

## Tesuque Fence and Wall Standards along Bishops Lodge Road 7.29.20

Based on the Planning Committee's consensus points developed in February 2020, staff has developed a set of options for the Fence and Wall section of the 2020 Tesuque Community Plan Update for the Planning Committee's review and revision.

### Tesuque Plan Update Fence and Wall Proposed Options:

#### Option 1:

##### FENCES AND WALLS ALONG BISHOPS LODGE ROAD

Intent: No additional design standards for Tesuque Community District. SLDC Standards for Fences and Walls would govern this area.

Language: "Historic Bishops Lodge Road maintains a scenic characteristic that attracts many to visit and live in Tesuque. Residents aim to uphold the qualities of a winding, agricultural village that make the area picturesque. Fences and walls are diverse and reflect the settlement patterns of the area.

##### Implementation Strategy

- Fences and walls along Bishop's Lodge Road should follow the County standards

#### Option 2:

##### FENCES AND WALLS ALONG BISHOPS LODGE ROAD

Intent: Identify areas of concern along Bishop's Lodge Road to address road safety issues and establish standards which accommodate safety for both the drivers and the property owners.

Language: Two areas of Bishops Lodge Road differ in quality from the rest: the tight curves by Big Tesuque Canyon and Entrada Capulin. These areas should have different fence height standards for safety reasons to protect the visibility for roadway users.

##### Implementation Strategy

- Map the areas where safety standards for wall and fence height should be noted differently than the County standards that apply to all other parts of Tesuque.
- Allow a process for replacement fences and walls to be built to the standard in which it was previously built.
- All other new fences and walls should follow the County standards

- Work with County roads staff to address other safety measures

### Option 3:

#### FENCES AND WALLS ALONG BISHOPS LODGE ROAD

Intent: This Option would not change the intent of the language in the plan or overlay district. Section 9.5.2.1 of the Tesuque Community District Overlay would remain as is.

Because of visibility and safety concerns as well as the desire to maintain a visual connection to the pastures, orchards and natural features of the landscape, residents want to encourage owners of land along these roads to build appropriate walls and fences.

#### *PRIVACY FENCES AND WALLS ALONG THE SCENIC CORRIDOR*

*Accommodate both visual privacy needs on private property and a more open scenic corridor.*

The proliferation of privacy fences and walls abutting Bishop's Lodge Road and Tesuque Village Road has decreased visual connections to the scenic natural and historic agricultural landscape and detracts from rural character. Privacy fences and walls impede the view and reduce the sense of openness. However, it is important to recognize that the Scenic Corridor traverses several distinct environments distinguished by land uses, topography and historic development patterns. In some areas there is very limited setback area for walls and fences.

#### ***Implementation Strategies***

A 25 foot design overlay zone should be established on properties that abut Bishop's Lodge Road and portions of Tesuque Village Road that are in the Scenic Corridor in order to provide design standards and guidelines for new fencing, walls, building setbacks and terrain management.

Conduct a survey to determine area types and identify unique contextual elements that influence wall and fence design. Based on the survey, develop appropriate setback and design standards for walls and fences. Resulting standards should vary depending on area type. This can be done in conjunction with recommended road survey, (see above section, "Scenic Corridor and Implementation of the Aamodt Settlement").

Provide current and existing property owners with graphic examples of various walls, fencing, and landscaping alternatives that can accommodate both visual privacy needs on private property and a more open scenic corridor.

- o Encourage fencing and walls that do not interfere with public views.
- o Fencing and walls adjacent to the corridor should be constructed of materials that will complement the surrounding scenic resources and, where feasible, be combined with landscaping.
- o Chain link and plank board fencing is discouraged.

Enforce current regulations pertaining to fencing and walls on properties that did not

get proper permits. Note: many walls and fences may have been in existence before the code and should be legal non-conforming.

## **SLDC Regulations for Fences and Walls:**

### **7.7. FENCES AND WALLS.**

**7.7.1. Purpose.** The standards of this Section are intended to encourage construction of walls and fences that utilize traditional building styles and materials, as these vary throughout the county. The County finds that it is necessary for the public welfare to impose standards to improve and preserve the quality of fences and walls in residential neighborhoods in order to avoid blighting influences on neighborhoods and public safety problems.

**7.7.2. Applicability.** The following fences and walls are exempt from the requirements of this Section:

**7.7.2.1.** Walls or fences for agricultural purposes; and

**7.7.2.2.** Residential walls and fences no higher than six feet.

### **7.7.4. Standards.**

**7.7.4.1. Location and Height.** Fence and wall locations and heights shall be as follows unless otherwise specified in the SLDC:

1. The maximum height of walls or fences shall not exceed eight feet; provided, however, that the height of pedestrian door or gate portals built into a wall or fence may be up to 11 feet.

2. The combined height of any freestanding wall or fence constructed atop a retaining wall shall not exceed 10 feet. When a combination of freestanding wall or fence and retaining wall greater than 10 feet is needed, multiple retaining walls or combined wall structures shall be used. Each retaining wall shall be set back a minimum of six horizontal feet from face-of-wall to face-of-wall and shall be a maximum of 10 feet in height. Setback area grading shall not exceed a one percent cross slope.

**7.7.4.2. Materials.** A fence may be constructed of permanent material, such as wood (including coyote fences and similar), chain link, stone, rock, concrete block, masonry brick, brick, decorative wrought iron, adobe, straw bale or other materials that are similar in durability. The following materials shall not be used for fencing subject to this Section:

1. Cast-off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence, except that such materials may be used to

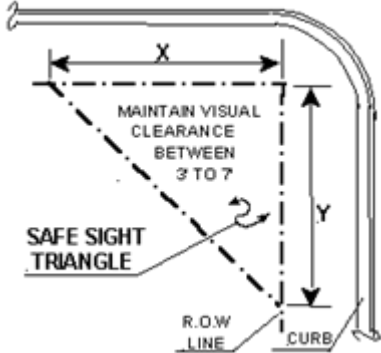
provide artistic decoration or enhancement so long as the primary materials are consistent with this Section;

2. Plywood, particle board, paper, and visqueen plastic, pallets, plastic tarp, or similar material; or

3. In subdivisions along the perimeter of a tract or parcel that abuts a collector or arterial road, barbed wire, razor wire, and other similar fencing materials capable of inflicting significant physical injury.

**Additional SLDC Standards for Safe Sight Triangle:**

**Figure 7.4: Safe Sight Triangle.**

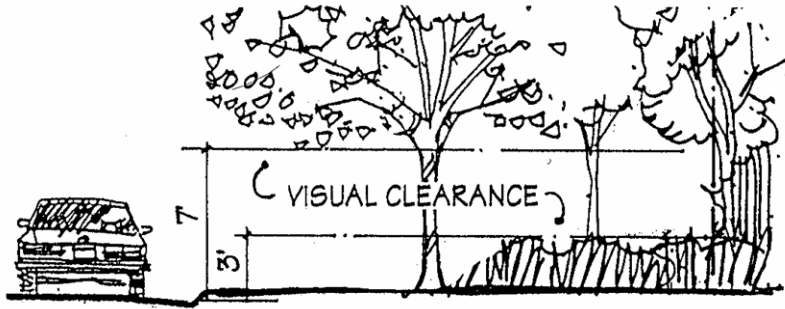


**Table 7-14: Minimum Corner Setbacks for Safe Sight Triangle.**

Intersection Type (x)	Intersection Type (y)	
	Road	Driveway
Road	40 feet	30 feet
Driveway	30 feet	n/a

1. No structure or planting (at mature growth) that exceeds three feet in height shall be permitted within a corner setback, except for utility poles, lighting standards, mail boxes, county or state traffic signs, and trees so long as the lower canopy of the tree permits a clear line of sight between three and seven feet above the road grade as shown in Figure 7.5.

**Figure 7.5: Structures and Plantings within Corner Setback.**



## Existing Tesuque Community District Overlay standards for Fences and Walls:

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

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

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

**2.** A permit is required for any new or replacement fences or yard walls within 25 feet of any property line fronting Bishops Lodge Road and Tesuque Village Road.

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

**a.** Any new or replacement fences or yard walls within 25 feet of any property line fronting Bishops Lodge Road and Tesuque Village Road shall not be opaque above 3 feet in height. Coyote fences are considered opaque.

**i.** Any new or replacement front yard fence or wall with any opaque sections facing Bishop's Lodge Road and Tesuque Village Road shall incorporate landscaping with permanent trees, shrubs or vines for a minimum of 40% of the wall length.

**b.** Any new or replacement front yard fence or wall beyond the 25 foot setback may be fully opaque to a maximum of 6 feet and shall be landscaped to the Bishops Lodge Road or Tesuque Village Road side with permanent trees, shrubs or vines for a minimum of 40% of the wall length. See Chapter 7 of this Code for landscape standards for planting requirements.

**c.** Fencing and walls shall not exceed 6 feet in height.

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

**a.** Fencing or walls above 3 feet but limited to 6 feet, must be constructed with materials that allow for safety for traffic by assuring clear visibility through the fencing.

- b.** Fence materials to be utilized above the 3-foot limit may not include glass or similar plastic or polycarbonate type materials.
- c.** Chain link fencing is prohibited.
- d.** Fencing and walls visually accessible from Bishop's Lodge Road, and greater than 30 feet in length, shall incorporate architectural offsets at a minimum of 1 every 30 feet.
- e.** All opaque portions of walls shall be colored in tones consistent with shades historically used in Tesuque, including earth tones, brown, tan, or white.