

San Marcos Committee 11.20.19

Notes and Follow Up

The San Marcos Planning Committee met on November 20th to review the initial proposed changes to the San Marcos Overlay based on the adopted 2019 San Marcos Community District Plan. The following information was identified to enhance the group’s understanding of the Santa Fe County general code standards and inform the San Marcos Overlay.

Code Amendment Notes:

- **100 ft. setback from highway centerline-** see attached maps with right-of-way analysis
- **Rural Setbacks** (see Table 7-A; Table 9-14-2)

Table 7-A: Setback Table

Zoning District	Front Setback (Min) ft	Front Setback (Max) ft	Side Setback (Min) ft	Rear Setback (Min) ft
Agriculture/Ranching (A/R)	25	n/a	50	50
Rural (RUR)	25	n/a	25	25
Rural Fringe (RUR-F)	25	n/a	25	25
Rural Residential (RUR-R)	20	n/a	25	25
Residential Fringe (RES-F)	10	n/a	25	25
Residential Estate (RES-E)	10	n/a	25	25
Residential Community (RES-C)	5	n/a	5	5
Traditional Community (TC)	5	n/a	5	5
Commercial General (CG)	5	25	0	30
Commercial Neighborhood (CN)	5	25	0	30
Industrial (I / IL)	20	n/a	30	30
Mixed Use (MU)	0	n/a	0*	5
Public/Institutional (PI)	5	n/a	5	10

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

- **Archeological standards (see 7.16)**
 - 7.16.2. Designation of Registered Cultural Properties. The State of New Mexico, Historic Preservation Division maintains a list of archeological, historic and cultural properties that are deemed worthy of preservation. The list is called the “New Mexico Register of Cultural Properties.” The list also includes properties that have been listed on the National Register of Historic Places of the National Park Service. Whenever in the SLDC reference is made to the list of Registered Cultural Properties, that reference shall refer to the most current list maintained by the State of New Mexico, Department of Cultural Affairs.

- **Swimming Pool- find definition; why are we prohibiting swimming pools? (see 7.13.11.2(10-11); 7.24)**
 - 7.13.11.2. Outdoor Conservation. Except as otherwise provided in specific subsections below, this Section is applicable to all property within the County, regardless of when the lot was created.
 - 10. All permanent swimming pools, and any temporary pools with a fill capacity over 3,000 gallons, shall only be permitted in accordance with Section 7.24. of this SLDC.
 - 11. All swimming pools, hot tubs and spas must be covered to prevent evaporation when not in use. Swimming pools may only be emptied once per year.

- **Water Harvesting- what about passive water catchment? Can we say that we don’t require water harvesting? What is the middle-ground? (see 7.13.11.7; 7.13.11 generally)**
 - 7.13.11.7. Water Harvesting.
 - 1. Rainwater Catchment Systems. Rainwater catchment systems are required for all new residential and all new or remodeled non-residential development, including a change of use from residential to non-residential, as required below.
 - 2. Overflow from a cistern shall be directed into a designated retention pond or landscaped area.
 - 3. The requirements of this Section shall not apply where a development proposes to utilize grey water recycling for all outdoor landscaping.
 - a. Catchment Requirements, Residential Structures.
 - i. Systems shall be designed to capture rainwater from a minimum of 85% of the roofed area.
 - ii. Residential primary or accessory structures whose roof surface is 2,500 sq. ft. of heated floor area or greater and additions of 2,500 sq. ft. of heated floor area or greater, shall install a cistern that is buried or partially buried and insulated. The cistern shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.

- iii. A structure whose roof surface is 2,500 sq. ft. of heated floor area or less shall install rain barrels, cisterns or other water catchment system including passive water harvesting and infiltration techniques, berms, swales, and tree wells to capture rainwater.
 - iv. Cisterns shall be sized to hold a minimum of 1.15 gallons per square foot of roof area that is captured; provided, however, that the Administrator may approve a lower amount based upon the applicant's proposed landscaping.
 - b. Catchment Requirements, Non-residential structures:
 - i. Systems shall be designed to capture rainwater from all of the roofed area.
 - ii. Cisterns shall be buried, partially buried or insulated and shall be connected to a pump and a drip irrigation system to serve landscaped areas. Alternatively, if captured water is to be used for domestic purposes, appropriate plumbing and pumps may be used to convey that water to the point of use.
 - iii. Cisterns shall be sized to hold a minimum of 1.5 gallons per square foot of roofed area or the equivalent of a one month supply of captured water, as determined by the Administrator.
 - iv. Where no new landscaping is required, the Administrator may approve the use of rain barrels or other water catchment system including passive water harvesting and infiltration techniques, berms, swales, and tree wells to capture rainwater.
- **Tents- define temporary, tent, yurt, etc.;**
 - 10.9.2. Constructed Temporary Uses. Temporary buildings and structures are permitted in any zoning district while approved building, land development or redevelopment is occurring. Such buildings or structures may include offices, construction trailers or construction dumpsters and storage buildings.
 - 10.9.4. Public Assembly. Temporary buildings, structures, or tents for public assembly (including carnivals, circuses, and similar events) are permitted as specified in Table 10-2, provided that:
 - 10.9.4.1. no such building, structure, or tent shall be permitted to remain on the site for a consecutive period exceeding two weeks;
 - 10.9.4.2. sufficient space for parking shall be provided on the site to meet the anticipated needs;
 - 10.9.4.3. adequate provision shall be made for utility services; and

- 10.9.4.4. no exterior amplifiers, speakers, or other similar equipment shall be permitted outside of the temporary building, structure, or tent.
- **Reduction of setbacks (see 7.3.3.9)**
 - 7.3.3.9. Reduction in Setbacks. Setbacks may be reduced as described below through use of landscaping.
 - 1. The setback described in Section 7.3.3.3. may be reduced to seventy-five (75) feet if a landscaped buffer is created using trees with a minimum height at maturity of twenty (20) feet, twenty-five (25) feet wide, at a ratio of one tree for every 350 square feet. Existing trees may be utilized in determining the number of trees to be planted, provided that at least one third of the trees are evergreens.
 - 2. The setback described in Section 7.3.3.3. may be reduced to fifty (50) feet if a landscaped buffer is created using trees with a minimum height at maturity of thirty (30) feet and shrubs with a minimum height at maturity of twelve (12) feet, twenty-five (25) feet wide, at a ratio of one tree for every 300 square feet and one shrub for every 350 square feet. Existing trees may be utilized in determining the number of trees to be planted, provided that at least one third of the trees are evergreens.
 - 3. Further reductions of setbacks may be considered where a combination of trees and the construction of a solid masonry wall is proposed, or where a combination of trees and an earth berm of three to four feet in height is proposed to be constructed. The ratio of trees to square footage will depend on the variables of the site and nuisance factors to be mitigated.
- **Rural fringe- 500 ft. setbacks for commercial greenhouse? It's not even allowed!**
- **Commercial neighborhood- what about the word 'convenience'? Why do we need this word?**
- **Commercial neighborhood setbacks (see Table 7-A)**
 - See above
- **Noise- add noise standards (see Ord. 2009-11 and 7.21; not strict enough? What's enforceable?)**
 - Sheriff can enforce noise standards
- **Lighting- specify requirements for lighting at night/ after business hours (see 7.8)**
 - 7.8.5. Specific Outdoor Lighting Standards.
 - 7.8.5.1. Residential lighting. No permit is required for outdoor lights that are installed at one and two family dwellings and that are rated at 1,200 initial lumens or less per lamp, as long as the maximum lumen output per dwelling set by Table 7-4 (5,500 initial lumens) is not exceeded. Floodlights rated less than 1,200 initial lumens are included in this exception;

- 7.8.5.2. Emergency lighting. No permit is required for temporary emergency lighting used by the fire, police, and public works departments or other emergency service agencies.
 - 7.8.5.3. Security lighting. All night lighting for security surveillance will be minimized. The use of motion-activated lights and alarms will be encouraged as an alternative. All applications for discretionary permits that propose security lighting shall include a security plan which delineates the area/s to be illuminated for security purposes and outlines the need for and purposes of the security lighting. Additionally:
 - 1. Security lighting is subject to all standards, including shielding, light orientation, etc. established in this Section on lighting.
 - 2. Security lighting designed to illuminate a perimeter (such as along a fence) shall include motion sensors designed to stay off unless triggered by an intruder located within 5 feet of the perimeter. Pole-mounted security lighting shall be installed no more than 10 feet from the perimeter of the designated area being illuminated, and poles cannot be located outside the parcel boundaries.
 - 7.8.5.4. Gas station canopies and convenience stores. Reserved.
 - 7.8.5.5. Parking lot lighting. Parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and safety, and to prevent glare or direct illumination onto adjacent properties or public ways.
 - 1. All lighting serving parking lots shall be fully shielded;
 - 2. Parking area illumination shall be reduced by at least 75% within ½ hour of the close of the business(es) the parking area serves. This reduced lighting level can be achieved by automatic controls that reduce lighting by 75%. This standard does not require that lighting levels be reduced below 0.2 foot-candles as measured horizontally at finished grade level.
 - 7.8.5.6. Lighting levels. Illumination levels in parking areas shall meet the requirements set forth for each Lighting Zone in Table 7-4.1.
- 7.9.4. Illumination. Illumination may be indirect with the source of light concealed from view, direct, emanating through translucent materials of the sign itself, or by electrically activated gas tubing such as neon. LED signs and electronic message boards are not prohibited, but shall comply with all requirements of this Section. Indirect and reflected illumination shall not exceed ten (10) vertical foot-candles in residential and mixed-use districts and twenty-five (25) footcandles in non-residential districts. Indirect and reflected illumination readings shall be taken from the property line. Direct or

interior illumination shall not exceed one hundred fifty (150) foot-candles in residential and mixed-use districts and two hundred fifty (250) foot-candles in non-residential districts.

- **Architectural design standards (see 7.17.9.4; 8.7.2.5)**

- 7.17.9.4. Architectural and Appearance Standards.

- 1. A Structure located on a slope in excess of fifteen percent (15%) shall be designed to conform to the natural terrain by following contours to minimize cuts and fills, fitting into existing landforms and solidly meeting the ground plane. Any pier foundations shall be enclosed so that exterior walls appear to meet the ground and such a foundation system shall not exceed five vertical feet above the natural grade.
- 2. Buildings should be designed within variations in height and orientation, and within offset walls to reduce the visible mass or bulk.
- 3. Roof colors, windows, walls and facade colors visible from adjacent properties or from arterial or collector roads shall be muted and of non-reflective or non-glossy materials with a Light Reflective Value (LRV) of less than 40 percent pursuant to manufacturers specifications.
- 4. Landscaping shall be provided for cut and fill slopes greater than four feet. Landscape shall be provided for the facade of buildings located on ridge tops or 15 percent slopes or greater that are visible from arterial or collector roads. A minimum of 50 percent of the visible portion of a cut and fill slope and facade shall be landscaped. Trees shall be planted or retained within 15 feet of all retaining walls to be screened and in an area no less than 25 feet and no more than 50 feet from any facade to be screened. In the event of a conflict between the requirements of this paragraph and the Santa Fe County Urban Wildland Interface Code on a particular property, screening shall be provided, but at a distance consistent with the requirements of Urban Wildland Interface Code. If the lot size does not permit compliance with both the requirements of this paragraph and the Urban-Wildland Interface Code, the latter shall apply.

- 8.7.2.5. Architectural Design Requirements.

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

- **Home Occupation- why is ‘no impact’ defined as 100 sf? That’s really (really) small!**