



Agenda DATE 9/8/16 TIME 12:07r

SERVED BY Christine Chavez

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**SANTA FE WATER CONSERVATION COMMITTEE MEETING
CITY HALL - 200 LINCOLN AVE.**

CITY COUNCILORS' CONFERENCE ROOM

September 13, 2016

4:00 PM TO 6:00 PM

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES FROM THE AUGUST 9, 2016 WCC MEETING
5. PRESENTATION - MUCHAS GRACIAS AWARD TO PATRICIO PACHECO

ACTION ITEMS:

6. Request for approval of Bill No. 2016-___ AN ORDINANCE AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE BY REPEALING EXHIBIT A TO CHAPTER VII SFCC 1987; ADDING A REQUIREMENTS SECTION; AND AMENDING SECTION 14-8.2(D) BEST MANAGEMENT PRACTICES FOR GRADING BEFORE AND DURING CONSTRUCTION. (Councilors Ives, Dominguez and Villarreal) (Katherine Mortimer) (15 minutes)
7. A RESOLUTION ESTABLISHING TARGET GOALS FOR THE CITY'S GREEN BUILDING CODE TO MEET THE GOALS SET FORTH IN THE U.S. MAYORS CLIMATE CHANGE PROTECTION AGREEMENT, THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2040, AND THE NEED TO CONSERVE WATER RESOURCES DUE TO THE PROJECTED EFFECTS OF CLIMATE CHANGE. (Councilors Ives, Dominguez and Villarreal) (Katherine Mortimer)(15 minutes)
8. Request for approval of Bill No. 2016-___ AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES, TABLE OF PERMITTED USES TO ADD AGRICULTURAL USES; AMENDING SUBSECTION 14-6.2(H) OF THE LAND DEVELOPMENT CODE TO PROHIBIT ANIMAL PRODUCTION AND SLAUGHTERHOUSES, AND PROVIDING FOR AGRICULTURAL USES; CREATING A NEW SUBSECTION 14-6.3(D)(4) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR AGRICULTURAL HOME OCCUPATION EXCEPTIONS; AMENDING SECTION 14-8.7 OF THE LAND DEVELOPMENT CODE TO WAIVE ARCHITECTURAL DESIGN REVIEW OF AGRICULTURAL RELATED STRUCTURES BY THE LAND DEVELOPMENT DIRECTOR; AND AMENDING SUBSECTION 14-12 OF THE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS FOR TERMS RELATING TO URBAN AGRICULTURE. (Mayor Gonzales and Councilor Ives) (John Alejandro)(15 minutes)
 - a. A RESOLUTION CREATING THE CITY OF SANTA FE PROCEDURES AND GUIDELINES FOR URBAN AGRICULTURE ACTIVITIES AND USES. (Mayor Gonzales and Councilor Ives) (John Alejandro)(15 minutes)

INFORMATIONAL ITEMS:

9. Group Reports from Water Conservation Committee Working Groups
 - A. GROUP A - Irrigation Rebate and QWEL (Doug Pushard - 10 minutes)
 - B. GROUP B - Expansion of the K-12 Education Program (Aaron Kauffman - 10 minutes)
 - C. GROUP C - Water Conservation Codes, Ordinances and Regulations (Doug Pushard - 10 minutes)
 - D. GROUP D - Water Conservation Scorecard (Robert Coombe / Tim Michael, 10 minutes)

(CONTINUED ON PAGE 2)



Agenda

10. SOURCE OF SUPPLY – Drought Update

MATTERS FROM PUBLIC:

MATTERS FROM STAFF:

MATTERS FROM COMMITTEE:

NEXT MEETING – TUESDAY OCTOBER 4, 2016:

CAPTIONS: SEPTEMBER 19, 2016 @ 3 PM.

PACKET MATERIAL: SEPTEMBER 21, 2016 @ 3 PM.

ADJOURN.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

WATER CONSERVATION COMMITTEE

MINUTES

Fran Lucero, Stenographer

8/9/2016

WATER CONSERVATION COMMITTEE
INDEX
August 9, 2016

Cover Page		Page 0
Roll Call/Call to Order	The Water Conservation Committee Meeting was called to order by Councilor Peter Ives, Chair, at 4:00 pm in the City Councilor's Conference Room. A quorum is reflected in roll call.	Page 1
Approval of Agenda Amended: 9A to 9E	<i>Mr. Wiman moved to approve the agenda as amended, second by Mr. Michael, motion carried by unanimous voice vote.</i>	Page 1
Approval of Minutes, July 12, 2016	<i>Mr. Pushard moved to approve the minutes of July 12, 2016 as presented, second by Mr. Lyon, motion carried by unanimous voice vote.</i>	Page 1
Discussion Items <ul style="list-style-type: none"> - Update on New Billing System and Badger Meters - Strategic Implementation Plan Presentation - Update on Water Conservation Program 	Informational, no formal action.	Page 2 - 4
Action Items <i>A Resolution calling on the New Mexico Office of the State Engineer to order measuring and metering of all groundwater wells within the city of Santa Fe and requesting an appropriation of funds from the legislature.</i>	<i>Mr. Michael moved to defer #8-a, "A Resolution calling on the New Mexico Office of the State Engineer to order measuring and metering of all groundwater wells within the city of Santa Fe and requesting an appropriation of funds from the legislature" to next meeting, second by Mr. Wiman, motion carried by unanimous voice vote.</i>	Page 4
Informational Items <ul style="list-style-type: none"> • Group Reports • Source of Supply Report 	Group Reports, Updates and reports included in minutes Source of Supply report included in packet.	Page 4
Matters from Committee	Informational	Page 4
Matters from the Public	None	Page 4-5
Next Meeting	Tuesday, September 13, 2016	Page 5
Adjournment and signature	Meeting was adjourned at 6:05 pm	Page 5

**SANTA FE WATER CONSERVATION COMMITTEE MEETING
CITY HALL - 200 LINCOLN AVE.
CITY COUNCILORS' CONFERENCE ROOM**

August 9, 2016
4:00 PM TO 6:05 PM

MINUTES

1. CALL TO ORDER

Councilor Peter Ives, Chair for the Water Conservation Committee called the meeting to order at 4:00 pm in the City Councilors' Conference Room. A quorum is reflected in roll call.

2. ROLL CALL

Present:

Councilor Peter Ives, Chair
Doug Pushard
Tim Michael
Stephen K. Wiman
Bill Roth
Robert D. Coombe
Justin Lyon

Not Present:

Lisa Randall, Excused
Aaron T. Kauffman, Excused

Others Present:

Christine Y. Chavez, Water Conservation Manager
Caryn Grosse, Water Conservation Specialist
Nick Schiavo, Water Division, Engineer Supervisor
Lynn Komer, Contractor, PK Public Relations
Andrew Erdmann, Water Resources Coordinator
Jesse Guillen, Legislative Liaison
Andy Otto, Santa Fe Watershed Association
Fran Lucero, Stenographer

3. APPROVAL OF AGENDA

9A – Tim Michael – change to 9E

Mr. Wiman moved to approve the agenda as amended, second by Mr. Michael, motion carried by unanimous voice vote.

4. APPROVAL OF MINUTES TUESDAY JULY 12, 2016 WATER CONSERVATION COMMITTEE MEETING

Mr. Pushard moved to approve the minutes of July 12, 2016 as presented, second by Mr. Lyon, motion carried by unanimous voice vote.

DISCUSSION ITEMS:

5. Update on New Billing System and Badger Meters – Nick Schiavo
32,500 out of the 34,000 meters have been installed. (BEACON AMA was on the overhead for review). The meter reading statistics were shared with the committee. There are only 35 meters that are not able to communicate with the Water Department system and those meters are read manually. The report also shows where the leaks are taking place, it can be seen by day and month. Mr. Wood from the Water Department calls the resident to let them know how many gallons they are losing due to leaks. They are also putting back flow prevention and will be monitored. The report reflects the weekly use and the comparison from the prior 7-days. They are able to compare from a single day to a single week, in the past they could only compare by month. Slide view was explained on what the customer can see when they sign up to see their bill electronically. Mr. Schiavo recommends that if they see more than 3-5 gallons an hour there is an e-mail capability to let the Water Department know of this loss of water. The homeowner can actually export data to an excel spreadsheet for continuous reporting figures. Mr. Schiavo stated that most of the data comes in between midnight and 4:00 am. Mr. Pushard said in response to a comment from Ms. Chavez that we should track and report data on “water saved”. These are statistics we have not kept in the past. It was asked what opting out means. Opting out means that some people did not feel comfortable in having a meter that would hit the system, there are about 80 individuals who opted to have and retain their present meters and they are read manually. Mr. Lyon would like to have a report in the fall on how many leaks there have been. This information could also help to notify individuals about preparing their irrigation systems for the winter. The Chair said he would be interested to have an electronic read of our water usage posted at the Railyard for Consumer interest.
6. Strategic Implementation Plan Presentation (Lynn Komer)
(Slide Presentation) (Exhibit A)
 - The Components of Public Relations
 - Difference between Marketing and PR
 - Advertising is just one tool, messaging is through mass medias.
 - Three Types of Media
 - Paid, Earned and Owned.
 - Owned – Websites, blogs, newsletters and social media
 - Social Media and the New Media – Media gets their information through search engines and it has to be friendly.
 - Sources of News 2012-15: TV, online, print, and social media USA, Social is key and going up.
 - News Cycle – Starts with social media and is much more interactive.
 - Facebook and Twitter News Use is on the Rise
 - The use of Visuals is tied to increased sharing (engagement) and web traffic.
 - Instagram is all about visual storytelling.
 - Social Media Platform: General, Age/Gender, Why top social media site, Income/Education
 - 85% of adults are internet users and 67% are smartphone users
 - Communications with Latinos and Blacks more likely than whites. PEW Research Center report viewed.
 - On social, Hispanics keep in touch with family, alternate between Spanish and English.
 - Immigrants that come from Mexico are used to water scarcity, drinking water quality, water rationing; you want to look at messaging to strengthen what they already know.
 - Materials in Spanish as requested by the Mayor and City Council

- Strategies to Augmentation
- About 6-10 Americans get news from social media.
- Participation Marketing is at the Intersection of Content and Influencer Marketing

Strategic Plan - The Water Story

- PR Objectives
- Goals
- Measurements being adjusted.

Tactics – One Year

- Rebrand
- Data Collection
- Social Media
- Website as Promotional mix
- Commercial Rebate Promotion
- Advertisement as Promotional Mix
- WCC as Ambassadors
 - Follow Up: Ms. Komer would like a short bio on each member to introduce members to the public and get them better informed on the Water Conservation Committee.
- Radio: Re-evaluating the use of Radio to reach the public
- Results from a survey will tell us where we need to target.

The report from PK reflects what the city has committed to for example in Media: Hutton Broadcasting, KSWW-AM, Santa Fe Hometown News, Tumbleweeds and Edible.

Ms. Komer did explain the lapse in time and how her presentation reflects the “to do’s”, her contract went in to effect 2 weeks ago therefore the report and process explained above is a reflection of 2 weeks processing. Ms. Komer said there is also an opportunity to work with Sustainable Santa Fe.

The Chair expressed his thanks for addressing the items of concern that the Mayor and Council have communicated. The Chair also asked about the metrics and Ms. Komer said she will have measurements and analytics moving forward through her contract period. It was noted that Phase 2 is the survey and Phase 3 is incorporation of Badger. The Chair reiterated that it is important to have communications and collateral in Spanish. Thank you to Ms. Komer for her presentation.

7. Updates on Water Conservation Program (Christine Chavez)

Ms. Chavez asked the committee members for dates to meet regarding the committee/Group assignments.

Group Assignments from July 12, 2016 meeting minutes:

Bill Roth – Group D – Water Conservation Codes, Ordinances and Regulations

Stephen Wiman – Group D - Water Conservation Codes, Ordinances and Regulations

Justin Lyon – Group B - Expansion of the K-12 Education Program and/or A – Irrigation Rebate and QWEL

Doug Pushard – Group A and Group D

Robert Coombe – Group B - Expansion of the K-12 Education Program and/or Group E – Water Conservation Scorecard

Tim Michael – Group E

Aaron Kauffman – Group B and Group D

Mr. Andy Otto, Santa Fe Watershed, Group B

Councilor Ives will provide his expertise in all groups as needed.

Staff supporting the Groups are as follows: Bob Wood will do Irrigation Rebate and QWEL, Lisa Noriega will do Education and Caryn Grosse will do the Scorecard.

Ms. Chavez asked for feedback on projects and if there are any presentations the Committee members would like to have from staff in the near future.

- Watershed Thinning by Alan Hook.
- The Chair said that Mr. John Hawley spoke at the SFCC and his presentation was titled: Challenges Related to the Hydrologic Setting and Environmental Concerns for Santa Fe, New Mexico – sponsored by the USEPA and the NM Environment Department. Request is to have Mr. Bill Schneider present at a later date.
- Request that Lisa Randall present on Water Conservation at SFPS.

8. ACTION ITEMS:

- a. A RESOLUTION CALLING ON THE NEW MEXICO OFFICE OF THE STATE ENGINEER TO ORDER MEASURING AND METERING OF ALL GROUNDWATER WELLS WITHIN THE CITY OF SANTA FE AND REQUESTING AN APPROPRIATION OF FUNDS FROM THE LEGISLATURE. (Councilor Ives) (Andrew Erdmann, 15 minutes)

Mr. Michael moved to defer #8-a, "A Resolution calling on the New Mexico Office of the State Engineer to order measuring and metering of all groundwater wells within the city of Santa Fe and requesting an appropriation of funds from the legislature" to next meeting, second by Mr. Wiman, motion carried by unanimous voice vote.

INFORMATIONAL ITEMS:

9. Group Reports from Water Conservation Committee Working Groups

- A. Group A - Irrigation Rebate and QWEL
- B. Group B – Expansion of the K-12 Education Program
- C. Group C - Grant Exploration and Ideas, on hold until a future date.
- D. Group D - Water Conservation Codes, Ordinances and Regulations – Standing report. (Report attached-Doug Pushard) Exhibit B
- E. Group E - Water Conservation Scorecard (Robert Coombe and Tim Michael) – Exhibit C
Is the next step to correlate with water use in the next years? No
Are we going to relate to GPCD or Total Demand? Total Demand.

10. SOURCE OF SUPPLY – Drought Update

Memo included in packet, no questions from WCC members.

11. MATTERS FROM PUBLIC

NONE

12. MATTERS FROM COMMITTEE

Mr. Coombe attended the kick off meeting for the Strategic Marketing Plan. The elements of the plan were discussed and noted that there will be a lot of data and metrics. Rick Carpenter laid out the 5 items that are in Lynn's report during this presentation. He also talked at some length that he would like the public to know the good news, all the good things that have been done in the last 14-15 years. He spoke to the good condition that the city finds itself in with conservation being a large part of that as well. He spoke to the longer term plan of a GPCD figure of 85 and he did not think it could get lower than that. Having said that, how do you incorporate this information in to a marketing plan? Mr. Coombe would like to see the details of that long-term plan.

Presentation from the WESCAS (The Western Coalition of Arid States) will be sent to the WCC members as information only.

Doug Pushard: SAVE THE DATE: Next Generation Water Conference in Santa Fe, June 4-5-6, 2017 – A working committee has been created, Mr. Pushard will be presenting on the WERS group. Help is being solicited and Doug Pushard can be contacted.

NEXT MEETING – TUESDAY SEPTEMBER 13, 2016

Chair Ives will not be present at this meeting.

ITEMS FOR NEXT AGENDA:

Green Building Code updates (Katherine Mortimer)

Tour – (Map distributed – Exhibit D - Tim Michael)

13. ADJOURN

There being no further business to come before the Water Conservation Committee, the meeting was adjourned at 6:05 pm.

Signature Page:

Peter Ives, Chair




Fran Lucero, Stenographer


City of Santa Fe, New Mexico

memo

DATE: August 31, 2016

TO: City Council Committees

VIA: Lisa Martinez, Director, Land Use Department 

FROM: Katherine Mortimer, Supervising Planner, Land Use Department 

SUBJECT: GREEN BUILDING CODE UPDATE & ESTABLISHING TARGET GOALS

ITEM

AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE BY REPEALING EXHIBIT A TO CHAPTER VII SFCC 1987; ADDING A REQUIREMENTS SECTION; AND AMENDING SECTION 14-8.2(D) BEST MANAGEMENT PRACTICES FOR GRADING BEFORE AND DURING CONSTRUCTION.

This Bill would update the Residential Green Building Code, increasing the requirements for energy and water efficiency while simplifying the process for compliance and would ensure homes approved under the code are evaluated consistently.

ESTABLISHING TARGET GOALS FOR THE CITY'S GREEN BUILDING CODE TO MEET THE GOALS SET FORTH IN THE U.S. MAYORS CLIMATE CHANGE PROTECTION AGREEMENT, THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2040, AND THE NEED TO CONSERVE WATER RESOURCES DUE TO THE PROJECTED EFFECTS OF CLIMATE CHANGE.

This resolution sets forth targets for the green building code program to meet goals previously adopted by the governing body.

BACKGROUND

The governing body adopted the first Residential Green Building Code in 2009 (Ordinance 2009-9). At that time the Code represented a major step towards reducing building energy and water efficiency along with cradle to grave impacts of building materials, ensuring healthy indoor air quality and providing homeowner education. The code has been amended several times with a significant streamlining in 2011 (Ordinance 2011-49). The proposed code changes would help achieve carbon neutrality by 2040.

The code was originally formatted to be consistent with the Build Green New Mexico (BGNM) program which is one of two programs that can be used to qualify for the New Mexico Sustainable Building (NMSB) Tax Credit. That program has undergone two updates and is expected to be continually updated over time. The current checklist used by the Santa Fe

Residential Green Building Code no longer aligns with the BGNM checklist.

This proposed bill would increase required energy and water conservation, demonstrated through computer modeling. Energy modeling has been a requirement for the NMSB Tax Credit. Additionally, a requirement for water efficiency modeling was added in 2015 NM legislation (SB279). The modeling required by the proposed bill is consistent with the requirements needed to take advantage of this tax credit.

The proposed code updates include key mandates and, together with the computer modeling, will create a simpler, more flexible program that can more predictably save energy and water. This program can be used to drive energy and water savings by changing the required home energy rating system (HERS) index and water efficiency rating score (WERS) requirements and can also be used as a model for developing green codes for other building types such as residential remodels and commercial buildings.

Applicability

This update will apply to all new single-family structures, attached and detached, including accessory dwellings and modular homes.

Summary of Code Changes:

1. Computer modeling will replace the current Residential Green Building Code Checklist
2. Lower (improve) HERS score requirement by 5 points now and 5 more effective 1/1/18
3. Building thermal envelope insulation shall meet the 2015 International Energy Conservation Code
4. Require training for HERS raters on local standards for the modeling software
5. Require computer water modeling using the newly created Water Efficiency Rating Score (WERS) tool with a score of 70 (30 percent better than building code) (More information on WERS below)
6. Incorporate requirements to preserve vegetation with fencing and to protect buildings from canale and gutter splashing into the City's Chapter 14, Development Code
7. Require air exchanges consistent with 2010 ASHRAE 62.2 standards
8. Provide consistent inspections of building thermal enclosure sealing and insulation by City staff
9. Confirm duct installations per manufacturer's specifications and ensure that leakage does not exceed 6% of total fan flow
10. Require duct protection from dust and debris during construction
11. Ensure heating and cooling system(s) are designed and selected per the Air Conditioning Contractors of America (ACCA) manuals
12. Ensure homeowner manuals include all relevant information and are bi-lingual
13. Establish a new \$100 green code permit fee for permits reviewed under the new program
14. Dedicate and train city green code staff to review, inspect and track program progress

Incorporation of Water Efficiency Rating Score

This bill includes incorporation of the new Water Efficiency Rating Score (WERS) tool which replaces the checklist section for Water Efficiency under the current code as directed by Resolution 2015-28. The WERS tool measures the projected water savings of different water fixtures and appliances, both inside and outside of the building, and compares that projected usage to the same home if it were built under minimum code standards. The initial recommended requirement is for all new homes to achieve a score of 70, which is 30% better than buildings subject to no green code requirements. The current green code requires

increased water efficiency using a checklist. It is estimated that a WERS of 70 will save about the same amount of water, or a little more, than the amount saved under the current green building code. While the tool calculates the water savings, should someone elect to install graywater or rainwater harvesting systems, such systems are not a requirement in order to achieve a score of 70. Once achieving a WERS 70, the Council may consider lowering the required score which would require additional water conserving measures.

Resolution Establishing Target Goals:

The Resolution aims to align with goals embodied in policy previously adopted by the governing body for reducing greenhouse gas emissions, creating more energy efficient buildings, and conserving water in incremental amounts over time. To achieve the goals of the resolution, staff will collect data about the effectiveness of the updated green building code and then use the new model and data to develop green building codes for other building types including commercial buildings and additions and remodels of all building types.

FISCAL IMPACT

Cost for City Administration:

City administration costs of the update will increase over the current program. Green code trained staff will review HERS and WERS submissions, identify those elements used to obtain the required score and subsequently inspect the construction. They will also ensure inclusion of the required components of the green building code which exceed the basic International Residential Code or Uniform Mechanical or Plumbing codes to ensure installation during construction. A higher level of oversight is needed to allow the flexibilities of the new program. To cover the additional costs, the bill includes a \$100 fee for each building permit issued under the updated code.

Land Use Department Budget Amendment

The Fiscal Impact Report (FIR) shows the need to increase the Land Use Department's budget by \$73,982 in the current fiscal year (2016/17), and by \$123,514 for fiscal year 2017/18 and beyond. The source of the funds comes from projected increases in construction permit fees from projects that have either received development approvals or are well along in that process. The funds will come from business unit #11001, line item #420300.

Cost of Compliance:

The changes in the code will result in increased costs to builders in some areas and decreases in others. Whether or not there will be a net increase or decrease depends upon how builders used checklist points in the past and how they will reduce their energy use to reach the new HERS requirement. While the minimum HERS requirement has been 70, the average HERS index over time has lowered to 61. Due to this general decrease, most homes would not have an increased cost to achieve the proposed requirement of 65. The proposal would lower the required HERS index to 60 in 2018 and expects the additional costs to achieve that score to be minimal, if any, by that time.

For builders currently achieving a HERS of 70, increased costs to achieve a HERS of 65 could be \$5000. Additionally there would be a cost to obtain third-party WERS professional services of about \$500 to \$800 depending upon additional water conservation strategies they would need to employ. Finally with the new \$100 fee, a maximum estimated additional cost would be about \$5900. It is important to note that cost savings

from program changes would offset most or all of that additional cost.

Additional cost savings include services the City would start providing, including thermal bypass inspections that are currently performed by third-parties. City staff will also provide most of the homeowner manual content, in a bi-lingual format. Elimination of the checklist and most of the documentation requirements for the points taken will also save money. Reductions in the requirements for resource efficiency and indoor air quality will further minimize costs. Points commonly taken in the areas which would no longer be checklist items include: covering all exterior entries, creation of waste management and recycling plans, hiring a professional to conduct HVAC start up testing and certification, programmable thermostats, rain barrels, sealed combustion furnaces and water heaters, energy star and humidistat-controlled bathroom fans, insulation of cold water pipes and increased insulation of hot water pipes. Those items would instead be included in a website of best construction practices. Savings will vary but would be expected to range from \$2800 to \$5900 per residence.

Program compliance costs have reduced over time as many energy and water saving technologies have become less expensive due to demand and producers realizing economies of scale. Programmable thermostats, efficient HVAC equipment and home appliances, low-flow toilets and other water fixtures were selling at a premium in 2009 when the green code first went into effect and are now closer in price to less efficient devices. Additionally, increases in both energy and water efficiency will save homeowners utility costs each month.

Log # {Finance use only}:	
Batch # {Finance use only}:	

City of Santa Fe, New Mexico

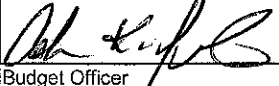
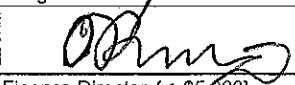
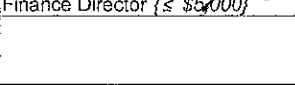

BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Land Use Department / Permit Division						DATE 08/03/2016
ITEM DESCRIPTION	BUSINESS UNIT	LINE ITEM	SUBSIDIARY {.000000}	SUBLEDGER {0000}	INCREASE	DECREASE
<u>EXPENDITURES</u>					{enter as positive #}	{enter as negative #}
Full time Classified	12079	500350			46,682	
Vehicles <1.5	12072	570950			20,000	
Gasoline	12072	531000			600	
Data Processing	12072	572800			2,000	
Advertising	12072	561850			1,500	
Communication	12072	514100			1,200	
Dues	12072	561900			450	
Training Fees	12072	432800			1,550	
<u>REVENUES</u>					{enter as negative #}	{enter as positive #}
Building Permits	11001	420300			(73,982)	

JUSTIFICATION: (use additional page if needed)
--Attach supporting documentation/memo

As presented during the FY 16/17 budget hearings, increased recurring permit fees are expected both this year and beyond. In addition, the green code update includes a new fee which is expected to generate \$10,000 this year and \$15,000 per year thereafter. The amount expected increased revenue is well in excess of the \$73,982 budget amendment requested. The existing Department budget will cover staff time and other expenses required to administer the green building code update.

{Complete section below if BAR results in a net change to ANY Fund}	
Fund(s) Affected:	Fund Bal. Increase/ (Decrease):
1001	(73,982)
TOTAL:	

{REQUIRED}		{Use this form for Finance Committee/ City Council agenda items ONLY}		 Budget Officer		8-31-2016	
Prepared By {print name}	Date	CITY COUNCIL APPROVAL		 Finance Director {≤ \$5,000}		8-31-2016	
Katherine Mortimer	8/31/16	City Council		 City Manager {≤ \$50,000}			
Division Director {optional}	Date	Approval Date					
	8-31-16	Agenda Item #:	{Budget will enter}				
Department Director	Date						

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2016-__

INTRODUCED BY:

Councilor Peter N. Ives

Councilor Carmichael A. Dominguez

Councilor Renee D. Villarreal

AN ORDINANCE

**AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE BY
REPEALING EXHIBIT A TO CHAPTER VII SFCC 1987; ADDING A REQUIREMENTS
SECTION; AND AMENDING SECTION 14-8.2(D) BEST MANAGEMENT PRACTICES
FOR GRADING BEFORE AND DURING CONSTRUCTION.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE

**Section 1. Section 7-4.2 SFCC 1987 (being Ord. #2009-9, as amended) is amended
to read:**

7-4.2 Residential Green Building Code

A. Purpose. The purpose of this section is to:

(1) Provide criteria for rating the environmental performance of single- family
residential construction and site design practices and provide guidelines for documentation
that demonstrates conformance with those criteria;

(2) Encourage cost-effective and sustainable building methods by encouraging
conservation of fossil fuels, water and other natural resources, reduction of greenhouse gas

1 emissions, recycling of construction materials, reducing solid waste and improving indoor air
2 quality;

3 (3) Identify the specific requirements for complying with the requirements of the
4 Residential Green Building Code; and

5 (4) Encourage more aggressive green building development through incentives
6 and rewards to work toward the goals of the 2030 challenge as adopted by the governing
7 body by Resolution No. 2006-55.

8 B. *Residential Green Building Code; Applicability.*

9 (1) ~~[Exhibit A attached to the end of this chapter is adopted. Exhibit A shall be~~
10 ~~referred to as the Santa Fe Residential Green Building Code.]~~ The provisions of the Santa Fe
11 Residential Green Building Code shall apply to:

12 (a) ~~all~~ new single-family, attached and detached residential units as defined
13 by the 2009 International Residential Code or its successor as adopted by the city;

14 (b) modular homes which are built off-site and brought onto the site,
15 provided that the land use director may approve exceptions to specific code
16 requirements upon a showing by the applicant or modular home supplier that
17 compliance would cause undue burden; and

18 (c) Residential additions that provide for living, sleeping, eating, cooking
19 and sanitation. Only the addition is subject to the code provisions, not the existing
20 structure.

21 ([3]2) Upon request of an applicant, applications for permits submitted prior to
22 ~~[July 1, 2012]~~ January 1, 2017, may be issued in compliance with the prior version of
23 Residential Green Building Code.

24 C. *Relationship to Other Codes; Compliance; Exceptions.*

25 (1) The requirements of this section are in addition to and do not replace the

1 requirements of other sections of this chapter and other chapters of this Code, including
2 without limitation, all of the life safety codes, historic preservation ordinance, land
3 development code and adopted building codes and development standards.

4 (2) ~~[No person shall fail to comply with the requirements of this section. No~~
5 ~~person shall construct in violation of a Residential Green Building Code approval. All~~
6 ~~approvals in inspections of Residential Green Code applications and requirements shall be~~
7 ~~done in conjunction with a residential building permit application and field inspections. An~~
8 ~~application shall be made on a form approved by the land use department director.] All~~
9 submittals and approvals required under this Residential Green Building Code shall be
10 rendered in conjunction with a residential building permit application and related field
11 inspections. The application shall be on a form approved by the land use director. The
12 applicant shall demonstrate compliance with all of the provisions of this section prior to the
13 issuance of a certificate of occupancy by the land use director.

14 (3) For a structure located in an historic overlay district where it can be
15 demonstrated that strict compliance with the requirements of this section cannot be achieved
16 without an exception to the historic overlay district requirements, the requirements of this
17 section may be adjusted so as to resolve the conflict between the two (2) sections of the Code.

18 D. Administration.

19 ~~[(1) The Residential Green Building Code shall be administered by the city as set~~
20 ~~forth in the administrative procedures adopted by resolution of the governing body. All~~
21 ~~changes to the administrative procedures shall be reviewed and approved by the governing~~
22 ~~body. The administrative procedures shall set forth responsibilities, procedures and standards~~
23 ~~for administrative actions necessary to implement the Residential Green Building Code,~~
24 ~~which include, without limitation, the following:]~~

25 ~~[(a) Submitting and reviewing applicable residential building permit~~

1 requests and determining conditions of approval related to the requirements of the
2 Residential Green Building Code;]

3 [(b) — Reviewing and certifying Residential Green Building Code
4 checklists with property owners to ensure compliance with the Residential Green
5 Building Code and the administrative procedures;]

6 [(c) — Monitoring the performance of property owners subject to such
7 agreements or other requirements of the Residential Green Building Code and the
8 administrative procedures; and taking appropriate action in the event of
9 noncompliance; and]

10 [(d) — Collecting and distributing any payments resulting from getting a
11 worse index than the required home energy rating index.]

12 ([2]1) The land use director [or its agents] shall:

13 (a) [Be responsible for the administration of the Residential Green
14 Building Code.

15 (b)] Administer and enforce [all other building code and land use
16 ordinances that apply to development requests that are subject to this section] the
17 Residential Green Building Code; and

18 ([e]b) Require[, as part of the building permit submittals, the] an applicant
19 for a building permit, to prepare and submit [a] Residential Green Building Code
20 [checklist]documentation to the green code administrator or designee to assure
21 compliance with this section[; and

22 (d) — Where applicable, invoke sanctions for noncompliance with this
23 section at the request of the city manager].

24 E. Requirements.

25 (1) Energy performance levels.

1 A documented analysis of the building's energy performance using software
2 in accordance with 2009 ICC IECC Section 405 is required. A projected Home
3 Energy Rating System (HERS) index, or equivalent, shall be submitted as part of a
4 building permit application and a report of the confirmed HERS index, or equivalent,
5 meeting the standards of this section is required prior to issuance of a certificate of
6 occupancy. The required HERS index for residences up to and including 3000
7 square feet of conditioned space shall be 65 until January 1, 2018, when it shall be
8 reduced to 60. The required HERS index for residences over 3000 feet of
9 conditioned space shall be reduced by one point for each 100 square feet of
10 conditioned space over 3000, or pro-rata portion thereof, until the required HERS
11 index is zero and shall be zero for those and larger residences.

12 (2) HERS raters.

13 HERS raters shall be licensed and certified to conduct HERS analysis by
14 passing educational courses and obtaining annual continuing education credits as
15 required by the land use director. In addition HERS raters shall:

- 16 a. confirm ventilation rates of the ventilation equipment used to satisfy
17 the required house ventilation and report the findings to the land use
18 department;
19 b. supply a report that includes the building components contributing to
20 achievement of the required HERS index to be compared to the building
21 plans submitted for a building permit. Reports approved to supply this
22 information shall be approved by the land use director; and
23 c. supply an estimation of the greenhouse gas emissions avoided and
24 the electricity and natural gas usage avoided when submitting the final or
25 confirmed HERS index. Reports approved to supply this information shall

1 be approved by the land use director.

2 (3) Building envelope insulation values.

3 Building insulation levels shall meet the requirements of overall UA for 2015 IECC.
4 A report of compliance shall be provided to the city as part of a building permit
5 application. Reports approved to supply this information shall be approved by the
6 land use director.

7 (4) Building thermal envelope insulation confirmation.

8 The insulation installers shall provide a certification complying with a template to be
9 provided by the land use department listing the type, manufacturer and R-value of
10 insulation installed in each element of the building thermal envelope. For blown or
11 sprayed insulations (fiberglass and cellulose), the initial installed thickness, settled
12 thickness, settled R-value, installed density, coverage area and number of bags
13 installed shall be listed on the certification. For insulated siding, the R-value shall be
14 listed on the product's package and shall be listed on the certification. The insulation
15 installer shall sign, date and provide the certification in a conspicuous location on the
16 job site. (consistent with 2015 IRC Section N1101.10.1)

17 (5) Air sealing and insulation.

18 The air barrier and insulation installation criteria from Table 402.4.2 from the 2009
19 International Energy Conservation Code shall be visually inspected pursuant to
20 Section 402.4.2.2 whether or not the testing option from Section 402.4.2.1 has been
21 achieved. Insulation values shall be verified to match those used to obtain the
22 required HERS rating.

23 (6) Duct installation.

24 The installation instructions for heating, ventilation and air conditioning equipment
25 shall be made available to the inspector conducting the duct installation inspection to

1 ensure ducting meets the manufacture's specifications. It shall be located on the
2 equipment or in a conspicuous location adjacent to the equipment to be easily located
3 by the inspector.

4 (7) Duct leakage.

5 Duct tightness shall be verified in accordance with 2009 IECC section 403.2.2 and
6 shall not exceed 6 percent of total fan flow.

7 (8) Duct protection during construction.

8 All boots, ducts and ventilation openings shall be sealed during construction to
9 prevent dust and debris from entering them and shall remain sealed until they are put
10 into operation.

11 (9) Water conservation levels.

12 Water conservation features are implemented to achieve conservation performance
13 shall be required. A documented analysis using the water efficiency rating score
14 (WERS) tool showing a maximum score of 70 shall be submitted to the land use
15 department as part of a building permit application and a report of the confirmed
16 rating with a maximum score of 70 shall be submitted to the land use department
17 prior to receiving a certificate of occupancy.

18 (10) Whole-house mechanical ventilation requirement.

19 Mechanical ventilation shall be required at a rate based on the following formula:
20 required cubic feet per minute of ventilation = (total heated floor area X .01) +
21 ((number of bedrooms + 1) X 7.5)

22 (11) Heating and cooling equipment sizing and system design.

23 2009 IRC Section M1401.3 requires that heating and cooling equipment be sized in
24 accordance with ACCA Manual S based on building loads calculated in accordance
25 with ACCA Manual J or other approved heating and cooling methodologies.

1 Completed Manual S and J forms, along with the brand, model and capacity of the
2 selected equipment, shall be submitted to the land use department either at time of
3 building permit application or as soon as available but in no case after selected
4 equipment is ordered.

5 (12) Disclosure of building performance and homeowner's manual.

6 The following items shall be documented and included in a homeowners manual
7 provided to the first homeowner and available for review for homes that are for sale
8 on forms provided by the land use director:

- 9 a. the confirmed HERS index;
- 10 b. the blower door result at ACH 50;
- 11 c. the required amount of ventilation and the archived ventilation rate
12 in air changes per hour;
- 13 d. the type of ventilation system used;
- 14 e. the percentage better that the UA is above the 2015 IECC maximum
15 requirement;
- 16 f. the confirmed WERS;
- 17 g. a diagram showing the location of shut off valves for water,
18 electricity and any combustions fuels (natural gas or propane) with labels in
19 english and spanish;
- 20 h. the manuals for all major equipment and fixtures in english and in
21 spanish if available; and
- 22 i. All other homeowner manual items available from the land use
23 department at the time of certificate of occupancy for that purpose.

24 F. Permit Fee.

- 25 (1) Applicants for residential building permits shall pay a green building code

1 permit fee of one hundred dollars (\$100.00) for each residential unit, subject to the
2 provisions for fee waivers under Subsection 14-8.11(G)(2)(a).

3 [E]G. *Effective Date.*

4 (1) Section 7-4.1 SFCC 1987 shall be effective [~~July 1, 2009~~] September 15,
5 2016.

6 **Section 2.** **Section 14-8.2(D) SFCC 1987 (being Ord. #2011-37, as amended) is**
7 **amended to read:**

8 **14-8.2 Terrain and Stormwater Management**

9 **(D) Standards for All Grading**

10 (7) Best Management Practices.

11 The following best management practices shall be used before and during the
12 construction process:

13 (a) disturbed areas shall be protected from *erosion* during construction
14 by diverting stormwater around the disturbed area, dissipating the energy of
15 stormwater adequate to prevent *erosion*, retaining sediment on the disturbed
16 area or other means adequate to retain soil on site;

17 (b) except as necessary to install temporary *erosion* and sediment control
18 devices, land shall not be *graded* or cleared of vegetation until all such
19 temporary devices have been properly installed and inspected. Temporary
20 *erosion* and sediment control devices may include silt fencing, *swales*, straw
21 bales, berms, geotextiles, sediment basins or traps and fencing. Control
22 devices shall be kept in place and [~~used~~] functional until the disturbed area is
23 permanently stabilized; or notice of termination (NOT) is filed;

24 (c) all significant trees, and other trees and vegetation, areas with
25 substantial grass coverage and *drainageways* that are to remain undisturbed

1 shall be fenced off prior to the use of any heavy machinery on-site and shall
2 remain fenced during the entire construction process. Fencing material may
3 include snow fencing, plastic mesh or other similar fencing material. To
4 protect the root zone of all significant trees, and other trees and vegetation,
5 fencing shall be placed five (5) feet to the outside of their dripline;

6 (d) to prevent soil from leaving a site, soil stockpiles shall be protected
7 from wind and water *erosion* throughout the [~~construction process~~] time the
8 stockpile remains by using appropriate *erosion* control techniques. Staging
9 and soil stockpile areas shall be clearly designated on the site. All topsoil
10 shall be kept on site, within the disturbance zone of a construction site and
11 then reintroduced into planting areas to the extent possible. Stockpiled soil
12 shall not be allowed to enter arroyos or other *drainageways*;

13 (e) techniques to prevent the blowing of dust or sediment from the site,
14 such as watering down exposed areas, are required for projects that disturb
15 greater than five thousand (5,000) square feet; and alternate forms shall be
16 readily available and used if watering is not sufficient;

17 (f) protection for storm drain inlets, *drainageways* and any stormwater
18 conveyance shall be provided to prevent the entry of sediment and pollutants
19 from the site while still allowing the entry of stormwater; and

20 (g) protection from drainage from canales, downspouts and drip edges
21 shall be achieved in accordance with all of the following;

22 (i) an impermeable liner shall be installed under the splash area
23 under the canale; and

24 (ii) a liner or other collector shall be installed that guides water
25 away from the structure sloping a minimum of 6 inches over 6 feet

1 for a minimum of 6 feet away from the structure or to an interceptor

2 swale.

3 APPROVED AS TO FORM:

4 

5
6 KELLEY A. BRENNAN, CITY ATTORNEY

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. **General Information**

(Check) Bill: X Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **AN ORDINANCE AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE BY REPEALING EXHIBIT A TO CHAPTER VII SFCC 1987; ADDING A REQUIREMENTS SECTION; AND AMENDING SECTION 14-8.2(D) BEST MANAGEMENT PRACTICES FOR GRADING BEFORE AND DURING CONSTRUCTION.**

Sponsor(s): Councilors Ives, Dominguez, and Villarreal

Reviewing Department(s): Land Use

Persons Completing FIR: Katherine Mortimer Date: 08/10/16 Phone: x 6635

Reviewed by City Attorney: *Kelly A. Bauer* Date: 8/10/16
(Signature)

Reviewed by Finance Director: *[Signature]* Date: 8-10-2016
(Signature)

Section B. **Summary**

Briefly explain the purpose and major provisions of the bill/resolution:

To update the residential green building code to simplify it, increase required energy and water conservation, and establish a new permit fee.

Section C. **Fiscal Impact**

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
 "N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
 "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

_____ Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 2016/17	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY 2017/18	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
	Personnel*	<u>\$28,828</u>	<u>N</u>	<u>R</u>	<u>\$57,656</u>	<u>N</u>	<u>R</u>	<u>12079</u>
	Fringe**	<u>\$17,854</u>	<u>N</u>	<u>R</u>	<u>\$35,708</u>	<u>N</u>	<u>R</u>	<u>12709-</u>
	Capital Outlay	<u>\$ 20,000</u>	<u>N</u>	<u>NR</u>	<u>\$20,000</u>	<u>NR</u>		<u>12079</u>
	Land/ Building	<u>\$</u>			<u>\$</u>			
	Professional Services	<u>\$</u>			<u>\$</u>			
	All Other Operating Costs	<u>\$ 7,300</u>	<u>N</u>	<u>\$2,500 NR</u> <u>\$4,800 R</u>	<u>\$10,150</u>	<u>N</u>	<u>R</u>	<u>12079</u>
	Total:	<u>\$73,982</u>			<u>\$123,514</u>			

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- To indicate new revenues and/or
- Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY 2016/17	"R" Costs Recurring or "NR" Non-recurring	FY 1017/18	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
	New Fee	<u>\$10,000</u>	<u>R</u>	<u>\$15,000</u>	<u>R</u>	<u>12079</u>
	Total:	<u>\$ 10,000</u>		<u>\$15,000</u>		

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Expenditure: FY16/17: \$46,682 for a new staff person (salary and benefits) for half of the year. \$20,000 for a new inspection vehicles (non-recurring). Other costs include purchase of 2 computers, 2 smart phones for reporting inspection results from the field (also non-recurring), staff training, inspection vehicle fuel, office supplies, and advertisement for the start-up of program.

FY17/18. Costs include a full year of new staff salary and benefits, on-going staff training, \$20,000 for a second new inspection vehicle (non-recurring), smart phone service costs, inspection vehicle fuel and maintenance, office supplies, ads for outreach, and membership in Green Building Advisory and US Green Building Council as sources for current information on green building technology and science.

Revenue: FY16/17: Establishment of \$100 application fee for permits under the green building code is estimated to generate \$10,000.

FY17/18: Income from fee would conservatively generate \$15,000 (would not apply to affordable homes).

NOTE: The source of the funds for the remainder of the expenditures comes from projected increases in recurring construction permit fees from projects that have either received development approvals or are well along in that process.

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The green code would not be updated and the increased energy and water conservation represented by this code update would not be realized.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.



4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The code update would further reduce energy and water use from new homes over code minimum homes and homes built under the current code version. Tradeoffs in requirements keep cost of compliance about the same as before. It should be noted that the fee being added would not apply to affordable housing units, similar to the fee waiver for other fees for these homes.

City of Santa Fe, New Mexico

memo

DATE: August 31, 2016
TO: City Council Committees
VIA: Lisa Martinez, Director, Land Use Department 
FROM: Katherine Mortimer, Supervising Planner, Land Use Department 
SUBJECT: GREEN BUILDING CODE UPDATE & ESTABLISHING TARGET GOALS

ITEM

AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE BY REPEALING EXHIBIT A TO CHAPTER VII SFCC 1987; ADDING A REQUIREMENTS SECTION; AND AMENDING SECTION 14-8.2(D) BEST MANAGEMENT PRACTICES FOR GRADING BEFORE AND DURING CONSTRUCTION.

This Bill would update the Residential Green Building Code, increasing the requirements for energy and water efficiency while simplifying the process for compliance and would ensure homes approved under the code are evaluated consistently.

ESTABLISHING TARGET GOALS FOR THE CITY'S GREEN BUILDING CODE TO MEET THE GOALS SET FORTH IN THE U.S. MAYORS CLIMATE CHANGE PROTECTION AGREEMENT, THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2040, AND THE NEED TO CONSERVE WATER RESOURCES DUE TO THE PROJECTED EFFECTS OF CLIMATE CHANGE.

This resolution sets forth targets for the green building code program to meet goals previously adopted by the governing body.

BACKGROUND

The governing body adopted the first Residential Green Building Code in 2009 (Ordinance 2009-9). At that time the Code represented a major step towards reducing building energy and water efficiency along with cradle to grave impacts of building materials, ensuring healthy indoor air quality and providing homeowner education. The code has been amended several times with a significant streamlining in 2011 (Ordinance 2011-49). The proposed code changes would help achieve carbon neutrality by 2040.

The code was originally formatted to be consistent with the Build Green New Mexico (BGNM) program which is one of two programs that can be used to qualify for the New Mexico Sustainable Building (NMSB) Tax Credit. That program has undergone two updates and is expected to be continually updated over time. The current checklist used by the Santa Fe

Residential Green Building Code no longer aligns with the BGNM checklist.

This proposed bill would increase required energy and water conservation, demonstrated through computer modeling. Energy modeling has been a requirement for the NMSB Tax Credit. Additionally, a requirement for water efficiency modeling was added in 2015 NM legislation (SB279). The modeling required by the proposed bill is consistent with the requirements needed to take advantage of this tax credit.

The proposed code updates include key mandates and, together with the computer modeling, will create a simpler, more flexible program that can more predictably save energy and water. This program can be used to drive energy and water savings by changing the required home energy rating system (HERS) index and water efficiency rating score (WERS) requirements and can also be used as a model for developing green codes for other building types such as residential remodels and commercial buildings.

Applicability

This update will apply to all new single-family structures, attached and detached, including accessory dwellings and modular homes.

Summary of Code Changes:

1. Computer modeling will replace the current Residential Green Building Code Checklist
2. Lower (improve) HERS score requirement by 5 points now and 5 more effective 1/1/18
3. Building thermal envelope insulation shall meet the 2015 International Energy Conservation Code
4. Require training for HERS raters on local standards for the modeling software
5. Require computer water modeling using the newly created Water Efficiency Rating Score (WERS) tool with a score of 70 (30 percent better than building code) (More information on WERS below)
6. Incorporate requirements to preserve vegetation with fencing and to protect buildings from canale and gutter splashing into the City's Chapter 14, Development Code
7. Require air exchanges consistent with 2010 ASHRAE 62.2 standards
8. Provide consistent inspections of building thermal enclosure sealing and insulation by City staff
9. Confirm duct installations per manufacturer's specifications and ensure that leakage does not exceed 6% of total fan flow
10. Require duct protection from dust and debris during construction
11. Ensure heating and cooling system(s) are designed and selected per the Air Conditioning Contractors of America (ACCA) manuals
12. Ensure homeowner manuals include all relevant information and are bi-lingual
13. Establish a new \$100 green code permit fee for permits reviewed under the new program
14. Dedicate and train city green code staff to review, inspect and track program progress

Incorporation of Water Efficiency Rating Score

This bill includes incorporation of the new Water Efficiency Rating Score (WERS) tool which replaces the checklist section for Water Efficiency under the current code as directed by Resolution 2015-28. The WERS tool measures the projected water savings of different water fixtures and appliances, both inside and outside of the building, and compares that projected usage to the same home if it were built under minimum code standards. The initial recommended requirement is for all new homes to achieve a score of 70, which is 30% better than buildings subject to no green code requirements. The current green code requires

increased water efficiency using a checklist. It is estimated that a WERS of 70 will save about the same amount of water, or a little more, than the amount saved under the current green building code. While the tool calculates the water savings, should someone elect to install graywater or rainwater harvesting systems, such systems are not a requirement in order to achieve a score of 70. Once achieving a WERS 70, the Council may consider lowering the required score which would require additional water conserving measures.

Resolution Establishing Target Goals:

The Resolution aims to align with goals embodied in policy previously adopted by the governing body for reducing greenhouse gas emissions, creating more energy efficient buildings, and conserving water in incremental amounts over time. To achieve the goals of the resolution, staff will collect data about the effectiveness of the updated green building code and then use the new model and data to develop green building codes for other building types including commercial buildings and additions and remodels of all building types.

FISCAL IMPACT

Cost for City Administration:

City administration costs of the update will increase over the current program. Green code trained staff will review HERS and WERS submissions, identify those elements used to obtain the required score and subsequently inspect the construction. They will also ensure inclusion of the required components of the green building code which exceed the basic International Residential Code or Uniform Mechanical or Plumbing codes to ensure installation during construction. A higher level of oversight is needed to allow the flexibilities of the new program. To cover the additional costs, the bill includes a \$100 fee for each building permit issued under the updated code.

Land Use Department Budget Amendment

The Fiscal Impact Report (FIR) shows the need to increase the Land Use Department's budget by \$73,982 in the current fiscal year (2016/17), and by \$123,514 for fiscal year 2017/18 and beyond. The source of the funds comes from projected increases in construction permit fees from projects that have either received development approvals or are well along in that process. The funds will come from business unit #11001, line item #420300.

Cost of Compliance:

The changes in the code will result in increased costs to builders in some areas and decreases in others. Whether or not there will be a net increase or decrease depends upon how builders used checklist points in the past and how they will reduce their energy use to reach the new HERS requirement. While the minimum HERS requirement has been 70, the average HERS index over time has lowered to 61. Due to this general decrease, most homes would not have an increased cost to achieve the proposed requirement of 65. The proposal would lower the required HERS index to 60 in 2018 and expects the additional costs to achieve that score to be minimal, if any, by that time.

For builders currently achieving a HERS of 70, increased costs to achieve a HERS of 65 could be \$5000. Additionally there would be a cost to obtain third-party WERS professional services of about \$500 to \$800 depending upon additional water conservation strategies they would need to employ. Finally with the new \$100 fee, a maximum estimated additional cost would be about \$5900. It is important to note that cost savings

from program changes would offset most or all of that additional cost.

Additional cost savings include services the City would start providing, including thermal bypass inspections that are currently performed by third-parties. City staff will also provide most of the homeowner manual content, in a bi-lingual format. Elimination of the checklist and most of the documentation requirements for the points taken will also save money. Reductions in the requirements for resource efficiency and indoor air quality will further minimize costs. Points commonly taken in the areas which would no longer be checklist items include: covering all exterior entries, creation of waste management and recycling plans, hiring a professional to conduct HVAC start up testing and certification, programmable thermostats, rain barrels, sealed combustion furnaces and water heaters, energy star and humidistat-controlled bathroom fans, insulation of cold water pipes and increased insulation of hot water pipes. Those items would instead be included in a website of best construction practices. Savings will vary but would be expected to range from \$2800 to \$5900 per residence.

Program compliance costs have reduced over time as many energy and water saving technologies have become less expensive due to demand and producers realizing economies of scale. Programmable thermostats, efficient HVAC equipment and home appliances, low-flow toilets and other water fixtures were selling at a premium in 2009 when the green code first went into effect and are now closer in price to less efficient devices. Additionally, increases in both energy and water efficiency will save homeowners utility costs each month.

Log # {Finance use only}:

Batch # {Finance use only}:

City of Santa Fe, New Mexico

BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME Land Use Department / Permit Division						DATE 08/03/2016
ITEM DESCRIPTION	BUSINESS UNIT	LINE ITEM	SUBSIDIARY {.000000}	SUBLEDGER {0000}	INCREASE	DECREASE
<u>EXPENDITURES</u>					{enter as positive #}	{enter as negative #}
Full time Classified	12079	500350			46,682	
Vehicles <1.5	12072	570950			20,000	
Gasoline	12072	531000			600	
Data Processing	12072	572800			2,000	
Advertising	12072	561850			1,500	
Communication	12072	514100			1,200	
Dues	12072	561900			450	
Training Fees	12072	432800			1,550	
<u>REVENUES</u>					{enter as negative #}	{enter as positive #}
Building Permits	11001	420300			(73,982)	

JUSTIFICATION: (use additional page if needed)

--Attach supporting documentation/memo

As presented during the FY 16/17 budget hearings, increased recurring permit fees are expected both this year and beyond. In addition, the green code update includes a new fee which is expected to generate \$10,000 this year and \$15,000 per year thereafter. The amount expected increased revenue is well in excess of the \$73,982 budget amendment requested. The existing Department budget will cover staff time and other expenses required to administer the green building code update.

(Complete section below if BAR results in a net change to ANY Fund)

Fund(s) Affected:	Fund Bal. Increase/ (Decrease):
1001	(73,982)
TOTAL:	

{REQUIRED}(Use this form for Finance Committee/
City Council agenda items ONLY)

Prepared By {print name}

Date

Katherine Mortimer

8/31/16

Division Director {optional}

Date



8-31-16

Department Director

Date

CITY COUNCIL APPROVAL

City Council

Approval Date

Agenda Item #:

{Budget will enter}

Budget Officer

Date

Finance Director {≤ \$5,000}

Date

City Manager {≤ \$50,000}

Date

8-31-2016

8-31-2016

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2016-__**

3 **INTRODUCED BY:**

4
5 Councilor Peter N. Ives

6 Councilor Carmichael A. Dominguez

7 Councilor Renee D. Villarreal

8
9
10 **A RESOLUTION**

11 **ESTABLISHING TARGET GOALS FOR THE CITY'S GREEN BUILDING CODE TO MEET**
12 **THE GOALS SET FORTH IN THE U.S. MAYORS CLIMATE CHANGE PROTECTION**
13 **AGREEMENT, THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2040, AND**
14 **THE NEED TO CONSERVE WATER RESOURCES DUE TO THE PROJECTED EFFECTS**
15 **OF CLIMATE CHANGE.**

16
17 **WHEREAS**, on March 11, 2009, the Governing Body adopted Resolution No. 2009-45
18 which approved target goals for the Santa Fe Residential Green Building Code; and

19 **WHEREAS**, on October 28, 2014, the Governing Body adopted Resolution No. 2014-85
20 declaring the governing body's intent for the City of Santa Fe to become carbon neutral by the
21 year 2040; and

22 **WHEREAS**, on May 31, 2006, the Governing Body adopted Resolution No. 2006-54
23 that endorsed the U.S. Mayors Climate Change Protection Agreement; and

24 **WHEREAS**, on May 31, 2006, the Governing Body adopted Resolution No. 2006-55
25 that adopted high performance energy efficient building standards; and

WHEREAS, the Governing Body desires to adopt ever more efficiency energy and water conservation strategies into the Santa Fe green building code.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the following progress goals are adopted for the Green Building Code:

1. The energy rating requirement for single-family residential buildings shall be improved over time to achieve a rating of zero by the year 2030.
2. The water rating requirement for single-family residential buildings shall be improved over time as part of an overall water strategy for the City anticipating projected climate change effects on the availability of water in the region.
3. Other building types shall be added to the Green Building Code using the same approach of using modeling combined with required goals in energy and water efficiency to provide maximum flexibility and accountability to ensure goals are met.
4. The City shall seek all available options to reduce the greenhouse gas footprint of energy and water sources used within the City of Santa Fe in furtherance of the city's goal of becoming carbon neutral by 2040.

JAVIER GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

2 
3 _____

4 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M:/Legislation/Resolutions 2016/Green Building Code Goals*

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION ESTABLISHING TARGET GOALS FOR THE CITY'S GREEN BUILDING CODE TO MEET THE GOALS SET FORTH IN THE U.S. MAYORS CLIMATE CHANGE PROTECTION AGREEMENT, THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2040, AND THE NEED TO CONSERVE WATER RESOURCES DUE TO THE PROJECTED EFFECTS OF CLIMATE CHANGE.**

Sponsor(s): Councilors Ives, Dominguez and Villarreal

Reviewing Department(s): Land Use

Persons Completing FIR: Katherine Mortimer Date: 6/30/16 Phone: x6635

Reviewed by City Attorney: Kelly A. Burman Date: 7/7/16
(Signature)

Reviewed by Finance Director: [Signature] Date: 7-8-2016
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

To set policy regarding goals for the future of the green building codes

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
 "N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
 "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 2016/17	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY 2017/18	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____
Total:	\$ _____			\$ _____			

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- To indicate new revenues and/or
- Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY 2016/17	"R" Costs Recurring or "NR" Non-recurring	FY 1017/18	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
Total:	\$ _____		\$ _____		

**Assumes need to purchase 2 new vehicles. If vehicle pool or other existing vehicles can be used this may be lower or zero.

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Expenditure: N/A

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The policy indicating the future direction of the green building code would not be established.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The goals identified would further reduce Santa Fe's contribution to greenhouse gas emissions and use of water over time, making the community more resilient to the effects of climate change.


City of Santa Fe, New Mexico

memo

DATE: August 22, 2016

TO: City Council Committees

VIA: Nick Schiavo, Director, Public Utilities Department

FROM: John Alejandro, Renewable Energy Planner, Public Utilities Department 

SUBJECT: AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES TO ADD AGRICULTURAL USES

ITEM

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES, TABLE OF PERMITTED USES TO ADD AGRICULTURAL USES; AMENDING SUBSECTION 14-6.2(H) OF THE LAND DEVELOPMENT CODE TO PROHIBIT ANIMAL PRODUCTION AND SLAUGHTERHOUSES, AND PROVIDING FOR AGRICULTURAL USES; CREATING A NEW SUBSECTION 14-6.3(D)(4) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR AGRICULTURAL HOME OCCUPATION EXCEPTIONS; AMENDING SECTION 14-8.7 OF THE LAND DEVELOPMENT CODE TO WAIVE ARCHITECTURAL DESIGN REVIEW OF AGRICULTURAL RELATED STRUCTURES BY THE LAND DEVELOPMENT DIRECTOR; AND AMENDING SUBSECTION 14-12 OF THE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS FOR TERMS RELATING TO URBAN AGRICULTURE.

BACKGROUND

In 2014, the governing body adopted a policy report drafted by the Santa Fe Food Policy Council titled, "Planning for Santa Fe's Food Future." The report provided a set of recommendations that, when implemented, could help to ensure that a safe, healthy, affordable, and sustainable food supply was available to all residents of Santa Fe to help combat food insecurity. As noted in the report, at least 21,270 people living in Santa Fe County do not know where their next meal is coming from, and according to Santa Fe Public Schools data, approximately 13,000 kids in K-12 public schools (approximately 70%) receive free or reduced-cost lunch.

Although current Santa Fe City Code allows for agriculture activities and uses for noncommercial purposes (i.e., the growing of produce for personal consumption), it does not allow for agricultural activities and uses for commercial purposes, other than within Rural Residential zoned areas.

This new ordinance is designed to provide a set of provisions, guidelines, and requirements to allow agricultural activities and uses for commercial purposes within all zoned districts in the city of Santa Fe.

A committee comprised of citizen volunteers and City of Santa Fe staff with experience and expertise in food related and land use issues in Santa Fe collaborated on the early drafts of this ordinance, working over several months researching best practices of other agriculture ordinances from other cities around the country, and collaborating to create a draft ordinance for Santa Fe that suit the city's unique needs.

City of Santa Fe staff from the Public Utilities Department, Land Use Department, Water Division, and the City Attorney's Office continued to refine that draft, which included meeting with food-related stakeholders in the community to solicit their thoughts and feedback on the draft itself.

The resulting ordinance is one that has been designed to serve all people of Santa Fe who wish to undertake agriculture activities for commercial purposes within the city, whether they are residents who seek to use 100 square feet of their backyard to grow and sell produce to their neighbors, to business entities who seek to utilize advanced farming and agriculture techniques to grow and sell larger amounts of produce on commercial or industrial zoned land. The provisions, guidelines, and requirements within the ordinance have been scaled in ways that help to encourage agriculture in Santa Fe rather than restrict it with over burdensome regulations.

This ordinance, like any other ordinance within city code, will continue to be refined as the growth of agriculture within the city occurs, in order to continue to encourage safe and responsible agriculture activities designed to help alleviate food insecurity in our community.

SECTIONS

Section 1.

States the purpose of the ordinance (new section of city code) is to establish zoning regulations for the operation of commercial agricultural activities and to provide standards for the siting, design, maintenance and modification of agricultural activities that address public safety, and minimize impacts on residents and historic resources in the city of Santa Fe.

Section 2.

Amends Subsection 14-6.2(H) of the Land Development Code, SFCC 1987 (being Ord. #2011-37 (as amended)) to establish permitted uses provided in Table 14-6.1-1 (included at the end of the ordinance), and new use-specific standards, applicability, approval procedures, and development standards, as provided in new Subsection 14-6.2(I).

The section also defines the activities to be performed on ground level farms; roof level farms and rooftop greenhouses; and in aquaculture, aquaponics, and hydroponics facilities.

Item 9 establishes provisions for the permitted use of a farm stand in zoning districts, and the remaining items in the section provide provisions and regulations related to agricultural uses.

Section 3.

Establishes a new a new Subsection 14-6.3(D)(4) of the Land Development Code to make certain exceptions to agricultural home occupations related to number of people regularly engaged in the home occupation for urban farms; farm structures; signage; and parking.

Section 4.

Establishes a new Subsection 14-8.7(F) of the Land Development Code, SFCC 1987 enabling the land use director to waive the requirements of Architectural Design Review related to urban agriculture activities under certain circumstances.

Section 5.

Amends Subsection 14-12 of the Land Development Code, SFCC 1987 (being Ord. #2011-37 (as amended)) to add new definitions related to urban agriculture and farming activities and uses.

Table 14-6.1-1

Updated table noting agriculture use categories that are allowed (A), permitted (P), or allowed via a special use permit (S).

RESOLUTION

The accompanying resolution to the ordinance establishes the City of Santa Fe Policies, Procedures and Guidelines for Urban Farms, as reflected in the Exhibit A document. The policies, procedures and guidelines will provide a framework by which growers and sellers of on-site produce, also known as urban farms, must adhere to, and also provide guidance to the Land Use Director and land use boards in the administration of the agriculture ordinance.

FISCAL IMPACT

A fiscal impact is not expected from the passage of this ordinance.

The ordinance and resolution are intended to have a positive impact on the community by providing the authority, policies and guidelines needed to conduct agriculture activities, which may help to provide greater access to sources of healthy, nutritious and affordable food; create more agriculture-based businesses; and, support advanced agriculture/ farming models that have the potential to grow food on a large scale using sustainable and environmentally conscious techniques.

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2016-__

INTRODUCED BY:

Mayor Javier M. Gonzales

Councilor Peter N. Ives

AN ORDINANCE

AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES, TABLE OF PERMITTED USES TO ADD AGRICULTURAL USES; AMENDING SUBSECTION 14-6.2(H) OF THE LAND DEVELOPMENT CODE TO PROHIBIT ANIMAL PRODUCTION AND SLAUGHTERHOUSES, AND PROVIDING FOR AGRICULTURAL USES; CREATING A NEW SUBSECTION 14-6.3(D)(4) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR AGRICULTURAL HOME OCCUPATION EXCEPTIONS; AMENDING SECTION 14-8.7 OF THE LAND DEVELOPMENT CODE TO WAIVE ARCHITECTURAL DESIGN REVIEW OF AGRICULTURAL RELATED STRUCTURES BY THE LAND DEVELOPMENT DIRECTOR; AND AMENDING SUBSECTION 14-12 OF THE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS FOR TERMS RELATING TO URBAN AGRICULTURE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Purpose:

1 The purpose of this Section is to establish zoning regulations for the operation of
2 commercial agricultural activities and to provide standards for the siting, design, maintenance and
3 modification of agricultural activities that address public safety, and minimize impacts on
4 residents and historic resources in the city of Santa Fe.

5 **Section 2. Subsection 14-6.2(H) of the Land Development Code, SFCC 1987**
6 **(being Ord. #2011-37 (as amended)) is amended to read:**

7 **14-6.2 USE-SPECIFIC STANDARDS**

8 (H) Agricultural Uses

9 (1) Agricultural uses for noncommercial purposes that are *accessory* uses to a
10 permitted *principal* use are permitted in all zoning districts but shall not create a public nuisance
11 and shall meet all other applicable *city* codes.

12 (2) Agricultural uses for commercial purposes are ~~[restricted]~~ permitted as set forth
13 in Table 14-6.1-1; however, the following commercial agricultural uses are specifically
14 prohibited:

15 (a) ~~[mink and poultry]~~ animal production; [and]

16 (b) ~~[feedlots]~~ slaughterhouses and slaughtering of livestock; and

17 c. any other use prohibited by 5-7.1 SFCC 1987.

18 (3) Applicability. No agricultural activity shall be conducted, or *farm structure*
19 erected, except in compliance with the provisions of this Subsection 14-6.2(1). The provisions of
20 this subsection shall apply to all agricultural activities, whether such activity is a primary use or
21 an accessory use, except for:

22 (a) Gardens for the personal noncommercial use of residents as accessory
23 uses to *residential* uses.

24 (b) Community gardens located on city-owned property and regulated by
25 written policies and procedures of the city of Santa Fe.

1 (c) Community gardens for noncommercial purposes permitted as an
2 accessory use.

3 (4) Approval Procedures.

4 (a) Agricultural uses are allowed as an accessory use; with a special use
5 permit; or permitted by right, all as shown in Table 14-6.1-1.

6 (b) Except as otherwise provided in this Subsection 14-6.2(I), the procedural
7 and other requirements for *home occupations*, special use permits and development plans
8 apply to agricultural uses and *structures*.

9 (c) Agricultural uses and *structures* shall comply with all other applicable
10 provisions of SFCC 1987, including chapter VII relating to building and housing, and
11 chapter XII relating to fire prevention and protection.

12 (d) The governing body may adopt by resolution guidelines for the
13 development and operation of agricultural uses, which shall guide the *land use director* in
14 the administration of this Subsection 14-6.2(I).

15 (5) Development Standards.

16 (a) Except as otherwise provided in this Subsection 14-6.2(I), *structures*
17 associated with agricultural uses are subject to the development standards established for
18 the underlying and overlay zoning districts within which the property is located.

19 (b) Agricultural *home occupations* shall comply with Subsection 14-
20 6.3(D)(2).

21 (6) Urban Farm, Ground Level.

22 (a) The principal activity to be performed on a *ground level urban farm* shall
23 be the cultivation of agricultural crops.

24 (b) Ground level urban farms are permitted as provided in Table 14-6.1-1.

25 (7) Urban Farm, Roof Level; Rooftop Greenhouse.

1 (a) The principal activity to be performed on a roof level urban farm, or
2 within a rooftop greenhouse, shall be the cultivation of agricultural crops.

3 (b) Roof level urban farms and rooftop greenhouses are permitted as
4 provided in Table 14-6.1-1.

5 (8) Aquaculture, Aquaponics and Hydroponics.

6 (a) Aquaculture, aquaponics and hydroponics are permitted as provided in
7 Table 14-6.1-1.

8 (b) Operations must comply with applicable federal and State regulations for
9 water use and discharge, and for the possession, propagation, culture, sale and disposition
10 of living marine organisms.

11 (9) Farm Stands.

12 (a) An urban farm may include a farm stand. Farm stands located in zoning
13 districts which otherwise prohibit retail sales shall be limited to sales of agricultural
14 products that are grown on the premises, and shall not be larger than 48 square feet.

15 (b) Operation of a farm stand requires a home occupation permit or other
16 type of business license issued by the City of Santa Fe Business Licensing Division.

17 (10) Screening and Buffering.

18 (a) Any composting, loading or disposal areas within or adjacent to a
19 residential or commercial zoning district shall be screened from view by a wall, fence,
20 berm or vegetative screen, or combination thereof. Any fencing shall be constructed of
21 opaque materials and shall comply with the standards and requirements applicable to
22 fences in the zoning district where the property is located..

23 (b) Any material or equipment stored outdoors within a residential or
24 commercial zoning district shall be surrounded by a wall or fence or vegetative screen not
25 less than six (6) feet high, as may be necessary, to screen such material or equipment

1 from view from any public street or public open space.

2 (11) Maintenance and Operation.

3 (a) Urban farms shall be used and maintained in such a manner in which at
4 no time shall they constitute a nuisance or hazard to the surrounding neighborhood.

5 (12) Soil Safety.

6 (a) All urban farms using conditioned soil will be required to comply with
7 the New Mexico Soil and Water Conservation Act, Sections 73-20-25 through 73-20-48
8 NMSA 1978.

9 (13) Composting.

10 (a) Composting is accessory to an urban farm and shall be used only onsite
11 where any ground level urban farm or roof level urban farm is permitted. Composting shall
12 occupy no more than ten (10) percent of the lot area.

13 (b) Composting as a principal use requires approval of a special use permit
14 in industrial zoning districts, and is prohibited in other zoning districts.

15 (c) Maximum Height:

16 (i) Maximum height of composting structures or bins shall not
17 exceed the maximum height permitted for fences and walls in the zoning district
18 where the property is located.

19 (ii) On a roof level urban farm, any composting must be contained
20 within a fully enclosed inflammable bin that does not have direct contact with
21 flammable materials.

22 (d) Setbacks:

23 (i) Subject to Subsection 14-6.3(B)(2) Accessory Uses, compost
24 bins, accessory structures and windrows shall comply with the applicable
25 setback requirements in all zoned districts.

1 (ii) Compost bins, structures and windrows located in a required
2 yard or street frontage in all *residential* and *commercial* zoned districts must be
3 screened from street view.

4 (14) Water.

5 (a) Urban farms are allowed to use the following water resources:

6 (i) Captured rainwater on-site meeting the requirements of the New
7 Mexico State Engineer's Office (OSE) and Subsection 14-8.4(E).

8 (ii) Passive water harvesting designed to infiltrate water, control
9 runoff and erosion.

10 (iii) Gray water or treated effluent from permitted on-site sources
11 adhering to the requirements of Section 20-7-3 NMAC and Subsection 14-
12 8.4(E)(2).

13 (iv) Consistent with its adjudicated, licensed, or permitted use.

14 (v) Well water from existing on-site wells, provided that such wells
15 are permitted by the OSE for agricultural use.

16 (vi) Treated municipal effluent.

17 (vii) Municipal water system.

18 (b) Any constructed water catchment systems shall meet all permitting
19 requirements of the city of Santa Fe's land use department.

20 (c) Water supplied through the municipal water system shall be charged at
21 the rate applicable to the meter size, and shall comply with all applicable requirements of
22 Section 14-8.13 of the land use development code.

23 (d) Irrigation systems shall comply with Subsection 14-8.4(E)(4), including
24 installation of an approved backflow prevention device.

25 (e) Watering times shall comply with the outdoor conservation regulations

1 pursuant to Subsection 25-2.7 SFCC 1987.

2 (f) Water efficient technologies and practices, such as drip irrigation
3 systems, use of ollas or other water-holding materials, are allowed.

4 (15) Abandonment.

5 (a) If an agricultural use ceases for any reason for three hundred sixty five
6 (365) consecutive days without the prior written approval of the *land use director*, the use
7 shall be deemed to be abandoned.

8 (b) Any property used for agricultural purposes pursuant to this section shall
9 be cleared and restored to the state in which it existed prior to commencement of the
10 agricultural use. The property owner shall remove from the property all *farm structures*
11 within one hundred and eighty (180) days after the date the agricultural use is
12 discontinued. Site clearing shall consist of:

13 (i) Physical removal of all *farm structures*, farm equipment and
14 machinery; and

15 (ii) Disposal of all *composting* and agricultural waste in accordance
16 with local and state waste disposal regulations; and

17 (iii) Stabilization of the site's vegetation as necessary to minimize
18 erosion and invasive species encroachment. The *land use director* may allow the
19 owner to leave landscaping in order to minimize erosion and disruption to
20 vegetation.

21 (c) If the applicant fails to remove *farm structures*, farm equipment, and
22 farm machinery in accordance with the requirements of this Subsection 14-6.2(I)(13)
23 within one-hundred and eighty (180) days of the date the agricultural use is discontinued,
24 the *land use director* shall proceed with enforcement actions as provided for in Section
25 14-11.

1 **Section 3. A new Subsection 14-6.3(D)(4) of the Land Development Code,**
2 **SFCC 1987 is ordained to read:**

3 [NEW MATERIAL] (4) Agricultural *home occupations* shall comply with
4 Subsection 14-6.3(D)(2), except that:

5 (a) Notwithstanding the provisions of Subsection 14-6.3(D)(2)(c)(iv), not
6 more than five (5) persons, other than members of the *family* who reside on the
7 *premises*, shall be regularly engaged in the *home occupation* for urban farms with
8 up to 10,000 square feet of production area. An additional person may be
9 regularly engaged in the urban farm *home occupation* for every additional 10,000
10 of square feet of the production area up to a total of ten (10) people.

11 (b) A *farm stand* and other farm structures shall not be included in the
12 calculation of maximum floor area permitted pursuant to Subsection 14-
13 6.3(D)(2)(d)(i).

14 (c) Notwithstanding the provisions of Subsection 14-6.3(D)(2)(d)(iii),
15 signage shall be permitted as provided in Subsection 14-8.10.

16 (d) Notwithstanding the provisions of Subsection 14-6.3(D)(2)(e), on-site
17 parking shall be required as follows:

18 (i) One parking space shall be provided for each worker who resides
19 off the premises working simultaneously; and

20 (ii) Three parking spaces on the lot shall be available to *farm stand*
21 customers during farm stand open hours.

22 **Section 4. A new Subsection 14-8.7(F) of the Land Development Code, SFCC**
23 **1987 is ordained to read:**

24 [NEW MATERIAL] (F) For urban agriculture activities, the *land use director*
25 may waive the requirements of this Subsection 14-8.7, Architectural Design Review,

1 under the following circumstances:

2 (a) The applicant submits a written request demonstrating that compliance
3 with Subsection 14-8.7 is not feasible due to the nature of a permitted type of
4 urban agriculture *structure*.

5 (b) The *land use director* determines that the waiver requested is the
6 minimum deviation that will permit construction of the permitted *structure*.

7 (c) The *land use director* determines that the waiver requested will not result
8 in any negative health or safety impacts on the community, or negatively impact
9 a neighboring *property*.

10 (d) Notwithstanding the foregoing, agricultural *structures* shall be
11 compatible with the zoning district where the property is located or shall be
12 screened from public view.

13 **Section 5. Subsection 14-12 of the Land Development Code, SFCC 1987 (being**
14 **Ord. #2011-37 (as amended)) is amended to add the following definitions:**

15 **AQUACULTURE**

16 The cultivation of aquatic animals in a recirculating environment to produce whole fish
17 that are distributed to retailers, restaurants and consumers.

18 **AQUAPONICS**

19 The cultivation of fish and plants together in a constructed, re-circulating system utilizing
20 natural bacterial cycles to convert fish wastes to plant nutrients, for distribution to
21 retailers, restaurants and consumers.

22 **COMPOSTING**

23 A process of accelerated biodegradation and stabilization of organic material under
24 controlled conditions yielding a product which can safely be used as fertilizer.

25 **FARM AREA**

The area of a lot designated for activities and uses defined as urban agriculture.

FARM STAND

A table, stall, tent or other structure located on an urban farm and operated by a vendor with a city-issued business license to sell to the public agricultural products grown on the same property where the farm stand is located, not to exceed 48 square feet in size.

FARM STRUCTURES

Structures that may include, but are not limited to, sheds (tool and packing), compost bins, shade pavilions, *farm stands*, trellises or other vertical supports for growing crops, and structures used to extend the growing season such as *greenhouses*, hoophouses, coldframes, and similar structures.

GROUND LEVEL URBAN FARMS

The use of a *lot* on the ground plan for urban agriculture for commercial purposes, whether for profit or non-profit.

HYDROPONICS

The propagation of plants using a mechanical system designed to circulate a solution of minerals in water, for distribution to retailers, restaurants and consumers.

ROOF LEVEL URBAN FARM

The use of a roof for urban agriculture for commercial purposes, whether for profit or non-profit.

ROOFTOP GREENHOUSE

A *structure* located on a roof, whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants.

URBAN AGRICULTURE

The use of a *lot* for the cultivation of agriculture, *composting*, *aquaponics*, *aquaculture*,

and/or *hydroponics* for commercial purposes.

URBAN FARM, GROUND LEVEL, LARGE

A *ground level urban farm* with a *farm area* greater than one (1) acre, that is used for urban agriculture for commercial purposes, whether for profit or non-profit.

URBAN FARM, GROUND LEVEL, MEDIUM

A *ground level urban farm* with a *farm area* greater than or equal to ten-thousand (10,000) square feet, but no greater than one (1) acre, that is used for urban agriculture for commercial purposes, whether for profit or non-profit.

URBAN FARM, GROUND LEVEL, SMALL

A *ground level urban farm* with a *farm area* less than ten-thousand (10,000) square feet that is used for urban agriculture for commercial purposes, whether for profit or non-profit.

URBAN FARM, ROOF LEVEL, LARGE

A *roof level urban farm* with a *farm area* greater than one (1) acre, that is used for urban agriculture for commercial purposes, whether for profit or non-profit.

URBAN FARM, ROOF LEVEL, MEDIUM

A *roof level urban farm* with a *farm area* greater than or equal to five-thousand (5000) square feet, but no greater than one (1) acre, that is used for urban agriculture for commercial purposes, whether for profit or non-profit.

URBAN FARM, ROOF LEVEL, SMALL

A *roof level urban farm* with a *farm area* less than five-thousand (5000) square feet that is used for urban agriculture for commercial purposes, whether for profit or non-profit.

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APPROVED AS TO FORM:

Kelley A. Brennan

KELLEY A. BRENNAN, CITY ATTORNEY

Table 14-6.1-1

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC- 5, RC-8	R-10 - R- 29	MHP	RAC	AC**	C- 1	C- 2	C- 4	HZ	BCD	I 1	I 2	BIP	SC- 1	SC- 2	SC- 3	MU ***	Use- Specific Regs 14-6.2
AGRICULTURAL USES																						
Animal production	[S]																					(H)
[Crop production]	[S]																					[(H)]
Commercial stable	S																					(H)
Urban Farm Ground Level, less than 10,000 sq ft.	A	A	A	A	A	A				P	P	P			P	P		P	P	P		(I)
Urban Farm Ground Level, 10,000 sq ft. - 1 acre	S	S	S	S	S	S				P	P	P			P	P		P	P	P		(I)
Urban Farm Ground Level, greater than 1 acre	S	S	S	S	S	S				S	S	S			P	P		S	S	S		(I)
Urban Farm Roof Level, Open Air, less than 10,000 sq ft.	A	A	A	A	A	A				S	S	S			S	S		S	S	S		(I)
Urban Farm Roof Level, Open Air, 10,000 sq ft. - 1 acre	S	S	S	S	S	S				S	S	S			S	S		S	S	S		(I)
Urban Farm Roof Level, Open Air, greater than 1 acre	S	S	S	S	S	S				S	S	S			S	S		S	S	S		(I)
Urban Farm, Rooftop Greenhouse, any size	S	S	S	S	S	S				S	S	S			S	S		S	S	S		(I)
Aquaculture, less than 750 sq ft.	S	S	S	S	S	S				S	S	S			S	S		S	S	S		(I)

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: X
(A single FIR may be used for related bills and/or resolutions)

Short Title(s):

1. AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES, TABLE OF PERMITTED USES TO ADD AGRICULTURAL USES; AMENDING SUBSECTION 14-6.2(H) OF THE LAND DEVELOPMENT CODE TO PROHIBIT ANIMAL PRODUCTION AND SLAUGHTERHOUSES, AND PROVIDING FOR AGRICULTURAL USES; CREATING A NEW SUBSECTION 14-6.3(D)(4) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR AGRICULTURAL HOME OCCUPATION EXCEPTIONS; AMENDING SECTION 14-8.7 OF THE LAND DEVELOPMENT CODE TO WAIVE ARCHITECTURAL DESIGN REVIEW OF AGRICULTURAL RELATED STRUCTURES BY THE LAND DEVELOPMENT DIRECTOR; AND AMENDING SUBSECTION 14-12 OF THE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS FOR TERMS RELATING TO URBAN AGRICULTURE.

2. A RESOLUTION ADOPTING THE CITY OF SANTA FE POLICIES, PROCEDURES AND GUIDELINES FOR URBAN FARMS.

Sponsor(s): Mayor Javier M. Gonzales; Councilor Peter N. Ives

Reviewing Department(s): Public Utilities

Persons Completing FIR: John Alejandro Date: 8/17/16 Phone: 955-6236

Reviewed by City Attorney: Kelly A. Brennan Date: 8/18/16
(Signature)

Reviewed by Finance Director: [Signature] Date: 8-19-2016
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

Currently, city code only allows the growing of agricultural crops on premises to occur for personal consumption; it does not allow agricultural crops that are grown on premises to be sold commercially at the premises within the city limits. This ordinance establishes provisions and requirements that allow for agricultural crops to be grown on residential, commercial, and industrial zoned premises within the city of Santa Fe, and for the sale of such crops to occur at the same premises.

Finance Director: [Signature]

The ordinance also amends sections of city code that are applicable to agricultural uses and activities, in order to make them consistent with the provisions and requirements that enable agricultural activities to take place within the city limits.

The accompanying resolution to the ordinance establishes the City of Santa Fe Policies, Procedures and Guidelines for Urban Farms, as reflected in the Exhibit A document. The policies, procedures and guidelines will provide a framework by which growers and sellers of on-site produce, also known as urban farms, must adhere to, and also provide guidance to the Land Use Director and land use boards in the administration of the agriculture ordinance.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

 X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
	Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____
	All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____

Total: \$ _____ \$ _____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
	_____	\$ _____	_____	\$ _____	_____	_____
	_____	\$ _____	_____	\$ _____	_____	_____
Total:		\$ _____		\$ _____		

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

If the ordinance and resolution are not enacted, the sale of produce grown on residential, commercial and industrial premises will still not be allowed; there will continue to be a lack of guidelines for both the community and city staff when it comes to urban agriculture uses in Santa Fe; and, individuals and entities wishing to create an urban farm business will not have the legal authority and official policies and guidelines to do so.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The ordinance and resolution are intended to have a positive impact on the community by providing the authority, policies and guidelines needed to conduct agriculture activities, which may help to provide greater access to sources of healthy, nutritious and affordable food; create more agriculture-based businesses; and, support advanced agriculture/ farming models that have the potential to grow food on a large scale using sustainable and environmentally conscious techniques.


City of Santa Fe, New Mexico

memo

DATE: August 22, 2016

TO: City Council Committees

VIA: Nick Schiavo, Director, Public Utilities Department

FROM: John Alejandro, Renewable Energy Planner, Public Utilities Department 

SUBJECT: AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES TO ADD AGRICULTURAL USES

ITEM

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES, TABLE OF PERMITTED USES TO ADD AGRICULTURAL USES; AMENDING SUBSECTION 14-6.2(H) OF THE LAND DEVELOPMENT CODE TO PROHIBIT ANIMAL PRODUCTION AND SLAUGHTERHOUSES, AND PROVIDING FOR AGRICULTURAL USES; CREATING A NEW SUBSECTION 14-6.3(D)(4) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR AGRICULTURAL HOME OCCUPATION EXCEPTIONS; AMENDING SECTION 14-8.7 OF THE LAND DEVELOPMENT CODE TO WAIVE ARCHITECTURAL DESIGN REVIEW OF AGRICULTURAL RELATED STRUCTURES BY THE LAND DEVELOPMENT DIRECTOR; AND AMENDING SUBSECTION 14-12 OF THE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS FOR TERMS RELATING TO URBAN AGRICULTURE.

BACKGROUND

In 2014, the governing body adopted a policy report drafted by the Santa Fe Food Policy Council titled, "Planning for Santa Fe's Food Future." The report provided a set of recommendations that, when implemented, could help to ensure that a safe, healthy, affordable, and sustainable food supply was available to all residents of Santa Fe to help combat food insecurity. As noted in the report, at least 21,270 people living in Santa Fe County do not know where their next meal is coming from, and according to Santa Fe Public Schools data, approximately 13,000 kids in K-12 public schools (approximately 70%) receive free or reduced-cost lunch.

Although current Santa Fe City Code allows for agriculture activities and uses for noncommercial purposes (i.e., the growing of produce for personal consumption), it does not allow for agricultural activities and uses for commercial purposes, other than within Rural Residential zoned areas.

This new ordinance is designed to provide a set of provisions, guidelines, and requirements to allow agricultural activities and uses for commercial purposes within all zoned districts in the city of Santa Fe.

A committee comprised of citizen volunteers and City of Santa Fe staff with experience and expertise in food related and land use issues in Santa Fe collaborated on the early drafts of this ordinance, working over several months researching best practices of other agriculture ordinances from other cities around the country, and collaborating to create a draft ordinance for Santa Fe that suit the city's unique needs.

City of Santa Fe staff from the Public Utilities Department, Land Use Department, Water Division, and the City Attorney's Office continued to refine that draft, which included meeting with food-related stakeholders in the community to solicit their thoughts and feedback on the draft itself.

The resulting ordinance is one that has been designed to serve all people of Santa Fe who wish to undertake agriculture activities for commercial purposes within the city, whether they are residents who seek to use 100 square feet of their backyard to grow and sell produce to their neighbors, to business entities who seek to utilize advanced farming and agriculture techniques to grow and sell larger amounts of produce on commercial or industrial zoned land. The provisions, guidelines, and requirements within the ordinance have been scaled in ways that help to encourage agriculture in Santa Fe rather than restrict it with over burdensome regulations.

This ordinance, like any other ordinance within city code, will continue to be refined as the growth of agriculture within the city occurs, in order to continue to encourage safe and responsible agriculture activities designed to help alleviate food insecurity in our community.

SECTIONS

Section 1.

States the purpose of the ordinance (new section of city code) is to establish zoning regulations for the operation of commercial agricultural activities and to provide standards for the siting, design, maintenance and modification of agricultural activities that address public safety, and minimize impacts on residents and historic resources in the city of Santa Fe.

Section 2.

Amends Subsection 14-6.2(H) of the Land Development Code, SFCC 1987 (being Ord. #2011-37 (as amended)) to establish permitted uses provided in Table 14-6.1-1 (included at the end of the ordinance), and new use-specific standards, applicability, approval procedures, and development standards, as provided in new Subsection 14-6.2(I).

The section also defines the activities to be performed on ground level farms; roof level farms and rooftop greenhouses; and in aquaculture, aquaponics, and hydroponics facilities.

Item 9 establishes provisions for the permitted use of a farm stand in zoning districts, and the remaining items in the section provide provisions and regulations related to agricultural uses.

Section 3.

Establishes a new a new Subsection 14-6.3(D)(4) of the Land Development Code to make certain exceptions to agricultural home occupations related to number of people regularly engaged in the home occupation for urban farms; farm structures; signage; and parking.

Section 4.

Establishes a new Subsection 14-8.7(F) of the Land Development Code, SFCC 1987 enabling the land use director to waive the requirements of Architectural Design Review related to urban agriculture activities under certain circumstances.

Section 5.

Amends Subsection 14-12 of the Land Development Code, SFCC 1987 (being Ord. #2011-37 (as amended)) to add new definitions related to urban agriculture and farming activities and uses.

Table 14-6.1-1

Updated table noting agriculture use categories that are allowed (A), permitted (P), or allowed via a special use permit (S).

RESOLUTION

The accompanying resolution to the ordinance establishes the City of Santa Fe Policies, Procedures and Guidelines for Urban Farms, as reflected in the Exhibit A document. The policies, procedures and guidelines will provide a framework by which growers and sellers of on-site produce, also known as urban farms, must adhere to, and also provide guidance to the Land Use Director and land use boards in the administration of the agriculture ordinance.

FISCAL IMPACT

A fiscal impact is not expected from the passage of this ordinance.

The ordinance and resolution are intended to have a positive impact on the community by providing the authority, policies and guidelines needed to conduct agriculture activities, which may help to provide greater access to sources of healthy, nutritious and affordable food; create more agriculture-based businesses; and, support advanced agriculture/ farming models that have the potential to grow food on a large scale using sustainable and environmentally conscious techniques.

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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2016 - __

INTRODUCED BY:

Mayor Javier M. Gonzales

Councilor Peter N. Ives

A RESOLUTION

**CREATING THE CITY OF SANTA FE PROCEDURES AND GUIDELINES FOR
URBAN AGRICULTURE ACTIVITIES AND USES.**

WHEREAS, the governing body wishes to promote a healthy lifestyle for all people in Santa Fe; and

WHEREAS, the governing body wishes to promote local economic development; and

WHEREAS, *Planning for Santa Fe's Food Future* was developed by the Santa Fe Food Policy Council as a guiding policy document designed to ensure that a safe, healthy, and affordable food supply will be available to all city residents, and subsequently adopted by the Governing Body of the City of Santa Fe via Resolution 2014-100; and

WHEREAS, *Planning for Santa Fe's Food Future* contains recommendations to develop a food system that nourishes all people in Santa Fe in a just and sustainable manner; and

WHEREAS, currently, the Santa Fe City Code does not allow for the sale of fresh fruits and vegetables from urban farms that offer for sale produce that is grown on premise; and

1 **WHEREAS**, fruits and vegetables contribute to the overall health and wellbeing of an
2 individual, and the ability to purchase such produce from an urban farm would be beneficial to
3 city residents;

4 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
5 **CITY OF SANTA FE** that the City of Santa Fe Procedures and Guidelines for Urban Activities
6 and Uses, attached herein as Exhibit A, are hereby established.

7
8 PASSED, APPROVED and ADOPTED this ____ day of _____ 2016.

9
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11 _____
12 JAVIER M. GONZALES, MAYOR

13 ATTEST:

14
15 _____
16 YOLANDA VIGIL, CITY CLERK

17 APPROVED AS TO FORM:

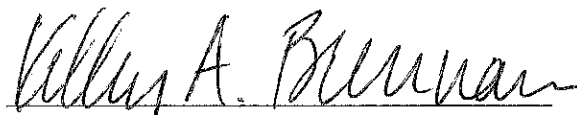
18 
19 _____
20 KELLEY A. BRENNAN, CITY ATTORNEY

EXHIBIT A:
***City of Santa Fe Land Use Department Procedures and Guidelines for Urban Agriculture
Activities and Uses***

PART 1: APPLICATION FOR URBAN AGRICULTURE

- 1.1 All Urban Agricultural Activities and Uses shall be examined and permitted by the Land Use Department Director.
- 1.2 The information required for the processing and permitting of urban agriculture activities and uses that utilize 200 square feet or less of a ground level lot shall include:
 - A. At minimum, a drawing depicting a site plan showing legal lot, planted areas, locations and footprints of all Farm Structures, driveways, parking areas, and landscape buffers; and
 - B. Document listing types and materials of Farm Structures; and
 - B. Photographs of existing site and adjacent properties to provide site context; and
 - C. Proposed plans for irrigation, and controls for storm water runoff as required by Section 14-8.2; and
 - D. Proposed signage plan showing proposed signage and related architectural features on the sign frontage as required by Section 14-8.10.
- 1.3 The information required for the processing and permitting of all urban agriculture activities and uses other than those that utilize 200 square feet or less of a ground level lot, shall include:
 - A. Site plan, legal lot of record, areas of urban agriculture activities, footprints for all structures, means of ingress and egress, parking areas (including spaces), and landscape buffers; and
 - B. A scaled drawing for Farm and other Structures; and
 - C. Site plan of existing site and adjacent properties (including structures); and
 - D. Proposed plans for irrigation and control measures for storm water runoff as required by Section 14-8.2; and
 - E. Signage plan showing proposed signage as required by Section 14-8.10.
- 1.3(A) Such submission materials shall demonstrate the dimensions, location and architecture of:
 - A. All Urban Agriculture activities, materials, screening, fencing, and landscaping in a manner that is sensitive to the surrounding area; and

- B. Any existing buildings which will remain on the site, with the proposed Urban Agriculture activities, if applicable.

PART 2: DESIGN GUIDELINES

- 2.1 This subsection establishes the design guidelines for all Urban Farms deemed subject to Architectural Design Review by the Land Use Department Director.

- A. Scaled Site Plan.

- 1. Including locations of Farm Structures, ingress/egress, and parking areas (including spaces). Urban Agriculture activities and uses should be designed in a manner that enhances the street frontage, surrounding buildings and under-utilized spaces on the site. In addition, Placement of Farm Structures should respect existing landscape features on the site, such as rock outcroppings, drainage areas, and significant trees.
- B. Vehicular ingress and egress to and from an Urban Agriculture Activity should minimize traffic impacts on the adjacent roadways, and provide safe visual access for drivers and pedestrians.
- C. Composting, farm equipment storage, and waste disposal areas cannot be located within the front yard setback.

- 2.2 Structures.

- A. New Farm Structures will be compatible with the size and scale of the surrounding built and natural environment.

- 2.3 Landscape.

- A. Landscaping elements will be compatible with surrounding architecture and environment provided pursuant to Section 14-8.4.

- 2.4 Walls and Fencing.

- A. Wall and fences shall comply with Section 14-8.5.

- 2.5 Lighting.

- A. Lighting for Urban Agriculture Activities is limited to that required for daily operation and safety purposes of all activities defined as Urban Agriculture, so as not to create a nuisance through excessive brightness to abutting uses and shall comply with Section 14-8.9.

PART 3. BUSINESS LICENSING

3.1 Urban Agriculture Activities are subject to business licensing requirements by the city of Santa Fe Business Licensing Division pursuant to Section 18-1.

PART 4. AMENDMENTS TO THESE GUIDELINES AND REGULATIONS

4.1 Amendments to these guidelines and policies may be approved by the Land Use Department Director.

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. **General Information**

(Check) Bill: X Resolution: X
(A single FIR may be used for related bills and/or resolutions)

Short Title(s):

1. AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES, TABLE OF PERMITTED USES TO ADD AGRICULTURAL USES; AMENDING SUBSECTION 14-6.2(H) OF THE LAND DEVELOPMENT CODE TO PROHIBIT ANIMAL PRODUCTION AND SLAUGHTERHOUSES, AND PROVIDING FOR AGRICULTURAL USES; CREATING A NEW SUBSECTION 14-6.3(D)(4) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR AGRICULTURAL HOME OCCUPATION EXCEPTIONS; AMENDING SECTION 14-8.7 OF THE LAND DEVELOPMENT CODE TO WAIVE ARCHITECTURAL DESIGN REVIEW OF AGRICULTURAL RELATED STRUCTURES BY THE LAND DEVELOPMENT DIRECTOR; AND AMENDING SUBSECTION 14-12 OF THE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS FOR TERMS RELATING TO URBAN AGRICULTURE.

2. A RESOLUTION ADOPTING THE CITY OF SANTA FE POLICIES, PROCEDURES AND GUIDELINES FOR URBAN FARMS.

Sponsor(s): Mayor Javier M. Gonzales; Councilor Peter N. Ives

Reviewing Department(s): Public Utilities

Persons Completing FIR: John Alejandro Date: 8/17/16 Phone: 955-6236

Reviewed by City Attorney: Kelly A. Brennan Date: 8/18/16
(Signature)

Reviewed by Finance Director: [Signature] Date: 8-19-2016
(Signature)

Section B. **Summary**

Briefly explain the purpose and major provisions of the bill/resolution:

Currently, city code only allows the growing of agricultural crops on premises to occur for personal consumption; it does not allow agricultural crops that are grown on premises to be sold commercially at the premises within the city limits. This ordinance establishes provisions and requirements that allow for agricultural crops to be grown on residential, commercial, and industrial zoned premises within the city of Santa Fe, and for the sale of such crops to occur at the same premises.

Finance Director: [Signature]

The ordinance also amends sections of city code that are applicable to agricultural uses and activities, in order to make them consistent with the provisions and requirements that enable agricultural activities to take place within the city limits.

The accompanying resolution to the ordinance establishes the City of Santa Fe Policies, Procedures and Guidelines for Urban Farms, as reflected in the Exhibit A document. The policies, procedures and guidelines will provide a framework by which growers and sellers of on-site produce, also known as urban farms, must adhere to, and also provide guidance to the Land Use Director and land use boards in the administration of the agriculture ordinance.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

 X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
	Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____
	Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____
	All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____

Total: \$ _____ \$ _____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected
	_____	\$ _____	_____	\$ _____	_____	_____
	_____	\$ _____	_____	\$ _____	_____	_____
	Total:	\$ _____		\$ _____		

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

If the ordinance and resolution are not enacted, the sale of produce grown on residential, commercial and industrial premises will still not be allowed; there will continue to be a lack of guidelines for both the community and city staff when it comes to urban agriculture uses in Santa Fe; and, individuals and entities wishing to create an urban farm business will not have the legal authority and official policies and guidelines to do so.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The ordinance and resolution are intended to have a positive impact on the community by providing the authority, policies and guidelines needed to conduct agriculture activities, which may help to provide greater access to sources of healthy, nutritious and affordable food; create more agriculture-based businesses; and, support advanced agriculture/ farming models that have the potential to grow food on a large scale using sustainable and environmentally conscious techniques.

**City of Santa Fe, Source of Supply Section/Water Division
Water Production Update
Public Utilities Committee Meeting
September 7, 2016**

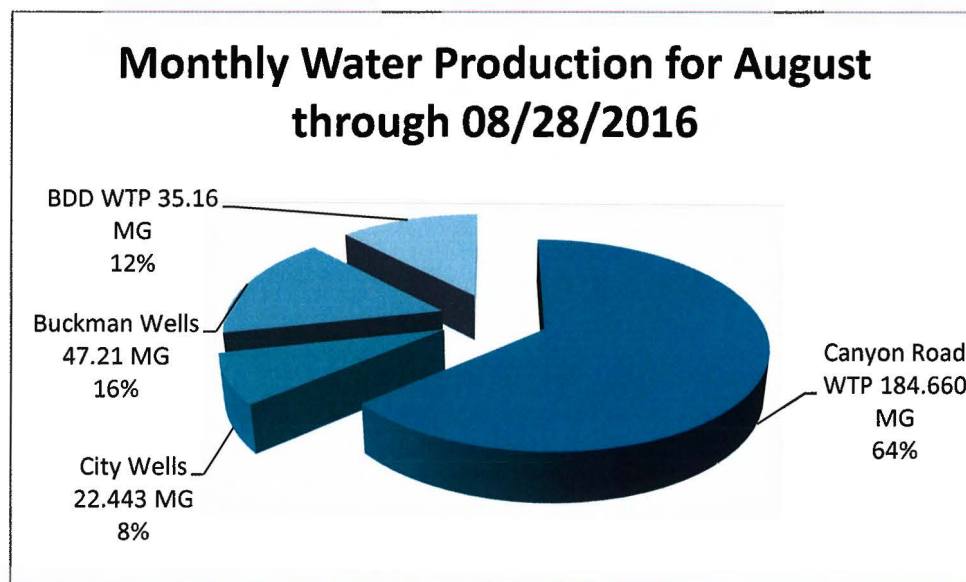
Filter Plant Demolition

The City Attorney's Office is exploring the feasibility of an "Interdepartmental Transfer Agreement" (or a similar agreement), wherein the Public Utilities Department - Water Division does not cede the land but allows Parks and Recreation to use the land under the Water Division's continued "ownership". This has been determined to be the best means to allow the use of an Enterprise Fund property to a General Fund department. This Agreement will be signed by respective Department Directors, the City Manager, and filed with the City Clerk's Office

Water Production for March (through 06/26/2016)

Water production at the Canyon Road Water Treatment Plant (CRWTP) increased significantly from previous months during 2016 due to the temporary shutdown of the Buckman Direct Diversion for repairs in early August. Production at the CRWTP was 184.66 million gallons (MG) or a daily average of 6.6 MGD for the month. The Buckman Regional WTP produced 35.16 MG or an average of 1.26 MGD. Total production for the first 21 days of July from all sources was approximately 288.47 MG. Production levels by for the water system from individual sources are illustrated in the chart below. Average daily usage (customer demand) during the month of August was down significantly from July average daily consumption levels (13.44 MGD) with an average of 10.34 MGD for the first 28 days of August. This reduction in daily customer demand is attributed to a significantly higher number of rainfall events and total rainfall amount for the City of Santa Fe during the month of August as compared to the months of July and June.

Nichols Reservoir storage levels have decreased from 173.03 MG (80.3% storage) on July 21st to 112.12 MG or 52.02% on August 28th. The storage level of McClure Reservoir has also decreased to 291.53 MG (27%) from 465.04 MG (42.3%) of capacity. The combined storage level for both reservoirs is 404 MG, which reflects a current reservoir storage level of 31%. Current Santa Fe River inflow levels to McClure Reservoir have dropped dramatically since snowmelt levels and currently at 1.76 MGD, with daily fluctuations throughout August up to a maximum of 5.0 MG in direct response to precipitation events.



Baca Street Well

The Source of Supply Section and has been in continued communications with the New Mexico Environment Department - Petroleum Storage Tank Bureau (PSTB) with regards to monitoring and remediation of this site pursuant to the Petroleum Storage tank regulations and Corrective Action Fund. PNM sampled all previously sampled wells located at the Baca Street site during the month of August and is awaiting analytical results. NMED-PSTB has indicated that they will provide the City with copies of those results as they become available to the Bureau.

Tier II SDWA Disinfection Rule Violation

This previously reported Notice of Violation (NOV) from the New Mexico Environment Department, dated July 19, 2016, was rescinded by the NMED Drinking Water Bureau on August 2nd. NMED rescinded the NOV after the City's Source of Supply Section reviewed the applicable Safe Drinking Water Act regulations and corrected the Department's misapplication of the Act's full provisions governing the constant maintenance of a disinfectant residual at representative throughout a public water supply system. Therefore, the City was found not to be in violation of the Disinfection Rule requirements for the month of June, as had been previously determined by the NMED, and did not have to implement public notification procedures and corrective actions to address the retracted NOV. (See attached letter dated 08/02/16).

Downtown Ground Water Monitoring Project

INTERA Incorporated (INTERA), under contract with the New Mexico Environment Department (NMED), has completed groundwater and vadose zone assessment activities at five wells for historic areas in downtown City of Santa Fe (City), Santa Fe County (County), New Mexico. The current area of interest (Site) identified for investigation is bounded to the north and east by Paseo De Peralta, the south by East Alameda, and to the west by North Guadalupe Street. Planned investigation activities include the design and installation of preliminary characterization and monitoring system(s) for both groundwater and soil vapor in historic portions of downtown Santa Fe followed by periodic sampling of such system(s), as appropriate, for the purposes of identifying and monitoring environmental contaminants of potential concern (COPCs).

Sampling results from this investigation indicate two sites where PCE was found at significant levels in groundwater. One site exhibited 1000 ppb of PCE near the corner of West Palace and Lincoln avenues. The New Mexico Environment Department and the City have met with regards to the results and possible future courses of action. (See Attached Map)

Drought, Monsoon/El Nino, and ESA Update

NOAA has recently (8-15-16) updated ENSO (El Nino) status to: **neutral conditions are now present with slightly favored likelihood for La Nina conditions (hot/dry) to develop by August - October, with about a 55%-60% chance of La Nina during fall and winter 2016/17.** The dynamic model average indicates La Nina by August, while the statistical models predict a transition to La Nina by fall. Dry conditions in 2016/17 could present significant challenges to all water purveyors, water utilities, and irrigators if there is not significant filling and carry-over storage in regional reservoirs from the current run-off season and/or monsoon rains. Regional reservoir levels on the upper Santa Fe, Rio Grande, and Chama Rivers are still low but rising due to warmer temperatures and resultant snowmelt runoff. Preliminary estimates are for an approximate 95%-100% delivery of full firm-yield of San Juan-

Chama Project water. There are no water-related Endangered Species Act (ESA) updates. Updates on ESA issues will be made as needed. Rio Grande Compact Article VII storage restrictions went back into effect 4/22/16, which means the City will not be allowed to impound “native” runoff into Nichols and McClure Reservoirs above the pre-Compact pool of 1,061 AF (unless an exchange for water is made with the NMISC). Updates to this condition will be made as needed.

Current City of Santa Fe 2015/2016 SJCP Reservoir Storage:

Heron:

4,839 AF (2015 SJCP water must be vacated by September 31, 2016 pursuant to a BoR waiver). 2016 deliveries are at about 95% of annual total.

El Vado:

3,026 AF

Abiquiu:

9,416 AF SJCP carry-over from previous years, no time limit to vacate due to storage agreement with ABCWUA

TOTAL:

17,281 AF



State of New Mexico
ENVIRONMENT DEPARTMENT



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

811 First Street, Suite D
Alamogordo, NM 88310
Telephone (575) 437-7115 Fax (575) 434-1813
www.env.nm.gov

RYAN FLYNN
Cabinet Secretary

BUTCH TONGATE
Deputy Secretary

2 August 2016

Alex Puglisi
Santa Fe Water System, NM3505126
1780 Upper Canyon Road
Santa Fe, NM 87501

RE: Violation Retraction

Dear Mr. Puglisi,

On 15 July 2016 the New Mexico Environment Department Drinking Water Bureau (NMED DWB) issued a Notice of Violation (NOV) to the City of Santa Fe Water System for failure to maintain a chlorine residual in distribution in at least 95% of the samples analyzed during the month of June 2016.

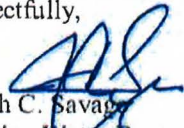
A violation occurs when distribution residuals are less than a trace in more than 5% of samples for two or more consecutive months. A recent review of information reveals that a chlorine residual in distribution during the month of May 2016 was greater than 95% and the Notice of Violation should not have been issued.

Because of the above referenced determination by NMED DWB, the Notice of Violation for failure to maintain a distribution residual for the month of June 2016 is retracted. No public notice or further actions in response to this retracted violation are required by the City of Santa Fe Water System.

NMED-DWB apologizes for any inconvenience you may have encountered as a result of the 115 July 2016 Notice of Violation letter.

NMED-DWB appreciates your compliance efforts to ensure protection of the State's drinking water. If you or members of your staff have any questions, please feel free to contact me at 575-437-7115 or by email at joe.savage@state.nm.us.

Respectfully,


Joseph C. Savage
Drinking Water Bureau
Water Protection Division

Cc: Joe Martinez, PWSS Group Manager (electronic)
Area Office File
Electronic Central File

