

SANTA FE COUNTY

Ordinance No. 2006 - 10

AN ORDINANCE AMENDING ARTICLE XIV, TRADITIONAL AND CONTEMPORARY COMMUNITY ZONING DISTRICTS, OF THE SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1996-10, AS AMENDED, TO ADD A NEW SECTION 9, TRES ARROYOS DEL PONIENTE ZONING DISTRICT (TAP)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT THE SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE 1996-10, ARTICLE XIV, TRADITIONAL AND CONTEMPORARY COMMUNITY ZONING DISTRICTS, IS AMENDED TO ADD A NEW SECTION 9 AS FOLLOWS:

Sec. 9. TRES ARROYOS DEL PONIENTE ZONING DISTRICT (TAP)

9.1 Applicability of Ordinances and the Extraterritorial Subdivision Regulations

- A.** This Ordinance applies within the territory identified in Section 9.2 herein. All regulations, policies and conditions established via the Santa Fe County Land Development Code (herein referred to as the "Code") and the Santa Fe Extraterritorial Subdivision Regulations (herein referred to as the "ESR") shall be applicable to all property within the Tres Arroyos Del Poniente Zoning District (TAP) except those specifically modified by this Ordinance.
- B.** This Ordinance shall apply to an existing approved master plan, except as otherwise provided in this Ordinance, and shall apply to an application for approval of a master plan, preliminary development plan or preliminary plat.
- C.** The more detailed recommendations of County Resolution 2006-41, the Tres Arroyos del Poniente Community Plan (TAP Plan), shall be considered in the review and approval of all development in the TAP.

9.2 Zoning District Maps

A. Location of Zoning District Boundaries

The TAP consists of all property within the area described on the TAP Zoning District Map that is outside of the Extraterritorial Zoning District. The TAP District Zoning Map (County Zoning Map), depicting the District and the subdistricts within it, is hereby adopted and incorporated into this section. Exhibit A, attached, describes the TAP boundaries.

B. Roads and Trails Map

The TAP Roads and Trails Map is hereby adopted and incorporated into this section. The roads and trails network shown on this map shall be used as a guide for the establishment of road and trail alignments in TAP.

9.3 Purpose

The TAP is intended to implement the purposes, intent, planned land use goals and strategies of the TAP Plan, Resolution 2006 - 41, adopted and approved by the Board of County Commissioners on March 14, 2006, and EZA Ordinance 2006-02, adopted by the Extraterritorial Zoning Authority on March 30, 2006.

The TAP is intended, in part, to implement the planning policies of the Growth Management Plan's "Traditional and Contemporary Communities" land use designation.

9.4 Policies

- A. All land use proposals in the TAP must describe how they are consistent with the TAP Plan.
- B. Development in the TAP should preserve the rural character of the Tres Arroyos del Poniente community, particularly the dark night skies, quiet and open space that characterize it. Trails for walking, biking and horse back riding are an important part of the community lifestyle to be preserved and expanded as development and new road connections occur.
- C. Development in the TAP must not exceed the natural resource base (e.g. water availability, septic system effluent handling capacity, clean air, etc.) necessary to support it. TAP residents want to protect natural open spaces and water resources for future generations.
- D. Zoning should make ecological sense and should at the same time promote a sense of community by integrating diversified housing and economic development with particular emphasis on neighborliness.
- E. All future nonresidential development should be designed to address the needs of the local community.

9.5 TAP Subdistricts Established

The following TAP subdistricts are hereby established and approved for use in the TAP:

Residential Basin Fringe
Residential Basin
Neighborhood Mixed Use Overlay

Commentary: There are potentially six total subdistricts within the TAP boundary; Residential Urban, New Village Overlay and Village Center are located within the Extraterritorial Zoning District (EZD) and therefore not included in this Ordinance. The Residential Basin Fringe is located only within the area outside of the EZD and therefore will not be included in the EZ Ordinance.

9.6 TAP District Use Table

A. Principal Uses

Commentary: Principal uses are the dominant uses allowed on a lot in a subdistrict and define the character of the zone. Accessory uses are uses or structures customarily associated with a principal use and are incidental and subsidiary to principal uses on a lot. For example, residences are a principal use in the Residential Basin subdistrict; accessory uses with a residence might be a home occupation, the keeping of animals for personal use or a studio.

P Permitted Uses

A "P" indicates that a use is allowed by right in the subdistrict, in accordance with an administrative approval. Permitted uses are subject to all other applicable regulations of this Code. Application for a development permit is not required for agricultural, grazing and ranching uses as set forth in Article III, Section 1, Agriculture, Grazing and Ranching Uses.

C Conditional Uses

A "C" indicates that a use is allowed only if a Development Plan is reviewed and approved by the CDRC or applicable LDRC, in accordance with the applicable procedures of this Code. Conditional Uses are subject to all other applicable regulations of this Code.

S Special Uses

An "S" indicates that a use is allowed only if a Development Plan and Master Plan are reviewed and approved by the Board of County Commissioners, in accordance with the

applicable procedures of this Code. Special Uses are subject to all other applicable regulations of this Code.

Uses Not Allowed

A blank cell (one without a "P", "C" or "S") indicates that a use type is not allowed in the subdistrict.

Uses Not Listed

Uses not listed may be allowed in accordance with the provisions of Article III, Section 4.3.4.

B. Use Categories (Section Reserved)

C. Accessory Uses

Accessory uses are subject to all applicable provisions of the Code and Section 9.8, Supplemental Use Regulations.

D. Temporary Uses

Temporary uses are subject to all applicable provisions of the Code.

Commentary: The Use Table, below, is organized into 5 major use categories: Residential Use, Public, Civic and Institutional Use, Retail, Service and Commercial Use, Industrial Use, and Open Use. Each major use group is further divided into specific uses. The use category system is based on common functional, product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.

	All household living not listed below	P	P
	Single-family dwellings, attached and detached, and manufactured homes	P	P
	Two-family dwellings (duplexes)	P	P
	Multi-family dwellings		
	Manufactured home communities and subdivisions		
	Mobile homes	C	
	Upper floor residential		C
	Live work units		C
	All group living not listed below	C	C
	Community residential homes (6 or fewer residents)	P	P
	Community residential homes (7-14 residents)	C	C
	Community residential homes (>14 residents)	S	C
	Family compounds	P	P
	All places of worship	C	C
	All day care not listed below	C	C
	Day care (13 or more adults or children)	C	C
	All community service not listed below	S	S
	Community facilities	C	C
	Libraries	S	C
	Museums	S	C
	Philanthropic institutions	S	C
	Senior centers	S	S
	All educational facilities not listed below	C	C
	Elementary schools	C	C
	Middle or high schools	S	C
	Colleges or universities		S
	Business and vocational schools		C
	All government facilities not listed below		C
	Emergency services	C	C
	Jail or prison		
	Post office		C
	All parks and open space not listed below	C	C

TAP Business Name					
Places	Cemeteries, columbaria, mausoleums, memorial parks		C	C	
	Public parks		P	P	
Passenger Terminals	All passenger terminals not listed below			S	
	Airports				
	Airports or heliports, private				
Social Service Institutions	All social service institutions			S	
Utilities	Utilities not listed below		C	C	
	Major utilities		S	S	
	Minor utilities		C	C	
	Telecommunications facilities		C	C	
Entertainment Events, Major	All major entertainment events, not listed below			S	
	Fairgrounds				
Medical Services	All medical services not listed below			S	
	Hospitals				
	Medical and dental offices/clinics				
	Emergency medical offices			C	
Offices	All offices not listed below			S	
	Offices (<5,000 square feet)			C	
	Offices (>5,000 to 50,000 square feet)				
	Office uses (>50,000 square feet)				
Parking, Commercial	All commercial parking lots and garages				
Transient Accommodations	All transient accommodations not listed below				
	Inns and bed and breakfasts (<7 units)		S	C	
	Inns and bed and breakfasts (7-12 units)			C	
	Hotels and motels (>12 units)				
	Resorts (with or without conference centers)				
Indoor Recreation	All indoor recreation not listed below				
	Adult entertainment				
	Convention or conference center				
	Private clubs and lodges (not-for-profit)			S	
	Entertainment and recreation, indoor			C	

	All outdoor recreation not listed below		S	
	Golf courses			
	Recreational uses, outdoor	C	C	
	Outfitter and guide services	C	C	
	Racetracks, animal			
	Racetracks, motorized			
	Recreational vehicle park/campground			
	Riding academies and public stables	C	C	
	Stadiums			
	All restaurants and bars not listed below			
	Restaurants			
	Restaurant, serving beer, wine, or liquor			
	Taverns and bars			
	All indoor retail sales and services not listed below		S	
	Convenience stores			
	Farmers Markets		C	
	Gasoline and fuel sales			
	Greenhouses or nursery, retail		C	
	Liquor stores			
	Outdoor markets			
	Personal service establishments		C	
	Retail establishments, indoor <5,000sf		C	
	Retail establishments, indoor >5,000sf to 50,000sf			
	Retail establishments, indoor >50,000			
	Vehicle parts and accessories		S	
	Video and DVD rental establishments		S	
	Vehicle sales and service not listed below			
	Vehicle service, general		C	
	Vehicle service, intensive			
	Vehicle sales and leasing			
	Storage not listed below		S	
	Mini-storage units		S	
	Industrial sales and service not listed below		S	
	Arts and Crafts		C	

Industry Sector			
Manufactured home sales and service			
Plumbing and electrical contractors			C
Woodworking, including cabinet makers and furniture manufacturing			C
Warehouse and freight movement not listed below			
Transport and shipping			
Truck stops			
Outdoor storage yards			S
Waste-related services	Waste-related services not listed below		
	Landfills		
	Recycling facilities		
Wholesale trade	Wholesale trade not listed below		S
	Equipment rental		S
	Mail-order houses		S
Heavy industry	All heavy industrial		
Resource extraction	All resource extraction not listed below		
	Mining and extractive uses		
	Sand and gravel operations		
Agriculture	All agriculture not listed below		
	Agriculture, grazing and ranching	P	C
Agricultural business	All agricultural business not listed below		S
	Animal boarding or training (large animals)	C	C
	Animal boarding, kennels, shelters (small animals)		C
	Animal breeding (commercial) and development	S	C
	Animal hospital or veterinarian (large animal)		S
	Animal hospital or veterinarian (small animal)		C
	Animal processing, packing, treating, and storage		
	Animal raising (commercial)	C	C
	Dairy farm or milk processing plant, commercial		
	Greenhouse or nursery (wholesale)	C	C
	Feed lot, commercial		
	Livestock auctions or stock yards		
	Livestock or poultry slaughtering or dressing		

Processing of food and related products		S	
Retail Sales of farm equipment and supplies		S	
Packing house for fruits or vegetables			
Tree or sod farm, retail or wholesale	C	C	

Commentary: Cross references to the applicable sections of the County Land Development Code will be added in the Use Categories and Use Standards columns when this Ordinance is incorporated into the revised and adopted Land Development Code (Code Rewrite)

9.7 Density and Dimensional Standards

The following table illustrates the dimensional standards that apply in the TAP. Measurements and exceptions to the standards of this schedule are listed in the table notes.

Commentary: The density and dimensional standards set forth in this section are not a "guarantee" that stated development density and intensities can be attained. Other factors—water and other public facility availability, infrastructure capacity, building layout, physical limitations, and parking configuration to name a few—may have the effect of limiting development intensity more than the stated standards. If, for example, adequate water is not available, Article VII, Section 6, Water Supply, will dictate lot sizes that exceed those of the zoning district. The inability to attain maximum development intensities shall not serve as justification for adjusting other standards. See also Section 9.8, Supplemental Use Regulations and Section 9.9, Supplemental Dimensional Regulations.

TAP														
Subdistrict	Min Lot Area (ft ²)	Min Lot Depth (ft)	Min Side Lot Line Setback (ft)	Min Rear Lot Line Setback (ft)	Min Side Lot Line Setback (ft)	Min Rear Lot Line Setback (ft)	Min Lot Area (ft ²)		Min Lot Depth (ft)		Min Side Lot Line Setback (ft)		Min Rear Lot Line Setback (ft)	
							Residential	Commercial	Residential	Commercial	Residential	Commercial	Residential	Commercial
Neighborhood							20	20	24	24	24	0	5	5
Mixed Use Overlay (2)														
Residential Basin	10		2.5	2.5	2.5	2.5	20	20	24	24	24	0	5	5
Residential Basin Fringe	50		12.5	2.5	2.5	2.5	20	20	24	24	24	0	5	5
Notes:														
(1) Where adequate water is available, minimum lot area may be reduced by employing water conservation measures and reducing water use. Reductions may be achieved by submitting proof of adequate long term water availability, connecting to community water, community sewer or both (W&S), all in accordance with Article III, Section 10, Lot Size Requirements of the Code or, such additional density bonus and lot size provisions of County Ordinance 2006-02, Affordable Housing.														
(2) Densities for overlay subdistricts are determined by the standards for the underlying subdistricts.														
(3) Setbacks shall be measured from the property line or from the edge of the road easement where the property line is inside the road easement.														

9.8 Supplemental Use Regulations

A. Preservation of Community Character

The following standards shall apply to all new development in the TAP and shall be interpreted in conformance with the TAP Plan:

1. The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.
2. Clustering of houses is encouraged to preserve natural open areas.
3. Preserve distinctive natural features such as vistas, arroyos, significant rock outcroppings, and large trees, wherever possible.
4. Native vegetation shall be preserved and local native plants used for landscape buffers and screening.
5. Affordable housing shall not be segregated from market rate housing within developments.
6. Developments shall design roads and driveways that follow the natural terrain without creating large cut and fill areas; roads shall be designed with natural edges, using shoulders, ditches and grassy swales rather than curb and gutter, except in New Villages, small lot or cluster developments.
7. Noise and lighting standards shall be strictly enforced.

B. Non-residential Building Setbacks from Residential Neighbors:

1. Building and parking areas shall be set back 50 feet from the property line of existing residential properties.
2. The building and parking setback may be reduced to 25 feet if buffered by a 6 foot perimeter stucco, site wall or solid wood fence, or a combination of landscape berm (minimum 3 feet, 3:1 maximum side slopes) and wall or fence. Berms shall be naturalistic in style.

C. Accessory Uses and Structures

Any accessory use or structure normally and customarily associated with a principal use may be permitted subject to the same requirements associated with the principal use.

1. All accessory uses and structures must be incidental or subordinate to the principal use and structure on the lot; accessory uses and structures may be attached or detached from the principal building.
2. Accessory uses and structures shall not be commercial, except for approved home occupations or home businesses.
3. Accessory uses and structures shall comply with applicable provisions of this Code, including lot coverage, height and setback regulations.
4. Residential accessory structures greater than 2,000 square feet may be allowed, subject to the approval of a Conditional Use Permit.
5. Accessory structures shall not be used as a dwelling or previously used as a dwelling or designed such that it could be converted into a dwelling.
6. Accessory structures shall use a shared driveway with and be served by utilities from the principal use unless otherwise approved.
7. Residential accessory uses include, but are not limited to, home day care for five people or less, keeping and raising of animals for personal use, arts and crafts, recreational facilities for personal use, approved home occupations and approved home businesses.
8. An accessory structure includes, but is not limited to, an office/art studio/workshop, garage or carport for storage of personal vehicles, utility or storage sheds, a stable or barn, or a greenhouse.
9. Any dwelling unit or parcel of land may only have one accessory structure that contains either a kitchen or cooking facilities or a bathtub or shower, but not both, whether in the same or several accessory structures.

Commentary: This section will be replaced by a section within the County Land Development Code when this Ordinance is incorporated into the revised and adopted Land Development Code (Code Rewrite).

D. Home Occupations

A home occupation shall be allowed as an accessory use to a residential dwelling and shall be permitted subject to compliance with the following standards:

1. Each home occupation must receive a Business License pursuant to the requirements of Ordinance 1992-3, Business Licenses.
2. The home occupation shall be clearly incidental and secondary to the principal use of the residence, and not more than 50 percent of the floor area of the dwelling or 1,500 square feet, whichever is less, shall be used in the conduct of the home occupation; use of a larger area, up to 2,500 sq ft, may be approved as a conditional use permit.
3. All activities related to the home occupation shall be conducted entirely within the dwelling or within customary residential accessory structures.
4. Not more than 2 persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation.
5. There shall be no outside storage of any kind related to the home occupation.
6. The occupation shall not be disruptive of the residential character of the neighborhood.

7. No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area;
8. The home occupation shall not create any disturbing or offensive activity, noise, vibration, smoke, dust, odor, heat, glare, or other unhealthy or unsightly condition;
9. The occupation shall not create a traffic or parking problem;
10. The occupation shall not involve retail sales unless incidental to the home occupation, kennels, intensive vehicle service (auto repair, body shops, etc.) or the storage of construction equipment;
11. No storage of a vehicle(s) with 3 or more axles or similar construction equipment shall be permitted;
12. Home occupations may have a maximum of one sign advertising the accessory use in accordance with the requirements of Subsection 9.1.8 J, Signs;
13. There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation; and
14. Off-street parking shall be required for employees, customers, and clients of the home occupation.
15. No more than 8 appointments, guests, customers or visitors related to a home occupation shall visit the site per day.
16. Horse boarding and training for up to 6 horses shall be permitted. Riding lessons and horse rental shall not be permitted. Outdoor corrals and pasture shall not be counted toward the home occupation area limits.

E. Home Businesses

Home businesses, including but not limited to, retail shops, galleries, offices or restaurants, may be allowed as accessory uses to single-family dwellings within the Neighborhood Mixed Use and Village Center subdistricts so long as the use complies with the following:

1. A site development plan shall be submitted and all uses and plans shall be subject to a conditional use permit;
2. Not more than 2,500 square feet shall be dedicated to the use;
3. The owner shall reside on site; and not more than six persons, other than members of an immediate family residing on the premises, shall be regularly engaged in work at the site of the home business;
4. All outdoor storage shall be screened and there shall be no more than 1,000 square feet of storage related to the home business;
5. No equipment or process shall be used that interferes with the existing use of property in the adjacent area;
6. Such uses shall comply with any otherwise applicable use-specific standards of this Code; and
7. The use shall not create any disturbing or offensive activity, noise, vibration, smoke, dust, odor, heat, glare, or unhealthy or unsightly condition.
8. Drive-up or drive through restaurants shall not be allowed and beer, wine or liquor sales are prohibited.

Commentary: The standards in this section will be replaced with a reference when this Ordinance is incorporated into the revised and adopted Land Development Code (Code Rewrite).

F. Nonconforming Uses

Nonconforming uses and lots shall comply with the requirements of Article II, Section 4 or Article III, Section 4.2.4 of the Code, as applicable. Nonconforming legal uses which have previously been expanded under the Code shall not be allowed further expansion based on adoption of this Ordinance.

9.9 Supplemental Dimensional Standards Setbacks

Setbacks from major and minor arterial roads, highways, or limited access highway rights-of-way are set forth in the ESR, Section 3.5.10.

9.10 District Standards

A. Open Space

1. Protection of Arroyo Corridors

- a. Except as provided below, development shall be set back a minimum of 50 feet from the natural edge of the Arroyo Calabasas, Arroyo de los Frijoles and Arroyo de las Trampas. A minimum 25 foot set back is required from the natural edge of other streams, waterways, drainage ways or arroyos that may convey a discharge (Q) of 100 cubic feet per second (100 cfs) or more, generated by a design storm (100-year recurrence, 24 hour duration); the required setback may be increased if the Administrator determines that a clear hazard exists pursuant to the procedures set forth in Article VII, Environmental Requirements.
- b. Trails and outdoor recreational uses, but not buildings, are allowed within arroyos and arroyos setback areas;
- c. Bridges, gardens, acequias, detention ponds and other erosion control facilities, access and utility corridors are allowed within setback areas; and
- d. Exceptions to these setback standards may be approved by the Administrator pursuant to standard engineering practice and alternative stormwater management practices.

2. Open Space Required

- a. Any proposed subdivision or land division shall preserve no less than thirty percent (30%) of the entire tract as permanent open space.
- b. The following property may be considered open space for the purpose of meeting the 30% requirement:
 - (1) Major arroyos or other open space mapped on the TAP District Zoning Map;
 - (2) Common or Public Parks and Plazas;
 - (3) Trails allowing public access and connecting the TAP Trail system;
 - (4) Public trailheads;
 - (5) Archeological easements;
 - (6) Setbacks required by the Highway Corridor Standards; 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.
- c. The applicable density for the entire tract is transferred to that portion of the tract designated for development.
- d. 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.
- e. The permanent open space shall be covenanted and 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.

3. Open Space Standards

- a. Open space shall be designed in a manner that creates contiguous or continuous natural areas rather than scattered small locations within a development.
- b. Where applicable, open space must be integrated into the trail system within the TAP.

- c. 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.
- d. 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.
- e. 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.
- f. Perimeter setbacks on properties may not be used as open space unless the area meets a standard of Section A 2, Open Space Required, above, or a buffer is needed for adjacent properties.
- g. Dedicated open space lands, whether public or private, may not be enclosed by fences, walls or other structures except for wire or other open fencing to contain livestock and delineate trail easements or gates to limit motorized access.

B. Roads and Access Management

- 1. Roads in new developments shall be designed to minimize runoff using impoundment and by minimizing total road area.
- 2. The maximum width of roads shall be two lanes for access and internal circulation except where turning lanes, acceleration and deceleration lanes are required.
- 3. Trails or sidewalks shall accompany all arterial, minor arterial, collector, and sub-collector roads as set forth in Subsection 9.10 C, Trails, below.
- 4. Safe road crossings should be spaced approximately every ½ mile for pedestrians and every mile for equestrians, consistent with the Santa Fe Urban and Extraterritorial Future Roads Plan and the TAP Roads and Trails Map.

C. Trails

Applicants are encouraged to contact the County Open Space and Trails Division early in the project planning stage to discuss trail location, system connectivity, and other requirements.

1. Intent

- a. 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.
- b. 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.
- c. 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.

2. Policies and Requirements

- a. New developments must provide trails and trail connections as shown on the Roads and Trails Map. 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.
- b. 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.

- c. 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 from the edge of the roadway by a minimum 4' wide landscaped area, 3'6" high (minimum), 3-rail wooden fence (posts and boards or split rail), or other acceptable natural barrier (spaced boulders, etc.).
- d. The County and the community shall work with existing developments and property owners to provide trails and connections where feasible.
- e. County trails that would connect to completed trails within the TAP should be completed by the County as soon as practicable.
- f. The County shall ensure trail access to, and along, existing and new County Roads and Arterials.
- g. New development shall not block access to the trail system shown on the Roads and Trails Map. Wherever possible, access to the trail system shall be accomplished by providing off-road facilities.

3. Trail Categories

a. District Trails:

- (1) District Trails are major components of the County-wide trail system functioning in the TAP as a district-wide connective trail system. They fulfill the sidewalk, path and trail requirement along paved streets and roads (ESR Sec. 3.5.7). The District trails in the TAP tend to follow arterial road corridors and the major arroyos that traverse the TAP. These non-motorized trails provide alternative transportation routes and connections to Local Trails and are best located off-road in natural settings away from conflicting automotive traffic.
- (2) The District Trails are shown on the TAP Roads and Trails Map and/or the County Open Lands and Trails Plan. District Trails shall be designed as a shared-use facility for pedestrian, bicycle and equestrian uses. Where necessary to promote the safety of all users, the multiple uses of District Trails shall be divided between separate trails. Bicycle access may be provided both on and off-road.
- (3) Master Plans, development plans, and plats shall show District Trails in the approximate locations shown on the Roads and Trails Map or, where off-road trails are substituted, in an approved location that provides equal system connectivity and promotes the safety of all users.

b. Local Trails:

- (1) Local Trails are the secondary trails connecting TAP neighborhoods and subdivisions to the District Trail network. They shall be identified at Master Plan or Preliminary Development Plan or plat submittal.
- (2) Where appropriate, Local Trails shall be designed as shared-use facilities for pedestrian, bicycle and equestrian uses. At a minimum, Local Trails shall be designed for pedestrian and bicycle use. Where necessary to promote the safety of all users, the multiple uses of Local Trails shall be divided between separate trails.
- (3) Local Trails may be required through new development to ensure access to the District Trails for older neighborhoods. Sidewalks required on streets may be part of the local trail system within a New Village or cluster development.

c. Equestrian Trails:

Equestrian trails are an integral part of the District and Local trail system. Equestrian-only trails are encouraged to be provided for the safety and enjoyment of all users. They shall be identified in the Master Plan or Preliminary Development Plan submittal. Equestrian trails should be separate from bicycle

trail uses. Pedestrian and equestrian uses may be combined within a single easement if sufficient tread width and user separation is provided.

4. Trail Location Standards

a. Arroyos, Floodplains and Natural Areas

- (1) 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.
- (2) Trails may be located in preserved natural areas based on a case-by-case review with appropriate trail guidelines.
- (3) Trail corridors are encouraged to be located on, or along, existing traditionally used trails within the TAP.

b. Easements and Rights-of-Way

- (1) Trails shall be located on public lands, in public rights-of-way, or within dedicated easements.
- (2) 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.
- (3) Santa Fe County shall be granted public trail easements for development-required trails that are components of the public trail system.
- (4) If possible, off-road trails and paths shall be located in utility corridors or other existing, publicly dedicated routes.
- (5) 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.

5. Design Standards

a. The following standards shall apply:

	Minimum or Maximum			
	District	Local	District	Local
Trail Easement/ Right of Way Width	20' minimum 20' – parallel pedestrian and equestrian trails	15' minimum	15' minimum 20' –parallel pedestrian and equestrian trails	
Trail Tread	8' minimum	6' minimum	8' – minimum; 10' preferred	
Surface	Asphalt, Concrete, compacted crusher fines or other approved hard surface	Compacted crusher fines, stabilized native soil or other approved material	Compacted, imported road base material, limestone crusher fines, or other approved material.	Compacted sand or sand/gravel mix, suitable, stabilized native soil or other approved material.

b. On-road trails shall meet AASHTO standards, as applicable.

c. The Land Use Administrator may enforce construction guidelines, based on recommendations from the County Open Space Division and Public Works Dept.

Commentary: This subsection on trail design standards will be replaced by County-wide Trail Design and Construction Standards and Guidelines when those are adopted.

D. Water and Waste Water

1. New development

- a. 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.

- b. Applicants shall design, engineer and construct any sewer systems within subdivisions to allow common collection of water for a county sewer system, even if not currently available, and the development shall connect to county sewer as soon as it is available.
- c. All residential lots platted subsequent to the adoption of the TAP Community Plan shall limit water use to a maximum of .25 acre feet per year.
- d. Clustering shall be encouraged to limit long term maintenance costs of water and sewer systems.
- e. New buildings shall 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 NMED Liquid Waste or Ground Water Quality Bureau permits are required when a grey water system is installed.

2. Existing lots and uses

All existing undeveloped residential Legal Lots of Record platted prior to the adoption of the TAP Community Plan shall limit water use to a maximum of .25 acre feet per year.

E. Architectural Standards for Principal Uses

The following standards shall not apply to Master Plans approved prior to the adoption of this Ordinance (November 14, 2006).

1. Residential Uses

- a. Building roofs shall have a maximum Light Reflective Value of 30%.
- b. Building exteriors shall have a maximum Light Reflective Value of 40%.

2. Non-residential Uses

- a. Building exteriors shall be finished predominantly with earth tone colors with stucco or adobe as the predominant material.
- b. Brighter highlight and trim colors are permitted on 5% of a building exterior surface.
- c. Building exteriors shall have a maximum Light Reflective Value of 40%.
- d. Building roofs shall be non-reflective surfaces with a maximum Light Reflective Value of 30%.
- e. 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.

3. Agricultural Uses

- a. 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.
- b. The specific building treatments shall be reviewed as part of the development plan approval.

F. Utilities

All new utilities shall be installed underground.

G. Landscaping

- 1. Preserve native species and topography in setback areas and other undeveloped areas on lots.
- 2. Outside of protected courtyards plant only drought tolerant species. Do not introduce plants that might invade and replace native species. See the list of appropriate and invasive species in the Code Appendix and the TAP Plan Appendix.

H. Outdoor Lighting

All outdoor lighting, including sign lighting, shall be fully shielded and directed down and otherwise in accordance with the requirements of Article III, Section 4.4.4 Outdoor Lighting. In addition:

1. Intensity

- a. 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.
- b. Overall lighting levels shall not exceed 0.5 average horizontal foot-candles, the maximum levels set forth in residential lighting guidelines of the IESNA (Illuminating Engineering Society of North America) Lighting Handbook, ninth edition, and as amended, in particular Chapter 21, Exterior Lighting and Chapter 22, Roadway Lighting.
- c. Individual streetlights and parking area lights shall be sodium vapor and shall not exceed 250 watts. Lights that are used to minimize glare and blind spots along streets shall not exceed 150 watts unless they are located at a major intersection.
- d. Illumination levels and uniformity shall in no case exceed the current recommended practices of the Illuminating Engineering Society.

2. Heights

Street lights shall not exceed 24 feet in height. Other outdoor lights shall not exceed 17 feet in height or the height of the lowest adjacent building, whichever is less. Lights illuminating landscaping or art shall not exceed 4 feet in height.

3. Prohibited Lighting

Neon, flashing, traveling, intermittent, spot, and architectural lights are prohibited.

4. Lighting for Outdoor Art and Landscaping

- a. Low-intensity lighting is allowed for illuminating outdoor landscaping.
- b. Within Village Centers low intensity lighting is also allowed for illuminating outdoor art.

5. Light Spill

Direct lighting from one lot or project shall not spill over to another lot or adjoining property.

6. Hours of Operation

Lights are not allowed during the hours when a business or other non-residential use is not open except for timed, motion-sensor, interior, and automatic teller machine lights.

I. Signs

The following standards shall not apply to Master Plans approved prior to the adoption of this Ordinance (November 14, 2006).

1. General

Signs shall comply with the requirements of Article VIII, Signs, except as otherwise provided in this Section.

2. Residential Uses

Residential uses shall be allowed one identification sign of a maximum size of one square foot. This shall include any identification of a home occupation.

3. Subdivision and Development Identification Signs

Signs announcing entry to subdivisions or other development shall comply with the following provisions:

- a. Signs identifying a residential subdivision shall be located within the subdivision at external street entrances to the subdivision, not to exceed 2 such signs.

- b. Signs identifying another type of 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 external street entrances to the development, not to exceed 2 such signs.
- c. Signs shall be monument-supported signs. Monuments supporting the signs shall not exceed 30 square feet and 5 feet in height.
- d. The sign face or letters shall not exceed 20 square feet.
- e. All signs shall be set back a minimum of 5 feet from property lines.

4. Non-residential Uses

In addition to development identification signs described above, individual non-residential uses within a multi-use or multi-business project may identify the business or use with signs meeting the following provisions:

- a. Each business or use is allowed signs equal to 1 square foot per linear foot of storefront, not to exceed a total of 20 square feet. Signs may be monument, canopy or wall signs.
- b. Mixed use development projects may submit a sign plan to establish guidelines and placement requirements to unify the variety of signs associated with a master planned community: entry monuments, directional signs, and building mounted and canopy signs for mixed use areas.

5. Prohibited Signs

The following signs are prohibited:

- a. Off-site business or civic advertising signs.
- b. Pole mounted signs.
- c. Roof signs.
- d. Internally lit signs.
- e. Neon signs.
- f. Signs higher than 80% of the height of the highest building on the lot or project.

J. Off-street Parking and Loading

The following standards shall not apply to Master Plans approved prior to the adoption of this Ordinance (November 14, 2006).

1. General

Non-residential and multi-family residential uses shall comply with the requirements of Article III, Section 9, Parking Requirements, of the Code except as otherwise provided in this Section.

2. Parking

- a. Place parking to the sides and rear of buildings to minimize the visual impact from public roadways.
- b. Screen parking from the public right of way by a landscape berm (minimum 3 feet, 3:1 maximum side slopes) or a wall with landscaping (minimum 3 feet, maximum 4 feet), or use the building or existing terrain and trees to screen. Berms may be combined with walls to provide screening.
- c. Parking lots shall be located and constructed so that views of commercial lots are effectively shielded from residential neighboring lands. Screen parking from adjacent residential property by a stucco wall (minimum 4 feet; maximum 6 feet) and landscaping or naturalistic berm (minimum 3 feet; 3:1 maximum side slopes).
- d. Parking lot surfaces may be gravel or other approved permeable surfacing, as long as ADA standards can be met.

3. Screening of Outdoor Storage, Loading and Service Areas

Service areas, loading areas, outdoor storage areas, and trash receptacles for other than single-family houses shall be screened with buildings, walls, berms, vegetation,

or existing terrain. The screening for loading areas and outdoor storage areas shall be a minimum of 6 feet in height and a maximum of 8 feet in height. All screening shall provide protection of the enclosed area from animals and wind.

9.11 Neighborhood Mixed Use Overlay Subdistrict

A. Applicability

Potential boundaries of a Neighborhood Mixed Use Overlay Subdistrict are shown on the TAP Zoning District Map. Properties within this area are eligible for rezoning to Neighborhood Mixed Use Overlay Subdistrict in accordance with the provisions herein. Properties within these boundaries have no absolute right to be rezoned but may be considered for a rezoning in accordance with County procedures.

B. Intent

1. Due to proximity of the animal shelter to the north and a sawmill to the east, some parts of the properties located at the southwest corner of the TAP that are not near SR 599 may be suitable for mixed uses as transition zones at a scale and in a character appropriate to surrounding land uses.
2. The property is vacant and zoned residential /agriculture, but new development on adjacent public lands is being developed as institutional or special community uses that may not be compatible with residential use of the site. Sensitive and creative design of the entire site will be needed to plan appropriate mixed use development compatible with the existing residential neighborhood to the east and so that any non-residential uses are not competitive to the primary village commercial centers to the north and east planned to serve the community.

C. Mix of Uses

1. Any development that exceeds 15,000 square feet shall provide for a minimum of 25% residential floor area and a minimum of 25% non-residential floor area. This shall be calculated for the entire project, not individual lots within a project.
2. The total amount of non-residential development in the Mixed Use Overlay District is limited to 87,120 square feet.

87,120 sf is derived by using the Neighborhood Center maximum acreage of 20 ac. X 20% lot coverage and assuming half of total development could be non-residential. This is a realistic and generous amount given the scale of the adjacent non-residential uses, the standards for the Aldine Village Center (now at 22 acres in size) that is the main commercial area in the TAP and the projected demand analysis completed for the TAP Plan. It also conforms to recent ordinances adopted for the US 285 Corridor neighborhood scale centers.

D. Supplemental Design Standards

Mixed Use development shall be designed in character to transition to the surrounding uses.

1. Residential uses shall be located next to residential uses on neighboring lands.
2. Buildings with non-residential uses shall be oriented to internal access streets, not toward neighboring residences.
3. If buildings or lots are clustered, there shall be a density transition or buffer adjacent to pre-existing residences.
4. Development shall be designed as a transition from any neighboring mixed or non-residential uses.
 - a. The scale of new buildings and uses shall approximate the scale of neighboring buildings and uses.
 - b. The character of new buildings shall be similar to neighboring buildings.

E. Density

Residential density shall be calculated based on the underlying subdistricts, including density bonus and open space options and/or density transfer where applicable.

F. Supplemental Structural Standards

1. The size of any building shall not exceed 15,000 square feet.

2. Any building that exceeds 5,000 square feet shall be broken into smaller design elements in order to reduce the bulk of the building.
3. 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.

9.12 Special Community Notice and Procedural Requirements

A. Posting and Notice

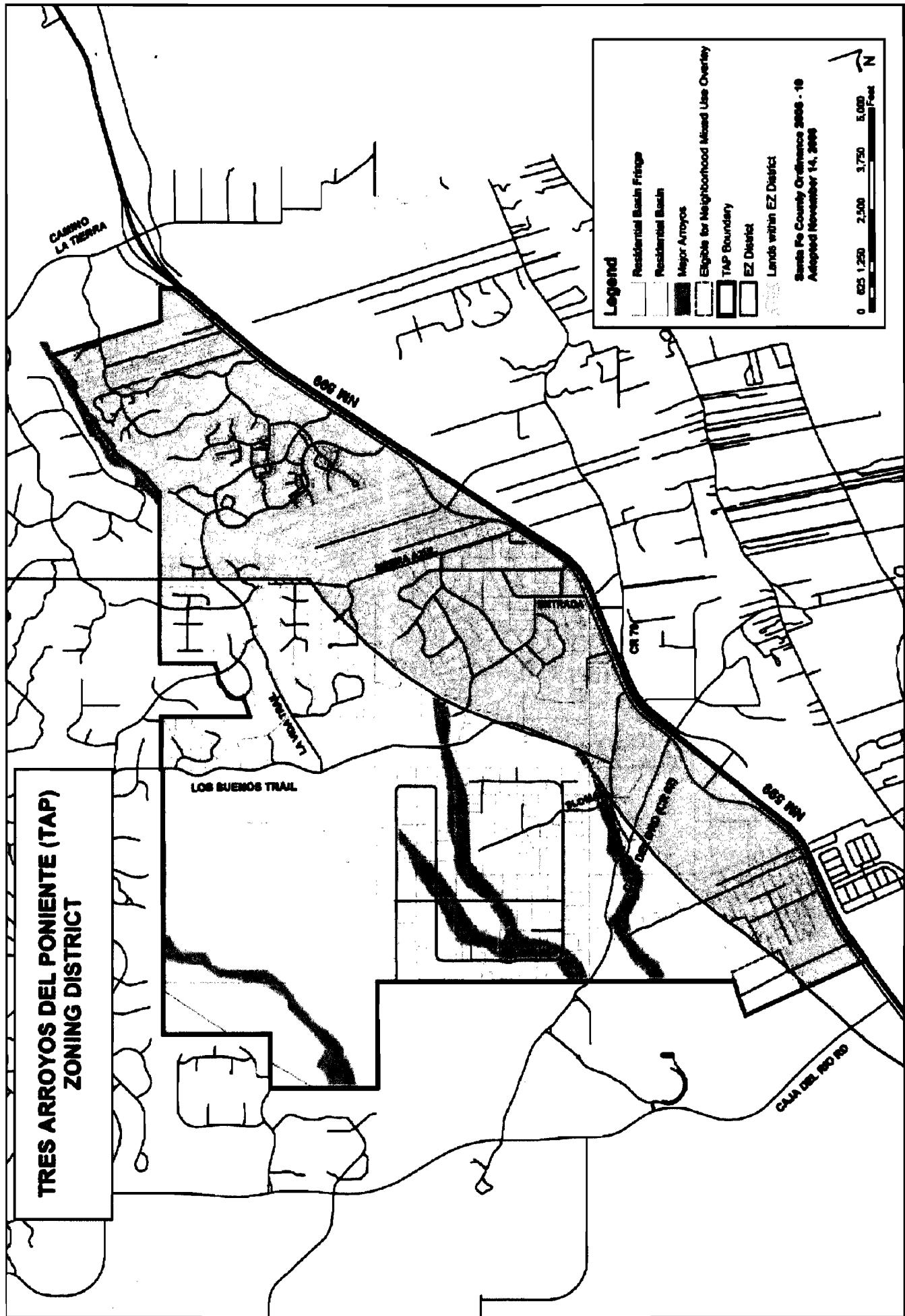
1. Notice of all development applications for land divisions, subdivisions, rezoning, non-residential use, including home occupation or home business, or other applications requiring committee review shall be posted prominently on all sides of the land, building, or other structure which is the subject of the application in such a way as to give reasonable notice to persons interested in the application. A laminated copy of the Site Development Plan showing existing and proposed development shall be firmly attached to the poster.
2. The applicant shall mail notice to neighborhood organizations on the County's agenda list, and to all property owners within 500 feet (excluding rights-of-way) of the subject property.

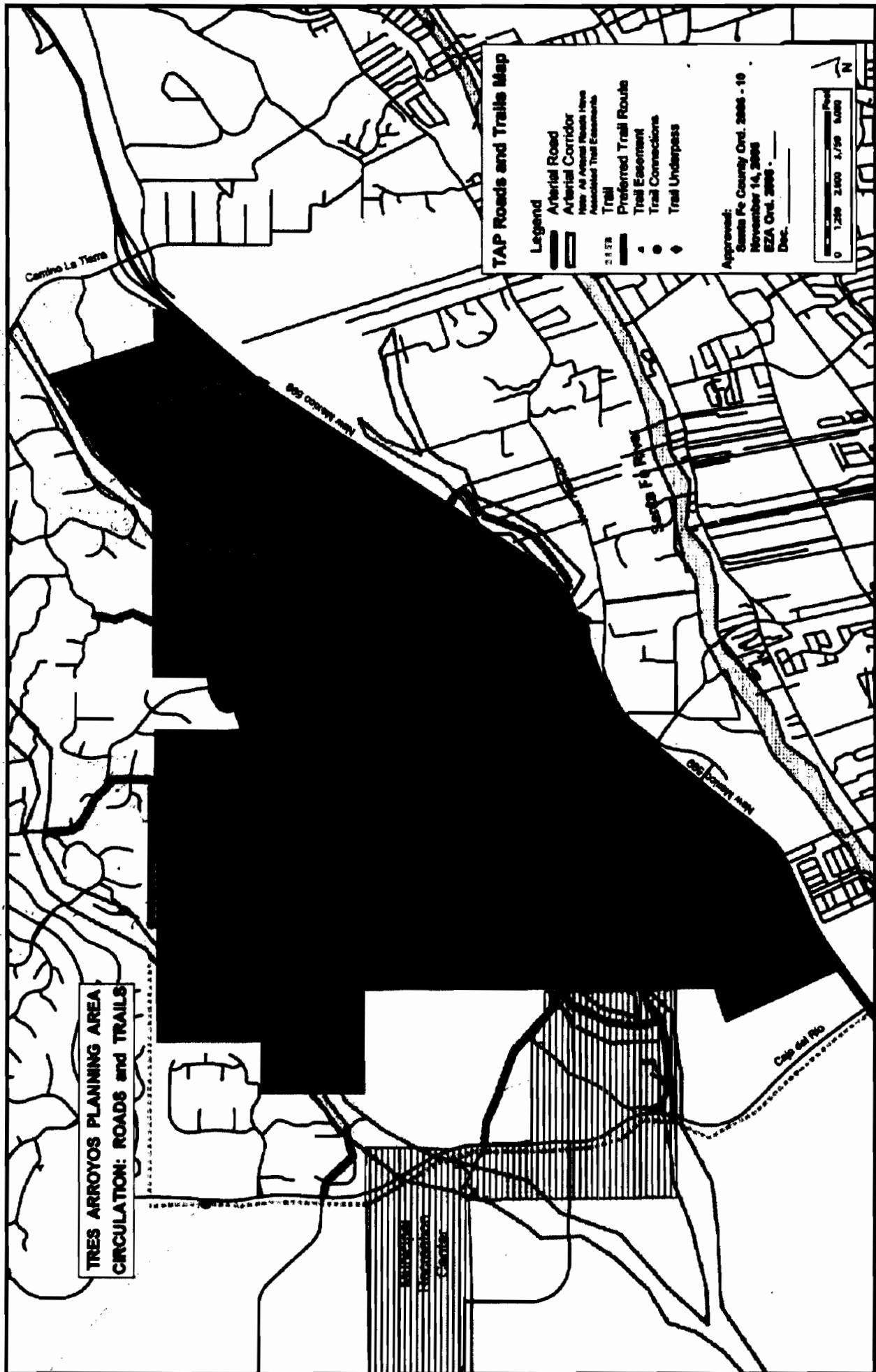
B. Community Pre-application Review

Applicants for any subdivision or non-residential development shall hold a Pre-application meeting in the community to present the development concept and gather public comments and concerns about the development.

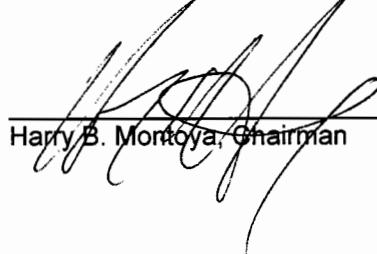
1. The applicant shall publish notice of the time, place and purpose of the meeting in a newspaper of general circulation in the community and shall mail notice to Santa Fe County, neighborhood organizations on the County's agenda list, and to all property owners within 500 feet (excluding rights-of-way) of the subject property. The property shall be posted as set forth above.
2. The applicant shall record the meeting proceedings and submit a written record to the County along with the application for development.

Commentary: Section 9.12, Special Community Notice and procedural Requirements, will be replaced by the new notice requirements of the Land Development Code when this Ordinance is incorporated into the revised and adopted Land Development Code (Code Rewrite).





PASSED, ADOPTED AND APPROVED this 14th day of Nov, 2006, by the Santa Fe County Board of County Commissioners.

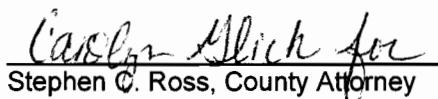

Harry B. Montoya, Chairman

ATTEST:


Valerie Espinoza, County Clerk



APPROVED AS TO LEGAL FORM AND SUFFICIENCY:


Stephen C. Ross, County Attorney

CERTIFICATE OF FILING

I, Valerie Espinoza, County Clerk, do hereby certify that the foregoing ordinance, designated as Ordinance, No. 2006 - 10, was filed in my office on the 16 day of Nov., 2006, in Instrument No. 1459617.

SANTA FE COUNTY CLERK


VALERIE ESPINOZA



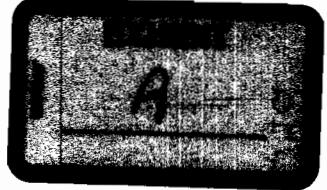
COUNTY OF SANTA FE)
STATE OF NEW MEXICO)
ss

BCC ORDINANCE
PAGES. 26

I hereby certify that this instrument was filed for record on the 16th Day of November A.D. 2006 at 10:49 AM and duly recorded in instrument # 1459617
in the Records of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

Deputy / Marcello J. Sosa



Description of TAP District Boundary

- Beginning at the Southwest point of the Tap Boundary and the 599 north bound lane
- In a NW direction following State land to the NW point of Lot 2, #43 Baca Ranch Court, bordering the City owned land
- NE direction following parcel Lot 2, #43 Baca Ranch Court to the section line shared between T17N R08E S35 and T17N R08E S36
- North to the section corner common to T17N R08E S25, T17N R08E S26, T17N R08E S23, T17N R08E S24
- West to the SE point of the “King Brothers Ranch Subdivision” Tract 5-4
- North to Paseo De Estrellas Road
- Easterly direction to the most SE point of Tract 1 Lot 4 of the “Rancho De Los Ninos Subdivision”
- North following “Rancho De Los Ninos Subdivision” to the T17N R08E S14 section boundary (projection ending at the “Las Campanas VII Subdivision”)
- East along Section line common to T17N R08E S14 and T17N R08E S23 to the most NE point of “The Northwest Ranches Subdivision Phase I” (Lot 2-10)
- South to the most SW point of Lot 24 “La Serena Subdivision”
- Follow the north side of the “La Vida Subdivision
- North to T17N R09E S18 section line, following the boundary of “La Serena Subdivision”
- East along section line common to T17N R09E S18 and T17N R09E S19
- Follow the south side of the “Las Campanas Estates Phase II”,
- SE following “The Las Campanas Santa Fe Center” boundary
- East along “The Las Campanas Santa Fe Center” and following section lines common to T17N R09E S16 and T17N R09E S21 to NM599 north bound lane
- SW along 599 north bound lane to POB

THE SANTA FE
NEW MEXICAN
Founded 1849

SF COUNTY
ATTN: *Judy McHewan*
PO BOX 276
SANTA FE NM 87504-0276

ALTERNATE ACCOUNT: 73450
AD NUMBER: 00191605 ACCOUNT: 00002845
LEGAL NO: 79913 P.O. #: 700107
134 LINES 2 TIME(S) 134.00
AFFIDAVIT: 6.00
TAX: 10.67
TOTAL: 150.67

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, R. Lara, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 79913 a copy of which is hereto attached was published in said newspaper 2 day(s) between 10/30/2006 and 11/06/2006 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 30th day of October, 2006 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

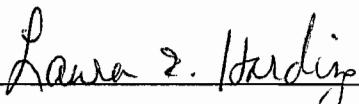
/S/



LEGAL ADVERTISEMENT REPRESENTATIVE

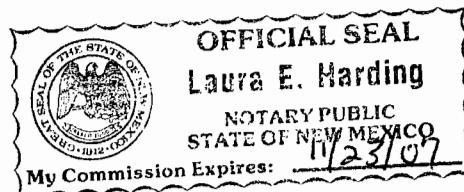
Subscribed and sworn to before me on this 6th day of November, 2006

Notary



Commission Expires:

11/03/07



**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Board of County Commissioners on Tuesday, November 14, 2006 at 5:00 p.m. to consider the adoption of Ordinance 2006-11, an ordinance amending the Santa Fe County Land Development Code (Ordinance 1996-10, as amended), to add a new Section 9, Tres Arroyos Del Panteante Zoning District (TAP) to Article XIV, Traditional and Contemporary Community Zoning Districts.

The Ordinance implements the zoning recommendations of the Tres Arroyos del Panteante Community Plan adopted by County Resolution 2006-41 on March 14, 2006. The ordinance creates a zoning map for the TAP District; a Land Use Table; density and dimensional standards; and design standards for uses, open space, roads, trails, architecture, lighting, signs, parking and loading. It creates a new Neighborhood Mixed Use Overlay subdistrict.

The hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico.

Copies of the proposed Ordinance are available from the County Land Use Administration Office (986-6225), and from www.santafecounty.org.

All interested parties will be heard at the Public Hearing prior to the Commission taking action. All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; emailed to jmgowan@co.santafe.nm.us or presented in person at the hearing.

Map #79913
Pub. Oct. 30 & Nov. 6
2006