

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
9.14.1. Purpose and Intent	1	1	Better statement of the goal/vision for the overlay. Given the pressures to revise our community plans for the 21st Century (and climate response) I would be happy to see permission for larger or more dense development of many kinds, but done in a more thoughtful manner. This plan strikes me as a wish to keep things the same everywhere in our SM district, while sneaking in this and that and the other thing everywhere. The village of Cerrillos or a few other locations are set aside for thoughtful, yet dense development—and I would like to see more of that. This could include multi-family or other currently restricted development IF we had firm guidelines and more greenways required as part of the bargain. I recall more discussion of this in the late 90s. Pocket development would allow for extension of services, such as water (individual wells should be minimized!) and public transportation. That strategy would be much better than the current sprawl.	While we understand the sentiment, the County's main growth area is focused in the Community College District and adjacent Valle Vista areas. Increasing residential densities would require Zoning District changes.	No changes	
		2	I think there should be some language that promotes or allows experimental agriculture such as those that use modern and ancient techniques that use less water and or needs for energy such as heat or other pollutants. All should be more permissible especially if the business is attempting low impact ag, or land improvements that improve land health: see: (work of Bill Zeedyk) Zuni bowls, media lunas, and one rock dams, aquaponics, pumice wicks, Swales and Permaculture related solutions, earth bermed structures and the like.	We agree that experimental agriculture should be promoted, but we are not sure how to explicitly incorporate that into the SLDC. Proposed upzoning of some agricultural uses may indirectly enable these types of agriculture.	Discuss with Committee	
		3	There is a large business on Camino Los Abuelos that has reportedly large numbers of semis, many employees and industrial storage. Things like this existing without explanation and clearly not following existing rules are creating situations that will punish the rule followers and future community support for creative property use ideas.	There are likely many nonconforming and unpermitted uses. County Code Enforcement can look into issues like this.	Discuss with Committee	
9.14.2.1. NM 14 Setbacks	1	4	There is no rationale given for the setbacks, and especially regarding setbacks off the Turquoise Trail (14). I would like to see a continuation of the special wider setback requirements off that important roadway. There should be consideration of the impact of development along currently scenic roadways (including CR 44, 42, etc), to minimize the visual impact of further development. You may have considered this to some extent, but I don't see it.	<b>B. 2019 SMCDP Action 5.2.2:</b> Align the NM setback standards in the District with Highway setback standards in the County to maintain Scenic Byway (p. 51)	Remove section as proposed.	
		5	I do not remember eliminating the 200 foot Rural-R setback for HWY 14 completely. Does deleting this section mean a 20' setback from 14?	See SMCDP Action 5.2.2. Eliminating the 200 ft setback means that it defaults to the County standard of 100 ft.	Remove section as proposed.	
		6	Did we get rid of the 200 foot Rural-R setback for HWY 14 completely? Does deleting this section mean a 20' setback from Hwy 14? And what about the setbacks between commercial and residential properties?	The setback will default to the County standard of 100' ft. setbacks along State roads. The setbacks between Commercial and Residential properties remains 100'.	Remove section as proposed.	
		7	I think the scenic setbacks could remain at 200' (or require little visibility) for all zones other than RUR-R, in particular near the Galisteo River along NM-14 - and the Garden of the Gods area.	Currently, the 200' setback from Hwy 14 only applies to the Rural Residential Zoning District. For the other zoning districts, the setback has been 100'.	Remove section as proposed.	
9.14.2.6. Water Harvesting	1	8	Please explain why this is no longer necessary [referring to the original section: "Water Harvesting"]	If the intent is to protect water resources, the language in the plan conflicts since rainwater harvesting is required for all new residential development (SLDC 7.13.11.7 Water Harvesting).	Remove section as planned.	
9.14.3.2.1. Use Regulations	2	9	"prohibited" is crossed out but I believe it should remain. All three Use Regulations should be listed: Permitted, Conditional and Not Permitted (P, C, X)	Agreed, prohibited should not have been deleted.	Amend typo	

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
9.14.3.2.1.b. Temporary structures, tents, etc. for shelter	2	10	9.14.3.2.1. Temporary structures, tents, etc. for shelter. I object to removing this section. This has been an existing use situation for many in this area as you know. Ceremonial TPs, Yurts and other temporary structures are very established as an existing use out here. Simply removing this denies many of the historical use of such shelters that also predates European contact. I know there is a current effort by the county to eliminate this practice but it must, at least, address and or recognize those that have existing structures. "Camps, Camping and related establishments" are permitted typically within the county and this area is the ideal place to accommodate that practice.	A temporary structure such as a tent not a "dwelling unit" (as defined by the SLDC) and does not follow construction codes. Removing this section will allow for temporary structures to be built without the need for water/sewer hookups	Remove section as planned.	
9.14.3.2.1.c. Water treatment and purification facility	2	11	I believe the size of the water treatment or purification facility should be identified and should not be commercial sized, otherwise I do not support a conditional use for this.	The current uses for such facilities is Conditional. The key reasoning for this change in the Overlay text was to differentiate private/personal systems.	Keep as proposed.	
9.14.3.2.3. SMCD Rural Fringe	3	12	This seems like one of those over the top distances that limits a landowner to awkward siting. "500-foot setback from property lines for commercial greenhouses."  I hope this is removed as it makes little sense and is at confusing odds with the other allowed greenhouses (which I fully support in our climate). Why would we only limit commercial versions where private versions are allowed. I do not want to punish business operations who have other conditions met or in place. If we want to limit size of the operation, perhaps do that here. Example: only require such setbacks or limits on commercial greenhouses over 2000sq ft. -and/or- those that have more than occasional large truck traffic. This seems like one of those over the top distances that limits a landowner to awkward siting. "500-foot setback from property lines for commercial greenhouses."	This only applies to the RUR-F Zoning District. I'm not sure why this use regulations was specified, when it appears only one parcel in the SMCD has that zoning district designation.	Discuss with Committee	Synergia Ranch property
Dimensional Standards (see Dimensional Standards Table for each Zoning District)	3	13	I do not remember any agreement as to the setbacks – whether eliminating the 100' setback or agreeing to the countywide 20' setback.	See SMCDP Action 5.2.2. Plan vs. Overlay process.	Keep as proposed.	
		14	Even though we are using the County setbacks, shouldn't they be listed here instead of removed completely? This question applies to all Dimensional Standards in the document.	No, the SM Overlay only amends the SLDC. Where amendments are absent, the standards in other sections of the SLDC apply.	Keep as proposed.	
		15	I do not remember any agreement as to the setbacks – whether eliminating the 100' setback or agreeing to the countywide 20' setback. There was discussion but did we come to an agreement?	2019 SMCDP Action 5.2.1: Allow property-owners to have reasonable use of their land by reducing setback requirements and aligning Rural Residential setback standards more closely with the Rural Residential setback standards in the County	Keep as proposed.	
		16	First I'd like to thank you and the others at the county for working quickly to reconsider many of the crippling rules in our district. Especially the hundred foot setbacks which in some cases totally invalidated entire properties.	2019 SMCDP Action 5.2.1: Allow property-owners to have reasonable use of their land by reducing setback requirements and aligning Rural Residential setback standards in the County	Keep as proposed.	
9.14.3.2.4. SMCD Rural Residential	4	17	I believe we should add "small scale" in front of "agricultural production" as we have in front of "renewable energy production"	Agreed, meets the Plan intention of "neighborhood scale"	Add wording	
9.14.3.2.4. SMCD Rural Residential	4	18	The sentence after "it" does not describe the prohibition: "Water wells, well fields, and bulk water transmission pipelines:", which leaves (a) "This does not prohibit private wells," without a prior reference.	Under Staff Review.	Under Staff Review.	
9.14.4.1. Home Occupations	6	19	The "Art Studios" component really needs to be added and considered in the "Exhibition and Art Galleries" as well as the "Home Occupancy" section as this is a standard component of many artists studios and the culture of open studio tours that occur throughout the state. Many artists that do not get into the exclusive gallery markets in Santa Fe do have studios out here and they should be able to apply for a biz license and open them to the public on some level of "Home Occupancy".	The Exhibition use classification is proposed to change in the Use Table. For the Home Occupations section, we will add wording to the purpose.	Keep as proposed, but add new wording to the Home Occupations Purpose	

SMPC Comments Matrix  
August 2023

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
		20	Table 9.14.4.1-6 SMDC Home Occupations: If possible, this area needs to contain this wording supporting the "Art Studios, Equestrian, Agriculture based on established use" as these restrictions also impact these small businesses. The historical practice of art making and agricultural food production predates ranching and equestrian uses in this area and I would like to see this highlighted and encouraged.	We can certainly add that to the Home Occupations to reflect Plan intentions.	Add wording.	
		21	Most artists (the most supported business) need a lot more storage, why such small areas, what is the point of this, seems arbitrary - why have any restriction on storage space at all? This doesn't even seem enforceable.	Current County-wide standard.	Discuss with Committee	
		22	I would like to point out that there are almost no allowed business uses for RUR-R I think this is a short-sighted mistake for a rural area like ours. We live in the era of 'work from home' and business does not necessarily mean noise and detriment to quality of life or resource use; in fact it can greatly improve the function and empowerment of a community. I want to live in an area where people are thriving, this includes economy as much as aesthetics. Our vision needs to embrace entrepreneurial energy that people still building their livelihoods thrive upon. Rural character is not at odds with self-reliance in my interpretation.	Home Occupations vs. Commercial Use Table. A Trade Contractor can be a "Home Occupation" as long as they follow the Home Occupations standards. Whether a "Trade Contractor" commercial use is Permitted/Conditional/Prohibited is not relevant to a Home Occupation.	Discuss with Committee	
		23	in RUR-R the following is not allowed, even though these companies do not tend to complete their work on site - by nature the work is done elsewhere, so why is this restricted? All it does is keep small companies from being able to use their home address as a business address: Section: -Contracting -Trade contractor, plumbing, electrical, roofing, painting, landscaping I would like to see this as Permitted or Conditional in RUR-R, where most people in this area live. We need these services in our area and the people who have such skills should be supported.	Home Occupations vs. Commercial Use Table	Discuss with Committee	
		24	Near the tail end of the last meeting we started the discussion of low impact/medium impact home business uses. I hold dearly the idea that small business enriches a community, and want to urge the group to reconsider uses other than just art studios and equine facilities as a future vision for our area homeowners. (Crafts are not generally allowed in this matrix either, which is an art form.)		Discuss with Committee	
		9.14.4.2. Cannabis Uses	6	25	Cannabis Uses section	Based on June Committee meeting and Survey, staff developed Commercial Cannabis Use regulations for the District
		26	ADD after "land use patterns.: "Cannabis production in any residential zoning districts is not considered an appropriate use."	Cannabis section added in Section 4, Supplemental Zoning Standards	Keep as proposed.	
		27	ADD after "land use patterns.: "Cannabis production in any residential zoning districts is not considered an appropriate use."	Cannabis section added in Section 4, Supplemental Zoning Standards	Keep as proposed.	
SMCD Use Table.	8					
(organized by section)	8	28	In going through this, I see recommendations for uses the group never really discussed, did not discuss in detail, or for which County staff could not provide a meaningful definition of what that use actually meant. In those cases, I think the uses should be prohibited until further discussion takes place, or more useful definitions of those uses are provided. We made it clear that we were not interested in being like the County in general.	Staff are available for further discussions about specific uses. Some uses are not meaningfully defined, but we shouldn't err on the side of prohibition unless we have a compelling justification to do so.	Discuss with Committee	~

SMPC Comments Matrix  
August 2023

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
~	8	29	<p>For the use matrix portion of the overlay: low impact/medium impact home business uses. // General Points: I hold dearly the idea that small business enriches a community, and want to urge the group to reconsider uses other than just art studios and equine facilities as a future vision for our area. We need and deserve an economy of self employment options in a rural community like this.</p> <p>I will note that most Crafts are not generally allowed in this matrix either, which is an issue with definitions; as with wood working, sewing, ceramics, craft herbalism and product making etc. which are art forms and commonplace.</p> <p>Long-term local prosperity and general diversified ideas need more support, esp. for younger generations. Many working people are perhaps not attending these meetings because they are too busy; this is important.</p>	<p>Most "Crafts" would fall under Home Occupations instead of Commercial/Industrial Uses in the Use Table. Nonetheless, considering the needs of working and younger residents is imperative in how we think about these regulations.</p>	<p>Discuss with Committee</p>	~
~	8	30	<p>our rural community. Possibilities for home businesses, especially greenhouses for crop or plant production are exactly my area of interest. These small businesses can be done at a neighborhood scale quite efficiently and I'd like to make some points as to the current and proposed restrictions. The current/proposed five hundred foot setback conditional to permit a commercial greenhouse invalidates all properties smaller than twenty acres. Huge setbacks on greenhouses also force sub optimal placements of the structure. Why punish business use while the same structure could be more easily built for personal use? Digging a greenhouse into the ground grants superior thermal characteristics while greatly negating any potential obfuscation of our wonderful rural views. To my senses the most reasonable conditions for greenhouse permits should address the size of the structure, amount of water and it's sourcing. A greenhouse larger than 2500 square feet, to me seems to cross the line beyond home business. Likewise the use of personal well water beyond our .25 acre feet enters into unreasonable levels of use. Water hauled from outside the basin need not be limited. Greenhouses have the potential to be vastly more water and energy efficient in crop production than conventional farming. Moving gardening into greenhouses would save water out here and extend our growing season. It's making better use of less space than conventional crop production which is already allowed out here. To me, the enterprising use of land is what defines rural. I would much rather grow things in the most efficient way possible, using the most innovative means. I believe the future is going in the direction of working from home and people must be able to have their small home businesses. The encumbrance of excessive restrictions will hold the area back and render it a suburban community.</p>	<p>The 500 ft. setbacks for greenhouses only applies to RUR-F (the Synergia Ranch property). Nonetheless, we agree that small-scale greenhouses are supported by the Plan. Additional "scale" regulations should address some of these concerns.</p>	<p>Add "Scale" language in the Overlay.</p>	~

SMPC Comments Matrix  
August 2023

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
~	8	31	<p>I want to reinforce the importance of the guiding principles stated in our community plan as follows:            "Small business development and compatible home-based businesses should be supported. Allow and encourage agricultural and arts uses for home-based and Neighborhood-scaled business; Appropriate uses include artist studios, agriculture and ranch if necessary with equestrian uses as appropriate based on established land use patterns of this area."</p> <p>I want to thank you for demonstrating the adjustments to the use matrix based on this MANDATE and I want to reinforce the terms "Neighborhood-scaled" and "compatible home-occupancy based business should be supported". These terms should continue to guide you through the final stage of this process as you filter and take in the feedback coming in now and throughout the entire process we have been through over the past number of years. Based on these words of action the following details of the current matrix plan concern me:</p>	Agreed, Staff is developing "Scale" regulation language to reflect Plan intentions.	Discuss with Committee	~
~	8	32	I think in areas of contested community feedback, rather than permitting or denying activities, making them CONDITIONAL both provides for opportunity and reasonable regulation by the county staff to determine the appropriateness of a home occupancy business permit.	Agreed, it is important to note how Conditional Use Permits (CUPS) allow for community feedback in a formal way.	Discuss with Committee	SLDC Section 4.9.6.
~	8	33	Scale of a proposed activity is really important in what is appropriate with respect to a "Neighborhood-scaled" activity of any kind. Again, CONDITIONAL makes for a proper filter for the county to determine.	Agreed, Staff is developing "Scale" regulation language to reflect Plan intentions.	Discuss with Committee and begin drafting "Scale" regulations in the Overlay text	~
Commercial	8	34	I would like to point out that there are almost no allowed business uses for RUR-R and I think this is a short-sighted mistake for a rural area like ours. We live in the era of 'work from home' and business does not necessarily mean noise and detriment to quality of life or resource use; in fact it can greatly improve the function and empowerment of a community. I want to live in a area where people are thriving as much as anyone, this includes economy as much as aesthetics. Our vision needs to embrace entrepreneurial energy that people still building their livelihoods thrive upon. Rural character is not at odds with self-reliance in my interpretation.	Home Occupations vs. Use Table	~	Action 3.1.1: Small business development and compatible home-based businesses should be supported; Action 5.3.1. Allow and encourage agricultural and arts uses for home-based and Neighborhood-scaled businesses.
Commercial	8	35	I also think it would be valuable to state very clearly the sorts of businesses that people agree they do not want to see around here and start with that level of clarity as an axiom. Examples: few would want to see a Dollar Tree, a giant franchise center, or anything that is not locally owned pop up along this highway in any zoning district. How do we include something like this (definite exclusions) in our approach.	There is not a way to prohibit a certain type of property owner, but the Dimensional Standards for commercial uses in the Commercial Neighborhood ZD do limit the scale of such business.	Discuss with Committee	~
Commercial	8	36	During a call with community member Rick Iannucci, Staff heard about past noise issues with the Bear Creek property. Furthermore, Rick expressed that his hesitancy about if/when a future owner comes in - Rick wants to ensure they respect noise ordinances.	Any property must obey the Nuisance and Night Sky Ordinance - these can be enforced by Code Enforcement. Zoning cannot restrict ownership.	No proposed changes.	"Tap Room or Tasting Room" SLDC Definition
Commercial	8	37	Pg 1 Automotive Parts, accessories or tires: I believe this should be an A, so that it would need to be associated with a gasoline station. Conditionally permitting it would allow chain car parts store to locate in the commercial zones at Hwy. 14 and Bonanza Creek/Shenandoah intersection. If that's not how it works, then I would keep it prohibited.	Currently, the use "Automobile repair and service" is Permitted in CN, while this use is not. For consistency, this use should be at least Conditional.	Change to Accessory Use instead of Conditional.	"Automotive parts..." - LBCS Structure 2280
Commercial	9	38	Car care center and Car washes: Both should remain completely Prohibited. No reason for change just because there is one gas station.	There is not a compelling justification for prohibiting these uses as long as "Auto. Repair and service" is a Permitted Use. For consistency, these uses should be at least Conditional.	Change to Accessory Use instead of Conditional.	"Car care center" - LBCS Structure 2593 / "carwashes" NAICS 811192

SMPC Comments Matrix  
August 2023

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
Commercial	9	39	car care center, car washes: This should be X	^	^	^
Industrial, manufacturing, wholesale trade	9	40	To be specific, I think the use matrix section regarding "Trade contractors, plumbing, electrical, roofing, painting and landscaping" would better serve our community as Conditional. Small business entrepreneurs can effectively run a properly scaled business out of a residential H.O. This activity is listed as Conditional in all but the R.R. areas and I believe it should be Conditional as the others.	Currently, Staff are proposing no changes for this use. Important to note: trade contractors-as-Home Occupations are allowed in all zoning districts. If they grow above a medium impact H.O., they are limited to the Commercial Neighborhood (Conditional). In the County, this use is Conditional in RUR and RUR-F and Prohibited in RUR-R.		LBCS Function 7300
Industrial, manufacturing, wholesale trade	9	41	An example I pointed out was that in RUR-R the following is not allowed, even though these companies do not tend to complete their work on site - by nature the work is done elsewhere, so why is this restricted? All it does is keep small companies from being able to use their home address as a business address: Trade contractor, plumbing, electrical, roofing, painting, landscaping.	Home Occupations vs. Use Table	^	^
Industrial, manufacturing, wholesale trade	9	42	Produce Warehouse: I understand the thought that we support agricultural uses and a produce warehouse is related, but in fact, there is no agricultural activity of a size large enough to need a warehouse that could even exist in the SMCD. Based on the code definition, "Specialized warehouse structures for storing, sorting, repackaging, and, sometimes, wholesale selling of produce," there is no agricultural activity in San Marcos that would require this kind of structure. This should remain as it was: prohibited.	Given the LBCS definition and the lack of agricultural activity to support this type of use, Staff agree that it should remain as it was.	Revert Proposed change.	LBCS Structure 2740 - "specialized warehouse structures for storing, sorting, repackaging, and sometimes, wholesale selling of produce"
Industrial, manufacturing, wholesale trade	9	43	produce warehouse, food, textile, and related products: These uses poorly defined. Leave as X as in current SMPD Use Matrix	For the "Food, textiles, and related products" use in RUR and RUR-F, a commercial-scale (beyond Home Occupations) does not fit the character of either Zoning District.	Revert Proposed change. Discuss with Committee.	"Food, textiles, and related products" - LBCS Function 3100
Industrial, manufacturing, wholesale trade	10	44	For this one: Wholesale trade— durable goods. Wouldn't that include most crafts that people might sell to retailers even at a small scale? It is solidly disallowed in all zones and I do not understand why. As often is the case, the definitions would be useful.	No, that use would only apply if crafts-people outgrow their "Home Occupation."	Keep as proposed.	LBCS Function 3510 and 3520
Industrial, manufacturing, wholesale trade	10	45	Wholesale trade— durable goods -Food, textiles, and related products -Wood, paper, and printing products // Wouldn't that include most crafts that people might sell to retailers even at a small scale? We need to make sure that the craft trades are allowed. I think this should be Conditional or allowed at scale in all areas.	^	^	^
Industrial, manufacturing, wholesale trade	10	46	Food, textiles, and related products: Same reasoning as above. Our area does not want commercial production at a scale that would require this use being permitted. There is confusion between supporting agricultural uses and supporting these kinds of uses.	^	^	^
Industrial, manufacturing, wholesale trade	10	47	The Same applies to "Food, textiles and related products" as it is Conditional in all but R.R. areas. This I believe should be conditional as well, for the county to "compatible home-based businesses". Rather than deny anything in this category all together, it should be CONDITIONAL to comply with the mandate.	^	^	^
Public assembly structures	10	48	Performance Theater vs. Performing Arts vs. Theater, dance or music establishment: The changes to Performing Arts and Theater, Dance or Music Establishment don't seem to sync with Performance Theater. If we are supporting the Arts, it seems allowing a Performance Theater is just as consistent as Performance Arts and Theater, Dance or Music Establishment. Again, perhaps the definitions would shed light on this distinction, but I would think the same use cases would apply to all of these. Make all Conditional in Rural and Rur-F.	Agreed, these uses should be all consistent in San Marcos in accordance with the Plan	Change to ensure consistency for Arts/Performance-related uses.	"Performance Theater" LBCS Activity 3110 / "Performing arts or supporting establishment" LBCS Function 5100 / "Theatre or dance" LBCS Function 5101
Public assembly structures	10	49	exhibition, convention or conference structure: Accessory use ONLY if explicitly related to the Arts. This would need to be specified in the appropriate place in the SLDC. Can you find good wording for "explicitly related to the Arts" ?	As an Accessory Use, the structures are limited in scale. Restricting it to only Arts uses would be prohibitive to other non-arts businesses such Retreats.	Keep as proposed	LBCS Structure 3400

SMPC Comments Matrix  
August 2023

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
Arts, entertainment, and recreation	10	50	I see in the San Marcos Use Matrix that Retreats are Conditional (requiring approval), but when it comes to Restaurants and Exhibitions, these seem to be Prohibited. I would like to propose that Restaurants and Exhibitions are changed to Conditional as well, on the basis that a Retreat would always encompass some form of restaurant and often art exhibitions as well.	Retreats are specifically defined in the SLDC (see definition in Additional Notes column) and limited to meals only for Retreat attendees. Staff are proposing changes to Exhibition uses though.	Keep as proposed.	SLDC definition of "Retreats" - "a facility or property used for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. A retreat may not be utilized by the general public for meals or overnight accommodations" (Appendix A)
Arts, entertainment, and recreation	10	51	camp: Prohibited in Rural-R; this was never really discussed	<b>Plan Action. 5.3.4:</b> Support alternative lifestyles choices by allowing a variety of dwelling unit types and accessory uses such as the District as historically allowed. The full use is "Camps, camping, and related establishments." Structures such as Yurts are permitted under this particular use. To enable community residents to build structures such as Yurts, amending this use from Prohibited to Permitted or Conditional as supported by the Plan.	Keep as proposed.	LBCS Function 5400
Institutional or community facilities	11	52	College or university facility (privately owned): I disagree with this change. A college or university requires a great deal of infrastructure, it puts pressure on housing for students, faculty and administrators, which in turn increases water requirements. This is not consistent with the San Marcos District in any way. There is a huge difference between "school" and "university," in fact the heading School or university (privately owned) 4200 appears to be a broad category heading for the following sub headings. The codes distinguish between schools, such as Turquoise Trail, e.g., from a university. This needs to be discussed!!!	Yes, an entire college campus would involve a lot of infrastructure, but the key word is "facility." Under the current code, a university would not be able to construct a singular building in 3/4 zoning districts for institutional purposes. Furthermore, the Use Table is inconsistent because the "School or university (privately owned)" use is Permitted, while the "College or university facility (privately owned)" use is Prohibited in most zoning districts.	Keep as proposed. Discuss with Committee.	LBCS Structure 4220
Institutional or community facilities	11	53	Technical, trade and other specialty schools: Basically the same as above	^	Keep as proposed.	LBCS Function 6140; LBCS Structure 4230
Institutional or community facilities	11	54	I do think that the Arts have been especially accommodated for as I have continually lobbied for. I believe I speak for myself and many others when I thank you for your support of creative entrepreneurs. That said I think the specific line item in the use matrix regarding "Museum, Exhibition or Similar facility" should be changed to CONDITIONAL as it relates to the history of major artists in our area such as Alan Houser, Georgia O'Keefe and the Wax Encaustic Museum that has existed for years in our area. This is an inevitable result of the successful nature of Santa Fe and area as an Arts destination.	Agreed, the Plan supports this type of use.	Change to Conditional and ensure "Exhibition" use consistency across the three times it appears.	LBCS Function 5200; LBCS Structure 4400
Utility	12	55	Local distribution facilities for water, natural gas, and electric power: We need to know scale (definitions!). As I read that list at face value, these are not "sustainable" utilities, unless electric power can be construed to be solar, but that has other use cases, so I disagree with this being P. In the code definitions, there is much more fine grained explanations with differences between water, gas and electric "lines" vs. "pump stations". The designation in the Use Matrix is too vague. It should not be permitted.	For this use, the LBCS Structure 6100 covers "Utility structures on right-of-way" for this use. The SLDC does not go into as much detail as the LBCS classifications. Throughout the County and several Community Districts this use is Permitted, while others it is Conditional with a few being prohibited. If a Utility company has a right-of-way, they should be able to build local distribution facilities in the right-of-way.	Change to Conditional.	LBCS Structure 6100
Utility	13	56	Weather stations and Environmental monitoring stations: There is no definition in the codes.	Yes, LBCS nor the SLDC lack definitions/descriptions, but regardless both uses are relatively low-impact and have beneficial uses for San Marcos and County residents.	Keep as proposed.	Weather stations: LBCS Structure 6520 and Environmental monitoring stations: LBCS Structure 6600
Utility	13	57	The use "Small Scale wind facility" is a new use for the San Marcos Community District.	SLDC Section 10.16.4. sets regulations for wind facilities including small-scale. They are defined as: "Small-scale wind facilities are designed for single parcel use and not for selling power to other entities, and are equal to or less than ninety (90) feet in total height above ground level including the highest extension of the turbine blade."	Accessory Use justified for San Marcos CD	<a href="https://ecode360.com/39286571">https://ecode360.com/39286571</a>

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
		58	Small scale wind: This does not appear in the LBCS document that you linked to. Without a definition this should remain prohibited – “X”	Furthermore, 2019 Plan Action 1.3.1: Identify mechanisms in the County SLDC that enable renewable energy use and sustainable land use patterns to implement in the SMD.	Accessory Use justified for San Marcos CD	
		59	small-scale wind facility: I am opposed to wind facilities in general, with the exceptions being windmills for tanks used by agricultural and I do support unobtrusive individual solar applications, of course.	^	Accessory Use justified for San Marcos CD	
Agriculture, forestry, and conservation / open space	13	60	Matrix Comparison: the quote “Appropriate uses include <u>Art Studios</u> , AG, Ranch, Equest, based on <u>established land use</u> in the area” was added as a result of our pre-pandemic efforts and I gratefully appreciate it! 🙏 I want to be sure it is in the correct locations as it comes up in wierd places on your matrix spread sheet such as “Agriculture, Forestry and Open Space”, “ <b>Utilities-composting</b> ” but NOT under “Arts, Entertainment and Recreation” or “Residential” where it seems to belong.	From Staff's perspective, composting is an essential aspect of agriculture that should be supported.	Keep as proposed.	"Composting facility" - LBCS Structure 6330
Agriculture	13	61	Grain silos, Animal production, Livestock pens or hog houses, commercial greenhouses, nurseries: Again, the same confusion with agriculture being supported means this should be. No one can grow grain in this area. The soil won't support it and the amount of water required is way beyond SMCD's desire to conserve. This comes from a superficial reading of our Plan without understanding the community. This should not be allowed. Neither should the use cases following this. We don't support livestock yards, slaughter houses, commercial greenhouses or nurseries for most of the same reasons. This is a gross misinterpretation of our Plan.	For the "Grain silos..." use, Staff originally read it as general storage structures which could also be classified under the "Sheds, or other agricultural facilities" use. For the "Animal production" and "Livestock pens..." uses, these are limited to RUR and, from Staff's reading, relevant to cattle ranching activities.	Discuss with Committee.	"Grain silos and other storage structure for grains and agricultural products" LBCS Structure 8100 / "Animal production that includes slaughter" LBCS Function 9300 / "Livestock pens or hog houses" LBCS Structure 8200 / "Commercial Greenhouses" LBCS Structure 8500
Agriculture	13	62	grain silos, animal production: I agree with Dennis Kurtz: should be Conditional in all but Rur-R, where they should be Prohibited. Size of these operations should be small and clearly defined. Too much of an opportunity for these operations to become so large as to erode the Rural residential quality of life in SMPD. I think this is part of the aim to have this whole area keep its rural feel – “bigness” is part of the problem.	^	^	^
Agriculture	13	63	commercial greenhouse: Leave as currently is and explicitly specify that cannabis operations are a different use – many of us do not consider it “agriculture” – The commercialism of the cannabis operations is part of what seems wrong to me. We did have discussions about cannabis operations, and there probably are notes somewhere?	Commercial Cannabis Use Regulations will become a new section in the Supplemental Zoning Standards of the Overlay. Due to how the County's Cannabis Ordinance is written, "Cannabis" is not a distinct use in the Use Table.	Keep as proposed.	
Agriculture	13	64	I am very concerned with the broad allowance for commercial scaled agriculture with respect to “Commercial Greenhouses” and related businesses and the impact this has on our limited water resources. Again, understanding scale is important and I don't see how that is really defined. I believe that “home-based and Neighborhood-scaled business” such as commercial greenhouses needs to be limited. I have never seen commercial scaled greenhouses in this area and don't believe them to be compliant with neighborhood scale or the “established use patterns of the area”. Historically, agriculture in this area has been on a very meager scale and I don't believe our water resources can or should support such endeavors. I have a very rare artesian spring on our property that has been drier this year than ever seen in my 17 years of ownership. Unleashing commercial green houses and Ag use on this district must not be allowed or encouraged except for small “neighborhood scale”.	Agreed, large commercial greenhouses are not appropriate. Adding "scale" language will be in line with the Plan's intentions.	Add "Scale" language in the Overlay.	Commercial Greenhouses: LBCS Structure 8500 - "...enclosed structures with or without climate control facilities for growing plants and vegetation under controlled environments"
Agriculture	14	65	game preserves and retreats: Should be prohibited in Rur-R. Conditional in Rur-F – and I think we need a definition for “retreats” – temporary or permanent?	In the RUR areas of San Marcos, such preserves may be possible for commercial hunting or trapping.	Revert change in RUR-R. Keep proposed in RUR.	Game preserves and retreats: LBCS Function 9500
Agriculture	14	66	Dairy Farms: The Plan note in the spreadsheet does not support this change. Again, requires too much water from our community. Do not change uses.	Agreed, a dairy farm is not appropriate in RUR or RUR-F	Revert changes.	Dairy farms: LBCS Structure 8210



SMPC Comments Matrix  
August 2023

Overlay Section	Page #	Comment #	Comment	Staff Analysis	Staff Conclusion	Additional Notes
Agriculture	14	67	Poultry Farms: I do not support this change for same reasons	Agreed, a poultry farm is not appropriate in RUR or RUR-F	Revert changes.	Poultry farms: LBCS Structure 8220