

SANTA FE COUNTY

Ordinance No. 1988-9

612757

AN ORDINANCE ESTABLISHING LOCATION AND PERFORMANCE CRITERIA FOR COMMERCIAL, INDUSTRIAL OR OTHER NON-RESIDENTIAL ZONING IN THE COUNTY OF SANTA FE. AMENDING THE SANTA FE COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 1980-6. SECTION 1: ARTICLE III, ZONING REGULATIONS, SECTION 4, COMMERCIAL AND INDUSTRIAL USES; SECTION 2: ARTICLE III, SECTION 6, LARGE SCALE RESIDENTIAL USES REFERENCING NEW MATERIAL RELATING TO LANDSCAPING; SECTION 3: ARTICLE III, SECTION 8, OTHER DEVELOPMENT REFERENCING SUBMITTALS AND REVIEWS; SECTION 4: ARTICLE II, SECTION 2.3.1 A, ADDING ADMINISTRATIVE APPROVAL OF PERMITTED USES IN NON-RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY:

SECTION 1: ARTICLE III, SECTION 4 of the Santa Fe County Land Development Code is amended as follows:

1 SECTION 4 - NON-RESIDENTIAL DISTRICTS

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2 4.1 PURPOSE AND INTENT

3 Commercial, industrial and other non-residential
4 land uses are permitted only in zoned districts of various
5 sizes and locations in the County of Santa Fe. Non-
6 residential districts are established in order:

7 A. to permit intensive development of selected
8 non-residential land uses at designated locations;

9 B. to avoid strip commercial and industrial
10 patterns of development along highways, arterials,
11 collectors, and local roads of the County;

12 C. to protect the function of the County's
13 highways, arterials, collectors, and local roads
14 by controlling the number of access locations to
15 non-residential use areas.

16 D. to prevent the pre-emption of prime areas for
17 non-residential development by residential
18 development;

19 E. to protect existing and future residential
20 development from encroachment of non-residential
21 uses;

22 F. to provide the opportunity to master plan non-
23 residential use areas, so that adequate fire and
24 police protection may be provided and appropriate
25 infrastructure constructed.

4.2 TYPES AND LOCATIONS OF NON-RESIDENTIAL DISTRICTS4.2.1 Types of Districts

There are four types of non-residential districts established for the county:

a. Major center districts, which are or may be located at intersections of major arterials and highways for the purpose of concentrating extensive regional non-residential activities. Section 4.3.1 infra, defines uses which may be established.

b. Community center districts, which are or may be located at intersections of arterial and/or collector roads for the purpose of concentrating commercial uses, shopping, offices and service businesses, including travelers services; light industry; research and development complexes and other similar uses. Sub-section 4.3.1 infra, defines uses which may be established.

c. Neighborhood center districts, which are or may be located at intersections of collector and local roads and in traditional community areas for the purpose of concentrating activities which serve such neighborhood areas for shopping, travelers' and personal services. Section 4.3.2 infra, lists suggested uses.

d. Small scale center districts, which are or may be located at intersections of local roads. Uses similar to those which may be established in neighborhood center districts may be established.

4.2.2 General Scale and Size of Districts

The size of a non-residential district shall be based on its location as set forth below:

Type of District	Type of Roads Creating Intersection	Radius from Qualifying Intersection	Approx. Number of Acres per District
Major Center	I-25, I-40 or equivalent; with a 4 to 6 lane highway	2500 feet	250
Community Center	2 to 6 lane arterials or highways	1750 feet	80
Neighborhood Center	2 to 4 lane arterials or collector roads	1000 feet	40
Small Scale Center	2 lane sub-collector or local roads	500 feet	20

4.2.3 Non-conforming Uses; Permitted Uses;

Amendments to Zoning Map; Rezoning; Zoning for Existing Small
Parcels; Limitation on Prior Approvals.

a. Existing development in an approved district will be allowed to continue as a Non-conforming use, unless the use conforms to or may be brought into conformance with, the minimum requirements of the district master plan and the Code requirements. Other non-residential development in place, outside a district, will be considered a Non-conforming use and subject to the requirements of Article I, Section 12, supra, of the Land Development Code.

1 b. Uses listed as permitted in an
2 established district will require a development permit. The
3 use will be evaluated against the performance criteria set
4 forth by the Code. Those uses meeting the Code requirements
5 will be permitted by right.

6 c. Districts created from time to time
7 will constitute amendments to the zoning map.

8 d. An application to establish a new
9 district or to amend an existing district shall be considered
10 a re-zoning and subject to the review and recommendation of
11 the County Development Review Committee (CDRC) and approval
12 by the Board.

13 e. Non-residential zoning outside approved
14 districts may be granted to uses on small parcels of land
15 which are:

16 (1) in existence at the time of
17 adoption of this amendment to the Code; and

18 (2) between two existing developed or
19 approved commercial or industrial uses; and

20 (3) of such a size that makes it
21 impractical to develop the parcel for a large scale
22 residential use, institutional use or single family
23 residential use on lots which are less than one (1) acre or
24 which have one hundred fifty feet (150') or less of frontage
25 with the adjacent highway, arterial, collector, or local
road.

1 f. Requests for zoning of such parcels
2 must be presented to the CDRC for a hearing within eighteen
3 (18) months of the adoption of this amendment to the Code, at
4 which time, the authority of Section 4.2.3, e shall expire.

5 g. Non-residential zoning approvals which
6 have been granted pursuant to the existing code will have
7 eighteen (18) months to obtain a development permit
8 subsequent to the adoption of this amendment, and shall be
9 void thereafter unless an application for an extension of
10 time is submitted. Such application for extension of time
11 shall be granted only for good cause.

12 4.2.4 Criteria for the Establishment of
13 Districts

14 a. Establishment of districts will require
15 a review according to the procedures set forth in Article V,
16 Sections 4.4 and 5.2 infra, for master plans, the performance
17 and location criteria set forth below, and the notice
18 requirements of Section 3-21-6B, N.M.S.A. 1978. Permitted
19 uses shall be specified when a district is created.

20 b. To establish a non-residential district
21 the following shall be used in formulating a recommendation
22 to the CDRC and the Board:

23 1) an evaluation of the type of
24 traffic to be generated by the types of uses (see Sub-
25 sections 4.4 infra) proposed to be permitted in the new

1 district and the relationship of such traffic to traffic
2 being carried on existing or proposed roads providing
3 vehicular access to the site or intersection;

4 2) existing and future economic
5 benefits to the vicinity of the site and/or intersection
6 proposed for district classification and the County of Santa
7 Fe, especially as that relates to projected new employment;

8 3) the number and close proximity of
9 such districts in the County. The exterior boundary of any
10 new district (see Sub-section 4.2.2, supra) must be located
11 more than one mile from the exterior boundary of any
12 established or approved major or community district, and 1/2
13 mile from the exterior boundary of a neighborhood or small
14 scale district;

15 4) an evaluation of infrastructure
16 availability such as existing or future streets, water
17 supply, sewage treatment facilities, police and fire
18 protection, and other services;

19 5) land use patterns, land ownership
20 characteristics, and geographic features near the proposed
21 district;

22 6) an adequate site, sized in relation
23 to the radius and acreage requirements set forth in Section
24 4.2.2 supra;
25

1 7) the proposed district shall be
2 located at an intersection meeting the requirements described
3 in Sub-section 4.2.2 supra: and

4 8) uses proposed for approval for the
5 district must meet the design and development standards
6 established by Sub-sections 4.4 and 4.5 infra.

7 c. Submittals must include a master plan
8 for the district, pursuant to Article V, Section 5.2 of this
9 Code.

10 d. Acreage for a district may be allocated
11 to two or three of the quadrants of an intersection area
12 where circumstances such as excessive slope, flood hazard
13 areas or flood plains, land ownership patterns, existing land
14 uses, spacing or sizes of other existing districts, right-of-
15 way configurations, utility corridors, other natural or man-
16 made barriers, or other constraints, prevent its assignment
17 to four quadrants.

18 e. Amendments to the list of uses assigned
19 as permitted in a district, or the boundary of a district,
20 must be approved by the County Development Review Committee
21 and the Board, as per the requirements of subsection 4.2.4,
22 supra, for the establishment of districts.

23 4.3 GUIDELINES FOR PERMITTED USES AND STRUCTURES:

24 The following lists represent suggestions only. Uses
25 assigned to a district are not necessarily limited by the

1 list. The Standard Industrial Classification (SIC) may also
2 be used to compare categories not listed herein.

3 4.3.1 Guidelines for Types of Permitted Uses and
4 Structures in Major or Community Non-residential Districts.

- 5 a. Professional, business or
6 governmental offices.
- 7 b. Business services.
- 8 c. Research and development
9 businesses and laboratories.
- 10 d. Retail establishments.
- 11 e. Restaurants and bars.
- 12 f. Gas or service stations, tire
13 recapping or re-treading and repair garage establishments and
14 related uses.
- 15 g. Personal service establishments.
- 16 h. Hotels, motels, bed and breakfast
17 inns.
- 18 i. Commercial indoor recreational
19 uses and structures, such as a theater (but not drive-in
20 theaters), bowling alleys, poolrooms, gamerooms, skating
21 rinks.
- 22 j. Commercial parking lots and
23 garages.
- 24 k. Offices, studios, clinics and
25 laboratories.

- 1
2 institutions.
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6 establishments.
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8 than elementary or high schools.
9
10 institutions.
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17 developments for mixed uses.
18
19 uses, lodges or museums.
20
21 development.
22
23
24
25 clinics.
- l. Banks or other financial
m. Private clubs and lodges.
n. Public or private utilities.
o. Veterinary hospitals or
p. Public buildings and grounds other
q. Churches and other religious
r. Business and vocational schools.
s. Greenhouses and plant nurseries.
t. Auto, truck or RV dealerships.
u. Mobile home sales and service.
v. Art Galleries or dealers.
w. Planned unit or master planned
x. Clubs or other not-for-profit
y. Office park or other theme
z. Shopping centers.
aa. Colleges or universities.
bb. Hospitals, medical or dental

cc. Light industry and manufacturing.

4.3.2 Guidelines for Types of Permitted Uses and
Structures in Neighborhood or Small Scale Districts

a. Retail establishments including supermarkets, drugstores, bakeries, meat markets, liquor stores, hardware, paint and wallpaper stores, camera shops, florists' shops, gift shops, stationery shops, bookstores, apparel shops, shoe stores, variety stores, jewelry stores, pet shops, toy stores, movie-video stores, music or record stores, household goods;

b. Restaurants and bars;

c. Personal service establishments; including barbershops; beauty shops, dry cleaning and laundromat establishments, shoe repair shops, tanning salons, spas, exercise or dance studios, etc;

d. Offices and studios, medical offices and/or clinics;

e. Banks or other financial institutions;

f. Churches or other religious institutions;

g. Public parks, public buildings (such as libraries) and community facilities or utility substations;

h. Private day care;

1 i. Dwelling units for occupancy only
2 by owners or employee;

3 j. Automotive service stations and
4 repair garage not industrial in nature;

5 k. Liquor and package stores;

6 l. Mini-storage units;

7 m. Galleries;

8 n. Private clubs and lodges;

9 o. Veterinary establishments

10 p. Commercial indoor recreation;

11 q. Shopping centers

12 4.3.3 Accessory Uses

13 Accessory uses and structures are
14 considered an amendment to an approved development plan, and
15 may be permitted provided the requirements of the Code are
16 met. Residential uses for security purposes may also be
17 considered, provided the use can meet the minimum
18 requirements of the Code for residential uses.

19 4.4 Design Standards and Review Criteria

20 In addition to the other requirements of the Code,
21 the following standards and criteria will be applied in the
22 review process:

23 4.4.1 Traffic Generation

24 a. The amount of traffic generated by the
25 development shall not at any time impede traffic flow, or
cause public roads to operate at over capacity.

1 b. If a fair and substantial showing is
2 made that the development will increase the burden on
3 inadequate public roads, utilities or other services, the
4 use may be denied, or the developer may be required to
5 undertake the full cost of improvements to the public road
6 or other services in order the meet the test of adequacy.

7 c. Traffic Report

8 1) A traffic analysis report may be
9 requested as an additional submittal. This report shall be
10 prepared, signed and sealed by a registered New Mexico
11 professional engineer, or other qualified professional as
12 determined by the Code Administrator.

13 2) Report contents shall be based
14 upon existing traffic conditions in relation to existing road
15 capacity and level-of-service (LOS); a projection of traffic
16 to be generated by the development; and recommendations for
17 mitigating any negative effects to existing road capacity
18 which may occur as a result of new development. Where
19 applicable, the International Traffic Engineers (ITE) Trip
20 Generation Report 1987, 4th Ed. shall be used as a reference
21 in calculating traffic projections. Copies of the ITE Trip
22 Generation Report are available in the Land Use
23 Administrator's office.

24 4.4.2 Performance Standards

1 The proposed development shall utilize
2 standard techniques available in order to minimize noise,
3 vibration, smoke and other particulate matter, odorous
4 matter, toxic or noxious matter; radiation hazards; fire and
5 explosive hazards; or electromagnetic interference. The
6 Code Administrator may refer an application to the New
7 Mexico Environmental Improvement Division (EID) for comment
8 concerning the performance standards.

9 If a substantial showing is made that the
10 development will create any dangerous, injurious, noxious or
11 otherwise objectionable condition, noise or vibration;
12 smoke, dust, odor, or other form of air pollution,
13 electrical or other disturbance, glare or heat, in a manner
14 which causes a significant adverse impact to the adjacent
15 areas, the ~~major-center~~ use may be denied.

16 4.4.3 Screening

17 Outdoor storage, parking and loading areas
18 which are visible from public roads or from abutting public
19 lands or residential areas shall be screened. Such
20 screening may be landscaping, walls, fencing, building
21 placement, berms, or any combination thereof. For
22 landscaping standards see Sub-section 4.4.8 infra.

23 4.4.4 Buffer Zones

24 a. Uses authorized in non-residential
25 districts that adjoin parcels on which dwellings are located

1 within 100 feet of the property line adjacent to the parcel
2 on which the use is to be located shall be set back 100 feet
3 from the property line in major or community center
4 districts and 25 feet in neighborhood or small scale
5 districts. In the setback area, existing vegetation shall
6 be preserved and natural topographic features ~~er~~, planting,
7 building placement, walls, fencing, earth berms or
8 landscaping or any combination thereof, shall be used to
9 keep buildings, parking or outdoor storage unobtrusive.
10 The setback area may be used to meet the off-street parking
11 requirement of Section 9 of Article III except that no
12 parking may be provided within 25 feet of the property line
13 in Major and Community Center Districts and 5 feet from
14 property line in Neighborhood and Small Scale Districts.

15 b. Alternatives to the 100 foot
16 setback are specified in Article V, Section 8.1.4, e, 1-5,
17 infra.

18 c. Side and rear yard setbacks shall
19 apply only to lots at the edge of a non-residential
20 district. Zero lot lines (no setback) for building
21 placement may be allowed, if fire resistive construction
22 between buildings is provided directly adjacent or adjoining
23 on interior property lines.

24 4.4.5 Maximum Height
25

1 Structures shall be limited
2 to a maximum height of 36 feet from the highest point of the
3 surface of the ground at the perimeter of the structure in
4 Major or Community Center Districts and to 24 feet in height
5 in Neighborhood or Local Center Districts.

6 4.4.6 Parking

7 Compliance with the parking standards set
8 forth in Article III, Section 9, supra, is required.

9 4.4.7 Maximum Lot Coverage

10 Maximum lot coverage for all
11 structures for any development shall not exceed 30% in major
12 or community center districts or 20% in neighborhood or
13 small scale center districts.

14 4.4.8 Landscaping

15 a. Purpose and Intent

16 Landscape treatments are applicable to
17 all new development for the following purposes:

18 1) to assure that new development
19 creates an amenity and improves and enhances the visual
20 quality of an area;

21 2) to buffer or screen visually
22 unattractive land uses from roadways and residential areas;

23 3) to shade, cool and define
24 large parking areas;
25

1 4) to define the separate
2 function of thoroughfares and other land uses;

3 5) to minimize erosion, dust and
4 other weather related problems; and

5 6) to assure that landscape
6 treatment and improvements are so designed, installed and
7 maintained that they actually produce the intended results.

8 b. Native Vegetation: Preservation;

9 In order to preserve both native vegetation and landscapes,
10 every effort shall be made to keep grading to a minimum.
11 Native vegetation or well adapted introduced vegetation
12 shall, wherever possible, be used for new landscaping in an
13 effort to conserve water use once the plants are
14 established. Where botanical materials are utilized as part
15 of landscape treatment, such materials shall be chosen so
16 they fit within the water budget or water use plans for the
17 development. An extensive list of such plant materials,
18 their size at maturity, how they can be used, their water
19 use, and other information is available at the office of the
20 County Land Use Administrator.

21 c. Landscaping Plan.

22 The landscaping plan is required
23 for all new development and shall contain the following
24 information:
25

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1) a description of any existing native vegetation on the site which will be retained, including common and botanical names, locations, and approximate size (caliper and height);

2) a list of plants to be installed, with common and botanical names, showing the caliper or gallon size at time of planting and the size of the plant material at maturity in height and width;

3) the location and quality of all other materials to be used as part of the landscape treatment.

4) a description of the proposed system of irrigation including the use of on-site storm water collection, drip irrigation, recycled water or other systems; and

5) methods for protecting required landscaping from damage by automobiles, or run-off containing salts from paved areas;

6) the purpose of each plant material to be used, e.g., for screening, ornament, shade, or other purpose;

7) a description of proposed structures or other buffering devices, such as walls, fences, or earth berms, including location, height, building

1 materials and/or exterior finish treatment which are part of
2 the landscape treatment;

3 8) the landscaping plan shall be
4 drafted to scale, with all plant material footprinted
5 according to the spread of the plants at maturity.

6 9) The landscaping plan shall
7 also include the following:

- 8 1) a water use budget;
9 2) a watering schedule;
10 3) an estimate of the cost of
11 installation of the landscape materials.

12 g. Landscaping Design Standards

13 All landscaping shall meet the following requirements:

14 1) a minimum of seventy five (75)
15 percent of an area designated for landscaping shall be
16 developed with living plant materials including areas seeded
17 with grasses and flowers;

18 2) all plant growth in required
19 landscaped areas shall be controlled by pruning or trimming
20 so that it will not interfere with the installation,
21 maintenance or repair of any public utility, restrict
22 pedestrian or vehicular access, or constitute a traffic
23 hazard, or interfere with an intersection visibility
24 triangle;
25

1 3) all trees, shrubs and plants
2 which have been planted and which, due to accident, damage,
3 disease, or other cause, fail to show healthy growth within
4 one year of planting shall be replaced;

5 4) all trees, shrubs and plants
6 shall be clear of insects, pests or fungus diseases and the
7 effects of previous infestations;

8 5) trees and large shrubs shall
9 be supported after planting in such a way that the plants
10 will not be injured by strong winds.

11 6) parking and loading and
12 outdoor storage are prohibited within a landscaped area.

13 7) if appropriate and wherever
14 possible, native landscape should be retained within an area
15 designated for landscaping.

16 8) living plant materials
17 installed in areas designated for landscaping on road
18 frontages shall be planted so as to create the appearance of
19 a continuous edge occasionally punctuated with dissimilar
20 materials to create interest. In addition:

21 a) designated landscape areas
22 or buffer zones shall be planted according to a ratio of one
23 tree at a minimum height at maturity of twenty four (24) feet
24 for each five hundred square feet, and one shrub of a
25 minimum height and spread at maturity of four (4) feet for
each sixteen square feet.

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b) adjustments will be considered for existing heavily vegetated areas or for plant materials with varying characteristics provided that:

(1) the ratio of living plant material to inorganic material is maintained at 75% living materials to 25% inorganic materials;

(2) the living plant material is installed so as to provide a continuous visual screen; or

c) living plant material may be planted in drifts or clumps with pockets of open areas providing the sense of continuity with the street edge is maintained.

d) adjustments to the width of the landscape area (See Sub-section 4.4 8, h 2) infra will be considered where a four (4) foot masonry wall or a six (6) foot opaque fence or earth berm is constructed. The ratio of living plant materials may be reduced by fifty (50) percent where the landscape treatment includes walls, fences, or berms. Walls or fences should be located in the landscape area to accommodate the installation of the living plant materials.

e) non-vegetative landscape materials may include gravel and bark mulch.

1 9) In addition to the front lot
2 landscape area (see 4.4.8 h, 2 infra), a landscaped area and
3 structural buffer consisting of a six foot masonry wall or
4 fence constructed of opaque materials and a three foot wide
5 planting area may be required between any non-residential
6 use and residential use on the side or rear lot lines. This
7 requirement applies to non-residential districts established
8 for commercial, office or industrial purposes at the
9 perimeter where there are existing residential uses. Trees
10 and shrubs selected for the three foot planting area may be
11 used to create shade or visual amenity. Trailing vines for
12 the wall may also be considered.

13 10) Landscaped areas shall be a
14 minimum of ten (10) percent of the development lot area.
15 Minimum landscaped area may be modified based on the
16 following considerations: large tracts with minimum
17 development, existing conditions providing other buffering
18 opportunities or extensive existing vegetation.

19 11) Pedestrian, bike or equestrian
20 pathways or trails are allowed within landscape areas on
21 street frontages provided that:

- 22 a. no plant material is
23 eliminated;
24 b. the total width of the
25 buffer is maintained;

1 12) Except as specifically
2 required elsewhere, no landscaping is required adjacent to
3 structures abutting the parking lot or adjacent to
4 structures located at the minimum setback from side or rear
5 lot lines.

6 h. Landscaping for Road Frontage Area

7 1) Upon approval of the
8 governmental agency responsible for the maintenance of the
9 adjoining roadway, any public right-of-way between the front
10 property line and the street may be landscaped and
11 maintained by the property owner retaining native materials
12 or using grass, groundcovers, or low growing shrubs having a
13 maximum mature height of two feet, or be treated with a non-
14 vegetative cover such as bark mulch or gravel. Where
15 appropriate, such areas may be considered as part of the
16 width of landscape areas as set forth in Subsection 4.4.8 h,
17 2, infra.

18 2) The width of landscape areas
19 between the street or road right of way and any developed
20 areas of a parcel shall be as follows:

21 Highways or Major Arterials - 25 feet

22 Minor Arterial, Collector or Local - 10 feet

23 i. Landscaping for parking lots

24 Except as otherwise provided in
25 Sub-section 4.4.8 g, a landscape screen providing a visual

1 buffer is required along the front, and if applicable, to
2 the side and rear property lines for parking lots with more
3 than ten parking spaces or 4,000 square feet, which ever is
4 less, and where parking is located within twenty five feet
5 of a property line adjoining residential uses. Covered or
6 decked parking lots are exempted from this section.

7 1) Standards for front lot, and
8 where applicable, side lot landscaping are set forth in Sub-
9 section 4.4.8, g, supra.

10 2) Interior landscaping is
11 required for parking lots with more than forty parking
12 spaces or 12,000 square feet, whichever is less. Interior
13 landscaping shall cover a minimum area equivalent to one
14 parking space or 160 square feet for every twenty parking
15 spaces. In addition:

16 - interior landscaping shall
17 provide shading and a visual break to the parking lot
18 surface. Plant material shall consist of a minimum of one
19 deciduous shade tree and three shrubs for every ten parking
20 spaces. The shade trees shall be a minimum of one and one-
21 half inch caliper and six feet tall at the time of planting,
22 and have a twenty foot minimum mature height. Shrubs shall
23 be five gallon size at the time of planting and shall have a
24 minimum mature height of three feet;
25

1 - Non-vegetative cover
2 including but not limited to gravel or bark is required
3 under trees where other planting is not provided;

4 - interior landscaping shall
5 have a minimum area of 160 square feet and a minimum
6 dimension of four feet;

7 - interior landscaping shall
8 be uniformly distributed throughout the parking lot;

9 - pedestrian pathways or
10 sidewalk areas shall be unincorporated into the parking area
11 landscape treatment.

12 j. Screening and buffering for
13 residential uses;

14 The requirements for screening
15 residential areas from roadways and non-residential uses,
16 and for landscaping residential common open space, may
17 include one or more of the following:

18 1) stuccoed poured concrete
19 walls;

20 2) stuccoed masonry walls of
21 cement block, brick or adobe;

22 3) earthtone masonry walls

23 4) rock or field stone walls;

24 5) wood fences of materials at
25 least 3/4 inch thick with crossbracing secured with posts on

1 maximum eight foot centers set in concrete or creosoted
2 posts set twentyfour inches deep;

3 6) earth berms with shrubs and
4 vegetative groundcovers;

5 7) any combination of shrubs and
6 trees; or

7 8) a combination of the above.

8 The developer may choose any of the above screening methods
9 at his discretion.

10 k. In order to avoid tunneling effect
11 where a development borders on a highway or arterial street
12 or road for more than one thousand feet, developers or
13 builders shall vary the masonry structures; fences, or
14 walls with living plant material.

15 1. Landscaping shall be installed for
16 inspection prior to the issuance of a Certificate of
17 Occupancy.

18 4.4.9 Signs

19 Signs are subject to the standards set
20 forth in Article VIII, infra.

21 4.4.10 Outdoor Lighting

22 a. Purpose.

23 Outdoor lighting for new development in
24 non-residential districts (Section 4), master planned
25 developments, large scale residential development (Section

1 6), community service facilities (Section 7), and other
2 large scale development (Section 8), in the County, shall be
3 designed and arranged to enhance the safety of areas
4 designated for pedestrian use during evening hours, to
5 provide security, to conserve energy, and in particular, to
6 prevent the spillover, nuisance or hazard effects of light
7 and glare on adjacent locations and uses of land.

8 b. Definitions.

9 1) "cut-off" - the point at which all
10 light rays from the light source or luminaire is completely
11 eliminated at a specific angle above the ground.

12 2) "cut-off luminaire" - a luminaire
13 with shield, reflectors, reflector panels or other housing
14 which directs and cuts off light rays from direct view.

15 3) "footcandle" - a unit of
16 illumination produced on a surface, all points which are one
17 (1) foot from a uniform point source of one (1) candle. A
18 comparative measure is the brightness of a full moon which
19 is equal to .01 footcandle.

20 4) "glare" - the brightness of a light
21 source which causes eye discomfort.

22 5) "luminaire" - a complete lighting
23 unit consisting of a light source and all necessary
24 mechanical electrical and decorative parts.

25 c. Submittals.

1 1) A lighting plan shall be submitted
2 at final site plan review, showing the location, mounting
3 height, types of luminaires, accessory equipment such as
4 shades, deflectors, or other housing controlling the
5 direction of light on a surface, and the beam direction of
6 any luminaire.

7 2) The plan shall be drawn to scale,
8 and shall also include elevations of building facades
9 showing the location of, and shielding devices for, wall
10 mounted luminaires, and detailed drawings of the luminaires
11 and accessory equipment to be used.

12 3) Additional submittals that may be
13 required include, but are not limited to, preparation of a
14 visual impact analysis for alternative types of lighting
15 solutions for the project as those would affect and be seen
16 from adjacent residential properties, a comparative analysis
17 of performance standards relating mounting height,
18 footcandles, footcandle levels and location for various
19 types of lighting which could be developed for the proposed
20 use, and, types of shields, deflectors and adjustments on
21 orientation or other buffers which could be implemented to
22 mitigate glare, nuisance or hazardous effects of any night
23 lights.

24 d. Lighting Design Standards
25

1 1) The use of cut-off type luminaires
2 is required.

3 2) Spillover of lighting for adjacent
4 properties shall not exceed one half of one (.50) footcandle
5 measured at any point ten feet beyond a property line.

6 3) No luminaire shall be installed
7 higher than one and one half (1.5) the height of any
8 structure proposed for development or twenty four (24) feet,
9 whichever is less.

10 4) Luminaires shall be recessed into
11 any canopy structure that is designated for pedestrian use,
12 loading or service, unless a suitable alternative is
13 submitted for approval. Decorative lamps housing an
14 incandescent light source for hanging under portals are
15 exempted.

16 5) Building facades may be illuminated
17 with ground floodlamps located close to the structure; wall
18 mounted floodlamps must be shielded so that the light source
19 is not visible. Spotlights without a shielding device are
20 prohibited.

21 6) Control of the distribution of
22 illumination for outdoor recreation areas, outdoor storage
23 areas, or outdoor display of merchandise is subject to
24 additional submittals.
25

1 7) Automatic timing devices may be
2 required to turn off lighting at specified hours.

3 8) A range of lighting design
4 solutions for the various aspects of a development shall be
5 considered over a single lighting solution.

6 9) Where appropriate, illumination of
7 architecturally significant building facades may be used as
8 part of the overall lighting design.

9 4.5 SUBMITTALS AND REVIEW PROCEDURES FOR PERMITTED
10 USES IN MAJOR CENTER DISTRICTS, COMMUNITY CENTER DISTRICTS,
11 NEIGHBORHOOD and SMALL CENTER DISTRICTS

12 4.5.1 Maps and Site Data

13 Applicants who propose developments of a
14 use authorized for established non-residential Districts,
15 shall meet the submittal requirements of this Sub-section.
16 The applicant shall fill out a development permit
17 application on a form provided by the Code Administrator.
18 The application shall be accompanied by:

19 a. Vicinity map: A vicinity map drawn at
20 a scale of not more than 2,000 feet to one inch showing
21 contours at twenty (20) feet intervals showing the
22 relationship of the site to its general surroundings, and
23 the location of all existing drainage channels, water
24 courses and water bodies within one mile of a development
25 site.

1 b. Existing site data: A description of
2 existing conditions on or adjacent to the site. Maps shall
3 be at a scale of one (1) inch to one hundred (100) feet or
4 larger and shall include the following:

5 (1) Boundary lines, bearings and
6 distances: The error or closure shall be of a third order
7 survey, and no discrepancy between computed and measured
8 distances shall exceed one (1) part in 1,280 parts.

9 (2) Easements: Location, width
10 and purpose.

11 (3) Streets on and immediately
12 adjacent to the tract, name and right-of-way width.

13 (4) Utilities on and immediately
14 adjacent to the tract.

15 (5) Owners of record of unplatted
16 land and existing subdivision plats by name and recordation,
17 shall be shown for property within one thousand (1,000) feet
18 of that tract.

19 (6) Title and certificates:
20 Present tract designations according to official records in
21 the County Clerk's Office, title under which the proposed
22 development is to be recorded with name and address of
23 owner, notation stating acreage, scale, true and magnetic
24 north arrow, U.S.G.S. datum and benchmarks, if any,
25 certification of the engineer of land surveyor licensed in
accordance with the laws of the State of New Mexico who

1 prepared the plat.

2 (7) Location of drainage areas,
3 water bodies, water courses, flood ways, flood fringes,
4 flood plains and water and erosion control structures.

5 4.5.2 Preliminary Site Plan Review

6 A site development plan for the use
7 of individual tracts in a non-residential district will be
8 reviewed for compliance with Code requirements and the
9 master plan for the district.

10 a. The preliminary site plan shall be
11 drawn to a scale of one (1) inch to one hundred (100) feet,
12 or larger, and shall show the following:

13 (1) proposed arrangement of
14 buildings;

15 (2) proposed off-street parking
16 and loading facilities;

17 (3) proposed access to the site
18 and internal vehicular circulation;

19 (4) existing and proposed
20 buffering and landscaping, and location of outdoor lighting;

21 (5) proposed location and type of
22 fences, design of walls and signs; and a

23 (6) drainage and grading plan
24 indicating existing and proposed contours.
25

1 b. A water use report shall be submitted
2 to the Code Administrator containing estimates of the water
3 use of the proposed development and any information required
4 by Article VII, Section 6 - Water Supply including, where
5 applicable, a geo-hydrologic report. The estimated use of
6 water and the size of the site must be related to the
7 intensity of the development. The report shall document all
8 proposed uses of water including sanitary, irrigation of
9 landscaping or manufacturing, and shall use standard
10 engineering methods to quantify proposed water uses and
11 shall also describe any water conservation measures
12 proposed.

13 (c) A report documenting plans
14 pursuant to the requirements referenced by Sub-sections
15 4.5.4, and 4.5.5 infra.

16 4.5.3 Final Site Plan Review

17 After the preliminary site plan has been approved, the
18 applicant shall prepare and submit a final site development
19 plan to be followed in construction operations. The plan
20 shall be accompanied by (1) evidence that conditions of
21 approval assigned to the preliminary site plan approval have
22 been satisfied; (2) cost estimates for construction and
23 engineering, letters of credit, ownership documents, and
24 other submittals which may be requested by the CDRC or Code
25 Administrator; (3) two sets of plans and specifications for

1 the construction of any structure. A final site development
2 plan may be submitted separately for any phase of a master
3 plan. The final site development plan (or successive stages
4 thereof) as approved becomes the final plat and the basis
5 for issuance of development permit and for acceptance of
6 public dedications. Developments authorized by development
7 permits will be inspected for completion in order to obtain
8 a certificate of occupancy. The inspection must be made
9 within ten days of receiving written notice of completion.

10 4.5.4 Special District Review

11 The Code Administrator shall check the location of the
12 proposed use and shall inform the applicant of any
13 additional submittals or reviews required because of
14 location of the proposed use within a special review
15 district (Article VI) and make the applicable review.

16 4.5.5 Environmental Review

17 The Code Administrator shall review the proposed development
18 and shall inform the applicant of the additional submittals
19 or reviews required under Article VII - Environmental
20 Requirements Governments of the Code.

21 4.5.6 Conformance to Building, Mechanical and 22 Electrical Codes

23 The Code Administrator shall review the submitted plans and
24 specifications for compliance with the building, mechanical,
25 and electrical provisions of the code and for engineering

1 design. If all of the requirements of the code are met and
2 a development permit is issued, construction must begin
3 within one year of the date of issuance, or the permit
4 becomes void and a new application must be made.

5 4.6 LARGE SCALE MIXED USE DEVELOPMENT

6 4.6.1 Master Plan Required

7 Proposed large scale developments which are
8 one hundred (100) acres or more in size, planned for a mix
9 of residential, large-scale residential, and non-residential
10 uses which may be developed in phases shall present a master
11 plan for development to the County pursuant to Article V,
12 Sections 5.1 and 5.2 of the Code.

13 4.6.2 Location Criteria: Exemption

14 Proposed large scale mixed use developments
15 which are one hundred (100) acres or more in size and
16 requiring a master plan are exempt from Section 4.2.2 supra.

17 4.6.3 Design Standards: Section 4.4 supra,
18 establishes the applicable standards.

19 4.6.4 Submittals: Section 4.5 supra, establishes
20 the applicable additional submittals.

21 SECTION 2:

22 ARTICLE III, SECTION 6, LARGE SCALE RESIDENTIAL USES
23 IS AMENDED AS FOLLOWS:

24 6.3.3 Buffer Zones

Structures involving Large Scale

Residential uses shall be set back 50 feet from the property line. In the setback area, existing vegetation shall be preserved and natural topographic features or planting shall be uses. The setback area may be used to meet the off-street parking requirement of subsection 5 of this Section. Buffering and landscaping requirements are set forth in subsection 4.4.8, supra. Lighting standards are found in 4.4.10, supra.

SECTION 3:

ARTICLE III, SECTION 8, OTHER DEVELOPMENT IS AMENDED AS FOLLOWS:

8.2 Submittals, Reviews and Standards

Uses regulated by this Section 8 shall be considered large scale if they involve the grading and clearing of 10 or more acres, contiguously or cumulatively, and small scale if less disturbance of the land is involved. Development standards and criteria and submittal requirements are set forth in sub-section 4.4 and 4.5 supra.

SECTION 4

ARTICLE II, ADMINISTRATION IS AMENDED AS FOLLOWS:

2.3 Procedure to be followed by Code Administrator2.3.1 Decision Procedure

2.3.1.a By using the following procedure, the Code Administrator may approve or deny

1 development permit applications for the following types of
2 development without referring the application to the County
3 Development Review Committee or the Board, except that
4 applications for a development involving zoning shall comply
5 with the procedure provided for in Sections 2.6 of this
6 Article II:

7 - Any home occupation:

8 - The division of land not constituting a subdivision,
9 lot splits, or:

10 - Any residential development or related development
11 accessory to residential development not constituting a
12 subdivision, large-scale residential use, institutional use
13 or resort use, provided that this procedure shall not apply
14 to a subsequent application by the owner, his agent or
15 nominee or any of the same dwellings or lots which were the
16 subject of a prior application, and which considering both
17 the initial and subsequent applications, results in a
18 subdivision, large-scale residential use, institutional use,
19 or resort use.

20 - Permitted uses in any non-residential district as
21 set forth in Article III, Section 4, infra.

22 SECTION 5: EFFECTIVE DATE. This Ordinance shall become
23 effective ninety (90) days after being filed in the Office
24 of the County Clerk.
25

PASSED, APPROVED AND ADOPTED ON THIS 9TH DAY OF MAY, 1988.

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS:

Antonio F. Ortega, Chairman

ATTEST:

Jona G. Armijo, County Clerk

APPROVED AS TO FORM:
CAMPOS & SANCHEZ, P.A.

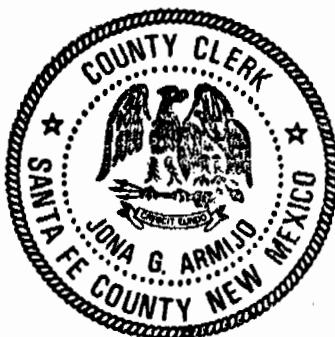
County Attorney

CERTIFICATE OF FILING

I, Jona G. Armijo, County Clerk, do hereby certify that the above ordinance was filed in my office on the 18 day of May 1988.

SANTA FE COUNTY CLERK

Jona G. Armijo
(seal)



COUNTY OF SANTA FE
STATE OF NEW MEXICO

I hereby certify that this instrument was filed for record on the 18 day of MAY A.D. 19 88 at 11:36 o'clock AM and was duly recorded in book 612, page 757-794 of the records of Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Blanca M. Ortiz
Deputy