City of Santa Fe, New Mexico

memo

DATE: September 24, 2015

TO: Mayor Gonzales & City Councilors

VIA: _____
Brian K. Snyder, City Manager

FROM: _____
Yolanda Y. Vigil, City Clerk

ITEM & ISSUE
Request for a Small Brewer's License.

BACKGROUND AND SUMMARY
Guadalupe, LLC has requested the issuance of a Small Brewer's License to be located at Pizzeria da Lino, 204 N. Guadalupe.

Attached are staff reports regarding litter, noise and traffic. Staff does not anticipate a substantial change in litter and noise or any unacceptable traffic impacts due to the approval of this request.

Staff is recommending that it be noted that Pizzeria da Lino is required to comply with all of the city's ordinances as a condition of doing business in the city.

ACTION REQUESTED
I request that the City Council indicate its decision on the issuance of a Small Brewer's License to be located at Pizzeria da Lino, 204 N. Guadalupe.

Attachments: Alcohol & Gaming Division Application
Notice of Public Hearing
Staff Reports
§60-6A-26.1 NMSA 1978

New Mexico Regulation and Licensing Department

ALCOHOL AND GAMING DIVISION

Toney Anaya Building • PO Box 25101 • Santa Fe, New Mexico 87504

(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

Tania Maestas, Esq.
ACTING CHIEF GENERAL COUNSEL

Mary Kay Root
DIRECTOR

Received
AUG 2015
Santa Fe, NM
City Clerk

August 4, 2015

Certified Mail No.: 7013 2250 0001 5426 6864

City of Santa Fe
Attn: Yolanda Vigil, Clerk
PO Box 909
Santa Fe, NM 87504-0909

Re: Lic. No. /Appl. No.: Appl. No. 960569
Name of Applicant: Guadalupe, LLC
Doing Business As: Pizzeria Dalino
Proposed Location: 204 N. Guadalupe
Santa Fe, New Mexico 87501

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**; it is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body **shall** hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the inherent conflict between the new 30 day notice and the existing 45 day hearing requirement. Extensions will be granted when necessary to allow for compliance with the 30 day notice. Notice of the Public Hearing required by the Liquor Control Act **shall** be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both weeks of publication must be satisfied before a hearing can be conducted.** The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; and (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record **shall** be made of the hearing.

THE APPLICANT IS SEEKING A SMALL BREWER LICENSE.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

The governing body may disapprove the issuance or transfer of the license if:

1) The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the Applicant/Licensee has obtained a waiver from the Local Option District governing body for the proposed licensed premises).
2) The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a Zoning Statement from the governing body, this is not a basis for disapproval.
3) The issuance would be detrimental to the public health, safety, or morals of the residents of the Local Option District. Disapproval by the governing body on public health, safety, or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

Within thirty (30) days after the Public Hearing, the governing body **shall** notify the Alcohol and Gaming Division as to whether the local governing body has approved or disapproved the issuance of transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notice of publication(s). **If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director will give Final Approval to the issuance or transfer of the license.**

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (Page 1 of the Application page noting disapproval).

Sincerely,

Brenda Mares

Brenda Mares
Hearing Officer
NM Regulation & Licensing Dept.
Alcohol & Gaming Division
Phone: 505-476-4548
Fax: 505-476-4595
Email: brenda.mares2@state.nm.us

Enclosures:

1. Original Page 1 of the Application (must be signed and returned).
2. Copy of Page 2 of the Application, copy of posting certificate, copy of zoning statement

6/24/15

RECEIVED
JUN 23 2015
ALCOHOL & GAMING DIVISION

New Mexico Regulation and Licensing Department • Alcohol and Gaming Division
PO Box 25101 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

Page 1 200
Rev 08/13 1728099

LIQUOR LICENSE APPLICATION

Application fee - **$200.00** Fees are non-refundable.

State Liquor License # _____
Application Number 960569
Local option (AGD use) _____

Record Owner of Existing License ~~Carlino Corp~~
Current D/B/A Name ~~Dalino Pizzeria~~
Current Premises Address ~~204 N Guadalupe St, Suite B Santa Fe NM 87501~~

Application is for: Change of Stock _____ Change of Officers/Directors _____ Transfer Ownership of Existing License _____ Transfer Ownership and Location _____ Transfer Location _____ Other _____

Issue New License N Type of License being applied for Small Brewer

pplicant is: Individual _____ Corporation _____ Partnership (General or Limited) _____ Limited Liability Company X

NAME OF APPLICANT (company or individual)
~~Lino Pertusini Dalino LLC~~
204 Guadalupe LLC

ADDRESS (including city, state, zip)
204 Guadalupe St. Suite B
Santa Fe, NM 87501

TELEPHONE NUMBER
~~(505) 500~~ 7 (505) 982-8474

D/B/A name to be used: Pizzeria ~~Dalino~~ Dalino

Phone number for licensed premises: (505) 982-8474

Physical location where license is to be used: 204 N Guadalupe St, Santa Fe NM 87501
(Include street number / highway number / state road, city and county, state, and zip code)

Mailing address: 204 Guadalupe St. Santa Fe, NM 87501

Are alcoholic beverages currently being dispensed at the proposed location? Yes ✓ No _____ If yes, give license number and type Restaurant License #30583

I, (print name) Lino Pertusini, as (title) Owner being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form in the presence of a notary public.

Signature of Appplicant [signature] Date 5-22-2015

Notary Public Use Only

SUBSCRIBED AND SWORN TO before me this 22ND day of MAY, 2015 by LINO PERTUSINI

Notary Public [signature] My Commission Expires 5-10-17

OFFICIAL SEAL
Linda Garcia
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 5-10-17

Local Governing Body of: _____ (City or County). Hearing held on _____

Check one: Approved _____ Disapproved _____ City/County Official _____ (Si[redacted]

For Alcohol and Gaming Division Use Only

Approved _____ Disapproved _____ Director Approval _____ Date _____

4

PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

SS-60-6B-10

RECEIVED
JUN 23 2015
ALCOHOL & GAMING DIVISION

1. The land and building which is proposed to be the licensed premises is (check one):

Owned by Applicant ✓ Leased by Applicant (attach copy of deed or lease) _____ Other (provide details) _____

2. If the land and building are not owned by Applicant, indicate the following: N/A

A. Owner(s) Lino Rettusen /

B. Date and term of lease _____

3. Premises location is zoned (example C-1) C-1

If the premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church *(Property line of church to licensed premises—shortest distance).

* Miles/feet 2,112 FT Name of church GUADALUPE Address/location of church 417 S. GUADALUPE ST

5. Distance from nearest school *(Property line of school to licensed premises—shortest distance).

Miles/feet 3,584 FT Name of school CARLOS GILBERT Address/location of school 300 GRIFFIN ST

6. Distance from military installation *(Property line of military installation to licensed premises-shortest distance.)

Miles N/A Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 ½ x 11 inches, and must include the total square footage of premises.

*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge _____ Restaurant ✓ Package Grocery _____ Racetrack _____ Hotel ✓ Other (specify) Small Brewer

Return this form to the Alcohol and Gaming Division, PO Box 25101, Santa Fe, New Mexico 87505-5101.

ALCOHOL & GAMING DIVISION
2550 CERRILLOS ROAD
SANTA FE, NEW MEXICO 87505

POSTING CERTIFICATE

___ DISPENSER (FULL SERVICE)
___ RESTAURANT (BEER/WINE ONLY)
___ CANOPY (DISPENSER-C)
_X_ OTHER: SMALL BREWER

___ RETAILER (PACKAGE ONLY)
___ DISPENSER (ON PREMISE ONLY)
___ INTER-LOCAL DISPENSER
___ LOTTERY

LICENSE NUMBER /APPLICATION NUMBER: APPL. NO. 960569

___ TRANSFER OF OWNERSHIP & LOCATION
___ TRANSFER OF OWNERSHIP ONLY

___ TRANSFER OF LOCATION ONLY
___ NEW LICENSE

TRANSFERRED FROM: _____

CURRENT LOCATION: _____

TRANSFERRED TO:/APPLICANT: _____

PROPOSED LOCATION: 204 N. GUADALUPE ST., SANTA FE, NM

PROPOSED BUSINESS NAME GUADALUPE, LLC DBA PIZZERIA DALINO

I CERTIFY THAT I HAVE POSTED THE REQUIRED NOTICE OF LIQUOR LICENSE PURSUANT TO SECTION 60-6B-2, NMSA, AND FURTHER CERTIFY AS FOLLOWS:

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: Santa Fe
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: _____
3. DISTANCE FROM NEAREST CHURCH IS: 964 ft
   NAME OF CHURCH IS: The Shrine of Our Lady of Guadalupe
4. DISTANCE FROM NEAREST SCHOOL IS: 494.42 ft
   NAME OF SCHOOL IS: De Vargas Middle School
5. DISTANCE FROM NEAREST MILITARY INSTALLATION: 68.8 Miles
   NAME OF INSTALLATION IS Kirtland AFB
6. IF RURAL, DISTANCE FROM NEAREST EXISTING LIQUOR LICENSE IS:
   BY PASSABLE ROAD: _____ BY STRAIGHT AIRLINE: _____
7. NOTICE POSTED ON:
   X BUILDING
   __ BUILDING UNDER CONSTRUCTION
   __ BUILDING BEING REMODELED
   __ BILLBOARD
   __ NO BUILDING

DATE POSTED: 2 July 2015

EXPIRATION DATE: 22 July 2015

APPLICANT'S SIGNATURE

S.I.D. SPECIAL AGENT SIGNATURE

Alexander Pestrikin
PRINTED

Jeremy Stricklin
PRINTED

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

Javier M. Gonzales, Mayor

Councilors:
Patti J. Bushee, Dist. 1
Signe I. Lindell, Dist. 1
Peter N. Ives, Dist. 2
Joseph M. Maestas, Dist. 2
Carmichael A. Dominguez, Dist. 3
Christopher M. Rivera, Dist. 3
Ronald S. Trujillo, Dist. 4
Bill Dimas, Dist. 4

June 18, 2015

Alcohol Beverage & Gaming Division
Regulations & Licensing Department
2550 Cerrillos Road, Second Floor
Santa Fe, NM 87505

RE: Zoning Verification for 204 N. Guadalupe Street, Suite B (Dalino Pizzeria)

Dear To whom it may concern,

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page H-18, this property is zoned BCDMCK (Business Capital District, McKenzie sub district).

"(e) Uses (Ord. No. 2002-37 § 19)

- All permitted uses allowed in other districts of this chapter are permitted within the Business-Capital District subject to the provisions of this section. In areas encompassed by the boundaries of the Historic Districts, all provisions of those districts shall apply and control, and where inconsistent with the Business-Capital District provisions, the provisions of the Historic Districts shall control."
- Eating and alcohol drinking establishments are allowed in this district. Also, a microbrewery is a permitted use in this district.

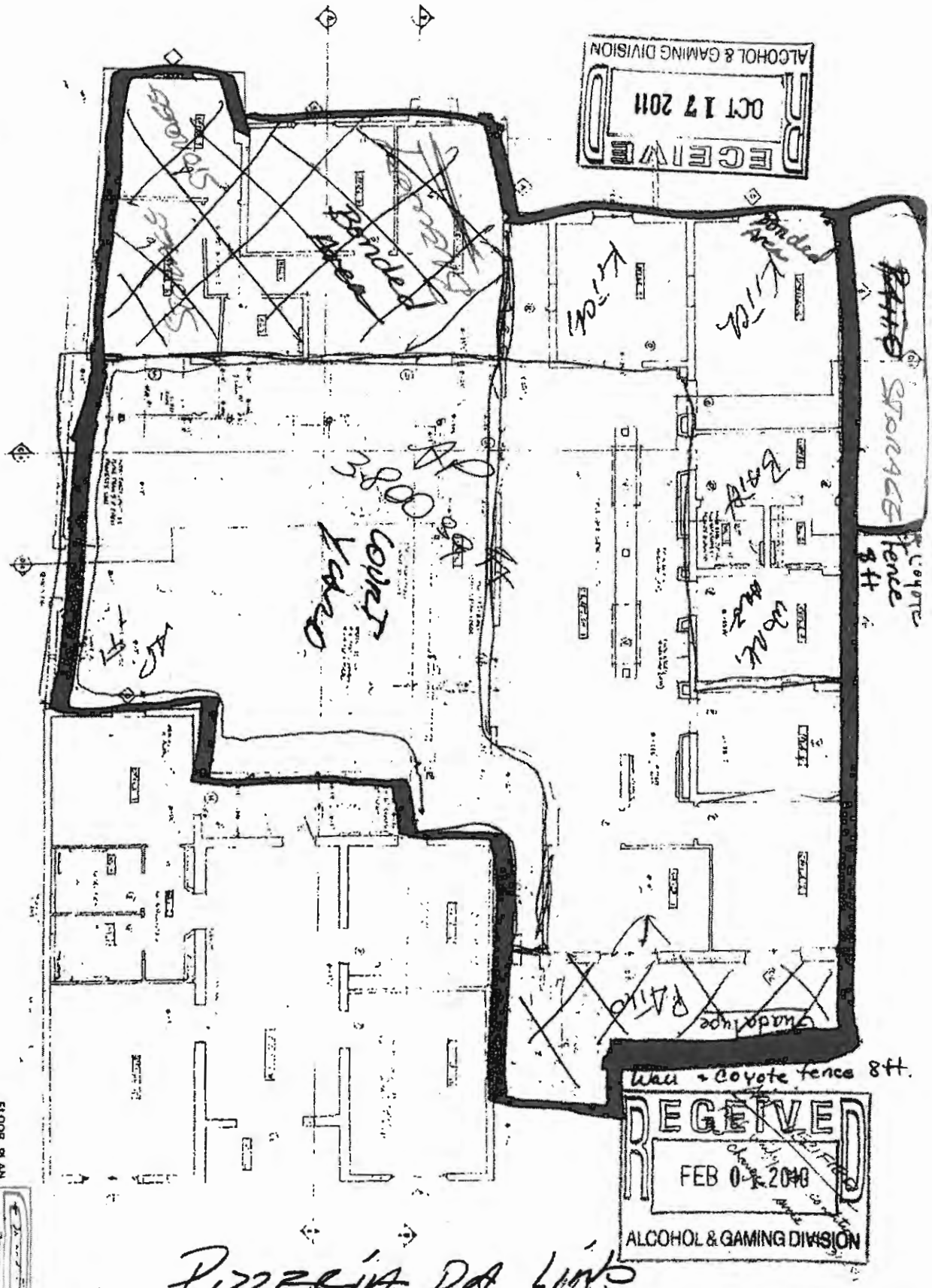
For additional information, reference City of Santa Fe Chapter 14 SFCC regarding these districts (Chapter 14-4 – Zoning Districts/14-6 Permitted Uses).

Note: The information provided in this letter is solely derived from the Official Zoning Map and the minimum requirements set forth in Chapter 14, SFCC 1987. It is the intent of this letter to advice of the ordinances pertaining to the zone districts. It is not the intent to state that the subject property complies with zoning requirements. Occupancy is determined based on zoning compliance at the time of building permit or certificate of occupancy, whichever applies. Additionally, it is not the intent to interfere with or to abrogate or annual any official document including conditions or safeguards made a part of the subject property at the time of any public hearings. Applicants are advised to pursue an independent search of official documents.

If you have any questions, please call me at 505-955-6325.

Donna J. Wynant, AICP
Land Use Senior Planner
City of Santa Fe Land Use Department
200 Lincoln Ave., Box 909
Santa Fe, NM 87504-0909
(505) 955-6325
(505) 955-6829 (fax)
djwynant@santafenm.gov

RECEIVED
JUN 23 2015
ALCOHOL & GAMING DIVISION



FLOOR PLAN APPROVAL
By [signature]
Date 7/1/10

RECEIVED
OCT 17 2011
ALCOHOL & GAMING DIVISION

RECEIVED
FEB 01 2010
ALCOHOL & GAMING DIVISION

RECEIVED
JUN 23 2015
ALCOHOL & GAMING DIV

PIZZERIA DA LINO

204 N GUADALUPE STREET
SANTA FE NEW MEXICO

johnson-nestor architects-planners
343 west manhattan
santa fe new mexico

8

CITY OF SANTA FE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Governing Body of the City of Santa Fe will hold a public hearing on Wednesday, September 30, 2015 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

The purpose of this hearing is to discuss a request from Guadalupe, LLC for a Small Brewer License to be located at Pizzeria Dalino, 204 N. Guadalupe, Santa Fe.

All interested citizens are invited to attend this public hearing.

Yolanda Y. Vigil
City Clerk

Received by The New Mexican
Date August 17, 2014
To Be Published August 20, 2015
and August 27, 2015
By _____
The New Mexican (Signature)

City of Santa Fe

PUBLIC WORKS DEPARTMENT
TRAFFIC DIVISION
Post Office Box 909
Santa Fe, NM 87504-0909
Phone: 984-6619 (voice)
984-6627 (fax)

Liquor License Request
Supplemental Information

Instructions:

The following information is needed regarding this request. Please type or print clearly.
Complete this form and leave with the City Clerk while picking up the newspaper publication notice.

Thank you. 3

1. **Name of owner of business** Lino Pertusini
   Name of business where proposed license is to be used Da Lino "Guadalupe LLC"
   Business street address 204 N. Guadalupe St. Suite B
   Telephone number (505) 982-8474

2. **Indicate the type of liquor license this request entails.**
   ✓ **issuance of new license (indicate type:** Brewers license **)**
   ___ **transfer of location of existing license (indicate type:**_____**)**
   ___ **transfer of ownership of existing license (location to remain the same)**

3. **Is this an existing business?**
   ✓ **yes**
   ___ **no**

4. **Does the location where this license will be used currently sell liquor?**
   ✓ **yes**
   ___ **no**

(cont.)

5. If the answer to question #3 is yes, indicate the current hours of operation of the business.
11:30am — 11:30pm

If the hours of operation will change due to the sales of liquor, indicate the revised hours.
no change

6. If this is a new business, indicate the anticipated hours of operation of the business.

7. If the answer to question #3 is yes, indicate the anticipated change in business volume due to the sales of liquor.
___ Business is expected to increase (number of customers per day _____)
___ Business is expected to decrease (number of customers per day _____)
✓ Business is expected to remain the same

8. If the answer to question #3 is no, indicate the number of customers anticipated per day at the business.

9. Estimate the number of customers per day who currently drive (or will drive) to the business versus the number who walk.
15 number of customers who drive
30 number of customers who walk

10. Has liquor ever been sold at this business site?
✓ yes
___ no

11. If the answer to question #10 is yes, indicate the name of the establishment and the year(s) that liquor sales occurred.
Name Pizzeria da Lino
Year(s) 5

12. Indicate which of the following statements best reflects your opinion regarding traffic impacts if this request is approved.
___ traffic can be expected to increase on adjacent streets if this request is approved
✓ traffic will not increase on adjacent streets if this request is approved

Name of person completing this form Alexander Pertusini
Telephone number (505) 500-7903
Date 08/17/15

(For City Use Only)

Based upon the information provided above, staff has the following comments:
✓ It does not appear that the approval of this request will create any unacceptable traffic impacts.
___ It appears that the approval of this request will create unacceptable traffic impacts (see comments below).
___ Other comments _____

By _____
Title TRAFFIC ENGINEER
Date 8/21/15

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

Javier M. Gonzales, Mayor

Councilors:
Patti J. Bushee, Dist. 1
Signe I. Lindell, Dist. 1
Peter N. Ives, Dist. 2
Joseph M. Maestas, Dist. 2
Carmichael A. Dominguez, Dist. 3
Christopher M. Rivera, Dist. 3
Ronald S. Trujillo, Dist. 4
Bill Dimas, Dist. 4

DATE: September 14, 2015 for the City Council Meeting of September 30, 2015

TO: Mayor and City Council Members

VIA: _____
Brian Snyder, City Manager
Lisa Martinez, Director, Land Use Department

FROM: Antoinette Padilla, Code Enforcement Specialist

ITEM AND ISSUE

Litter and noise impact assessment, due to a request from Guadalupe, LLC for a Small Brewer License to be located at Pizzeria Dalino, 204 N. Guadalupe, Santa Fe, New Mexico.

BACKGROUND AND SUMMARY

A substantial change in litter and noise due to this request is not anticipated.

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

Javier M. Gonzales, Mayor

Councilors:
Patti J. Bushee, Dist. 1
Signe I. Lindell, Dist. 1
Peter N. Ives, Dist. 2
Joseph M. Maestas, Dist. 2
Carmichael A. Dominguez, Dist. 3
Christopher M. Rivera, Dist. 3
Ronald S. Trujillo, Dist. 4
Bill Dimas, Dist. 4

June 18, 2015

Alcohol Beverage & Gaming Division
Regulations & Licensing Department
2550 Cerrillos Road, Second Floor
Santa Fe, NM 87505

RE: Zoning Verification for 204 N. Guadalupe Street, Suite B (Dalino Pizzeria)

Dear To whom it may concern,

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page H-18, this property is zoned BCDMCK (Business Capital District, McKenzie sub district).

"(e) Uses (Ord. No. 2002-37 § 19)

- All permitted uses allowed in other districts of this chapter are permitted within the Business-Capital District subject to the provisions of this section. In areas encompassed by the boundaries of the Historic Districts, all provisions of those districts shall apply and control, and where inconsistent with the Business-Capital District provisions, the provisions of the Historic Districts shall control."
- Eating and alcohol drinking establishments are allowed in this district. Also, a microbrewery is a permitted use in this district.

For additional information, reference City of Santa Fe Chapter 14 SFCC regarding these districts (Chapter 14-4 – Zoning Districts/14-6 Permitted Uses).

Note: The information provided in this letter is solely derived from the Official Zoning Map and the minimum requirements set forth in Chapter 14, SFCC 1987. It is the intent of this letter to advice of the ordinances pertaining to the zone districts. It is not the intent to state that the subject property complies with zoning requirements. Occupancy is determined based on zoning compliance at the time of building permit or certificate of occupancy, whichever applies. Additionally, it is not the intent to interfere with or to abrogate or annual any official document including conditions or safeguards made a part of the subject property at the time of any public hearings. Applicants are advised to pursue an independent search of official documents.

If you have any questions, please call me at 505-955-6325.

Donna J. Wynant, AICP
Land Use Senior Planner
City of Santa Fe Land Use Department
200 Lincoln Ave., Box 909
Santa Fe, NM 87504-0909
(505) 955-6325
(505) 955-6829 (fax)
djwynant@santafenm.gov

RECEIVED
JUN 23 2015
ALCOHOL & GAMING DIVISION

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
Arts and crafts schools								P[10]	P	P	P	P		P	P		P	P	P	P	P[2]	
Dance studios								P[10]	P	P	P			P	P		P	P	P	P	P[2]	
Photographers' studios								P[10]	P	P	P			P	P		P	P	P	P	P[2]	
Assembly																						
Private clubs and lodges	S	S	S		S	S		S	S	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*	P*[2]	
Financial Services																						
Banks, credit unions (without drive-through)										P	P			P	P		P	P	P	P	P[2]	
Banks, credit unions (with drive-through)										P*	P*			P	P*		P*	P*	P*	P*	P[2]	
Food and Beverages																						
Bar, cocktail lounge, nightclub, no outdoor entertainment								S[3,10]	S[3]		P*			P	P	P		P*	P*	P*	P[2]	
Bar, cocktail lounge, nightclub, with outdoor entertainment								S[3,10]	S[3]		P*			P*	P*	P*		P*	P*	P*	P*[2]	
Restaurant - full service, with or without incidental alcohol service								S[3,10]	S[3]		P			P	P	P	S	P	P	P	P	

Italicized words defined in Article 14-12

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
Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area.								S[3,10]	S*[3]		P*			P*	P	P		P*	P*	P*	P*[2]	
Restaurant - Fast service/take-out, no drive-through/drive-up								S[3,10]		P[4]	P	P[4]		P	P	P	S	P	P	P	P	
Restaurant - with drive-through/drive-up											P*			P*	P*	P*	S	P*	P*	P*	P*[2]	
Medical																						
Apothecary shops or pharmacies										P	P		P	P	P			P	P	P	P[2]	
Medical and dental offices or clinics								S[10]	S	P	P	P	P	P	P		P	P	P	P	P[2]	
Offices, Business and Professional																						
Business and professional offices excluding medical and dental and financial services								S[10]	S	P	P	P	P	P	P	P	P	P	P	P	P[2]	
Public Accommodation																						
Bed and breakfast houses and inns											P			P	P		P			P		
Conference and extended stay lodging facilities											P			P	P		P					

Italicized words defined in Article 14-12

204 N. Guadalupe Street, B

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Legend

- City Limits
- Full Address Labels
- Parcels
- Airport Clear Zones
- Santa Fe River

Zoning

- RR Rural Residential
- R1, (PUD) Single- Family 1du/ac.
- R2, (DT), (PUD), (AC) Single - Family 2du/ac
- R3, (PUD) Single - Family 3du/ac
- R4 Single - Family 4du/ac
- R5, (DT), (PUD), (AC), R6 Single - Family 5-6du/ac
- R7, (I), (PUD), R8 Single - Family 7-8du/ac
- RC5, RC5AC Compound 5du/ac
- RC8, RC8AC Compound 8du/ac
- R10, (PUD) Multiple - Family 10du/ac
- R12, (PUD) Multiple - Family 12du/ac
- R21, (PUD) Multiple - Family 21du/ac
- R29, (PUD),(AC) Multiple - Family 29du/ac
- RAC Residential Arts & Crafts

N

Scale: 1:605

60-6A-26.1. Small brewer's license.

A. In any local option district, a person qualified under the provisions of the Liquor Control Act [60-3A-1 NMSA 1978], except as otherwise provided in the Domestic Winery and Small Brewery Act [60-6A-21 to 60-6A-28 NMSA 1978], may apply for and be issued a small brewer's license.

B. A small brewer's license authorizes the person to whom it is issued to:

(1) become a manufacturer or producer of beer;

(2) package, label and export beer, whether manufactured, bottled or produced by him or any other person;

(3) sell only beer that is packaged by or for him to a person holding a wholesaler's license or a small brewer's license;

(4) deal in warehouse receipts for beer;

(5) conduct beer tastings and sell for consumption on or off premises, but not for resale, beer produced and bottled by, or produced and packaged for, the licensee or produced and bottled by or for another New Mexico small brewer on the small brewer's premises;

(6) be deemed a manufacturer for purposes of the Gross Receipts and Compensating Tax Act [Chapter 7, Article 9 NMSA 1978];

(7) at public celebrations off the small brewer's premises, after the small brewer has paid the applicable fee for a small brewer's public celebration permit, conduct tastings and sell by the glass or in unbroken packages, but not for resale, beer produced and bottled by or for the small brewer;

(8) at no more than two other locations off the small brewer's premises, after the small brewer has paid the applicable fee for a small brewer's off-premises permit, after the director has determined that the off-premises locations meet the requirements of the Liquor Control Act [60-3A-1 NMSA 1978] and department rules for new liquor license locations and after the director has issued a small brewer's off-premises permit for each off-premises location, conduct beer tastings and sell by the glass or in unbroken packages for consumption off the small brewer's off-premises location, but not for resale, beer produced and bottled by or for the small brewer or beer produced and bottled by or for another New Mexico small brewer; and

(9) allow members of the public, on the licensed premises and under the direct supervision of the licensee, to manufacture beer for personal consumption and not for resale using the licensee's equipment and ingredients.

C. At public celebrations off the small brewer's premises in any local option district permitting the sale of alcoholic beverages, the holder of a small brewer's license shall pay ten dollars ($10.00) to the alcohol and gaming division of the regulation and licensing department for a "small brewer's public celebration permit" to be issued under rules adopted by the director. Upon request, the alcohol and gaming division of the regulation and licensing department may issue to a holder of a small brewer's license a public celebration permit for a location at the public celebration that is to be shared with other small brewers and winegrowers. As used in this subsection, "public celebration" includes any state or county fair, community fiesta, cultural or artistic event, sporting competition of a seasonal nature or activities held on an intermittent basis.

D. Sales and tastings of beer authorized in this section shall be permitted during the hours set forth in Subsection A of Section 60-7A-1 NMSA 1978 and between the hours of noon and midnight on Sunday and shall conform to the limitations regarding Christmas and voting-day sales found in Section 60-7A-1 NMSA 1978 and the expansion of Sunday sales hours to 2:00 a.m. on January 1, when December 31 falls on a Sunday.

History: 1978 Comp., § 60-6A-26.1, enacted by Laws 1985, ch. 217, § 5; 1993, ch. 68, § 9; 1997, ch. 229, § 1; 1998, ch. 111, § 1; 1999, ch. 160, § 1; 2001, ch. 248, § 2; 2001, ch. 260, § 2.