or Tesuque Village Road. The area is envisioned to continue as mixed-use village area supporting neighborhood scale retail and commercial uses, community facilities and open space.

9.5.4.1.3. Uses permitted, conditional, accessory and prohibited as regulated in the base zoning districts, with exceptions identified below:

1. **Conditional Uses.** The following uses may be allowed in TCD O-RC Area A upon the issuance of a conditional use permit, provided the maximum floor area for each establishment shall not exceed five thousand (5,000) square feet:
 - a. Community Services, such as retirement housing, assisted living facilities, life care or continuing care facilities, skilled nursing facilities, library, museum, postal services, bus stop shelters, and community center (only with access from Bishops Lodge Road); and
 - b. Small scale lodging, such as bed and breakfast inns (up to 7 units), rooming and boarding housing (up to 7 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. Retail services market shops and open markets, convenience stores, offices/stores with residence on top; and
- d. Entertainment facilities such as fitness, recreational sports, gyms, and athletic clubs (archery is prohibited), exhibitions and art galleries, performing arts and supporting establishments, bars, taverns, and nightclubs.
- i. Bars, taverns and nightclubs may replace existing facilities only.

2. **Dimensional Standards.** See Base Zoning Districts: TCD-TC and TCD-RUR.

9.5.4.1.4. TCD O-RC Area B. Area B is located along Tesuque Village Road just east of the interchange with US 285 on approximately 9 acres of vacant land that abuts public right-of-way on three sides; Tesuque Village Road on the south and east and Highway US 285 on the west. Area B Subdistrict functions as a gateway to Tesuque. The area is envisioned to be appropriate for neighborhood-scaled and neighborhood-oriented mixed uses, including commercial offices, live work units, studios, restaurants, retail of primarily locally produced goods, community services, recreation amenities. Area B Subdistrict is not appropriate for travel services, highway oriented development or retail where the majority of goods are not produced locally.

- 1. **Conditional Uses.** The following uses may be allowed in TCD O-RC Area B Subdistrict upon the issuance of a conditional use permit, provided the maximum floor area for each establishment shall not exceed five thousand (5,000) square feet:
 - a. Community Services, such as retirement housing, assisted living facilities, life care or continuing care facilities, skilled nursing facilities, medical clinics, social/charitable services, services for the disabled, public safety, police, fire and emergency facilities, library, museum, postal services, bus stop shelters, and community center (only with access from Bishops Lodge Road); and
 - b. Small scale lodging, such as bed and breakfast inns (up to 7 units), rooming and boarding housing (up to 7 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. Retail services market shops and open markets, convenience stores, offices/stores with residence on top; and
 - d. Entertainment facilities such as fitness, recreational sports, gyms, and athletic clubs (archery is prohibited), exhibitions and art galleries, performing arts and supporting establishments, theater, dance, or music establishments, and permanent outdoor stage/bandstand; and

- e. Research and development services including scientific, medical and technological. Animal testing is prohibited.

2. **Dimension Standards.** See Base Zoning Districts: TCD-TC and TCD-RUR.

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

9.5.5.1. Accessory Dwelling Units.

9.5.5.1.1. Accessory Dwelling Units are allowed as a conditional use throughout the zoning district.

9.5.5.1.2. At the time of application, it is required that the primary dwelling unit is owner-occupied.

9.5.5.2. 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 9.5.8.

9.5.5.2.1. Medium Impact Home Occupations are prohibited throughout the TCD.

Table 9.5.8: TCD Home Occupations Standards:

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

9.5.6. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or

conditional, 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.

Table 9.5.9: 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 9.5.10: Tesuque Community District Use Table

Table 9.5.10: Tesuque Community District (TCD) Use Table

Use	Function	Structure	Activity	TCD RUR-R	TCD RES-F	TCD RES-E	TCD RES-C	TCD TC	TCD P/I	Special Conditions
Residential										
Single family detached units		1110		P	P	P	P	P	A	
Single family attached units		1120		P	P	P	P	P	A	
Duplex	-	1121		X	X	X	X	P	A	
Accessory dwelling units		1130		C	C	C	C	C	A	Chapter 10
Townhouses				X	X	X	X	P	A	
Multifamily dwellings		1202-99		X	X	X	X	P	A	
Retirement Housing	1210			X	X	X	X	X	C	
Assisted living facility	1230			X	X	X	X	X	C	
Life care or continuing care facilities	1240			X	X	X	X	X	C	
Skilled-n Nursing facilities	1250			X	X	X	X	X	C	
Community Home, NAICS 623210				P	P	P	P	P	P	
Barracks		1310		X	X	X	X	X	X	
Dormitories		1320		X	X	X	X	X	X	
Single room occupancy units	-	1340		X	X	X	X	X	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		C	C	C	C	C	C	
Hotels, motels, or other accommodation services										
Bed and Breakfast inn	1310			X	X	X	X	X	X	Chapter 10
Rooming and boarding housing	1320			X	X	X	X	X	X	
Resorts				X	X	X	X	X	X	
Retreats				C	X	X	X	X	C	
Hotels, motels, and tourist courts	1330			X	X	X	X	X	X	
Commercial										
Shop or store with drive-through facility		2210		X	X	X	X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	C	X	C	C	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	C	X	C	C	X	
Stand-alone store or shop		2230		X	C	X	C	C	X	
Department store		2240		X	X	X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	X	X	
Market shops, including open markets		2260		X	X	X	X	X	X	
Gasoline station		2270		X	X	X	X	X	X	
Automobile repair and service		2280		X	X	X	X	X	X	
Car dealer	2111			X	X	X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	X	X	X	X	
Boat or marine craft dealer	2114			X	X	X	X	X	X	
Automotive Parts, accessories, or tires	2115			X	X	X	X	X	X	
Gasoline service	2116			X	X	X	X	X	X	
Lumberyard and materials	2126			X	X	X	X	X	X	
Outdoor resale business	2145			X	C	X	C	C	X	
Pawnshops	CS 522298			X	X	X	X	X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	C	X	C	C	X	
Shopping center		2510-2580		X	X	X	X	X	X	

Table 9.5.10: Tesuque Community District (TCD) Use Table

Use	Function	Structure	Activity	TCD RUR-R	TCD RES-F	TCD RES-E	TCD RES-C	TCD TC	TCD P/I	Special Conditions
Convenience stores or centers		2591		X	X	X	X	X	X	
Car care center		2593		X	X	X	X	X	X	
Car washes	CS 811	192		X	X	X	X	X	X	
Office or bank (without drive-through facility)		2100		X	C	X	X	X	X	
Office (with drive-through facility)		2110		X	X	X	X	X	X	
Office or store with residence on top		2300		X	X	X	X	X	X	
Office-over storefront structure		2400		X	X	X	X	X	X	
Research and development services (scientific, medical, and technology)	2416			X	X	X	X	X	X	Chapter 9
Car rental and leasing	2331			X	X	X	X	X	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	X	X	X	X	X	
Bars, taverns and nightclubs				X	X	X	X	X	X	
Sexually oriented business				X	X	X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	X	X	X	
Industrial , manufacturing and wholesale trade										
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	X	X	X	
Loft		2611		X	X	X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	X	X	
Manufacturing plants		2613		X	X	X	X	X	X	
Industrial parks		2614		X	X	X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	X	X	
Construction-related businesses	7000			X	X	X	X	X	X	
Heavy construction	7400			X	X	X	X	X	X	
Machinery related	7200			X	X	X	X	X	X	
Special trade contractor	7300			X	X	X	X	X	X	
Automotive paint and body				X	X	X	X	X	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				DCI	DCI	DCI	DCI	DCI	DCI	X
Vehicle storage for towing or related business				X	X	X	X	X	X	
Demolition, <u>building and structure</u> business				X	X	X	X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	X	X	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	X	X	X	X	X	
High-rise mini-warehouse		2720		X	X	X	X	X	X	
Warehouse structure		2730		X	X	X	X	X	X	
Produce warehouse		2740		X	X	X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	X	X	
Wholesale trade— durable goods	3510			X	X	X	X	X	X	
Wholesale trade nondurable goods	3520			X	X	X	X	X	X	
Food, textiles, and related products				X	X	X	X	X	X	

Table 9.5.10: Tesuque Community District (TCD) Use Table

Use	Function	Structure	Activity	TCD RUR-R	TCD RES-F	TCD RES-E	TCD RES-C	TCD TC	TCD P/I	Special Conditions
Wood, paper, and printing products				X	X	X	X	X	X	
Tank farms		2780		X	X	X	X	X	X	
Public assembly structures										
Performance theater			3110	X	X	X	X	X	X	
Movie theater			3120	X	X	X	X	X	X	
Amphitheater			3130	X	X	X	X	X	X	
Drive-in theaters			3140	X	X	X	X	X	X	
Indoor games facility		3200		X	X	X	X	X	X	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	X	X	X	X	
Amusement or theme park	5310			X	X	X	X	X	X	
Arcade	5320			X	X	X	X	X	X	
Miniature golf establishment	5340			X	X	X	X	X	X	
Fitness, recreational sports, gym, or athletic club	5370			X	X	X	X	X	C	
Bowling, billiards, pool, etc.	5380			X	X	X	X	X	X	
Skating rinks	5390			X	X	X	X	X	X	
Sports stadium or arena		3300		X	X	X	X	X	X	
Racetrack or raceway	5130			X	X	X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	X	X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	P	P	
Covered or partially covered atriums and public enclosure		3700		X	X	X	X	X	C	
Passenger terminal, mixed mode		3810		X	X	X	X	X	X	*
Active open space/ athletic fields/golf courses	6340			C	C	C	C	C	C	*
Passive open space	6340			P	P	P	P	P	P	
Arts, entertainment, and recreation										
Active leisure sports and related activities			7100	C	C	C	C	C	C	Chapter 9
Movie Ranch				X	X	X	X	X	X	
Camps, camping, and related establishments	5400			X	X	X	X	X	X	
Exhibitions and art galleries		4410		X	X	X	X	X	C	
Performing arts or supporting establishment	5100			X	X	X	X	X	C	
Theater, dance, or music establishment	5101			X	X	X	X	X	C	
Institutional or community facilities										
Community center		2200		X	C	X	C	X	P	Chapter 9
Hospitals		4110		X	X	X	X	X	X	
Medical clinics		4120		X	X	X	X	X	C	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			X	C	X	C	X	C	
Child and youth services	6561			X	C	X	C	X	C	
Child care institution (basic)	6562			P	P	P	P	P	P	
Child care institution (specialized)	6562			P	P	P	P	P	P	
Day care center	6562			P	P	P	P	P	P	
Community food services	6563			X	X	X	X	X	C	

Table 9.5.10: Tesuque Community District (TCD) Use Table

Use	Function	Structure	Activity	TCD RUR-R	TCD RES-F	TCD RES-E	TCD RES-C	TCD TC	TCD P/I	Special Conditions
Emergency and relief services	6564			X	X	X	X	X	C	
Other family services	6565			X	X	X	X	X	C	
Services for elderly and disabled	6566			X	X	X	X	X	C	
Animal hospitals	6730			X	X	X	X	X	C	
School or university (privately owned)		4200		P	P	P	P	P	P	
Grade school (privately owned)		4210		P	P	P	P	P	P	
College or university facility (privately owned)		4220		X	X	X	X	X	X	
Technical, trade, and other specialty schools	6140	4230		X	X	X	X	X	X	
Library		4300		X	X	X	X	X	C	
Museum, exhibition, or similar facility	5200	4400		X	X	X	X	X	C	
Planetarium		4420		X	X	X	X	X	C	
Aquarium		4430		X	X	X	X	X	X	
Outdoor facility, no major structure			4440	€	€	€	€	€	€	
Zoological parks		4450		X	X	X	X	X	X	
Public safety related facility			4500	X	X	X	X	X	C	
Fire and rescue station			4510	X	X	X	X	X	C	
Police station			4520	X	X	X	X	X	C	
Emergency operation center			4530	X	X	X	X	X	C	
Correctional or rehabilitation facility			4600	X	X	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	X	X	X	X	X	C	
Funeral homes			4800	X	X	X	X	X	X	
Cremation facilities			4800	X	X	X	X	X	X	
Public administration		6200		X	X	X	X	X	C	
Post offices		6310		X	X	X	X	X	P	
Space research and technology		6330		X	X	X	X	X	C	*
Clubs or lodges				X	X	X	X	X	X	
Transportation-related facilities										
Commercial automobile parking lots		5200		X	X	X	X	X	X	
Commercial automobile parking garages				X	X	X	X	X	X	
Surface parking, open		5210		X	X	X	X	X	A	
Surface parking, covered		5220		X	X	X	X	X	A	
Multistoried parking structure with ramps		5230		X	X	X	X	X	X	
Underground parking structure with ramps		5240		X	X	X	X	X	X	
Rooftop parking facility		5250		X	X	X	X	X	X	
Bus terminal		3830		X	X	X	X	X	X	
Bus stop shelter		5300		X	X	X	X	X	P	
Truck storage and maintenance facilities		5400		X	X	X	X	X	X	
Truck freight transportation facilities	4140			X	X	X	X	X	X	
Light rail transit lines and stops	4151			X	X	X	X	X	C	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	X	X	
Taxi and limousine service maintenance and storage facilities	4155			X	X	X	X	X	X	
Taxi and limousine service dispatch facilities				X	X	X	X	X	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	X	X	

Table 9.5.10: Tesuque Community District (TCD) Use Table

Use	Function	Structure	Activity	TCD RUR-R	TCD RES-F	TCD RES-E	TCD RES-C	TCD TC	TCD P/I	Special Conditions
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	X	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	X	X	
Courier and messenger service facilities	4190			X	X	X	X	X	X	
Commercial airports		5600		X	X	X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	X	X	
Heliport facility		5640		X	X	X	X	X	X	
Helistops				X	X	X	X	X	X	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	X	X	
Railroad passenger station		5701		X	X	X	X	X	X	
Railroad freight facility		5702		X	X	X	X	X	X	
Utility										
Local distribution facilities for water, natural gas, and electric power		6100		P	P	P	P	P	P	
Telecommunications lines				P	p	P	P	P	P	
Electric power substations				X	X	X	X	X	X	
High-voltage electric power transmission lines				X	X	X	X	X	X	
Dam		6220		X	X	X	X	X	X	
Livestock watering tank or impoundment				P	P	P	P	P	P	
Levee		6230		X	X	X	X	X	X	
Water tank (elevated, at grade, or underground)		6250		C	C	C	C	C	C	
Water wells, well fields, and bulk water transmission pipelines		6260		C	C	C	C	C	C	
Water treatment and purification facility		6270		C	C	C	C	C	C	
Water reservoir		6280		C	C	C	C	C	C	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	P	P	P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	C	C	C	C	C	
Solid waste landfill facility	4345	6320		X	X	X	X	X	X	
Composting facility		6330		C	C	C	C	X	C	
Recycling transfer center		6331		X	X	X	X	X	X	
Solid waste collection transfer station (Governmental)	4343		3210	X	X	X	X	X	X	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	X	X	X	
Septic tank service, repair, and installation business	4346			X	X	X	X	X	X	
Household hazardous waste collection facility				X	X	X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	X	X	
Sewage treatment plant and disposal facilities		6350		C	C	C	X	X	C	
Gas or electric power generation facility		6400		X	X	X	X	X	X	

Table 9.5.10: Tesuque Community District (TCD) Use Table

Use	Function	Structure	Activity	TCD RUR-R	TCD RES-F	TCD RES-E	TCD RES-C	TCD TC	TCD P/I	Special Conditions
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		6500		C	X	X	X	X	C	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		6500		P	P	P	P	P	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		6500		P	C	C	C	C	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		X	X	X	X	X	X	
Weather stations or transmitters		6520		C	X	X	X	C	C	Chapter 9
Environmental monitoring station (air, soil, etc.)		6600		P	P	P	P	P	P	
Commercial solar energy production facility				X	X	X	X	X	X	
Geothermal production facility		6450		X	X	X	X	X	X	
Large scale wind facility				X	X	X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	X	X	X	X	
Highway rest stops and welcome centers		6930		X	X	X	X	X	X	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	X	X	X	
Agriculture, forestry, and conservation/open space										
Grain silos and other storage structure for grains and agricultural products		8100		A	A	A	A	A	A	
Animal production that includes slaughter	9300			X	X	X	X	X	X	
Livestock pens or hog houses		8200		X	X	X	X	X	X	
Commercial greenhouses		8500		C	C	C	C	C	C	Chapter 9
Nurseries and other growing of ornamental plants				P	P	P	P	P	P	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	P	P	P	P	P	Chapter 9
Stables and other equine-related facilities - Commercial over 12 horses				X	X	X	X	X	X	
Kennels and commercial dog breeding facilities		8700		X	X	X	X	X	X	
Apiary and other related structures		8700		P	P	P	P	P	P	
Crop production outdoor	9100			P	P	P	P	P	P	
Crop production greenhouse		8500		P	P	P	P	P	P	Chapter 9
Display or sale of agricultural products raised on the same premises				X	X	X	C	C	C	
Forestry and logging operations	9300			X	X	X	X	X	X	
Game preserves and retreats	9400			X	X	X	X	X	X	
Support business and operations for agriculture and forestry				X	X	X	X	X	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	P	P	
Public or community outdoor recreation facilities				C	C	C	C	C	C	
Concentrated animal feeding operation		8310		X	X	X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	P	P	P	P	P	
Dairy farms		8210		X	X	X	X	X	X	
Other farm and farming-related structures		8900		A	A	A	A	A	A	Chapter 9
Poultry farms and poultry production facilities		8220		X	X	X	X	X	X	
Sheds, or other agricultural facilities		8000		A	A	A	A	A	A	Chapter 9
Animal waste lagoons		8420		X	X	X	X	X	X	Ch 11

Table 9.5.10: Tesuque Community District (TCD) Use Table

Use	Function	Structure	Activity	TCD RUR-R	TCD RES-F	TCD RES-E	TCD RES-C	TCD TC	TCD P/I	Special Conditions
Mining and extraction establishments										
Oil and natural gas exploration or extraction	8100			X	X	X	X	X	X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	X	X	X	X	X	Ch 11
Coal mining	8300			X	X	X	X	X	X	
Nonmetallic minerals mining	8400			X	X	X	X	X	X	
Quarrying and stone cutting	8500			X	X	X	X	X	X	
Sand and gravel Mining				X	X	X	X	X	X	.
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	X	X	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.**

9.6. MADRID COMMUNITY DISTRICT OVERLAY.

9.6.1. Purpose and Intent. The provisions of the Madrid Community District (MCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Madrid Community Plan and the Sustainable Growth Management Plan (SGMP). The MCD is designed to preserve the rural character, community self-sufficiency, history and culture of Madrid to help manage growth, maintain sustainable water and wastewater, preserve a high quality of life and protect and strengthen relationships between neighbors, accommodate a variety of lifestyles and meet future needs.

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

9.6.2.1. Setbacks. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.6.2.1.1. Minimum front setback shall be 8 feet.

9.6.2.1.2. Minimum side and rear setback shall be 10 feet.

9.6.2.2. Signs. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.6.2.2.1. Backlit, plastic, and neon signs are prohibited.

9.6.2.3. Water Supply, Wastewater and Water Conservation. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.6.2.3.1. Water Conservation; Non-residential. New non-residential establishments shall make connection to a public or publicly-regulated private water system when the utility becomes ready, willing and able to supply the development. New non-residential development will be required to limit water consumption to .25 acre feet per year.

9.6.2.3.2. Wastewater; Non-residential. New non-residential establishments must provide proof of adequate restroom facilities before business licenses will be granted to ensure that non-residential establishments have adequate restroom facilities to serve demand generated by their business activities. Facilities shall include on-site restroom(s), portable facilities, shared facilities with another establishment or other types of facilities which meet applicable public restroom facility standards.

9.6.2.4. Terrain Management. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.6.2.4.1. Steep Slopes and Ridges. These standards apply to all new structures and additions to existing structures located on development sites where any portion of the land has a natural slope prior to development of 15 % or greater, and on ridgetops.

9.6.2.4.2. Viewshed Preservation. In order to preserve the unobstructed horizons surrounding Madrid, no portion of a residential, commercial, or any other structure shall be visible above a ridge top when viewed from the centerline of NM 14 at the nearest spot on the highway with a direct view of the proposed structure.

9.6.2.4.3. Ridgetop Protection. Where a ridgetop measures more than two hundred feet (200') from shoulder to shoulder (a mesa), the ridge top standards and requirements for the architecture and buffers shall apply within two hundred feet (200') of the shoulder of the ridge and setbacks will be directed away from the portion of property most visible from the major roadway as described above.

9.6.2.4.4. Landscaping and Screening. Evergreen trees at least 5 feet tall shall be used for screening and buffering of structures, cuts and fills in order to maintain year round screening of previously disturbed areas.

1. Cut slopes with a slope or retaining wall closer than 6 feet from the edge of a road or driveway, where the planting area for trees is limited, may be screened with a trellis supporting planted vegetation or other similar means.

9.6.2.5. Special Protection of Riparian Areas. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.6.2.5.1. Native vegetation endemic to riparian areas is exempted from the xeriscape requirements set forth in Chapter 7 of this Code.

9.6.2.6. Greenbelt Traffic Restrictions. All motorized vehicular traffic in the MCD greenbelt area, as identified in Appendix C: SLDC Official Map Series, Map 5 "Open Space and Trails" shall be prohibited with the exception of traffic on existing road easements and uses such as emergency purposes and water cooperative maintenance.

9.6.2.7. Wildlife Corridors. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.6.2.7.1. In all instances where wildlife corridors are identified, development shall be adjusted to avoid disturbance.

9.6.2.8. Density Transfer. Whenever density transfers are used to create open space in perpetuity by easement or other legal means, and when new lots are created, maximum lot coverage shall increase to 50% and shall be calculated based on each individual new development lot.

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

9.6.3.1. Generally. The MCD 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.

- 9.6.3.2. Base Zoning Districts.** Base zoning districts approved for use in the MCD are listed in Table 9.6.1:

Table 9.6.1 Madrid Base Zoning Districts.

RUR	Rural
TC	Traditional Community
CN	Commercial Neighborhood
PI	Public/Institutional

- 9.6.3.2.1. MCD Rural (MCD RUR); Purpose.** The purpose of this district is to designate areas suitable for a combination of agricultural, equestrian, residential and other compatible uses. The intent of the MCD-RUR district is to protect agricultural uses from encroachment by development and to support agricultural, ranch, very large lot residential, and ecotourism uses. 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on MCD Use Matrix.
2. **Hotels, motels and tourist courts:**
 - a. Only tourist courts are permitted.
3. **Dimensional Standards.** As identified in Chapter 8 of this Code, Rural, except as prescribed in MCD Table 9.6.2.

Table 9.6.2: Dimensional Standards MCD RUR (Rural)

Zoning District	MCD RUR-R
Density (# of acres per dwelling unit)	40
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	25
Height (maximum, feet), hay or animal barn, silo, water tower	36
Lot coverage residential and non-residential structures (maximum, percent)	5

- 9.6.3.2.2. MCD Traditional Community (MCD TC); Purpose.** The purpose of this district is to continue to reflect the unique historic development patterns of the old village with a mixed pattern of lot sizes and shapes and housing types. It should remain as a place where people work and live consistent with historic options for compact residential development including clustered housing, family compounds, and secondary dwelling units. Community facilities, institutional

uses, agricultural uses, and home occupations that are residential in scale should continue to be allowed anywhere in the district. The MCD-TC accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses.

1. **Use Regulations.** Uses permitted, conditional, accessory and prohibited as identified in Chapter 8 of Appendix B of this Code with exceptions identified on MCD Use Matrix.
2. **Dimensional Standards.** As identified in Chapter 8 of this Code, Traditional Community, except as prescribed in MCD Table 9.6.3.

Table 9.6.3: Dimensional Standards MCD TC (Traditional Community)

Zoning District	MCD 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)	25
Height (maximum, feet), hay or animal barn, silo	36
Maximum building size (non-residential)	2,500 sq. ft.
Lot coverage residential/non-residential (maximum, percent) for lots equal to or greater than .75 acres	25*

* If the existing lot is less than .75 acres, the lot coverage can be adjusted up to a maximum of 50%.

9.6.3.2.3. MCD Commercial Neighborhood (MCD CN); Purpose. The purpose of this district is to allow for residential and low-intensity non-residential uses that are intended to serve and are in close proximity to individual residential neighborhoods.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on MCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.6.4.

Table 9.6.4: Dimensional Standards MCD CN (Commercial Neighborhood)

CN Zoning District	CN
Density	.75
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	25

9.6.3.2.4. MCD Public/Institutional (MCD PI); Purpose. The purpose of this district is to continue to accommodate 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 of this Code with exceptions identified on MCD Use Matrix.
2. **Dimensional Standards.** As identified in Chapter 8 of this Code except as prescribed in MCD Table 9.6.5.
3. **Architectural Design Standards.** In order to preserve the historical design character of Madrid, any new development on MCD PI property shall be designed to integrate with the general style of Madrid.

Table 9.6.5: Dimensional Standards MCD PI (Public/Institutional)

Zoning District	LCCD 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)	25
Lot coverage residential and non-residential (maximum, percent)	25

9.6.4. MCD Overlay Zones.

9.6.4.1. Madrid Rural Commercial Overlay (MCD O-RC); Purpose. The MCD O-RC accommodates the development of small scale business, commercial, service-related, and limited manufacturing activities that have adequate facilities and would not cause a detriment to any abutting residential lands. This zone is appropriate for areas where such development should logically locate because of established, historic land use patterns in Madrid, planned or existing public facilities, and appropriate access.

9.6.4.1.1. Location. The MCD O-RC is appropriate for use in the MCD RUR and MCD TC districts so long as the property is directly adjacent to NM 14 and within the Planning Area. Commercial and non-residential development shall conform to all requirements of this Code.

9.6.4.1.2. Uses permitted, conditional, accessory and prohibited as regulated in the MCD TC and MCD RUR Base Zoning Districts, with exceptions identified below:

1. **Permitted Uses.** In addition to those uses allowed by the underlying zoning, the following uses are allowed in the MCD O-RC upon the

issuance of a development permit, and shall not exceed two thousand five hundred (2,500) square feet:

- a. Commercial and retail shops and stores, exhibition spaces and art galleries, performing arts, bicycle sales, rentals, leasing and repair shops, offices and stores with residence included, bed and breakfast inns, rooming and boarding houses and retreats; and
 - b. Public recreation facilities, bus shelters, community food services and social services, fire and rescue, agricultural production and sales, green houses; and
 - c. Utility services including, local water storage, distribution, treatment and fire protection; other local utility services including wastewater, natural gas, telecommunications and electricity distribution facilities or similar technical installations essential to the operation of a public utility.
2. **Conditional Uses.** The following uses may be allowed in the MCD O-RC upon the issuance of a conditional use permit, and shall not exceed two thousand five hundred (2,500) square feet:
- a. Community Services such as library, museum, postal services, electric car charging stations, community center, library, planetarium, public safety facilities, surface parking facilities and rail line stops for public transportation and highway rest stops/welcome centers.
 - b. Health care services such as medical clinics, child/adult/elder health care services, retirement housing, assisted living facilities, life care or continuing care facilities and skilled nursing facilities.
 - c. Agricultural and environmental related uses such as animal hospitals, grain silos, commercial greenhouses, nurseries, game preserves and retreats, ag/forestry support services and composting facilities.
 - d. Communication services such as radio, weather and environmental monitoring station and wireless communication transmitters, commercial solar electricity production, and broadcasting station.
 - e. Entertainment facilities such as, theaters/dance/music establishments, exhibitions and art galleries, performing arts and supporting establishments, permanent outdoor stage and bandstands, public art installations, fitness, recreational sports, gyms, and athletic clubs, mini golf and bowling/billiards/pool hall.
 - f. **Supplemental Conditional Uses MCD-TC.** The following uses are only allowed in the MCD O-RC within the MCD-TC Base Zoning District: bars, taverns, nightclubs and tattoo parlors.
 - g. **Supplemental Conditional Uses MCD-RUR.** The following uses are only allowed in the MCD O-RC within the MCD-RUR Base Zoning District: Tourist courts, camps/camping and related establishments, cemeteries,

clubs or lodges, commercial parking garages, aircraft facilities, recycling transfer center, geothermal productions facility, large scale wind facility, stables and other equine facilities.

9.6.4.1.3. Dimensional Standards. See Base Zoning Districts: MCD-TC and MCD-RUR.

9.6.4.1.4. Architectural Design Standards. In order to preserve the unique design character of Madrid, any new non-residential development under the MCD O-RC shall be designed to integrate with the general style of the MCD.

9.6.5. Supplemental Zoning Standards.

9.6.5.1. Accessory Dwelling Units. Accessory Dwelling Units are allowed as a conditional use throughout the zoning district. At the time of application, the primary dwelling unit shall be owner-occupied.

9.6.5.2. 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 9.6.5.

Table 9.6.6: MCD Home Occupations Standards:

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

9.6.5.3. Medium Impact Home Occupations, as identified in Chapter 10 of this Code are prohibited throughout the Madrid Community Planning Area.

9.6.5.4. Home Occupation Parking. Parking for Home Occupations shall be provided on-site, as practicable. If, due to the historic land use or small lot development pattern

of Madrid, conditions prohibit parking on-site, then the Home Occupation proprietor shall provide alternative parking sites for customers, staff and home occupation related vehicles.

9.6.5.5. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use matrix in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.6.7: 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 9.6.8. MCD Use Matrix

Table 9.6.8: Madrid Community District (MCD) Use Table

Use	Function	Structure	Activity	MCD RUR	MCD TC	MCD CN	MCD P/I	Special Conditions
Residential								
Single family detached units		1110		P	P	P	X	
Single family attached units		1120		C	C	C	X	
Duplex	-	1121		C	C	C	X	
Accessory dwelling units		1130		A	A	A	X	Chapter 10
Townhouses				X	X	X	X	
Multifamily dwellings		1202-99		C	C	C	X	
Retirement Housing	1210			C	C	C	X	
Assisted living facility	1230			C	C	C	X	
Life care or continuing care facilities	1240			C	C	C	X	
Skilled-nursing facilities	1250			C	C	C	X	
Community Home, NAICS 623210				P	P	P	X	
Barracks		1310		X	X	X	X	
Dormitories		1320		X	X	X	X	
Single room occupancy units	-	1340		X	X	X	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		C	C	C	X	
Hotels, motels, or other accommodation services								
Bed and Breakfast inn	1310			X	X	P	X	Chapter 10
Rooming and boarding housing	1320			X	X	P	X	
Resorts				X	X	C	X	
Retreats				X	X	P	C	
Hotels, motels, and tourist courts	1330			X	X	X	X	Chapter 9
Commercial								
Shop or store with drive-through facility		2210		X	X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	C	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	C	X	
Stand-alone store or shop		2230		X	X	P	X	
Department store		2240		X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	
Market shops, including open markets		2260		X	X	C	C	
Gasoline station		2270		X	X	X	X	
Automobile repair and service		2280		X	X	C	X	
Car dealer	2111			X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	P	X	
Boat or marine craft dealer	2114			X	X	X	X	
Automotive Parts, accessories, or tires	2115			X	X	X	X	
Gasoline service	2116			X	X	X	X	
Lumberyard and materials	2126			X	X	C	X	
Outdoor resale business	2145			X	X	C	X	
Pawnshops		NAICS 522298		X	X	X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	X	X	
Shopping center		2510-2580		X	X	X	X	
Convenience stores or centers		2591		X	X	X	X	
Car care center		2593		X	X	X	X	

Table 9.6.8: Madrid Community District (MCD) Use Table

Use	Function	Structure	Activity	MCD RUR	MCD TC	MCD CN	MCD P/I	Special Conditions
Car washes	NAICS 811192			X	X	X	X	
Office or bank (without drive-through facility)		2100		X	X	C	X	
Office (with drive-through facility)		2110		X	X	X	X	
Office or store with residence on top		2300		X	X	P	X	
Office-over storefront structure		2400		X	X	P	X	
Research and development services (scientific, medical, and technology)	2416			X	X	C	X	
Car rental and leasing	2331			X	X	C	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	X	X	X	
Bars, taverns and nightclubs				X	X	C	X	
Sexually oriented business				X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	C	X	
Industrial , manufacturing and wholesale trade								
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	X	
Loft		2611		X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	
Manufacturing plants		2613		X	X	X	X	
Industrial parks		2614		X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	
Construction-related businesses	7000			X	X	X	X	
Heavy construction	7400			X	X	X	X	
Machinery related	7200			X	X	X	X	
Special trade contractor	7300			X	X	X	X	
Automotive paint and body				X	X	X	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	X	
Vehicle storage for towing or related business				X	X	X	X	
Demolition, <u>building and structure</u> business				X	X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	X	X	X	
High-rise mini-warehouse		2720		X	X	X	X	
Warehouse structure		2730		X	X	X	X	
Produce warehouse		2740		X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	
Wholesale trade— durable goods	3510			X	X	X	X	
Wholesale trade nondurable goods	3520			X	X	X	X	
Food, textiles, and related products				X	X	X	X	
Wood, paper, and printing products				X	X	X	X	
Tank farms		2780		X	X	X	X	
Public assembly structures								
Performance theater			3110	X	X	C	C	

Table 9.6.8: Madrid Community District (MCD) Use Table

Use	Function	Structure	Activity	MCD RUR	MCD TC	MCD CN	MCD P/I	Special Conditions
Movie theater			3120	X	X	C	X	
Amphitheater			3130	X	X	C	C	
Drive-in theaters			3140	X	X	X	X	
Indoor games facility		3200		X	X	X	X	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	X	X	
Amusement or theme park	5310			X	X	X	X	
Arcade	5320			X	X	X	X	
Miniature golf establishment	5340			X	X	C	X	
Fitness, recreational sports, gym, or athletic club	5370			X	X	C	X	
Bowling, billiards, pool, etc.	5380			X	X	C	X	
Skating rinks	5390			X	X	X	X	
Sports stadium or arena		3300		X	X	X	X	
Racetrack or raceway	5130			X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	
Covered or partially covered atriums and public enclosure		3700		X	X	C	C	
Passenger terminal, mixed mode		3810		X	X	X	X	*
Active open space/ athletic fields/golf courses	6340			X	X	X	P	*
Passive open space	6340			P	P	P	P	
Arts, entertainment, and recreation								
Active leisure sports and related activities			7100	X	X	C	C	
Movie Ranch				X	X	X	X	
Camps, camping, and related establishments	5400			X	X	X	X	
Exhibitions and art galleries		4410		X	X	P	X	
Performing arts or supporting establishment	5100			X	X	P	X	
Theater, dance, or music establishment	5101			X	X	C	C	
Institutional or community facilities								
Community center		2200		X	X	C	P	
Hospitals		4110		X	X	X	X	
Medical clinics		4120		X	X	C	C	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			X	X	P	P	
Child and youth services	6561			X	X	C	C	
Child care institution (basic)	6562			P	P	P	P	
Child care institution (specialized)	6562			P	P	P	P	
Day care center	6562			P	P	P	P	
Community food services	6563			X	X	P	P	
Emergency and relief services	6564			X	X	C	C	
Other family services	6565			X	X	C	C	
Services for elderly and disabled	6566			X	X	C	C	
Animal hospitals	6730			X	X	C	X	
School or university (privately owned)		4200		P	P	P	P	
Grade school (privately owned)		4210		P	P	P	P	
College or university facility (privately owned)		4220		X	X	C	X	
Technical, trade, and other specialty schools	6140	4230		X	X	C	X	
Library		4300		X	X	C	C	

Table 9.6.8: Madrid Community District (MCD) Use Table

Use	Function	Structure	Activity	MCD RUR	MCD TC	MCD CN	MCD P/I	Special Conditions
Museum, exhibition, or similar facility	5200	4400		X	X	C	C	
Planetarium		4420		X	X	C	C	
Aquarium		4430		X	X	X	X	
Outdoor facility, no major structure			4440	X	X	C	C	
Zoological parks		4450		X	X	X	X	
Public safety related facility			4500	X	X	C	C	
Fire and rescue station			4510	X	X	P	P	
Police station			4520	X	X	X	X	
Emergency operation center			4530	X	X	X	X	*
Correctional or rehabilitation facility			4600	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	X	X	X	X	
Funeral homes			4800	X	X	X	X	
Cremation facilities			4800	X	X	X	X	
Public administration		6200		X	X	X	X	
Post offices		6310		X	X	C	C	
Space research and technology		6330		X	X	C	X	*
Clubs or lodges				X	X	X	X	
Transportation-related facilities								
Commercial automobile parking lots		5200		X	X	C	C	
Commercial automobile parking garages				X	X	X	X	
Surface parking, open		5210		X	X	C	C	
Surface parking, covered		5220		X	X	C	C	
Multistoried parking structure with ramps		5230		X	X	X	X	
Underground parking structure with ramps		5240		X	X	X	X	
Rooftop parking facility		5250		X	X	X	X	
Bus terminal		3830		X	X	X	X	
Bus stop shelter		5300		X	X	P	P	
Truck storage and maintenance facilities		5400		X	X	X	X	
Truck freight transportation facilities	4140			X	X	X	X	
Light rail transit lines and stops	4151			X	X	C	C	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	
Taxi and limousine service maintained and storage facilities	4155			X	X	X	X	
Taxi and limousine service dispatch facilities				X	X	C	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	
Courier and messenger service facilities	4190			X	X	C	X	
Commercial airports		5600		X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	
Heliport facility		5640		X	X	X	X	
Helistops				X	X	X	X	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	

Table 9.6.8: Madrid Community District (MCD) Use Table

Use	Function	Structure	Activity	MCD RUR	MCD TC	MCD CN	MCD P/I	Special Conditions
Railroad tracks, spurs, and sidings				X	X	C	C	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	
Railroad passenger station		5701		X	X	C	C	
Railroad freight facility		5702		X	X	X	X	
Utility								
Local distribution facilities for water, natural gas, and electric power		6100		X	X	P	P	
Telecommunications lines				X	X	P	P	
Electric power substations				X	X	X	X	
High-voltage electric power transmission lines				X	X	X	X	
Dam		6220		X	X	C	C	
Livestock watering tank or impoundment				X	X	C	C	
Levee		6230		X	X	C	C	
Water tank (elevated, at grade, or underground)		6250		X	X	P	P	
Water wells, well fields, and bulk water transmission pipelines		6260		X	X	P	P	
Water treatment and purification facility		6270		X	X	P	P	
Water reservoir		6280		X	X	P	P	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		X	X	P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		X	X	P	P	
Solid waste landfill facility	4345	6320		X	X	X	X	
Composting facility		6330		X	X	C	C	
Recycling transfer center		6331		X	X	X	C	
Solid waste collection transfer station (Governmental)	4343		3210	X	X	X	X	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	X	
Septic tank service, repair, and installation business	4346			X	X	X	X	
Household hazardous waste collection facility				X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	C	C	
Gas or electric power generation facility		6400		X	X	X	X	
New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes		6500		C	X	X	C	
Modification of existing wireless communication facility with no substantial changes/Collocation		6500		P	P	P	P	
Roof Mounted/Surface Mounted/Stealth		6500		P	C	P	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		X	X	C	C	
Weather stations or transmitters		6520		X	X	C	C	
Environmental monitoring station (air, soil, etc.)		6600		X	X	C	C	
Commercial solar energy production facility				X	X	C	C	
Geothermal production facility		6450		X	X	X	C	
Large scale wind facility				X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	C	C	
Highway rest stops and welcome centers		6930		X	X	C	C	

Table 9.6.8: Madrid Community District (MCD) Use Table

Use	Function	Structure	Activity	MCD RUR	MCD TC	MCD CN	MCD P/I	Special Conditions
Fountain, sculpture, or other similar decorative structures		6950		X	X	C	C	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	C	P	
Agriculture, forestry, and conservation/open space								
Grain silos and other storage structure for grains and agricultural products		8100		X	X	C	C	
Animal production that includes slaughter	9300			X	X	X	X	
Livestock pens or hog houses		8200		X	X	X	X	
Commercial greenhouses		8500		X	X	C	C	
Nurseries and other growing of ornamental plants				X	X	C	X	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		X	X	X	X	
Stables and other equine-related facilities - Commercial over 12 horses				X	X	X	X	
Kennels and commercial dog breeding facilities		8700		X	X	X	X	
Apiary and other related structures		8700		P	P	P	P	
Crop production outdoor	9100			P	P	P	P	
Crop production greenhouse		8500		P	P	P	P	
Display or sale of agricultural products raised on the same premises				P	P	P	P	
Forestry and logging operations	9300			X	X	X	X	
Game preserves and retreats	9400			X	X	C	X	
Support business and operations for agriculture and forestry				X	X	C	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	
Public or community outdoor recreation facilities				P	P	P	P	
Concentrated animal feeding operation		8310		X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		C	C	C	X	
Dairy farms		8210		X	X	X	X	
Other farm and farming-related structures		8900		C	C	C	X	
Poultry farms and poultry production facilities		8220		X	X	X	X	
Sheds, or other agricultural facilities		8000		A	A	A	A	
Animal waste lagoons		8420		X	X	X	X	Ch 11
Mining and extraction establishments								
Oil and natural gas exploration or extraction	8100			X	X	X	X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	X	X	X	Ch 11
Coal mining	8300			X	X	X	X	
Nonmetallic minerals mining	8400			X	X	X	X	
Quarrying and stone cutting	8500			X	X	X	X	
Sand and gravel Mining				X	X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	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.**

9.7. SAN PEDRO COMMUNITY DISTRICT OVERLAY.

9.7.1. Purpose and Intent. The provisions of the San Pedro Community District, (SPCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the San Pedro Community Plan and the Sustainable Growth Management Plan (SGMP). The OCD is designed to implement the updated San Pedro Community Plan to ensure compatibility among various land uses, of the San Pedro community. Provisions of the SPCD include standards and dimensions based on development patterns and incentives to facilitate compact development where appropriate.

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

9.7.2.1. Lighting. This is a dark sky community. Lighting standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.7.2.1.1. Light Shielding. All outdoor lighting shall be shielded.

9.7.2.1.2. Light Pole Height. Poles with lights cannot exceed 24 foot in height or one and one-half (1.5) times the height of the tallest structure on the property, whichever is lower.

9.7.2.1.3. Motion Sensing Devices on Outdoor Lighting.

1. All outdoor lights of 600 lumen or greater must have operable motion-sensing devices and must be properly maintained. Lights that cannot be fitted with motion-sensing devices, such as ornamental lights, must be extinguished when not in use.

9.7.2.1.4. Signs. All signage shall comply with the requirements of Chapter 7 of this Code with the following exception:

1. Illuminated signs are prohibited.

9.7.2.1.5. Noise. Impulsive sounds, sounds of short duration that have an abrupt increase and abrupt decay, including gunfire and exploding targets are regulated by the nuisance ordinance.

9.7.2.1.6. Building Color. All structures including non-residential, residential and accessory structures shall be a neutral or a darker shade of the color that blends into the natural surroundings such as the natural foliage or natural earth tones of the soils.

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

9.7.3.1. Generally. The SPCD 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 the underlying zone, the standard of the overlay zone shall govern.

9.7.3.2. Base Zoning Districts. Base zoning districts approved for use in the Community District are listed in Table 9.7.1.

Table 9.7.1: San Pedro Community Base Zoning Districts.

RUR	Rural
RUR-F	Rural Fringe
RUR-R	Rural Residential

9.7.3.2.1. SPCD Rural (SPCD RUR); Purpose. The purpose of the Rural (RUR) district is to designate areas suitable for a combination of agricultural, equestrian, residential and other compatible uses. The intent of the RUR district is to maintain the large lot pattern in these areas and allow for continued agricultural, ranch, and very large lot residential development.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of the this Code, with exceptions identified on the SPCD Use Matrix.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.7.2:

Table 9.7.2: Dimensional Standards SPCD RUR (Rural).

Zoning District	SPCD RUR
Density (# of acres per dwelling unit)	40
Lot width (minimum, feet)	150
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

9.7.3.2.2. SPCD Rural Fringe (SPCD RUR-F); Purpose. The purpose of the Rural Fringe (RUR-F) district is to designate areas suitable for a combination of residential development, agricultural uses and other compatible uses, including retreats. The RUR-F zone accommodates primarily large lot residential, ecotourism, equestrian uses, seeking a balance between conservation, environmental protection and reasonable opportunity for development.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of the this Code, with exceptions identified on the SPCD Use Matrix and below.
 - a. **Indoor games facility:**
 - i. Indoor gymnasiums are permitted only as part of a retreat facility.
 - a. **Fitness, recreational sports, gym, or athletic club:**

- i. These uses are permitted as part of a retreat facility.

a. Child and youth services:

- i. These uses are permitted as part of a retreat facility.

a. Helistops:

- i. Helistops shall be permitted only for an emergency use at a retreat facility.

- 2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.7.3.

Table 9.7.3: Dimensional Standards SPCD RUR-F (Rural Fringe).

Zoning District	SPCD RUR-F
Density (# of acres per dwelling unit)	20
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

- 9.7.3.2.3. **SPCD Rural Residential (SPCD RUR-R); Purpose.** The purposes of the Rural Residential (RUR-R) district are: to provide for the development of single-family homes on large lots, either individually or as part of rural subdivisions; to preserve the scenic and rural character of the San Pedro area; to provide consolidated open space and agricultural lands; and to recognize the desirability of carrying on compatible agricultural operations and home developments. Uses that support rural character of the broader area shall be allowed including agricultural production, and home-based businesses.

- 1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of the this Code, with exceptions identified on the SPCD Use Matrix.

- 2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.7.4.

Table 9.7.4: Dimensional Standards SPCD RUR-R (Rural Residential).

Zoning District	SPCD RUR-R
Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

9.7.4. Supplemental Zoning Standards.

9.7.4.1. Home Occupations. Purpose. Home Occupations are small-scale uses that are conducted from one's home and are secondary to primary use of a residence. All Home Occupations shall meet the criteria established in this Overlay. Home Occupations shall be allowed anywhere within the San Pedro Overlay Community District. As regulated in Chapter 10 of the SLDC with the following exceptions:

9.7.4.1.1. Hours of Operations.

1. All employee ingress/egress activity and deliveries shall occur between the hours of 8am and 8pm Monday through Sunday.

9.7.4.2. Supplemental Use Regulations; Purpose. This section establishes additional or alternative standards for particular uses in the SPCD. The purpose of this chapter is to establish standards for specific uses which require special design considerations in order to: protect surrounding property values and uses; protect the public health, safety, and general welfare; and implement the SGMP. These standards seek compatibility with the principal uses permitted in a zoning district. It is the intent of the County that supplemental uses comply with the standards that have been created to address the particular impacts and characteristics. Uses shall be as stated on the Use Matrix for SPCD, these are permitted in the Rural, Rural Fringe and Rural Residential Zone in SPCD with the following restrictions:

9.7.4.2.1. Uses listed below must have the licensee of the business residing in a dwelling on the property, except for community facilities.

9.7.4.2.2. Retail establishments including bakeries, camera shops, florist shops, gift shops, stationary shops, apparel shops, shoe stores, jewelry stores, toy stores.

9.7.4.2.3. Bed and Breakfast establishments:

1. This use shall be limited to a maximum of 5,000 square feet.
2. This use shall be limited to a maximum of 5 rooms.

9.7.4.2.4. Personal Service establishments including barber shops, beauty shops, shoe repair shops, exercise or dance studios.

9.7.4.2.5. Small offices and studios, medical offices and/or clinics, massage studios:

1. These uses shall be limited to a maximum of 5,000 square feet.

9.7.4.2.6. Small scale automotive repair garages.

9.7.4.2.7. Exhibitions, art galleries, performing arts or supporting establishment, theater, dance or music establishment:

1. These uses shall be limited to a maximum of 5,000 square feet.

9.7.4.2.8. Veterinary establishments:

1. This use shall be limited to a maximum of 1,200 square feet.

2. Outdoor boarding of cats and dogs is prohibited.

9.7.4.2.9. Small scale equestrian facilities:

1. Other than the residents private horses, this use is limited to 6 horses.

9.7.4.2.10. Small manufacturing establishments for wood working and carpentry, metal work and welding, jewelry, arts and crafts.

9.7.4.2.11. Retirement housing, assisted living facility, life care or continuing care facilities, and skilled nursing facilities:

1. These uses shall be limited to a maximum of 5,000 square feet.

9.7.4.2.12. Research and development services (scientific, medical, and technology):

1. These uses shall be limited to a maximum of 1,200 square feet.

9.7.4.2.13. Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services:

1. These uses shall be limited to a maximum of 1,200 square feet.

9.7.4.2.14. Special trade contractor:

1. They shall be limited to a maximum of 1,200 square feet.

9.7.4.2.15. Community Center:

1. This use shall be limited to a maximum of 5,000 square feet.

9.7.4.2.16. Nurseries and other growing of ornamental plants.

9.7.4.2.17. Crop production greenhouse:

1. This use shall be limited to a maximum of 5,000 square feet.

9.7.4.2.18. Bicycle, motorcycle, all-terrain vehicle dealers:

1. This use shall be limited to bicycle sales only.

9.7.4.2.19. Active open space/athletic fields/golf courses:

1. These uses are limited to a .25 acre foot of water for the entire project area.

9.7.4.2.20. Water wells, well fields, bulk water transmission pipelines:

1. This use is permitted only as part of a water distribution system that serves the SPCD.

9.7.4.2.21. Water treatment and purification facility:

1. This use is permitted only as part of a water distribution system that serves the SPCD

9.7.4.2.22. Water reservoir:

1. This use is permitted only as part of a water distribution system that serves the SPCD.

9.7.4.2.23. Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation:

1. This use is permitted only as part of a water distribution system that serves the SPCD.

9.7.4.2.24. Wastewater storage or pumping station facility, lift stations, and collection lines:

1. This use is permitted only as part of a water distribution system that serves the SPCD.

9.7.4.2.25. Library:

1. This use is allowed as an accessory to a community center.

9.7.4.2.26. Museum, exhibition, or similar facility:

1. This use is allowed as an accessory to a community center.

9.7.4.2.27. Surface parking, open:

1. This uses is allowed as an accessory to a community facility.

9.7.4.2.28. Highway rest stops and welcome centers:

1. This use is allowed as an accessory to a community facility.

9.7.4.2.29. Prohibited Uses. Prohibited uses shall be as stated on the Use Matrix for the Rural Residential Zone in the SPCD with the following additions:

1. Shooting ranges.

9.7.4.3. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use matrix in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.7.5: 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 9.7.6: SPCD Use Table.

Table 9.7.5: San Pedro Community District (SPCD) Use Table

Use	Function	Structure	Activity	SPCD RUR	SPCD RUR-F	SPCD RUR-R	Special Conditions
Residential							
Single family detached units		1110		P	P	P	
Single family attached units		1120		P	P	P	
Duplex	-	1121		X	X	X	
Accessory dwelling units		1130		A	A	A	Chapter 10
Townhouses				X	X	X	
Multifamily dwellings		1202-99		X	P	X	
Retirement Housing	1210			P	P	P	Chapter 9
Assisted living facility	1230			P	P	P	Chapter 9
Life care or continuing care facilities	1240			P	P	P	Chapter 9
Skilled-nursing facilities	1250			P	P	P	Chapter 9
Community Home, NAICS 623210				P	P	P	Chapter 9
Barracks		1310		A	A	X	
Dormitories		1320		A	A	X	
Single room occupancy units	-	1340		A	A	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		P	P	P	
Hotels, motels, or other accommodation services							
Bed and Breakfast inn	1310			P	P	P	Chapter 9
Rooming and boarding housing	1320			X	X	X	
Resorts				X	X	X	
Retreats				P	P	C	
Hotels, motels, and tourist courts	1330			X	X	X	
Commercial							
Shop or store with drive-through facility		2210		X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	
Stand-alone store or shop		2230		P	P	P	Chapter 9
Department store		2240		X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	
Market shops, including open markets		2260		A	A	A	
Gasoline station		2270		X	X	X	
Automobile repair and service		2280		C	C	C	Chapter 9
Car dealer	2111			X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			P	P	P	Chapter 9
Boat or marine craft dealer	2114			X	X	X	
Automotive Parts, accessories, or tires	2115			X	X	X	
Gasoline service	2116			X	X	X	
Lumberyard and materials	2126			X	X	X	
Outdoor resale business	2145			X	X	X	
Pawnshops		NAICS 522298		X	X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	X	

Table 9.7.5: San Pedro Community District (SPCD) Use Table

Use	Function	Structure	Activity	SPCD RUR	SPCD RUR-F	SPCD RUR-R	Special Conditions
Shopping center		2510-2580		X	X	X	
Convenience stores or centers		2591		X	X	X	
Car care center		2593		X	X	X	
Car washes		NAICS 811192		X	X	X	
Office or bank (without drive-through facility)		2100		P	P	P	Chapter 9
Office (with drive-through facility)		2110		X	X	X	
Office or store with residence on top		2300		X	X	X	
Office-over storefront structure		2400		X	X	X	
Research and development services (scientific, medical, and technology)	2416			P	P	P	Chapter 9
Car rental and leasing	2331			X	X	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	X	X	
Bars, taverns and nightclubs				X	X	X	
Sexually oriented business				X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	
Industrial , manufacturing and wholesale trade							
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	
Loft		2611		X	X	X	
Mill-type factory structures		2612		X	X	X	
Manufacturing plants		2613		X	X	X	
Industrial parks		2614		X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	
Construction-related businesses	7000			X	X	X	
Heavy construction	7400			X	X	X	
Machinery related	7200			X	X	X	
Special trade contractor	7300			P	P	P	Chapter 9
Automotive paint and body				X	X	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	
Vehicle storage for towing or related business				X	X	X	
Demolition, <u>building and structure</u> business				X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	X	X	
High-rise mini-warehouse		2720		X	X	X	
Warehouse structure		2730		X	X	X	
Produce warehouse		2740		X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	
Wholesale trade— durable goods	3510			X	X	X	

Table 9.7.5: San Pedro Community District (SPCD) Use Table

Use	Function	Structure	Activity	SPCD RUR	SPCD RUR-F	SPCD RUR-R	Special Conditions
Wholesale trade nondurable goods	3520			X	X	X	
Food, textiles, and related products				X	X	X	
Wood, paper, and printing products				X	X	X	
Tank farms		2780		X	X	X	
Public assembly structures							
Performance theater			3110	C	C	X	
Movie theater			3120	X	X	X	
Amphitheater			3130	C	C	X	
Drive-in theaters			3140	X	X	X	
Indoor games facility		3200		X	P	X	Chapter 9
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	X	
Amusement or theme park	5310			X	X	X	
Arcade	5320			X	X	X	
Miniature golf establishment	5340			X	X	X	
Fitness, recreational sports, gym, or athletic club	5370			X	P	X	Chapter 9
Bowling, billiards, pool, etc.	5380			X	X	X	
Skating rinks	5390			X	X	X	
Sports stadium or arena		3300		X	X	X	
Racetrack or raceway	5130			X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	*
Covered or partially covered atriums and public enclosure		3700		A	A	X	
Passenger terminal, mixed mode		3810		X	X	X	*
Active open space/ athletic fields/golf courses	6340			P	P	P	Chapter 9
Passive open space	6340			P	P	P	
Arts, entertainment, and recreation							
Active leisure sports and related activities			7100	P	P	C	
Movie Ranch				X	X	X	
Camps, camping, and related establishments	5400			X	P	X	
Exhibitions and art galleries		4410		P	P	P	Chapter 9
Performing arts or supporting establishment	5100			X	X	X	
Theater, dance, or music establishment	5110			X	X	X	
Institutional or community facilities							
Community center		2200		P	P	P	Chapter 9
Hospitals		4110		X	X	X	
medical clinic		4120		P	P	P	Chapter 9
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			X	X	X	
Child and youth services	6561			X	P	X	Chapter 9
Child care institution (basic)	6562			P	P	P	
Child care institution (specialized)	6562			P	P	P	
Day care center	6562			P	P	P	

Table 9.7.5: San Pedro Community District (SPCD) Use Table

Use	Function	Structure	Activity	SPCD RUR	SPCD RUR-F	SPCD RUR-R	Special Conditions
Community food services	6563			C	P	C	
Emergency and relief services	6564			C	P	C	
Other family services	6565			X	X	X	
Services for elderly and disabled	6566			X	P	X	
Animal hospitals	6730			X	X	X	
School or university (privately owned)		4200		X	X	X	
Grade school (privately owned)		4210		X	X	X	
College or university facility (privately owned)		4220		X	X	X	
Technical, trade, and other specialty schools	6140	4230		X	P	X	
Library		4300		A	A	A	Chapter 9
Museum, exhibition, or similar facility	5200	4400		A	A	A	Chapter 9
Planetarium		4420		X	X	X	
Aquarium		4430		X	X	X	
Outdoor facility, no major structure			4440	X	P	X	
Zoological parks		4450		X	X	X	
Public safety related facility			4500	X	X	X	
Fire and rescue station			4510	P	P	P	
Police station			4520	C	C	C	
Emergency operation center			4530	X	X	X	*
Correctional or rehabilitation facility			4600	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	P	P	C	
Funeral homes			4800	X	X	X	
Cremation facilities			4800	X	X	X	
Public administration		6200		X	X	X	
Post offices		6310		P	P	P	
Space research and technology		6330		X	X	X	*
Clubs or lodges				C	C	X	
Transportation-related facilities							
Commercial automobile parking lots		5200		X	X	X	
Commercial automobile parking garages				X	X	X	
Surface parking, open		5210		A	A	A	Chapter 9
Surface parking, covered		5220		X	X	X	
Multistoried parking structure with ramps		5230		X	X	X	
Underground parking structure with ramps		5240		X	X	X	
Rooftop parking facility		5250		X	X	X	
Bus terminal		3830		X	X	X	
Bus stop shelter		5300		P	P	P	
Truck storage and maintenance facilities		5400		X	X	X	
Truck freight transportation facilities	4140			X	X	X	
Light rail transit lines and stops	4151			X	X	X	
Local rail transit storage and maintenance facilities	4153			X	X	X	
Taxi and limousine service maintained and storage facilities	4155			X	X	X	

Table 9.7.5: San Pedro Community District (SPCD) Use Table

Use	Function	Structure	Activity	SPCD RUR	SPCD RUR-F	SPCD RUR-R	Special Conditions
Taxi and limousine service dispatch facilities				X	X	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	
Courier and messenger service facilities	4190			X	X	X	
Commercial airports		5600		X	X	X	
Private airplane runways and landing strips		5610		X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	
Heliport facility		5640		X	X	X	
Helistops				X	P	X	Chapter 9
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	
Railroad passenger station		5701		X	X	X	
Railroad freight facility		5702		X	X	X	
Utility							
Local distribution facilities for water, natural gas, and electric power		6100		P	P	P	
Telecommunications lines				P	P	P	
Electric power substations				X	X	X	
High-voltage electric power transmission lines				X	X	X	
Dam		6220		X	X	X	
Livestock watering tank or impoundment				P	P	P	
Levee		6230		X	X	X	
Water tank (elevated, at grade, or underground)		6250		P	P	P	
Water wells, well fields, and bulk water transmission pipelines		6260		P	P	P	Chapter 9
Water treatment and purification facility		6270		P	P	P	Chapter 9
Water reservoir		6280		C	C	C	Chapter 9
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	p	Chapter 9
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		P	P	P	Chapter 9
Solid waste landfill facility	4345	6320		X	X	X	
Composting facility		6330		X	X	X	
Recycling transfer center		6331		X	X	X	
Solid waste collection transfer station (Governmental)	4343		3210	X	X	X	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	
Septic tank service, repair, and installation business	4346			X	X	X	
Household hazardous waste collection facility				X	X	X	
Hazardous waste storage facility		6340		X	X	X	

Table 9.7.5: San Pedro Community District (SPCD) Use Table

Use	Function	Structure	Activity	SPCD RUR	SPCD RUR-F	SPCD RUR-R	Special Conditions
Hazardous waste treatment and disposal facility				X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	X	
Gas or electric power generation facility		6400		X	X	X	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		<u>6500</u>		<u>C</u>	<u>C</u>	<u>C</u>	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		<u>6500</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Roof Mounted/Surface Mounted/Stealth</u>		<u>6500</u>		<u>P</u>	<u>P</u>	<u>P</u>	
Radio, television, or wireless transmitter Amature radio antenna		6510		P	P	P	
Weather stations or transmitters-		6520		P	P	C	
Environmental monitoring station (air, soil, etc.)		6600		P	P	P	
Commercial solar energy production facility				X	X	X	
Geothermal production facility		6450		X	X	X	
Large scale wind facility				X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	X	
Highway rest stops and welcome centers		6930		A	A	A	Chapter 9
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	
Agriculture, forestry, and conservation/open space							
Grain silos and other storage structure for grains and agricultural products		8100		P	P	A	
Animal production that includes slaughter	9300			X	X	X	
Livestock pens or hog houses		8200		X	X	X	
Commercial greenhouses		8500		X	X	X	
Nurseries and other growing of ornamental plants				P	P	P	Chapter 9
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	P	P	Chapter 9
Stables and other equine-related facilities - Commercial over 12 horses				P	P	X	
Kennels and commercial dog breeding faculties		8700		X	X	X	
Apiary and other related structures		8700		P	P	P	
Crop production outdoor	9100			P	P	P	
Crop production greenhouse		8500		P	P	P	Chapter 9
Display or sale of agricultural products raised on the same premises				P	P	P	
Forestry and logging operations	9300			X	X	X	
Game preserves and retreats	9400			X	X	X	
Support business and operations for agriculture and forestry				X	X	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	
Public or community outdoor recreation facilities				P	P	P	
Concentrated animal feeding operation		8310		X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	P	P	
Dairy farms		8210		X	X	X	
Other farm and farming-related structures		8900		P	P	A	
Poultry farms and poultry production facilities		8220		X	X	X	

Table 9.7.5: San Pedro Community District (SPCD) Use Table

Use	Function	Structure	Activity	SPCD RUR	SPCD RUR-F	SPCD RUR-R	Special Conditions
Sheds, or other agricultural facilities		8000		P	P	P	
Animal waste lagoons		8420		X	X	X	Ch 11
Mining and extraction establishments							
Oil and natural gas exploration or extraction	8100			X	X	X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	X	X	Ch 11
Coal mining	8300			X	X	X	
Nonmetallic minerals mining	8400			X	X	X	
Quarrying and stone cutting	8500			X	X	X	
Sand and gravel Mining				X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	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.**

9.8. LA CIENEGA AND LA CIENEGUILLA COMMUNITY DISTRICT OVERLAY.

9.8.1. Purpose and Intent. The provisions of the La Cienega and La Cieneguilla Community District Overlay (LCLCCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the La Cienega and La Cieneguilla Community Plan and the Sustainable Growth Management Plan (SGMP). The LCLCCD is designed to ensure compatibility among various land uses, encourage compact development, protect scenic features and environmentally sensitive areas, enhance rural development patterns, accommodate a variety of lifestyles, delineate historic community spaces and conserve water resources while accommodating the anticipated natural growth of the community. The LCLCCD includes standards and dimensions based on historic development patterns and incentives to facilitate compact development where appropriate in conjunction with conservation easements that preserve agricultural land and open space.

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

9.8.2.1. Water Supply, Wastewater and Water Conservation. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.8.2.1.1. Residential Connection to County Utility Water System.

1. All new lots created as part of residential land divisions and subdivisions shall be required to connect to the Santa Fe County Water System when said system is extended to within 200 feet of the property line of a lot, unless that lot has previously connected to a community water system, provided that adequate capacity exists in the system and that water taps are available. This requirement will be applied with the following conditions:
 - a. If the water system is already in place and capable of providing service or if the County can provide an estimated time of completion of six (6) months or less, connection to the system will be required immediately upon the time of service capability within the system. The requirement for connection shall be duly noted on the survey plat, and the property owner shall agree to bonding or financial guarantee to ensure connection within six (6) months, prior to final approval.
 - b. If the County cannot provide an estimated time for waterline completion and capacity for service of six (6) months or less, the new land division will be granted a 2 year grace period from the time the water line is actually installed and taps are available before the agreement to connect to the system will be effective. The requirement for connection shall be duly noted on the survey plat prior to final approval.
 - c. If connection to a county or community water system is not possible at the time of land division for new residential development of two or more lots of 2.5 acres or less, all lots will be required to use shared

wells where new lots are adjoining, providing adequate water is available for both lots. The requirement to connect to the County or community water system will still be in effect and the property owners will be granted a 2 year grace period from the time the water line is actually installed and has adequate capacity, before the connection to the system will be required. The requirement for connection shall be duly noted on the survey plat prior to final approval.

9.8.2.1.2. Non-residential Connection to County Utility Water System.

1. All new commercial development shall be required to connect to the Santa Fe County Water System when said system is extended to within 200 feet of the property line, unless the development has previously connected to a community water system, provided that adequate capacity exists in the system and that water taps are available.
 - a. If connection to the County water system is not possible, the development must limit water consumption to .35 acre feet.
 - i. If the water system is already in place and capable of providing service or if the County can provide an estimated time of completion of six (6) months or less, connection to the system will be required immediately upon the time of service capability within the system. The requirement for connection shall be duly noted on the survey plat and the property owner shall agree to bonding or financial guarantee to ensure connection within six (6) months prior to final approval.
 - ii. If the County cannot provide an estimated time for waterline completion and capacity for service of six (6) months or less, the new land division will be granted a 2 year grace period from the time the water line is actually installed and taps are available before connection to the system will be required. The requirement for connection shall be duly noted on the survey plat prior to final approval.

9.8.2.2. Terrain Management. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 9.8.2.2.1. **Special Protection of Riparian Areas.** Development Standards in Riparian Buffers. The standards and criteria of Chapter 7 of this Code shall apply to any portion of a development or, as appropriate, to any land disturbance within a riparian buffer with the following exceptions:
- 9.8.2.2.2. **Intent.** The restoration and enhancement of riparian areas and wetlands in the Planning Area is recognized as a potentially valuable resource management practice, so long as such projects are designed and implemented to maximize benefits to ecosystem and water resources while avoiding harm to the health, safety and welfare of residents,

including but not limited to loss of private property and public infrastructure. Therefore, all projects which propose restoration, enhancement and/or new construction of riparian areas or wetlands must demonstrate that the project will have a beneficial or neutral impact on existing water resources. No project shall be permitted that impacts existing water rights.

9.8.2.2.3. Agriculture as defined in this Code is permitted within Riparian Corridors.

Figure 9.8.1 Riparian Corridors.

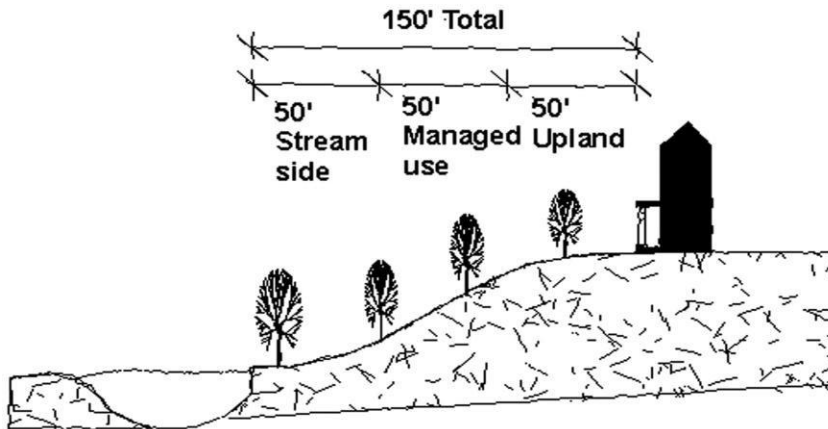


Table: 9.8.1 Riparian Buffer Corridors.

(A) Use	(B) Stream Side	(C) Managed Use Zone	(D) Upland Zone
Trails, greenways, open space, parks or other similar public recreational uses and private recreational uses that do not require the use of fertilizers, pesticides, or extensive use of fences or walls.	P	P	P
Outdoor horticulture, forestry, wildlife sanctuary, and other similar agricultural and related uses not enumerated elsewhere in this table that do not require land-disturbing activities, or use of pesticides or extensive use of fences or walls.	C	C	C
Pastures or plant nurseries that do not require land-disturbing activities or use of pesticides, or extensive use of fences or walls.	C	C	C
Gardens, play areas, and other similar uses that do not require the use of pesticides for routine maintenance	N	P	P

Lawns, golf course fairways, play fields, and other areas that may require the use of fertilizers or pesticides.	N	N	N
Archery ranges, picnic structures, playground equipment, and other similar public and private recreational uses that do not require the use of fertilizers, pesticides, or extensive use of fences or walls.	N	P	P
Public utility and storm drainage facilities where there is a practical necessity to their location within the resource conservation district (RCD).	P	P	P
Streets, bridges, and other similar transportation facilities where there is a practical necessity to their location within the RCD.	C	C	C
Sidewalks.	P	P	P
Accessory land-disturbing activities ordinarily associated with a single- or two-family dwelling, such as utility service lines, gardens, and similar uses.	N	P	P
Public maintenance of streets, bridges, other similar transportation facilities and/or public utility and storm drainage facilities.	P	P	P
Detention/retention basin and associated infrastructure.	N	C	C
Lakes, ponds, and associated infrastructure, such as dams, spillways, riser pipes, and stilling basins, which are located outside of the regulatory floodplain.	C	C	C
Stream and riparian area restoration and maintenance.	P	P	P
New construction or enhancement of riparian area.	C	C	C

P = the activity is permitted as of right; N = the activity is prohibited; and C = the activity is permitted only upon approval of a conditional use permit or a subdivision application.

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

9.8.3.1. Generally. The LCLCCD 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 base zoning districts of this Code. If an overlay zone regulation conflicts with any standard of the underlying zone, the standard of the overlay zone shall govern.

9.8.3.2. Density Requirements on Lots with Multiple Zoning Designations. If a single land parcel and/or subdivision lies within two separate zoning districts, the density of dwelling units per acre shall be calculated based upon the exact proportion of each district in which the parcel lies.

9.8.3.3. Density Bonus. Density Bonuses are not allowed in the LCLCCD boundary until further review is available.

9.8.3.4. Lot Coverage. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.8.3.4.1. Residential Uses. The maximum lot coverage for residential uses is a maximum of 20%.

9.8.3.4.2. Non-Residential Uses.

1. The maximum lot coverage for non-residential uses is a maximum of 60%.
2. The maximum aggregate building size is 50,000 square feet.
3. The maximum individual establishment size is 15,000 square feet.

9.8.3.5. Shooting ranges are prohibited throughout the LCLCCD planning area.

9.8.3.6. Base Zoning Districts. Base zoning districts approved for use in the La Cienega and La Cieneguilla Community District are listed in Table 9.8.2.

Table 9.8.2: LCLCCD Community District Base Zoning.

A/R	Agriculture/Ranching
RUR-F	Rural Fringe
RUR-R	Rural Residential
RES-F	Residential Fringe
RES-E	Residential Estate
RES-C	Residential Community
TC	Traditional Community
CN	Commercial Neighborhood
PI	Public/Institutional
PDD	Planned Development

9.8.3.6.1. LCLCCD Agriculture/Ranching (LCLCCD A/R); Purpose. The purpose of this district is to designate areas suitable for agricultural, ranching and residential uses, and to prevent encroachment of incompatible uses and the premature conversion of agricultural and ranch lands to nonagricultural uses. Uses in the A/R district are limited to agricultural, ranch, residential and other compatible uses. This designation reflects areas whose present use is agricultural, such as grazing or dry land farming. 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.

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

2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.3.

Table 9.8.3: Dimensional Standards LCLCCD A/R (Agriculture/Ranching).

Zoning District	LCLCCD A/R
Density (# of acres per dwelling unit)	160
Lot width (minimum, feet)	400
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

3. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
- The front of the building shall be setback a minimum of 25 feet from the property line.
 - The rear and sides of the buildings shall be setback a minimum of 50 feet from the property line.

9.8.3.6.2. LCLCCD Rural Fringe (LCLCCD RUR-F); Purpose. The purpose of this district is to designate areas suitable for a combination of estate-type residential development, agricultural uses and other compatible uses. The RUR-F designation provides an intermediate step in development density between typical open space and agricultural/ranching lands and primarily residential (low density) parcels. This zone also serves to protect agricultural and environmental areas that are inappropriate for more intense development due to their sensitivity. The RUR-F zone accommodates primarily large lot residential, ecotourism, equestrian uses and renewable resource-based activities, seeking a balance between conservation, environmental protection and reasonable opportunity for development. 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.4.

Table 9.8.4: Dimensional Standards LCLCCD RUR-F (Rural Fringe).

Zoning District	LCLCCD RUR-F
Density (# of acres per dwelling unit)	20
Lot width (minimum, feet)	100

Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

3. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- a. The front of the building shall be setback 25 feet from the property line.
- b. The rear and sides of the building shall be setback a minimum of 50 feet from the property line.

9.8.3.6.3. LCLCCD Rural Residential (LCLCCD RUR-R); Purpose. The purpose of this district is to provide for the development of single-family homes on large lots, either individually or as part of rural subdivisions; to preserve the scenic and rural character of the County; to provide consolidated open space and agricultural lands; and to recognize the desirability of carrying on compatible agricultural operations and home developments in areas near the fringes of urban development while avoiding unreasonable restrictions on farming or ranching operations. Uses that support rural character of the broader area shall be allowed including agricultural production, small-scale renewable energy production, home-based businesses, bed and breakfasts, agro-tourism, equestrian and boarding facilities, farmers markets and produce stands. 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.5.

Table 9.8.5: Dimensional Standards LCLCCD RUR-R (Rural Residential).

Zoning District	LCLCCD RUR-R
Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

3. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- a. The front of the building shall be setback a minimum of 25 feet from the property line.
- b. The rear and sides of the buildings shall be setback a minimum of 50 feet from the property line.

9.8.3.6.4. LCLCCD Residential Fringe (LCLCCD RES-F); Purpose. The purpose of this district is to designate areas suitable for a combination of estate-type residential development, smaller-scale agricultural uses, ranchettes and other compatible uses. The RES-F district provides an intermediate step in single family residential development between open space and/or agricultural/ranching lands, and typically suburban residential densities. The RES-F district may be comprised of a variety of residential lot sizes, clustered housing and community open space and can include limited agricultural use accessory to residential uses. 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.

- 1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table
- 2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.6.

Table 9.8.6: Dimensional Standards LCLCCD RES-F (Residential Fringe).

Zoning District	LCLCCD RES-F
Density (# of acres per dwelling unit)	5
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

- 3. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. The front of the building shall be setback 25 feet from the property line.
 - b. The rear and sides of the building shall be setback a minimum of 50 feet from the property line.

9.8.3.6.5. LCLCCD Residential Estate (LCLCCD RES-E); Purpose. The purpose of the Residential Estate (RES-E) district is to designate areas suitable for a combination of large-lot and suburban-type residential development, ranchettes and other compatible uses. The RES-E district supports single-family homes on medium sized lots consistent with contemporary community development. Generally this district applies to low to medium density residential development in established neighborhoods (lands that are already committed to residential uses and have been subdivided for a specific development) and

undeveloped or underdeveloped areas with a moderate to high development suitability. This category may include limited agricultural use accessory to residential uses. 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.7.

Table 9.8.7: Dimensional Standards LCLCCD RES-E (Residential Estate).

Zoning District	LCLCCD RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

3. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. The front of the building shall be setback 25 feet from the property line.
 - b. The rear and sides of the building shall be setback a minimum of 50 feet from the property line.

LCLCCD Residential Community (LCLCCD RES-C); Purpose. Generally this district applies to existing medium to higher density residential development in established neighborhoods (lands that are already committed to residential uses and have been subdivided for a specific development). The Residential Community designation applies to only a contiguous residential area in La Cieneguilla that is almost completely built out on existing 1 acre lots created in the late 70's. No additional areas are proposed to have this zoning designation within the La Cienega and La Cieneguilla Planning Boundary.

4. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table
5. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.8.

Table 9.8.8: Dimensional Standards LCLCCD RES-C (Residential Community).

Zoning District	LCLCCD RES-C
Density (# of acres per dwelling unit)	1
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

9.8.3.6.6. LCLCCD Traditional Community (LCLCCD TC); Purpose. The purpose of this district is to designate areas suitable for residential, small-scale commercial and agricultural uses consistent with the existing development patterns of traditional communities. The TC district accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses, including agriculture found in traditional communities with 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.9.

Table 9.8.9: Dimensional Standards LCLCCD TC (Traditional Community).

Zoning District	LCLCCD TC
Density (# of acres per dwelling unit)	0.75
Frontage (minimum, feet)	50
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (commercial)	2,500 sq. ft.

3. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. The front, sides and rear of the building shall be setback a minimum of 25 feet from the property line.

9.8.3.6.7. LCLCCD Commercial Neighborhood (LCLCCD CN); Purpose. The purpose of this district is to allow for low-intensity convenience retail and personal services, as well as office uses that are intended to serve and are in close proximity to individual residential neighborhoods.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.10.

Table 9.8.10: Dimensional Standards LCLCCD CN (Commercial Neighborhood).

CN Zoning District	LCLCCD CN
Density	2.5
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	28
Lot coverage (maximum, percent)	60
Maximum building size (aggregate)	50,000
Maximum size of individual establishments (sq.ft.)	15,000*

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

3. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. The front of the building shall be setback 25 feet from the property line.
 - b. The rear and sides of the building shall be setback a minimum of 50 feet from the property line.

9.8.3.6.8. LCLCCD Public Institutional (LCLCCD PI); Purpose. The purpose of this district is to accommodate governmental, educational, and non-profit or institutional uses, including public or community parks and recreation facilities, and public, market shops, offices, animal production, livestock, poultry, non-profit, and institutional residential uses, but excluding any such uses of an extensive heavy industrial character.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on LCLCCD Use Table.
 - a. Where the purpose of the use is primarily that of a museum, temporary accessory uses shall be permitted, which shall include the erection of temporary structures and tents for shelter, the holding or retreats, the offering of restaurants with or without incidental consumption of alcoholic beverages, the offering of a stand-alone store or shop.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.8.11.

Table 9.8.11: Dimensional Standards LCLCCD PI (Public/Institutional).

PI Zoning District	LCLCCD PI
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	48
Lot coverage (maximum, percent)	60

- a. Density. The density for the PI zoning district is dependent on the surrounding zoning districts. For the Las Golondrinas property the section of the property that was surveyed as part of the Traditional Community will have one dwelling unit per 0.75 acre density and the remaining portion of the parcel and southern parcel will have a one dwelling unit per 2.5 acre density.

9.8.3.6.9. LCLCCD PDD (Planned Development District); Purpose. PDDs identified on the initial zoning map may be built out in accordance with their approved master plans including density and uses.

9.8.3.7. Density Transfers.

9.8.3.7.1. Density transfers should be used to protect community assets including but not limited to wetlands, open spaces, springs, water courses, riparian areas, agricultural land, acequias, traditional community centers, archaeological sites, historical and cultural sites, and multigenerational family compounds. When density transfers result in higher site densities, such development shall be clustered and sited in a manner to fit the topography, and existing rural character of La Cienega and La Cieneguilla, instead of in an urban grid pattern. A land density transfer program allows the transfer of all or part of the permitted density on a parcel to another parcel or other locations on the same parcel. This may include concepts such as family compounds or density transfers to protect agricultural, open space or other land protection or preferred development patterns.

- 1. Open Space Land Protection through Density Transfers or other types of Easements.** Open spaces set aside for density transfer or other easements for the protection of community assets, as described above, should interconnect to similar sites or potential sites on adjacent properties whenever possible. Easements shall clearly delineate the open space areas and no build areas as well as document any permitted uses in such areas.
- 2. Lot Coverage Calculations on Density Transfers or other types of Perpetual Easements.** Whenever density transfer is used to create open space which is protected in perpetuity by easement or other legal means, and new lots are created, lot coverage shall be calculated based on the total acreage of the project rather than for each individual development lot and shall be apportioned to the density transfer lots by means of building envelopes on the approved final plat.

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

9.8.4.1. Home Occupations. The purpose of the Home Occupations in the LCLCCD is to support economic development opportunities that are not disruptive to the residential character of the area or significantly interfere with the use of adjacent residential properties. Home Occupations shall be as regulated in Chapter 10 of this Code except as prescribed in Table 9.8.12.

Table 9.8.12 Home Occupations.

	No Impact	Low Impact	Medium Impact
Permit type	Business Registration	Development Permit	Conditional Use Permit
Non-resident employees (max)	1	3	4
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

*Small-scale retail establishments, such as arts and crafts stores, restaurants or galleries may be permitted to have 30 vehicle visits per day and no more than 10 vehicle visits per hour.

9.8.4.2. Accessory Structures. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.8.4.2.1. Accessory Structures over 2,000 square feet are required to obtain a Conditional Use permit.

9.8.5. LCLCCD TRANSFER OF DEVELOPMENT RIGHTS OVERLAY DISTRICT (LCLCCD-TDROD).

9.8.5.1. Purpose. The purpose of the LCLCCD-TDROD is for the conservation of natural, scenic, and/or agricultural qualities of open land, areas of special character or specific historic, cultural or aesthetic interest or value, or environmental protection such as watershed, steep slopes, floodplains, etc. TDRs as described in Chapter 12 of this Code are voluntary. Below is a list of the initial sending and receiving areas as identified in the La Cienega and La Cieneguilla 2015 Plan Update, this list is not exhaustive and other properties are eligible to become sending or receiving areas if the requirements listed in Chapter 12 are met.

9.8.5.2. Transfer of Development Rights Standards. The Transfer of Development Rights standards of Chapter 12 of this Code shall be applicable to all development, except as otherwise specified herein.

9.8.5.2.1. Increased Units Allowed per TDR in LCLCCD. In LCLCCD there is an added incentive in buying and using TDR's in the Planning Boundary. Table 9.8.13 outlines the increased units allowed by using a TDR throughout the County and in LCLCCD.

1. In the LCLCCD TDR's can have additional units if the TDR is purchased and used within the LCLCCD Planning Boundary.
2. TDR's purchased outside of the LCLCCD and used within the LCLCCD will have the general County additional unit increase.
3. TDR's purchased within the LCLCCD and used outside of the LCLCCD will have the general County additional unit increase.

Table 9.8.13 Increased Units Allowed per TDR in the County and LCLCCD.

Use	Additional Unit per TDR in the County	Additional Unit per TDR in LCLCCD
Residential	3	4
Nonresidential	5,000 sf	6,000 sf

9.8.6. LCLCCD-TDROD AREAS.

9.8.6.1. Sending Areas. Sending areas may consist of areas including agricultural land, wetlands, wildlife preservation areas, conservation areas, areas of cultural significance, and open space.

9.8.6.1.1. LCLCCD-TDROD Sending Area 1.

1. **Location.** LCLCCD-TDROD Sending Area 1 is identified on Map 9.5.1 and is located at the southern terminus of Capilla Vieja Road and includes approximately 117 acres of the property commonly known as the Tres Rios Ranch.

9.8.6.1.2. LCLCCD-TDROD Sending Area 2.

1. **Location.** LCLCCD-TDROD Sending Area 2 is identified on Map 9.5.1 and is located south of County Road 54 (Camino La Entrada) and includes approximately 483 acres of the property commonly known as the La Bajada Ranch.

9.8.6.1.3. LCLCCD-TDROD Sending Area 3.

- 1. Location.** LCLCCD-TDROD Sending Area 3 is identified on Map 9.5.1 and is located at the east of the intersection of County Road 54 and County Road 56 and includes approximately 102 acres of the property commonly known as the Las Golondrinas Living History Museum.

9.8.6.2. Receiving Areas. Receiving areas shall be MU (Mixed Use districts), PD (Planned Development Districts), I (Industrial), CG (Commercial General) or a district rezoned to a higher density.

9.8.6.2.1. LCLCCD-TDROD Receiving Area 1.

- 1. Location.** LCLCCD-TDROD Receiving Area 1 is identified on Map 9.5.1 and is located south of the intersection of County Road 54 and Interstate 25 West Frontage Road and includes approximately 431 acres of the property commonly known as the Downs at Santa Fe.

9.8.6.2.2. LCLCCD-TDROD Receiving Area 2.

- 1. Location.** LCLCCD-TDROD Receiving Area 2 is identified on Map 9.5.1 and is located south of County Road 54 (Camino La Entrada) and includes approximately 483 acres of the property commonly known as the La Bajada Ranch.

Map 9.8.1 La Cienega & La Cieneguilla Proposed Transfer of Development Rights Sending and Receiving Areas.

Legend

La Cienega Community Overlay Zoning District

Parcels

Major Roads

Minor Roads

Streams and Arroyos

Intermittent

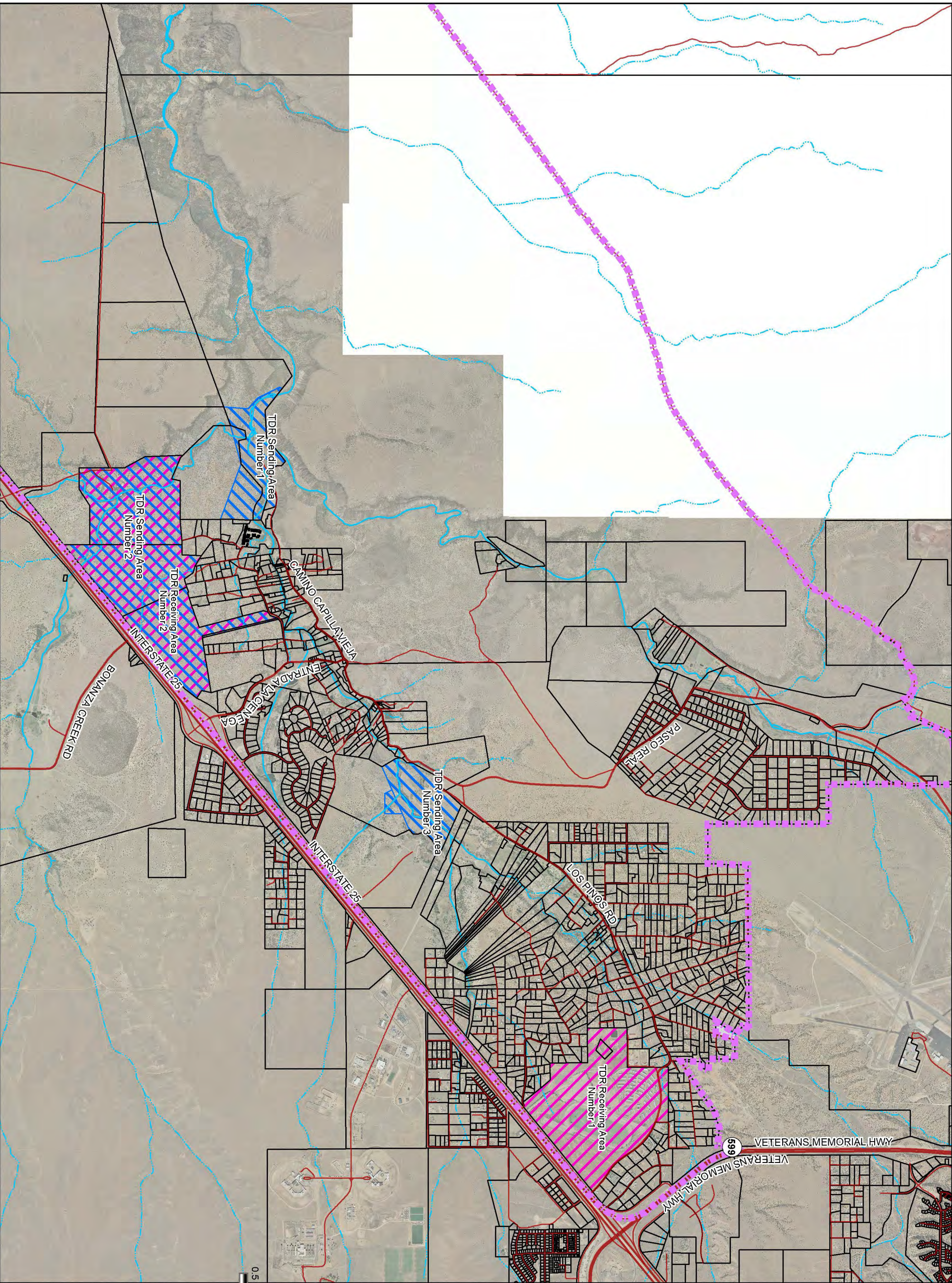
Perennial

Proposed La Cienega Transfer of

Development Rights Sending Areas

Proposed La Cienega Transfer of

Development Rights Receiving Areas



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Santa Fe County
Growth Management
Department
Planning Division

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9.8.7. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.8.14: 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 9.8.15: LCLCCD Use Table.

Table 9.8.14: La Cienega and La Cieneguilla Community District Use Table

	Function	Structure	Activity	LCLCCD A/R	LCLCCD RUR-F	LCLCCD RUR-R	LCLCCD RES-F	LCLCCD RES-E	LCLCCD RES-C	LCLCCD TC	LCLCCD CN	LCLCCD P/I	LCLCCD PDD	Special Conditions
Residential														
Single family detached units		1110		P	P	P	P	P	P	P	P	A	P	
Single family attached units		1120		P	P	P	P	P	P	P	P	A	P	
Duplex	-	1121		P	P	C	C	C	C	C	P	A	P	
Accessory dwelling units		1130		A	A	A	A	A	A	A	A	A	P	Chapter 10
Townhouses				P	P	P	P	P	P	P	P	A	P	
Multifamily dwellings		1202-99		C	C	C	C	C	C	C	P	A	P	
Retirement Housing	1210			P	P	P	P	P	P	P	P	P	P	
Assisted living facility	1230			P	P	C	C	C	C	C	P	P	P	
Life care or continuing care facilities	1240			P	P	C	C	C	C	C	P	P	P	
Skilled-nursing facilities	1250			P	P	C	C	C	C	C	P	P	P	
Community Home, NAICS 623210				P	P	C	C	C	C	C	P	P	P	
Barracks		1310		A	A	X	X	X	X	X	X	P	P	
Dormitories		1320		A	A	X	X	X	X	X	C	P	P	
Single room occupancy units	-	1340		A	A	X	X	X	X	X	C	P	P	Chapter 10
Temporary structures, tents etc. for shelter		1350		P	P	A	A	A	A	A	C	A	P	Chapter 9
Hotels, motels, or other accommodation services														
Bed and Breakfast inn	1310			P	P	P	C	C	C	P	P	X	P	Chapter 10
Rooming and boarding housing	1320			C	C	C	C	C	C	C	P	C	P	
Resorts				C	C	X	X	X	X	C	C	X	P	
<u>Retreats</u>				P	P	C	C	C	C	C	P	A	P	<u>Chapter 9</u>
Hotels, motels, and tourist courts	1330			C	C	X	X	X	X	X	X	X	P	
Commercial														
Shop or store with drive-through facility		2210		X	X	X	X	X	X	X	C	X	P	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	X	X	X	C	P	A	P	Chapter 9
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	X	X	X	C	P	A	P	Chapter 9
Stand-alone store or shop		2230		X	X	X	X	X	X	C	P	A	P	Chapter 9
Department store		2240		X	X	X	X	X	X	X	X	X	P	
Warehouse discount store/superstore	2124	2250		X	X	X	X	X	X	X	X	X	P	
Market shops, including open markets		2260		A	A	X	X	X	X	C	P	A	P	
Gasoline station		2270		C	C	X	X	X	X	C	X	X	P	
Automobile repair and service		2280		C	C	X	X	X	X	C	X	X	P	
Car dealer	2111			C	C	X	X	X	X	X	X	X	P	
Bus, truck, mobile home, or large vehicle dealers	2112			C	C	X	X	X	X	X	X	X	P	
Bicycle, motorcycle, all terrain vehicle dealers	2113			C	C	X	X	X	X	X	X	X	P	
Boat or marine craft dealer	2114			C	C	X	X	X	X	X	X	X	P	
<u>Automotive</u> Parts, accessories, or tires	2115			C	C	X	X	X	X	C	P	X	P	
Gasoline service	2116			C	C	X	X	X	X	C	X	X	P	
Lumberyard and materials	2126			C	C	X	X	X	X	C	X	X	P	

Table 9.8.14: La Cienega and La Cieneguilla Community District Use Table

	Function	Structure	Activity	LCLCCD A/R	LCLCCD RUR-F	LCLCCD RUR-R	LCLCCD RES-F	LCLCCD RES-E	LCLCCD RES-C	LCLCCD TC	LCLCCD CN	LCLCCD P/I	LCLCCD PDD	Special Conditions
Outdoor resale business	2145			C	X	X	X	X	X	X	X	X	P	
Pawnshops	NAICS 522298			X	X	X	X	X	X	C	P	X	P	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			C	C	X	X	X	X	C	P	X	P	
Shopping center	2510-2580			X	X	X	X	X	X	X	P	X	P	
Convenience stores or centers		2591		X	X	X	X	X	X	P	P	X	P	
Car care center		2593		X	X	X	X	X	X	C	P	X	P	
Car washes	NAICS 811192			X	X	X	X	X	X	X	X	X	P	
Office or bank (without drive-through facility)		2100		A	A	X	X	X	X	C	P	A	P	
Office (with drive-through facility)		2110		X	X	X	X	X	X	X	C	A	P	
Office or store with residence on top		2300		X	X	X	X	X	X	C	P	A	P	
Office-over storefront structure		2400		X	X	X	X	X	X	C	P	A	P	
Research and development services (scientific, medical, and technology)	2416			C	C	X	X	X	X	C	P	X	P	
Car rental and leasing	2331			C	C	X	X	X	X	C	P	X	P	
Leasing trucks, trailers, recreational vehicles, etc.	2332			C	C	X	X	X	X	X	C	X	P	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			C	C	X	X	X	X	C	P	X	P	
Bars, taverns and nightclubs				X	X	X	X	X	X	C	C	X	P	
Sexually oriented business				X	X	X	X	X	X	X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	X	X	X	C	P	X	P	
Industrial , manufacturing and wholesale trade														
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		C	C	X	X	X	X	X	X	X	P	
Loft		2611		C	X	X	X	X	X	X	X	X	P	
Mill-type factory structures		2612		C	X	X	X	X	X	X	X	X	P	
Manufacturing plants		2613		X	X	X	X	X	X	X	X	X	P	
Industrial parks		2614		X	X	X	X	X	X	X	X	X	P	
Laboratory or specialized industrial facility		2615		X	X	X	X	X	X	X	X	X	P	
Assembly and construction-type plants	3000	2621		X	X	X	X	X	X	X	X	X	P	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	X	X	X	X	X	P	
Construction-related businesses	7000			C	C	X	X	X	X	C	X	X	P	
Heavy construction	7400			X	X	X	X	X	X	X	X	X	P	
Machinery related	7200			X	X	X	X	X	X	X	X	X	P	
Special trade contractor	7300			C	C	X	X	X	X	X	X	X	P	
Automotive paint and body				X	X	X	X	X	X	X	C	X	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	
Vehicle storage for towing or related business				X	X	X	X	X	X	X	X	C	C	

Table 9.8.14: La Cienega and La Cieneguilla Community District Use Table

	Function	Structure	Activity	LCLCCD A/R	LCLCCD RUR-F	LCLCCD RUR-R	LCLCCD RES-F	LCLCCD RES-E	LCLCCD RES-C	LCLCCD TC	LCLCCD CN	LCLCCD P/I	LCLCCD PDD	Special Conditions
Demolition, <u>building and structure</u> business				C	X	X	X	X	X	X	X	X	P	
Warehouse or storage facility Structure		2700		C	C	X	X	X	X	X	X	X	P	
Mini-warehouse, <u>mini-storage units</u>		2710		C	C	X	X	X	X	X	C	X	P	
High-rise mini-warehouse		2720		X	X	X	X	X	X	X	X	X	P	
Warehouse structure		2730		C	C	X	X	X	X	X	X	X	P	
Produce warehouse		2740		P	P	X	X	X	X	X	X	X	P	
Refrigerated warehouse or cold storage		2750		P	P	X	X	X	X	X	X	X	P	
Large area distribution or transit warehouse		2760		C	X	X	X	X	X	X	X	X	P	
Wholesale trade— durable goods	3510			X	X	X	X	X	X	X	C	X	P	
Wholesale trade nondurable goods	3520			X	X	X	X	X	X	X	C	X	P	
Food, textiles, and related products				C	C	X	X	X	X	X	C	X	P	
Wood, paper, and printing products				C	C	X	X	X	X	X	C	X	P	
Tank farms		2780		C	C	X	X	X	X	X	X	X	P	
Public assembly structures														
Performance theater			3110	C	X	X	X	C	C	C	P	P	P	
Movie theater			3120	X	X	X	X	X	X	X	P	P	P	
Amphitheater			3130	C	C	X	X	X	X	X	X	P	P	
Drive-in theaters			3140	C	X	X	X	X	X	X	X	X	P	
Indoor games facility		3200		X	X	X	X	X	X	X	C	P	P	
Amusement, sports, or recreation establishment not specifically enumerated	5300			C	X	X	X	X	X	X	X	C	P	
Amusement or theme park	5310			C	X	X	X	X	X	X	X	X	P	
Arcade	5320			X	X	X	X	X	X	X	X	X	P	
Miniature golf establishment	5340			C	C	X	X	X	X	C	X	X	P	
Fitness, recreational sports, gym, or athletic club	5370			P	P	C	C	C	C	C	P	P	P	
Bowling, billiards, pool, etc.	5380			X	X	X	X	X	X	C	P	C	P	
Skating rinks	5390			P	P	X	X	X	X	C	X	P	P	
Sports stadium or arena		3300		C	X	X	X	X	X	X	X	C	P	
Racetrack or raceway	5130			C	X	X	X	X	X	X	X	X	P	
Exhibition, convention or conference structure		3400		A	A	X	X	X	X	X	X	P	P	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	P	P	P	P	P	P	*
Covered or partially covered atriums and public enclosure		3700		A	A	X	X	X	X	X	C	P	P	
Passenger terminal, mixed mode		3810		P	P	P	P	P	P	P	X	P	P	*
Active open space/ athletic fields/golf courses	6340			P	P	C	C	C	C	C	X	P	P	*
Passive open space	6340			P	P	P	P	P	P	P	P	P	P	
Arts, entertainment, and recreation														
Active leisure sports and related activities			7100	P	P	C	C	C	C	C	C	P	P	
Movie Ranch				P	P	P	P	C	C	C	P	P	P	
Camps, camping, and related establishments	5400			P	P	C	C	C	C	C	P	P	P	

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	Function	Structure	Activity	LCLCCD A/R	LCLCCD RUR-F	LCLCCD RUR-R	LCLCCD RES-F	LCLCCD RES-E	LCLCCD RES-C	LCLCCD TC	LCLCCD CN	LCLCCD P/I	LCLCCD PDD	Special Conditions
Exhibitions and art galleries		4410		X	X	X	X	X	X	P	P	P	P	
Performing arts or supporting establishment	5100			C	C	X	X	X	X	P	P	P	P	
Theater, dance, or music establishment	5101			C	C	X	X	X	X	P	P	P	P	
Institutional or community facilities														
Community center		2200		P	P	C	C	C	C	C	P	P	P	
Hospitals		4110		X	X	X	X	X	X	X	X	P	P	
Medical clinics		4120		P	P	P	P	P	P	P	P	P	P	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			P	P	P	P	P	P	P	P	P	P	
Child and youth services	6561			P	P	P	P	P	P	P	P	P	P	
Child care institution (basic)	6562			P	P	P	P	P	P	P	P	P	P	
Child care institution (specialized)	6562			P	P	P	P	P	P	P	P	P	P	
Day care center	6562			P	P	P	P	P	P	P	P	P	P	
Community food services	6563			P	P	P	P	P	P	P	P	P	P	
Emergency and relief services	6564			P	P	P	P	P	P	P	P	P	P	
Other family services	6565			P	P	P	P	P	P	P	P	P	P	
Services for elderly and disabled	6566			P	P	P	P	P	P	P	P	P	P	
Animal hospitals	6730			P	P	P	C	C	C	P	C	P	P	
School or university (privately owned)		4200		P	P	C	C	C	C	P	C	P	P	
Grade school (privately owned)		4210		P	P	P	P	P	P	P	P	P	P	
College or university facility (privately owned)		4220		P	P	C	C	C	C	C	C	P	P	
Technical, trade, and other specialty schools	6140	4230		P	P	C	C	C	C	C	C	P	P	
Library		4300		P	P	P	P	P	P	P	P	P	P	
Museum, exhibition, or similar facility	5200	4400		P	P	C	C	C	C	P	P	P	P	
Planetarium		4420		P	C	X	X	X	X	P	C	P	P	
Aquarium		4430		P	C	X	X	X	X	C	C	P	P	
Outdoor facility, no major structure			4440	P	P	C	C	C	C	C	P	P	P	
Zoological parks		4450		P	P	X	X	X	X	X	X	P	P	
Public safety related facility			4500	P	P	P	P	P	P	P	P	P	P	
Fire and rescue station			4510	P	P	P	P	P	P	P	P	P	P	
Police station			4520	P	P	P	P	P	P	P	P	P	P	
Emergency operation center			4530	P	P	P	P	P	P	P	P	P	P	*
Correctional or rehabilitation facility			4600	C	C	X	X	X	X	X	X	P	P	*
Cemetery, monument, tombstone, or mausoleum			4700	P	P	C	C	C	C	C	X	A	P	
Funeral homes			4800	P	P	X	X	X	X	P	P	P	P	
Cremation facilities			4800	P	P	X	X	X	X	X	X	P	P	
Public administration		6200		P	P	X	X	X	X	P	P	P	P	
Post offices		6310		P	P	P	P	P	P	P	P	P	P	
Space research and technology		6330		P	P	X	X	X	X	C	P	P	P	*
Clubs or lodges				C	C	C	C	C	C	C	C	C	C	
Transportation-related facilities														

Table 9.8.14: La Cienega and La Cieneguilla Community District Use Table

	Function	Structure	Activity	LCLCCD A/R	LCLCCD RUR-F	LCLCCD RUR-R	LCLCCD RES-F	LCLCCD RES-E	LCLCCD RES-C	LCLCCD TC	LCLCCD CN	LCLCCD P/I	LCLCCD PDD	Special Conditions
Commercial automobile parking lots		5200		X	X	X	X	X	X	C	X	X	P	
Commercial automobile parking garages				X	X	X	X	X	X	C	X	X	P	
Surface parking, open		5210		A	A	A	A	A	A	A	A	A	P	
Surface parking, covered		5220		A	A	A	A	A	A	A	A	A	P	
Multistoried parking structure with ramps		5230		X	X	X	X	X	X	C	X	A	P	
Underground parking structure with ramps		5240		X	X	X	X	X	X	P	X	A	P	
Rooftop parking facility		5250		X	X	X	X	X	X	C	X	A	P	
Bus terminal		3830		X	X	X	X	X	X	C	X	P	P	
Bus stop shelter		5300		P	P	P	P	P	P	P	P	P	P	
Truck storage and maintenance facilities		5400		X	X	X	X	X	X	C	X	X	P	
Truck freight transportation facilities	4140			X	X	X	X	X	X	X	X	X	P	
Light rail transit lines and stops	4151			P	P	P	P	P	P	P	X	P	P	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	X	X	X	X	X	P	
Taxi and limousine service maintained and storage facilities	4155			X	X	X	X	X	X	C	X	X	P	
Taxi and limousine service dispatch facilities				X	X	X	X	X	X	C	C	X	P	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	X	X	C	X	C	P	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	X	X	X	C	C	C	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			C	C	C	C	C	C	C	X	X	P	
Courier and messenger service facilities	4190			X	X	X	X	X	X	C	X	X	P	
Commercial airports		5600		C	C	X	X	X	X	X	X	C	P	
Private airplane runways and landing strips		5610		C	C	C	C	C	X	C	X	X	P	
Airport maintenance and hangar facilities		5620		C	C	X	X	X	X	X	X	C	P	
Heliport facility		5640		C	C	X	X	X	X	X	X	C	P	
Helistops				C	C	X	X	X	X	C	X	C	P	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		C	C	X	X	X	X	X	X	C	P	
Railroad tracks, spurs, and sidings				P	P	P	P	P	P	P	X	P	P	
Railroad switching, maintenance, and storage facility		5700		C	X	X	X	X	X	X	X	C	P	
Railroad passenger station		5701		P	P	P	P	P	P	P	X	P	P	
Railroad freight facility		5702		C	X	X	X	X	X	X	X	X	P	
Utility														
Local distribution facilities for water, natural gas, and electric power		6100		P	P	P	P	P	P	P	A	P	P	
Telecommunications lines				P	P	P	P	P	P	P	P	P	P	
Electric power substations				C	C	C	C	C	C	C	C	C	P	

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High-voltage electric power transmission lines				C	C	C	C	C	C	C	C	C	P	
Dam		6220		C	C	C	C	C	C	C	X	C	P	
Livestock watering tank or impoundment				P	P	P	P	P	P	P	A	P	P	
Levee		6230		C	C	C	C	C	C	C	A	C	P	
Water tank (elevated, at grade, or underground)		6250		P	P	P	P	P	P	P	P	P	P	
Water wells, well fields, and bulk water transmission pipelines		6260		P	P	P	P	P	P	P	A	P	P	
Water treatment and purification facility		6270		P	P	P	P	P	P	P	X	P	P	
Water reservoir		6280		C	C	C	C	C	C	C	X	P	P	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	P	P	P	P	P	A	P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		P	P	P	P	P	P	P	A	P	P	
Solid waste landfill facility	4345	6320		C	C	X	X	X	X	X	X	C	P	
Composting facility		6330		P	P	C	C	C	C	C	P	X	X	
Recycling transfer center		6331		P	P	C	C	C	C	C	X	P	P	
Solid waste collection transfer station (Governmental)	4343		3210	P	P	C	C	C	C	P	X	P	P	
Solid waste collection transfer station (Private)	4343		3210	C	C	C	C	C	C	C	X	C	C	
Solid waste combustor or incinerator	4344			C	C	X	X	X	X	X	X	X	C	
Septic tank service, repair, and installation business	4346			X	X	X	X	X	X	C	X	X	P	
Household hazardous waste collection facility				C	C	X	X	X	X	C	X	X	P	
Hazardous waste storage facility		6340		C	X	X	X	X	X	X	X	X	P	
Hazardous waste treatment and disposal facility				C	X	X	X	X	X	X	X	X	P	
Sewage treatment plant and disposal facilities		6350		C	C	C	C	C	C	C	X	C	P	
Gas or electric power generation facility		6400		C	X	X	X	X	X	X	X	DCI	P	
New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes		6500		C	C	C	X	X	X	X	X	C	C	
Modification of existing wireless communication facility with no substantial changes/Collocation		6500		P	P	P	P	P	P	P	P	P	P	
Roof Mounted/Surface Mounted/Stealth		6500		P	P	P	C	C	C	C	P	P	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		P	C	X	X	X	X	C	A	P	P	
Weather stations or transmitters		6520		P	P	C	X	X	X	C	A	P	P	
Environmental monitoring station (air, soil, etc.)		6600		P	P	P	P	P	P	P	A	P	P	
Commercial solar energy production facility				C	C	C	X	X	X	C	C	C	P	
Geothermal production facility		6450		C	C	X	X	X	X	X	X	C	P	
Large scale wind facility				C	C	C	X	X	X	X	X	X	C	Sec. 10.16
Telecommunications and Broadcasting station	4230			P	P	X	X	X	X	e	X	C	P	

Table 9.8.14: LCLCCD Use Table

Table 9.8.14: La Cienega and La Cieneguilla Community District Use Table

	Function	Structure	Activity	LCLCCD A/R	LCLCCD RUR-F	LCLCCD RUR-R	LCLCCD RES-F	LCLCCD RES-E	LCLCCD RES-C	LCLCCD TC	LCLCCD CN	LCLCCD P/I	LCLCCD PDD	Special Conditions
Highway rest stops and welcome centers		6930		P	P	P	P	P	P	P	X	P	P	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	P	P	P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	X	X	X	C	P	P	P	
Agriculture, forestry, and conservation/open space														
Grain silos and other storage structure for grains and agricultural products		8100		P	P	A	A	A	A	P	X	C	P	
Animal production that includes slaughter	9300			C	C	X	X	X	X	X	X	A	X	
Livestock pens or hog houses		8200		P	C	X	X	X	X	C	X	A	X	
Commercial greenhouses		8500		P	P	C	C	C	C	C	P	C	P	
Nurseries and other growing of ornamental plants				P	P	P	P	P	P	P	P	P	P	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	P	P	P	P	P	P	P	P	P	
Stables and other equine-related facilities - Commercial over 12 horses				P	P	P	C	C	C	C	C	C	C	
Kennels and commercial dog breeding facilities		8700		C	C	C	C	X	X	C	C	P	P	
Apiary and other related structures		8700		P	P	P	P	P	P	P	P	P	P	
Crop production outdoor	9100			P	P	P	P	P	P	P	P	P	P	
Crop production greenhouse		8500		P	P	P	P	P	P	P	P	P	P	
Display or sale of agricultural products raised on the same premises				P	P	P	P	P	P	P	P	P	P	
Forestry and logging operations	9300			P	P	P	P	P	P	P	X	P	P	
Game preserves and retreats	9400			P	P	C	C	C	C	C	X	P	P	
Support business and operations for agriculture and forestry				P	P	A	A	A	A	C	P	P	P	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	P	P	P	P	P	P	
Public or community outdoor recreation facilities				P	P	P	P	P	P	P	P	P	P	
Concentrated animal feeding operation		8310		DCI	DCI	X	X	X	X	X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	P	P	P	P	P	P	P	P	P	
Dairy farms		8210		P	C	X	X	X	X	X	X	X	X	
Other farm and farming-related structures		8900		P	P	P	P	P	P	P	P	P	P	
Poultry farms and poultry production facilities		8220		P	C	X	X	X	X	X	X	A	X	
Sheds, or other agricultural facilities		8000		P	P	P	P	P	P	P	P	P	P	
Animal waste lagoons		8420		DCI	DCI	X	X	X	X	X	X	X	X	Ch 11
Mining and extraction establishments														
Oil and natural gas exploration or extraction	8100			DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	Ch 11
Metallic minerals mining Hard rock mining	8200			DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	Ch 11
Coal mining	8300			DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	DCI	

Table 9.8.14: LCLCCD Use Table

Table 9.8.14: La Cienega and La Cieneguilla Community District Use Table

	Function	Structure	Activity	LCLCCD A/R	LCLCCD RUR-F	LCLCCD RUR-R	LCLCCD RES-F	LCLCCD RES-E	LCLCCD RES-C	LCLCCD TC	LCLCCD CN	LCLCCD P/I	LCLCCD PDD	Special Conditions
Nonmetallic minerals mining	8400			DC	DC	DC	DC	DC	DC	DC	DC	DC	DC	
Quarrying and stone cutting	8500			C	C	X	X	X	X	X	X	X	X	
Sand and gravel Mining				C	C	C	C	X	X	X	X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				DC	DC	DC	DC	X	X	X	X	X	X	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.**

9.9. EL VALLE DE ARROYO SECO HIGHWAY CORRIDOR DISTRICT OVERLAY.

9.9.1. Purpose and Intent. The provisions of the El Valle de Arroyo Seco Highway Corridor Community District Overlay (ASHCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the El Valle de Arroyo Seco Highway Corridor Plan and the Sustainable Growth Management Plan (SGMP). The ASHCD is designed to ensure compatibility among various land uses, encourage compact development, protect scenic features and environmentally sensitive areas, enhance rural development patterns, accommodate a variety of lifestyles, delineate historic community spaces and conserve water resources while accommodating the anticipated natural growth of the corridor. The ASHCD includes standards and dimensions based on historic development patterns and incentives to facilitate compact development where appropriate.

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

9.9.2.1. Water Supply, Wastewater and Water Conservation.

9.9.2.1.1. Intent/Purpose. The intent of the water supply, conservation and waste water provisions is to ensure a sustainable water supply and to ensure new development will not impair senior water rights, existing domestic wells, stream and spring flows and water quality.

1. Required Connection to Public or Publicly-Regulated Private Water Utility.

Connection to Public or Publicly-Regulated Private Water Utility is required for all subdivisions, residential and non-residential development applications permitted after the date of this ordinance as specified below:

- a. Non-residential Water Use.** All new non-residential development shall connect to a community water system when the utility becomes ready, willing and able to supply the development.
- i.** If connection to a water system is not possible, the new non-residential development shall limit water consumption to .35 acre feet water per year. This water consumption requirement applies only to use of water for non-residential purposes from domestic wells as defined by the state and does not apply to any other water-rights (irrigation or private).
- ii.** If the community water system is already in place and capable of providing service or if a water system is expected to become operational within six (6) months or less, connection to the system will be required immediately upon the time of service capability within the system. The requirement for connection shall be duly noted on the survey plat and the property owner shall agree to

submit a financial guarantee to ensure connection within six (6) months prior to final approval.

9.9.2.2. Signs. The standards for signs shall be regulated as identified in Chapter 7 of the Code with the following exceptions:

9.9.2.2.1. Billboards and signs on mobile objects are prohibited. Mobile objects include truck trailers, shipping containers and mobile homes.

9.9.2.2.2. Maximum square footage of all signs shall be no more than 70 square feet.

9.9.2.2.3. One freestanding sign and one building mounted sign shall be permitted per non-residential lot.

9.9.2.2.4. Building mounted signs must fit architectural style and design of the building and shall not protrude over 5 feet above highest point of the structure.

9.9.2.2.5. Advertising is permitted on two sides of the sign. Square footage for free standing signs shall be measured only on one face of the sign.

9.9.2.2.6. Maximum Sign Height and Setbacks.

1. All signs shall be set back a minimum of 7 feet from the property line or any existing road Right-of-Way.
2. Signs shall be set back a minimum of 25 feet from contiguous property lines.
3. Free-standing signs shall have setbacks corresponding to their height corresponding to Table 9.9.1.

Table 9.9.1: Sign Height and Setback Requirements.

Sign Height	Set Back
≤ 7 feet	7 feet
7.1-10 feet	23 feet
10.1-15 feet	50 feet
15.1-20 feet	78 feet
20.1-24 feet	100 feet

4. The height of the sign shall be measured from the top of the sign to the pre-disturbed ground level. Maximum sign height shall be based on set back from the Right-of-Way in accordance with Table 9.9.1.

9.9.2.2.7. Internally and Externally Lit Signs. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Externally lit signs shall use shielding that only illuminates the advertising surface of the sign.

2. Lighting of all externally lit signs shall be directed downward.
3. Illumination of signs shall be prohibited after 9pm.
4. Internally illuminated signs shall be designed so that only the lettering of the sign shall emit light after dark. One illuminated sign is permitted per business.

9.9.2.3. Non-residential Landscaping and Buffering. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.9.2.3.1. Screening. All screening must be fully installed and maintained to meet the standards of this code to including the following:

1. New non-residential development must provide screening of the development, including parking areas and accessory structures from adjoining properties.
2. Minimum height of non-residential screening will be six (6) feet.
3. Screening may be constructed using stucco walls, brick, masonry or coyote fences or wooden fences and placed on the property of the commercial establishment.
 - a. Non-residential developers shall attempt to make agreements for the type of fencing (i.e. brick, stucco or other) with adjoining landowner. If no agreement is reached, the default screening material will be masonry.

9.9.2.4. Noise Buffering. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 9.9.2.4.1.** New non-residential development that will create noise above ambient levels shall use sound walls or berms for minimizing traffic and business related noises.
- 9.9.2.4.2.** Non-residential development that generates noise levels above the ambient levels for morning and evening must limit operations to between 8:00 a.m. and 6:00 p.m.

9.9.2.5. Landscaping. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 9.9.2.5.1.** When appropriate for safety and clear sightlines, revegetation shall use low, round cover shrubs in order not to block views of roadways and driveways for traffic safety.
- 9.9.2.5.2. Plant Size.** All trees and shrubs used for required landscaping buffers must be maintained and screening must meet the following standards: trees shall have a caliper of one and one-half inch (1.5") or greater and shall be six feet (6') in height or taller at the time of planting. Shrubs shall be five (5) gallon size or greater at time of planting.

9.9.2.5.3. Landscaping Water Supply Conservation and Reuse. Landscape irrigation shall be primarily sourced from required water collection cisterns. Any additional irrigation may be provided through passive water harvesting, gray water or other rainwater storage systems. Landscaping shall be designed to incorporate erosion control and, to the extent possible, use natural runoff water for landscaping irrigation. The provisions of this subsection shall not apply to agricultural uses of water.

9.9.2.6. Residential Development. Residential uses shall be permitted within the ASHCD boundary.

9.9.2.7. Non-residential Development. Non-residential uses shall have a maximum of 25,000 square feet of building area.

9.9.2.7.1. Buildings larger than 10,000 square feet shall include architectural offsets for every 100 feet in length.

9.9.2.7.2. Only 3 businesses may occupy a single lot.

9.9.2.7.3. Setbacks. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Buildings with side or rear parking must be set back 50 feet from Highway Right-of-Way boundary.
2. Buildings with front parking must be set back 75 feet from Highway Right-of-Way boundary. Parking is permitted within 25 feet of the building.
3. Non-residential buildings must be set back at least 100 feet from existing residential structures on adjoining property.
4. If over 100 feet exists between the property line of a non-residential parcel and an existing residential structure, new non-residential buildings and related development must be set back at least 25 feet from the property line.

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

9.9.3.1. Generally. The ASHCD 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 base zoning districts of this Code. If an overlay zone regulation conflicts with any standard of the underlying zone, the standard of the overlay zone shall govern.

9.9.3.2. Base Zoning Districts. Base zoning districts approved for use in the El Valle de Arroyo Seco Corridor District are listed in Table 9.9.2.

Table 9.9.2: El Valle de Arroyo Seco Corridor District Base Zoning

TC	Traditional Community
CN	Commercial Neighborhood
PI	Public/Institutional

9.9.3.2.1. ASHCD Traditional Community (ASHCD TC); Purpose. The purpose of this district is to designate areas suitable for residential, small-scale commercial and traditional agricultural uses consistent with the existing development patterns of traditional communities. The TC district accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited shall be as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ASHCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.9.3:

Table 9.9.3: Dimensional Standards ASHCD TC (Traditional Community).

Zoning District	ASHCD TC
Density (# of acres per dwelling unit)	0.75/0.33*
Frontage (minimum, feet)	50
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (commercial)	2,500 sq. ft.
Lot Coverage for non-residential development (maximum percent)	20

* The standard density of one dwelling unit/0.75 acres may be increased to one dwelling unit/0.33 acres if the lot is served by public water and sewer.

9.9.3.2.2. ASHCD Commercial Neighborhood (ASHCD CN); Purpose. The purpose of this district is to allow for low-rise low-intensity convenience retail and personal services, as well as office uses, that are intended to serve and are in close proximity to individual residential neighborhoods. Generally, the desired location of these commercial areas is at the periphery, focal point, or a major entrance to one or more neighborhoods, along a minor or subdivision collector or higher roadway classification, or along a major access road at the entrance to or in a focal point of a neighborhood.

1. **Use Regulations.** Uses permitted, conditional and prohibited shall be as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ASHCD Use Table.
 - a. **Restaurant, with incidental consumption of alcoholic beverages:**

- i. This use is limited to a maximum of 35 seats.
 - b. **Restaurant, with no consumption of alcoholic beverages permitted:**
 - i. This use is limited to a maximum of 35 seats.
 - c. **Automobile repair and service:**
 - i. This use is limited to a maximum of 4 bays.
 - d. **Bicycle, motorcycle, all terrain vehicle dealers:**
 - i. This use is limited to bicycles and electric vehicles.
 - e. **Beer, wine and liquor store (off-premises consumption of alcohol):**
 - i. This use is limited to beer, wine or spirits manufactured on site.
 - f. **Manufacturing plants:**
 - i. This use is limited to small scale manufacturing.
 - g. **Active open space/athletic fields/golf courses:**
 - i. Golf courses are prohibited.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of the Code except as prescribed in Table 9.9.4.

Table 9.9.4: Dimensional Standards ASHCD CN (Commercial Neighborhood).

CN Zoning District	ASHCD CN
Density	.75
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	20
Maximum building size (aggregate)	25,000

- 9.9.3.2.3. ASHCD Public/Institutional (ASHCD PI); Purpose.** The purpose of the Public/Institutional (PI) district is to accommodate 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.
1. **Use Regulations.** Uses permitted, conditional and prohibited shall be as identified in Chapter 8 and Appendix B of this Code with exceptions identified below and on ASHCD Use Table.

2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of the Code except as prescribed in Table 9.5.5.

Table 9.9.5: Dimensional Standards ASHCD PI (Public Institutional).

PI Zoning District	ASHCD PI
Density	.75
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	20

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

- 9.9.4.1. **Home Occupations. Purpose:** Home Occupations are small-scale uses that are conducted from one's home and are 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 the SLDC with the following exceptions as identified on Table 9.9.6 ASHCD Home Occupations.

Table 9.9.6 ASHCD Home Occupations Standards:

	No Impact	Low Impact	Medium Impact
Permit type	Business Registration	Development Permit	Conditional Use Permit
Non-resident employees (max)	1	3	3
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	Signs have a maximum of 9 square feet. Illuminated signs are prohibited.	Signs have a maximum of 9 square feet. Illuminated signs are prohibited.
Parking and access	Resident and employee only	see §10.6.5	see §10.6.5
Heavy Equipment	None	Up to 2	3-6

- 9.9.4.1.1. All parking for the residence and home occupation, including all parking for the resident(s), employees and patrons, must be located off of the Right-of-Way, roadway and shoulders of the road and shall meet all code requirements.

1. There shall be one (1) parking space per employee and one per every 400 square feet of structure used for business.

9.9.4.2. Supplemental Use Regulations; Purpose. This section establishes additional or alternative standards for particular uses in the ASHCD. The purpose of this chapter is to establish standards for specific uses which require special design considerations in order to: protect surrounding property values and uses; protect the public health, safety, and general welfare; and implement the SGMP. These standards seek compatibility with the principal uses permitted in a zoning district. It is the intent of the County that supplemental uses comply with the standards that have been created to address the particular impacts and characteristics. Uses shall be as stated on the Use Table for ASHCD, these are permitted in the Traditional Community and Commercial Neighborhood Zones in ASHCD with the following restrictions:

9.9.4.2.1. Uses listed below must have the licensee of the business residing in a dwelling on the property and the home must be the licensee's primary residence.

1. Maximum density for a home business shall be one dwelling unit per 1.5 acres.
2. The total area used for a home business and related activities shall not exceed 2,000 square feet of the residence and/or accessory structure.
3. The space used for business may be part of the house or accessory structure.
4. Outdoor storage areas shall not exceed 1,000 square feet or one half of total home business square footage, whichever is less.
5. A maximum of one sign shall be permitted per business.
6. Signs may be either building mounted or pedestal mounted.
7. Maximum square footage of any sign shall not exceed 35 square feet.
8. Illuminated signs are prohibited.
9. Reflective signs are permitted.
10. Sign height and setbacks shall follow the standards outlined above in this section.
11. Home Businesses must provide detailed trash management plans to demonstrate that all solid waste generated from the operation will be properly managed and disposed of as follows:
 - a. Trash receptacles must be screened on all sides by a solid wall or fence and gate.

- b. Trash must be removed on a bi-weekly basis.

12. Retail establishments including arts and craft, galleries, electronic sales and service, bookstores, grocery stores, greenhouses and nurseries:

- a. These uses shall be limited to a maximum of 2,000 square feet.

13. Bed and Breakfast establishments:

- a. These uses shall be limited to a maximum of 4 guest bedrooms.

14. Professional service establishments including attorney offices, medical and dental offices, veterinary establishments, realtors, accountants, barber and beauty shops, shoe repair shops:

- a. These uses shall be limited to a maximum of 2,000 square feet.

15. Automotive repair:

- a. These uses shall be limited to a maximum of 2 bays.

16. Restaurants, diners and coffee shops:

- a. They shall be limited to a maximum of 2,000 square feet.

17. Breeding and boarding facilities:

- a. These shall have a maximum of 6 animals under care at the business site overnight.

18. Manufacturing establishments for metal and woodwork, furniture making, and artisan material production:

- a. These uses shall have a maximum of 2,000 square feet.

9.9.5. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or conditional, as further explained in Table 9.9.8. 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 9.9.7: 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 9.9.8: ASHCD Use Table.

Table 9.9.8: El Valle de Arroyo Seco Highway Corridor (ASHCD) Use Table

Use	Function	Structure	Activity	ASHCD TC	ASHCD CN	ASHCD PI	Special Conditions
Residential							
Single family detached units		1110		P	P	A	
Single-family attached units		1120		P	P	A	
Duplex	-	1121		C	P	A	
Accessory dwelling units		1130		A	A	A	Chapter 10
Townhouses				P	P	A	
Multifamily dwellings		1202-99		C	P	A	
Retirement Housing	1210			P	P	P	
Assisted living facility	1230			C	P	P	
Life care or continuing care facilities	1240			C	P	P	
Skilled-nursing facilities	1250			C	P	P	
Community Home, NAICS 623210				C	P	P	
Barracks		1310		X	X	P	
Dormitories		1320		X	C	P	
Single room occupancy units	-	1340		X	C	P	Chapter 10
Temporary structures, tents etc. for shelter		1350		A	C	P	
Hotels, motels, or other accommodation services							
Bed and Breakfast inn	1310			P	P	X	Chapter 10
Rooming and boarding housing	1320			C	P	C	
Resorts				X	X	X	
<u>Retreats</u>				X	C	X	
Hotels, motels, and tourist courts	1330			X	X	X	
Commercial							
Shop or store with drive-through facility		2210		X	C	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	P	X	Chapter 9
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	P	X	Chapter 9
Stand-alone store or shop		2230		C	P	X	
Department store		2240		X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	
Market shops, including open markets		2260		C	P	X	
Gasoline station		2270		X	C	X	
Automobile repair and service		2280		C	P	X	Chapter 9
Car dealer	2111			X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	P	X	Chapter 9
Boat or marine craft dealer	2114			X	X	X	
<u>Automotive</u> Parts, accessories, or tires	2115			C	P	X	
Gasoline service	2116			X	C	X	
Lumberyard and materials	2126			X	C	X	
Outdoor resale business	2145			X	X	X	
Pawnshops		NAICS 522298		C	P	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	P	X	Chapter 9
Shopping center		2510-2580		X	P	X	

Table 9.9.8: El Valle de Arroyo Seco Highway Corridor (ASHCD) Use Table

Use	Function	Structure	Activity	ASHCD TC	ASHCD CN	ASHCD PI	Special Conditions
Convenience stores or centers		2591		P	P	X	
Car care center		2593		C	P	X	
Car washes		NAICS 811192		X	X	X	
Office or bank (without drive-through facility)		2100		X	P	X	
Office (with drive-through facility)		2110		X	C	X	
Office or store with residence on top		2300		X	P	X	
Office-over storefront structure		2400		X	P	X	
Research and development services (scientific, medical, and technology)	2416			C	P	X	
Car rental and leasing	2331			C	P	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	C	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			C	P	X	
Bars, taverns and nightclubs				X	X	X	
Camps, camping, and related establishments	5400			C	X	C	
Sexually oriented business				X	X	X	Sec. 10.20
Tattoo parlors				C	P	X	
Industrial , manufacturing and wholesale trade							
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	C	X	
Loft		2611		X	X	X	
Mill-type factory structures		2612		X	X	X	
Manufacturing plants		2613		X	C	X	Chapter 9
Industrial parks		2614		X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	
Construction-related businesses	7000			X	P	X	
Heavy construction	7400			X	X	X	
Machinery related	7200			X	X	X	
Special trade contractor	7300			X	P	X	
Automotive paint and body				X	C	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				DCI X	DCI X	DCI X	
Vehicle storage for towing or related business				X	C	C	
Demolition, <u>building and structure</u> business				X	X	X	
Warehouse or storage facility Structure		2700		X	C	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	C	X	
High-rise mini-warehouse		2720		X	X	X	
Warehouse structure		2730		X	C	X	
Produce warehouse		2740		X	C	X	
Refrigerated warehouse or cold storage		2750		X	C	X	
Large area distribution or transit warehouse		2760		X	C	X	
Wholesale trade— durable goods	3510			X	C	X	

Table 9.9.8: El Valle de Arroyo Seco Highway Corridor (ASHCD) Use Table

Use	Function	Structure	Activity	ASHCD TC	ASHCD CN	ASHCD PI	Special Conditions
Wholesale trade nondurable goods	3520			X	C	X	
Food, textiles, and related products				X	C	X	
Wood, paper, and printing products				X	C	X	
Tank farms		2780		X	X	X	
Public assembly structures							
Performance theater			3110	C	P	P	
Movie theater			3120	X	P	P	
Amphitheater			3130	X	X	P	
Drive-in theaters			3140	X	X	X	
Indoor games facility		3200		X	C	P	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	C	
Amusement or theme park	5310			X	X	X	
Arcade	5320			X	X	X	
Miniature golf establishment	5340			X	C	X	
Fitness, recreational sports, gym, or athletic club	5370			X	C	P	
Bowling, billiards, pool, etc.	5380			X	C	C	
Skating rinks	5390			X	P	P	
Sports stadium or arena		3300		X	X	X	
Racetrack or raceway	5130			X	X	X	
Exhibition, convention or conference structure		3400		X	X	P	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	*
Covered or partially covered atriums and public enclosure		3700		X	C	P	
Passenger terminal, mixed mode		3810		X	C	C	*
Active open space/ athletic fields/golf courses	6340			X	C	C	* Chapter 9
Passive open space	6340			C	P	P	
Arts, entertainment, and recreation							
Active leisure sports and related activities			7100	C	C	P	
Movie Ranch				X	P	P	
Camps, camping, and related establishments	5400			X	X	P	
Exhibitions and art galleries		4410		P	P	P	
Performing arts or supporting establishment	5100			P	P	P	
Theater, dance, or music establishment	5101			P	P	P	
Institutional or community facilities							
Community center		2200		C	P	P	
Hospitals		4110		X	X	P	
Medical clinics		4120		P	P	P	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			P	P	P	
Child and youth services	6561			P	P	P	
Child care institution (basic)	6562			P	P	P	
Child care institution (specialized)	6562			P	P	P	
Day care center	6562			P	P	P	

Table 9.9.8: El Valle de Arroyo Seco Highway Corridor (ASHCD) Use Table

Use	Function	Structure	Activity	ASHCD TC	ASHCD CN	ASHCD PI	Special Conditions
Community food services	6563			P	P	P	
Emergency and relief services	6564			P	P	P	
Other family services	6565			P	P	P	
Services for elderly and disabled	6566			P	P	P	
Animal hospitals	6730			C	P	P	
School or university (privately owned)		4200		P	C	P	
Grade school (privately owned)		4210		P	P	P	
College or university facility (privately owned)		4220		C	C	P	
Technical, trade, and other specialty schools	6140	4230		C	C	P	
Library		4300		P	P	P	
Museum, exhibition, or similar facility	5200	4400		P	P	P	
Planetarium		4420		C	P	P	
Aquarium		4430		C	C	P	
Outdoor facility, no major structure			4440	C	P	P	
Zoological parks		4450		X	X	P	
Public safety related facility			4500	P	P	P	
Fire and rescue station			4510	P	P	P	
Police station			4520	P	P	P	
Emergency operation center			4530	P	P	P	*
Correctional or rehabilitation facility			4600	X	X	P	*
Cemetery, monument, tombstone, or mausoleum			4700	C	C	P	
Funeral homes			4800	X	C	X	
Cremation facilities			4800	X	X	X	
Public administration		6200		X	C	P	
Post offices		6310		X	P	P	
Space research and technology		6330		X	C	P	*
Clubs or lodges				X	C	C	
Transportation-related facilities							
Commercial automobile parking lots		5200		X	C	C	
Commercial automobile parking garages				X	C	C	
Surface parking, open		5210		X	A	A	
Surface parking, covered		5220		X	A	A	
Multistoried parking structure with ramps		5230		X	X	X	
Underground parking structure with ramps		5240		X	P	P	
Rooftop parking facility		5250		X	X	X	
Bus terminal		3830		X	X	P	
Bus stop shelter		5300		P	P	P	
Truck storage and maintenance facilities		5400		X	C	X	
Truck freight transportation facilities	4140			X	X	X	
Light rail transit lines and stops	4151			X	C	P	
Local rail transit storage and maintenance facilities	4153			X	X	X	
Taxi and limousine service maintained and storage facilities	4155			X	C	X	
Taxi and limousine service dispatch facilities				X	C	X	

Table 9.9.8: El Valle de Arroyo Seco Highway Corridor (ASHCD) Use Table

Use	Function	Structure	Activity	ASHCD TC	ASHCD CN	ASHCD PI	Special Conditions
Bus transportation storage and maintenance facilities	4156			X	C	C	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	C	C	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	
Courier and messenger service facilities	4190			X	C	X	
Commercial airports		5600		X	X	X	
Private airplane runways and landing strips		5610		X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	
Heliport facility		5640		X	X	X	
Helistops				X	X	X	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	C	
Railroad tracks, spurs, and sidings				X	C	P	
Railroad switching, maintenance, and storage facility		5700		X	X	C	
Railroad passenger station		5701		X	C	P	
Railroad freight facility		5702		X	X	X	
Utility							
Local distribution facilities for water, natural gas, and electric power		6100		X	A	P	
Telecommunications lines				P	P	P	
Electric power substations				X	C	C	
High-voltage electric power transmission lines				X	C	C	
Dam		6220		X	X	C	
Livestock watering tank or impoundment				P	P	P	
Levee		6230		C	A	C	
Water tank (elevated, at grade, or underground)		6250		P	P	P	
Water wells, well fields, and bulk water transmission pipelines		6260		P	A	P	
Water treatment and purification facility		6270		P	P	P	
Water reservoir		6280		C	C	P	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	C	P	
Solid waste landfill facility	4345	6320		X	X	C	
Composting facility		6330		C	P	X	
Recycling transfer center		6331		X	C	P	
Solid waste collection transfer station (Governmental)	4343		3210	X	C	C	
Solid waste collection transfer station (Private)	4343		3210	X	X	C	
Solid waste combustor or incinerator	4344			X	X	X	
Septic tank service, repair, and installation business	4346			X	C	X	
Household hazardous waste collection facility				X	X	X	
Hazardous waste storage facility		6340		X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	C	

Table 9.9.8: El Valle de Arroyo Seco Highway Corridor (ASHCD) Use Table

Use	Function	Structure	Activity	ASHCD TC	ASHCD CN	ASHCD PI	Special Conditions
Gas or electric power generation facility		6400		X	X	DCI	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		<u>6500</u>		<u>X</u>	<u>X</u>	<u>C</u>	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		<u>6500</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Roof Mounted/Surface Mounted/Stealth</u>		<u>6500</u>		<u>C</u>	<u>P</u>	<u>P</u>	
Radio, television, or wireless transmitter Amateur radio antenna		6510		P	P	P	
Weather stations or transmitters-		6520		X	C	P	
Environmental monitoring station (air, soil, etc.)		6600		A	P	P	
Commercial solar energy production facility				X	C	C	
Geothermal production facility		6450		X	X	C	
Large scale wind facility				X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	C	C	
Highway rest stops and welcome centers		6930		X	C	X	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		C	P	P	
Agriculture, forestry, and conservation/open space							
Grain silos and other storage structure for grains and agricultural products		8100		P	P	C	
Animal production that includes slaughter	9300			X	X	X	
Livestock pens or hog houses		8200		X	X	X	
Commercial greenhouses		8500		C	P	C	
Nurseries and other growing of ornamental plants				P	P	P	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	P	P	
Stables and other equine-related facilities - Commercial over 12 horses				C	C	C	
Kennels and commercial dog breeding facilities		8700		C	C	P	
Apiary and other related structures		8700		P	P	P	
Crop production outdoor	9100			P	P	P	
Crop production greenhouse		8500		C	P	C	
Display or sale of agricultural products raised on the same premises				A	P	P	
Forestry and logging operations	9300			X	C	P	
Game preserves and retreats	9400			X	C	P	
Support business and operations for agriculture and forestry				X	C	P	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	
Public or community outdoor recreation facilities				P	P	P	
Concentrated animal feeding operation		8310		X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	P	P	
Dairy farms		8210		A	C	X	
Other farm and farming-related structures		8900		A	A	A	
Poultry farms and poultry production facilities		8220		A	C	X	
Sheds, or other agricultural facilities		8000		A	A	A	
Animal waste lagoons		8420		X	X	X	Ch 11

Table 9.9.8: El Valle de Arroyo Seco Highway Corridor (ASHCD) Use Table

Use	Function	Structure	Activity	ASHCD TC	ASHCD CN	ASHCD PI	Special Conditions
Mining and extraction establishments							
Oil and natural gas exploration or extraction	8100			DCI	DCI	DCI	Ch 11
Metallie minerals mining Hard rock mining	8200			DCI	DCI	DCI	Ch 11
Coal mining	8300			DCI	DCI	DCI	
Nonmetallic minerals mining	8400			DCI	DCI	DCI	
Quarrying and stone cutting	8500			X	X	X	
Sand and gravel Mining				X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	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.**

9.10. US 285 SOUTH HIGHWAY CORRIDOR DISTRICT OVERLAY.

9.10.1. Purpose and Intent. The provisions of the US 285 South Highway Corridor District (285 SHCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the US 285 South Highway Corridor Plan and the Sustainable Growth Management Plan (SGMP). The 285 SHCD is designed to ensure compatibility among various land uses, encourage compact development, protect scenic features and environmentally sensitive areas, enhance rural development patterns, accommodate a variety of lifestyles, delineate historic community spaces and conserve water resources while accommodating the anticipated natural growth of the community. Provisions include standards and dimensions based on historic development patterns and incentives to facilitate compact development where appropriate in conjunction with conservation easements that preserve agricultural land and open space.

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

9.10.2.1. Setbacks. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.10.2.1.1. The required setbacks for any building or accessory structure that contains a non-residential use may be reduced to 25 feet from the edge of the right-of-way of U.S. Highway 285 or the Old Las Vegas Highway if access and parking are located other than between the building and the highway.

9.10.2.1.2. The required setbacks from highways shall be landscaped and shall not contain parking or structures, but may contain pedestrian paths and trails.

9.10.2.2. Landscaping and Buffering. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

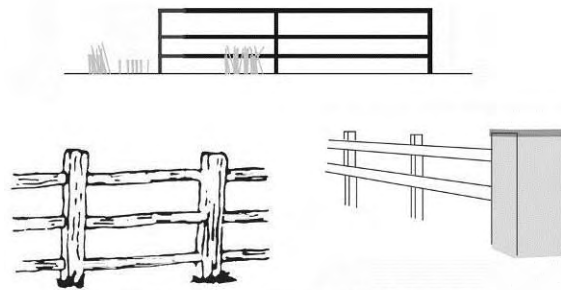
9.10.2.2.1. Disturbed areas. All disturbed areas shall be landscaped with native grass seed or with plants on the list of suitable native species on file with the Administrator.

9.10.2.2.2. Public. Public areas such as plazas, parking lots and streets shall be landscaped with xeriscape trees and shrubs.

9.10.2.3. Fences and Walls. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.10.2.3.1. Noise screening. Noise walls facing U.S. Highway 285 of the Old Las Vegas Highway are prohibited. Additional setbacks or landscaped berms may be used to reduce noise impacts.

9.10.2.3.2. Perimeter Fencing. Perimeter fencing around lots or projects may be no more than 50% opaque.



Examples of good Fences

Figure 9.10.1

9.10.2.3.3. Prohibited Fencing. Chain link and wire mesh fencing are prohibited.

9.10.2.3.4. Non-residential screening of parking. Parking areas for non-residential development shall be screened from adjacent residences by walls, berms, or a combination thereof that are a minimum of 3 feet in height and a maximum of 11 feet in height.

9.10.2.4. Lighting. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.10.2.4.1. Outdoor Lighting Height. Street lights shall not exceed 24 feet in height. Other outdoor lights shall not exceed 18 feet in height or the height of the lowest adjacent building, whichever is less.

9.10.2.4.2. Prohibited Lighting. Neon, flashing, traveling, intermittent, spot, and architectural lights are prohibited.

9.10.2.4.3. Lighting for Outdoor Art. All lighting which illuminates outdoor art shall be low intensity.

9.10.2.4.4. Spillover of Lighting. Exterior lighting from one lot shall not spillover to another lot or adjoining property with the exception of shared parking for non-residential uses.

9.10.2.5. Signs. The standards for signs shall be as regulated by Chapter 7 of the Code with the following exceptions:

9.10.2.5.1. Residential and Non-Residential Identification Signs.

1. Signs identifying a residential subdivision shall be located within the subdivision at each external street entrance to the subdivision, not to exceed 2 such signs. If the subdivision is adjacent to U.S. Highway 285 or the Old Las Vegas Highway, the sign(s) shall be located at the side road that provides access from the highway to the subdivision.
2. Signs identifying non-residential development, such as a business or civic use, shall be located on the same lot as that development. The development

shall be allowed one identification sign at each external street entrance to the development, not to exceed 2 such signs.

3. All signs(s) shall be monument signs. The monument supporting the sign shall not exceed 45 square feet and 5 feet in height.
4. All sign lettering shall not exceed 30 square feet.

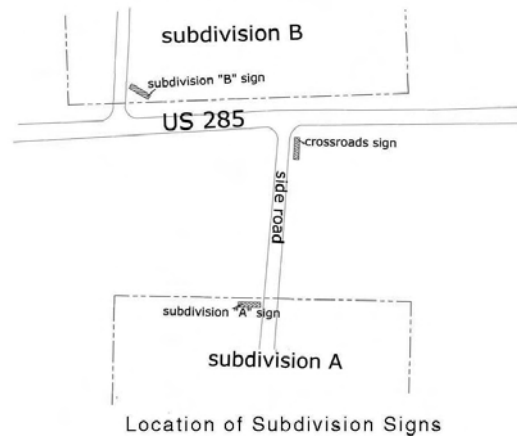


Figure 9.10.2

5. Signs shall be constructed of stucco, stone, wood, or a combination of these materials.
6. Signs shall incorporate step-downs or pilasters.
7. Signs primarily constructed of stucco shall have an earthtone color and have soft edges.
8. Signs primarily constructed of stone shall have a natural stone color and have rough or natural edges.
9. Signs primarily constructed of wood shall have a natural wood color.

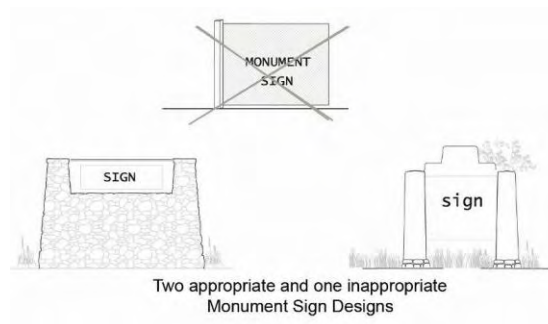


Figure 9.10.3

9.10.2.6. Terrain Management. The standards shall be as regulated by Chapter 7 of the Code with the following exceptions:

9.10.2.6.1. Intent. All development shall take advantage of the most appropriate naturally occurring buildable area and shall avoid the natural and cultural features identified for protection in the US 285 South Highway Corridor Plan.

9.10.2.6.2. All development shall be set back a minimum of 50 feet from the top of natural arroyo banks.

9.10.2.7. Water Supply and Conservation.

9.10.2.7.1. Water Supply Conservation and Reuse. Landscape irrigation shall be primarily sourced from required water collection cisterns. Any additional irrigation may be provided through passive water harvesting, gray water or other rainwater storage systems. The provisions of this subsection shall not apply to agricultural uses of water.

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

9.10.3.1. Generally. The 285 SHCD 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 base zoning districts of this Code. If an overlay zone regulation conflicts with any standard of the underlying zone, the standard of the overlay zone shall govern.

9.10.3.2. Use Regulations. Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the 285 SHCD Use Table and below:

9.10.3.3. Base Zoning Districts. Base zoning districts approved for use in the 285 SHCD are listed in Table 9.10.1.

Table 9.10.1: US 285 South Highway Corridor Base Zoning Districts.

A/R	Agriculture/Ranching
RUR	Rural
RUR-F	Rural Fringe
RUR-R	Rural Residential
RES F	Residential Fringe
RES-E	Residential Estate
CN	Commercial Neighborhood
PI	Public/Institutional

9.10.3.3.1. 285 SHCD Agriculture/Ranching (285 SHCD A/R); Purpose. The purpose of this district is to designate areas suitable for agricultural, ranching and residential uses, and to prevent encroachment of incompatible uses and the premature conversion of agricultural and ranch lands to nonagricultural uses. Uses in the A/R district are limited to agricultural, ranch, residential and other compatible uses. Density transfers, where applicable, 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the 285 SHCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.10.2:

Table 9.10.2: Dimensional Standards 285 SHCD A/R (Agriculture/Ranching)

Zoning District	285 SHCD A/R
Density (# of acres per dwelling unit)	160
Lot width (minimum, feet)	400
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

9.10.3.3.2. 285 SHCD Rural (285 SHCD RUR); Purpose. The purpose of this district is to designate areas suitable for a combination of agricultural, equestrian, residential, and other compatible uses and to protect agricultural uses from encroachment by development. This district also supports agricultural, ranch, very large lot residential, ecotourism, and equestrian uses. Density transfers, where applicable, 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on 285 SHCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of the Code except as prescribed in Table 9.10.3.

Table 9.10.3: Dimensional Standards 285 SHCD RUR (Rural)

Zoning District	285 SHCD RUR
Density (# of acres per dwelling unit)	40
Lot width (minimum, feet)	150
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

9.10.3.3.3. 285 SHCD Rural Fringe (285 SHCD RUR-F); Purpose. The purpose of this district is to designate areas suitable for a combination of estate-type

residential development, agricultural uses and other compatible uses. The 285 SHCD RUR-F zone accommodates primarily large lot residential, ecotourism, equestrian uses and renewable resource-based activities, seeking a balance between conservation, environmental protection and reasonable opportunity for development. Density transfers, where applicable, 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified below and on the 285 SHCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of the Code except as prescribed in Table 9.10.4.

Table 9.10.4: Dimensional Standards 285 SHCD RUR-F (Rural Fringe)

Zoning District	285 SHCD RUR-F
Density (# of acres per dwelling unit)	20
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

9.10.3.3.4. 285 SHCD Rural Residential (285 SHCD RUR-R); Purpose. The purpose of this district is to designate areas for the development of single-family homes on large lots, either individually or as part of rural subdivisions; to preserve the scenic and rural character of the County; to provide consolidated open space and agricultural lands; and to recognize the desirability of carrying on compatible agricultural operations and home developments in areas near the fringes of urban development while avoiding unreasonable restrictions on farming or ranching operations. Uses that support rural character of the broader area shall be allowed including agricultural production, small-scale renewable energy production, home-based businesses, bed and breakfasts, agro-tourism, equestrian and boarding facilities, and farmers markets.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the 285 SHCD Use Table and as prescribed below:
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.10.5.

Table 9.10.5: Dimensional Standards 285 SHCD RUR-R (Rural Residential)

Zoning District	285 SHCD RUR-R
Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

9.10.3.3.5. 285 SHCD Residential Fringe (285 SHCD RES-F); Purpose. The purpose of this district is to designate areas suitable for a combination of estate-type residential development, smaller-scale agricultural uses, ranchettes and other compatible uses. The 285 SHCD RES-F district may be comprised of a variety of residential lot sizes, clustered housing and community open space and can include limited agricultural use accessory to residential uses. Density transfers, where applicable, 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.

- 1. Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on 285 SHCD Use Table and as prescribed below:
- 2. Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.10.6.

Table 9.10.6: Dimensional Standards 285 SHCD RES-F (Residential Fringe)

Zoning District	285 SHCD RES-F
Density (# of acres per dwelling unit)	5
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

9.10.3.3.6. 285 SHCD Residential Estate (285 SHCD RES-E); Purpose. The purpose of this district is to designate areas suitable for a combination of large-lot and suburban-type residential development, ranchettes and other compatible uses. The 285 SHCD RES-E district supports single-family homes on medium sized lots consistent with contemporary community development. This category may include limited agricultural use accessory to residential uses. Density transfers, where applicable, 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.

- 1. Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the 285 SHCD Use Table.

2. **Dimensional Standards.** As identified in Chapter 8 of this Code except as prescribed in Table 9.10.7.

Table 9.10.7: Dimensional Standards 285 SHCD RES-E (Residential Estate)

Zoning District	285 SHCD RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

9.10.3.3.7. 285 SHCD Commercial Neighborhood (285 SHCD CN); Purpose.

The purpose of this district is to allow for low-rise low-intensity convenience retail and personal services, as well as office uses, that are intended to serve and are in close proximity to individual residential neighborhoods. Generally, the desired location of these commercial areas is at the periphery, focal point, or a major entrance to one or more neighborhoods, along a minor or subdivision collector or higher roadway classification, or along a major access road at the entrance to or in a focal point of a neighborhood.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the 285 SHCD Use Table.
 - a. **Mini-Storage Units.** Mini-storage units are allowed in conjunction with other uses on a common parcel within the 285 SHCD CN. Mini-storage units shall occupy no more than 50% of the total floor area of the principal use or uses. Mini-storage units and other similar self-storage facilities shall comply with these standards:
 - i. All structures, including the accessory manager's office/apartment, must be set back a minimum of 25 feet from the right-of-way or the district minimum setback, whichever is greater.
 - ii. The units shall be separated from U.S. Highway 285 by buildings or trees.
 - iii. Where a mini-storage unit or similar self-storage facility abuts non-residential development, no side and rear setbacks are required.
 - iv. Where a mini-storage unit or similar self-storage facility abuts residential property, buildings adjacent to the perimeter must face inward with doors away from the residentially zoned property.
 - v. One management office and/or accessory residence shall be permitted.
 - vi. The mini-storage unit or similar self-storage facility shall be limited to use for storage purposes only.

- vii. If the storage facility is gated, a minimum of 4 off-street vehicle-stacking spaces shall be provided between the public right-of-way and the front gate of the self-storage facility.

b. Leasing trucks, trailers, and recreational vehicles:

- i. Vehicle sales, leasing and rental shall be limited to vehicles which can be operated with a Class D License.
- ii. Vehicle sales and leasing requiring a CDL shall be prohibited.
- iii. Motorized recreational vehicles such as ATVs, RVs, quads, jet skis shall be prohibited.
- iv. E-bike leasing shall be allowed.
- v. No more than 20 such vehicles shall be parked at the business at any one time.
- vi. All rental vehicles shall be parked in specially marked spaces.

c. Bicycle, motorcycle, all-terrain vehicle dealers.

- i. Only bicycle and e-bike dealers shall be allowed. Motorcycle and all-terrain vehicle dealers shall be prohibited.

2. **Dimensional Standards.** As identified in Chapter 8 of this Code except as prescribed in Table 9.10.8.

Table 9.10.8. Dimensional Standards US 285 SHCD-CN

Zoning District	285 SHCD CN
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24*
Lot coverage (maximum, percent)	20

*Maximum height may vary in specific Crossroads.

3. **Architectural Design Standards (285 SHCD CN); Purpose.** Architectural styles shall be related or derived from the existing development.

a. Building Surfaces. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- i. All building surfaces shall be adobe, stucco or stone. Metal or vinyl surfaces are prohibited. Wood or brick is permitted as a trim not to exceed 10 percent of the exterior surface.

- ii. All building surfaces shall be a minimum of 70 percent earthtones and shall blend with the natural vegetation and soil on site.
 - iii. Accent colors shall not occupy more than 30 percent of the exterior surface.
- b. **Roofs.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
- i. The light reflective value of roof materials visible from any public right-of-way shall not exceed 30 percent.
 - ii. Tile may be used only as an accent on portals and tops of parapets.
 - iii. Gray, dark blue, dark green, dark brown or earthtone roofs are allowed. Black, white, bright red, bright blue, bright green and goldenrod are prohibited.
- c. **Facades.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
- i. The first 10 vertical feet of walls that are visible from any public right-of-way and that enclose a non-residential use shall have a minimum of 25 percent openings, such as windows, doors, passageways, and portals.

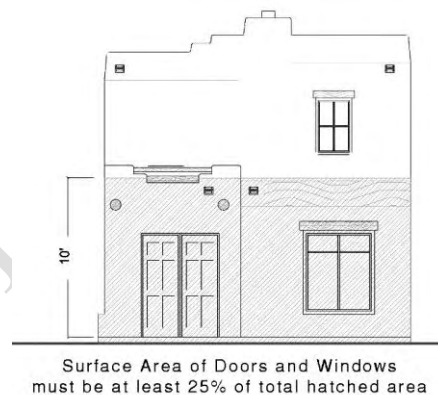


Figure 9.10.4

4. **Sustainable Design Standards (285 SHCD CN).** As identified in Chapter 7 of this Code, except as prescribed below:
- a. **Landscaping.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - i. **Walkways and Internal Streets.** Walkways and internal streets shall contain shade trees on at least one side, spaced a minimum of 40 feet apart.

-
- Top of Sign must be within 80% of Building Height

- iv. Multi-use projects consisting of 4 or more businesses shall be allowed 1 business directory monument or development identification sign at each external street entrance to the project, not to exceed 2 such signs.

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- i. **Alternative Parking Budgets.** In order to reduce the amount of land dedicated to parking lots, an applicant may propose a parking budget using shared parking, differential time use, one-stop multiple use, and on-street parking within 400 feet of the use. Diagonal on-street parking may also be approved consistent with pedestrian safety. The County may approve such a parking budget with different parking requirements than are otherwise required after determining that adequate parking is provided for the proposed uses.
 - ii. **Location.** Off-street parking lots or structures around a plaza or along a pedestrian oriented street shall be located behind the building(s) facing the plaza or street, except for limited parking to the side of a building as provided in the specific standards for pedestrian oriented streets.
 - iii. **Size.** Parking lots located behind or to the side of buildings shall contain a maximum of 60 vehicle spaces. Where more parking spaces are required, multiple lots may be separated by streets and/or landscaping. Parking lots in front of buildings shall contain no more than 20 vehicle spaces.
 - iv. **Parking Structures.** Parking structures shall be screened from view at street level and shall include architectural detailing, facade treatment, artwork, landscaping, or similar visual features to enhance the street facade. Screening of floors above street is encouraged through the use of vines or architectural screening detail compatible with the project.
 - v. **Bicycle Parking.** Bicycle parking racks shall be provided for all non-residential development.
- e. **Road Design Standards for Public and Pedestrian Oriented Space.**
- i. **Plazas.** Plazas are intended to function as public gathering places for daily interaction and seasonal celebrations. Plazas, if proposed, shall have the following design standards:
 - a. The maximum length of side of a plaza shall be 250 feet.

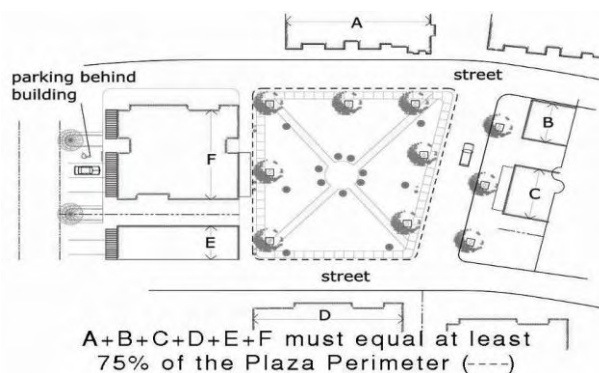


Figure 9.10.6

- b. The plaza shall be fronted a minimum 75 percent around its perimeter by buildings or by streets that are fronted by buildings with a maximum setback of 10 feet from the street. The maximum distance between building entries facing the plaza shall be 75 feet.
 - c. The first 10 vertical feet of a building facade facing the plaza shall have a minimum of 25 percent openings (windows, doors, passageways, portals).
 - d. Shaded and protected seating shall be provided.
- ii. **Pedestrian Oriented Streets.** Pedestrian oriented streets are intended to function as public gathering spaces and pedestrian friendly pathways, while allowing the passage of a limited number of vehicles. Pedestrian oriented streets, where required, shall have the following design standards:
- a. The minimum width of the sidewalk or walkway shall be 6 feet.
 - b. Buildings shall have entries facing the street.
 - c. The buildings along the street shall be set back from the edge of the sidewalk a maximum of 20 feet.
 - d. The maximum space between buildings on pedestrian-oriented streets shall allow access to rear parking lots and one double loaded parking aisle between buildings. Such side yard parking shall be screened from the street by landscaping or fences, walls or berms a maximum of 4 feet in height.

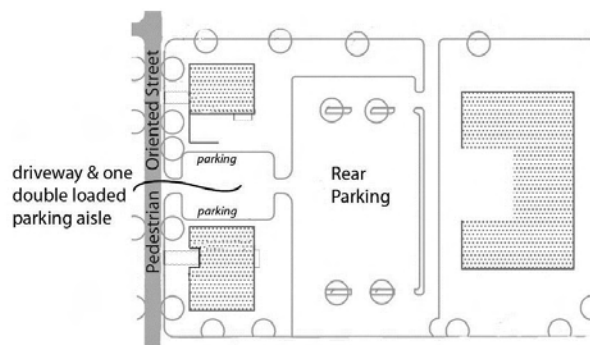


Figure 9.10.7

- iii. **Courtyards.** Courtyards are intended to function as gathering spaces for daily interaction and provide entryways into buildings facing the

courtyard. Courtyards, if proposed, shall have the following design characteristics:

- a. The courtyard shall have a direct connection to a public street.
 - b. The maximum length of a side of the courtyard shall be 120 feet.
 - c. The courtyard shall be fronted by buildings for a minimum of 50 percent of its perimeter.
 - d. The maximum distance between building entries facing the courtyard shall be 50 feet.
- iv. **Public Space Orientation.** Outdoor public spaces shall be oriented to provide protection from the prevailing winds and to take advantage of seasonal variations in sunlight.

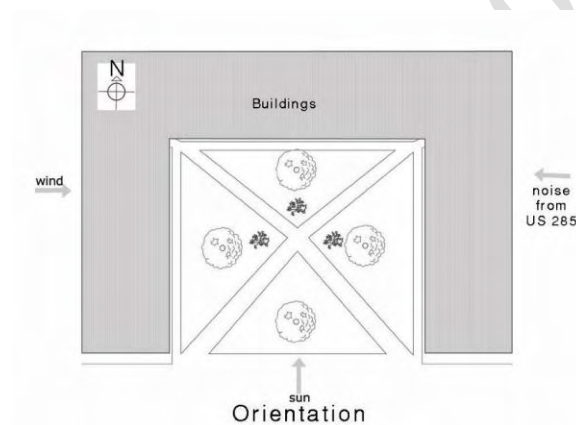


Figure 9.10.8

- v. **Pedestrian Circulation.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
- a. Pedestrian connections shall be provided between mixed-use areas and to adjacent residential areas, but are not required across US Highway 285.
 - b. The surface of pedestrian walkways within non-residential areas shall be paved or shall be provided with a hard surface. A connecting trail between non-residential areas may be constructed of base course.
 - c. Crosswalks shall be provided at all intersections unless it is determined that any such crosswalk would be a safety hazard to pedestrians.

5. **285 SHCD CN (Village Crossroads).**

- a. **Location.** The following provisions apply to the Village Crossroads area, which is located at the intersection of U.S. Highway South 285 and Avenida Vista Grande/Colina Drive.
- b. **Purpose.** The purpose of the Village Crossroads is to guide development of the area as a central community place with usable public spaces available to all age and physical groups, where festivities and public gatherings can occur; appropriate architecture and landscaping that is an expression of community character and that supports comfortable interaction and friendly gathering spots; clear, comfortable pedestrian access between developments and linkages to surrounding neighborhoods and community facilities; developments that relate to each other and provide diverse uses that respond to local needs and are available to all age and physical groups.
- c. **Dimensional standards.** The standards shall be as regulated by Chapter 8 of the Code with the following exceptions:
 - i. No building shall exceed 35,000 square feet.
 - ii. Any building that exceeds 10,000 square feet shall be broken into smaller design elements in order to reduce the bulk of the building.

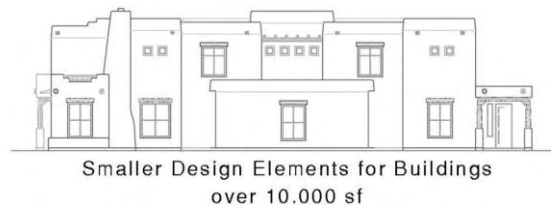


Figure 9.10.9

- iii. Building walls shall be broken up every 40 feet with horizontal offsets or portals with a minimum depth of 3 feet and a minimum width of 6 feet.

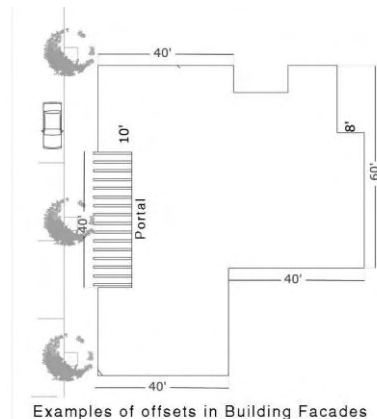


Figure 9.10.10

- d. Location, Orientation and Access.** The standards shall be as regulated by Chapter 8 of the Code with the following exceptions:
- i.** Setbacks from roads other than U.S. Highway 285 and the Old Las Vegas Highway shall be no more than of 30 feet from the edge of the right-of-way.
 - ii.** Development west of U.S. Highway 285 shall be oriented along an internal pedestrian-oriented street(s) or around a public plaza(s). The primary entrance to the buildings shall be from these internal streets or plazas. However, the side of any building facing Avenida Vista Grande shall include windows and architectural features.
 - iii.** Development for a distance of 1,000 feet northeast from the intersection of U.S. Highway 285 and Colina Drive shall be oriented along Colina Drive. Colina Drive shall be considered a pedestrian-oriented street and development shall comply with other provisions of this Overlay applicable to pedestrian-oriented streets.
 - iv.** A transfer of development rights, if applicable, may be used to concentrate development closer to the intersection of U.S. Highway 285 and Colina Drive, as allowed by this Code.
 - v.** Direct vehicular access to non-residential development from U.S. Highway 285 is prohibited. Secondary access (right-turn in only) to the Village Crossroads may be approved if it meets NMDOT access management regulations.
- 6. 285 SHCD CN (San Sebastian/Old Las Vegas Highway Crossroads).**
- a. Location.** The San Sebastian/Old Las Vegas Highway Crossroads area is located at the intersection of U.S. Highway 285 and Old Las Vegas Highway.
 - b. Purpose.** The purpose of the San Sebastian/Old Las Vegas Highway Crossroads is to establish small scale non-residential development to serve primarily local needs.
 - c. Dimensional standards.** The standards shall be as regulated by Chapter 8 of the Code with the following exceptions:
 - i.** The maximum size of any building shall not exceed 15,000 square feet.
 - ii.** Any building that exceeds 5,000 square feet shall be broken into smaller design elements in order to reduce the bulk of the building. (See Figure 9.10.9)

- iii. Building walls shall be broken up every 40 feet with horizontal offsets or portals with a minimum depth of 3 feet and a minimum width of 6 feet. (See Figure 9.10.10)
- iv. The setbacks from roads other than U.S. Highway 285 and the Old Las Vegas Highway shall be no more than 50 feet.
- d. **Design Standards.** As identified in Chapter 7 of this Code, except as prescribed below:
 - i. Buildings, commercial lighting, and signage shall be oriented to Old Las Vegas Highway.
 - ii. Parking for non-residential development shall be located at the rear of the building(s) it serves.
 - iii. Primary vehicular access to parking areas for non-residential development shall be restricted to the Old Las Vegas Highway.
 - iv. Non-residential development along Old Las Vegas Highway shall provide clear separation between pedestrian and vehicular traffic to enhance pedestrian safety.
 - v. Roadside vending is prohibited.
 - vi. Fencing in arroyos shall not restrict the natural passageway for wildlife and shall not affect the natural drainage.

7. 285 SHCD CN (Entryway Crossroads).

- a. **Location.** The location of the Entryway Crossroads area is at the intersection of U.S. Highway 285 and Avenida Amistad.
- b. **Purpose.** The purpose of Entryway Crossroads area is to provide a gateway to the historic Simpson Ranch, preserve the predominant natural features, maintain neighborhood privacy, and provide for neighborhood scale non-residential development that conveys the community character and history.
- c. **Dimensional Standards.** The standards shall be as regulated by Chapter 8 of the Code with the following exceptions:
 - i. The maximum size of any building shall not exceed 15,000 square feet.
 - ii. Any building that exceeds 5,000 square feet shall be broken into smaller design elements in order to reduce the bulk of the building. (See Figure 9.10.9)
 - iii. Building walls shall be broken up every 40 feet with horizontal offsets or portals with a minimum depth of 3 feet and a minimum width of 6 feet. (See Figure 9.10.10)

d. Design Standards. As identified in Chapter 7 and 8 of this Code, except as prescribed below:

- i.** Non-residential development west of U.S. Highway 285 shall be oriented along an internal pedestrian-oriented street or around a public plaza.
- ii.** Non-residential development east of U.S. Highway 285 shall be oriented on a north south axis on an internal pedestrian-oriented street parallel to U.S. Highway 285.
- iii.** Direct vehicular access to non-residential development from U.S. Highway 285 is prohibited.
- iv.** Buildings are limited to 18 feet in height. However, buildings on the perimeter of the Entryway Crossroads that face residential areas shall be limited to 12 feet in height.

8. 285 SHCD CN(Alma Crossroads).

- a. Location.** The following provisions apply to the Alma Drive Crossroads area, which is at the intersection of U.S. Highway 285 and Alma Drive.
- b. Purpose.** The purpose U.S. Highway 285 and Alma Drive crossroads is to retain the semi-rural residential character of the immediate area by limiting non-residential development to a very small area that has historically contained commercial uses.
- c. Dimensional Standards.** The standards shall be as regulated by Chapter 8 of the Code with the following exceptions:
 - i.** The maximum size of any building shall not exceed 15,000 square feet.
 - ii.** Any building that exceeds 5,000 square feet shall be broken into smaller design elements in order to reduce the bulk of the building. (See Figure 9.10.9)
 - iii.** Building walls shall be broken up every 40 feet with horizontal offsets or portals with a minimum depth of 3 feet and a minimum width of 6 feet. (See Figure 9.10.10)
- d. Design Standards.** As identified in Chapter 7 and 8 of this Code, except as prescribed below:
 - i.** Direct access to any new development from U.S. Highway 285 is prohibited.

9. 285 SHCD CN (Community Facility Crossroads).

- a. Location.** The following provisions apply to the Community Facilities Crossroads area, which is adjacent to the access road leading from U.S.

Highway 285 to the County Facility identified in the Public Institutional Zoning District.

- b. **Purpose.** The purpose of these provisions is to ensure that the area continues to function and expand as an important community facilities node, with an emphasis on buffering activities from surrounding residential areas.
- c. **Dimensional standards.** The standards shall be as regulated by Chapter 8 of the Code with the following exceptions:
 - i. The maximum size of any building shall not exceed 5,000 square feet. (See Figure 9.10.9)
 - ii. Building walls shall be broken up every 40 feet with horizontal offsets or portals with a minimum depth of 3 feet and a minimum width of 6 feet. (See Figure 9.10.10)
 - iii. The total size of the area shall not exceed 3 acres, bounded on the north by the service road, on the east by the transfer station, on the south by the ridge, and on the west by the US Highway 285 South right-of-way.
 - iv. Uses and buildings shall be oriented to the existing service road serving the existing County Facilities.
 - v. Access to new development shall be from the existing service road serving the County Facilities.
 - vi. The knoll south of the existing service road serving the County Facilities shall be preserved in its natural state.
 - vii. The arroyo north of the existing service road serving the County Facilities shall be preserved in its natural state.

9.10.3.3.8. 285 SHCD Public/Institutional (285 SHCD PI); Purpose. The purpose of this district is to accommodate 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.

- 1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the 285 SHCD Use Table and as prescribed below:
- 2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.10.9.

Table 9.10.9: Dimensional Standards 285 SHCD PI (Public/Institutional)

Zoning District	US 285 SHCD PI
Density (# of acres per dwelling unit)	2.5

Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	80

9.10.4. 285 SHCD Overlay Zones.

9.10.4.1. 285 SHCD Rural Commercial Overlay (285 HCD O-RC); Purpose. The 285 SHCD O-RC allows for non-residential development which shall be compatible with existing land use patterns, existing residential areas, land ownership characteristics, and geographic features near the property. The 285 SHCD O-RC is intended to support the needs of the community and to retain the predominantly rural and residential character of the corridor. Commercial uses that are small in scale are appropriate within this overlay zone in order to support the development of the corridor as a mix of residential and commercial.

9.10.4.1.1. Location. The following provisions apply to the Spur Ranch Crossroads area, which is located at the intersection of U.S. Highway 285 and Spur Ranch Road. Boundaries of the O-RC are shown on the Official Zoning Map.

1. **Dimensional standards.** The standards shall be as regulated by Chapter 8 of the Code with the following exceptions:
 - a. Direct access to any new development from U.S. Highway South 285 is prohibited.
 - b. Single non-residential structures or buildings shall not exceed five thousand (5,000) square feet.
 - c. No building shall exceed 18 feet in height.
2. **Permitted Uses.** In addition to those uses allowed by the underlying zoning, upon the issuance of a development permit, the following uses are allowed:
 - a. Retail services, such as small-scale retail shops and stores, small offices, restaurants, and live-work units.
3. **Conditional Uses.** The following uses may be allowed in the 285 SHCD O-RC upon the issuance of a conditional use permit:
 - a. Services such as greenhouses and nurseries, agriculturally related supplies and equipment, farmers or other outdoor markets, and exercise, fitness, and/or dance studios

9.10.5. Supplemental Zoning Standards.

9.10.5.1. 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 9.10.10.

Table 9.10.10: 285 SHCD 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

*No more than 2,500 square feet shall be dedicated to the home occupation.

9.10.6. 285 SHCD Use Regulations.

9.10.6.1. 285 SHCD Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or conditional, as further explained in Table 9-4. Accessory uses may be subject to specific regulations as provided in Chapter 10 of the SLDC, and conditional uses are subject to the conditional use permit standards provided in Chapter 14 of the SLDC. In addition, uses may be subject to modification by the overlay zoning regulations included in the SLDC.

Table 9.10.11 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 9.10.12: 285 SHCD Use Table.

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
Residential												
Single family detached units		1110		P	P	P	P	P	P	P	X	
Single family attached units		1120		P	P	P	P	P	P	P	X	
Duplex	-	1121		P	P	P	P	P	P	P	X	
Accessory dwelling units		1130		A	A	A	A	A	A	A	X	Chapter 10
Townhouses				X	X	X	X	X	X	X	X	
Multifamily dwellings		1202-99		X	P	X	X	X	X	X	X	
Retirement Housing	1210			C	C	C	C	C	C	C	X	
Assisted living facility	1230			C	C	C	C	C	C	C	X	
Life care or continuing care facilities	1240			C	C	C	C	C	C	C	X	
Skilled Nursing facilities	1250			C	C	C	C	C	C	C	X	
Community Home, NAICS 623210				P	P	P	P	P	P	P	P	
Barracks		1310		X	X	X	X	X	X	X	X	
Dormitories		1320		X	X	X	X	X	X	X	X	
Single room occupancy units	-	1340		X	X	X	X	X	X	X	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		X	X	X	X	X	X	X	X	
Hotels, motels, or other accommodation services												
Bed and Breakfast inn	1310			C	C	C	C	C	C	P	X	Chapter 10
Rooming and boarding housing	1320			X	X	X	X	X	X	X	X	
Resorts				X	X	X	X	X	X	X	X	
Retreats				C	C	C	C	C	C	C	X	
Hotels, motels, and tourist courts	1330			X	X	X	X	X	X	C	X	
Commercial												
Shop or store with drive-through facility		2210		X	X	X	X	X	X	C	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	X	X	X	P	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	X	X	X	P	X	
Stand-alone store or shop		2230		X	X	X	X	X	X	P	X	
Department store		2240		X	X	X	X	X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	X	X	X	X	
Market shops, including open markets		2260		X	X	X	X	X	X	C	X	
Gasoline station		2270		X	X	X	X	X	X	C	X	
Automobile repair and service		2280		X	X	X	X	X	X	C	X	
Car dealer	2111			X	X	X	X	X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	X	X	X	X	C	X	Chapter 9
Boat or marine craft dealer	2114			X	X	X	X	X	X	X	X	
Automotive Parts, accessories, or tires	2115			X	X	X	X	X	X	C	X	

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
Gasoline service	2116			X	X	X	X	X	X	C	X	
Lumberyard and materials	2126			X	X	X	X	X	X	C	X	
Outdoor resale business	2145			X	X	X	X	X	X	C	X	
Pawnshops	NAICS 522298			X	X	X	X	X	X	X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	X	X	X	X	C	X	
Shopping center	2510-2580			X	X	X	X	X	X	C	X	
Convenience stores or centers		2591		X	X	X	X	X	X	C	X	
Car care center		2593		X	X	X	X	X	X	C	X	
Car washes	NAICS 811192			X	X	X	X	X	X	C	X	
Office or bank (without drive-through facility)		2100		X	X	X	X	X	X	P	X	
Office (with drive-through facility)		2110		X	X	X	X	X	X	P	X	
Office or store with residence on top		2300		X	X	X	X	X	X	P	X	
Office-over storefront structure		2400		X	X	X	X	X	X	P	X	
Research and development services (scientific, medical, and technology)	2416			X	X	X	X	X	X	C	X	
Car rental and leasing	2331			X	X	X	X	X	X	C	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	X	X	C	X	Chapter 9
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	X	X	X	X	X	P	X	
Bars, taverns and nightclubs				X	X	X	X	X	X	C	X	
Sexually oriented business				X	X	X	X	X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	X	X	X	C	X	
Industrial, manufacturing and wholesale trade												
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	X	X	X	C	X	
Loft		2611		X	X	X	X	X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	X	X	C	X	
Manufacturing plants		2613		X	X	X	X	X	X	C	X	
Industrial parks		2614		X	X	X	X	X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	X	X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	X	X	X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	X	X	X	X	
Construction-related businesses	7000			X	X	X	X	X	X	C	X	
Heavy construction	7400			X	X	X	X	X	X	X	X	
Machinery related	7200			X	X	X	X	X	X	X	X	
Special trade contractor	7300			X	X	X	X	X	X	C	X	
Automotive paint and body				X	X	X	X	X	X	C	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	X	X	X	X	X	

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
Vehicle storage for towing or related business				X	X	X	X	X	X	X	X	
Demolition, <u>building and structure</u> business				X	X	X	X	X	X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	X	X	X	C	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	X	X	X	X	X	C	X	Chapter 9
High-rise mini-warehouse		2720		X	X	X	X	X	X	X	X	
Warehouse structure		2730		X	X	X	X	X	X	X	X	
Produce warehouse		2740		X	X	X	X	X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	X	X	X	X	
Wholesale trade— durable goods	3510			X	X	X	X	X	X	C	X	
Wholesale trade nondurable goods	3520			X	X	X	X	X	X	C	X	
Food, textiles, and related products				X	X	X	X	X	X	X	X	
Wood, paper, and printing products				X	X	X	X	X	X	X	X	
Tank farms		2780		X	X	X	X	X	X	X	X	
Public assembly structures												
Performance theater			3110	X	X	X	X	X	X	C	C	
Movie theater			3120	X	X	X	X	X	X	C	X	
Amphitheater			3130	X	X	X	X	X	X	X	X	
Drive-in theaters			3140	X	X	X	X	X	X	X	X	
Indoor games facility		3200		X	X	X	X	X	X	C	X	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	X	X	X	X	X	X	
Amusement or theme park	5310			X	X	X	X	X	X	X	X	
Arcade	5320			X	X	X	X	X	X	C	X	
Miniature golf establishment	5340			X	X	X	X	X	X	C	X	
Fitness, recreational sports, gym, or athletic club	5370			X	X	X	X	X	X	C	X	
Bowling, billiards, pool, etc.	5380			X	X	X	X	X	X	C	X	
Skating rinks	5390			X	X	X	X	X	X	X	X	
Sports stadium or arena		3300		X	X	X	X	X	X	X	X	
Racetrack or raceway	5130			X	X	X	X	X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	X	X	X	X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	P	P	P	P	*
Covered or partially covered atriums and public enclosure		3700		X	X	X	X	X	X	C	C	
Passenger terminal, mixed mode		3810		X	X	X	X	X	X	C	C	*
Active open space/ athletic fields/golf courses	6340			C	C	C	C	C	C	C	C	
Passive open space	6340			P	P	P	P	P	P	P	P	
Arts, entertainment, and recreation												
Active leisure sports and related activities			7100	X	X	X	X	X	X	C	C	
Movie Ranch				X	X	X	X	X	X	X	X	

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
Camps, camping, and related establishments	5400			X	X	X	X	X	X	X	X	
Exhibitions and art galleries		4410		X	X	X	X	X	X	P	C	
Performing arts or supporting establishment	5100			X	X	X	X	X	X	C	C	
Theater, dance, or music establishment	5101			X	X	X	X	X	X	C	C	
Institutional or community facilities												
Community center		2200		X	X	X	X	X	X	C	P	
Hospitals		4110		X	X	X	X	X	X	X	X	
Medical clinics		4120		X	X	X	X	X	X	C	C	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			X	X	X	X	X	X	P	C	
Child and youth services	6561			X	X	X	X	X	X	P	C	
Child care institution (basic)	6562			P	P	P	P	P	P	P	P	
Child care institution (specialized)	6562			P	P	P	P	P	P	P	P	
Day care center	6562			P	P	P	P	P	P	P	P	
Community food services	6563			X	X	X	X	X	X	C	C	
Emergency and relief services	6564			X	X	X	X	X	X	P	C	
Other family services	6565			X	X	X	X	X	X	C	C	
Services for elderly and disabled	6566			X	X	X	X	X	X	P	C	
Animal hospitals	6730			X	X	X	X	X	X	C	C	
School or university (privately owned)		4200		P	P	P	P	P	P	P	P	
Grade school (privately owned)		4210		P	P	P	P	P	P	P	P	
College or university facility (privately owned)		4220		P	P	P	P	P	P	P	P	
Technical, trade, and other specialty schools	6140	4230		P	P	P	P	P	P	P	P	
Library		4300		X	X	X	X	X	X	C	C	
Museum, exhibition, or similar facility	5200	4400		X	C	X	X	X	X	C	C	
Planetarium		4420		X	X	X	X	X	X	C	C	
Aquarium		4430		X	X	X	X	X	X	C	C	
Outdoor facility, no major structure			4440	X	X	X	X	X	X	C	C	
Zoological parks		4450		X	X	X	X	X	X	X	C	
Public safety related facility			4500	C	C	C	C	C	C	C	C	
Fire and rescue station			4510	C	C	C	C	C	C	C	C	
Police station			4520	C	C	C	C	C	C	C	C	
Emergency operation center			4530	X	X	X	X	X	X	C	C	*
Correctional or rehabilitation facility			4600	X	X	X	X	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	C	C	C	C	C	C	X	X	
Funeral homes			4800	X	X	X	X	X	X	X	X	
Cremation facilities			4800	X	X	X	X	X	X	X	X	
Public administration		6200		C	C	C	C	X	C	C	C	
Post offices		6310		C	C	C	C	C	C	C	C	
Space research and technology		6330		X	X	X	X	X	X	C	C	*

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
Clubs or lodges				X	X	X	X	X	X	C	C	
Transportation-related facilities												
Commercial automobile parking lots		5200		X	X	X	X	X	X	C	C	
Commercial automobile parking garages				X	X	X	X	X	X	X	X	
Surface parking, open		5210		X	X	X	X	X	X	C	C	
Surface parking, covered		5220		X	X	X	X	X	X	C	C	
Multistoried parking structure with ramps		5230		X	X	X	X	X	X	X	C	
Underground parking structure with ramps		5240		X	X	X	X	X	X	X	C	
Rooftop parking facility		5250		X	X	X	X	X	X	X	C	
Bus terminal		3830		X	X	X	X	X	X	X	C	
Bus stop shelter		5300		P	P	P	P	P	P	P	P	
Truck storage and maintenance facilities		5400		X	X	X	X	X	X	X	X	
Truck freight transportation facilities	4140			X	X	X	X	X	X	X	X	
Light rail transit lines and stops	4151			X	X	X	X	X	X	X	C	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	X	X	X	X	
Taxi and limousine service maintained and storage facilities	4155			X	X	X	X	X	X	X	X	
Taxi and limousine service dispatch facilities				X	X	X	X	X	X	C	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	X	X	X	X	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	X	X	C	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	X	X	X	X	
Courier and messenger service facilities	4190			X	X	X	X	X	X	C	X	
Commercial airports		5600		X	X	X	X	X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	X	X	X	X	
Heliport facility		5640		X	X	X	X	X	X	X	X	
Helistops				X	X	X	X	X	X	X	X	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	X	X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	X	X	X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	X	X	X	X	
Railroad passenger station		5701		X	X	X	X	X	X	X	X	
Railroad freight facility		5702		X	X	X	X	X	X	X	X	
Utility												
Local distribution facilities for water, natural gas, and electric power		6100		C	C	C	C	C	C	C	C	
Telecommunications lines				C	C	C	C	C	C	C	C	
Electric power substations				C	C	C	C	C	C	C	C	

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
High-voltage electric power transmission lines				C	C	C	C	C	C	C	C	
Dam		6220		C	C	C	C	C	C	X	C	
Livestock watering tank or impoundment				P	P	P	P	P	P	A	P	
Levee		6230		C	C	C	C	C	C	A	C	
Water tank (elevated, at grade, or underground)		6250		C	C	C	C	C	C	P	C	
Water wells, well fields, and bulk water transmission pipelines		6260		C	C	C	C	C	C	A	C	
Water treatment and purification facility		6270		P	P	P	P	P	P	P	P	
Water reservoir		6280		C	C	C	C	C	C	C	C	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	P	P	P	P	P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	C	C	C	C	C	C	C	
Solid waste landfill facility	4345	6320		X	X	X	X	X	X	X	X	
Composting facility		6330		X	X	X	X	X	X	X	C	
Recycling transfer center		6331		X	X	X	X	X	X	X	C	
Solid waste collection transfer station (Governmental)	4343		3210	X	X	X	X	X	X	X	C	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	X	X	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	X	X	X	X	X	
Septic tank service, repair, and installation business	4346			X	X	X	X	X	X	C	X	
Household hazardous waste collection facility				X	X	X	X	X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	X	X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	X	X	X	X	C	X	
Gas or electric power generation facility		6400		X	X	X	X	X	X	X	X	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		6500		C	C	C	C	X	X	X	C	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		6500		P	P	P	P	P	P	P	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		6500		P	P	P	P	C	C	P	P	
Radio, television, or wireless transmitter Amateur radio antenna		6510		P	P	P	P	P	P	P	P	
Weather stations or transmitters-		6520		P	P	P	C	X	X	A	P	
Environmental monitoring station (air, soil, etc.)		6600		P	P	P	P	P	P	A	P	
Commercial solar energy production facility				X	X	X	X	X	X	C	X	
Geothermal production facility		6450		X	X	X	X	X	X	X	C	
Large scale wind facility				X	X	X	X	X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	X	X	X	X	X	C	
Highway rest stops and welcome centers		6930		X	X	X	X	X	X	X	C	

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	X	X	X	C	C	
Agriculture, forestry, and conservation/open space												
Grain silos and other storage structure for grains and agricultural products		8100		P	P	P	A	A	A	X	C	
Animal production that includes slaughter	9300			X	X	X	X	X	X	X	X	
Livestock pens or hog houses		8200		P	P	C	C	C	C	C	X	
Commercial greenhouses		8500		P	C	C	C	C	C	P	C	
Nurseries and other growing of ornamental plants				C	C	C	C	C	C	P	C	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	P	C	C	C	C	C	X	
Stables and other equine-related facilities - Commercial over 12 horses				C	C	X	X	X	X	X	X	
Kennels and commercial dog breeding faculties		8700		X	X	X	X	X	X	C	C	
Apiary and other related structures		8700		P	P	P	P	P	P	P	P	
Crop production outdoor	9100			P	P	P	P	P	P	P	P	
Crop production greenhouse		8500		P	P	P	P	P	P	P	P	
Display or sale of agricultural products raised on the same premises				P	P	P	A	A	A	P	P	
Forestry and logging operations	9300			X	X	X	X	X	X	X	X	
Game preserves and retreats	9400			X	X	X	X	X	X	X	X	
Support business and operations for agriculture and forestry				X	X	X	X	X	X	C	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	P	P	P	P	
Public or community outdoor recreation facilities				P	P	P	P	P	P	P	P	
Concentrated animal feeding operation		8310		X	X	X	X	X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	P	P	P	P	P	P	P	
Dairy farms		8210		X	X	X	X	X	X	X	X	
Other farm and farming-related structures		8900		A	A	A	A	A	A	A	A	
Poultry farms and poultry production facilities		8220		C	C	C	C	C	C	C	C	
Sheds, or other agricultural facilities		8000		A	A	A	A	A	A	A	A	
Animal waste lagoons		8420		X	X	X	X	X	X	X	X	Ch 11
Mining and extraction establishments												
Oil and natural gas exploration or extraction	8100			X	X	X	X	X	X	X	X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	X	X	X	X	X	X	X	Ch 11
Coal mining	8300			X	X	X	X	X	X	X	X	
Nonmetallic minerals mining	8400			X	X	X	X	X	X	X	X	
Quarrying and stone cutting	8500			X	X	X	X	X	X	X	X	
Sand and gravel Mining				X	X	X	X	X	X	X	X	

Table: US 285 South Highway Corridor District Use Table

Use	Function	Structure	Activity	285 SHCD A/R	285 SHCD RUR	285 SHCD RUR-F	285 SHCD RUR-R	285 SHCD RES-F	285 SHCD RES-E	285 SHCD CN	285 SHCD P/I	Special Conditions
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	X	X	X	X	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.**

9.11. TRES ARROYOS DEL PONIENTE COMMUNITY DISTRICT OVERLAY.

9.11.1. Purpose and Intent. The provisions of the Tres Arroyos del Poniente Community District (TAPCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Tres Arroyos del Poniente (TAP) Community Plan and the Sustainable Growth Management Plan (SGMP). The TAPCD is designed to implement the TAP Community Plan to ensure compatibility among various land uses, of the TAP community.

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

9.11.2.1. Setback from NM 599. There shall be a 250 foot setback from the NM 599 Highway right of way. If an existing legal parcel is unable to meet the setback requirements, the third of the parcel furthest away from NM 599 can be built upon.

9.11.2.2. Open Space Standards. Open Space standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.11.2.2.1. Any proposed subdivision or land division shall preserve no less than thirty percent (30%) of the entire tract as permanent open space.

9.11.2.2.2. The following property types along with those listed in Chapter 7 of the of this Code may be considered open space for the purpose of meeting the thirty percent 30% open space requirement:

1. Major arroyos or other open space mapped on the TAP Plan map;
2. Common or Public Parks and Plazas;
3. Trails allowing public access and connecting to the TAP Trail system;
4. Public trailheads;
5. Archeological easements;
6. Setbacks required for NM 599; and
7. Private open space may be counted if it is physically contiguous or separated only by road or trail features from adjacent open space and meets the open space standards.

9.11.2.2.3. Perimeter setbacks on properties may not be used as open space unless the area meets a standard above, or a buffer is needed for adjacent properties.

9.11.2.2.4. The permanent open space may be dedicated to the public or to an open space land trust or other non-profit management entity or for common use to a homeowners' association as an open space easement.

- 9.11.2.2.5.** The permanent open space shall be restricted from further development, except where due to terrain or soil constraints, easements to accommodate liquid waste disposal or drainage may be created in the open space.
- 9.11.2.2.6.** Open space shall be designed in a manner that creates contiguous or continuous natural areas rather than scattered small locations within a development.
- 9.11.2.2.7.** Where applicable, open space must be integrated into the trail system within the TAP and shall be identified on the Official Map.
- 9.11.2.2.8.** Open spaces set aside as a result of density clustering or easements for protection of arroyos or trail corridors shall interconnect to open space sites or potential sites on adjacent properties, as practicable.
- 9.11.2.2.9.** Open space dedications shall be used to preserve distinctive natural features such as vistas, arroyos, significant rock outcroppings, large trees, and identified wildlife corridors wherever possible.
- 9.11.2.2.10.** Native vegetation shall be preserved within open space areas unless the County approves a developed park or playfield. Invasive species and noxious weeds may be removed to preserve native species.
- 9.11.2.2.11.** To minimize motorized access public and private dedicated open space lands shall not be enclosed by fences, walls or other structures except for wire or other open fencing to contain livestock and delineate trail easements.
- 9.11.2.2.12. Trails.** Trails shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
1. New developments must provide trails and trail connections as shown on the Roads and Trails Map and shall be included on the Official Map Series – Map 5. A major objective of trail placement shall be to foster interconnections and a network that allows both east-west and north-south passage through and within the TAP.
 2. Applicants are encouraged, which shall be considered a best practice, to contact the County Open Space staff early in the project planning stage to discuss trail location, system connectivity and other requirements.
 3. The non-motorized trail system will provide pedestrians, bicyclists and equestrians alternative transportation choices and expanded recreation opportunities to connect the dispersed neighborhoods within the TAP. The trail system will be on the SLDC Official Map Series – Map 5.
 4. Trail access for pedestrians, bicyclists and equestrians may be separated or provided by parallel trails as long as there is equivalent connectivity in the network for all users. Trails should generally be spaced one half mile apart or less.

5. County policies support the implementation of a County-wide trails program. In certain instances segments of these trails are located in or along roadway corridors and fulfill the multi-modal needs along the roadway network. Most trails will be off road facilities for user safety and aesthetics.
6. New developments must provide trails and trail connections as shown on the Roads and Trails Map and shall be included on the Official Map Series – Map 5. A major objective of trail placement shall be to foster interconnections and a network that allows both east-west and north-south passage through and within the TAP.
7. Trails or sidewalks shall accompany all arterial, minor arterial, collector, and sub- collector roads. Where road design speeds exceed 25 mph, trails shall be off- road. An internal trail system within subdivisions for pedestrians, bicyclists and equestrians that provides equivalent connectivity and user safety may be used to meet this requirement.
8. Off-road trails and paths within the road right-of-way or a trail easement that parallels the road right-of-way shall be separated a minimum of four feet from the edge of the roadway. This separation shall be created with natural material and shall not be a solid barrier.
9. New development shall not block access to the trail system shown on the Official Map Series – Map 5. Wherever possible, access to the trail system shall be accomplished by providing off-road facilities.
10. Equestrian trails are an integral part of the trail system. They shall be identified on the Site Development Plan submittal or plat and added to the Official Map Series – Map 5. Equestrian trails should be separate from bicycle trails. Pedestrian and equestrian trails may be combined within a single easement if sufficient tread width and user separation is provided.
11. **Trail Location Standards.** Trail location standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. **Arroyos, Floodplains and Natural Areas.**
 - i. Special conditions may be placed on trails within floodplains to ensure the public safety, including, but not necessarily limited to, conditions on location, design, construction, use, and signage.
 - ii. Trails may be located in preserved natural areas based on a case-by-case review with appropriate trail guidelines.
 - iii. Trail corridors are encouraged to be located on, or along, existing traditionally used trails within the TAPCD and have been identified on the Official Map Series – Map 5.
 - b. **Easements and Rights-of-Way.**
 - i. Trails shall be located on public lands, in public rights-of-way, or within dedicated easements.
 - ii. Trails located on private land shall be built by the developer. Routine cleaning and maintenance of private trails is the responsibility of the

developer, land owner or homeowners' association.

- iii. If possible, off-road trails and paths shall be located in utility corridors or other existing, publicly dedicated routes.
- iv. Equestrian trails may be built within public rights of way on local roads currently developed to rural standards. These trails shall be realigned if urban street improvements are required by future development.

9.11.2.3. Roads Design Standards. Shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.11.2.3.1. Roads in new developments shall be designed to minimize runoff.

9.11.2.3.2. Roads shall be two lanes for access and internal circulation except where additional lanes, turning lanes, acceleration and deceleration lanes are required by a traffic impact analysis.

9.11.2.3.3. Trails or sidewalks shall accompany all arterial, minor arterial, collector, and sub-collector roads as set forth in, the Trails section above.

9.11.2.3.4. Safe road crossings for new roads shall be spaced approximately every ½ mile for pedestrians and every mile for equestrians, consistent with the trails identified in Official Map Series – Map 5.

9.11.3. Water and Wastewater. Water and wastewater shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.11.3.1. Applicants shall design, engineer and construct any water system within subdivisions so that it may interconnect to a county water system, even if one is not available, and the development shall connect to county water as soon as it is available.

9.11.3.2. Applicants shall design, engineer and construct any sewer systems within subdivisions to allow common collection of wastewater for a county sewer system, even if not currently available, and the development shall connect to county sewer as soon as it is available.

9.11.3.3. New buildings are encouraged to be plumbed to enable grey water reuse unless the project is served by a sewer system where the County and State have approved centralized effluent reuse or preservation of return flow credits. All appropriate permits are required when a grey water system is installed.

9.11.4. Landscaping. Landscaping shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.11.4.1. Preserve native species and topography in setback areas and other undeveloped areas on lots.

9.11.4.1.1. Refer to the TAP Plan Appendix C Native flora and fauna for plant list.

9.11.5. Outdoor Lighting. Outdoor lighting shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Light design and installation shall emphasize low-level uniform lighting to avoid the nuisance and hazardous conditions caused by abrupt changes from bright lights to darkness.
2. Lighting is allowed for illuminating outdoor landscaping or art shall be ground mounted illumination and shall not exceed residential standards.
3. **Prohibited Lighting.** Neon, flashing, moving, intermittent, spot, and architectural lights are prohibited.

9.11.6. Signs. Signs shall comply with the requirements in Chapter 7 of this Code, except as otherwise provided in this section.

9.11.6.1. Residential Uses. Residential uses shall be allowed one identification sign of a maximum size of two (2) square foot. This shall include any identification of a home occupation.

9.11.6.2. Prohibited Signs. The following signs are prohibited:

- 9.11.6.2.1.** Off-site business or civic advertising signs.
- 9.11.6.2.2.** Pole mounted signs.
- 9.11.6.2.3.** Internally lit signs.
- 9.11.6.2.4.** Neon signs.
- 9.11.6.2.5.** Signs higher than 80% of the height of the highest building on the lot or project.

9.11.7. Off-street Parking and Loading. Non-residential and multi-family residential uses shall comply with the requirements of Chapter 7 of this Code except as otherwise provided in this section.

9.11.7.1. Parking. Parking shall comply with the requirements in Chapter 7 of this Code, except as otherwise provided in this section.

9.11.7.1.1. Parking shall be located to the sides and rear of buildings to minimize the visual impact from public roadways.

9.11.7.1.2. Parking shall be screened from the public right of way by a landscape berm or wall with landscaping. Walls shall be a minimum 3 feet and a maximum of 4 feet in height. Buildings, existing terrain and trees can be used to provide screening. Berms may be combined with walls to provide screening.

9.11.7.1.3. Parking lots shall be screened from residential properties through a landscape berm or stucco wall so that views of commercial lots are effectively shielded from residential neighboring lands. Berms shall be a minimum 3 feet tall with a maximum 3:1 side slope. Stucco walls shall be a minimum of 4 feet and a maximum of 6 feet in height.

9.11.7.1.4. Parking lot surfaces may be gravel or other approved permeable surfacing, as long as accessibility standards can be met.

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

9.11.8.1. Generally. The TAPCD 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 the underlying zone, the standard of the overlay zone shall govern.

9.11.8.2. Base Zoning Districts. Base zoning districts approved for use in the Community District are listed in Table 9.11.2 Tres Arroyos del Poniente Community Base Zoning Districts.

Table 9.11.1 Tres Arroyos del Poniente Community Base Zoning Districts.

RES-E	Residential Estate
PDD	Planned Development District

9.11.8.2.1. TAP Residential Estate (TAP RES-E); Purpose. The purpose of this district is to preserve the rural character of the community and is appropriate for single-family development with options for clustering, agricultural related uses and low to medium impact home occupations and businesses. Dark night skies, quiet open space and trails for walking biking and horse-back riding are important in this area. Clustering shall be encouraged to limit long term maintenance costs of water and sewer systems.

1. Residential Uses.

a. Dimensional Standards. As regulated in Chapter 8 of this Code except as prescribed below:

i. Accessory Structures. Shall be regulated by chapter 10 in this Code, except any accessory structure over 2000 square feet needs a Conditional Use Permit. Accessory structures shall have an 18 foot maximum.

b. Architectural Design Standards. As regulated in Chapter 8 of this Code except as prescribed below:

i. Peaked or angled roofs shall have a maximum Light Reflective Value of thirty percent 30%.

ii. Building exteriors shall have a maximum Light Reflective Value of 40%.

2. Commercial Uses. Commercial uses are regulated in Chapter 8 of this Code except as prescribed below:

a. Dimensional Standards. As regulated in Chapter 8 of this Code except as prescribed below:

Table 9.11.2: Dimensional Standards TAP RES-E (Residential Estate).

Zoning District	RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	18

b. Architectural Design Standards. As regulated in Chapters 7 and 8 of this Code except as prescribed below:

- i.** Building exteriors shall be finished with neutral brown or beige earth tones with stucco or adobe as the predominant material.
- ii.** Brighter highlight and trim colors are permitted on 5% of a building exterior surface.
- iii.** Building exteriors shall have a maximum Light Reflective Value of 40%.
- iv.** Peaked or angled roofs shall be constructed with non-reflective surfaces with a maximum Light Reflective Value of 30%.
- v.** Buildings with flat roofs must include parapets to screen rooftop structures. Skylights and other rooftop structures and mechanical equipment shall be set back a minimum of 2 feet from the edge of the building face and screened as part of the building design.

c. Agricultural Uses.

- i.** The special needs of some agricultural businesses, such as greenhouses, may not be compatible with the architectural standards for offices and commercial buildings. Agricultural business uses shall use wall and roof materials that are compatible with other non-residential uses in the TAP and do not create glare or other nuisance or unsightly conditions.
- ii.** The specific building treatments shall be reviewed as part of the site development plan approval.

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

a. Active Leisure sports and related activities:

- i.** Motorized vehicles or activities are prohibited with these uses.

b. Stables and other equine-related facilities:

- i. Commercial stables are prohibited with these uses.
- ii. These uses can have a maximum of 6 personal horses.

9.11.8.2.2. Planned Development District (PDD). Generally, PDDs identified on the initial zoning map may be built out in accordance with their approved master plans including density and uses. In the TAP area this applies to the Aldea and Tessera Master Plans.

9.11.9. Supplemental Zoning Standards.

9.11.9.1. Home Occupations. The standards of Chapter 10 of this Code shall be applicable to all home occupations, except as otherwise specified below:

9.11.9.1.1. There shall be no Medium Impact category of Home Occupations in the TAPCD District.

Table 9.11.3 TAPCD Home Occupations Requirements.

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

9.11.9.2. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.11.4: 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 9.11.5: TAPCD Use Table.

Table 9.11.5: Tres Arroyos del Poniente Community District (TAPCD) Use Table

Use	Function	Structure	Activity	TAPCD RES-E	Special Conditions
Residential					
Single family detached units		1110		P	
Single-family attached units		1120		C	
Duplex	-	1121		C	
Accessory dwelling units		1130		A	
Townhouses				C	
Multifamily dwellings		1202-99		X	
Retirement Housing	1210			X	
Assisted living facility	1230			X	
Life care or continuing care facilities	1240			X	
Skilled-nursing facilities	1250			X	
Community Home, NAICS 623210				P	
Barracks		1310		X	
Dormitories		1320		X	
Single room occupancy units	-	1340		X	Chapter 10
Temporary structures, tents etc. for shelter		1350		C	
Hotels, motels, or other accommodation services					
Bed and Breakfast inn	1310			X	Chapter 10
Rooming and boarding housing	1320			X	
Resorts				X	
Retreats				C	
Hotels, motels, and tourist courts	1330			X	
Commercial					
Shop or store with drive-through facility		2210		X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	
Stand-alone store or shop		2230		X	
Department store		2240		X	
Warehouse discount store/superstore	2124	2250		X	
Market shops, including open markets		2260		X	
Gasoline station		2270		X	
Automobile repair and service		2280		X	
Car dealer	2111			X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	
Boat or marine craft dealer	2114			X	
Automotive Parts, accessories, or tires	2115			X	
Gasoline service	2116			X	
Lumberyard and materials	2126			X	
Outdoor resale business	2145			X	
Pawnshops		NAICS 522298		X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	

Table 9.11.5: Tres Arroyos del Poniente Community District (TAPCD) Use Table

Use	Function	Structure	Activity	TAPCD RES-E	Special Conditions
Shopping center		2510-2580		X	
Convenience stores or centers		2591		X	
Car care center		2593		X	
Car washes		NAICS 811192		X	
Office or bank (without drive-through facility)		2100		X	
Office (with drive-through facility)		2110		X	
Office or store with residence on top		2300		X	
Office-over storefront structure		2400		X	
Research and development services (scientific, medical, and technology)	2416			X	
Car rental and leasing	2331			X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	
Bars, taverns and nightclubs				X	
Sexually oriented business				X	Sec. 10.20
Tattoo parlors				X	
Industrial , manufacturing and wholesale trade					
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	
Loft		2611		X	
Mill-type factory structures		2612		X	
Manufacturing plants		2613		X	
Industrial parks		2614		X	
Laboratory or specialized industrial facility		2615		X	
Assembly and construction-type plants	3000	2621		X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	
Construction-related businesses	7000			X	
Heavy construction	7400			X	
Machinery related	7200			X	
Special trade contractor	7300			X	
Automotive paint and body				X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	
Vehicle storage for towing or related business				X	
Demolition, <u>building and structure</u> business				X	
Warehouse or storage facility Structure		2700		X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	
High-rise mini-warehouse		2720		X	
Warehouse structure		2730		X	
Produce warehouse		2740		X	
Refrigerated warehouse or cold storage		2750		X	
Large area distribution or transit warehouse		2760		X	
Wholesale trade— durable goods	3510			X	

Table 9.11.5: Tres Arroyos del Poniente Community District (TAPCD) Use Table

Use	Function	Structure	Activity	TAPCD RES-E	Special Conditions
Wholesale trade nondurable goods	3520			X	
Food, textiles, and related products				X	
Wood, paper, and printing products				X	
Tank farms		2780		X	
Public assembly structures					
Performance theater			3110	X	
Movie theater			3120	X	
Amphitheater			3130	X	
Drive-in theaters			3140	X	
Indoor games facility		3200		X	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	
Amusement or theme park	5310			X	
Arcade	5320			X	
Miniature golf establishment	5340			X	
Fitness, recreational sports, gym, or athletic club	5370			X	
Bowling, billiards, pool, etc.	5380			X	
Skating rinks	5390			X	
Sports stadium or arena		3300		X	
Racetrack or raceway	5130			X	
Exhibition, convention or conference structure		3400		X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	*
Covered or partially covered atriums and public enclosure		3700		X	
Passenger terminal, mixed mode		3810		X	*
Active open space/ athletic fields/golf courses	6340			C	*
Passive open space	6340			P	
Arts, entertainment, and recreation					
Active leisure sports and related activities			7100	P	
Movie Ranch				X	
Camps, camping, and related establishments	5400			X	
Exhibitions and art galleries		4410		X	
Performing arts or supporting establishment	5100			X	
Theater, dance, or music establishment	5101			X	
Institutional or community facilities					
Community center		2200		X	
Hospitals		4110		X	
Medical clinics		4120		X	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			X	
Child and youth services	6561			X	
Child care institution (basic)	6562			P	
Child care institution (specialized)	6562			P	
Day care center	6562			P	
Community food services	6563			X	

Table 9.11.5: Tres Arroyos del Poniente Community District (TAPCD) Use Table

Use	Function	Structure	Activity	TAPCD RES-E	Special Conditions
Emergency and relief services	6564			X	
Other family services	6565			X	
Services for elderly and disabled	6566			X	
Animal hospitals	6730			X	
School or university (privately owned)		4200		P	
Grade school (privately owned)		4210		P	
College or university facility (privately owned)		4220		X	
Technical, trade, and other specialty schools	6140	4230		X	
Library		4300		X	
Museum, exhibition, or similar facility	5200	4400		X	
Planetarium		4420		X	
Aquarium		4430		X	
Outdoor facility, no major structure			4440	X	
Zoological parks		4450		X	
Public safety related facility			4500	X	
Fire and rescue station			4510	C	
Police station			4520	C	
Emergency operation center			4530	X	*
Correctional or rehabilitation facility			4600	X	*
Cemetery, monument, tombstone, or mausoleum			4700	X	
Funeral homes			4800	X	
Cremation facilities			4800	X	
Public administration		6200		X	
Post offices		6310		X	
Space research and technology		6330		X	*
Clubs or lodges				X	
Transportation-related facilities					
Commercial automobile parking lots		5200		X	
Commercial automobile parking garages				X	
Surface parking, open		5210		X	
Surface parking, covered		5220		X	
Multistoried parking structure with ramps		5230		X	
Underground parking structure with ramps		5240		X	
Rooftop parking facility		5250		X	
Bus terminal		3830		X	
Bus stop shelter		5300		P	
Truck storage and maintenance facilities		5400		X	
Truck freight transportation facilities	4140			X	
Light rail transit lines and stops	4151			X	
Local rail transit storage and maintenance facilities	4153			X	
Taxi and limousine service maintenance and storage facilities	4155			X	
Taxi and limousine service dispatch facilities				X	
Bus transportation storage and maintenance facilities	4156			X	

Table 9.11.5: Tres Arroyos del Poniente Community District (TAPCD) Use Table

Use	Function	Structure	Activity	TAPCD RES-E	Special Conditions
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	
Courier and messenger service facilities	4190			X	
Commercial airports		5600		X	
Private airplane runways and landing strips		5610		X	
Airport maintenance and hangar facilities		5620		X	
Heliport facility		5640		X	
Helistops				X	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	
Railroad tracks, spurs, and sidings				X	
Railroad switching, maintenance, and storage facility		5700		X	
Railroad passenger station		5701		X	
Railroad freight facility		5702		X	
Utility					
Local distribution facilities for water, natural gas, and electric power		6100		C	
Telecommunications lines				C	
Electric power substations				C	
High-voltage electric power transmission lines				C	
Dam		6220		C	
Livestock watering tank or impoundment				P	
Levee		6230		C	
Water tank (elevated, at grade, or underground)		6250		C	
Water wells, well fields, and bulk water transmission pipelines		6260		C	
Water treatment and purification facility		6270		C	
Water reservoir		6280		C	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		C	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	
Solid waste landfill facility	4345	6320		X	
Composting facility		6330		X	
Recycling transfer center		6331		X	
Solid waste collection transfer station (Governmental)	4343		3210	X	
Solid waste collection transfer station (Private)	4343		3210	X	
Solid waste combustor or incinerator	4344			X	
Septic tank service, repair, and installation business	4346			X	
Household hazardous waste collection facility				X	
Hazardous waste storage facility		6340		X	
Hazardous waste treatment and disposal facility				X	
Sewage treatment plant and disposal facilities		6350		X	
Gas or electric power generation facility		6400		X	

Table 9.11.5: Tres Arroyos del Poniente Community District (TAPCD) Use Table

Use	Function	Structure	Activity	TAPCD RES-E	Special Conditions
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		6500		X	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		6500		P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		6500		C	
Radio, television, or wireless transmitter Amature radio antenna		6510		X	
Weather stations or transmitters-		6520		X	
Environmental monitoring station (air, soil, etc.)		6600		C	
Commercial solar energy production facility				X	
Geothermal production facility		6450		X	
Large scale wind facility				X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	
Highway rest stops and welcome centers		6930		X	
Fountain, sculpture, or other similar decorative structures		6950		C	
Permanent outdoor stage, bandstand, or similar structure		6960		X	
Agriculture, forestry, and conservation/open space					
Grain silos and other storage structure for grains and agricultural products		8100		X	
Animal production that includes slaughter	9300			X	
Livestock pens or hog houses		8200		X	
Commercial greenhouses		8500		X	
Nurseries and other growing of ornamental plants				X	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	
Stables and other equine-related facilities - Commercial over 12 horses				X	
Kennels and commercial dog breeding faculties		8700		X	
Apiary and other related structures		8700		P	
Crop production outdoor	9100			C	
Crop production greenhouse		8500		C	
Display or sale of agricultural products raised on the same premises				A	
Forestry and logging operations	9300			X	
Game preserves and retreats	9400			X	
Support business and operations for agriculture and forestry				X	
Parks, open space areas, conservation areas, and preservation areas				P	
Public or community outdoor recreation facilities				C	
Concentrated animal feeding operation		8310		X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		C	
Dairy farms		8210		X	
Other farm and farming-related structures		8900		C	
Poultry farms and poultry production facilities		8220		X	
Sheds, or other agricultural facilities		8000		C	
Animal waste lagoons		8420		X	Ch 11

Table 9.11.5: Tres Arroyos del Poniente Community District (TAPCD) Use Table

Use	Function	Structure	Activity	TAPCD RES-E	Special Conditions
Mining and extraction establishments					
Oil and natural gas exploration or extraction	8100			X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	Ch 11
Coal mining	8300			X	
Nonmetallic minerals mining	8400			X	
Quarrying and stone cutting	8500			X	
Sand and gravel Mining				X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	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.**

9.12. VILLAGE OF AGUA FRIA COMMUNITY DISTRICT OVERLAY.

9.12.1. Purpose and Intent. The provisions of the Village of Agua Fria Community District (VAFCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Village of Agua Fria Community Plan and the Sustainable Growth Management Plan (SGMP). The VAFCD is designed to implement the Village of Agua Fria's Community Plan to ensure compatibility among various land uses, of the Agua Fria community. Clustering of structures is encouraged to preserve natural open areas.

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

9.12.2.1. Dimensional Requirements. Dimensional requirements including standards for setbacks are provided in Dimensional Standards Table under each Zoning District in this chapter.

9.12.2.2. Development. Developments must preserve distinctive natural features such as the Santa Fe River, and primary open space corridors.

9.12.2.3. Non-residential Development. Non-residential development shall be a maximum of 5,000 square feet, with the exception of small grocery stores, which may request up to 10,000 square feet.

9.12.2.4. Parking. No parking may be provided within 10 feet of property lines.

9.12.2.5. Home Restaurants. The standards for restaurants shall be as identified in Chapter 7 of this Code with the following exceptions:

9.12.2.5.1. Drive up or drive through is prohibited.

9.12.2.5.2. Liquor sales are prohibited.

9.12.2.5.3. Beer and wine are allowed provided that all applicable State requirements are met.

9.12.2.6. Water. All new residential land divisions and subdivisions using ground water from a domestic well shall limit water consumption to .25 acre-feet of water per year per dwelling unit and appropriate restrictions to this effect shall be imposed during the approval process.

9.12.2.7. Wastewater. The standards for wastewater shall be as identified in Chapter 7 of this Code with the following exceptions:

9.12.2.7.1. New Development whose parcel boundary is within 200 feet of a public sanitary sewer line that can be accessed by gravity flow shall connect to that line.

9.12.2.7.2. When a new development application is turned in, the applicant shall furnish complete and accurate documentation to the County that demonstrates that existing wastewater facilities are in compliance with all New Mexico

Environment Department regulations and that all necessary permits have been obtained.

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

9.12.3.1. Generally. The VAFCD 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 the underlying zone, the standard of the overlay zone shall govern.

9.12.3.2. Base Zoning Districts. Base zoning districts approved for use in the Community District are listed in Table: 9.12.1.

Table 9.12.1 Village of Agua Fria Base Zoning Districts.

RES-E	Residential Estate
TC	Traditional Community
CN	Commercial Neighborhood
PDD	Planned Development District

9.12.3.2.1. VAFCD Residential Estate (VAFCD RES-E); Purpose. The purpose of this district is to designate areas suitable for a combination of large-lot and suburban-type residential development, ranchettes and other compatible uses. The VAFCD RES-E district supports single-family homes on medium sized lots consistent with the Village of Agua Fria's development north of the river. This category may include limited agricultural use accessory to residential uses. 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.

- 1. Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the VAFCD Use Table.
- 2. Dimensional Standards.** As regulated in Chapter 8 of this Code except as prescribed below in Table 9.12.2.

Table 9.12.2: Dimensional Standards VAFCD RES-E (Residential Estate).

Zoning District	RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

- a. Non-residential uses.** As regulated in Chapter 8 of this Code and Appendix B of this Code with the following exceptions:

- i. **Setbacks.** New development shall be set back no less than 25 feet from the front property line.
- ii. If a parcel does not have 100 feet on one or more sides the setback may be 0 feet from that property line.
- b. **Residential uses.** As regulated in Chapter 8 of this Code and Appendix B of this Code with the following exceptions:
 - i. **Setbacks.** New development shall be set back no less than 5 feet from the front, rear and side property lines.
 - ii. If a property does not have 100 feet on one or more sides the setback may be 0 feet from that property line.
- c. **Density bonus.** Density may be increased to one dwelling unit per acre with a shared well.

9.12.3.2.2. VAFCD Traditional Community (VAFCD TC); Purpose. The purpose of this district is to designate areas suitable for residential, small-scale commercial and traditional agricultural uses consistent with the existing development patterns of traditional communities. The VAFCD-TC accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses, including agriculture with acequia systems, from encroachment by development. Potential for increased density within the district is available with community water and sewer connections. 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.

- 1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the VAFCD Use Table.
- 2. **Dimensional Standards.** As regulated in Chapter 7 and 8 of this Code except as prescribed in Table 9.12.3.

Table 9.12.3: Dimensional Standards VAFCD TC (Traditional Community).

Zoning District	TC
Density (# of acres per dwelling unit)	0.75/0.33*
Frontage (minimum, feet)	50
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (commercial)	2,500 sq. ft.

* The standard density of one dwelling unit/0.75 acres may be increased to one dwelling unit/0.33 acres if the lot is served by public water and sewer.

- a. **Setbacks.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - i. New residential development shall be set back no less than 5 feet from the front, rear and side of property lines.
 - ii. New commercial development shall be set back no less than 10 feet from the front property line, 5 feet from rear and side property lines.
 - iii. If a property does not have 100 feet on one or more sides the setback may be 0 feet from that property line.

9.12.3.2.3. VAFCD Commercial Neighborhood (VAFCD CN); Purpose. The purpose of this district is to allow for low-rise low-intensity convenience retail and personal services, as well as office uses, which are intended to serve and are in close proximity to individual residential neighborhoods. In the Village of Agua Fria parcels designated Commercial Neighborhood have previously received masterplan approval for a commercial use on the property. The size of neighborhood commercial districts will typically be between one and twenty contiguous acres.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the VAFCD Use Table.
 - a. **Bicycle, motorcycle, all-terrain vehicle dealers:**
 - i. This use shall be permitted for bicycle dealers only.
2. **Dimensional Standards.** As regulated in Chapter 7 and 8 of this Code except as prescribed in Table 9.12.4.

Table 9.12.4: Dimensional Standards VAFCD CN (Commercial Neighborhood).

CN Zoning District	CN
Density	2.5*
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	80
Maximum size of individual establishments (sq. ft.)	5,000

*Density shall be reduced to 0.75 acres if the surrounding zoning district is TC.

3. **Setbacks.** Non-residential developments shall be set back no less than 25 feet from the property line of existing residential properties.

9.12.3.2.4. VAFCD Planned Development District (VAFCD PDD); Generally. In order to recognize existing approvals, PDDs identified on the initial zoning map may be built out in accordance with their approved master plans.

1. **Expansion of existing PDDs.** Non-residential structures within an existing PDD may expand up to twenty-five (25%) under a conditional use permit.

9.12.4. Supplemental Zoning Standards. The standards of Chapter 10 of this Code shall be applicable to all development, except as otherwise specified herein.

9.12.4.1. Home Occupations. The standards for Home Occupations shall be as identified in Chapter 10 of this Code with the following exceptions:

9.12.4.2. There shall be no Medium Impact Home Occupations in the VAFCD.

Table 9.12.5 Village of Agua Fria Home Occupations.

	No Impact	Low Impact
Permit type	Business Registration	Development Permit
Non-resident employees (max)	1	6
Area used for business (maximum)	25% of heated square footage	A Maximum of 2,500 square shall be dedicated to home business use
Accessory building storage	100 SF	1,000 SF
Appointments/patron visits (max/day)	0	10
Business traffic	none	see §10.6.5
Signage	not permitted	see §7.9.4.3
Parking and access	Resident and employee only	see §10.6.5
Heavy Equipment	None	Up to 2

9.12.5. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.12.6 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.
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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 9.12.7: VAFCD Use Table.

Table 9.12.7: Village of Agua Fria Community District (VAFCD) Use Table

Use	Function	Structure	Activity	VAFCD RES-E	VAFCD TC	VAFCD CN	VAFCD PI	Special Conditions
Residential								
Single family detached units		1110		P	P	P	C	
Single-family attached units		1120		C	P	P	C	
Duplex	-	1121		C	P	P	C	
Accessory dwelling units		1130		A	A	A	A	Chapter 10
Townhouses				C	P	P	C	
Multifamily dwellings		1202-99		C	C	C	C	
Retirement Housing	1210			C	C	C	C	
Assisted living facility	1230			C	C	C	C	
Life care or continuing care facilities	1240			C	C	C	C	
Skilled-nursing facilities	1250			C	C	C	C	
Community Home, NAICS 623210				P	P	P	P	
Barracks		1310		X	X	X	X	
Dormitories		1320		X	X	X	X	
Single-room occupancy units	-	1340		X	X	X	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		A	A	C	P	
Hotels, motels, or other accommodation services								
Bed and Breakfast inn	1310			C	C	C	X	Chapter 10
Rooming and boarding housing	1320			C	C	C	C	
Resorts				X	X	X	X	
<u>Retreats</u>				C	C	P	P	
Hotels, motels, and tourist courts	1330			X	X	X	X	
Commercial								
Shop or store with drive-through facility		2210		X	X	C	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	C	P	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	C	P	C	
Stand-alone store or shop		2230		X	C	P	C	
Department store		2240		X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	
Market shops, including open markets		2260		X	C	P	X	
Gasoline station		2270		X	X	C	X	
Automobile repair and service		2280		X	C	C	X	
Car dealer	2111			X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	P	X	Chapter 9
Boat or marine craft dealer	2114			X	X	X	X	
<u>Automotive</u> Parts, accessories, or tires	2115			X	C	C	X	
Gasoline service	2116			X	X	C	X	
Lumberyard and materials	2126			X	X	C	X	
Outdoor resale business	2145			X	X	C	X	
Pawnshops		NAICS 522298		X	X	C	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	C	X	
Shopping center		2510-2580		X	X	C	X	

Table 9.12.7: Village of Agua Fria Community District (VAFCD) Use Table

Use	Function	Structure	Activity	VAFCD RES-E	VAFCD TC	VAFCD CN	VAFCD PI	Special Conditions
Convenience stores or centers		2591		X	X	C	X	
Car care center		2593		X	X	C	X	
Car washes		NAICS 811192		X	X	X	X	
Office or bank (without drive-through facility)		2100		X	X	C	X	
Office (with drive-through facility)		2110		X	X	C	X	
Office or store with residence on top		2300		X	C	P	X	
Office-over storefront structure		2400		X	C	P	X	
Research and development services (scientific, medical, and technology)	2416			X	X	C	X	
Car rental and leasing	2331			X	X	X	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	C	C	X	
Bars, taverns and nightclubs				X	X	C	X	
Sexually oriented business				X	X	X	X	Sec. 10.20
Tattoo parlors				X	C	P	X	
Industrial , manufacturing and wholesale trade								
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	C	X	
Loft		2611		X	C	C	X	
Mill-type factory structures		2612		X	X	C	X	
Manufacturing plants		2613		X	C	C	X	
Industrial parks		2614		X	X	C	X	
Laboratory or specialized industrial facility		2615		X	X	C	X	
Assembly and construction-type plants	3000	2621		X	X	C	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	
Construction-related businesses	7000			C	C	C	X	
Heavy construction	7400			X	X	C	X	
Machinery related	7200			X	X	C	X	
Special trade contractor	7300			X	X	C	X	
Automotive paint and body				X	X	C	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	X	
Vehicle storage for towing or related business				X	X	X	X	
Demolition, <u>building and structure</u> business				X	X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	C	C	X	
High-rise mini-warehouse		2720		X	X	X	X	
Warehouse structure		2730		X	X	C	X	
Produce warehouse		2740		X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	
Wholesale trade— durable goods	3510			X	X	X	X	
Wholesale trade nondurable goods	3520			X	X	X	X	
Food, textiles, and related products				X	X	C	X	

Table 9.12.7: Village of Agua Fria Community District (VAFCD) Use Table

Use	Function	Structure	Activity	VAFCD RES-E	VAFCD TC	VAFCD CN	VAFCD PI	Special Conditions
Wood, paper, and printing products				X	X	C	X	
Tank farms		2780		X	X	X	X	
Public assembly structures								
Performance theater			3110	X	X	C	C	
Movie theater			3120	X	X	C	C	
Amphitheater			3130	X	X	X	C	
Drive-in theaters			3140	X	X	X	X	
Indoor games facility		3200		X	X	C	C	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	C	C	
Amusement or theme park	5310			X	X	C	X	
Arcade	5320			X	X	C	X	
Miniature golf establishment	5340			X	X	C	X	
Fitness, recreational sports, gym, or athletic club	5370			X	X	P	P	
Bowling, billiards, pool, etc.	5380			X	X	C	C	
Skating rinks	5390			X	X	C	C	
Sports stadium or arena		3300		X	X	X	C	
Racetrack or raceway	5130			X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	C	C	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	*
Covered or partially covered atriums and public enclosure		3700		X	X	C	C	
Passenger terminal, mixed mode		3810		X	X	X	X	*
Active open space/ athletic fields/golf courses	6340			X	X	C	P	*
Passive open space	6340			P	P	P	P	
Arts, entertainment, and recreation								
Active leisure sports and related activities			7100	X	X	C	P	
Movie Ranch				X	X	C	C	
Camps, camping, and related establishments	5400			X	X	C	C	
Exhibitions and art galleries		4410		X	X	C	C	
Performing arts or supporting establishment	5100			X	X	C	C	
Theater, dance, or music establishment	5101			X	X	C	C	
Institutional or community facilities								
Community center		2200		C	C	P	P	
Hospitals		4110		X	X	C	P	
Medical clinics		4120		C	C	C	P	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			C	C	C	C	
Child and youth services	6561			X	X	C	C	
Child care institution (basic)	6562			P	P	P	P	
Child care institution (specialized)	6562			P	P	P	P	
Day care center	6562			P	P	P	P	
Community food services	6563			X	X	C	C	
Emergency and relief services	6564			X	X	C	P	

Table 9.12.7: Village of Agua Fria Community District (VAFCD) Use Table

Use	Function	Structure	Activity	VAFCD RES-E	VAFCD TC	VAFCD CN	VAFCD PI	Special Conditions
Other family services	6565			X	X	C	C	
Services for elderly and disabled	6566			X	X	C	C	
Animal hospitals	6730			X	X	C	P	
School or university (privately owned)		4200		P	P	P	P	
Grade school (privately owned)		4210		P	P	P	P	
College or university facility (privately owned)		4220		P	P	P	P	
Technical, trade, and other specialty schools	6140	4230		C	C	C	C	
Library		4300		C	C	P	P	
Museum, exhibition, or similar facility	5200	4400		C	C	P	P	
Planetarium		4420		X	X	C	C	
Aquarium		4430		X	X	C	C	
Outdoor facility, no major structure			4440	X	X	C	C	
Zoological parks		4450		X	X	C	C	
Public safety related facility			4500	X	X	C	C	
Fire and rescue station			4510	X	X	C	C	
Police station			4520	X	X	C	C	
Emergency operation center			4530	X	X	C	C	*
Correctional or rehabilitation facility			4600	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	C	C	C	C	
Funeral homes			4800	X	X	C	X	
Cremation facilities			4800	X	X	X	X	
Public administration		6200		X	X	C	C	
Post offices		6310		C	C	C	C	
Space research and technology		6330		X	X	C	C	*
Clubs or lodges				X	X	C	C	
Transportation-related facilities								
Commercial automobile parking lots		5200		X	X	C	X	
Commercial automobile parking garages				X	X	C	X	
Surface parking, open		5210		X	X	C	C	
Surface parking, covered		5220		X	X	C	C	
Multistoried parking structure with ramps		5230		X	X	X	X	
Underground parking structure with ramps		5240		X	X	X	X	
Rooftop parking facility		5250		X	X	X	X	
Bus terminal		3830		X	X	X	X	
Bus stop shelter		5300		P	P	P	P	
Truck storage and maintenance facilities		5400		X	X	C	X	
Truck freight transportation facilities	4140			X	X	X	X	
Light rail transit lines and stops	4151			C	C	C	C	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	
Taxi and limousine service maintenance and storage facilities	4155			X	X	C	X	
Taxi and limousine service dispatch facilities				X	X	C	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	

Table 9.12.7: Village of Agua Fria Community District (VAFCD) Use Table

Use	Function	Structure	Activity	VAFCD RES-E	VAFCD TC	VAFCD CN	VAFCD PI	Special Conditions
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	C	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	
Courier and messenger service facilities	4190			X	X	C	X	
Commercial airports		5600		X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	
Heliport facility		5640		X	X	X	X	
Helistops				X	X	X	X	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	
Railroad passenger station		5701		X	X	X	X	
Railroad freight facility		5702		X	X	X	X	
Utility								
Local distribution facilities for water, natural gas, and electric power		6100		C	C	C	C	
Telecommunications lines				C	C	C	C	
Electric power substations				C	C	C	C	
High-voltage electric power transmission lines				C	C	C	C	
Dam		6220		C	C	C	C	
Livestock watering tank or impoundment				P	P	P	P	
Levee		6230		C	C	C	C	
Water tank (elevated, at grade, or underground)		6250		C	C	C	C	
Water wells, well fields, and bulk water transmission pipelines		6260		C	C	C	C	
Water treatment and purification facility		6270		C	C	C	C	
Water reservoir		6280		C	C	C	C	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	C	C	C	
Solid waste landfill facility	4345	6320		X	X	X	X	
Composting facility		6330		C	C	C	C	
Recycling transfer center		6331		X	X	P	P	
Solid waste collection transfer station (Governmental)	4343		3210	X	X	X	X	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	X	
Septic tank service, repair, and installation business	4346			X	X	C	X	
Household hazardous waste collection facility				X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	X	X	
Gas or electric power generation facility		6400		X	X	X	X	

Table 9.12.7: Village of Agua Fria Community District (VAFCD) Use Table

Use	Function	Structure	Activity	VAFCD RES-E	VAFCD TC	VAFCD CN	VAFCD PI	Special Conditions
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		6500		X	X	X	C	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		6500		P	P	P	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		6500		C	C	P	P	
Radio, television, or wireless transmitter Amature radio antenna		6500		P	P	P	P	
Weather stations or transmitters-		6520		X	X	C	C	
Environmental monitoring station (air, soil, etc.)		6600		C	C	C	C	
Commercial solar energy production facility				X	X	C	C	
Geothermal production facility		6450		X	X	C	C	
Large scale wind facility				X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	C	C	
Highway rest stops and welcome centers		6930		X	X	X	C	
Fountain, sculpture, or other similar decorative structures		6950		C	C	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	C	C	
Agriculture, forestry, and conservation/open space								
Grain silos and other storage structure for grains and agricultural products		8100		A	A	A	A	
Animal production that includes slaughter	9300			X	X	X	X	
Livestock pens or hog houses		8200		A	A	A	A	
Commercial greenhouses		8500		C	C	P	C	
Nurseries and other growing of ornamental plants				C	C	P	C	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		C	C	C	C	
Stables and other equine-related facilities - Commercial over 12 horses				C	C	C	C	
Kennels and commercial dog breeding facilities		8700		X	X	C	C	
Apiary and other related structures		8700		P	P	P	P	
Crop production outdoor	9100			P	P	P	P	
Crop production greenhouse		8500		C	C	P	C	
Display or sale of agricultural products raised on the same premises				A	A	P	P	
Forestry and logging operations	9300			X	X	X	X	
Game preserves and retreats	9400			X	X	X	X	
Support business and operations for agriculture and forestry				A	A	P	A	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	
Public or community outdoor recreation facilities				C	C	P	P	
Concentrated animal feeding operation		8310		X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		C	C	C	C	
Dairy farms		8210		X	X	X	X	
Other farm and farming-related structures		8900		A	A	A	A	
Poultry farms and poultry production facilities		8220		X	X	X	X	
Sheds, or other agricultural facilities		8000		A	A	A	A	
Animal waste lagoons		8420		X	X	X	X	Ch 11
Mining and extraction establishments								

Table 9.12.7: Village of Agua Fria Community District (VAFCD) Use Table

Use	Function	Structure	Activity	VAFCD RES-E	VAFCD TC	VAFCD CN	VAFCD PI	Special Conditions
Oil and natural gas exploration or extraction	8100			X	X	X	X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	X	X	X	Ch 11
Coal mining	8300			X	X	X	X	
Nonmetallic minerals mining	8400			X	X	X	X	
Quarrying and stone cutting	8500			X	X	X	X	
Sand and gravel Mining				X	X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	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

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. Provisions include standards, dimensions and incentives to encourage

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

9.13.3.2.1. 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.

- 1. 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.
- 2. Dimensional Standards.** As identified in Chapter 8 of this Code, Traditional Community, except as prescribed below:

- a. **Minimum Density.** The minimum lot size for PVCD TC is one dwelling unit per .75 acre.
 - b. **Cluster development.** 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.
3. **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

9.13.3.2.2. 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.

1. **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.
2. **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.

9.13.4.1.1. 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:

1. **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 N.M.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.
2. **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.
3. **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.

9.13.4.2. 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:

1. 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
2. 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

3. All agricultural uses including agricultural production and sales; and
4. Utilities such as local distribution facilities for water, natural gas and power, telecommunication lines, water tanks, water wells, well fields and water transmission pipelines.

9.13.4.3. 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:

1. Community Services such as retirement housing, assisted living facilities, life care or continuing care facilities, skilled nursing and facilities; and
2. 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
3. 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).

9.13.4.4. 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.

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.

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

9.13.5.3. 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:

9.13.5.4. A Site Development Plan shall be submitted.

9.13.5.5. 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 use table in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

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.

Table 9.13.6: Pojoaque Valley Community District (PVCD) Use Table

Use	Function	Structure	Activity	PVCD TC	PVCD P/I	Special Conditions
Residential						
Single family detached units		1110		P	A	
Single-family attached units		1120		P	A	
Duplex	-	1121		P	A	
Accessory dwelling units		1130		A	A	
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	
Skilled-nursing facilities	1250			X	P	
Community Home, NAICS 623210				C	P	
Barracks		1310		X	P	
Dormitories		1320		X	P	
Single room occupancy units	-	1340		X	P	Chapter 10
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	
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	

Table 9.13.6: Pojoaque Valley Community District (PVCD) Use Table

Use	Function	Structure	Activity	PVCD TC	PVCD P/I	Special Conditions
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	
Special trade contractor	7300			X	X	
Automotive paint and body				X	X	Section 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	C 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	

Table 9.13.6: Pojoaque Valley Community District (PVCD) Use Table

Use	Function	Structure	Activity	PVCD TC	PVCD P/I	Special Conditions
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	*
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	

Table 9.13.6: Pojoaque Valley Community District (PVCD) Use Table

Use	Function	Structure	Activity	PVCD TC	PVCD P/I	Special Conditions
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	
Outdoor facility, no major structure-			4440	C	P	
Zoological parks		4450		X	P	
Public safety related facility			4500	C	P	
Fire and rescue station			4510	C	P	
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	
Multistoried parking structure with ramps-		5230		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 slurries	4170			DCI	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	

Table 9.13.6: Pojoaque Valley Community District (PVCD) Use Table

Use	Function	Structure	Activity	PVCD TC	PVCD P/I	Special Conditions
Heliport facility		5640		X	C	
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		P	C	
Livestock watering tank or impoundment				P	P	
Levee		6230		P	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 irriga		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	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		<u>6500</u>		X	C	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		<u>6500</u>		P	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		<u>6500</u>		C	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		X	P	
Weather stations or transmitters		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

Table 9.13.6: Pojoaque Valley Community District (PVCD) Use Table

Use	Function	Structure	Activity	PVCD TC	PVCD P/I	Special Conditions
Telecommunications and Broadcasting station	4230			X	E	
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	
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
Metallic minerals mining Hard rock mining	8200			DCI	DCI	Ch 11
Coal mining	8300			DCI	DCI	
Nonmetallic minerals mining	8400			DCI	DCI	
Quarrying and stone cutting	8500			X	X	
Sand and gravel Mining				X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	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.**

9.14. SAN MARCOS COMMUNITY DISTRICT OVERLAY.

9.14.1. Purpose and Intent. The provisions of the San Marcos Community District (SMCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the San Marcos Community Plan and the Sustainable Growth Management Plan (SGMP). The SMCD is designed to implement the San Marcos Community Plan to ensure compatibility among various land uses, in the San Marcos community.

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

9.14.2.1. NM 14 Setbacks. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.14.2.1.1. Parcels bordering NM 14 shall be setback a minimum of 100 feet in Commercial Neighborhood. If an existing legal parcel is unable to meet the setback requirements, the third of the parcel furthest away from NM 14 can be built upon.

9.14.2.1.2. Parcels bordering NM 14 shall be setback a minimum of 200 feet in Rural Residential. If an existing legal parcel is unable to meet the setback requirements, the third of the parcel furthest away from NM 14 can be built upon.

9.14.2.2. Cerrillos Reservoir Setbacks. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.14.2.2.1. Parcels bordering the Cerrillos Reservoir shall setback a minimum of 200 feet.

9.14.2.3. Cerrillos State Park Setbacks. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.14.2.3.1. Parcels bordering the Cerrillos State park shall setback a minimum of 200 feet.

9.14.2.4. County Trails Setbacks. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.14.2.4.1. Parcels bordering County trails identified on Map 5 of the Official Map Series of this Code shall be setback a minimum of 50 feet.

9.14.2.5. Archeological Site Setbacks. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.14.2.5.1. Parcels bordering identified archeological site shall be setback a minimum of 100 feet.

9.14.2.6. Water Harvesting. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

9.14.2.6.1. Rainwater catchment systems are required for all new construction whose roof area is 1,500 square feet or greater and for new additions that expand the roof area of the structure to 1,500 square feet or greater. Rainwater catchment systems are also required for any accessory structure whose roof surface is 500 square feet or greater.

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

9.14.3.1. Generally. The SMCD 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 the underlying zone, the standard of the overlay zone shall govern.

9.14.3.2. Base Zoning Districts. Base zoning districts approved for use in the SMCD are listed in Table 9.14.1.

Table 9.14.1: San Marcos Base Zoning Districts.

RUR	Rural
RUR-F	Rural Fringe
RUR-R	Rural Residential
CN	Commercial Neighborhood

9.14.3.2.1. Use Regulations. Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the SMCD Use Table.

1. Retirement housing, assisted living facility, life care or continuing care facilities, skilled nursing facilities:

a. This type of permitted use shall be limited to 4 units at 5,000 square feet or 50% of lot square footage whichever is smaller.

2. Temporary structures, tents etc. for shelter:

a. These uses shall follow the construction code and have sewer and water hook up for a residence.

3. Water treatment and purification facility:

a. This is a conditional use for potable drinking water uses only.

9.14.3.2.2. SMCD Rural (SMCD RUR); Purpose. The purpose of this district is to designate areas suitable for a combination of agricultural, equestrian, residential and other compatible uses. The intent of the SMCD RUR district is to protect agricultural uses from encroachment by development and to support agricultural,

ranch, very large lot residential, ecotourism and equestrian uses. 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.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the SMCD Use Table.

- a. **Water wells, well fields, and bulk water transmission pipelines:**

- i. This does not prohibit private wells.

2. **Dimensional Standards.** As regulated in Chapter 8 of this Code except as prescribed in Dimensional Standards Table 9.14.2.

Table 9.14.2: Dimensional Standards SMCD RUR (Rural).

Zoning District	SMCD RUR
Density (# of acres per dwelling unit)	40
Lot width (minimum, feet)	150
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Height (maximum, feet), hay or animal barn, silo	50
Lot Coverage (maximum)	20%
Setbacks from front, rear and side property lines	100 feet

- 9.14.3.2.3. **SMCD Rural Fringe (SMCD RUR-F); Purpose.** The purpose of this district is to designate areas suitable for a combination of estate-type residential development, agricultural uses and other compatible uses. This zone also serves to protect agricultural and environmental areas that are inappropriate for more intense development due to their sensitivity. The SMCD RUR-F zone accommodates primarily large lot residential, retreats, ecotourism, equestrian uses and renewable resource-based activities, seeking a balance between conservation, environmental protection and reasonable opportunity for development.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the SMCD Use Table.

- a. **Commercial greenhouses:**

- i. There shall be a minimum 500 foot setback from property lines for commercial greenhouses.

2. **Dimensional Standards.** As regulated in Chapter 8 of this Code, except as prescribed in Dimensional Standards Table 9.14.3.

Table 9.14.3: Dimensional Standards SMCD RUR-F (Rural Fringe).

Zoning District	SMCD RUR-F
Density (# of acres per dwelling unit)	20
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Height (maximum, feet)	36
Lot Coverage (maximum)	20%
Setbacks from front, rear and side property lines	100 feet

9.14.3.2.4. SMCD Rural Residential (SMCD RUR-R); Purpose. The purpose of this district is to provide for the development of single-family homes on large lots, either individually or as part of rural subdivisions; to preserve the scenic and rural character of the County; to provide consolidated open space and agricultural lands; and to recognize the desirability of carrying on compatible agricultural operations and home developments in areas near the fringes of urban development while avoiding unreasonable restrictions on farming or ranching operations. Uses that support rural character of the broader area shall be allowed including agricultural production, small-scale renewable energy production, home-based businesses, bed and breakfasts, agro-tourism, equestrian and boarding facilities, and farmers markets.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the SMCD Use Table.
 - a. **Water wells, well fields, and bulk water transmission pipelines:**
 - i. This does not prohibit private wells.
2. **Dimensional Standards.** As regulated in Chapter 8 of this Code, except as prescribed in Dimensional Standards Table 9.14.4.

Table 9.14.4: Dimensional Standards SMCD RUR-R (Rural Residential).

Zoning District	SMCD RUR-R
Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot Coverage (maximum)	20%
Setbacks from front, rear and side property lines	100 feet

9.14.3.2.5. SMCD Commercial Neighborhood (CN); Purpose. The purpose this district is to allow for low-intensity convenience retail and personal services, as

well as office uses, that are intended to serve and are in close proximity to individual residential neighborhoods. Generally, the desired location of these commercial areas is at the periphery, focal point, or a major entrance to one or more neighborhoods, along a minor or subdivision collector or higher roadway classification, or along a major access road at the entrance to or in a focal point of a neighborhood. In San Marcos these properties are in close proximity to NM 14.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the SMCD Use Table.
2. **Dimensional Standards.** As regulated in Chapter 8 of this Code, except as prescribed in Dimensional Standards Table 9.14.5.

Table 9.14.5: Dimensional Standards SMCD CN (Commercial Neighborhood).

Zoning District	SMCD CN
Density	n/a
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	50%
Maximum building size (aggregate)	15,000
Maximum size of individual establishments (sq.ft.)	5,000

3. **Lighting.** Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- a. 24 hour business lighting is prohibited.

4. **Architectural Design Standards.** As regulated in Chapter 8 of this Code, except as prescribed below:

- a. The architectural style of all structures shall be complementary to that of other structures in the area and to regional architectural styles.
- b. Incorporate, within all walls over 100 feet in length, at least 4 recesses, off-sets, angular forms, and other features with 100 foot length to provide a visually interesting shape.

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

9.14.4.1. Home Occupations; Purpose. The purpose of the Home Occupations in the SMCD is to support economic development opportunities that are not disruptive to the

residential character of the area or significantly interfere with the use of adjacent residential properties. Home Occupations shall be as regulated in Chapter 10 of this Code except as prescribed in Table 9.14.6.

Table 9.14.6 SMCD Home Occupations.

	No Impact	Low Impact	Medium Impact
Permit type	Business Registration	Development Permit	Conditional Use Permit Only Permitted in Commercial Neighborhood zone
Non-resident employees (max)	1	4	5
Area used for business (maximum)	25% of heated square footage	50% of heated square footage	50% of heated square footage
Accessory building storage	100 SF	600 SF	1,500 SF
Appointments/patron visits (average per 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	0	3-6

9.14.5. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Table 9.14.8. All uses are designated as permitted, accessory, or conditional, as further explained in Table 9.14.7. Accessory uses may be subject to specific regulations as provided in Chapter 9,10, 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 9.14.7 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 9.14.8 : SMCD Use Table.

Table 9.14.8: San Marcos District (SMCD) Use Table

Use	Function	Structure	Activity	SMD RUR	SMD RUR-F	SMD RUR-R	SMD CN	Special Conditions
Residential								
Single family detached units		1110		P	P	P	P	
Single-family attached units		1120		P	P	P	P	
Duplex	-	1121		P	P	P	P	
Accessory dwelling units		1130		A	A	A	A	Chapter 10
Townhouses				X	X	X	X	
Multifamily dwellings		1202-99		X	X	X	X	
Retirement Housing	1210			P	P	P	P	Chapter 9
Assisted living facility	1230			P	P	P	P	Chapter 9
Life care or continuing care facilities	1240			P	P	P	P	Chapter 9
Skilled-nursing facilities	1250			P	P	P	P	Chapter 9
Community Home, NAICS 623210				P	P	P	P	
Barracks		1310		X	X	X	X	
Dormitories		1320		X	X	X	X	
Single room occupancy units	-	1340		X	X	X	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		P	P	P	P	Chapter 9
Hotels, motels, or other accommodation services								
Bed and Breakfast inn	1310			P	P	C	P	
Rooming and boarding housing	1320			C	C	X	C	
Resorts				C	C	X	X	
<u>Retreats</u>				P	P	C	X	
Hotels, motels, and tourist courts	1330			X	X	X	X	
Commercial								
Shop or store with drive-through facility		2210		X	X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	P	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	P	
Stand-alone store or shop		2230		X	X	X	P	
Department store		2240		X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	
Market shops, including open markets		2260		X	X	X	P	
Gasoline station		2270		X	X	X	C	
Automobile repair and service		2280		X	X	X	P	
Car dealer	2111			X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	X	X	
Boat or marine craft dealer	2114			X	X	X	X	
<u>Automotive</u> Parts, accessories, or tires	2115			X	X	X	X	
Gasoline service	2116			X	X	X	C	
Lumberyard and materials	2126			X	X	X	X	
Outdoor resale business	2145			X	X	X	C	
Pawnshops		NAICS 522298		X	X	X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	X	C	
Shopping center		2510-2580		X	X	X	X	

Table 9.14.8: San Marcos District (SMCD) Use Table

Use	Function	Structure	Activity	SMD RUD	SMD RUD-F	SMD RUD-R	SMD CN	Special Conditions
Convenience stores or centers		2591		X	X	X	C	
Car care center		2593		X	X	X	X	
Car washes		NAICS 811192		X	X	X	X	
Office or bank (without drive-through facility)		2100		X	X	X	P	
Office (with drive-through facility)		2110		X	X	X	X	
Office or store with residence on top		2300		X	X	X	P	
Office-over storefront structure		2400		X	X	X	P	
Research and development services (scientific, medical, and technology)	2416			X	X	X	P	
Car rental and leasing	2331			X	X	X	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	X	X	P	
Bars, taverns and nightclubs				X	X	X	X	
Sexually oriented business				X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	X	
Industrial , manufacturing and wholesale trade								
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	X	
Loft		2611		X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	
Manufacturing plants		2613		X	X	X	X	
Industrial parks		2614		X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	
Construction-related businesses	7000			X	X	X	X	
Heavy construction	7400			X	X	X	X	
Machinery related	7200			X	X	X	X	
Special trade contractor	7300			X	X	X	C	
Automotive paint and body				X	X	X	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	X	
Vehicle storage for towing or related business				X	X	X	X	
Demolition, <u>building and structure</u> business				X	X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	X	X	X	
High-rise mini-warehouse		2720		X	X	X	X	
Warehouse structure		2730		X	X	X	X	
Produce warehouse		2740		X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	
Wholesale trade— durable goods	3510			X	X	X	X	
Wholesale trade nondurable goods	3520			X	X	X	X	
Food, textiles, and related products				X	X	X	X	

Table 9.14.8: San Marcos District (SMCD) Use Table

Use	Function	Structure	Activity	SMD RUR	SMD RUR-F	SMD RUR-R	SMD CN	Special Conditions
Wood, paper, and printing products				X	X	X	X	
Tank farms		2780		X	X	X	X	
Public assembly structures								
Performance theater			3110	X	X	X	X	
Movie theater			3120	X	X	X	X	
Amphitheater			3130	X	X	X	X	
Drive-in theaters			3140	X	X	X	X	
Indoor games facility		3200		X	X	X	C	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	X	X	
Amusement or theme park	5310			X	X	X	X	
Arcade	5320			X	X	X	X	
Miniature golf establishment	5340			X	X	X	X	
Fitness, recreational sports, gym, or athletic club	5370			X	X	X	C	
Bowling, billiards, pool, etc.	5380			X	X	X	C	
Skating rinks	5390			X	X	X	X	
Sports stadium or arena		3300		X	X	X	X	
Racetrack or raceway	5130			X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	*
Covered or partially covered atriums and public enclosure		3700		X	X	X	X	
Passenger terminal, mixed mode		3810		X	X	X	X	*
Active open space/ athletic fields/golf courses	6340			X	X	X	X	*
Passive open space	6340			P	P	P	P	
Arts, entertainment, and recreation								
Active leisure sports and related activities			7100	C	C	C	C	
Movie Ranch				X	X	X	C	
Camps, camping, and related establishments	5400			X	X	X	X	
Exhibitions and art galleries		4410		X	X	X	P	
Performing arts or supporting establishment	5100			X	X	X	P	
Theater, dance, or music establishment	5101			X	X	X	P	
Institutional or community facilities								
Community center		2200		X	X	X	P	
Hospitals		4110		X	X	X	X	
Medical clinics		4120		C	C	C	P	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			X	X	X	X	
Child and youth services	6561			C	C	C	P	
Child care institution (basic)	6562			P	P	P	P	
Child care institution (specialized)	6562			P	P	P	P	
Day care center	6562			P	P	P	P	
Community food services	6563			X	X	X	P	
Emergency and relief services	6564			X	X	X	P	

Table 9.14.8: San Marcos District (SMCD) Use Table

Use	Function	Structure	Activity	SMD RUR	SMD RUR-F	SMD RUR-R	SMD CN	Special Conditions
Other family services	6565			X	X	X	C	
Services for elderly and disabled	6566			X	X	X	P	
Animal hospitals	6730			X	X	X	P	
School or university (privately owned)		4200		P	P	P	P	
Grade school (privately owned)		4210		P	P	P	P	
College or university facility (privately owned)		4220		X	X	X	C	
Technical, trade, and other specialty schools	6140	4230		X	X	X	C	
Library		4300		X	X	X	P	
Museum, exhibition, or similar facility	5200	4400		X	X	X	P	
Planetarium		4420		X	X	X	C	
Aquarium		4430		X	X	X	X	
Outdoor facility, no major structure			4440	€	€	€	€	
Zoological parks		4450		C	C	X	C	
Public safety related facility			4500	C	C	C	C	
Fire and rescue station			4510	C	C	C	C	
Police station			4520	C	C	C	C	
Emergency operation center			4530	C	C	C	C	*
Correctional or rehabilitation facility			4600	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	X	X	X	X	
Funeral homes			4800	X	X	X	X	
Cremation facilities			4800	X	X	X	X	
Public administration		6200		X	X	X	X	
Post offices		6310		X	X	X	C	
Space research and technology		6330		X	X	X	X	*
Clubs or lodges				X	X	X	X	
Transportation-related facilities								
Commercial automobile parking lots		5200		X	X	X	X	
Commercial automobile parking garages				X	X	X	X	
Surface parking, open		5210		X	X	X	X	
Surface parking, covered		5220		X	X	X	X	
Multistoried parking structure with ramps		5230		X	X	X	X	
Underground parking structure with ramps		5240		X	X	X	X	
Rooftop parking facility		5250		X	X	X	X	
Bus terminal		3830		X	X	X	X	
Bus stop shelter		5300		P	P	P	P	
Truck storage and maintenance facilities		5400		X	X	X	X	
Truck freight transportation facilities	4140			X	X	X	X	
Light rail transit lines and stops	4151			X	X	X	X	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	
Taxi and limousine service maintained and storage facilities	4155			X	X	X	X	
Taxi and limousine service dispatch facilities				X	X	X	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	

Table 9.14.8: San Marcos District (SMCD) Use Table

Use	Function	Structure	Activity	SMD RUR	SMD RUR-F	SMD RUR-R	SMD CN	Special Conditions
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	
Courier and messenger service facilities	4190			X	X	X	X	
Commercial airports		5600		X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	
Heliport facility		5640		X	X	X	X	
Helistops				X	X	X	X	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	
Railroad passenger station		5701		X	X	X	X	
Railroad freight facility		5702		X	X	X	X	
Utility								
Local distribution facilities for water, natural gas, and electric power		6100		C	C	C	C	
Telecommunications lines				C	C	C	C	
Electric power substations				C	C	C	C	
High-voltage electric power transmission lines				X	X	X	X	
Dam		6220		X	X	X	X	
Livestock watering tank or impoundment				P	P	P	X	
Levee		6230		X	X	X	X	
Water tank (elevated, at grade, or underground)		6250		P	P	P	P	
Water wells, well fields, and bulk water transmission pipelines		6260		X	X	C	X	Chapter 9
Water treatment and purification facility		6270		C	C	C	C	Chapter 9
Water reservoir		6280		X	X	X	X	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		X	X	X	X	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		X	X	X	X	
Solid waste landfill facility	4345	6320		X	X	X	X	
Composting facility		6330		X	X	X	X	
Recycling transfer center		6331		X	X	X	X	
Solid waste collection transfer station (Governmental)	4343		3210	X	X	X	X	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	X	
Septic tank service, repair, and installation business	4346			X	X	X	X	
Household hazardous waste collection facility				X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	X	X	
Gas or electric power generation facility		6400		X	X	X	X	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		<u>6500</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>X</u>	

Table 9.14.8: San Marcos District (SMCD) Use Table

Use	Function	Structure	Activity	SMD RUR	SMD RUR-F	SMD RUR-R	SMD CN	Special Conditions
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		6500		P	P	P	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		6500		P	P	P	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		P	P	P	P	
Weather stations or transmitters		6520		X	X	X	X	
Environmental monitoring station (air, soil, etc.)		6600		X	X	X	X	
Commercial solar energy production facility				X	X	X	X	
Geothermal production facility		6450		X	X	X	X	
Large scale wind facility				X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	X	X	
Highway rest stops and welcome centers		6930		X	X	X	X	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	X	
Agriculture, forestry, and conservation/open space								
Grain silos and other storage structure for grains and agricultural products		8100		X	X	X	X	
Animal production that includes slaughter	9300			X	X	X	X	
Livestock pens or hog houses		8200		X	X	X	X	
Commercial greenhouses		8500		X	P	X	C	
Nurseries and other growing of ornamental plants				X	X	X	C	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		C	C	C	X	
Stables and other equine-related facilities - Commercial over 12 horses				X	X	X	X	
Kennels and commercial dog breeding faculties		8700		X	X	X	X	
Apiary and other related structures		8700		P	P	P	P	
Crop production outdoor	9100			P	P	P	P	
Crop production greenhouse		8500		P	P	P	P	
Display or sale of agricultural products raised on the same premises				P	P	A	P	
Forestry and logging operations	9300			X	X	X	X	
Game preserves and retreats	9400			X	X	X	X	
Support business and operations for agriculture and forestry				X	X	X	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	
Public or community outdoor recreation facilities				C	C	C	C	
Concentrated animal feeding operation		8310		X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		X	X	X	X	
Dairy farms		8210		X	X	X	X	
Other farm and farming-related structures		8900		A	A	A	A	
Poultry farms and poultry production facilities		8220		X	X	X	X	
Sheds, or other agricultural facilities		8000		A	A	A	A	
Animal waste lagoons		8420		X	X	X	X	Ch 11
Mining and extraction establishments								
Oil and natural gas exploration or extraction	8100			X	X	X	X	Ch 11
Metallic minerals mining Hard rock mining	8200			X	X	X	X	Ch 11
Coal mining	8300			X	X	X	X	

Table 9.14.8: San Marcos District (SMCD) Use Table

Use	Function	Structure	Activity	SMD RUR	SMD RUR-F	SMD RUR-R	SMD CN	Special Conditions
Nonmetallic minerals mining	8400			X	X	X	X	
Quarrying and stone cutting	8500			X	X	X	X	
Sand and gravel Mining				X	X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	Ch 11

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

9.15. GALISTEO COMMUNITY DISTRICT OVERLAY.

9.15.1. Purpose and Intent. The provisions of the Galisteo Community District, (GCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Galisteo Community Plan and the Sustainable Growth Management Plan (SGMP). The GCD is designed to ensure compatibility among various land uses, encourage compact development, protect scenic features and environmentally sensitive areas, enhance rural development patterns, accommodate a variety of lifestyles, delineate historic community spaces and conserve water resources while accommodating the anticipated natural growth of the community. Provisions include standards and dimensions based on historic development patterns and incentives to encourage compact development in conjunction with conservation easements that preserve agricultural land and open space.

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

9.15.2.1. Fences and Walls. The standards for fences and walls shall be as identified in Chapter 7 of this Code with the following exceptions:

9.15.2.1.1. Location and height. Maximum height of walls and fences abutting SR 41 shall not exceed eight feet in height. The maximum height of all other walls or fences in this district shall not exceed six feet; provided however, that the height of pedestrian door or gate portals built into wall of fence may be up to 11 feet. Maximum height of walls and fences abutting SR 41 shall not exceed eight feet in height.

9.15.2.1.2. Materials. The standards for materials shall be as identified in Chapter 7 of this Code with the following exceptions:

1. Chain-link fencing is prohibited.

9.15.2.2. Lighting. The standards for lighting shall be as identified in Chapter 7 of this Code with the following exceptions:

9.15.2.2.1. Metal Halide lights are prohibited.

9.15.2.2.2. Street lights are prohibited unless required to protect the safety of motorists as regulated in Chapter 7 of this Code as determined by the Land Use Administrator.

9.15.2.3. Signs. The standards for signs shall be as identified in Chapter 7 of this Code with the following exception:

9.15.2.3.1. Illuminated signs are prohibited unless required for road safety.

9.15.3. Road Design Standards. The standards for road design shall be as identified in Chapter 7 of this Code with the following exceptions:

9.15.3.1. Residential Driveways. Driveways may serve up to 4 lots in the RE, and TC Districts pursuant to Table 7-12: Urban Road Classification and Design Standards (SDA-1 and SDA-2).

9.15.3.2. Additional Standards for Non-residential, Multi Family and Mixed Use Driveways.

9.15.3.2.1. Separation of driveways. If driveways are located on local roads with speed limits of 25 mph or less, the minimum distance between driveways shall be 30 feet.

9.15.3.2.2. Apron. A 20 foot long asphalt or concrete apron shall be required on driveways accessing a paved road.

9.15.3.2.3. Design Standards for Local Roads. The standards for local roads shall be as identified in Chapter 7 of this Code with the following exceptions:

1. A road shall contain two travel lanes each with a width of 9 feet.
2. **Existing Local Roads.** Where new development has frontage along an existing road the right-of-way to be dedicated shall be a minimum of 10 feet beyond the edge of the existing pavement (asphalt/dirt) into the development.

9.15.3.2.4. Setback from State Road 41. As regulated in Chapter 7 of this Code, except as prescribed below:

1. Unless established through a right-of-way, all development fronting State Road 41 shall be setback at least 20 feet from the property boundaries in the RE, and TC and 35 feet from the property boundaries in all other zoning districts. Walls and fences may extend into the setback but shall remain at least 10 feet from the road pavement in the RE, and TC and 20 feet in all other zoning districts.

9.15.3.2.5. Water Supply, Wastewater and Water Conservation. As regulated in Chapter 7 of this Code, except as prescribed below:

1. **Intent/Purpose.** The intent of the water supply, conservation and waste water provisions is to ensure a sustainable water supply and to ensure new development will not impair senior water rights, existing domestic wells, stream and spring flows and water quality.
2. **Required Connection to Public or Publicly-Regulated Private Water Utility.** Connection to Public or Publicly-Regulated Private Water Utility is required for all subdivisions, residential and non-residential development applications permitted after the date of this ordinance as specified below:

- a. All commercial/mixed-use or non-residential subdivision and/or developments in the Galisteo Community District Overlay shall make connection to a public or publicly-regulated private water system when the utility becomes ready, willing and able to supply the development.
- b. Development located in Traditional Community and Residential Estate, Residential Fringe, and Rural Zoning Districts shall make connection to a public or publicly-regulated private water system when the utility becomes ready, willing and able to supply the development.
- c. The development order, plats, disclosure statement and private covenants, as applicable, shall clearly specify that the drilling or use of individual wells is strictly prohibited on property supplied by Public or Publicly-Regulated Private Water Utility or shared domestic wells.

9.15.3.2.6. Open Space and Trails.

- 1. **Official Map.** Open Space and Trails identified in the Galisteo Community Plan may be added to the Appendix C: Official Map Series Map 5: Open Space and Trails Map.

9.15.3.2.7. Protection of Historic and Archaeological Resources; Purpose. This section is intended to preserve and enhance the historic, archeological and cultural heritage of the Galisteo Community District. The unique heritage of the area began thousands of years ago when people traveled through the area seeking resources, inspiration and eventually a place to call home. The numerous archeological sites, spectacular petroglyphs and traditional village pattern of small lots, clustered adobe homes, accessory structures, unpaved rural roads, adobe and rock walls, wood gates and coyote fencing provide important and even sacred connections to the past. Ensuring continued connection to the past is a high priority of the community.

- 1. **Areas of High Potential for Discovery of Archeological Resources.** All properties in the Galisteo Community District are covered by the High Potential Archaeological District as depicted in Appendix D: Archeological Resources Protection Map.
- 2. **NM State Designated Galisteo Historic District.** The Galisteo Community District contains the State designated Galisteo Historic District which is listed on the “New Mexico Register of Cultural Properties,” therefore, is regulated in Chapter 7 of this ordinance.

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

9.15.4.1. Generally. The Galisteo Community 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 the underlying zone, the standard of the overlay zone shall govern.

9.15.4.2. Base Zoning Districts. Base zoning districts approved for use in the Galisteo Community District are listed in Table 9.15.1.

Table 9.15.1: Galisteo Base Zoning Districts.

A/R	Agriculture/ Ranch
RUR	Rural
RES-F	Residential Fringe
RES-E	Residential Estate
TC	Traditional Community

9.15.4.2.1. Use Regulations. Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on GCD Use Table.

1. Temporary structures, tents etc. for shelter:

- a. These uses shall be permitted with a septic system.

2. Duplex:

- a. This use is permitted and limited to one duplex (2 units) per development.

3. Retirement Housing:

- a. This use is limited to a maximum of 5,000 square feet.

4. Active leisure sports and related activities:

- a. These uses are conditional and limited in scale to 5,000 square feet.

5. Exhibitions and art galleries:

- a. These uses are permitted and limited in scale to 5,000 square feet.

6. Stables and other equine-related facilities-All personal use and commercial up to 12 horses:

- a. These uses are conditional use in the Rural, Residential Fringe, Residential Estate and Traditional Community.
- b. These uses require a manure/waste removal and management plan.

7. Cattle ranching, and the grazing or cattle or other livestock:

8. These uses are conditional in the Rural, Residential Fringe, Residential Estate and Traditional Community:
9. These uses require a manure/waste removal and management plan.

9.15.4.2.2. GCD Agriculture/Ranch (GCD A/R); Purpose. The Agricultural and Ranch designation applies to properties in the far west and southern portions of the plan area that are associated with the historic acequia land grant property and the current La Jara and San Cristobol Ranch operations. Large lots will continue to support ranching and associated activities including the Rodeo grounds. Rural cluster development in conjunction with conservation easements that preserve agricultural land and open space shall be permitted.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on GCD Use Table.
 - a. **Research and development services (scientific, medical, and technology):**
 - i. These uses are conditional limited to a maximum of 5,000 square feet.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.15.2.

Table 9.15.2: Dimensional Standards GCD A/R (Agriculture/Ranching).

Zoning District	GCD A/R
Density (# of acres per dwelling unit)	160
Lot width (minimum, feet)	400
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

- a. **Setbacks. Except as required for SR 41;** Front, side and rear setbacks shall be 50 feet from the property line.

9.15.4.2.3. GCD Rural (GCD RUR); Purpose. This designation covers several large lot residential and agricultural properties in the northern and western portions of the plan area and several lots south of the village that front CR 42. This area is appropriate for single-family development with options for clustering, agricultural related uses and low to medium impact home occupations. Rural cluster development in conjunction with conservation easements that preserve agricultural land and open space shall be permitted.

1. **Use Regulations.** Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on GCD Use Table.

a. **Research and development services (scientific, medical, and technology):**

- i. These uses are conditional and limited to a maximum of 5,000 square feet.

2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.15.3.

Table 9.15.3: Dimensional Standards GCD RUR (Rural).

Zoning District	GCD RUR
Density (# of acres per dwelling unit)	40
Lot width (minimum, feet)	150
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36
Height (maximum, feet), hay or animal barn, silo	50

a. **Setbacks.** Except as required for SR 41; Front, side and rear setbacks shall be 50 feet from the property line.

9.15.4.2.4. GCD Residential Fringe (GCD RES-F); Purpose. This designation covers areas associated with contemporary residential subdivisions. This includes the Ranchitos de Galisteo Subdivision. This area is appropriate for single-family development with options for clustering, agricultural related uses and no to low, but not medium impact home occupations and businesses.

1. **Use Regulations.** Uses shall be permitted, conditional, accessory and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the GCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.15.4.

Table 9.15.4: Dimensional Standards GCD RES-F (Residential Fringe).

Zoning District	GCD RES-F
Density (# of acres per dwelling unit)	5
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

a. **Setbacks.** Except as required for SR 41, Front, side and rear setbacks shall be 50 feet from the property line.

9.15.4.2.5. GCD Residential Estate (GCD RES-E); Purpose. This designation covers areas adjacent to the GCD Traditional Community District which is historically associated with the historic village core due to proximity, use and subdivision patterns. To preserve the existing development pattern and

recognize this area as contributing to the character of the historic village and as a transition zone from the denser village area to the larger agricultural and ranching lots; this area is appropriate for single-family development with options for clustering, agricultural related uses and no to medium impact home occupations and businesses.

1. **Use Regulations.** Uses shall be permitted, conditional, accessory and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the GCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.15.5.

Table 9.15.5: Dimensional Standards GCD RES-E (Residential Estate).

Zoning District	GCD RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

9.15.4.2.6. GCD Traditional Community (GCD TC); Purpose. This designation covers the historic village area associated with historic development patterns and uses. This area is appropriate for single-family development with options for clustering, agricultural related uses and no to medium impact home occupations and businesses. Minimum lot size of .75 acres is established to ensure that liquid waste disposal systems will not contaminate domestic wells, and that there will continue to be an adequate supply of ground water in the future.

1. **Use Regulations.** Uses shall be permitted, conditional, accessory and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on the GCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.15.6.

Table 9.15.6: Dimensional Standards GCD TC (Traditional Community).

Zoning District	GCD TC
Density (# of acres per dwelling unit)	0.75/0.33*
Frontage (minimum, feet)	50
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (commercial)	2,500 sq. ft.

* The standard density of one dwelling unit/0.75 acres may be increased to one dwelling unit/0.33 acres if the lot is served by public water and sewer.

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

9.15.5.1. Home Occupations. The standards for home occupations shall be as regulated in Chapter 10 of this Code except as prescribed in Table 9.15.7.

Table 9.15.7 Home Occupation Table.

	GCD Agriculture/Ranching	GCD Rural	GCD Residential Fringe	GCD Residential Estate	GCD Traditional Community
No Impact	P	P	P	P	P
Low Impact	P	P	P	C	C
Medium Impact	C	C	C	C	C

9.15.6. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.15.8: 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 district.

Table 9.15.9: GCD Use Table.

Table 9.15.9: Galisteo Community District (GCD) Use Table

Use	Function	Structure	Activity	GCD A/R	GCD RUR	GCD RES-F	GCD RES-E	GCD TC	GCD P/I	Special Conditions
Residential										
Single family detached units		1110		P	P	P	P	P	A	
Single-family attached units		1120		P	P	P	P	P	A	
Duplex	-	1121		C	C	C	C	C	A	Chapter 9
Accessory dwelling units		1130		A	A	A	A	A	A	Chapter 10
Townhouses				X	X	X	X	X	A	
Multifamily dwellings		1202-00		X	X	X	X	X	X	
Retirement Housing	###			C	C	C	C	C	X	Chapter 9
Assisted living facility	###			X	X	X	X	X	X	
Life care or continuing care facilities	###			X	X	X	X	X	X	
Skilled-nursing facilities	###			X	X	X	X	X	X	
Community Home, NAICS 623210				P	P	P	P	P	P	
Barracks		1310		X	X	X	X	X	X	
Dormitories		1320		X	X	X	X	X	X	
Single room occupancy units	-	1340		X	X	X	X	X	X	Chapter 10
Temporary structures, tents etc. for shelter		1350		P	P	P	P	P	P	Chapter 9
Hotels, motels, or other accommodation services										
Bed and Breakfast inn	###			C	C	C	C	C	X	Chapter 10
Rooming and boarding housing	###			X	X	X	X	X	X	
Resorts				C	C	X	X	X	X	
Retreats				C	C	X	X	X	X	
Hotels, motels, and tourist courts	###			X	X	X	X	X	X	
Commercial										
Shop or store with drive-through facility		2210		X	X	X	X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	X	C	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	X	C	X	
Stand-alone store or shop		2230		X	X	X	X	C	X	
Department store		2240		X	X	X	X	X	X	
Warehouse discount store/superstore	###	2250		X	X	X	X	X	X	
Market shops, including open markets		2260		C	C	C	C	C	X	
Gasoline station		2270		X	X	X	X	X	X	
Automobile repair and service		2280		X	X	X	X	X	X	
Car dealer	###			X	X	X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	###			X	X	X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	###			X	X	X	X	X	X	
Boat or marine craft dealer	###			X	X	X	X	X	X	
Automotive Parts, accessories, or tires	###			X	X	X	X	X	X	
Gasoline service	###			X	X	X	X	X	X	
Lumberyard and materials	###			C	C	C	C	C	X	
Outdoor resale business	###			X	X	X	X	X	X	
Pawnshops		NAICS		X	X	X	X	X	X	

Table 9.15.9: Galisteo Community District (GCD) Use Table

Use	Function	Structure	Activity	GCD A/R	GCD RUR	GCD RES-F	GCD RES-E	GCD TC	GCD P/I	Special Conditions
Beer, wine, and liquor store (off-premises consumption of alcohol)	###			X	x	X	X	X	X	
Shopping center		2510		X	X	X	X	X	X	
Convenience stores or centers		2591		C	C	C	C	C	X	
Car care center		2593		X	X	X	X	X	X	
Car washes	NAICS 811192			X	X	X	X	X	X	
Office or bank (without drive-through facility)		2100		X	X	X	X	X	X	
Office (with drive-through facility)		2110		X	X	X	X	X	X	
Office or store with residence on top		2300		X	X	X	X	X	X	
Office-over storefront structure		2400		X	X	X	X	X	X	
Research and development services (scientific, medical, and technology)	###			C	C	X	X	X	X	Chapter 9
Car rental and leasing	###			X	X	X	X	X	X	
Leasing trucks, trailers, recreational vehicles, etc.	###			X	X	X	X	X	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	###			X	X	X	X	X	X	
Bars, taverns and nightclubs				X	X	X	X	X	X	
Sexually oriented business				X	X	X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	X	X	X	
Industrial , manufacturing and wholesale trade										
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		C	C	X	X	X	X	
Loft		2611		X	X	X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	X	X	
Manufacturing plants		2613		X	X	X	X	X	X	
Industrial parks		2614		X	X	X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	X	X	
Assembly and construction-type plants	###	2621		X	X	X	X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	###	2622		X	X	X	X	X	X	
Construction-related businesses	###			X	X	X	X	X	X	
Heavy construction	###			X	X	X	X	X	X	
Machinery related	###			X	X	X	X	X	X	
Special trade contractor	###			C	C	C	X	X	X	
Automotive paint and body				C	C	C	C	C	X	Section 10
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	X	X	X	
Vehicle storage for towing or related business				X	X	X	X	X	X	
Demolition, <u>building and structure</u> business				X	X	X	X	X	X	
Warehouse or storage facility Structure		2700		X	X	X	X	X	X	
Mini-warehouse, <u>mini-storage units</u>		2710		X	X	X	X	X	X	
High-rise mini-warehouse		2720		X	X	X	X	X	X	
Warehouse structure		2730		X	X	X	X	X	X	

Table 9.15.9: Galisteo Community District (GCD) Use Table

Use	Function	Structure	Activity	GCD A/R	GCD RUR	GCD RES-F	GCD RES-E	GCD TC	GCD P/I	Special Conditions
Produce warehouse		2740		X	X	X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	X	X	
Wholesale trade— durable goods	###			X	X	X	X	X	X	
Wholesale trade nondurable goods	###			X	X	X	X	X	X	
Food, textiles, and related products				X	X	X	X	X	X	
Wood, paper, and printing products				X	X	X	X	X	X	
Tank farms		2780		X	X	X	X	X	X	
Public assembly structures										
Performance theater			###	X	X	X	X	X	X	
Movie theater			###	X	X	X	X	X	X	
Amphitheater			###	X	X	X	X	X	X	
Drive-in theaters			###	X	X	X	X	X	X	
Indoor games facility		3200		X	X	X	X	X	X	
Amusement, sports, or recreation establishment not specifically enumerated	###			X	X	X	X	X	X	
Amusement or theme park	###			X	X	X	X	X	X	
Arcade	###			X	X	X	X	X	X	
Miniature golf establishment	###			X	X	X	X	X	X	
Fitness, recreational sports, gym, or athletic club	###			C	C	X	C	C	X	
Bowling, billiards, pool, etc.	###			X	X	X	X	X	X	
Skating rinks	###			X	X	X	X	X	X	
Sports stadium or arena		3300		X	X	X	X	X	X	
Racetrack or raceway	###			X	X	X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	X	X	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	P	P	*
Covered or partially covered atriums and public enclosure		3700		X	X	X	X	X	X	
Passenger terminal, mixed mode		3810		X	X	X	X	X	X	*
Active open space/ athletic fields/golf courses	###			C	C	C	C	C	C	*
Passive open space	###			C	C	C	C	C	C	
Arts, entertainment, and recreation										
Active leisure sports and related activities			###	C	C	C	C	C	C	
Movie Ranch				X	X	X	X	X	X	
Camps, camping, and related establishments	###			X	X	X	X	X	X	
Exhibitions and art galleries		4410		P	P	P	P	P	P	
Performing arts or supporting establishment	###			C	C	C	C	C	C	
Theater, dance, or music establishment	###			C	C	C	X	C	X	
Institutional or community facilities										
Community center		2200		C	C	C	C	C	P	
Hospitals		4110		X	X	X	X	X	X	
Medical clinics		4120		C	C	C	C	C	C	

Table 9.15.9: Galisteo Community District (GCD) Use Table

Use	Function	Structure	Activity	GCD A/R	GCD RUR	GCD RES-F	GCD RES-E	GCD TC	GCD P/I	Special Conditions
Social assistance, welfare, and charitable services (not otherwise enumerated)	###			C	C	C	C	C	C	
Child and youth services	###			C	C	C	C	C	C	
Child care institution (basic)	###			P	P	P	P	P	P	
Child care institution (specialized)	###			P	P	P	P	P	P	
Day care center	###			P	P	P	P	P	P	
Community food services	###			C	C	C	C	C	C	
Emergency and relief services	###			C	C	C	C	C	C	
Other family services	###			C	C	C	C	C	C	
Services for elderly and disabled	###			C	C	C	C	C	C	
Animal hospitals	###			X	X	X	X	X	X	
School or university (privately owned)		4200		P	P	P	P	P	P	
Grade school (privately owned)		4210		P	P	P	P	P	P	
College or university facility (privately owned)		4220		C	C	C	C	C	C	
Technical, trade, and other specialty schools	###	4230		C	C	C	C	C	C	
Library		4300		P	P	C	C	C	C	
Museum, exhibition, or similar facility	###	4400		C	C	C	C	C	C	
Planetarium		4420		X	X	X	X	X	X	
Aquarium		4430		X	X	X	X	X	X	
Outdoor facility, no major structure-			###	C	C	C	C	C	C	
Zoological parks		4450		X	X	X	X	X	X	
Public safety related facility			###	C	C	C	C	C	C	
Fire and rescue station			###	P	P	P	P	P	P	
Police station			###	C	C	C	C	C	C	
Emergency operation center			###	P	P	P	P	P	P	*
Correctional or rehabilitation facility			###	X	X	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			###	C	C	C	C	C	C	
Funeral homes			###	X	X	X	X	X	X	
Cremation facilities			###	X	X	X	X	X	X	
Public administration		6200		X	X	X	X	X	X	
Post offices		6310		C	C	C	C	C	C	
Space research and technology		6330		X	X	X	X	X	X	*
Clubs or lodges				C	C	C	C	C	C	
Transportation-related facilities										
Commercial automobile parking lots		5200		X	X	X	X	X	X	
Commercial automobile parking garages				X	X	X	X	X	X	
Surface parking, open		5210		X	X	X	X	X	X	
Surface parking, covered		5220		X	X	X	X	X	X	
Multistoried parking structure with ramps-		5230		X	X	X	X	X	X	
Underground parking structure with ramps		5240		X	X	X	X	X	X	
Rooftop parking facility		5250		X	X	X	X	X	X	
Bus terminal		3830		X	X	X	X	X	X	
Bus stop shelter		5300		P	P	P	P	P	P	
Truck storage and maintenance facilities		5400		X	X	X	X	X	X	

Table 9.15.9: Galisteo Community District (GCD) Use Table

Use	Function	Structure	Activity	GCD A/R	GCD RUR	GCD RES-F	GCD RES-E	GCD TC	GCD P/I	Special Conditions
Truck freight transportation facilities	###			X	X	X	X	X	X	
Light rail transit lines and stops	###			X	X	X	X	X	X	
Local rail transit storage and maintenance facilities	###			X	X	X	X	X	X	
Taxi and limousine service maintained and storage facilities	###			X	X	X	X	X	X	
Taxi and limousine service dispatch facilities				X	X	X	X	X	X	
Bus transportation storage and maintenance facilities	###			X	X	X	X	X	X	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	###			X	X	X	X	X	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	###			X	X	X	X	X	X	
Courier and messenger service facilities	###			X	X	X	X	X	X	
Commercial airports		5600		X	X	X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	X	X	
Heliport facility		5640		X	X	X	X	X	X	
Helistops				X	X	X	X	X	X	
Glideport, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	X	X	
Railroad passenger station		5701		X	X	X	X	X	X	
Railroad freight facility		5702		X	X	X	X	X	X	
Utility										
Local distribution facilities for water, natural gas, and electric power		6100		X	X	X	X	X	X	
Telecommunications lines				C	C	C	C	C	C	
Electric power substations				C	C	X	X	X	X	
High-voltage electric power transmission lines				X	X	X	X	X	X	
Dam		6220		X	X	X	X	X	X	
Livestock watering tank or impoundment				P	P	C	C	C	C	
Levee		6230		C	C	C	C	C	C	
Water tank (elevated, at grade, or underground)		6250		C	C	C	C	C	C	
Water wells, well fields, and bulk water transmission pipelines		6260		C	C	C	C	C	C	
Water treatment and purification facility		6270		C	C	C	C	C	C	
Water reservoir		6280		C	C	C	C	C	C	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		C	C	C	C	C	C	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	C	C	C	C	C	
Solid waste landfill facility	###	6320		X	X	X	X	X	X	
Composting facility		6330		C	C	C	C	C	C	
Recycling transfer center		6331		X	X	X	X	X	X	
Solid waste collection transfer station (Governmental)	###		###	X	X	X	X	X	X	
Solid waste collection transfer station (Private)	###		###	X	X	X	X	X	X	

Table 9.15.9: Galisteo Community District (GCD) Use Table

Use	Function	Structure	Activity	GCD A/R	GCD RUR	GCD RES-F	GCD RESE	GCD TC	GCD P/I	Special Conditions
Solid waste combustor or incinerator	###			X	X	X	X	X	X	
Septic tank service, repair, and installation business	###			X	X	X	X	X	X	
Household hazardous waste collection facility				X	X	X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	X	X	
Sewage treatment plant and disposal facilities		6350		X	X	X	X	X	X	
Gas or electric power generation facility		6400		X	X	X	X	X	X	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		<u>6500</u>		C	C	X	X	X	P	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		<u>6500</u>		P	P	P	P	P	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		<u>6500</u>		P	P	P	C	C	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		P	P	P	P	P	P	
Weather stations or transmitters-		6520		X	X	X	X	X	X	
Environmental monitoring station (air, soil, etc.)		6600		C	C	C	C	C	C	
Commercial solar energy production facility				C	C	X	X	X	X	
Geothermal production facility		6450		C	C	X	X	X	X	
Large scale wind facility				C	C	X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	###			X	X	X	X	X	X	
Highway rest stops and welcome centers		6930		C	C	X	X	X	X	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	X	C	C	
Agriculture, forestry, and conservation/open space										
Grain silos and other storage structure for grains and agricultural products		8100		C	C	X	X	X	X	
Animal production that includes slaughter	###			C	C	X	X	X	X	
Livestock pens or hog houses		8200		X	X	X	X	X	X	
Commercial greenhouses		8500		C	C	C	C	C	C	
Nurseries and other growing of ornamental plants				C	C	C	C	C	C	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	C	C	C	C	C	Chapter 9
Stables and other equine-related facilities - Commercial over 12 horses				C	C	X	X	X	X	
Kennels and commercial dog breeding facilities		8700		C	C	X	X	X	X	
Apiary and other related structures		8700		P	P	P	P	P	P	
Crop production outdoor	###			P	P	C	C	C	C	
Crop production greenhouse		8500		P	P	C	C	C	X	
Display or sale of agricultural products raised on the same premises				P	P	A	A	A	A	
Forestry and logging operations	###			X	X	X	X	X	X	
Game preserves and retreats	###			X	X	X	X	X	X	

Table 9.15.9: Galisteo Community District (GCD) Use Table

Use	Function	Structure	Activity	GCD A/R	GCD RUR	GCD RES-F	GCD RES-E	GCD TC	GCD P/I	Special Conditions
Support business and operations for agriculture and forestry				C	C	X	X	X	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	P	P	
Public or community outdoor recreation facilities				C	C	C	C	C	C	
Concentrated animal feeding operation		8310		X	X	X	X	X	X	Chapter 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	C	C	C	C	C	Chapter 9
Dairy farms		8210		X	X	X	X	X	X	
Other farm and farming-related structures		8900		A	A	A	A	A	A	
Poultry farms and poultry production facilities		8220		C	C	C	C	C	C	
Sheds, or other agricultural facilities		8000		A	A	A	A	A	A	
Animal waste lagoons		8420		X	X	X	X	X	X	Chapter 11
Mining and extraction establishments										
Oil and natural gas exploration or extraction	###			X	X	X	X	X	X	Chapter 11
Metallic minerals mining Hard rock mining	###			X	X	X	X	X	X	Chapter 11
Coal mining	###			X	X	X	X	X	X	
Nonmetallic minerals mining	###			X	X	X	X	X	X	
Quarrying and stone cutting	###			X	X	X	X	X	X	
Sand and gravel Mining				X	X	X	X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	X	X	Chapter 11

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

9.16. CHIMAYO COMMUNITY DISTRICT OVERLAY.

9.16.1. Purpose and Intent. The provisions of the Chimayo Community District (ChCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Chimayo Community Plan and the Sustainable Growth Management Plan (SGMP). The ChCD is designed to ensure compatibility among various land uses, encourage compact development, support the agricultural nature of the community, protect scenic features and environmentally sensitive areas, enhance rural development patterns, accommodate a variety of lifestyles, delineate historic community spaces, conserve water resources and accommodate the natural growth of the community.

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

9.16.2.1. Second story areas of flat roofed structures shall be a maximum of 65% of the ground floor footprint.

9.16.2.2. Density Transfers; Purpose. Density transfers shall be used to protect community assets including but not limited to wetlands, open spaces, springs, water courses, riparian areas, agricultural land, acequias, traditional community centers, archaeological sites, historical and cultural sites, and multigenerational family compounds. When density transfers result in higher site densities, such development shall be clustered and sited in a manner to fit the topography and existing rural character of Chimayo, instead of in an urban grid pattern.

9.16.2.2.1. Residential Lot Coverage Calculations on Density Transfers or other types of Perpetual Easements. Whenever density transfers are used to create open space in perpetuity by easement or other legal means, and new lots are created, maximum residential lot coverage shall increase up to 50% and shall be calculated based on each individual new development lot.

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

9.16.3.1. Generally. The ChCD 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 base zoning districts of this Code. If an overlay zone regulation conflicts with any standard of the underlying zone, the standard of the overlay zone shall govern.

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

9.16.3.3. Lot Coverage. The standards shall be regulated as identified in Chapter 8 of this Code with the following exceptions:

9.16.3.3.1. Residential Uses. The maximum lot coverage for residential uses is 25%.

9.16.3.3.2. Agricultural Uses. Agricultural uses resulting in roofed areas and/or impermeable surfaces are subject to the ChCD lot coverage restrictions.

9.16.3.4. Base Zoning Districts. Base zoning districts approved for use in the ChCD are listed in Table 9.16.1.

Table 9.16.1 Chimayo Base Zoning Districts.

RUR-R	Rural Residential
RES-F	Residential Fringe
RES-E	Residential Estate
TC	Traditional Community
CN	Commercial Neighborhood
PI	Public/Institutional

9.16.3.4.1. ChCD Rural Residential (ChCD RUR-R); Purpose. The purpose of this district is to preserve the scenic and environmental resources attributed to the hills, barrancas and "tierras secanas" that surround the acequia irrigated agricultural lands of the Chimayo Valley. The area is a highly valued scenic, historic and cultural resource for the community. The majority of the area should remain as natural open space with continued opportunities for grazing and hiking. Uses that support rural character of the broader area should be allowed and include educational and training activities, conferences, contemplative activities, caretaker quarters, overnight and short term stays, eco-tourism, retreats, agricultural production, farmers markets and produce stands. Development in this district should reflect historic patterns and styles of Northern New Mexico Vernacular architecture and traditional materials and siting should be incorporated. Density bonuses, density transfers and clustered development should be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas.

- 1. Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ChCD Use Table.
- 2. Density Bonus.** Density for the ChCD RUR-R is one dwelling unit per 10 acres. Additional density shall be subject to the Open Space Design Standards identified below:
 - a. Open Space Design Standards.** Maximum density and building size (aggregate, non-residential) may be increased in ChCD RUR-R by a factor of two provided that the following criteria are met:
 - i.** The buildable areas, including parking & roads, shall be limited to 15% lot coverage of the total acreage.

- ii. The remaining 85% of land shall be designated as open space with agricultural or ranch uses and protected through a conservation easement or other legal means, in perpetuity.
3. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.16.2.

Table 9.16.2 Dimensional Standards ChCD RUR-R (Rural Residential).

Zoning District	ChCD RUR-R
Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (aggregate, non-residential)	12,000 sq. ft.
Maximum building size (non-residential)	5,000 sq. ft.
Lot Coverage (maximum, all non-residential uses)	25%

9.16.3.4.2. ChCD Residential Fringe (ChCD RES-F); Purpose. The purpose of this district is to protect scenic and environmental resources attributed to the hills, barrancas and "tierras secas" that surround the acequia irrigated agricultural lands of the Chimayo Valley. The area is a highly valued scenic, historic and cultural resource for the community. The majority of the area should remain as natural open space with continued opportunities for grazing and hiking. The RES-F District supports agricultural and single-family residential uses and limited community/institutional uses on property that meets adequate standards for water, sewer and roads. Development in this district should reflect historic patterns and styles of Northern New Mexico Vernacular architecture and traditional materials and siting should be incorporated. Density bonuses, density transfers and clustered development should be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ChCD Use Table.
2. **Density Bonus.** Density for the ChCD RES-F is one dwelling unit per 5 acres. Additional density shall be subject to the Open Space Design Standards identified below:
 - a. **Open Space Design Standards.** Maximum density and building size (aggregate, non-residential) may be increased in ChCD RES-F by a factor of two provided that the following criteria are met:
 - i. The buildable areas, including parking & roads, shall be limited to 15% lot coverage of the total acreage.

- ii. The remaining 85% of land shall be designated as open space with agricultural or ranch uses and protected through a conservation easement or other legal means, in perpetuity.
3. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.16.3.

Table 9.16.3: Dimensional Standards ChCD RES-F (Residential Fringe).

Zoning District	ChCD RES-F
Density (# of acres per dwelling unit)	5
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (aggregate, non-residential)	12,000 sq. ft.
Maximum building size (non-residential)	5,000 sq. ft.
Lot Coverage (maximum, all non-residential uses)	25%

9.16.3.4.3. ChCD Residential Estate (ChCD RES-E); Purpose. This category is intended to preserve the riparian area of the Santa Cruz River and includes several properties which are existing platted lots on the southeastern area of the Chimayo Planning area.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ChCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.16.4.

Table 9.16.4: Dimensional Standards ChCD RES-E (Residential Estate).

Zoning District	ChCD RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	50
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (aggregate, non-residential)	12,000 sq. ft.
Maximum building size (non-residential)	5,000 sq. ft.
Lot Coverage (maximum, all non-residential uses)	25%

9.16.3.4.4. ChCD Traditional Community (ChCD TC); Purpose. This district is characterized by historic acequia irrigated farmlands, residential uses and traditional development patterns and includes the Chimayo Historic Village

Areas of Plaza del Cerro and Plaza del Potrero. Land uses and development shall contribute to the historic and cultural character of the areas by siting structures appropriately, staying consistent with scale and height of surrounding buildings and using Northern New Mexico vernacular architecture. Agricultural lands and acequias are the defining cultural features of the area and should be preserved and expanded. Acequia irrigated properties are highly valued by the community and provide an important visual amenity. In conjunction with new development in the area, incentives such as transfer of development rights and bonus zoning should be established to ensure preservation of agricultural lands and support for on-going cultural uses. The area consists of primarily single-family residential and small scale agricultural development, consistent with historic development patterns and uses. This district includes appropriately scaled community facilities, institutional uses, agricultural uses, home businesses and occupations.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ChCD Use Table.
 - a. **Accessory Dwelling Units:**
 - i. Accessory dwelling units are limited to 650 square feet.
 - b. **Bed and Breakfast inn:**
 - i. Bed and breakfast inns are limited to 7 guest units.
 - ii. Bed and breakfast inns shall be limited to parcels with a minimum of .75 acre.
2. **Density Bonus. Reserved.**
3. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed below, and in Table 9.16.5.

Table 9.16.5: Dimensional Standards ChCD TC (Traditional Community).

Zoning District	ChCD TC
Density (# of acres per dwelling unit)	0.75
Frontage (minimum, feet)	20
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (non-residential)	2,500 sq. ft.
Lot Coverage (maximum, all non-residential uses)	50%

- 9.16.3.4.5. ChCD Commercial Neighborhood (CN); Purpose.** The purpose of this district is to allow for residential and low-intensity non-residential uses that are intended to serve and are in close proximity to individual residential neighborhoods.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ChCD Use Table.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.16.6.

Table 9.16.6: Dimensional Standards ChCD CN (Commercial Neighborhood).

CN Zoning District	CN
Density	.75
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Maximum building size (aggregate, non-residential)	12,000
Maximum building size (non-residential)	5,000
Lot Coverage (maximum, all non-residential uses)	60%

9.16.3.4.6. ChCD Public/Institutional (ChCD PI); Purpose. The purpose of this district is to accommodate 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.

1. **Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on ChCD Use Table.
 - a. Uses permitted in the base zones and planned development zoning districts are designated as permitted, accessory, or conditional, as further explained in Table 9.5.8.
 - b. Accessory uses may be subject to specific regulations as provided in Chapter 10 of this Code and conditional uses are subject to the conditional use permit standards provided in Chapter 14 of this Code.
2. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9.16.7.

Table 9.16.7: Dimensional Standards ChCD PI (Public/Institutional)

PI Zoning District	ChCD PI
Density	2.5*
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	36

Lot Coverage (maximum, all non-residential uses)	25%
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*Density shall be .75 acres if the surrounding zoning district is ChCD TC.

9.16.4. ChCD Overlay Zones.

9.16.4.1. ChCD TRANSFER OF DEVELOPMENT RIGHTS OVERLAY DISTRICT (ChCD-TDROD)-reserved

9.16.4.2. ChCD HISTORIC PRESERVATION OVERLAY (ChCD O-HP)-reserved.

9.16.4.3. ChCD Environmental and Resource Protection Overlay (ChCD O-ERP)-reserved.

9.16.5. Supplemental Zoning Standards.

9.16.5.1. 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 exception.

9.16.5.1.1. Agricultural Equipment. 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 Low and Medium Impact heavy equipment.

9.14.6. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the use table in Appendix B. All uses are designated as permitted, accessory, or conditional, 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.

Table 9.16.8: 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 district.

Table 9.16.9: ChCD Use Table.

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Table 9.16.10: Chimayo Community District Use Table

Use	Function	Structure	Activity	CHCD RUR-R	CHCD RES-F	CHCD RES-E	CHCD TC	CHCD CN	CHCD P/I	Special Conditions
Residential										
Single family detached units		1110		P	P	P	P	P	A	
Single family attached units		1120		P	P	P	P	P	A	
Duplex	-	1121		C	C	C	C	C	A	
Accessory dwelling units		1130		A	A	A	A	A	A	Ch. 9&10
Townhouses				P	P	P	P	P	A	
Multifamily dwellings		1202-99		C	C	C	C	C	A	
Retirement Housing	1210			C	C	C	C	C	C	
Assisted living facility	1230			C	C	C	C	P	P	
Life care or continuing care facilities	1240			C	C	C	C	P	P	
Skilled-nursing facilities	1250			C	C	C	C	P	P	
Community Home, NAICS 623210				P	P	P	P	P	P	
Barracks		1310		X	X	X	X	X	P	
Dormitories		1320		X	X	X	X	C	P	
Single room occupancy units	-	1340		X	X	X	X	C	P	Chapter 10
Temporary structures, tents etc. for shelter		1350		A	A	A	A	C	P	
Hotels, motels, or other accommodation services										
Bed and Breakfast inn	1310			P	P	P	P	P	X	Ch. 9 & 10
Rooming and boarding housing	1320			C	C	C	C	C	C	
Resorts				X	X	X	X	X	X	
Retreats				C	C	C	C	C	P	
Hotels, motels, and tourist courts	1330			X	X	X	X	X	X	
Commercial										
Shop or store with drive-through facility		2210		X	X	X	X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	C	X	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	C	P	X	
Stand-alone store or shop		2230		X	X	X	C	P	X	
Department store		2240		X	X	X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	X	X	
Market shops, including open markets		2260		X	X	X	C	P	X	
Gasoline station		2270		X	X	X	X	X	X	
Automobile repair and service		2280		X	X	X	C	P	X	
Car dealer	2111			X	X	X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	X	X	
Bicycle, motorcycle, all terrain vehicle dealers	2113			X	X	X	X	X	X	
Boat or marine craft dealer	2114			X	X	X	X	X	X	
Automotive Parts, accessories, or tires	2115			X	X	X	C	P	X	
Gasoline service	2116			X	X	X	X	X	X	
Lumberyard and materials	2126			X	X	X	C	X	X	
Outdoor resale business	2145			X	X	X	X	X	X	
Pawnshops		NAICS 522298		X	X	X	C	P	X	

Table 9.16.10: Chimayo Community District Use Table

Use	Function	Structure	Activity	CHCD RUR-R	CHCD RES-F	CHCD RES-E	CHCD TC	CHCD CN	CHCD P/I	Special Conditions
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	X	X	X	X	
Shopping center	2510-2580			X	X	X	X	P	X	
Convenience stores or centers		2591		X	X	X	C	P	X	
Car care center		2593		X	X	X	C	P	X	
Car washes	NAICS 811192			X	X	X	X	C	X	
Office or bank (without drive-through facility)		2100		X	X	X	C	P	X	
Office (with drive-through facility)		2110		X	X	X	X	X	X	
Office or store with residence on top		2300		X	X	X	C	P	X	
Office-over storefront structure		2400		X	X	X	C	P	X	
Research and development services (scientific, medical, and technology)	2416			X	X	X	C	P	X	
Car rental and leasing	2331			X	X	X	C	P	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	C	X	
Services including pest control, janitorial, landscaping, carpet upholstery, cleaning and other services	2450			X	X	X	C	P	X	
Bars, taverns and nightclubs				X	X	X	X	X	X	
Sexually oriented business				X	X	X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	C	P	X	
Industrial, manufacturing and wholesale trade										
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	X	X	X	
Loft		2611		X	X	X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	X	X	
Manufacturing plants		2613		X	X	X	X	X	X	
Industrial parks		2614		X	X	X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	X	X	X	
Process plants (metals, chemicals asphalt, concrete, etc.)	3000	2622		X	X	X	X	X	X	
Construction-related businesses	7000			X	X	X	C	X	X	
Heavy construction	7400			X	X	X	X	X	X	
Machinery related	7200			X	X	X	X	X	X	
Special trade contractor	7300			X	X	X	X	X	X	
Automotive paint and body				X	X	X	X	C	X	Sect 10
Automotive wrecking and graveyards, salvage yards, and junkyards				DCI	DCI	DCI	DCI	DCI	DCI	
Vehicle storage for towing or related business				X	X	X	X	X	C	
Demolition, building and structure business				X	X	X	X	X	C X	
Warehouse or storage facility Structure		2700		X	X	X	X	X	X	
Mini-warehouse, mini-storage units		2710		X	X	X	X	X	X	
High-rise mini-warehouse		2720		X	X	X	X	X	X	
Warehouse structure		2730		X	X	X	X	X	X	
Produce warehouse		2740		C	C	X	C	C	C	

Table 9.16.10: Chimayo Community District Use Table

Use	Function	Structure	Activity	CHCD RUR-R	CHCD RES-F	CHCD RES-E	CHCD TC	CHCD CN	CHCD P/I	Special Conditions
Refrigerated warehouse or cold storage		2750		C	C	X	C	C	C	
Large area distribution or transit warehouse		2760		X	X	X	X	X	X	
Wholesale trade— durable goods	3510			C	C	X	C	C	C	
Wholesale trade nondurable goods	3520			C	C	X	C	C	C	
Food, textiles, and related products				C	C	X	C	C	C	
Wood, paper, and printing products				C	C	X	C	C	C	
Tank farms		2780		X	X	X	X	X	X	
Public assembly structures										
Performance theater			3110	X	X	X	C	P	C	
Movie theater			3120	X	X	X	X	C	C	
Amphitheater			3130	X	X	X	X	X	P	
Drive-in theaters			3140	X	X	X	X	X	X	
Indoor games facility		3200		X	X	X	X	C	P	
Amusement, sports, or recreation establishment not specifically enumerated	5300			X	X	X	X	X	C	
Amusement or theme park	5310			X	X	X	X	X	X	
Arcade	5320			X	X	X	X	X	X	
Miniature golf establishment	5340			X	X	X	C	C	X	
Fitness, recreational sports, gym, or athletic club	5370			C	C	C	C	P	P	
Bowling, billiards, pool, etc.	5380			X	X	X	C	P	C	
Skating rinks	5390			X	X	X	C	C	P	
Sports stadium or arena		3300		X	X	X	X	X	C	
Racetrack or raceway	5130			X	X	X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	X	P	
Churches, temples, synagogues, mosques, and other religious facilities		3500		P	P	P	P	P	P	*
Covered or partially covered atriums and public enclosure		3700		X	X	X	X	C	P	
Passenger terminal, mixed mode		3810		X	X	X	C	C	P	*
Active open space/ athletic fields/golf courses	6340			C	C	C	C	C	P	*
Passive open space	6340			P	P	P	P	P	P	
Arts, entertainment, and recreation										
Active leisure sports and related activities			7100	C	C	C	C	C	P	
Movie Ranch				C	C	C	C	P	P	
Camps, camping, and related establishments	5400			C	C	C	C	C	P	
Exhibitions and art galleries		4410		C	C	C	P	P	P	
Performing arts or supporting establishment	5100			C	C	C	C	P	P	
Theater, dance, or music establishment	5101			C	C	C	C	P	P	
Institutional or community facilities										
Community center		2200		C	C	C	C	P	P	
Hospitals		4110		X	X	X	X	X	P	
Medical clinics		4120		C	C	C	C	P	P	
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			P	P	P	P	P	P	

Table 9.16.10: Chimayo Community District Use Table

Use	Function	Structure	Activity	CHCD RUR-R	CHCD RES-F	CHCD RES-E	CHCD TC	CHCD CN	CHCD P/I	Special Conditions
Child and youth services	6561			P	P	P	P	P	P	
Child care institution (basic)	6562			P	P	P	P	P	P	
Child care institution (specialized)	6562			P	P	P	P	P	P	
Day care center	6562			P	P	P	P	P	P	
Community food services	6563			P	P	P	P	P	P	
Emergency and relief services	6564			P	P	P	P	P	P	
Other family services	6565			P	P	P	P	P	P	
Services for elderly and disabled	6566			P	P	P	P	P	P	
Animal hospitals	6730			P	P	P	P	P	P	
School or university (privately owned)		4200		C	C	C	P	C	P	
Grade school (privately owned)		4210		P	P	P	P	P	P	
College or university facility (privately owned)		4220		C	C	C	C	C	P	
Technical, trade, and other specialty schools	6140	4230		C	C	C	C	C	P	
Library		4300		P	P	P	P	P	P	
Museum, exhibition, or similar facility	5200	4400		C	C	C	P	P	P	
Planetarium		4420		X	X	X	P	C	P	
Aquarium		4430		X	X	X	X	X	X	
Outdoor facility, no major structure			4440	€	€	€	€	P	P	
Zoological parks		4450		X	X	X	X	X	X	
Public safety related facility			4500	P	P	P	P	P	P	
Fire and rescue station			4510	P	P	P	P	P	P	
Police station			4520	P	P	P	P	P	P	
Emergency operation center			4530	P	P	P	P	P	P	*
Correctional or rehabilitation facility			4600	X	X	X	X	X	P	*
Cemetery, monument, tombstone, or mausoleum			4700	C	C	C	C	C	P	
Funeral homes			4800	X	X	X	P	P	P	
Cremation facilities			4800	X	X	X	X	X	P	
Public administration		6200		X	X	X	P	P	P	
Post offices		6310		C	C	C	C	P	P	
Space research and technology		6330		X	X	X	C	P	P	*
Clubs or lodges				C	C	C	C	C	C	
Transportation-related facilities										
Commercial automobile parking lots		5200		X	X	X	C	C	X	
Commercial automobile parking garages				X	X	X	C	C	X	
Surface parking, open		5210		A	A	A	A	A	A	
Surface parking, covered		5220		A	A	A	A	A	A	
Multistoried parking structure with ramps		5230		X	X	X	X	X	A	
Underground parking structure with ramps		5240		X	X	X	C	X	A	
Rooftop parking facility		5250		X	X	X	X	X	A	
Bus terminal		3830		X	X	X	X	X	P	
Bus stop shelter		5300		P	P	P	P	P	P	
Truck storage and maintenance facilities		5400		X	X	X	X	X	X	
Truck freight transportation facilities	4140			X	X	X	X	X	X	

Table 9.16.10: Chimayo Community District Use Table

Use	Function	Structure	Activity	CHCD RUR-R	CHCD RES-F	CHCD RES-E	CHCD TC	CHCD CN	CHCD P/I	Special Conditions
Light rail transit lines and stops	4151			C	C	C	C	P	P	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	X	X	
Taxi and limousine service maintenance and storage facilities	4155			X	X	X	C	X	X	
Taxi and limousine service dispatch facilities				X	X	X	C	C	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	C	X	C	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	C	C	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	X	X	
Courier and messenger service facilities	4190			X	X	X	C	C	X	
Commercial airports		5600		X	X	X	X	X	C	
Private airplane runways and landing strips		5610		X	X	X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	X	C	
Heliport facility		5640		X	X	X	X	X	C	
Helistops				X	X	X	X	X	C	
Glide port, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	X	C	
Railroad tracks, spurs, and sidings				P	P	P	P	X	P	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	X	C	
Railroad passenger station		5701		C	C	X	C	X	C	
Railroad freight facility		5702		X	X	X	X	X	X	
Utility										
Local distribution facilities for water, natural gas, and electric power		6100		P	P	P	P	A	P	
Telecommunications lines				P	P	P	P	P	P	
Electric power substations				C	C	C	C	C	C	
High-voltage electric power transmission lines				X	X	X	X	X	C	
Dam		6220		C	C	C	C	X	C	
Livestock watering tank or impoundment				P	P	P	P	A	P	
Levee		6230		C	C	C	C	A	C	
Water tank (elevated, at grade, or underground)		6250		P	P	P	P	P	P	
Water wells, well fields, and bulk water transmission pipelines		6260		P	P	P	P	A	P	
Water treatment and purification facility		6270		P	P	P	P	X	P	
Water reservoir		6280		C	C	C	C	X	P	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	P	P	A	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		P	P	P	P	A	P	
Solid waste landfill facility	4345	6320		X	X	X	X	X	C	
Composting facility		6330		C	C	X	C	C	X	
Recycling transfer center		6331		C	C	C	C	P	P	

Table 9.16.10: Chimayo Community District Use Table

Use	Function	Structure	Activity	CHCD RUR-R	CHCD RES-F	CHCD RES-E	CHCD TC	CHCD CN	CHCD P/I	Special Conditions
Solid waste collection transfer station (Governmental)	4343		3210	C	C	C	C	C	P	
Solid waste collection transfer station (Private)	4343		3210	X	X	X	X	X	C	
Solid waste combustor or incinerator	4344			X	X	X	X	X	X	
Septic tank service, repair, and installation business	4346			C	C	X	C	C	X	
Household hazardous waste collection facility				X	X	X	C	X	X	
Hazardous waste storage facility		6340		X	X	X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	X	X	
Sewage treatment plant and disposal facilities		6350		C	C	C	C	X	C	
Gas or electric power generation facility		6400		X	X	X	X	X	DCI	
<u>New Wireless Communication Facilities/Modification of existing wireless communication facility with substantial changes</u>		<u>6500</u>		C	X	X	X	X	C	
<u>Modification of existing wireless communication facility with no substantial changes/Collocation</u>		<u>6500</u>		P	P	P	P	P	P	
<u>Roof Mounted/Surface Mounted/Stealth</u>		<u>6500</u>		P	C	C	C	P	P	
Radio, television, or wireless transmitter Amature radio antenna		6510		X	X	X	C	A	P	
Weather stations or transmitters		6520		C	X	X	C	A	P	
Environmental monitoring station (air, soil, etc.)		6600		P	P	P	P	A	P	
Commercial solar energy production facility				C	C	C	C	C	X	
Geothermal production facility		6450		X	X	X	X	X	X	
Large scale wind facility				X	X	X	X	X	X	Sec. 10.16
Telecommunications and Broadcasting station	4230			X	X	X	C	X	C	
Highway rest stops and welcome centers		6930		C	C	C	C	C	P	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		A	A	A	C	C	P	
Agriculture, forestry, and conservation/open space										
Grain silos and other storage structure for grains and agricultural products		8100		A	A	A	P	X	C	
Animal production that includes slaughter	9300			C	C	X	X	X	X	
Livestock pens or hog houses		8200		C	C	C	C	C	C	
Commercial greenhouses		8500		P	P	P	P	P	P	
Nurseries and other growing of ornamental plants				P	P	P	P	P	P	
Stables and other equine-related facilities - All personal use and commercial up to 12 horses.		8240		P	P	P	P	P	P	
Stables and other equine-related facilities - Commercial over 12 horses				P	C	C	C	C	C	
Kennels and commercial dog breeding facilities		8700		C	C	C	C	C	P	
Apiary and other related structures		8700		P	P	P	P	P	P	
Crop production outdoor	9100			P	P	P	P	P	P	
Crop production greenhouse		8500		P	P	P	P	P	P	
Display or sale of agricultural products raised on the same premises				P	P	P	P	P	P	

Table 9.16.10: Chimayo Community District Use Table

Use	Function	Structure	Activity	CHCD RUR-R	CHCD RES-F	CHCD RES-E	CHCD TC	CHCD CN	CHCD P/I	Special Conditions
Forestry and logging operations	9300			C	C	C	C	X	P	
Game preserves and retreats	9400			X	X	X	X	X	P	
Support business and operations for agriculture and forestry				C	C	C	P	P	P	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	P	P	
Public or community outdoor recreation facilities				P	P	P	P	P	P	
Concentrated animal feeding operation		8310		X	X	X	X	X	X	Ch 11
Cattle ranching, and the grazing or cattle or other livestock		8230		P	P	P	P	P	P	
Dairy farms		8210		C	C	C	C	X	X	
Other farm and farming-related structures		8900		P	P	P	P	P	P	
Poultry farms and poultry production facilities		8220		C	C	C	C	X	X	
Sheds, or other agricultural facilities		8000		A	A	A	A	A	A	
Animal waste lagoons		8420		X	X	X	X	X	X	Ch 11
Mining and extraction establishments										
Oil and natural gas exploration or extraction	8100			DCI	DCI	DCI	DCI	DCI	DCI	Ch 11
Metallic minerals mining Hard rock mining	8200			DCI	DCI	DCI	DCI	DCI	DCI	Ch 11
Coal mining	8300			DCI	DCI	DCI	DCI	DCI	DCI	
Nonmetallic minerals mining	8400			DCI	DCI	DCI	DCI	DCI	DCI	
Quarrying and stone cutting	8500			X	X	X	X	X	X	
Sand and gravel Mining				C	C	X	X	X	X	
Sand and gravel mining with blasting (as specified in Section 11.2.7)				X	X	X	X	X	X	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.**

CHAPTER 10 – SUPPLEMENTAL ZONING STANDARDS

10.3.2

The following deletions and additions shall be made to § 10.3.2.2, § 10.3.2.3, § 10.3.2.4 and § 10.3.2.5:

10.3. ACCESSORY STRUCTURES.

10.3.1. Applicability. Where a principal use or structure is permitted, the Use Matrix may permit certain accessory structures subject to this section. Accessory structures shall be clearly incidental and subordinate to the principal use, customarily found in connection with the principal use, and located on the same tract or lot as the principal use.

10.3.2. Requirements.

10.3.2.1. Accessory structures shall not be constructed or established on a lot until construction of the principal structure is completed or the principal use is established; however, an accessory structure may be constructed before the principal structure when development approval has been granted for both the principal and accessory structures.

10.3.2.2. The accessory structure shall share a driveway and utilities with the principal use or structure unless prohibited by terrain constraints.

10.3.2.3. The accessory structure shall not contain a kitchen or cooking facilities, including kitchen appliances, unless approved as part of an approved home occupation or non-residential use. If a kitchen is provided for such use, the accessory structure shall not also contain a bath or shower.

10.3.2.24. Agricultural accessory structures shall be permitted on property where the primary use is agriculture.

10.3.2.5. Accessory structures used for dwelling purposes are governed by § 10.4.

10.15

The following deletions and additions shall be made to § 10.15:

~~10.15. COMMUNITY SERVICE FACILITIES.~~

~~**10.15.1.** General Requirements. Community service facilities are facilities which provide service to a local community organization. These may include governmental services such as police and fire stations, elementary and secondary day care centers, schools and community centers, and churches.~~

~~**10.15.2.** Standards. Community service facilities are allowed anywhere in the County, provided all requirements of the Code are met, if it is determined that:~~

~~**10.15.2.1.** The proposed facilities are necessary in order that community services may be provided for in the County;~~

~~10.15.2.2. The use is compatible with existing development in the area and is compatible with development permitted under the Code; and~~

~~10.15.2.3. A master plan and preliminary and final development plan for the proposed development are approved.~~

10.15. TRADE CONTRACTOR.

10.15.1. Applicability. This section shall apply to all trade contractor businesses.

10.15.2. Standards. Trade contractor businesses located within a Residential Base Zoning District shall meet design standards within this SLDC in addition to the following standards:

10.15.2.1. No more than five (5) large commercial vehicles shall be permitted in a trade contractor business;

10.15.2.2. Outside storage shall not exceed 1500 square feet, including vehicle storage, and shall be screened by a six-foot high solid wall or fence. All other storage shall be within a building.

10.15.2.3

The following new language shall be added to § 10.15.2.3:

10.15.2.3. A master plan and preliminary and final site development plan for the proposed development ~~are~~ is approved.

10.17

The current § 10.17 will be deleted in its entirety and replaced by the new §§ 10.17 below consisting of §10.17.1 to §10.17.15:

10.17. WIRELESS COMMUNICATION FACILITIES.

10.17.1. Applicability; Exceptions. Section 10.17 shall apply to the installation, construction, modification or operation of any wireless communication facility located within the unincorporated areas of the County, with the following exceptions:

10.17.1.1. Satellite earth stations, satellite dishes and TV antennas; and

10.17.1.2. Routine maintenance of any existing wireless communication facility that does not include the placement of a new wireless communication facility, modification of an existing wireless communication facility, or installation of a collocation.

10.17.2. Purpose; Intent. The purpose and intent of this section is to ensure that the placement, construction, and modification of wireless communications facilities are conducted with due regard for: the County's health, safety, public welfare; environmental features of the County; the

nature and character of the communities and neighborhoods and other aspects of the quality of life specifically listed elsewhere in this section 10.17; compliance with generally applicable building, structural, electrical and safety codes; and compliance with laws and county ordinances codifying objective standards reasonably related to health and safety. Accordingly, the County hereby adopts this section to achieve the following goals of:

10.17.2.1. Requiring a wireless communication permit or CUP permit for the placement, construction of any new wireless communication facility, or for the collocation or modification of an existing wireless communication facility;

10.17.2.2. Implementing an application process for a person(s) or entity(ies) seeking a wireless communication permit or CUP permit;

10.17.2.3. Minimizing the impact of wireless communication facilities on surrounding areas by establishing standards for location, structural integrity, and compatibility;

10.17.2.4. Encouraging whenever possible the location and collocation of wireless communication equipment on existing structures, thereby minimizing adverse visual, aesthetic, and public safety impacts and effects upon the natural environment and wildlife, and reducing the need for additional antenna supporting structures;

10.17.2.5. Accommodating the growing need and demand for wireless communication services;

10.17.2.6. Encouraging coordination between providers of wireless communication services;

10.17.2.7. Protecting the character, scale, stability, and aesthetic quality of the County's residential districts by imposing reasonable restrictions on the placement of certain amateur radio facilities;

10.17.2.8. Establishing review procedures to ensure that applications for wireless communication facilities are reviewed and acted upon within a reasonable period of time;

10.17.2.9. Providing for the removal of discontinued antenna supporting structures;

10.17.2.10. Providing for the replacement or removal of nonconforming antenna supporting structures;

10.17.2.11. Complying with the policies embodied in the federal Telecommunications Act of 1996 (47 U.S.C. 332(c)) in such a manner as to:

1. Not unreasonably discriminate among providers of functionally equivalent services, and not prohibiting or have the effect of prohibiting the provision of personal wireless services;

2. Provide for the County to act on any request for authorization to place, construct, or modify a personal wireless service facility within a reasonable period of time after the request is duly filed, and payment is made of the applicable application fee;

3. Provide that any development order issued on an application for development approval which denies or conditionally approves a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record; and

4. Provide that no County development order shall regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions beyond such facilities complying with the Federal Communication Commission's regulations concerning such emissions.

10.17.2.12. Complying with the policies embodied in section 6409(a) of the federal Spectrum Act (47 U.S.C. 1455), adopted by Congress in Title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. No. 112-96, Feb. 22, 2012), relative to the processing of any application for an eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of the tower or base station. Acknowledging that according to the FCC, the clear intent of Congress in adopting this Act was to advance wireless broadband deployment, which it is believed will promote billions of dollars in private investment and create tens of thousands of jobs.

10.17.2.13. Determining when an eligible facilities request is specifically made under the Spectrum Act and herein, which imposes mandatory approval and establishes a 60-day timeline for processing a request to modify an existing wireless tower or base station where the modification does not substantially change the physical dimensions of an existing tower or base station.

10.17.2.14. Determining when a requested modification of an existing wireless tower or base station does or does not constitute a substantial change under the Spectrum Act.

10.17.3. Structural and Other Standards Applicable to Antenna Supporting Structures.

10.17.3.1. Height. The height limitations of wireless communication facilities shall be governed by Table 10-3. Except for stealth facilities, amateur radio antennas as covered in subsection 10.17.14 below, or height restrictions as otherwise provided in this subsection below, the overall height of any antenna supporting structure shall not exceed 150 feet:

1. AM and FM broadcast antenna supporting structures may not exceed 200 feet in overall height;

2. Television broadcast antenna supporting structures may not exceed 250 feet; and

3. Antenna supporting structures proposed of a height of more than 200 feet or within proximity of an airport as set forth in 47 CFR § 17.7 (Antenna Structures Requiring Notification to the FAA) and Title 14 CFR Part 77 (Safe, Efficient Use, and Preservation of the Navigable Airspace) both as most recently amended, shall comply with the provisions of those regulations and provide the

Administrator with a copy of either the Determination of Hazard to Navigation or the No Determination of Hazard to Navigation, whichever has been issued pursuant to 14 CFR § 77.9.

Table 10-3 Wireless Communications Facility Height Limitations by Zoning District

<u>Zoning District</u>	<u>New tower and substantial modification (ft)</u>	<u>No substantial modification (ft)</u>	<u>Roof Mounted</u>	<u>Surface Mounted</u>	<u>Stealth</u>
<u>A/R</u>	<u>150</u>	<u>75</u>	<u>See 10.17.6.1.</u>	<u>See 10.17.7.1.</u>	<u>See 10.17.8.1</u>
<u>RUR</u>	<u>120</u>	<u>75</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>RUR-F</u>	<u>90</u>	<u>50</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>RUR-R</u>	<u>75</u>	<u>50</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>RES-F</u>	<u>60</u>	<u>40</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>RES-E</u>	<u>40</u>	<u>36</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>RES-C</u>	<u>40</u>	<u>30</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>TC</u>	<u>40</u>	<u>24</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>CG</u>	<u>75</u>	<u>50</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>CN</u>	<u>60</u>	<u>40</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>I</u>	<u>90</u>	<u>50</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>P/I</u>	<u>60</u>	<u>40</u>	<u>"</u>	<u>"</u>	<u>"</u>
<u>MU</u>	<u>60</u>	<u>40</u>	<u>"</u>	<u>"</u>	<u>"</u>

10.17.3.2. Setbacks.

1. Antenna supporting structures, equipment enclosures, and ancillary appurtenances shall meet the minimum setback requirements for the zoning district in which they are proposed.

2. To provide for public safety in the event of an antenna catching fire or becoming structurally unstable and falling to the ground, all new antenna supporting structures shall be set back from the property line a distance equal to at least its potential fall radius, as certified in writing by a New Mexico professional engineer duly licensed by the State of New Mexico Board of Licensure for Professional Engineers and Professional Surveyors. When computing the potential fall radius of a new antenna supporting structure, the following additional conditions shall apply:

a. an applicant shall take future modifications to its structure into consideration that could add height and thus increase the fall radius;

b. except for an antenna supporting structure sited in a residential zone, the potential fall radius shall, at a minimum, be at least the height of a tower and, in the event of its fall, cannot fall outside of the boundaries of the property on which it is sited;

c. no new antenna supporting structure shall be placed adjacent an existing tower such that if it fell to the ground, it would not fall against any existing antenna supporting structure; and

d. no new antenna supporting structure shall be placed adjacent an existing electrical power line, including its supporting tower(s), such that if it fell to the ground, it would not fall against the power line or its supporting tower(s).

3. In addition to any minimum setback requirements described in paragraph 1 above, antenna supporting structures with a tower height of at least 20 feet sited adjacent to residential property shall be set back a minimum of 100 feet, or a distance equal to twice the tower height, whichever is greater, measured from the property line of any property on which a residence is located. An antenna supporting structure shall be sited such that if it falls, it will not fall outside of the boundaries of the property on which it is sited nor will it fall onto any residence or accessory structure of an abutting property. It shall be certified in writing by a New Mexico professional engineer duly licensed by the State of New Mexico Board of Licensure for Professional Engineers and Professional Surveyors that an antenna supporting structure satisfies these setback and fall restrictions

10.17.3.3. Construction. Antenna supporting structures shall be of a monopole-type construction only, guyed or un-guyed, except as follows:

1. Broadcast structures with an overall height of greater than 200 feet may have a lattice-type construction;

2. Amateur radio antennas may have a monopole-, lattice-, or guyed-type construction; and

3. AM broadcast antenna supporting structures may have a monopole- or guyed-lattice-type construction.

10.17.3.4. Lighting.

1. Except for motion sensing security lighting to deter intruders, no lights, signals, or other illumination shall be permitted on any antenna supporting structure or ancillary appurtenances unless that lighting is required by the FAA or the FCC. The installation and use of any security lighting shall comply with Section 7.8.5.3 of this Code.

2. Site lighting may be placed in association with an approved equipment enclosure but shall be shielded to prevent light trespass. Site lighting shall remain unlit except when authorized personnel are present.

10.17.3.5. Intensity Requirements. The floor area for a wireless communication facility shall be calculated based on the total square footage of all equipment enclosures associated with the facility.

10.17.3.6. Color. Antenna supporting structures and ancillary appurtenances, including transmission lines, shall maintain a tan adobe finish or other contextual or compatible color as determined by the Administrator, except as otherwise required by the FAA or the FCC.

10.17.3.7. Fencing. A fence of at least six (6) feet but no more than eight (8) feet in height from finished grade shall be installed in order to completely enclose the base of the antenna supporting structure and associated equipment. Access to the antenna supporting structure shall be controlled by a locked gate. The fence shall be constructed in accordance with Chapter 7 of this Code. Any access gate(s) shall be secure and kept locked except for access by Applicant's personnel including any maintenance individuals.

10.17.3.8. Signage.

1. No signs may be placed on antenna supporting structures, ancillary appurtenances, equipment enclosures, or on any fence or wall except as required by this subsection.

2. If high voltage is necessary for the operation of a proposed wireless antenna structure, bold-lettered "High Voltage—Danger" and "No Trespass" warning signs not greater than one square foot in area shall be permanently attached to the fence or wall at a height of at least five (5) feet and spaced at intervals of at least 40 feet and also upon the access gate. Such signs shall be maintained so they are clearly visible and not obstructed by landscaping.

3. A sign not greater than one square foot in area shall be attached to the access gate that indicates the following information: FCC Registration Number, if applicable, name of owner or contact person; and emergency contact number which shall be kept current.

10.17.3.9. Safety; ANSI/TIA-222-G Compliance. All antenna supporting structures shall comply with the safety standards contained in the American National Standards Institute/Telecommunications Industries Association (ANSI/TIA) document 222-G, "Structural Standard for Steel Antenna Towers and Supporting Structures," as amended, revised or supplemented by addenda. ANSI/TIA-222-G addresses such factors that include, but are not limited to, default design parameters, wind speed resistance based on a three-second-gust wind speed, ice formation, climber safety, structure load details, mounting frames, classification of structures, earthquake design, topographic categories, ground surface exposure categories and soil parameters.

10.17.3.10. Accommodation of Future Collocations.

1. Antenna supporting structures shall be designed to accommodate future collocations. The estimated amount of additional equipment to be accommodated by applicant shall be disclosed during the pre-application conference.

2. As a condition of approval under this chapter, the applicant shall submit a shared use plan that commits the owner of the proposed antenna supporting structure to accommodate future collocations where reasonable and feasible in

light of the criteria set forth in this section.

3. Except for amateur radio or stealth facility structures, all new or modified antenna supporting structures up to eighty (80) feet shall be engineered and constructed to accommodate no less than two (2) antenna arrays; all antenna supporting structures between eighty-one (81) feet and one hundred (100) feet, shall be engineered and constructed to accommodate no less than three (3) antenna arrays; all antenna supporting structures between one hundred one (101) feet and one hundred fifty (150) feet, shall be engineered and constructed to accommodate no less than four (4) antenna arrays.

10.17.3.11. Proliferation Minimized.

1. Generally. New antenna supporting structures will not be permitted unless the applicant indicates that the proposed antenna(s) cannot be accommodated on an existing building or structure or by construction of a stealth facility.

2. Letters of coordination. At the pre-application conference, the applicant of a new antenna supporting structure shall provide documentation that the following notice was mailed, via certified mail, return receipt requested, or delivered by courier service to all providers or, where applicable, to owners of existing antenna supporting structures, and that the applicant was unable to secure a lease agreement with a provider to allow the placement of the proposed antenna(s) on an existing structure or building within the geographic search area, as follows:

“Pursuant to the requirements of the Santa Fe County Sustainable Land Development Code, [NAME OF APPLICANT] is providing you with this notice of intent to meet with the Administrator in a pre-application conference to discuss the location of a free-standing wireless communication facility to be located at [LOCATION].

[APPLICANT] plans to construct an antenna supporting structure of [NUMBER OF] feet in height for the purpose of providing [TYPE OF WIRELESS SERVICE].

Please inform the County Administrator and [APPLICANT] if you intend to own/operate any other wireless communication facility/ies within two miles of the proposed facility, or if you have knowledge of an existing building or antenna supporting structure that might accommodate the antenna(s) associated with our proposed facility.

Please provide us with this information within 10 days following the receipt of this letter.

Sincerely,
[APPLICANT, WIRELESS PROVIDER]

The Administrator shall maintain a list of known wireless service providers and owners, including their contact information. Letters of coordination shall be

mailed not less than 10 business days prior to the pre-application conference required by this section and shall request a response from the recipient within 10 days of receipt.

3. Siting priorities. In order to justify the construction of an antenna supporting structure, the applicant shall demonstrate that higher-ranking alternatives in the following order do not constitute feasible alternatives: (a) collocated or combined antennas; (b) surface-mounted antennas; (c) roof-mounted antenna supporting facility; and (d) stealth wireless communication facility. Such demonstration shall be made by submission of a statement of position, qualifications, and experience by a licensed radio frequency engineer.

4. Additional evidence. As appropriate, the following evidence may also be submitted to demonstrate compliance with this section: (a) that no existing wireless communication facility within the geographic search area meets the applicant's radio frequency engineering or height requirements; (b) that no building or structure within the geographic search area has sufficient structural strength to support the applicant's proposed antennas; or (c) that there are other limiting factors that render collocated, surface-mounted, roof-mounted, or stealth facilities unsuitable or unreasonable.

10.17.3.12. Visual Impacts Minimized.

1. Generally. Antennas shall be configured on antenna supporting structures in a manner that is consistent with the character of the surrounding community and that minimizes adverse visual impacts on adjacent properties.

2. Antenna-type priorities. In order to justify the use of an antenna type lower in the hierarchy, the applicant shall adequately demonstrate that higher-ranked alternatives in the following order cannot be used: flush-mounted, panel, whip or dish. Such demonstration shall be made by submission of a statement of position, qualifications, and experience by a licensed radio frequency engineer familiar with said alternatives.

10.17.3.13. District Impacts Minimized. In order to justify locating a proposed antenna supporting structure within a zoning district lower in the hierarchy, the applicant shall adequately demonstrate that siting alternatives within higher-ranked districts in the following order are not reasonable or feasible: developments of countywide impact; industrial; commercial; agricultural/ranching; planned districts; residential and rural residential; flood hazard areas, habitat areas and corridors, mountains and hillsides, rivers and streams, wetlands, scenic byways and trails; or airport overlay. Such demonstration shall be made by submission of a statement of position, qualifications, and experience by a licensed radio frequency engineer.

10.17.3.14. Unpermitted Wireless Transmission Equipment. Any tower or base station that exists upon the effective date of this Code that was constructed or deployed without proper review by the County, was not required to undergo siting review, or supports transmission equipment that did not receive any State or County regulatory approval shall not be subject to the granting of a collocation application. The restrictions in this subsection do not apply to femtocells, satellite dish antennas or personal TV

antennas, when each is installed for personal use. It shall also not apply to a stealth facility.

10.17.3.15. Restricted and sensitive sites. In addition to any potential sites for constructing antenna supporting structures that are restricted or subject to compliance requirements under the National Environmental Policy Act of 1969 (NEPA), the National Historic Preservation Act of 1966 (NHPA) or related rules of the FCC, no antenna supporting structure shall be constructed on any property, dwelling or structure in the County listed as an archeological, historic, scientific, architectural or cultural property or resource on the “New Mexico Register of Cultural Properties” pursuant to rules of the Cultural Properties Review Committee and Historic Preservation Division of the New Mexico Department of Cultural Affairs. Nor shall an antenna supporting structure be constructed on any land that is the subject of a conservation easement or that has been designated as open space.

10.17.3.16. Licensure of Installation Contractor. Any New Mexico business entity contracted to construct a broadcast tower or wireless communication tower under this section shall be a licensed GF-7 contractor pursuant to state rule 14.6.6 NMAC (“Classifications and Scopes”) as most recently amended, which rule was adopted by the Construction Industries Division of the Regulation and Licensing Department.

10.17.4. Standards for Modifications.

10.17.4.1. The short processing time and mandatory approval for a modification under the Spectrum Act applies to an eligible facilities request for modification of an existing wireless tower or base station that substantially changes the physical dimensions of an eligible support structure, and involves:

1. Collocation of new transmission equipment;
2. Removal of transmission equipment; or
3. Replacement of transmission of equipment.

10.17.4.2. Substantial Modifications. In determining whether a modification substantially changes the physical dimensions of an eligible support structure, changes in height shall be measured from the original support structure in cases where deployments are or will be separated horizontally such as on a building’s rooftop. In other circumstances, changes in height shall be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act (February 22, 2012). A substantial change occurs, if it meets any of the following criteria:

1. For towers other than towers in the public rights-of way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten (10) feet, whichever is greater;

2. For towers other than towers in the public rights of way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty (20) feet, or more than the width of the tower structure at the level of the appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet;

3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

4. It entails any excavation or deployment outside the current site;

5. It would defeat the concealment elements of the eligible support structure; or

6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs 1 through 4 above.

10.17.4.3. Non-substantial Modifications. A modification that does not substantially change the physical dimensions of an eligible support structure would consist of proposed dimensions or increases that are less than any of the dimensions or increases described in paragraphs 1 through 4 of subsection 10.17.4.2 above. Additionally, a modification that does not substantially change the physical dimensions of an eligible support structure is one that does not entail any excavation or deployment outside the current site of an existing facility, or its modification would defeat the concealment elements of a stealth facility.

10.17.4.4. Color. All collocated antennas and ancillary appurtenances shall maintain a sandstone finish or other contextual color that is compatible with the environment or the building to which they are attached.

10.17.4.5. Visual impact minimized. The visual impact requirements and hierarchy set forth at subsection 10.17.3.12 shall apply to the approval of collocations.

10.17.5. Standards for Water Tower-Mounted Antenna Supporting Structure. Even though a water tower may be considered an accessory structure or its use an accessory use, antennas may be placed on water towers in zoning districts where antennas for wireless communication facilities are designated as conditional uses in the use matrix. No portion of any water tower-mounted antenna or its base station shall extend above the height of the water tower walls unless specifically permitted as part of a conditional use for good reason demonstrated.

10.17.6. Standards for Roof-Mounted Antenna Supporting Structure.

10.17.6.1. Height.

1. For purposes of public safety in order to prevent or reduce the potential for damage and bodily injury from such an antenna supporting structure or modification thereto, any roof-mounted antenna supporting structure, attachment device, equipment enclosure, and/or any ancillary appurtenance may not extend above the roof line of the building upon which it is attached by more than twenty (20) feet.

2. Roof-mounted wireless structures with an overall height of greater than 50 feet are considered antenna supporting structures subject to the applicable standards of this chapter.

3. Roof-mounted antenna supporting structures proposed within proximity of an airport as set forth in 47 CFR § 17.7 (Antenna Structures Requiring Notification to the FAA) and Title 14 CFR Part 77 (Safe, Efficient Use, and Preservation of the Navigable Airspace) both as most recently amended, shall comply with the provisions of those regulations and provide the Administrator with a copy of either the Determination of Hazard to Navigation or the No Determination of Hazard to Navigation notice, whichever is issued pursuant to 14 CFR § 77.9.

4. An antenna located on a building roof shall, in addition to the requirements of paragraphs 1 to 3 above, be governed by the regulations for the maximum height of structures of the applicable district.

10.17.6.2 Location and placement. Roof-mounted antennas may be placed only on commercial non-residential, institutional, industrial, and multifamily buildings that are at least 35 feet in height.

10.17.6.3. Screening and placement.

1. If practicable by reason of the roof design, roof-mounted wireless communication facilities should be mounted as near to the center of the roof as possible. Whenever practicable, roof-mounted structures should be screened by a parapet or other device such as a camouflage application in order to minimize their visual impact as viewed from the lot line of the subject property.

2. Transmission lines placed on the exterior of a building shall be camouflaged or otherwise shielded within an appropriate material that is the same color as, or a color consistent with, the building to which they are attached.

10.17.6.4. Construction. Roof-mounted antennas shall be of a monopole-type construction.

10.17.6.5. Color. Roof-mounted structures, ancillary appurtenances, and equipment enclosures shall maintain a color to match as closely as possible the color and texture of the wall of the building on which they are mounted.

10.17.6.6. Signage. No signs may be placed on any roof mounted structure, ancillary appurtenances, or equipment enclosures.

10.17.6.7. Visual impact minimized. The visual impact requirements and hierarchy set

forth at subsection 10.17.3.12 shall apply to the approval of roof-mounted structures.

10.17.7. Standards for Surface-Mounted Antennas.

10.17.7.1. Height and placement. Surface-mounted antennas shall be placed not less than 15 feet from the ground and, where proposed for placement on a building, shall be placed so that the antenna shall be at least three feet below the roof line.

10.17.7.2. Color. Surface-mounted antennas and associate ancillary appurtenances shall maintain a color that is the same as the surface to which they are attached, unless another color is more compatible within the context of the proposed facility and the surrounding environment. Transmission lines shall be camouflaged or otherwise shielded within an appropriate material that is the same color as, or a color consistent with, the building or structure to which they are attached.

10.17.7.3. Visual impact minimized. The visual impact requirements and hierarchy set forth at subsection 10.17.3.12 shall apply to the approval of surface-mounted structures.

10.17.8. Standards for Stealth Facilities.

10.17.8.1. Height. The overall height of a proposed stealth facility shall be limited to that which is allowed within the zoning district in which the facility is to be located, and which is consistent with the surrounding community. However, in no case may the overall height of any stealth facility exceed 50 feet. Stealth wireless communication facilities proposed within a O-AN district and within proximity of an airport, as set forth in 47 CFR § 17.7 (Antenna Structures Requiring Notification to the FAA) and Title 14 CFR Part 77 (Safe, Efficient Use, and Preservation of the Navigable Airspace) both as most recently amended, shall comply with the provisions of those regulations and provide the Administrator with a copy of either the Determination of Hazard to Navigation or the No Determination of Hazard to Navigation notice, whichever is issued pursuant to 14 CFR § 77.9.

10.17.8.2. Setbacks.

1. Stealth wireless communication facilities, ancillary appurtenances, and equipment enclosures shall meet the minimum setback requirements for the zoning district in which they are proposed. However, the minimum separation from any existing residential structure shall be 150% of the tower's height.

2. Setback requirements for stealth facilities may be reduced if it is determined that such a reduction is necessary to reduce the visual impact or enhance the compatibility of the proposed facility.

10.17.8.3. Aesthetics. No stealth facility may have antennas or ancillary equipment that is readily identifiable from the public domain as wireless communication equipment. Stealth facilities shall be designed to be reasonably consistent with the surrounding built or natural environment. In order to determine compliance with this requirement, the following criteria shall be considered:

1. Overall height;

2. The compatibility of the proposed facility with surrounding built and natural features;

3. Scale;

4. Color;

5. The extent to which the proposed facility has been designed to reasonably replicate a non-wireless facility (e.g., a silo, flagpole, or tree); and

6. The extent to which the proposed facility is not readily identifiable as a wireless communication facility.

10.17.9. Permitting of Temporary Towers. Temporary towers shall require permitting but under an expedited review process that shall be completed, after payment of a permitting fee, which shall be within five (5) working days.

10.17.9.1. The need for temporary towers arises when there is insufficient time to complete an environmental notification process before a temporary tower must be deployed to meet short term wireless communication demands. Such need for deployment includes:

1. newsworthy events that occur without any prior notice and require immediate deployments, such as natural disasters and other natural or local emergency or urgent events;

2. other events that occur with less than thirty (30) days advance notice, such as political events and parades for sport teams;

3. events for temporary towers are unknown until days before the event, such as fairs and major sporting events; and

4. situations in which unexpected difficulties with permanent structures require the deployment of temporary towers to restore lost communications while permanent facilities are repaired or replaced.

10.17.9.2. Temporary towers are authorized subject to the following restrictions:

1. they shall be in place for no more than sixty (60) days subject to one 60-day extension due to changed circumstance or information that emerged after the exempted temporary tower was deployed;

2. they shall comply with any notice of construction requirements of the FAA;

3. they do not require any marking or lighting under FAA or state regulations;

4. they shall be greater than thirty (30) but less than two hundred (200) feet in height; and

5. they either will involve no excavation or excavation only where the depth of previous disturbance exceeds the proposed construction depth excluding footings and other anchoring mechanisms by at least two (2) feet.

10.17.9.3. Thirty (30) days shall elapse following the removal of one temporary tower before the same applicant may rely on the authority for another temporary tower covering substantially the same service area.

10.17.10. Application and Development Review Process.

10.17.10.1. Generally. Unless excepted by section 10.17.1, all wireless telecommunication facilities are subject to zoning approval in accordance with Chapter 8 of the SLDC and this section. The use matrix sets forth the process required based on the applicable location and facility type.

10.17.10.2. General Application Requirements.

1. In addition to the application form for a wireless communication development permit and conditional use permit (if applicable), the applicable submittal requirements as indicated in Table 10-4, the SRAs required by Chapter 6, and the sustainable design standards of Chapter 7, shall be furnished with the application and satisfied prior to review of an application for any new wireless communication facility. This requirement is not applicable to replacement of an existing wireless communication facility or to non-substantial modifications of existing antenna supporting structures including the installation of collocations. (For provisions governing replacement, see §§ 10.17.4.1, 10.17.10.6 and 10.17.14.)

2. All applications must be signed by the property owner, the applicant, and the provider who will be placing antennas on the proposed facility. If the property owner is not the provider, the application shall include a copy of an executed lease agreement between the applicant or property owner and a provider, or, where no lease agreement has been executed, an affidavit signed by a carrier attesting to an intent to place antennas on the wireless communication facility if the application is approved.

3. If the application is for a new antenna supporting structure, the applicant shall also comply with the pre-application meeting requirements of the SLDC. This provision is not applicable to replacement antenna supporting structures unless they exceed the height of the existing structure. Prior to the pre-application meeting, the applicant shall provide the following information regarding the proposed facility:

a. A detailed site plan that shows:

(i) location and dimensions of the proposed facility;

(ii) maximum height above ground of the proposed facility;

(iii) The elevation of the proposed facility including the benchmarks and data used to compute;

(iv) Any and all existing setbacks on the proposed site; and

(v) The location of all existing access ways to the proposed location and design of any proposed access ways.

b. Number of antennas proposed, including those of other providers;

c. Type or types of wireless communication to be provided;

d. The full name and address of the owner of the parcel;

e. Applicant's certification that they have the legal authority to collocate/modify support structure which may include obtaining approvals from the Administrator authoring the initial placement of transmission equipment on the tower or other structure; and

f. Proof that the letters of coordination were mailed as required by subsection 10.17.3.11 regarding accommodation of future collocations.

Table 10-4: Submittal Requirements for Wireless Telecommunication Facilities.

<u>Antenna Supporting</u>	<u>Collocations</u>	<u>Roof-Mounted</u>	<u>Surface- Mounted</u>	<u>Stealth Facilities</u>	<u>Required Submissions:</u>
•	•	•	•	•	<u>A complete application on a form provided by the Administrator.</u>
•	•	•	•	•	<u>A signed assurance from the facility's owner, owner's agent or operator stating that the radio frequency emissions for the proposed facility or device shall not exceed the FCC's maximum permissible exposure limits for the general population set forth in 47 CFR § 1.1310.</u>
•	•	•	•	•	<u>The maximum tower height and maximum power output in megahertz and watts of any proposed wireless communication facility including any proposed modifications or collocations of an existing facility.</u>
•	•	•	•	•	<u>Proof that the proposed facility meets or exceeds the standards for wind resistance, mount loads and mounting frames covered by ANSI/TIA 222-G as amended, revised or supplemented by addenda.</u>
•		•		•	<u>Proof that the proposed antenna supporting structure has been designed so that, in the event of structural failure, the facility will collapse within the boundaries of the lot on which it is located.</u>
•				•	<u>A license (and for broadcast structures, a construction development approval) issued by the FCC to transmit radio signals in the County.</u>
•	•	•	•	•	<u>The contact information for the owner of any proposed or existing antenna supporting structure, and a statement that such information will</u>

<u>Antenna Supporting Collocations</u>	<u>Roof-Mounted</u>	<u>Surface-Mounted</u>	<u>Stealth Facilities</u>	<u>Required Submissions:</u>
				be updated annually or upon a change of ownership.
•	•	•	•	A statement of the height above sea level of the highest point of the proposed facility, including any modifications or collocations.
•	•	•	•	A stamped or sealed structural analysis of the facility prepared by a professional engineer, certified by the State of New Mexico indicating the proposed and future loading capacity of the facility and its compliance with ANSI/TIA 222-G as amended, revised or supplemented by addenda.
•			•	One original and two copies of a survey of the lot completed by a registered land surveyor indicating all existing uses, structures, and improvements.
•			•	Photo-simulated post-construction renderings of the proposed facility, equipment enclosures, and ancillary appurtenances as they would look after construction from locations to be determined by the participants during the pre-application conference.
•		•	•	Proof of FAA compliance with Subpart C of the Federal Aviation Regulations Part 77 by providing a copy of either a “Determination” or “No Determination” “of Hazard to Navigation” notice pursuant to 14 CFR § 77.9.
•	•	•	•	A letter of consent from the airport authority if within any noise or safety zone.
•		•	•	Shared use plan.
•			•	If required by the US Fish and Wildlife Service, a letter indicating that the proposed antenna supporting structure and appurtenances are in compliance with all applicable federal rules and regulations.
•	•	•	•	A graphical representation with statement of the coverage area planned for the cell to be served by the proposed facility.
•	•	•	•	Antenna heights and power levels of the proposed facility and all other facilities on the subject property.
•		•		A geotechnical report addressing the soil type and soil properties at the proposed site to avoid having a tower anchor corrode and fail to support the tower. [ANSI/TIA 222-G, annex of values representative of soil types]

10.17.10.3. Application Review Standards. Application review standards are indicated by facility type below in subsections 10.17.10.5 through 10.17.10.7 and are in addition to the applicable standards of Chapters 7 and 8 herein.

10.17.10.4. Expert Review of Application.

1. Due to the complexity of the methodology or analysis required to review an application for a wireless communication facility including modification/collocation to an existing facility, the Administrator or the Planning Commission may require a technical review by a third-party expert, the cost in an amount specified in the fee ordinance, which shall be borne by the applicant. The expert review may address the following:

a. The accuracy and completeness of submissions;

b. The applicability of analysis techniques and methodologies;

c. The validity of conclusions reached;

d. Whether the proposed wireless communication facility complies with the applicable approval criteria set forth in this chapter, other sections of the SLDC, federal and state laws and regulations; and

e. Any other matters deemed by the Administrator to be relevant in determining whether a proposed wireless communication facility complies with the provisions of this Chapter, the SGMP, other sections of the SLDC, federal and state laws and regulations.

2. Based on the findings and conclusions of the expert review, the Administrator may require changes to the applicant's application or required submissions. However, any such required changes or submissions shall be treated as an incomplete submission and governed by subsections 10.17.10.5 through 10.17.10.7 respectively, depending on the type and size of the facility.

3. The applicant shall reimburse the County for the engineering review required in subsection 10.17.10.4 by depositing funds or a letter of credit with the Administrator in an amount specified in the fee ordinance. Any refund or requirement for additional amounts will be determined within 10 working days of the date of receipt of an invoice for expenses associated with the third-party expert's review of the application. Failure by the applicant to make reimbursement pursuant to this section will suspend the pending application until payment in full is received.

10.17.10.5. Application for a new wireless communication facility. Notwithstanding any other review/approval timeframes for development permits or CUP permits under this SLDC, an application for the siting of a new wireless communication facility shall be reviewed and a final decision issued by the Administrator or Planning Commission within 150 days from the date of submittal of the application to the Administrator or Planning Commission.

1. If an application is determined to be incomplete, the Administrator or Planning Commission must notify the applicant in writing of the incompleteness within 30 days of receipt of the application, which notification shall toll the 150-day timeline for processing an application only until the applicant submits the additionally requested documents or information.

2. Any notice of incompleteness shall inform the applicant what specific documents or information are missing from the application, and what Code provision, ordinance or application procedure requires the documentation or information to be submitted.

3. Upon receipt of the applicant's supplemental submission, if the Administrator or Planning Commission still considers the application to be incomplete, a notice of incompleteness must be submitted to the applicant within 10 days of receipt detailing what specific documents or information are still missing.

4. If the Administrator or Planning Commission issues a second or subsequent notices of incompleteness in response to subsequent supplemental submissions, such notices may not seek missing documents or information that were not previously delineated in the original notice of incompleteness.

5. If the Administrator or Planning Commission does not render a decision on the application within 150 days, even factoring in any additional days due to tolling, such indecision shall constitute "failure to act" and authorize the applicant to commence an action in court under Section 332(c)(7)(B)(v) of the Telecommunications Act of 1996. The applicant need not appeal to the Board prior to taking the matter to court for failure to act.

6. If the Administrator renders a decision denying the application, the applicant may appeal pursuant to Section 4.5 of this Code.

10.17.10.6. Application for modification of a wireless tower or base station that does not substantially change the physical dimensions of the tower or base station.
Notwithstanding any other review/approval timeframes for development permits or CUP permits under this SLDC, an application for modification of an existing wireless communication facility that does not substantially change the physical dimensions of an eligible support structure shall be reviewed and a final decision issued by the Administrator within 60 days from the date of submittal of the application to the Administrator. "Modification" of a wireless tower or base includes collocation of new transmission equipment, removal of transmission equipment, or replacement of transmission of equipment.

1. Processing covered and non-covered requests.

a. An application for development permit for modification of a wireless communication facility that does not substantially change the physical dimensions of a tower or base station must specifically assert in its application that the requested modification constitutes a "covered request" under Section 6409(a) of the Spectrum Act.

b. If the Administrator determines that a request is not a covered request, then the application is not entitled to consideration for mandatory approval under the Spectrum Act. Instead, such modification application shall still be considered for approval but under the 150-day Telecommunications Act timeline, which timeframe commences upon issuance of the Administrator's decision that Section 6409(a) of the Spectrum Act does not apply.

c. An application for a collocation which is determined by the Administrator to be non-covered shall be considered for approval within 90 days from the date that determination is made.

2. Addressing incomplete applications.

a. If an application is determined to be incomplete, the Administrator must notify the applicant in writing of the incompleteness within 30 days of receipt of the application, which notification shall toll the 60-day timeline for processing an application only until the applicant submits the additionally requested documents or information.

b. Any notice of incompleteness shall inform the applicant what specific documents or information are missing from the application and what Code provision, ordinance or application procedure requires that documentation or information to be submitted.

c. Upon receipt of the applicant's supplemental submission, if the Administrator still considers the application to be incomplete, a notice of incompleteness must be submitted to the applicant within 10 days of receipt detailing what specific documents or information are still missing.

d. If the Administrator issues second or subsequent notices of incompleteness in response to subsequent supplemental submissions, such notices may not seek missing documents or information that were not previously delineated in the original notice of incompleteness.

e. All subsequent notices of incompleteness shall further toll the 60-day timeline for processing an application only until the applicant submits the additionally requested documents or information.

f. The 60-day timeline may be tolled at any time by mutual agreement in a document signed by the Administrator and the applicant.

3. If the Administrator does not render a decision on the application within 60 days, even factoring in any additional days due to tolling, such indecision shall constitute "failure to act" and the applicant's request shall be deemed granted. That an applicant's request is deemed granted shall not become effective until the applicant notifies the Administrator in writing after the review period has expired, including any tolling, that the application has been deemed granted.

4. If the Administrator renders a decision denying the application, the applicant may, pursuant to Section 4.5 of the Code, appeal that decision within 5 days to the Planning Commission, and if still aggrieved, appeal that decision within 30 days to the Board.

5. Availability of court review. Either the Applicant or the Administrator may, within 30 days of the relevant event, bring claims related to the Spectrum Act to any court of competent jurisdiction. By way of example:

a. the Administrator could invoke litigation to challenge an applicant's written assertion of a deemed grant when the Administrator believes the underlying application did not meet the criteria in the Spectrum Act for mandatory approval, would not comply with applicable building codes, or would not comply with other non-discretionary structural and safety codes.

b. the applicant could invoke litigation to challenge the Administrator's denial of application approval, the Administrator's determination of incompleteness, or to obtain a declaratory judgment or other order confirming that its application is deemed granted.

10.17.10.7. Application for modification of a wireless tower or base station that substantially changes the physical dimensions of the tower or base station. Notwithstanding any other review/approval timeframes for development permits under this SLDC, an application for modification of an existing wireless communication facility that substantially changes the physical dimensions of an eligible support structure shall be reviewed and a final decision issued by the Planning Commission within 150 days from the date of submittal of the application to the Administrator; or within 90 days from the date of submittal of the application to the Administrator if the modification application is for collocation of new transmission equipment. The procedures in paragraphs 1 through 6 of subsection 10.17.10.5 above shall apply.

10.17.11. Discontinuance and removal of facilities.

10.17.11.1. Action by Administrator upon discontinued use. In the event that all legally approved use of an antenna supporting structure or antenna has been discontinued for a period of at least 180 consecutive days, the Administrator shall make a preliminary determination of discontinuance and revocation of the development permit or CUP permit. In making such a determination, the Administrator may request documentation and/or affidavits from the property owner and/or the owner of the wireless facility as to the continued use of the facility.

10.17.11.2. Annual continued use report. The property owner and owner/operator of the wireless facility shall file a consolidated annual report with the Administrator as to the continued use of the facility and provide updated contact information. Such report shall be due every 12 months on the anniversary of the granting of the wireless communication facility development permit or CUP permit. Failure on the part of a property owner or owner of the wireless facility to provide the annual report shall be presumptive evidence of discontinuance.

10.17.11.3. Notice of discontinuance and revocation. At such time as the Administrator reasonably determines that an antenna supporting structure or antenna has been discontinued, the Administrator shall provide the property owner and owner/operator of the wireless facility with a written notice of discontinuance and revocation of the CUP by certified mail or hand-delivered, at the last and usual place of business or residence, and set the matter for a public hearing with the Planning Commission for the first available date no sooner than 30 days after the notice of discontinuation and revocation of the CUP was mailed.

10.17.11.4. Planning Commission hearing. The Administrator shall establish at a public hearing by a preponderance of evidence that the subject facility has discontinued its operation by at least 180 consecutive days. Failure on the part of the property owner or owner/operator of the wireless facility to respond to the notice of discontinuance and revocation of the CUP, or to dispute discontinuance of its operation, will be evidence of discontinuance.

10.17.11.5. Planning Commission final determination; written decision. Based on the foregoing, or on any other relevant evidence submitted, or on testimony presented during the hearing including failure to respond, the Planning Commission shall make a final written determination on the issue of whether discontinuance of the operation by at least 180 consecutive days has occurred.

1. Such determination the Planning Commission shall be supported by written findings and conclusions and shall be based on a preponderance of the evidence.

2. If the Planning Commission determines that the use of the wireless communication facility has been discontinued, it shall issue a development order revoking the development order or CUP upon such reasonable terms as the Planning Commission in its quasi-judicial capacity shall determine.

3. The development order shall be served upon the property owner and the owner/operator of the wireless facility by certified mail return receipt requested, or by hand-delivery at the last and usual place of business or residence.

4. If the Planning Commission determines after hearing that the use of the wireless communication facility has not been discontinued, it shall issue and serve a written decision to that effect pursuant to the procedures described herein.

5. In the event of a finding of non-discontinuance, the wireless communication facility can continue to operate and shall file appropriate papers with the Administrator that provides contact information, the scope of its intended operation and such other information necessary to its operation and permitting by the County required by the Administrator.

10.17.11.6. Removal of facility. Unless the written decision of the Planning Commission is timely appealed pursuant to Section 4.5.4 of this Code, within 120 days of a determination of discontinuance, the property owner or facility owner/operator shall either:

1. Reactivate the use of the structure as a wireless communication facility under a timetable and conditions set by the Planning Commission;

2. Transfer ownership of the structure to a successor owner who will make appropriate use of the facility pursuant to the terms of the CUP or applicable development order; or

3. If neither paragraphs 1 or 2 of this subsection has occurred, the Administrator may, upon 10 days written notice to the property owner and the owner/operator of the wireless facility, enter upon the property and dismantle and remove the facility, with all costs subject to reimbursement jointly and severally by the

property owner and the owner/operator.

10.17.12. Nonconforming Antenna Supporting Structures. Where any existing antenna supporting structure is made nonconforming by implementation of this section and its owners or operators seek to make a modification that substantially changes the physical dimensions of the tower or base station, any such modification shall require both the existing supporting structure and the modification to be in compliance with Section 10.17 of this Code. The owner or operator of the facility may apply for a variance and further demonstrate that the requirements of this section impose an unreasonable burden on the ability of a provider to provide personal wireless services pursuant to a license from the FCC or by reason of federal law.

10.17.13. Variance Criteria. No variance shall be granted under the provisions of this section unless the Planning Commission makes at least one of the following written findings of fact and conclusions:

10.17.13.1. That failure to grant the variance would prohibit or have the effect of prohibiting the provision of personal wireless services in violation of a license issued by the FCC or federal law;

10.17.13.2. That failure to grant the variance would unreasonably discriminate among providers of functional equivalent personal wireless services;

10.17.13.3. That the variance will obviate the need for additional antenna supporting structures;

10.17.13.4. That the variance is necessary to ensure adequate public safety and emergency management communications; or

10.17.13.5. That the variance is the minimum necessary in order for the applicant to provide broadcast services pursuant to an FCC-issued construction development approval.

10.17.14. Amateur radio antennas and radio facilities. Amateur radio antennas and radio facilities may be allowed as an accessory use to other permitted uses subject to a permit issued by the Administrator pursuant to the procedures in this Code. Operators of such facilities shall comply with the following standards:

10.17.14.1. Amateur radio antennas and radio facilities shall be owned and operated by a person holding either a valid Technician License, General License or Amateur Extra License issued by the FCC, or an unexpired grandfathered Novice, Technician Plus or Advanced license that was previously issued by the FCC, which licensee shall also hold a valid Station License, all as issued by the FCC pursuant to 47 CFR Part 97.

10.17.14.2. A minimum setback of a distance equal to the height of the radio antenna or tower shall be required and no antenna or its supporting structure shall be located in the front setback.

10.17.14.3. Guyed structure's anchors of any radio antenna shall be setback at least five feet from the property line.

10.17.14.4. All lattice towers shall be within the licensed operator's property where it shall either be enclosed by a six foot perimeter fence of solid construction or protected by a climb guard device at least six feet in height.

10.17.14.5. Maintenance or replacement of existing facilities that does not increase the height and otherwise complies with the restrictions herein shall be allowed without a permit.

10.17.14.6. Fixed amateur radio antennas and radio facilities shall not exceed 45 feet in height from ground level.

10.17.14.7. Crank up amateur radio antennas may extend to a maximum height of 75 feet from ground level, provided the lowered height does not exceed 45 feet and the crank up tower is retracted when not in use.

10.17.14.8. Heights greater than those described above may be approved by application for a Conditional Use Permit, provided that the structure is reasonably necessary for the principal use, the proposed height is the minimum necessary for proper functioning, and the proposed accessory structure will not adversely affect neighboring properties.

10.17.14.9. No amateur radio station antenna or tower shall be sited such that, in the event of its fall, it could fall outside of the boundaries of the property on which it is sited.

10.17.14.10. Antenna support structures shall be located on property so as to provide adequate setbacks from above-ground utility power lines .

10.17.14.11. Before placing an amateur radio station on land of environmental importance or that is significant in American history, architecture or culture, the amateur radio station applicant may be required to take certain actions prescribed by 37 CFR §§ 1.1305 to 1.1319 of FCC regulations.

10.17.15. Violation of Standards. The property owner(s), as well as the tower owners or operators, shall be co-responsible for any violations of applicable standards in this Code which may be enforced pursuant to any of the remedies contained in Chapter 14 of this Code or otherwise provided by law.

10.22

The following new section shall be added directly after § 10.22:

10.23. AUTOMOTIVE PAINT AND BODY BUSINESS.

10.23.1. Applicability. This section shall apply to all automotive paint and body businesses.

10.23.2. Standards. Automotive paint and body businesses shall meet design standards within this SLDC in addition to the following standards:

10.23.2.1. All automotive paint and body work shall be conducted within an insulated building with appropriate air filters to minimize both noise and odors;

10.23.2.2. Stored vehicles shall be located behind a six-foot high solid wall or fence;

10.23.2.3. Structures related to a paint and body business shall be set back a minimum of 75 feet from residential property boundaries.

10-19

The current § 10.19 will be deleted in its entirety and replaced by the new §§ 10.19 below:

10.19. SMALL SCALE SAND AND GRAVEL EXTRACTION.

10.19.1. Applicability. This section applies to any mineral extraction activity for construction materials, including but not limited to, stone, sand, gravel, aggregate, or similar naturally occurring construction materials that affects less than 10 acres of land and extracts less than 20,000 tons of construction material and does not use blasting. Such activity shall be allowed where permitted by the Use Table, Exhibit B, subject to approval of a conditional use permit (§ 4.9.6.) and the additional requirements of this section. If the extraction activity requires blasting, then this section shall not apply and the operation will be treated as a Development of Countywide Impact under Chapter 11.

10.19.2. Related Uses. Related office and material processing uses may be permitted at the sand and gravel extraction sites where approved as part of the conditional use permit and constructed and operated in compliance with the SLDC and so long as the use is consistent.

10.19.3. Application. In addition to the submittal requirements for a conditional use permit (§ 4.9.6.), including any studies, reports and assessments required by Table 6-1, an application for approval of a small scale sand and gravel extraction facility shall include the following:

10.19.3.1. Operations Plan. An operations plan for the facility consisting of the following:

1. Maps, plans, graphics, descriptions, timetables, and reports which correlate and specify:

- a. a detailed description of the method(s) or technique(s) to be employed in each stage of the operation where any surface disturbance will occur;**
- b. the size and location of area(s) to be disturbed, which includes excavations, overburden spoils, topsoil stockpiles, driveways and roads;**
- c. pursuant to the standards of §7.17 (Terrain Management), a description of all earthmoving activities, including backfilling of cuts and leveling or compaction of overburden;**
- d. if applicable, the location and size of all water diversions and impoundments or discharge of water used in extraction operations;**
- e. areas to be used for storage of equipment and vehicles;**

- f. location and size of any structures;
- g. areas designated to be reclaimed;
- h. hours of operation and, if applicable, a description of outdoor lighting; and
- i. fire protection plans.

2. A description of how construction materials will be processed on and/or removed from the site.

3. A description of how each phase of exploration or extraction correlates to the reclamation plan.

4. A timetable for each phase of operations and reclamation.

5. A description of the steps to be taken to comply with applicable air and water quality laws and regulations and any applicable health and safety standards.

6. A drainage control plan showing methods which will be utilized to avoid erosion on and adjacent to the site.

7. A description of all hazardous materials to be used and transported in connection with the activity and a description of steps that will be taken to insure that the use of such materials will have no adverse impact on the residents or environment of Santa Fe County.

8. A description of the projected noise to be generated and an explanation of how the operator will comply with the requirements of §7.21.4 (Noise).

9. A statement concerning compliance, as applicable, with regulations of the Federal Aviation Administration (FAA).

10.19.3.2 Operational Standards and Requirements.

1. State Permits. All small scale sand and gravel extraction operations shall submit all required state permits, FEMA and/or Army Corps of Engineers permits with the conditional use permit.

2. Hours of Operation. Hours of operation are limited to the period between sunrise or 7:00 a.m. whichever is latest, and sunset or 6:00 p.m., whichever is earliest, Monday through Saturday.

3. Water Supply. Extraction and filling of a reservoir shall not infringe on a downstream appropriator's rights.

4. Project Traffic Impacts:

a. All roads carrying sand and gravel related traffic shall conform to the requirements of Section 7.11 (Road Design Standards) of the SLDC.

b. **Transportation Facility Improvements.** An analysis of all roads accessing the site shall be submitted to the County with detailed information concerning the ability of the roads to adequately support the projected traffic, including potential weight of vehicles for 20 years or the life of the sand and gravel extraction operation. Cost of all improvements required, on and off-site, shall be borne entirely by the applicant.

c. **Trip Generation.** The Planning Commission may establish a maximum number of truck trips allowed to enter and exit a processing location.

d. **Traffic Counts.** Traffic counts at the entrance of the operation may be required.

e. **Designation of construction and haul routes.** The application shall designate proposed truck haul and traffic routes that shall be subject to limitation by the Planning Commission, which proposal shall:

i. identify the primary haul route including existing road conditions;

ii. identify residential areas, commercial areas, environmentally and visually sensitive areas, schools and other civic buildings along the haul route,

iii. identify alternative routes;

iv. identify the timing of truck haul traffic; and

v. include a fugitive dust plan for designated routes to prevent loss of loads and fugitive dust during transportation.

5. **Project Description.** The applicant shall provide a detailed statement describing the project including:

a. The amount and type of materials to be excavated;

b. Duration of the excavation activity and reclamation activity;

c. The proposed method of excavation;

d. The amount of fill to remain on site; and

e. A statement from a New Mexico professional engineer indicating the type of material(s) to be excavated and their suitability for road and structural fill construction.

6. Access. Adequate and available access required per Section 7.4 (Access and Easements) of the SLDC.

7. Visual Screening Measures. Visual screening, which shall include all phases, is required per Section 7.6 (Landscaping and Buffering) of the SLDC plus the following standards:

a. General. The view from all public roads, rivers, parks, open space and adjoining residential areas shall be screened.

b. Buildings. All buildings' design, scale, and location shall be minimized.

c. Surrounding Vegetation. Any vegetation on site that can act as screening of the extraction area shall be preserved, including vegetation existing in the required setbacks.

8. Lighting. All small scale sand and gravel operations must comply with Section 7.8 (Lighting) of the SLDC.

9. Signs. All small scale sand and gravel operations must comply with Section 7.9 (Signs) of the SLDC, but are limited to two signs of 4 square feet each.

10. Parking and Loading. All small scale sand and gravel operations must comply with Section 7.10 (Parking and Loading) of the SLDC.

11. Hazardous Materials. Any fuel, explosives, or other hazardous materials stored on the site shall be contained within an impoundment structure.

12. Wildlife. Protection is required for critical environmental resources including wetlands, riparian areas, and important wildlife habitats.

a. Any modification of the terrain within a floodplain area shall be environmentally sound and not result in net loss of wildlife habitat.

b. All small scale sand and gravel operations shall be limited to locations and times of year that ensure no significant negative impacts to federally listed endangered species.

c. No sand and gravel development shall interrupt a wildlife corridor.

13. Protection of Historic and Archaeological Resources. Any application for small scale sand and gravel extraction shall submit an archaeological report conforming to the requirements of Section 7.16 (Protection of Historic and Archaeological Resources) of the SLDC.

14. Terrain Management. Requirements of Section 7.17 (Terrain Management) of the SLDC shall be met.

a. Removal of Organic Materials. Fill areas shall be properly prepared by removing organic materials, such as vegetation and rubbish, and any

other material which is detrimental to the proper compaction of the site or not otherwise conducive to the stability of the site.

b. Site Vegetation Removal and Revegetation. The removal of existing vegetation shall not occur more than 30 days prior to the commencement of grading; however, permanent revegetation shall be commenced as soon as practical after the completion of grading. Site specific native seed mixtures shall be used to revegetate all disturbed areas with the exception of lawn and landscaped areas if any. Mulching shall be used in order to assure vegetation growth.

c. Topsoil, Stripping, Stockpiling, and Redistribution. The existing topsoil shall be stripped and stockpiled on site for redistribution over the completed final grade.

d. Cut and Fill Slopes. Cut and fill slopes shall be graded to a slope no steeper than 2:1, or 50%, to allow for permanent revegetation or landscaping unless a retaining wall is used or a steeper slope is approved by the County. The County may require the submission of a detailed engineering report and analysis prepared by a professional engineer or landscape architect relative to the safety of such cuts and fills, if necessary considering soil type, soil stability, and any proposed structures.

15. Sediment and Erosion Control. Practices for sediment and erosion control shall be designed, constructed and maintained to mitigate further entry of sediment to streams, lakes, ponds, or any land outside the permit area. Where applicable, sediment and erosion control measures to prevent degradation of the environment shall be instituted and consist of utilization of proper reclamation methods and sediment control practices including, but not limited to:

- a.** grading material to reduce the rate and volume of run-off;
- b.** retaining sediment within the pit and disturbed area; and,
- c.** establishing temporary vegetation or mulch on short term erosion, sedimentation or windblown dust.

16. Air Quality and Noise.

- a.** The requirements of Section 7.21 (Air Quality and Noise) of the SLDC shall be met; however, only a preliminary air quality report is required for submittal with the application. Once approved, a final air quality permit is required prior to commencement of any activity on the site.
- b. Noise Study.** A noise study showing the projected noise from the specific equipment to be used is required to be submitted with the application. Such noise study shall provide a baseline of three consecutive weekdays representative of non-excavation activities.

c. Fugitive Dust Control. Dust control is required for all active sand and gravel extraction operations.

- i. The presence of dust at a sand and gravel operation is attributable to earth moving, soil or surface disturbance, construction or demolition; movement of motorized vehicles on any paved or unpaved roadway or surface, right-of-way, lot or parking area; and the tracking out or transport of bulk material (i.e., sand, gravel, soil, aggregate, or any other inorganic or organic material capable of creating fugitive dust related to extraction activities) onto any paved or unpaved roadway in Santa Fe County.
- ii. Fugitive dust consists of airborne particulate matter from a source, resulting in particulate matter emissions that can be detected by the human eye.
- iii. Dust control measures include but are not limited to the use of wet suppression through manual or mechanical application; the use of fabric fencing material or equivalent that shall be a minimum of 24 inches in height and anchored 6 inches below the surface on the bottom edge installed around the perimeter of the disturbed surface area; the use of dump truck tarps; and the use of chemical dust suppressant applied in amounts, frequency, and rates recommended by the manufacturer.
- iv. In no circumstances shall a small scale sand and gravel operator continue extraction operations during a high wind event.
- v. All small scale sand and gravel operations shall incorporate an entry/exit apron, steel grates, or other equivalent devices capable of removing bulk material from the tires of vehicle traffic.
- vi. An applicant for a small scale sand and gravel conditional use permit shall submit a fugitive dust control plan as part of the application. The fugitive dust plan must detail the control measures the operator intends to use to reduce the quantity of visible fugitive dust, transported material, temporary cessation of activity during a high wind event and track-out leaving the property or area under the control of the operator.

17. Setbacks.

- a. 200 feet from all property lines.
- b. 200 feet from all public road rights-of-way, public recreational easements, and environmentally sensitive lands.

- c. Vegetation within the setbacks from the property boundary shall be preserved and supplemented, as necessary, for mitigation of negative impacts. Existing native vegetation on the entire operation site shall be preserved to the maximum extent possible

18. Protection Trespassing. The proposed use shall be fenced in accordance with the standards in Section 7.7. (Fences and walls) of the SLDC, for health and safety protection.

19. Height. Any equipment used for small scale sand and gravel extraction must meet the height standards for the zoning district in which it is located. Height shall be measured from existing grade prior to commencement of any grading activity on the site, and shall also conform to the height measurement requirements of Section 7.17.9.3.

20. Activities In or Near Water Bodies.

- a. **Uncontrolled/Natural Watercourses.** When working near uncontrolled, or naturally flowing, watercourses, the proposed operation shall be conducted in a manner that improves fisheries and waterfowl habitat. This requirement shall apply to any water body, which shall include: naturally occurring rivers, streams, ponds, lakes, seasonal streams and seasonal lakes.
- b. **Minimum Buffer.** A minimum 100 foot buffer of natural vegetation between the water's edge and any small scale sand and gravel operation site is required.
- c. **No Negative Impact.** No extraction shall be permitted that is deemed by the County to have a negative impact on the water body or neighbors.

21. Solid Waste. All small scale sand and gravel operations must comply with Section 7.20 (Solid Waste) of the SLDC.

22. Liquid Waste. All small scale sand and gravel operations must comply with the wastewater requirements of Section 7.13 (Water Supply, Wastewater and Water Conservation) of the SLDC.

23. Phasing. All phases shall be clearly staked prior to commencement of any activity on the property. The applicant must GPS all stakes and make them digitally available to the County upon request in GIS format based on the standard Santa Fe County GIS spatial reference.

- a. Only one phase of the development shall be excavated at a time.

10.19.3.3. Reclamation Plan and Bonding. A reclamation plan shall be provided that is designed and certified by a New Mexico registered professional engineer or landscape architect, and meets the reclamation standards specified below in Section 10.19.3.4. The plan shall restrict extraction operations to areas of workable size so that no area is left

inactive and un-reclaimed for more than 60 days, unless approved by the conditional use permit. The plan shall specify any phasing of reclamation and estimate the cost of the entire reclamation project. A bond shall be posted to implement the reclamation plan at 125% of expected cost of the reclamation. The reclamation plan does not replace a landscape plan that may be required for any subsequent development of the gravel processing and extraction site.

10.19.3.4. Reclamation Standards. The reclamation plan shall comply with the following standards:

1. **General.** Reclamation shall restore land areas to a condition suitable for new land uses. Wildlife habitat shall be restored in a manner comparable or better, to the habitat conditions that existed prior to the gravel operation. In general, all slopes shall be graded to 3:1 or flatter to promote revegetation.
2. **Grading.** Disturbed areas shall be re-graded to blend into and conform to the general natural form and contours of the adjacent areas. In general, all slopes (cut or fill) shall be graded to 3:1 or flatter. Such methods must be approved as part of the Reclamation Plan.
3. **Revegetation of all disturbed areas is required.** The plan shall describe the vegetation prior to any grading of the site and shall demonstrate how the site will be returned to its original, or better vegetated condition.
4. **Mining operations shall be allowed to progress so long as the disturbed areas within previous phases have been reclaimed within 6 months after the commencement of the new phase; provided that, the County will consider extensions due to weather conditions and taking into account seasonal changes. Reclamation shall commence within 30 days of the commencement of a new phase of extraction.**
5. **Prior to Approval of Reclamation Study.** In no case shall a location and time of excavation be approved that may have negative impacts on any state or federally designated endangered or threatened species, or critical habitat.

10.19.3.5. Annual Operating Plan and Monitoring Report. An annual operating plan and monitoring report, capable of audit, shall be prepared and submitted to the Land Use Administrator by January 31st each year. The report shall summarize the operations of the previous year including number of truck trips and sizes of trucks, the area mined, quantities mined in tonnage and cubic yards, the amount of area undergoing reclamation, and the success of reclamation including any violations issued and their outcome.

10.19.3.6. Existing small scale sand and gravel extraction uses. Any small scale sand and gravel extraction use existing prior to January 1, 1981 and having been in continuous operation, may continue operations and may expand up to 25% beyond the area currently and formerly mined on that parcel. Any small scale sand and gravel extraction use approved by the County prior to the adoption of this SLDC may continue operations in accordance with their final County approvals. Any new phase or further expansion proposed, but not previously approved, shall comply with this SLDC.

DRAFT Ch 10 10.7.15

On August 11, 2015, this Board enacted Ordinance 2015-7 which amended an article of the Land Development Code and established regulations that regulated the DCIs of landfills, junkyards and sand and gravel extraction of a certain scale. The DCI-regulatory portions of that ordinance have been migrated into this chapter as follows:

CHAPTER 11 – DEVELOPMENTS OF COUNTYWIDE IMPACT (DCIs)

11.1. Purpose. Developments of Countywide Impact (DCIs) are those that have potential for far-reaching effects on the community. DCIs are developments that would place major demands on public facilities, the County's capital improvement plan and budget, and/or have the potential to affect the environment and public health, safety, and welfare beyond the impacts on immediately neighboring properties. DCIs have the potential to create serious adverse noise, light, odor and vibration; explosive hazards; traffic congestion; and burdens on County emergency response services. Therefore, special regulation of DCIs is necessary:

11.1.1. to protect the health, safety and welfare of the citizens, residents, and businesses of the County from the potentially harmful or hazardous impacts of DCIs;

11.1.2. to ensure short and long-term compatibility (both on-site and off-site) of DCIs and the County at large;

11.1.3. to preserve the quality and sustainability of life, the economy, infrastructure, environment, natural and cultural resources, and natural landscapes; and

11.1.4. ~~to protect the degradation of air, surface water and groundwater, soils, environmentally sensitive lands and visual and scenic qualities.~~ to promote sustainability by protecting against the degradation of air, surface water, groundwater, and soils; and

11.1.5. to protect environmentally sensitive lands and visual and scenic qualities.

11.2. Scope.

11.2.1. Scope. This Ordinance shall apply to all applications for any of the DCIs listed in Section 2 herein, including any applications that are pending on the effective date of this Ordinance that have not been approved. However, the Ordinance shall not apply to development permits with vested rights that were issued as of the effective date of this Ordinance. To have vested rights, generally:

11.2.2.1. there must be prior approval by the County for use of buildings or land for the DCI, and

11.2.3.2. there must be a substantial change in position in reliance on the approval.

~~11.2.~~ **11.3. Designation.** ~~On account of~~ Due to their potential impact on the County as a whole, the following activities are ~~deemed-designated~~ DCIs subject to the requirements of this chapter:

11.23.1. oil and gas drilling and production;

11.23.2. mining and resource extraction;

11.23.3. ~~substantial land alteration;~~