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SANTA FE COUNTY

Ordinance No. 2000 - ____

AN ORDINANCE AMENDING ART. III, SECTION 2.3.6, Height Restrictions For Dwellings Or Residential Accessory Structures, ART. III, 4.4.4 F 13) B. Screening And Buffering For Residential Uses, AND ART. X, DEFINITIONS OF THE SANTA FE COUNTY LAND DEVELOPMENT CODE, COUNTY ORDINANCE 1996-10, TO CREATE HEIGHT STANDARDS FOR WALLS AND FENCES FOR RESIDENTIAL USES.

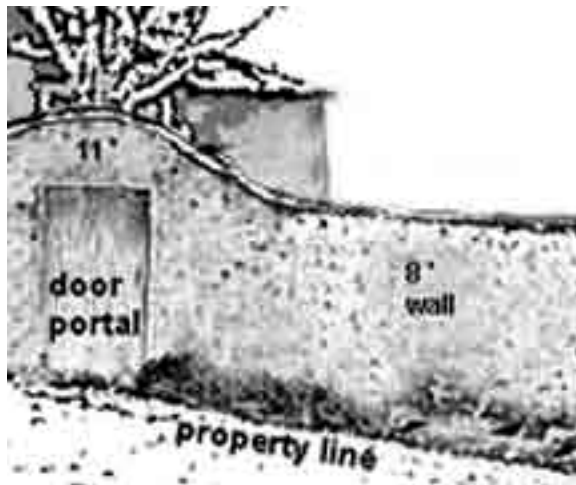
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT THE SANTA FE COUNTY LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS:

Section 1.

A new subsection Art. III, 2.3.6 d., creating height standards for walls and fences and requiring Development Permits for some walls and fences, is added as follows:

2.3.6 d. Walls and Fences

1. The maximum height of walls or fences shall not exceed eight feet (8'); the height of pedestrian door or gate portals built into a wall or fence shall not exceed eleven feet (11').



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1 2 The combined height of any freestanding wall or fence constructed atop a
2 retaining wall shall not exceed ten feet (10'). When a combination of freestanding wall or
3 fence and retaining wall greater than ten feet (10') is needed, multiple retaining wall or
4 combined wall structures shall be used. Each retaining wall shall be set back a minimum of six
5 horizontal feet (6') from face of wall to face of wall and shall be a maximum of ten feet
6 (10') in height. Setback area grading shall not exceed a one percent (1%) cross slope and
7 walls shall be screened in accordance with subsection 2.3.10c.
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11 3. Development Permits as set forth in Article II, Section 2.3.1 are required
12 for walls and fences as follows:
13 a. any wall or opaque fence greater than six feet (6');
14 b. any retaining wall;
15 c. any wall or opaque fence built atop a retaining wall where the total
16 height of the structure is greater than six feet (6');
17 d. any wall or opaque fence crossing a stream, existing trail, arroyo or
18 drainage channel.

19 e. Development Permits are not required for replacement of any
20 fences or walls existing on the date of adoption of this Ordinance (*date*) with similar
21 structures of like size and height.

22 4. Walls or fences constructed for agricultural purposes are exempt from
23 these standards and shall not require a Development Permit; see Article VII for terrain
24 management standards, where applicable.

25 5. Walls and fences which fit the local traditional building materials and style,
26 as these vary throughout the County, and which are constructed in a safe manner are
27 encouraged.

28 6. No wall or fence shall be constructed, reconstructed or replaced in a
29 manner which creates a hazard to pedestrian or vehicle traffic or blocks access to emergency
30 service vehicles. Walls or fences may be required to be set back so they do not present such
31 an obstruction.
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34 *Section 2.*

35 Art. III, 4.4.4 f 13) b. Screening and buffering for Residential Uses is amended to include a
36 new subsection (9) setting a height standard for walls and fences as follows:
37

1 (9) Walls and fences within residential developments shall conform to the height
2 restrictions of Art. III, Section 2.3.6d. Walls constructed in non-residential developments to
3 screen adjacent residential uses shall not exceed eight feet (8') in height.

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5 *Section 3.*

6 Art. X, DEFINITIONS is amended to change the definition of structure and to add definitions
7 for wall and opaque fence in alphabetical order and renumber definitions as appropriate as
8 follows:

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10 1.130 Structure - means anything constructed or installed or portable, the use of which
11 requires a location on, above or under a parcel of land, including without limitation a
12 dwelling, a movable structure while it is located on land, usable for housing, business,
13 commercial, storage, agricultural or office purposes either temporarily or
14 permanently; advertising signs, billboards; poles; pipelines, transmission lines and
15 tracks; provided, however, that structure does not include ~~fences and~~ signs used for
16 advertising consisting of less than three (3) square feet. "Structure" does not mean
17 walls ~~or~~ fences of six feet (6') or less in height, telephone booths, swimming pools,
18 wells, septic tanks, drainfields, cesspools or privies

19
20 Wall - a solid upright barrier, usually constructed of, but not limited to, concrete block,
21 adobe brick or stone, used to enclose or screen areas of land. Walls that are part of a
22 building are not included in this definition. See Building.

23
24 Retaining wall - a wall for holding in place a mass of earth or other material.

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26 Fence, Opaque - a barrier constructed to enclose or screen areas of land, of solid material
27 and/or in such a manner that the area enclosed cannot be clearly seen through it. For
28 example, coyote fences or chain link fences with slats are opaque; barbed wire and
29 pole fences are usually not.

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32 Severability

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34 If any part of this Ordinance or the application thereof to any person or
35 circumstance is held invalid, the remainder of the Ordinance and its application to
36 other persons or circumstances shall not be affected thereby.

(9) Walls and fences within residential developments shall conform to the height restrictions of Art. III, Section 2.3.5d. Walls constructed in non-residential developments to screen adjacent residential uses shall not exceed eight feet (8') in height.

Section 3

Art. X, DEFINITIONS is amended to change the definition of structure and to add definitions for wall and opaque fence in alphabetical order and renumber definitions as appropriate as follows:

1.150 Structure - means anything constructed or installed or portable, the use of which requires a location on, above or under a parcel of land, including without limitation a dwelling, a movable structure while it is located on land, usable for housing, business, commercial, ~~agriculture~~, agricultural or office purposes either temporarily or permanently; advertising signs; billboards; poles; pipelines, transmission lines and tracks; provided, however, that structure does not include ~~fences and~~ signs used for advertising consisting of less than three (3) square feet. "Structure" does not mean walls or fences of six feet (6') or less in height, telephone booths, swimming pools, wells, septic tanks, drainfields, cesspools or privies.

Wall - a solid upright barrier, usually constructed of, but not limited to, concrete block, adobe brick or stone, used to enclose or screen areas of land. Walls that are part of a building are not included in this definition. See Building.

Retaining wall - a wall for holding in place a mass of earth or other material.

Fence, Opaque - a barrier constructed to enclose or screen areas of land, of solid material and/or in such a manner that the area enclosed cannot be clearly seen through it. For example, opaque fences or chain link fences with slats are opaque; barbed wire and pole fences are usually not.

Severability

If any part of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and its application to other persons or circumstances shall not be affected thereby.

PASSED, ADOPTED AND APPROVED this 2nd day of February, 2000 by the Santa Fe County Board of County Commissioners.



Joe L. Grife, Jr., Chairman

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ATTEST
Rebecca Bustamante
Rebecca Bustamante
County Clerk

1734879

APPROVED AS TO FORM:

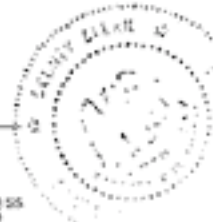
[Signature]
Dennis Brown, County Attorney

CERTIFICATE OF FILING

I, Rebecca Bustamante, County Clerk, do hereby certify that the foregoing ordinance, designated as Ordinance No. 3000-01, was filed in my office on the 9 day of Feb, 2000 in book Number 1734 Page 876-879.

SANTA FE COUNTY CLERK

Rebecca Bustamante
Rebecca Bustamante



1105 891
OFFICE OF THE COUNTY CLERK
SANTA FE COUNTY, NEW MEXICO
I hereby certify that the instrument designated as Ordinance No. 3000-01, was filed in my office on the 9 day of Feb, 2000 in book Number 1734 Page 876-879.

Witness my Hand and Seal of Office
this 9th day of Feb, 2000.

Maureen Salazar
County Clerk