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Report on San Marcos Community Meetings
October 2023
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Throughout 2023, County Planning Staff and the San Marcos Planning Committee have been developing amendments to the San Marcos Community District Overlay based on the 2019 San Marcos Community District Plan. Staff organized two community meetings for the San Marcos Community District. The first meeting was on Tuesday, October 3rd in-person at the Turquoise Trail Charter School and the second on Thursday, October 12th virtually via WebEx. At the October 3rd meeting, we had 21 attendees, while at the October 12th meeting, we had 15 attendees.

The purpose of the meetings was threefold:

1. To inform the greater community of San Marcos about the proposed changes to the San Marcos Community District Overlay (i.e. zoning regulations)
2. To answer questions about the proposed changes and receive specific comments
3. To inform the community about the approval process and tentative public hearings schedule.

At each meeting, we gave a brief overview of the community planning process, then went through the proposed amendments by topic in an open question-and-answer format. Finally, we described the approval process and tentative hearings schedule. In order to best collect feedback from community members, we asked attendees to write down their comments and feedback (see Attachment 5). Staff addressed this feedback through analysis and a recommendation for each comment (see Attachment 6).

Attachments:

1. Copy of Mail Notice
2. Meeting Materials
 - a. Agendas
 - b. Presentation Slides
 - c. Redlined Copy of the proposed Overlay amendments
3. Comments Forms
4. Comments Matrix with Staff Analysis and Recommendation

San Marcos Community Meetings



Overlay Amendments

Based on the *2019 San Marcos Community Plan*, the San Marcos Planning Committee and County Planning Staff have been developing amendments to the San Marcos Community District Overlay (i.e. zoning regulations). Please join us to learn about the proposed changes and answer any questions you may have.

Two Community Meetings

- ◆ **Tuesday, October 3rd — 6pm to 7:30pm — In-Person**
at Turquoise Trail Charter School
(13 San Marcos Loop, Santa Fe, NM 87508)
- ◆ **Thursday, October 12th — 6pm to 7:30pm — Virtual**
see please visit our webpage for meeting info or scan the QR Code:
bit.ly/sanmarcos23

For any questions, please contact Nate Crail, Community Planner
at ncrail@santafecountynm.gov





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San Marcos Community Meeting #1
6:00pm-7:30pm, Tuesday, October 3, 2023
Turquoise Trail Charter School Library
13 San Marcos Loop, Santa Fe, NM 87508

Meeting Purpose

- To inform the greater community of San Marcos about the proposed changes to the San Marcos Community District Overlay (i.e. zoning regulations)
- To answer questions about the proposed changes and receive specific comments
- To inform the community about the approval process and tentative public hearings schedule

Agenda

- I. Welcome, Introductions, & Meeting Guidelines – 10 minutes**
- II. Doug Speer’s Planning Process Explainer Video – 5 minutes**
- III. Planning Process Overview – 15 minutes**
 - a. 2019 San Marcos Community Plan
 - b. San Marcos Community District Overlay amendments
- IV. Q&A Tables-by-Topic – 60 minutes**
 1. Building & Development (including setbacks)
 2. The Arts & Home Occupations
 3. Water, Agriculture, & Commercial Cannabis
 4. Approval Process & Tentative Schedule
- V. Adjournment – 7:30pm**



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San Marcos Community Meeting #2
6:00pm-7:30pm, Thursday, October 12th, 2023
Virtual via WebEx

Meeting Purpose

- To inform the greater community of San Marcos about the proposed changes to the San Marcos Community District Overlay (i.e. zoning regulations)
- To answer questions about the proposed changes and receive specific comments
- To inform the community about the approval process and tentative public hearings schedule

Agenda

- I. Welcome, Introductions, & Meeting Guidelines – 10 minutes**
- II. Doug Speer's Planning Process Explainer Video – 5 minutes**
- III. Planning Process Overview – 15 minutes**
 - a. 2019 San Marcos Community Plan
 - b. San Marcos Community District Overlay amendments
- IV. Q&A Review of Overlay Amendments-by-Topic – 60 minutes**
 1. Building & Development (including setbacks)
 2. The Arts & Home Occupations
 3. Water, Agriculture, & Commercial Cannabis
 4. Approval Process & Tentative Schedule
- V. Adjournment – 7:30pm**

San Marcos Community District Overlay

Proposed Amendments

-

October 2023
Community Meetings



MEETING PURPOSE

- To inform the greater community of San Marcos about the proposed changes to the San Marcos Community District Overlay (i.e. zoning regulations)
- To answer questions about the proposed changes and receive specific comments
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AGENDA

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 - 1. Building & Development (including setbacks)
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 - 3. Water, Agriculture, & Commercial Cannabis
 - 4. Approval Process & Tentative Schedule
- V. **Adjournment – 7:30pm**

MEETING GUIDELINES

- **Respect everyone's perspectives and opinions**
- **At the Q&A topic tables, please wait your turn to ask questions**
- **Do not speak over others**
- **Stay on topic**

DOUG SPEER'S EXPLAINER VIDEO

Welcome!

San Marcos
Planning Meeting

Santa Fe County San Marcos District Community Plan Adopted SLDC Zoning Map

Legend

San Marcos District Community Planning Area

City of Santa Fe

Not Under Santa Fe County Zoning Jurisdiction

Municipality

Municipal Association Area

Tribal Lands

Federal and State Lands

SLDC Zoning Map (2016)

Ag (Ranch, AR) (1 dwelling per 100 acres base density)
Rural, RUR (1 dwelling per 40 acres base density)
Rural Fringe, RUR-F (1 dwelling per 20 acres base density)
Rural Residential, RUR-R (1 dwelling per 10 acres base density)
Residential Fringe, RES-F (1 dwelling per 5 acres base density)
Residential Medium Density, RES-M (1 dwelling per 20 acres base density)
Residential Community, RES-C (1 dwelling per acre base density)
Traditional Community, TC (1 dwelling per 0.75 acres base density)
Commercial Neighborhood, CN
Commercial General, CG
Industrial Light, IL
Industrial General, IG
Public / Institutional, PI
Mixed Use, MU
Planned Development District, PD

Community Overlay Zoning Districts (CO)

Interim Trail Environmental and Resource Protection Overlay Zone (ITERO)

Rural Commercial Overlay Zone (RCO)

Airport Noise Overlay Zone (ANO)

100 ft ANO

200 ft ANO

300 ft ANO

Any land or property which is subject to Santa Fe County's zoning jurisdiction, but is not depicted on this map within a County zoning district, shall be construed by default to be located in the Ag / Ranch zoning district, unless otherwise specifically provided for in the Santa Fe County Land Development Code.

* Densities referred to on this map and in the text of the County's zoning regulations indicate the gross or overall density of development projects and subdivisions, and do not necessarily indicate the minimum area required for each individual lot.



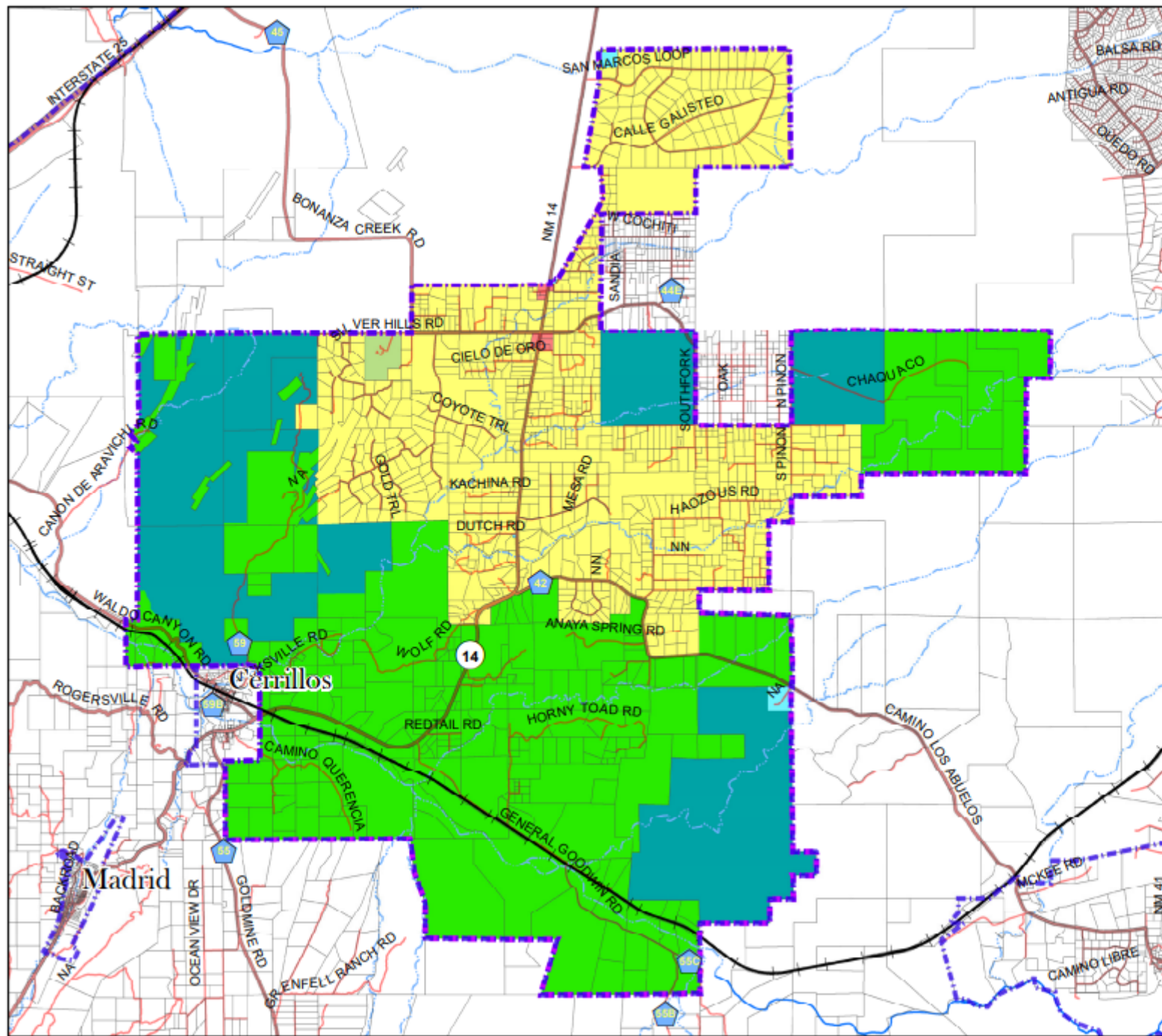
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Planning Division

June 10, 2019
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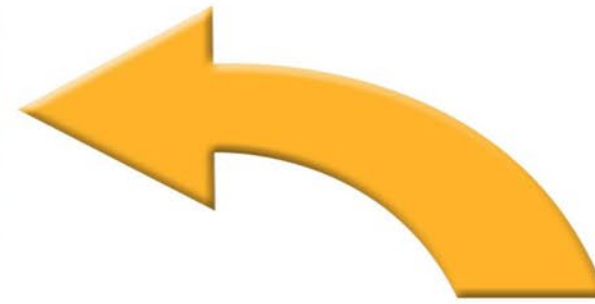
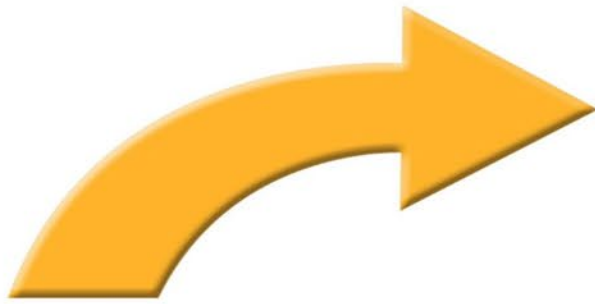




2019

San Marcos Community District Plan






2015 Santa Fe County Sustainable Growth Management Plan (SGMP)



Santa Fe County General Plan


Adopted by the Board of County Commissioners by Resolution 2015-155



Santa Fe County

Sustainable Land Development Code

Adopted by Ordinance 2016-9
December 13, 2016



This is a reproduction of the Santa Fe County Sustainable Land Development Code (SLDC), enacted by Ordinance No. 2016-9, the original copy of which was recorded with the County Clerk as instrument number # 1812913. While efforts have been made to ensure its accuracy, this more legible reproduction is provided as a convenience to the public and does not trump the recorded SLDC. In the event of an inconsistency between this reproduction and the SLDC recorded with the County Clerk, the recorded SLDC is the controlling and official document.

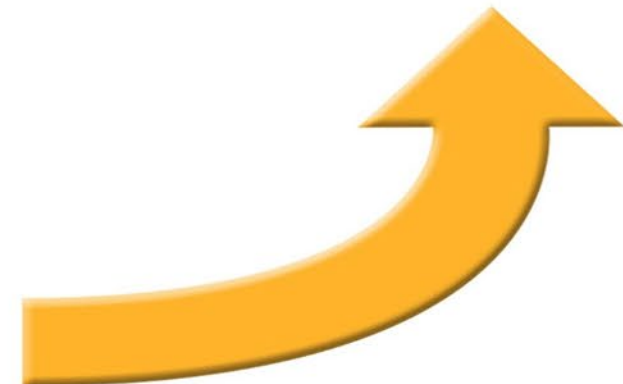
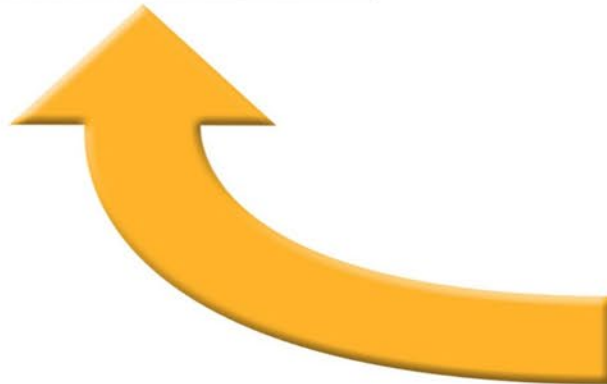
San Marcos District Overlay



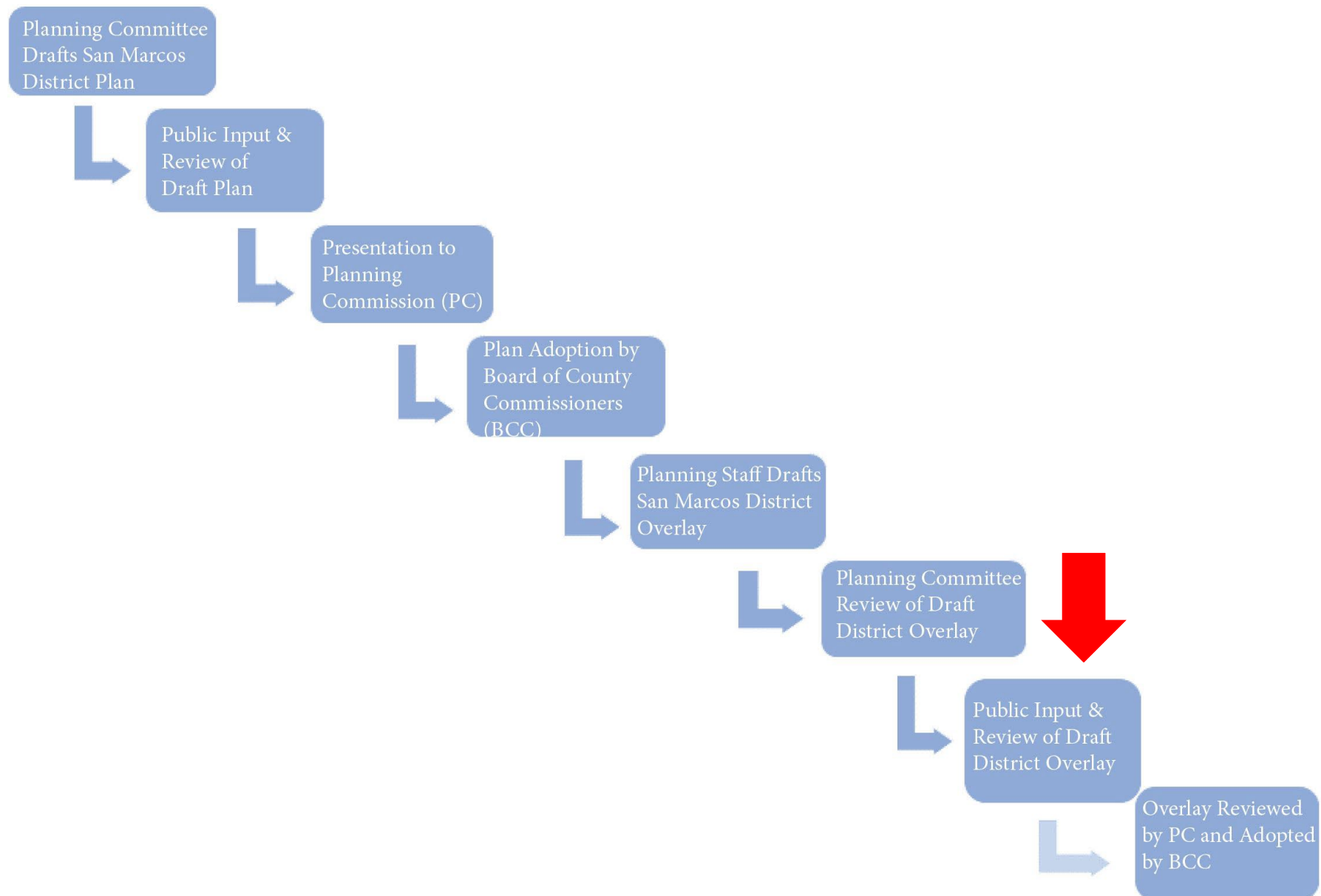
2019



San Marcos District Plan



Implementation Process



CONSISTENCY + OVERLAY PROCESS

SLDC Section 1.4 Purpose and Intent

- 1.4.1 The SLDC, including all amendments to the SLDC, are intended to implement and be consistent with the goals, objectives, policies, and strategies of the Sustainable Growth Management Plan (SGMP)

SLDC Section 2.1.4 Community Plans.

- 2.1.7 Implementation. Following approval of an area, community or district plan, County staff shall develop the appropriate overlay district(s) to implement the community plan.

Community Plan process vs. Overlay amendment process

- Consensus decision-making vs. Plan implementation

SLDC AND SGMP CONSISTENCY

SLDC Section 1.4 Purpose and Intent

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SLDC Section 2.1.4 Community Plans.

- 2.1.4.1 A community plan provides specific planning, design and implementation for a traditional,
- 2.1.6 Status of Area, Community or District Plans. After approval by the Board, an area, community or district plan shall constitute an amendment to the SGMP.
- 2.1.7 Implementation. Following approval of an area, community or district plan, County staff shall develop the appropriate overlay district(s) to implement the community plan.
- 2.1.10 Consistency. The SLDC and all amendments thereto shall be consistent with the SGMP and applicable area, community or district plans, the CIP and the Official Map.

Q&A REVIEW OF OVERLAY AMENDMENTS-BY-TOPIC

1. Building & Development (including setbacks)
2. The Arts & Home Occupations
3. Water, Agriculture, & Commercial Cannabis
4. Approval Process & Tentative Schedule

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400 ft ANOZ

600 ft ANOZ

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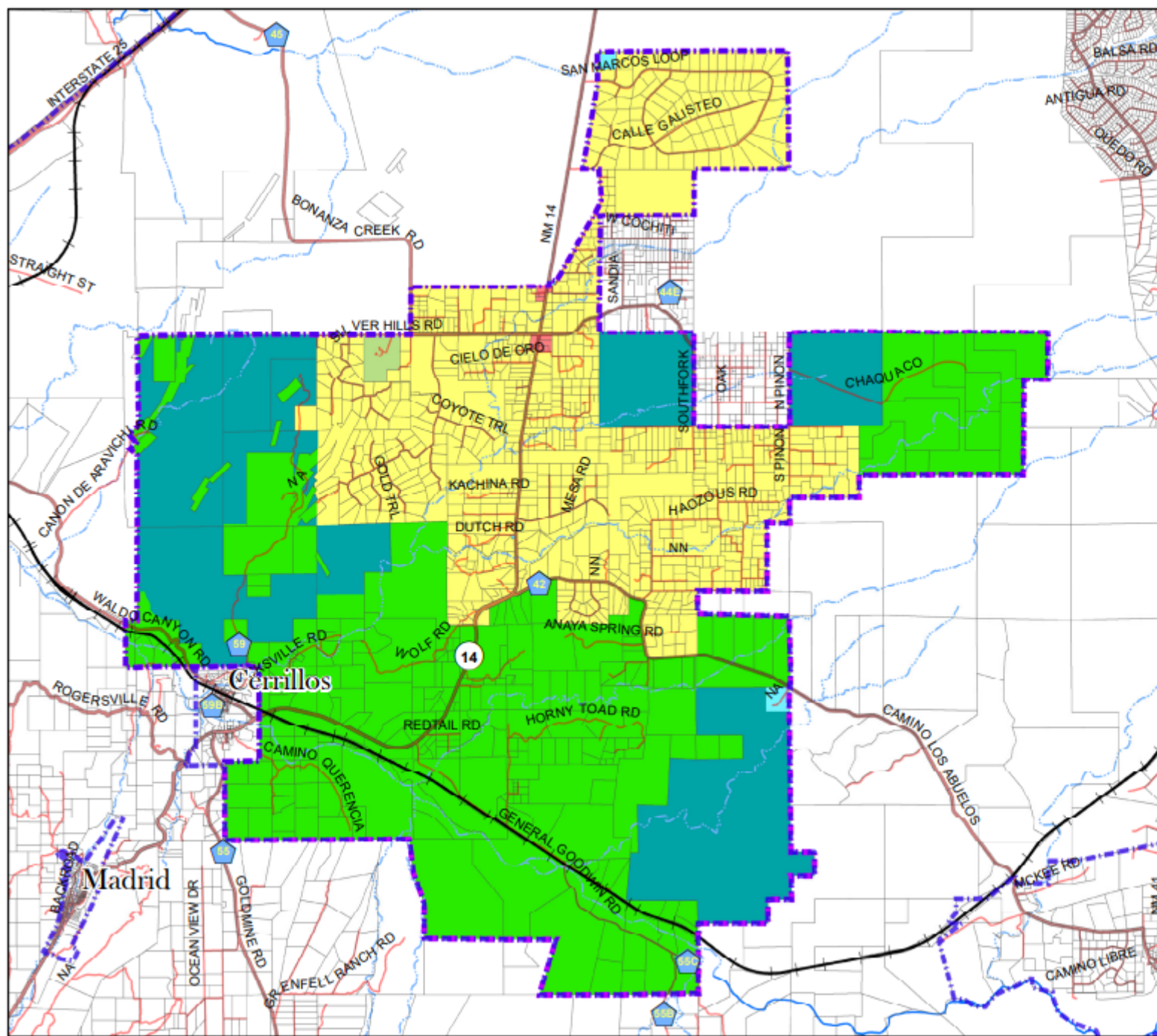
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BUILDING & DEVELOPMENT

- **9.14.2.1. NM 14 Setbacks**
 - From 200 ft. in Rural-Residential Zoning District to County Standard of 100 ft.
- **Dimensional Standards: Lot Coverage**
 - Lot Coverage maximum removed to match County standards
- **Dimensional Standards: Setbacks from front, rear and side property lines**
 - From 100 ft. to County standards

DIMENSIONAL STANDARDS:

PROPERTY LINE SETBACKS

- From 100 feet for Front, Rear, and Side Setbacks to the County standard:

| Table 7-A: Setback Table (see SLDC Section 7.3.3.7) | | | | |
|---|---------------------------|---------------------------|--------------------------|--------------------------|
| Zoning District | Front Setback (Min) ft | Front Setback (Max) ft | Side Setback (Min) ft | Rear Setback (Min) ft |
| 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 |
| Commercial Neighborhood (CN) | 5 | 25 | 0 | 30 |

THE ARTS & HOME OCCUPATIONS

- 2019 Plan: support artistic and home-based businesses
- Amendments to **Table 9-14-6 SMCD Home Occupations**
- **New Use:** “Independent artist, writer, or performer studio”
 - Proposed Zoning: Permitted in all Zoning Districts

WATER, AGRICULTURE, & COMMERCIAL CANNABIS

c. Composting facility

- i. This use shall be limited to a maximum of 5,000 square feet.

d. Commercial and crop production greenhouses

- i. These uses shall be limited to a maximum of 5,000 square feet.
- ii. This use must have valid water rights with the New Mexico Office of the State Engineer. Domestic well permits do not allow water to be used in growing any commercial crops.

e. Crop production outdoor

- i. This use must have valid water rights with the New Mexico Office of the State Engineer. Domestic well permits do not allow water to be used in growing any commercial crops.

COMMERCIAL CANNABIS

9.14.4.2. Cannabis Uses. The purpose of the Cannabis in the SMCD is to support economic development and agricultural opportunities that are not disruptive to the residential character of the area or significantly interfere with the use of adjacent properties. Cannabis Uses shall be as regulated in Chapter 10 of this Code except as prescribed in this section.

1. Use Regulations

a. Cannabis Commercial greenhouses

- i. This is a conditional use in the Rural Fringe Zoning District and Commercial Neighborhood Zoning District.

b. Cannabis Outdoor cannabis production

- i. This is a conditional use in the Rural Zoning District and Rural Fringe Zoning District.
- ii. This is a prohibited use in the Rural Residential Zoning District.

c. Cannabis Store or shop without drive through facility

- i. This is a conditional use in the Commercial Neighborhood Zoning District.

d. Cannabis Testing facilities (Research and development services)

- i. This is a conditional use in the Commercial Neighborhood Zoning District.

APPROVAL PROCESS & TENTATIVE SCHEDULE

1. SLDC Hearing Officer – *early-November*
2. Planning Commission – *mid-December*
3. Board of County Commissioners – *early-January*

COMMENTS SUBMISSION

1. Name
2. Date
3. Page Number / Section
4. Comment
5. Email: Nate Crail, Community Planner
ncrail@santafecountynm.gov

| Commenter | Date | Page Number / Section | Comment |
|-----------|------|-----------------------|---------|
| | | | |
| | | | |
| | | | |

THANK YOU FOR ATTENDING

Please send Questions and Comments to:

Nate Crail, Community Planner
ncrail@santafecountynm.gov

§ 9.14. SAN MARCOS COMMUNITY DISTRICT OVERLAY.

9.14.1 Purpose and Intent. The provisions of the San Marcos Community District (SMCD) 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). Arts and agricultural uses support the history and future vision of the San Marcos District. The SMCD supports and accommodates agricultural and artistic businesses that do not cause a detriment to the rural residential nature of the community. Appropriate uses include artist studios, agriculture, and ranching with equestrian uses based on established land use patterns. The SMCD is designed to implement the San Marcos Community Plan to ensure compatibility among various land uses, in the San Marcos community.

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

~~9.14.2.1 NM 14 Setbacks.~~ Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- ~~1. Parcels bordering NM 14 shall be set back a minimum of 100 feet in Commercial Neighborhood. If an existing legal parcel is unable to meet the setback requirements, the third of the parcel furthest away from NM 14 can be built upon.~~
- ~~2. Parcels bordering NM 14 shall be set back a minimum of 200 feet in Rural Residential. If an existing legal parcel is unable to meet the setback requirements, the third of the parcel furthest away from NM 14 can be built upon.~~

~~9.14.2.29.14.2.1 Cerrillos Reservoir Setbacks.~~ Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Parcels bordering the Cerrillos Reservoir shall ~~set back a minimum~~ have a minimum set back of 200 feet.

~~9.14.2.39.14.2.2 Cerrillos State Park Setbacks.~~ Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Parcels bordering the Cerrillos State park shall have a minimum set back ~~set back a minimum~~ of 200 feet.

~~9.14.2.49.14.2.3 County Trails Setbacks.~~ Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Parcels bordering County trails identified on Map 5 of the Official Map Series of this Code shall be have a minimum set back ~~set back a minimum~~ of 50 feet.

~~9.14.2.5 Archeological Site Setbacks.~~ Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- ~~1. Parcels bordering identified archeological site shall be set back a minimum of 100 feet.~~

~~9.14.2.6 Water Harvesting.~~ Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- ~~1. Rainwater catchment systems are required for all new construction whose roof area is 1,500~~

~~square feet or greater and for new additions that expand the roof area of the structure to 1,500 square feet or greater. Rainwater catchment systems are also required for any accessory structure whose roof surface is 500 square feet or greater.~~

9.14.2.4 Swimming Pools. Construction of a Swimming Pool is not permitted in the San Marcos Community District for residential properties.

1. This prohibition may be waived upon a showing that construction and use of a Swimming Pool is necessary as treatment for a medical condition.

9.14.3 Establishment of Zoning Districts. The zoning standards of Chapter 8 of this Code shall be applicable to all development, except as otherwise specified ~~herein.~~

9.14.3.1 Generally. The SMCD modifies the underlying base zoning districts in order to address special siting, use, and compatibility issues requiring regulations that supplement or supplant those found in the underlying zoning districts. If an overlay zone regulation conflicts with any standard of the underlying zone, the standard of the overlay zone shall govern.

9.14.3.2 Base Zoning Districts. Base zoning districts approved for use in the SMCD are listed in Table 9-14-1.

| Table 9-14-1: San Marcos Base Zoning Districts | |
|--|-------------------------|
| RUR | Rural |
| RUR-F | Rural Fringe |
| RUR-R | Rural Residential |
| CN | Commercial Neighborhood |

1. Use Regulations. Uses shall be permitted, conditional and prohibited ~~as identified in Chapter 8 and Appendix B of this Code, with exceptions identified~~ on the SMCD Use Table [Table 9.14.8] with exceptions outlined below.
 - a. Retirement housing, assisted living facility, life care or continuing care facilities, skilled nursing facilities:
 - i. This type of permitted use shall be limited to a combined total of 4 units at 5,000 square feet ~~or 50% of lot square footage whichever is smaller.~~
 - ~~b. Temporary structures, tents etc. for shelter:~~
 - ~~i. These uses shall follow the construction code and have sewer and water hook-up for a residence.~~
 - ~~c. Water treatment and purification facility:~~
 - ~~i. This is a permitted use for private and personal water treatment and purification systems.~~
 - ~~ii. This is a conditional use for any other water treatment or purification facility for potable drinking water uses only.~~
 - c. Composting facility

- i. This use shall be limited to a maximum of 5,000 square feet.
 - d. Commercial and crop production greenhouses
 - i. These uses shall be limited to a maximum of 5,000 square feet.
 - ii. -All applicants must comply with all applicable water permitting and use requirements imposed by New Mexico State agencies.
 - e. Crop production outdoor
 - i. This does not apply to personal gardens for personal use.
 - ii. -All applicants must comply with all applicable water permitting and use requirements imposed by New Mexico State agencies.
- 2. SMCD Rural (SMCD RUR); 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, home-based businesses and arts studios. 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.
 - a. Use Regulations. Uses shall be permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code, with exceptions identified on the SMCD Use Table [Table 9.14.8].
 - i. Water wells, well fields, and bulk water transmission pipelines:
 - (a) This does not prohibit private wells.
 - b. Dimensional Standards. ~~The As regulated in Chapter 8 of this Code except as prescribed in~~ Dimensional Standards for SMCD RUR are identified on Table 9-14-2.

Table 9-14-2: Dimensional Standards SMCD RUR (Rural)

| Zoning District | SMCD RUR |
|---|-------------------------------|
| Density (# of acres per dwelling unit) | 40 |
| Lot width (minimum, feet) | 150 |
| Lot width (maximum, feet) | n/a |
| Height (maximum, feet) hay or animal barn, silo | 50 |
| Height (maximum, feet) all other structures | 24 |
| Lot Coverage (maximum) | 20% |
| Setbacks from front, rear and side property lines | 100 <u>25</u> feet |

~~*In cases where setback requirements prohibit development of a parcel, the Administrator may approve setback-~~

~~requirements in accordance with Section 7.3 of this SLDC.~~

3. SMCD Rural Fringe (SMCD RUR-F); Purpose. The purpose of this district is to designate areas suitable for a combination of estate-type residential development, agricultural uses and other compatible uses. This zone also serves to protect agricultural and environmental areas that are inappropriate for more intense development due to their sensitivity. The SMCD RUR-F zone accommodates primarily large lot residential, retreats, ecotourism, equestrian uses and renewable resource-based activities, seeking a balance between conservation, environmental protection and reasonable opportunity for development.
- a. Use Regulations. Uses shall be permitted, conditional and prohibited as identified in ~~Chapter 8 and Appendix B of this Code, with exceptions~~ identified on the SMCD Use Table with exceptions as prescribed below:-
- i. Commercial greenhouses:
- (a) There shall be a minimum 500-foot setback from property lines for commercial greenhouses.
- b. Dimensional Standards. ~~As regulated in Chapter 8 of this Code, except as prescribed in~~ The Dimensional Standards for SMCD RUR-F are identified on Table 9-14-3.

| Table 9-14-3: Dimensional Standards SMCD RUR-F (Rural Fringe) | |
|---|-------------------------|
| Zoning District | SMCD RUR-F |
| Density (# of acres per dwelling unit) | 20 |
| Lot width (minimum, feet) | 100 |
| Lot width (maximum, feet) | n/a |
| Height (maximum, feet) – hay or animal barn, silo | 36 |
| Height (maximum, feet) – all other structures | 24 |
| Lot Coverage (maximum) | 20% |
| Setbacks from front, rear and side property lines | 100-25 feet* |

~~*In cases where setback requirements prohibit development of a parcel, the Administrator may approve setback requirements in accordance with Section 7.3 of this SLDC.~~

4. SMCD Rural Residential (SMCD RUR-R); Purpose. The purpose of this district is to provide for the development of single-family homes on large lots, either individually or as part of rural subdivisions; to preserve the scenic and rural character of the County; to provide consolidated open space and agricultural lands; and to recognize the desirability of carrying on compatible agricultural operations and home developments in areas near the fringes of urban development while avoiding unreasonable restrictions on farming or ranching operations. Uses that support rural character of the broader area shall be allowed including small-scale agricultural production, small-scale renewable energy production, home-based businesses, bed and breakfasts, artist studios, agro-tourism, equestrian and boarding facilities, and farmers' markets.
- a. Use Regulations. Uses shall be permitted, conditional and prohibited as identified ~~in Chapter 8 and Appendix B of this Code, for the SMCD RUR-R District as with~~

~~exceptions~~ identified on the SMCD Use Table with exceptions as prescribed below:

- i. Water wells, well fields, and bulk water transmission pipelines:
 - (a) This does not prohibit private wells.
- ii. Movie Ranch
 - (a) This use must be on a parcel over 65 acres in size.
 - (b) Property must be directly accessed from a County or State Road.
 - (c) Maximum individual building size of new permanent structures is 5,000 square feet.
 - (d) Maximum aggregate building size for new permanent structures is 15,000 square feet.
- b. Dimensional Standards. ~~The Dimensional Standards for SMCD RUR-R are As regulated in Chapter 8 of this Code, except as prescribed in Dimensional Standards~~ Table 9-14-4.

| Table 9-14-4: Dimensional Standards SMCD RUR-R (Rural Residential) | |
|---|-------------------------------|
| Zoning District | SMCD RUR-R |
| Density (# of acres per dwelling unit) | 10 |
| Lot width (minimum, feet) | 100 |
| Lot width (maximum, feet) | n/a |
| Height (maximum, feet) | 24 |
| Lot Coverage (maximum) <u>Setbacks from front property lines</u> | 20% <u>20 feet</u> |
| Setbacks from front , rear and side property lines | 100 <u>25</u> feet |

~~*In cases where setback requirements prohibit development of a parcel, the Administrator may approve setback requirements in accordance with Section 7.3 of this SLDC.~~

5. SMCD Commercial Neighborhood (CN); Purpose. The purpose this district is to allow for low-intensity convenience retail and personal services, as well as office uses, that are intended to serve ~~and are in close proximity to individual residential neighborhoods~~ the needs of residents. ~~Generally, the desired location of these commercial areas is at the periphery, focal point, or a major entrance to one or more neighborhoods, along a minor or subdivision collector or higher roadway classification, or along a major access road at the entrance to or in a focal point of a neighborhood.~~ In San Marcos the Commercial Neighborhood Zoning District locations ~~se properties~~ are in close proximity to NM 14.
 - a. Use Regulations. Uses shall be permitted or, conditional ~~and prohibited as identified in Chapter 8 and Appendix B of this Code for SMCD CN, with exceptions as identified on the SMCD Use Table [Table 9-14-8].~~
 - b. Dimensional Standards. ~~The Dimensional Standards for SMCD CN are identified on As regulated in Chapter 8 of this Code, except as prescribed in Dimensional Standards~~ Table 9-14-5.

Table 9-14-5: Dimensional Standards SMCD CN (Commercial Neighborhood)

| Zoning District | SMCD CN |
|---|---------|
| Density | n/a |
| Frontage (minimum, feet) | 50 |
| Lot width (minimum, feet) | n/a |
| Lot width (maximum, feet) | n/a |
| Height (maximum, feet) | 24 |
| Lot coverage (maximum, percent) | 50% |
| Maximum building size (aggregate) | 15,000 |
| Maximum size of individual establishments (sq. ft.) | 5,000 |

c. Lighting. Standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

i. 24-hour business lighting is prohibited.

d. Architectural Design Standards. As regulated in Chapter 8 of this Code, except as prescribed below:

i. The architectural style of all structures shall be finished with neutral brown or beige earth tones with stucco or adobe as the predominant material.~~complementary to that of other structures in the area and to regional architectural styles.~~

ii. ~~Incorporate, within all walls over 100 feet in length, at least 4 recesses, offsets, angular forms, and other features with 100 foot length to provide a visually interesting shape.~~

9.14.4 Supplemental Zoning Standards. Standards shall be regulated as identified in Chapter 10 of this Code with the following exceptions:

~~9.14.4.1~~ Home Occupations; Purpose. The purpose of the Home Occupations section in the SMCD is to support artistic and economic development home-based business opportunities that are not disruptive to the residential character of the area or significantly interfere with the use of adjacent residential properties. Home Occupations shall be as regulated in Chapter 10 of this Code except as prescribed in Table 9-14-6.

~~9.14.4.2~~ 9.14.4.1 9-14-6.

Table 9-14-6 SMCD Home Occupations.

| | No Impact | Low Impact | Medium Impact |
|---|-----------------------|---|---|
| Permit type | Business Registration | <u>Business Registration and Development Permit</u> | <u>Business Registration and Conditional Use Permit</u> <u>Only Permitted in Commercial Neighborhood zone District</u> |
| Non-resident employees (maximum) | 1 | 4 | 5 |

| Area used for business (maximum) | 25% of heated square footage | 50% of heated square footage | 50% of heated square footage |
|--|------------------------------|------------------------------|------------------------------|
| Accessory building storage (maximum) | 100-120 SF | 600 SF | 1,500 SF |
| Appointments/patron visits (average per day) | 02 | 5-10 | 1224 |
| Business traffic | none | see Section 10.6.5 | see Section 10.6.5 |
| Signage | Not Permitted | see Section 7.9.4.3 | see Section 7.9.4.3 |
| Parking and access | Resident and employee only | see Section 10.6.5 | see Section 10.6.5 |
| Heavy Equipment (maximum) | None | 0 | 3-64 |

9.14.4.2. Commercial Cannabis Uses; Purpose. The purpose of the Commercial Cannabis Uses section in the SMCD is to support economic development and agricultural opportunities that are not disruptive to the residential character of the area or significantly interfere with the use of adjacent properties. Cannabis Uses are designated as permitted, accessory, or conditional, as further explained in Table 9-14-8. Cannabis Uses shall be as regulated in Chapter 10 of this Code except as prescribed in Table 9-14-7.

| Table 9-14-7: SMCD Commercial Cannabis Uses | | | | | |
|---|-------------|---------------|---------------|------------|-----------------------|
| Use | SMCD RUR | SMCD RUR-F | SMCD RUR-R | SMCD CN | Special Conditions |
| Cannabis testing laboratories and cannabis research laboratories | <u>X</u> | <u>X</u> | <u>X</u> | <u>C</u> | <u>Ch. 10</u> |
| Cannabis manufacturers | <u>X</u> | <u>X</u> | <u>X</u> | <u>X</u> | - |
| A cannabis producer or cannabis producer microbusiness that cultivates cannabis plants indoors | <u>C</u> | <u>C</u> | <u>X</u> | <u>C</u> | <u>Ch. 10</u> |
| A cannabis producer or cannabis producer microbusiness that cultivates cannabis plants outdoors | <u>C</u> | <u>C</u> | <u>X</u> | <u>X</u> | <u>Ch. 10</u> |
| A cannabis retailer | <u>X</u> | <u>X</u> | <u>X</u> | <u>C</u> | <u>Ch. 10</u> |
| Cannabis consumption areas that allow consumption by consumers | <u>X</u> | <u>X</u> | <u>X</u> | <u>X</u> | - |
| Cannabis couriers | <u>X</u> | <u>X</u> | <u>X</u> | <u>X</u> | - |

9.14.5 Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the SMCD Use Table 9-14-~~89~~. All uses are designated as permitted, accessory, or conditional, as further explained in Table 9-14-~~78~~. Accessory uses may be subject to specific regulations as provided in Chapter 9 ~~or~~, 10, and conditional uses are subject to the conditional use permit standards provided in Chapter 4. In addition, uses may be subject to modification by the overlay zoning regulations included in this chapter.

Table 9-14-78: Use Table Labels

| | |
|-----|--|
| P | Permitted Use: The letter “P” indicates that the listed use is permitted by right within the zoning district. Permitted uses are subject to all other applicable standards of the SL DC. |
| A | Accessory Use: The letter “A” indicates that the listed use is permitted only where it is accessory to a use that is permitted or conditionally approved for that district. Accessory uses shall be clearly incidental and subordinate to the principal use and located on the same tract or lot as the principal use. |
| C | Conditional Use: The letter “C” indicates that the listed use is permitted within the zoning district only after review and approval of a Conditional Use Permit in accordance with Chapter 4. |
| DCI | Development of Countywide Impact: The letters “DCI” indicate that the listed use is permitted within the zoning district only after review and approval as a Development of Countywide Impact. |
| X | Prohibited Use: The letter “X” indicates that the use is not permitted within the district. |

The Use Matrix also includes Function, Activity and Structure Codes in accordance with the Land Based Classification System. Uses not specifically enumerated. When a proposed use is not specifically listed in the use matrix, the Administrator may determine that the use is materially similar to a listed use if: The proposed use is listed as within the same structure or function classification as the use specifically enumerated in the use matrix as determined by the Land-Based Classification Standards (LBCS) of the American Planning Association (APA).; or If the use cannot be located within one of the LBCS classifications, the Administrator shall refer to the most recent manual of the North American Industry Classification System (NAICS). The proposed use shall be considered materially similar if it falls within the same industry classification of the NAICS manual. A proposed use shall be treated in the same manner as the listed use to which it is materially similar. For example, if the proposed use is materially similar to a permitted use, this use shall also be a permitted use.

Table 9.14.89: SMCD Use Table

| Use | Function | Structure | Activity | SMD RUR | SMD RUR-F | SMD RUR-R | SMD CN | Special Conditions |
|--|----------|--------------|----------|---------------|---------------|--------------|---------------|-----------------------|
| Residential | | | | | | | | |
| Single-family | | 1110 | | P | P | P | P | |
| Accessory dwelling units | | 1130 | | A | A | A | A | Ch. 10 |
| Townhouses | | | | X | X | X | X | |
| Multifamily dwellings | | 1202-99 | | X | X | X | X | |
| Retirement housing | 1210 | | | P | P | P | P | Ch. 9 |
| Assisted living facility | 1230 | | | P | P | P | P | Ch. 9 |
| Life care or continuing care facilities | 1240 | | | P | P | P | P | Ch. 9 |
| Nursing facilities | 1250 | | | P | P | P | P | Ch. 9 |
| Community home, NAICS 623210 | | | | P | P | P | P | |
| Barracks | | 1310 | | X | X | X | X | |
| Dormitories | | 1320 | | X | X | X | X | |
| Temporary structures, tents etc. for shelter | | 1350 | | P | P | P | P | Ch. 9 |
| Hotels, motels, or other accommodation services | | | | | | | | |
| Bed and breakfast inn | 1310 | | | P | P | C | P | |
| Rooming and boarding housing | 1320 | | | C | C | X | C | |
| Resorts | | | | C | C | X | X | |
| Retreats | | | | P | P | C | X | |
| Hotels, motels, and tourist courts | 1330 | | | X | X | X | X | |
| Commercial | | | | | | | | |
| Shop or store with drive-through facility | | 2210 | | X | X | X | X | |
| Restaurant, with incidental consumption of alcoholic beverages | | 2220 | | X | X | X | P | |
| Restaurant, with no consumption of alcoholic beverages permitted | | 2220 | | X | X | X | P | |
| Store or shop without drive through facility | | 2230 | | X | X | X | P | |
| Department store | | 2240 | | X | X | X | X | |
| Warehouse discount store/superstore | 2124 | 2250 | | X | X | X | X | |
| Market shops, including open markets | | 2260 | | X | X | X | P | |
| Gasoline station | | 2270 | | X | X | X | C | |
| Automobile repair and service | | 2280 | | X | X | X | P | |
| Car dealer | 2111 | | | X | X | X | X | |
| Bus, truck, mobile home, or large vehicle dealers | 2112 | | | X | X | X | X | |
| Bicycle, motorcycle, all-terrain vehicle dealers | 2113 | | | X | X | X | X | |
| Boat or marine craft dealer | 2114 | | | X | X | X | X | |
| Automotive parts, accessories, or tires | 2115 | | | X | X | X | XA | |
| Gasoline service | 2116 | | | X | X | X | C | |
| Lumberyard and materials | 2126 | | | XC | XC | X | X | |
| Outdoor resale business | 2145 | | | X | X | X | C | |
| Pawnshops | | NAICS 522298 | | X | X | X | X | |
| <u>Tap or Tasting Room</u> | | | | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> | |
| Beer, wine, and liquor store (off-premises consumption of alcohol) | 2155 | | | X | X | X | C | |

Table 9.14.89: SMCD Use Table

| Use | Function | Structure | Activity | SMD RUR | SMD RUR-F | SMD RUR-R | SMD CN | Special Conditions |
|--|----------|--------------|----------|------------|--------------|--------------|-----------|-----------------------|
| Shopping center | | 2510-2580 | | X | X | X | X | |
| Convenience stores or centers | | 2591 | | X | X | X | C | |
| Car care center | | 2593 | | X | X | X | XA | |
| Carwashes | | NAICS 811192 | | X | X | X | XA | |
| Office or bank (without drive-through facility) | | 2100 | | X | X | X | P | |
| Office (with drive-through facility) | | 2110 | | X | X | X | X | |
| Office or store with residence on top | | 2300 | | X | X | X | P | |
| Office - over storefront structure | | 2400 | | X | X | X | P | |
| Research and development services (scientific, medical, and technology) | 2416 | | | X | X | X | P | |
| Car rental and leasing | 2331 | | | X | X | X | X | |
| Leasing trucks, trailers, recreational vehicles, etc. | 2332 | | | X | X | X | X | |
| Services including pest control, janitorial, landscaping, carpet[, upholstery, cleaning and other services | 2450 | | | X | X | X | P | |
| Bars, taverns and nightclubs | | | | X | X | X | X | |
| Sexually oriented business | | | | X | X | X | X | Sec. 10.20 |
| Tattoo parlors | | | | X | X | X | X | |
| Industrial, manufacturing and wholesale trade | | | | | | | | |
| Light industrial structures and facilities (not enumerated in Codes 2611-2615, below) | | 2610 | | X | X | X | X | |
| Loft | | 2611 | | X | X | X | X | |
| Mill-type factory structures | | 2612 | | X | X | X | X | |
| Manufacturing plants | | 2613 | | X | X | X | X | |
| Industrial parks | | 2614 | | X | X | X | X | |
| Laboratory or specialized industrial facility | | 2615 | | X | X | X | X | |
| Assembly and construction-type plants | 3000 | 2621 | | X | X | X | X | |
| Process plants (metals, chemicals[, asphalt, concrete, etc.) | 3000 | 2622 | | X | X | X | X | |
| Construction-related businesses | 7000 | | | X | X | X | X | |
| Heavy construction | 7400 | | | X | X | X | X | |
| Machinery related | 7200 | | | X | X | X | X | |
| Trade contractor, plumbing, electrical, roofing, painting, landscaping | 7300 | | | X | X | X | C | |
| Automotive paint and body | | | | X | X | X | X | Sec. 10 [10.23] |
| Automotive wrecking and graveyards, salvage yards, and junkyards | | | | X | X | X | X | |
| Vehicle storage for towing or related business | | | | X | X | X | X | |
| Demolition, building and structure business | | | | X | X | X | X | |
| Warehouse or storage facility structure | | 2700 | | X | X | X | X | |
| Mini-warehouse, mini-storage units | | 2710 | | X | X | X | X | |
| High-rise mini-warehouse | | 2720 | | X | X | X | X | |
| Warehouse structure | | 2730 | | X | X | X | X | |
| Produce warehouse | | 2740 | | X | X | X | X | |

Table 9.14.89: SMCD Use Table

| Use | Function | Structure | Activity | SMD RUR | SMD RUR-F | SMD RUR-R | SMD CN | Special Conditions |
|--|-------------|-----------|----------|---------------|---------------|---------------|---------------|-----------------------|
| Refrigerated warehouse or cold storage | | 2750 | | X | X | X | X | |
| Large area distribution or transit warehouse | | 2760 | | X | X | X | X | |
| Wholesale trade - durable goods | 3510 | | | X | X | X | X | |
| Wholesale trade nondurable goods | 3520 | | | X | X | X | X | |
| Food, textiles, and related products | | | | XC | XC | X | X | |
| Wood, paper, and printing products | | | | X | X | X | X | |
| Tank farms | | 2780 | | X | X | X | X | |
| Public assembly structures | | | | | | | | |
| Performance theater | | | 3110 | X | X | X | XP | |
| Movie theater | | | 3120 | X | X | X | X | |
| Amphitheater | | | 3130 | X | X | X | X | |
| Drive-in theaters | | | 3140 | X | X | X | X | |
| Indoor games facility | | 3200 | | X | X | X | C | |
| Amusement, sports, or recreation establishment not specifically enumerated | 5300 | | | X | X | X | X | |
| Amusement or theme park | 5310 | | | X | X | X | X | |
| Arcade | 5320 | | | X | X | X | X | |
| Miniature golf establishment | 5340 | | | X | X | X | X | |
| Fitness, recreational sports, gym, or athletic club | 5370 | | | X | X | X | C | |
| Bowling, billiards, pool, etc. | 5380 | | | X | X | X | C | |
| Skating rinks | 5390 | | | X | X | X | X | |
| Sports stadium or arena | | 3300 | | X | X | X | X | |
| Racetrack or raceway | 5130 | | | X | X | X | X | |
| Exhibition, convention or conference structure | | 3400 | | XA | XA | X | X | |
| Religious facilities | | 3500 | | P | P | P | P | * |
| Covered or partially covered atriums and public enclosure | | 3700 | | X | X | X | X | |
| Passenger terminal, mixed mode | | 3810 | | X | X | X | X | * |
| Active open space/athletic fields/golf courses | 6340 | | | X | X | X | X | * |
| Passive open space | 6340 | | | P | P | P | P | |
| Arts, entertainment, and recreation | | | | | | | | |
| Active leisure sports and related activities | | | 7100 | C | C | C | C | |
| Movie ranch | | | | X | X | P | C | |
| Camps, camping, and related establishments | 5400 | | | XP | XP | XC | XP | |
| Exhibitions and art galleries | | 4410 | | XA | XA | XA | P | |
| Performing arts or supporting establishment | 5100 | | | XC | XC | X | P | |
| Theater, dance, or music establishment | 5101 | | | XC | XC | X | P | |
| <u>Independent artist, writer, or performer studio</u> | <u>5160</u> | | | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Institutional or community facilities | | | | | | | | |
| Community center | | 2200 | | XP | XP | XC | P | |
| Hospitals | | 4110 | | X | X | X | X | |
| Medical clinics | | 4120 | | C | C | C | P | |

Table 9.14.89: SMCD Use Table

| Use | Function | Structure | Activity | SMD RUR | SMD RUR-F | SMD RUR-R | SMD CN | Special Conditions |
|--|----------|-----------|----------|---------------|---------------|---------------|---------------|-----------------------|
| Social assistance, welfare, and charitable services (not otherwise enumerated) | 6560 | | | X | X | X | X | |
| Child and youth services | 6561 | | | C | C | C | P | |
| Child care institution | 6562 | | | P | P | P | P | |
| Day care center | 6562 | | | P | P | P | P | |
| Community food services | 6563 | | | X | X | X | P | |
| Emergency and relief services | 6564 | | | X | X | X | P | |
| Other family services | 6565 | | | X | X | X | C | |
| Services for elderly and disabled | 6566 | | | X | X | X | P | |
| Animal hospitals | 6730 | | | X | X | X | P | |
| School or university (privately owned) | | 4200 | | P | P | P | P | |
| Grade school (privately owned) | | 4210 | | P | P | P | P | |
| College or university facility (privately owned) | | 4220 | | XP | XP | XC | C | |
| Technical, trade, and other specialty schools | 6140 | 4230 | | XP | XP | XC | C | |
| Library | | 4300 | | X | X | X | P | |
| Museum, exhibition, or similar facility | 5200 | 4400 | | X | X | X | P | |
| Planetarium | | 4420 | | X | X | X | C | |
| Aquarium | | 4430 | | X | X | X | X | |
| Zoological parks | | 4450 | | C | C | X | C | |
| Public safety related facility | | | 4500 | C | C | C | C | |
| Fire and rescue station | | | 4510 | C | C | C | C | |
| Police station | | | 4520 | C | C | C | C | |
| Emergency operation center | | | 4530 | C | C | C | C | * |
| Correctional or rehabilitation facility | | | 4600 | X | X | X | X | * |
| Cemetery, monument, tombstone, or mausoleum | | | 4700 | X | X | X | X | |
| Funeral homes | | | 4800 | X | X | X | XC | |
| Cremation facilities | | | 4800 | X | X | X | X | |
| Public administration | | 6200 | | X | X | X | XP | |
| Post offices | | 6310 | | X | X | X | C | |
| Space research and technology | | 6330 | | X | X | X | X | * |
| Clubs or lodges | | | | X | X | X | XC | |
| Transportation-related facilities | | | | | | | | |
| Commercial automobile parking lots | | 5200 | | X | X | X | X | |
| Commercial automobile parking garages | | | | X | X | X | X | |
| Surface parking, open | | 5210 | | X | X | X | X | |
| Surface parking, covered | | 5220 | | X | X | X | X | |
| Underground parking structure with ramps | | 5240 | | X | X | X | X | |
| Rooftop parking facility | | 5250 | | X | X | X | X | |
| Bus terminal | | 3830 | | X | X | X | X | |
| Bus stop shelter | | 5300 | | P | P | P | P | |
| Truck storage and maintenance facilities | | 5400 | | X | X | X | X | |
| Truck freight transportation facilities | 4140 | | | X | X | X | X | |

Table 9.14.89: SMCD Use Table

| Use | Function | Structure | Activity | SMD RUR | SMD RUR-F | SMD RUR-R | SMD CN | Special Conditions |
|--|----------|-----------|----------|------------|--------------|--------------|-----------|-----------------------|
| Light rail transit lines and stops | 4151 | | | X | X | X | X | |
| Local rail transit storage and maintenance facilities | 4153 | | | X | X | X | X | |
| Taxi and limousine service maintained [maintenance] and storage facilities | 4155 | | | X | X | X | X | |
| Taxi and limousine service dispatch facilities | | | | X | X | X | X | |
| Bus transportation storage and maintenance facilities | 4156 | | | X | X | X | X | |
| Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage | 4157 | | | X | X | X | X | |
| Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry | 4170 | | | X | X | X | X | |
| Courier and messenger service facilities | 4190 | | | X | X | X | X | |
| Commercial airports | | 5600 | | X | X | X | X | |
| Private airplane runways and landing strips | | 5610 | | X | X | X | X | |
| Airport maintenance and hangar facilities | | 5620 | | X | X | X | X | |
| Helipoint facility | | 5640 | | X | X | X | X | |
| Helistops | | | | X | X | X | X | |
| Glideport, stolport, ultralight airplane, or balloon port facility | | 5650 | | X | X | X | X | |
| Railroad tracks, spurs, and sidings | | | | X | X | X | X | |
| Railroad switching, maintenance, and storage facility | | 5700 | | X | X | X | X | |
| Railroad passenger station | | 5701 | | X | X | X | X | |
| Railroad freight facility | | 5702 | | X | X | X | X | |
| Utility | | | | | | | | |
| Local distribution facilities for water, natural gas, and electric power | | 6100 | | GP | GP | GP | GP | |
| Telecommunications lines | | | | GP | GP | GP | GP | |
| Electric power substations | | | | C | C | C | C | |
| High-voltage electric power transmission lines | | | | X | X | X | X | |
| Dam | | 6220 | | X | X | X | X | |
| Livestock watering tank or impoundment | | | | P | P | P | X | |
| Levee | | 6230 | | X | X | X | X | |
| Water tank (elevated, at grade, or underground) | | 6250 | | P | P | P | P | |
| Water wells, well fields, and bulk water transmission pipelines | | 6260 | | X | X | C | X | Ch. 9 |
| Water treatment and purification facility | | 6270 | | C | C | C | C | Ch. 9 |
| Water reservoir | | 6280 | | X | X | X | X | |
| Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation | | 6290 | | X | X | X | X | |
| Wastewater storage or pumping station facility, lift stations, and collection lines | | 6310 | | X | X | X | X | |
| Solid waste landfill facility | 4345 | 6320 | | X | X | X | X | |
| Composting facility | | 6330 | | XP | XP | XC | XP | Ch. 9 |
| Recycling transfer center | | 6331 | | X | X | X | X | |

Table 9.14.89: SMCD Use Table

| Use | Function | Structure | Activity | SMD RUR | SMD RUR-F | SMD RUR-R | SMD CN | Special Conditions |
|---|----------|-----------|----------|------------|--------------|--------------|-----------|-----------------------|
| Solid waste collection transfer station (governmental) | 4343 | | 3210 | X | X | X | X | |
| Solid waste collection transfer station (private) | 4343 | | 3210 | X | X | X | X | |
| Solid waste combustor or incinerator | 4344 | | | X | X | X | X | |
| Septic tank service, repair, and installation business | 4346 | | | X | X | X | X | |
| Household hazardous waste collection facility | | | | X | X | X | X | |
| Hazardous waste storage facility | | 6340 | | X | X | X | X | |
| Hazardous waste treatment and disposal facility | | | | X | X | X | X | |
| Sewage treatment plant and disposal facilities | | 6350 | | X | X | X | X | |
| Gas or electric power generation facility | | 6400 | | X | X | X | X | |
| New wireless communication facilities/Modification of existing wireless communication facility with substantial changes | | 6500 | | C | C | C | X | |
| Modification of existing wireless communication facility with no substantial changes/Collocation | | 6500 | | P | P | P | P | |
| Roof-mounted/surface-mounted/stealth | | 6500 | | P | P | P | P | |
| Amateur radio antenna | | 6510 | | P | P | P | P | |
| Weather stations | | 6520 | | XP | XP | XP | XA | |
| Environmental monitoring station (air, soil, etc.) | | 6600 | | XP | XP | XP | XA | |
| Commercial solar energy production facility | | | | X | X | X | X | |
| Geothermal production facility | | 6450 | | X | X | X | X | |
| Large-scale wind facility | | | | X | X | X | X | Sec. 10.16 |
| <u>Small-scale wind facility</u> | | | | A | A | A | A | <u>Sec. 10.16.4</u> |
| Highway rest stops and welcome centers | | 6930 | | X | X | X | X | |
| Fountain, sculpture, or other similar decorative structures | | 6950 | | P | P | P | P | |
| Permanent outdoor stage, bandstand, or similar structure | | 6960 | | X | X | X | X | |
| Agriculture, forestry, and conservation/open space | | | | | | | | |
| Grain silos and other storage structure for grains and agricultural products | | 8100 | | X | X | X | X | |
| Animal production that includes slaughter | 9300 | | | XC | XC | X | X | |
| Livestock pens or hog houses | | 8200 | | XP | XC | X | X | |
| Commercial greenhouses | | 8500 | | XP | P | XC | CP | <u>Ch. 9</u> |
| Nurseries and other growing of ornamental plants | | | | X | X | X | C | |
| Stables and other equine-related facilities - All personal use | | | | P | P | P | P | |
| Stables and other equine-related facilities - Commercial up to 12 horses | | 8240 | | CP | CP | CP | XP | |
| Stables and other equine-related facilities - Commercial over 12 horses | | | | XP | XP | XP | XC | |
| Kennels and commercial dog breeding facilities | | 8700 | | X | X | X | X | |
| Apiary and other related structures | | 8700 | | P | P | P | P | |
| Crop production outdoor | 9100 | | | P | P | P | P | <u>Ch. 9</u> |
| Crop production greenhouse | | 8500 | | P | P | P | P | <u>Ch. 9</u> |

Table 9.14.89: SMCD Use Table

| Use | Function | Structure | Activity | SMD RUR | SMD RUR-F | SMD RUR-R | SMD CN | Special Conditions |
|--|----------------------|-----------|----------|---------------|---------------|---------------|---------------|-----------------------|
| Display or sale of agricultural products raised on the same premises | | | | P | P | A | P | |
| Forestry and logging operations | 9300 | | | X | X | X | X | |
| Game preserves and retreats | 9400 9500 | | | XP | XP | XA | X | |
| Support business and operations for agriculture and forestry | | | | XA | XA | XA | XA | |
| Parks, open space areas, conservation areas, and preservation areas | | | | P | P | P | P | |
| Public or community outdoor recreation facilities | | | | C | C | C | C | |
| Concentrated animal feeding operation | | 8310 | | X | X | X | X | Ch. 11 |
| Grazing and ranching of livestock | | 8230 | | P | P | P | P | Sec. 10.3 |
| Dairy farms | | 8210 | | X | X | X | X | |
| Other farm and farming-related structures | | 8900 | | A | A | A | A | |
| Poultry farms and poultry production facilities | | 8220 | | X | X | X | X | |
| Sheds, or other agricultural facilities | | 8000 | | A | A | A | A | |
| Animal waste lagoons | | 8420 | | X | X | X | X | Ch. 11 |
| Mining and extraction establishments | | | | | | | | |
| Oil and natural gas exploration or extraction | 8100 | | | DCI | DCI | DCI | DCI | Ch. 11 |
| Hard rock mining | 8200 | | | DCI | DCI | DCI | DCI | Ch. 11 |
| Small scale sand and gravel extraction | | | | X | X | X | X | |
| Sand and gravel extraction (as specified in Section 11.10) | | | | DCI | DCI | DCI | DCI | Ch. 11 |

Notes:

*Subject to inclusion in approved list of uses that is part of the site plan for the Mixed Use District and Planned Development District.

Laird Graesser SOS 424-9023
for clarification

| Commenter | Date | Page Number / Section | Comment |
|----------------|------|---|--|
| Laird Graesser | 10/3 | p96, Table 9-14-6 | With the advent of remote work, requiring business registration may be or a problem. Probably OK for "low impact" or "Medium Impact" |
| Laird Graesser | 10/3 | various | Before final version, must have professional proofreader correct typos - in a casual read I identified half a dozen typos. |
| Laird Graesser | 10/3 | 3, Table 9-14-2 4, Table 9-14-3 5, Table 9-14-4 | Rather than deleting the 100' setbacks - explicit/prostate the 25'/20' setbacks in SLDC. This is for clarity and positive communication. |
| Laird Graesser | 10/3 | 6, Table 9-14-6 | Is a separate garage, not particularly used for business storage - or a separate studio considered "accessory building storage" subject to 120sf, 600sf or 1,500 sf? |

| Commenter | Date | Page Number / Section | Comment |
|----------------------------------|---------|-----------------------|---|
| RICK IANNICCI 505 670 2059 | 10-3-23 | | <p>— RE: NEIGHBORHOOD SCALE.</p> <p>— RE: <u>NOISE ABATEMENT</u> AND QUIET ENJOYMENT IN RESIDENTIAL RESIDENTIAL RURAL HOMES THAT ARE BORDER COMMERCIAL AREA.</p> |
| | | | <p><u>RECOMMEND</u> RE / NO AMPLIFIED MUSIC / OUTDOORS OR PIPED OR DIRECTED OUT DOORS OF THE COMMERCIAL FACILITY BE PERMITTED. SPECIFICALLY - BAR/TAPROOMS - SUCH AS THE BEER CREEK BAR. ON NM 14.</p> |
| | | | <p>MUSIC/ENTERTAINMENT SHOULD BE CONTAINED AND LIMITED TO THE INTERIOR OF THE BUSINESS.</p> |
| | | | <p>THIS APPLIES TO COMMERCIAL ESTABLISHMENTS AND IF RESIDENTS WANT TO HAVE A WEDDING OR SPECIAL EVENT THEY SHOULD GO THROUGH A SPECIAL EVENT / PERMITTING PROCESS.</p> <p><u>THANK YOU</u></p> |

| Commenter | Date | Page Number / Section | Comment |
|---|-----------|-----------------------|--|
| <u>RICK IANNUCCI</u> SDS 670 2059 | 10-3-23 - | | <u>RE: NEIGHBORHOOD SCALE.</u> NEW RESIDENTS + SOME OLD ONES ARE UNAWARE OF OR ARE INSENSITIVE TO LIGHT/NIGHT SKY ABATEMENT. - THE AND - THE SHELL STATION FOR INSTANCE, INSTALLED BRIGHT AND - THEFT LIGHTS ALL AROUND AND THEY ARE ON ALL NIGHT, EVER NIGHT - SOME NEW RESIDENTS - INSTALLED BRIGHT OUTDOOR LIGHTS; SOME AIMED FROM THEIR HOMES ON CAMINO AZUL ALL THE WAY TO THE AND INTO MY HOUSE ON HWY 14, - <u>RECOMMEND</u> - EDUCATE SAN MATEO'S FOLKS TO 'SHADE' THEIR LIGHTS / HOOD OR RE-AIM. - * SEND SEND - NOTIFICATION W/ TAX NOTICES ON NIGHT/LIGHT ABATEMENT AND BEST PRACTICES TO INSURE ALL OF PEACEFUL NIGHT SKY'S WHILE MAINTAINING REASONABLE SECURITY OF THEIR PROPERTY THANK YOU ~ |

| Commenter | Date | Page Number / Section | Comment |
|----------------------|---------|-----------------------------|--|
| Amanda Montgomery | 10/3/23 | 9.14.4.2.b Cannabis Uses | I am Thrilled that outdoor commercial grows on rural residential areas will be prohibited however - I am dismayed that planning commission AND commissioners have grandfathered in a number of outdoor grows in rural residential despite a survey of residents that did NOT want outdoor commercial grows. 73%. VERY DISAPPOINTING - please ask Planning Commissioners + County Commis ^m ioners to respect the wishes of the people. |
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| Commenter | Date | Page Number / Section | Comment |
|--------------------------|-------------|--|--|
| <i>Kindle Agguck</i> | <i>10/3</i> | <i>pg. 6 table 9-14-6 Home Occupations</i> | <i>If Heavy equipment is allowed for Commercial businesses, that are located on mixed residential lot, it would be nice that the equipment is not visible to any other adjoining neighbors. Should store equipment in large metal buildings.</i> |
| | | | |
| | | | |

| Commenter | Date | Page Number / Section | Comment |
|---------------------------------------|------|--------------------------|---|
| Elizabeth West ewest@cybermesa.com | | 7 1 | Include suggestion to Somewhere? that require real estate and other sellers to notify the buyer or county regulations |
| | | | |
| | | | |
| | | | |

potential
buyer

| Commenter | Date | Page Number / Section | Comment |
|--|------|----------------------------------|--|
| Row GreenBelt GreenY105 c@gmail.com | | Adopted SLDC Zoning map | TURQUOISE Trail Court - Who Does belong to? - What is the zoning - Possible - <u>Between 8. TRAIL CT + RTE 14</u> |
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COMM
Hank
Hughes

| Commenter | Date | Page Number / Section | Comment |
|-----------|------|--------------------------|--|
| Dadid | | | Advertise on The Madrid Radio Station |
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| Commenter | Date | Page Number / Section | Comment |
|-----------|------|--------------------------|---|
| KEVIN BOX | | 11 IND. ARTIST, ETC. | AS A NEW LINE ITEM ON THE USE MATRIX I'M GRATEFUL AND EXCITED ABOUT IT BUT I JUST WANT TO BE SURE IT HASN'T GONE TOO FAR AWAY W/TO THE EXTREME OF ALLOWANCE? |
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| Commenter | Date | Page Number / Section | Comment |
|-----------------|---------|--|---|
| LINDA CASSEL | 10/3/23 | 7 9.14.4.2. 1. b canibus proprium | THE SURVEY IS NOT A VALID CONSIDERATION FOR THE CHANGE TO PROHIBIT THE RURAL RESIDENTIAL ZONE. DISTRICT. IT SHOULD REMAIN CONDITIONAL. |
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SMPC Comments Matrix
August 2023

| Overlay Section | Page # | Comment # | Comment | Staff Analysis | Staff Conclusion | Additional Notes |
|-----------------------|--------|-----------|---|---|--|------------------|
| General | 0 | 1 | Advertise on the Madrid Radio Station | Agreed, Staff are always looking for avenues to expand community planning outreach. | N/A | |
| General | 0 | 2 | Turquoise Trail Court. Who does belong to? What is the zoning possible between T. Trail Ct and Rte. 14 | According to the County Assessor's Parcel Map, parcels 99309981 and 99309982 (between Hwy 14 and T. Trail Court) are owned by the Rancho Viejo Partnership. The parcel ending in '81' is zoned "Rural" while the parcel ending in '82' is zoned "Rural" in the southern half and "Rural Fringe" in the northern half. Technically, this property is outside of the San Marcos Community District and not subject to any of the proposed Overlay amendments. | N/A | |
| General | 0 | 3 | Somewhere? Include suggestion to require real estate and other sellers to notify the buyer or potential buyer about county regulations | Our Building and Development Services staff are continually working with Realtors about communicating County regulations to buyers. Nonetheless, this suggestion is outside of the purview of the Overlay amendments. | N/A | |
| General | 0 | 4 | Neighborhood scale: new residents and some old ones are unaware of or are insensitive to light/night sky abatement. And the Shell station for instance, installed bright anti-theft lights all around and they are on all night, every night. Some new residents installed bright outdoor lights, some aimed from their homes on Camino Azul all the way to and into my house on Hwy 14. Recommend: educate San Marcos folks to 'shade' their lights/hood or re-aim; send notification w/ tax notices on night/light abatement and best practices to insure all of peaceful night sky's while maintaining reasonable security of their property | Agreed, education about the County's Night Sky regulations is a necessity, but it does not have a direct connection to the Overlay amendments. | N/A | |
| General | 0 | 5 | Noise abatement and quiet enjoyment in residential rural homes that border commercial area. Recommend: no amplified music outdoors or piped or directed outdoors of the Commercial Facility be permitted. Specifically, bar/taprooms such as the Beer Creek Bar on NM-14. Music/entertainment should be contained and limited to the interior of the business. This applies to commercial establishment and if residents want to have a wedding or special event they should go through a special event/permitting process. | While I understand the issue, noise is regulated by the Noise Control and Public Ordinance Ordinance (Ordinance 2009-11, as amended) not the SLDC and the San Marcos Overlay section. If the issue persists, please pursue enforcement measures between the quiet hours of 10pm to 7am. | No change. | |
| General | 0 | 6 | Before final version, must have professional proofheader correct typos - in a casual read I identified half a dozen typos. | Staff received your copy with revisions and have incorporated changes where necessary. Although the proposed formatting changes seem beneficial within just the Overlay, some of the proposed formatting changes will not be adopted as the Overlay has to be consistent with the rest of the SLDC. | Incorporated grammatical changes where necessary. | |
| Dimensional Standards | 5 | 7 | Rather than deleting the 100' setbacks explicitly state the 25'/20' setbacks in the SLDC. This is for clarify and positive communication. | Agreed, explicitly stating the setbacks is clear communication. | Add the front, rear, and side setbacks in the Dimensional Standards tables for each Zoning District. | |
| Dimensional Standards | 5 | 8 | Add accessory dwellings per chapter 10 | Typically for Overlay sections, we only include "exceptions" to the rules elsewhere in the County. For any development permit the entire SLDC applies not just the San Marcos Overlay. Since we are not proposing any regulatory changes for Accessory Dwelling Units (ADUs) for the SMCD, it is not necessary to add specific language. | No change. | |

| Overlay Section | Page # | Comment # | Comment | Staff Analysis | Staff Conclusion | Additional Notes |
|------------------|--------|-----------|--|--|------------------|------------------------------|
| Home Occupations | 8 | 9 | With the advent of remote work, requiring business registration may be a problem. Probably ok for "low impact" or "medium impact" | Yes, our current Home Occupation regulations do not adequately cover remote work. Since the proposed Overlay amendments only cover San Marcos and the San Marcos Home Occupations table is only an 'exception' to the Countywide Home Occupations regulations, this type of proposed change will be noted for future consideration. | No change. | |
| Home Occupations | 8 | 10 | Is a separate garage, not particularly used for business storage - or a separate studio considered "accessory building storage" subject to 120sf, 600sf, 1500sf? | No, neither a separate garage structure nor a separate studio are considered "accessory building storage." These structures are considered "Accessory Structures" under SLDC Section 10.3 | N/A | |
| Home Occupations | 8 | 11 | What is the relationship between/more any for low and medium impact and these "impact" numbers? | The Committee proposed revisions for visitations and heavy equipment are to allow increased flexibility for Home Occupations. We came to the agreement by doubling the numbers for visits and settled on a maximum of 4 Heavy Equipment for Medium Impact to note the concern of neighbors. | N/A | [visits and heavy equipment] |
| Home Occupations | 8 | 12 | Distinguish between work-at-home and home businesses | Currently, "work-from-home" (WFH) is not a recognized type of Home Occupation in the SLDC. While the impact of WFH is significantly not different from a "No Impact Home Occupation," the key difference is that an individual's business license is tied to their residential property versus a WFH situation where the individual is likely employed by a business/organization with a license elsewhere. Nonetheless, this should definitely be a consideration for future SLDC Amendments to the Section 10.6. | No change. | |
| Cannabis | 9 | 13 | The survey is not a valid consideration for the change to prohibit the Rural Residential zone district. It should remain conditional. | The consultants who conducted the survey are survey experts. They consider the survey response as a statistically-valid sample of the San Marcos community. Furthermore, approximately 73% of the survey respondents did *not* want outdoor cannabis grows in residential areas. | No change. | |
| Home Occupations | 9 | 14 | If heavy equipment is allowed for Commercial businesses, that are located on rural residential lot, it would be nice that the equipment is not visible to any other adjoining neighbors, should store equipment in large metal building | In the SLDC Appendix A "heavy equipment" is defined as "a vehicle designed to carry freight, goods, construction materials or heavy articles; or a vehicle for heavy work, construction work or towing." In the proposed Overlay, up to 4 heavy equipment vehicles are allowed for Medium Impact Home Occupations in any zoning district (including Rural Residential), but it is a Conditional Use Permit. Since the District is varied and this type of application won't happen too often, advocating for vehicle screening (whether in a garage structure, fence, or flora) in the pre-application neighborhood meeting and public hearings is likely the best solution for this desire. | No change. | |
| Cannabis | 9 | 15 | I am thrilled that outdoor commercial grows in rural residential areas will be prohibited however, I am dismayed that Planning Commission and Commissioners have grandfathered in a number of outdoor grows in rural residential despite a survey of residents that did NOT want outdoor commercial grows: 73%. VERY DISAPPOINTING - please ask Planning Commissioners and County Commissioners to respect the wishes of the people. | As County Staff we cannot speak for the Planning Commissioners or County Commissioners, but we encourage you to contact them directly and via their Constituent Liaisons. | N/A | |

| Overlay Section | Page # | Comment # | Comment | Staff Analysis | Staff Conclusion | Additional Notes |
|--|--------|-----------|---|---|---|------------------|
| Cannabis | 9 | 16 | Cannabis manufacture not allowed? Even in CN? Why not? | In the County's Cannabis Ordinance, Cannabis manufacturing is treated the same as the "Food, Textiles, and Related Products" use. Currently, that use is Prohibited in CN. Furthermore, the Committee felt that a cannabis manufacturer would be better suited in somewhere like Bisbee Court rather than in the few CN parcels of the SMCD. | No change. | |
| Use Table | 10 | 17 | Can you explain to me a bit more about what this new use in the matrix means? I'm still trying to wrap my head around it and its implications for me and my creative colleagues. Most of the newly introduced uses like cannabis and STRs are for the county to regulate more. You said that this would regulate us less. Can you help me understand more about this? | In the current Overlay, the County's Development Review staff have said they would likely consider a large-scale artist studio as a "Warehouse structure" use which is currently Prohibited in all zoning districts in San Marcos. Compared to equestrian and agricultural uses, we are currently being more restrictive for artists. Through the new "Artist studio" use being Permitted in all zoning districts, the new use lessens such restrictions and clarifies art studios as a specific type of use. | No change. | |
| Use Table | 10 | 18 | How do changes in the Use Matrix impact current/existing uses? | Except for the commercial cannabis uses in the Supplemental Zoning Standards section, all of the changes in the Use Matrix are increasing the number of allowed uses (either P, C, or A). Any current use that is in a parcel where their primary use is Prohibited is considered a "Nonconforming Use" and can continue to operate as normal. | N/A | |
| Use Table: Residential | 10 | 19 | ABQ is experimenting with accessory dwellings as amelioration of rental deficit. Duplexes or 2 standalone units should be allowed (perhaps CUP) | ADUs are allowed as an Accessory Use in the SMCD. While I understand the sentiment for duplexes etc., the County is concentrating growth in the Community College District where there is already infrastructure to support more housing. Furthermore, from my understanding, increasing the density of rural parcels can make water/sewer availability more challenging. | No change. | |
| Use Table: Public Assembly Structures | 13 | 20 | The only thing I see that I would like to see changed is the Performance Theater and Permanent Outdoor Stage. We support Performing arts and supporting establishments, and Theater, dance, or music establishments, it seems as though we are short circuiting ourselves by not permitting a Performance Theater. I would love to see a Performance Theater receive a "C" for Rural and Rural Fringe, which I think would be consistent with the other uses. | Agreed, the Plan and community strongly support the arts. Furthermore, the countywide Use Table has the "Performance Theater" use as a Conditional Use in the Rural Zoning District (RUR). However, for the Rural Fringe Zoning District (RUR-F), that use is Prohibited in the County. Based on the Plan intent and San Marcos Use Table consistency, the "Performance Theater" use should be allowed in RUR and RUR-F. | Change the "Performance Theater" use to Conditional in RUR and RUR-F | |
| Use Table: Arts, entertainment, and recreation | 14 | 21 | [Independent artist studio use] As a new line item on the use matrix, I'm grateful and excited about it, but I just want to be sure it hasn't gone too far over into the extreme of allowance? | While I understand the concern, many other uses (including equestrian) do not have explicit size limitations either. Furthermore, other SLDC regulations such as setbacks and height restrictions do limit the size of potential structures. | No change. | |
| Use Table: Arts, entertainment, and recreation | 14 | 22 | Movie ranch status in RUR and RUR-F? | Agreed, it is not consistent that the use is Permitted in RUR-R, but not RUR and RUR-F even though lots are larger and parcels less populated. Furthermore, the current Use Regulations for a "Movie Ranch" in RUR-R involving parcel acreage, road access, and building size, instituting similar regulations for RUR and RUR-F would be consistent with the Plan intention and existing Overlay language. | Change the "Movie Ranch" use in RUR and RUR-F to Permitted in the Use Table as well as copy the Use Regulations language for that use from the RUR-R standards. | |

[illegible]