

**San Marcos Community District Plan and Overlay District/SLDC Comparison Tool**

<b>San Marcos Overlay District Regulation</b>	<b>2015 San Marcos Community Plan Update</b>	<b>2006 San Marcos Community Plan</b>	<b>SLDC Standards</b>	<b>2019 SMD Plan</b>
9.14.1 Purpose and Intent: The provisions of the San Marcos Community District Overlay are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the San Marcos Community Plan and the Sustainable Growth Management Plan (SGMP).	2015 update identified land use categories consistent with SGMP.	2006 Plan was adopted prior to the SGMP.	SLDC provides basis for Community District Overlay	Plan will establish basis for SMD Overlay.
9.14.2 Sustainable Design Standards: Design standards of Chapter 7 of the SLDC are applicable throughout the County unless specified by the overlay district standards.	Plan needs to provide rationale for any proposed changes to SLDC standards in Overlay District in order for consistency	See above		Plan should identify rationale for any proposed changes to SGMP and proposed SLDC standards in Overlay District
9.14.2.1 Setbacks- 1. Parcels bordering NM 14 100 ft. in Commercial Neighborhood	Does not identify need for setbacks from NM 14	Plan identifies "Scenic Byway Overlay Zone: The zone extends 1000 feet from the edge of the right-of-way on either side of State Road 14 within the district boundaries. There is a 200 foot setback from the road for all development. Within the mixed use zone, the setback is 100 feet."	7.3.3.2 Highway Setbacks. Unless established through a right-of-way, all development shall be setback at least 150 feet from the road pavement of a federal highway and 100 feet from a highway, major arterial, or railroad.	Plan identifies Turquoise Trail Scenic Byway
9.14.2.1.Setbacks- 2. Parcels bordering NM 14 shall be setback 200 ft. in Rural Residential	Does not identify need for setbacks.	Plan identifies "Scenic Byway Overlay Zone: The zone extends 1000 feet from the edge of the right-of-way on either side of State Road 14 within the district boundaries. There is a 200 foot setback from the road for all development. Within the mixed use zone, the setback is 100 feet."	7.3.3.2 Highway Setbacks. Unless established through a right-of-way, all development shall be setback at least 150 feet from the road pavement of a federal highway and 100 feet from a highway, major arterial, or railroad.	Plan identifies Turquoise Trail Scenic Byway but does not identify need for additional setbacks. .
9.14.2.2 Cerrillos Reservoir Setbacks 1. Parcels bordering Cerrillos Reservoir shall setback 200 ft.	"The community is concerned about water uses for development that may impact the SMD planning area"	p. 18 Geography of SMD - "The well that serves the village of Cerrillos has gone dry during recent years of drought. The status of the water system for the village is precarious; it has been necessary for the New Mexico National Guard to truck water into the village during the summer months during drought years."	7.17.4 No Build Areas- 1) rock outcroppings, wetlands, riparian areas, arroyos and natural drainage ways 2) setbacks from ridge tops and ridges, natural streams and drainage ways	Plan does not identify need for additional setbacks for Cerrillos Reservoir.
9.14.2.3 Cerrillos State Park Setbacks - Parcels bordering Cerrillos State Park shall setback 200 ft.	Plan states: "The community would like to address open space and trails in the planning area."	p. 72 "The idea is to try to preserve as much of the Cerrillos Hills Park as open space as possible."	7.3.3.9 Reduction in Setbacks- Setbacks may be reduced as described below through use of	Plan recognizes Cerrillos State Park but does not identify need for additional setbacks
9.14.2.4 County Trails Setbacks- Parcels bordering County trails shall setback min of 50 ft.	Plan states: "The community would like to address open space and trails in the planning area."	p.47 "To promote the District's public trail system as a vital part of the overall plan to develop recreational use of the District's public open spaces and park lands."	7.3.3.9 Reduction in Setbacks- Setbacks may be reduced as described below through use of	Plan recognizes open space but does not identify need for additional setbacks
9.14.2.5 Archaeological Site Setbacks- Parcels bordering arch sites shall setback 100 ft.	Plan states- "There are concerns over a loss of scenic views through development in and around the SMD"	p. 19 " . . . The County owns 780 acres immediately east of the district boundary. This property contains an important archaeological site that comes under the protection of the federal Galisteo Basin Archaeological Sites Protection Act. There are two additional sites within the district that fall under the protection of this Act; one is located on BLM land (Burnt Corn Pueblo); the other is owned by the Archaeological Conservancy (San Marcos Pueblo) "	County requires setbacks for Arch sites.	Recognize importance of arch sites.

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9.14.2.6 Water Harvesting- all new construction over 1,500 sq feet and new additions require rainwater catchment. Also required on accessory structures with roof of 500 sf or greater	Plan recognizes water limitations - "There are concerns over lack of water, high density development and the potential for too much commercial development in and around the SMD"	p. 40 "The San Marcos District Ordinance shall reduce the building size requirement for water harvesting from 2,500 to 1,500 square feet of heated area."	7.13.11.7- Water Harvesting- capture rainwater from a min of 85% of roofed area- Residential primary or accessory structure roof surface of 2,500 sq ft of heated floor area or greater and additions of 2,500 sq ft shall install a cistern. A structure whose roof surface is 2,500 sq ft	Plan recognizes water availability and importance of water harvesting and water capture for personal use.
9.14.3 Establishment of Zoning Districts	Plan update identified land use categories consistent with Land Use Plan Update	2006 plan identified land use and proposed zoning that is not consistent with SGMP	SLDC Established zoning districts and zoning map	Land Use categories consistent with SLDC and Zoning Map
9.14.3.2. Base Zoning Districts- Rural, Rural Fringe, Rural Residential, Commercial Neighborhood	Land Use Plan Update consistent	2007 plan identified land use and proposed zoning that is not consistent with SGMP	SLDC Established zoning districts and zoning map	Land Use categories consistent with SLDC and Zoning Map
9.14.3.2.1 Use Regulations	Update identified land use categories consistent with Overlay.	2006 plan identified land use and proposed zoning that is not consistent with SGMP	SLDC Established zoning districts and zoning map	
9.14.3.2.1.Exceptions- a) Retirement housing, assisted living facility, life care or continuing care facilities, skilled nursing facilities- shall be limited to 4 units at 5,000 sf or 50% of lot coverage (whichever is smaller)	NA	NA	NA	Plan does not identify need to restrict retirement housing
9.14.3.2.1. Exceptions- b) Temporary structures, tents etc for shelter- shall follow construction code and have sewer and water hook up for a residence.	NA	NA	Additional regulations	Does not address
9.14.3.2.1. Exceptions- c) Water treatment and purification facility- this is a conditional use for potable drinking water uses only	Does not address	Does not address	Additional regulations	Plan identifies the need for potable water but does not specify the need for a water treatment and purification facility to be for potable drinking
9.14.3.2.2 Rural Purpose: The purpose of this district is to designate areas suitable for a combination of agricultural, equestrian, residential and other compatible uses. The intent of the SMCD RUR district is to protect agricultural uses from encroachment by development and to support agricultural, ranch, very large lot residential, ecotourism and equestrian uses. Density transfers and clustered development shall be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas	Update identified land use categories consistent with Overlay.	2006 plan identified land use and proposed zoning that is not consistent with SGMP	Consistent	Rural land Use category consistent with SLDC and Zoning Map. Identifies home based businesses and arts studios.
9.14.3.2.3.a Use Regulations Exceptions to Ch. 8- i. Water wells, well fields and bulk water transmission pipelines- this does not prohibit private wells.	Does not address	Does not address	SLDC does not address additional regulations	Does not address

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Rural Dimensional Standards- Rural: Height, Lot Coverage, Setbacks	Does not address	Not Consistent	Table 7-A: Setback Table- Rural: Front= 25 ft (Min), Front=NA ft (Max), Side=25 ft (Min), Rear=25 ft (Min)	Does not address
9.14.3.2.3 Rural Fringe Purpose	Consistent - Land Use Plan Update	Not Consistent	Consistent	Consistent
9.14.3.2.3.a Rural Fringe Use Regulations- Exceptions to Ch. 8: Commercial greenhouses- there shall be a minimum 500 ft. setback from property lines for commercial greenhouses.	No basis	Not Consistent	Additional regulaions. SLDC does ot have setback requirement for commercial greenhouses.	Does not address
Rural Fringe Dimensional Standards- Height, Lot Coverage, Setbacks	No basis	Not Consistent	Table 7-A: Setback Table- Rural Fringe: Front= 25 ft (Min), Front=NA ft (Max), Side=25 ft (Min), Rear=25 ft (Min)	Does not address
9.14.3.2.4 Rural Residential Purpose	Consistent - Land Use Plan Update	Not Consistent	Consistent	Consistent
9.14.3.2.4 Rural Residential Use Regulations	No basis	Not Consistent	Consistent	Does not address
9.14.3.2.1 Rural Residential Use Exceptions to Ch. 8- i. Water wells, well fields, and bulk water transmission pipelines- this does not prohibit private wells.	No basis	Does not address	Additional regulations	Does not address
9.14.3.2.1 Rural Residential Use Exceptions to Ch. 8- ii. Movie Ranch (see p. 9-196)	Does not address	Does not address	Additional Use allowed	Plan identifies movie ranch
Rural Residential Dimensional Standards- Rural: Height, Lot Coverage, Setbacks	No basis	Not Consistent	Table 7-A: Setback Table- Rural Residential: Front= 20 ft (Min), Front=NA ft (Max), Side=25 ft (Min), Rear=25 ft (Min)	Plan identifies setbacks as onerous to property owners and business.
9.14.3.2.5 Commercial Neighborhood Purpose	Consistent - Land Use Plan Update	Not Consistent	Consistent	In process
9.14.3.2.5 Commercial Neighborhood Use Regulations	Does not address	Not Consistent	SMD Use Table more restricte than SLDC	TBD
Commercial Neighborhood Dimensional Standards- max lot coverage, max building size (aggregate), max size of individual establishments	No basis	Not Consistent	Table 7-A: Setback Table- Commercial Neighborhood: Front=5 ft (Min), Front=25 ft (Max), Side=0 ft (Min), Rear=30 ft (Min)	TBD
9.14.3.2.5 c. Lighting- Exception to Ch. 7- 24 hour business lighting is prohibited	Does not address	Not Consistent	7.8 Lighting- no business lighting standards or hours of lighting standards stated	TBD
9.14.3.2.5 d. Architectural Design Standards Exception to Ch. 8- style shall be complimentary to that of other structures in area and to regional arhcitectoral styles	Does not address	Not Consistent	8.7.2.5 Architectural Design Requirement in SLDC.	TBD

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9.14.3.2.5 d. Architectural Design Standards Exception to Ch. 8- Incorporate, within all walls over 100 ft in length, at least 4 recesses, off-sets, angular forms and other features with 100 length to provide visually interesting shape.	Does not address	Not Consistent		TBD
9.14.4.1 Home Occupations Purpose	Does not address	p.37 Home occupation regulations	SMD More restrictive	TBD
9.14.4 Home Occupations Table	Does not address	Not Consistent	SMD More restrictive	TBD
9.14.4 Home Occupations Table- Low Impact	Does not address		SMD More restrictive	TBD
9.14.4 Home Occupations Table- Medium Impact	Does not address		SMD More restrictive	TBD
Table 9-14-8 SMCD Use Table	Does not address	p.32 Performance Use Table- categories don't align with SLDC	SMD More restrictive	TBD