

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2012-8

INTRODUCED BY:

AN ORDINANCE

APPROVING TECHNICAL CORRECTIONS TO ORDINANCE NO. 2011-37, CHAPTER 14 SFCC 1987 REVISIONS, BY AMENDING SUBSECTIONS 14-2.3(C)(7), 14-2.7(E)(3)(d), 14-2.9(B), 14-3.1(H)(1)(a), 14-3.1(H)(1)(b), 14-3.10(E), 14-3.13(B)(5)(e), 14-4.2(J)(1), 14-4.3(K)(1)(d), 14-5.5(A)(4)(a)(iii), 14-5.5(A)(4)(a)(iv), 14-5.10(A)(3), 14-6.2(C)(4)(c), 14-6.3(D)(1)(i), 14-6.3(D)(2)(a), 14-6.3(D)(2)(c)(iv), 14-6.3(D)(2)(d)(ii), 14-7.1(C)(1), 14-7.3(B)(1)(b)(iii), 14-8.5(A)(1), SECTION 14-8.6 AND SUBSECTIONS 14-9.2(D) AND 14-9.2(K)(1); AMENDING TABLES 14-7.2-1 AND 14-9.2-1; REPEALING SUBSECTION 14-5.10(E); ENACTING SUBSECTION 14-8.8(A)(6); REENACTING SUBSECTION 14-8.11(F); AMENDING ARTICLE 14-12 TO AMEND THE DEFINITIONS OF "GROUP HOME" AND "TOWNSCAPE STANDARDS", REENACT THE DEFINITION OF "HOUSING OPPORTUNITY PROGRAM" AND REPEAL THE DEFINITION OF "ONE HUNDRED YEAR FLOOD"; AND AMENDING ORDINANCE 2011-37 TO DELETE ALL REFERENCES TO "HISTORIC DESIGN REVIEW BOARD" AND SUBSTITUTE IN LIEU THEREOF "HISTORIC DISTRICTS REVIEW BOARD"; ALL AMENDMENTS ARE FOR THE SOLE PURPOSE OF PROVIDING TECHNICAL CORRECTIONS.

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

2 **Section 1. Subsection 14-2.3(C)(7) SFCC 1987 (being Ord. #2011-37, §2) is**
3 **amended to read:**

4 **(7) Other Recommendations to Governing Body**

5 The planning commission shall review and make recommendations to the *governing*
6 *body* regarding:

7 (a) the adoption of the *General Plan* and proposed revisions and
8 amendments to the *General Plan*;
9 (b) annexations;
10 (c) rezonings; and
11 (d) proposed amendments to Chapter 14, except for proposed amendments
12 to Sections 14-2.7 (Archaeological Review Committee), 14-3.13 (Archaeological Clearance
13 Permits) and 14-5.3 (Archaeological Review Districts), on which the archaeological review
14 committee shall review and issue recommendations; to Sections 14-3.14 (Demolition of Historic or
15 *Landmark Structure* and 14-5.2 (Historic Districts), on which the historic districts review board shall
16 make recommendations; and to Section 14-8.13 (Development Water Budgets) on which the public
17 utilities committee shall review and issue recommendations.

18 **Section 2. Subsection 14-2.7(E)(3)(d) SFCC 1987 (being Ord. #2011-37, §2) is**
19 **amended to read:**

20 (d) hold a current New Mexico *state* burial excavation permit for any
21 location where human remains of historic age are found.

22 **Section 3. Subsection 14-2.9(B) SFCC 1987 (being Ord. #2011-37, §) is amended to**
23 **read:**

24 **B. Powers and Duties**

25 ELUA has the jurisdiction and powers of an extraterritorial zoning authority and shall carry

1 out its duties related to planning and platting jurisdiction, extraterritorial zoning, subdivision approval
2 and annexation approval or disapproval as provided in the [~~Municipal~~] Santa Fe City Code and as set
3 forth in the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement. ELUA
4 shall approve or disapprove annexation petitions brought pursuant to Section 3-7-17.1 NMSA 1978
5 upon review and recommendation of ELUC.

6 **Section 4. Subsection 14-3.1(H)(1)(a) (being Ord. 2011-37, §3) is amended to read:**

7 **(a) General Notice Requirements**

8 This section applies for all *applications* and ENN meetings, except those
9 initiated by the *City* described in Section 14-3.1(H)(1)(e), Archaeological Clearance Permits for
10 which notice shall be provided in accordance with Section 14-3.13(C)(3) and appeals described in
11 Section 14-3.1(H)(4).

12 **Section 5. Subsection 14-3.1(H)(1)(b) SFCC 1987 (being Ord. 2011-37, §3) is**
13 **amended to read:**

14 **(b) Agenda Requirements.**

15 For all public hearings required before any land use board, the land use
16 director shall place the tentative meeting agenda in a local daily newspaper of general circulation at
17 least fifteen calendar days prior to the scheduled meeting. In addition, the land use director shall post
18 the tentative meeting agenda in City Hall and send a copy to neighborhood associations that are
19 registered with the land use director, at least fifteen days prior to the scheduled meeting.

20 **Section 6. Subsection 14-3.10(E) SFCC 1987 (being Ord. #2011-37, §3) is amended**
21 **to read:**

22 **E. Waivers**

23 The planning commission may waive the provisions of this section and Section 14-8.3.
24 Waivers shall be approved by the planning commission as provided in this section.

25 (1) Waivers may be issued for the reconstruction, rehabilitation or restoration of

1 *structures* listed on the National Register of Historic Places or the State Inventory of Historic Places,
2 without regard to the procedures set forth in this section.

3 (2) Waivers may be issued for *development* on a *lot* of one-half acre or less in size
4 contiguous to and surrounded by *lots* with existing *structures* constructed below the *base flood level*,
5 providing the relevant factors in Subsections (E)(5) and (6) of this section have been fully considered.
6 As the *lot* size increases beyond the one-half acre, the technical justification required for issuing the
7 ~~[variance]~~ waiver increases.

8 (3) Waivers shall not be issued within any *floodway* if any increase in flood levels
9 during the *base flood* discharge would result.

10 (4) Waivers may be issued for the repair or rehabilitation of *historic structures* upon
11 a determination that the proposed repair or rehabilitation will not preclude the *structure's* continued
12 designation as a *historic structure* and the ~~[variance]~~ waiver is the minimum necessary to preserve the
13 historic character and design of the *structure*.

14 (5) Waivers may be approved for *new* construction and substantial improvements
15 and for other *development* necessary for the conduct of a *functionally dependent use* provided that the
16 *structure* or other *development* is protected by methods that minimize *flood* damages during the *base*
17 *flood* and create no additional threats to public safety.

18 (6) The prerequisites for granting waivers are:

19 (a) waivers shall only be issued upon a determination that the waiver is the
20 minimum necessary, considering the *flood* hazard, to afford relief;

21 (b) waivers shall only be issued upon:

22 (i) showing a good and sufficient cause;

23 (ii) a determination that failure to grant the ~~[variance]~~ waiver would
24 result in exceptional hardship to the applicant, and

25 (iii) a determination that the granting of a waiver will not result in

1 increased *flood* heights, additional threats to public safety, extraordinary public expense, create
2 nuisances, cause fraud on or victimization of the public or conflict with existing local laws or
3 ordinances.

4 (7) Procedures for the consideration of a request for a waiver shall be as provided in
5 Section 14-3.16 (Variances), including notice of the hearing in accordance with
6 Subsection 14-3.1(H)(1) and requiring the prerequisites in Subsection 3.10(E)(6) instead of the
7 findings specified in Section 14-3.16.

8 (8) An applicant to whom a waiver is granted shall be given written notice that the
9 *structure* may be permitted to be built with the lowest floor elevation below the *base flood elevation*,
10 and that the cost of flood insurance will be commensurate with the increased risk resulting from the
11 reduced lowest floor elevation.

12 **Section 7. Subsection 14-3.13(B)(5)(e) SFCC 1987 (being Ord. #2011-37, §3) is**
13 **amended to read:**

14 (e) In the historic downtown district, no clearance permit is required for
15 projects for which a [~~*building*~~] *construction* permit application was made before September 30,
16 1987. In the river and trails and suburban districts, no clearance permit is required for projects for
17 which application has been made for review by the Planning Commission before September 30, 1987.

18 **Section 8. Subsection 14-4.2(J)(1) SFCC 1987 (being Ord. #2011-37, §4) is amended**
19 **to read:**

20 **(1) Purpose**

21 The MHP mobile home park district is intended to provide *premises* for the
22 continuous accommodation of more than one single-family *mobile home*.

23 **Section 9. Subsection 14-4.3(K)(1)(d) SFCC 1987 (being Ord. #2011-37, §4) is**
24 **amended to read:**

(d) *Development* and design standards, including square footage restrictions, for the three SC districts [is] are in Article 14-7.

Section 10. Subsection 14-5.5(A)(4)(a)(iii) SFCC 1987 (being Ord. #2011-37, §6) is amended to read:

(iii) Setback or yard

The minimum *building setback* or *yard* from the edge of the *right-of-way* [~~from the street~~] shall be fifty feet except that the minimum *building setback* from Old Pecos Trail between I-25 and St. Michael's Drive shall be 75 feet; and

Section 11. Subsection 14-5.5(A)(4)(a)(iv) SFCC 1987 (being Ord. #2011-37, §6) is amended to read:

(iv) Floor area ratio

The maximum floor area ratio for office uses allowed in the district [are] is:

TABLE 14-5.5-1: Maximum Floor Area Ratio		
Building Use	Building Size	Maximum Ratio
Professional and Other Office	One story	0.25
	Two story	0.35
Medical Office	One story	0.20
	Two story	0.30

Section 12. Subsection 14-5.10(A)(3) SFCC 1987 (being Ord. #2011-37, §7) is amended to read:

(3) Additional Overlay Zoning District Requirements

If a neighborhood conservation overlay district is contained within one or more [another] other zoning overlay districts, the most restrictive set of requirements shall prevail. A

neighborhood conservation overlay district shall not be included in the boundary of another neighborhood conservation overlay district.

Section 13. Subsection 14-5.10(E) SFCC 1987 (being Ord. #2011-37, §7) is repealed.

~~[E. Review and Report; Amendments~~

~~The land use director shall make a report to the governing body regarding the implementation, management and enforcement of Section 14-5.10 prior to December 24, 2010, including variances, appeals and related fees. Upon evaluation of the report, the governing body may consider amendments to the City Code regarding neighborhood conservation overlay districts.]~~

Section 14. Subsection 14-6.2(C)(4)(c) SFCC 1987 (being Ord. #2011-37, §8) is amended to read:

(c) the maximum floor area ratio is 3.0:1. The maximum floor area is three thousand square feet; and

Section 15. Subsection 14-6.3(D)(1)(i) SFCC 1987 (being Ord. #2011-34, §8) is amended to read:

(i) an [affidavit] agreement, plat or other declaration signed by the property owner in a form approved by the land use director shall be recorded prior to issuance of any construction permit for an *accessory dwelling unit* stating that the *property owner* agrees to comply with these provisions. An affidavit filed prior to the adoption of Ordinance No. 2008-5 (ordinating Section 14-6.2(A)(5)) and amending Section 14-6.3(C)(1) remains in effect and is automatically amended to reflect the provisions of Ordinance No. 2008-5.

Section 16. Subsection 14-6.3(D)(2)(a) SFCC 1987 (being Ord. #2011-34, §8) is amended to read:

(a) Purposes

The purposes of ~~[the Home occupations Ordinance]~~ this Section 14-6.3(D)(2) are to increase the economic vitality of Santa Fe; provide increased worker independence, self-

sufficiency and motivation; decrease traffic congestion through the enhancement of community; increase the safety of the neighborhoods by promoting neighborhood activity; integrate the ideas of working and residing in the same environment; protect the stability and character of the neighborhood; and encourage neighborhood participation in the determination of a successful balance between neighborhood residents and home-based *businesses*.

Section 17. Subsection 14-6.3(D)(2)(c)(iv) SFCC 1987 (being Ord. #2011-34, §8) is amended to read:

(iv) Except for on-*street* parking, as set forth in this section, a *home occupation* shall be completely contained within the *property* lines of the *lot* on which the *home occupation* is located. A *home occupation* shall be in compliance with the performance standards set forth in Section 10-4 SFCC (General Environmental Standards); not produce any offensive noise, vibration, smoke, dust, odors, heat, gas, glare or electrical interference; or otherwise create a risk to health, safety or *property* of residents and occupants of adjacent and neighboring *properties*. The storage of firearms, ammunition, fireworks or similar explosives for sale or service is prohibited. Mechanical or electrical equipment that is incidental to the *home occupation* may be used if it does not create visible or audible interference in radio, computer or television receivers or cause fluctuation in voltage of the premises or neighboring premises. Depending upon the nature of the *home occupation*, ~~[City staff]~~ the land use director may require proof of compliance with these restrictions prior to issuance of a *business* registration.

Section 18. Subsection 14-6.3(D)(2)(d)(ii) SFCC 1987 (being Ord. #2011-34, §8) is amended to read:

(ii) Nothing incidental to the conduct of a *home occupation* shall be constructed, installed, placed, parked or stored on a residentially zoned *lot* on which a *home occupation* is being conducted if it is visible from any adjacent or neighboring *property* and if it is not in keeping with the *residential* character of the neighborhoods surrounding the *lot*, except for *signs*

1 and parking set forth in Item (iii) below. A person who conducts a *home occupation* and applies for a
2 construction *permit* shall demonstrate to the *land use director* that the proposed construction does not
3 violate any section of [~~the Home occupation Ordinance~~] this Section 14-6.3(D)(2).

4 **Section 19. Subsection 14-7.1(C)(1) SFCC 1987 (being Ord. #2011-37, §9) is**
5 **amended to read:**

6 **(1) Measurement of Maximum Height**

7 No point on a *structure* shall be higher than the most restrictive of the following
8 calculations:

9 (a) the maximum height specified in the tables of *development* standards in
10 [~~this Article 7~~] Sections 14-7.2, 14-7.3 and 14-7.4, measured from the average of the highest point
11 and the lowest point of the finished grade at the perimeter of the *structure*; or

12 (b) the maximum height specified plus four feet, measured from the finished
13 grade at the closest point on the perimeter of the *structure*; and

14 (c) step-back regulations for maximum heights relative to distances from
15 property lines that apply in certain districts as set forth in the tables of dimensional standards.

16 **Section 20. Table 14-7.2-1 SFCC 1987, Note 2 (being Ord. #2011-37, §9) is amended**
17 **to read:**

18 2. See Section [~~14-8.2(B)(1)~~] 14-7.2(B) (Calculation of Allowable Dwelling Units), number
19 of *lots* created and number of *dwelling units* constructed cannot exceed allowed density.

20 **Section 21. Subsection 14-7.3(B)(1)(b)(iii) SFCC 1987 (being Ord. #2011-37, §9) is**
21 **amended to read:**

22 (iii) *child day care facilities* with more than thirty children;

23 **Section 22. Subsection 14-8.5(A)(1) SFCC 1987 (being Ord. #2011-37, §10) is**
24 **amended to read:**

25 **A. Applicability**

(1) The retaining *wall* height standards in this Section 14.8.5 apply to the portion of a *wall*, fence or similar structure that supports a higher finished grade on one side than on the other. The height of the ~~[higher]~~ retaining *wall* is measured from the finished grade at the base of the *wall* to the finished grade at the top of the *wall*.

Section 23. Section 14-8.6 SFCC 1987 (being Ord. #2011-37, §10) is amended to read:

14-8.6 [NEW MATERIAL] OFF-STREET PARKING AND LOADING

A. Specific Parking Requirements

The minimum number of *off-street parking* spaces shall be provided in accordance with Table 14-8.6-1 Parking and Loading Requirements. [Editor's Note: Table is Exhibit A located in the Appendix following Section 14-12.]

B. Standards for Off-Street Parking Spaces and Parking Lots

(1) General Standards

All *off-street parking* spaces and *lots* shall meet the standards set forth in this Section 14-8.6(B) and any additional standards shown on an approved site plan:

(a) they shall be designed, maintained and regulated so that no parking or maneuvering incidental to parking shall be on any *street*, walk or alley; provided that the public works director may approve parking *lots* serving one or two *dwelling units* and comprising four or fewer parking spaces designed to allow vehicles to back onto a *street* classified as a subcollector or lane, onto a walk or alley, or in exceptional circumstances onto a *street* classified as an arterial or collector;

(b) they shall be designed so that vehicles may be removed without moving another vehicle except in attended *lots*, or single-family residences where not more than two spaces assigned for use to the same *dwelling unit* may be arranged in tandem;

(c) they shall have barriers that prevent vehicles from extending over the

1 public sidewalks, abutting *lots* or the minimum required *landscaped* area;

2 (d) they shall be designed to discourage parking *lot* traffic from accessing
3 directly onto *major arterial streets*, unless no reasonable alternative is available;

4 (e) they shall be appropriately marked to indicate the location of the spaces;
5 and

6 (f) if they are required parking spaces, they shall be available at all times for
7 parking the personal vehicles of *employees* and customers or residents and guests for which the
8 spaces are required. Required parking spaces shall be unobstructed and shall not be used for storage,
9 display, sales or parking of commercial or other vehicles used by *employees* in the conduct of the use
10 for which the spaces are required, unless an itinerant vending *permit* or special use *permit* has been
11 issued. Required *off-street loading spaces* shall not be included as *off-street parking* spaces in the
12 computation of required *off-street parking*.

13 (2) Parking Space Requirements

14 (a) Required parking spaces shall be arranged and constructed in accordance
15 with parking and driveway standards contained in Illustrations 14-8.6-1, 2 and 3. [Editor's Note:
16 Illustrations are Exhibit B Illustrations of Parking Space Layout and Dimensional Standards located
17 in the Appendix following Section 14-12.].

18 (b) No required *off-street parking* space shall be located within the *right of*
19 *way* of any *street*, roadway or public alley.

20 (c) Calculations of the number of spaces required shall be rounded up to the
21 next whole number.

22 (3) Changes in Use

23 (a) When the type or *intensity* of use of any *building*, *structure* or *premises*
24 is increased by any means, including through addition of *dwelling units*, *gross floor area* or seating
25 capacity, *off-street parking* shall be supplemented to accommodate the intensified use.

1 (b) For a use that is *legally nonconforming* with regard to the number of
2 parking spaces provided, the number of spaces that are lacking may be subtracted from the number of
3 required *off-street parking* spaces for a new use at the same location so that the degree of
4 nonconformity is maintained but is not increased.

5 **(4) Combined Uses; Shared Parking**

6 (a) Combined uses on the same *premises* shall provide the combined total
7 number of spaces required for each use separately, unless a shared parking plan is approved.

8 (b) Uses on *premises* comprising more than one *legal lot of record* may
9 provide shared parking in accordance with an approved shared parking plan.

10 (c) Parking required for uses located on adjoining *lots* in RAC, C, BCD,
11 MU, SC or I districts, or for institutional uses located on adjoining *lots* in *residential* districts, may be
12 provided on a joint basis. Within the joint parking areas, the spaces required for each of the
13 participating uses shall be marked on the parking plan and maintained as allocated to the individual
14 use, unless a shared parking plan is approved.

15 (d) Cumulative parking space requirements for *mixed-use* occupancies or
16 adjoining *mixed uses* may be reduced if the *applicant* demonstrates that the peak requirements of the
17 several occupancies occur at different times, such as mid-day for office uses and evening for
18 *residential* uses, as supported by a parking demand study.

19 (e) Reduction in the total number of spaces required by the addition of all
20 uses in the BCD or as specified in Section 14-8.6(A) may be approved by a *land use board* pursuant
21 to a special use *permit* or *development* plan if the reduction is supported by a parking demand study.

22 **(5) Parking Spaces Designated for Persons with Disabilities**

23 Parking *lots* shall comply with applicable standards for provision of parking spaces designated for
24 persons with disabilities contained in construction codes adopted pursuant to Chapter 7 SFCC 1987

(Building and Housing) and pursuant to New Mexico laws and regulations, including standards for compliance with the federal Americans with Disabilities Act.

(6) Parking Structures

(a) Parking *structures* shall have architecturally compatible, articulated *façades* designed to screen the view of parked vehicles from all floors above the ground floor except on *façades* abutting an alley.

(b) In a MU district, if eighty percent of the ground floor of any side of an above-grade parking *structure* is adjacent to a public *street*, except an alley, or adjacent to a public *open space* or plaza, it shall be constructed to an adequate depth to allow future occupancy by a *commercial* or other non-parking permitted use allowed in the MU district.

(7) Reduction of Parking Requirements for Transit Facility

The off-street parking requirements set forth in §14-8.6(B) may be reduced up to 5 percent if the property owner enters into an agreement with the City wherein the property owner grants the City the right to use a portion of the property for a City transit facility.

(a) Whether or not the site is a suitable location for a transit facility is at the sole discretion of the City.

(b) The amount of reduction and the terms of the agreement shall be subject to review and recommendation by the Land Use Department, the Transit Division and the City Attorney's Office and shall be based upon the City's specific transit needs at the site, the anticipated reduction in parking demand due to the facility and specific characteristics and considerations of the site.

(c) The agreement may be in the form of an easement, dedication or long term lease approved by the Governing Body.

[D]C. Provisions for Specific Districts

(1) Off Street Visitor Parking in Single Family Developments

1 In single *family residential developments*, depending on the size and layout of the
2 *development* and if driveways are located in such proximity to each other that adequate visitor
3 parking is unavailable on the *street*, the planning commission may require that additional visitor
4 parking of up to one-half space per *dwelling unit* be accommodated within the *development*.

5 **(2) BCD, C-2**

6 (a) In the BCD district, there shall be provided the minimum number of *off-*
7 *street parking* spaces as follows:

8 (i) For *residential* uses, one space for each *dwelling unit*;

9 (ii) For commercial uses: (1) One parking space for each 500 square
10 feet of net leasable floor area for office uses; (2) One parking space for each 350 square feet of net
11 leasable floor area for other commercial uses, except that the requirements for *hotels* and *motels* shall
12 be one parking space for each rental unit;

13 (iii) For all uses not classified as commercial or *residential*, the
14 applicable standards set forth in Table 14-8.6-1 located in the appendix following Section 14-12 shall
15 apply;

16 (b) In the BCD or C-2 district, the parking requirements established in this
17 Section (D)(2) shall be met at the time of *application* for *certificates of occupancy* or for *business*
18 registration by either on-site *off-street parking* or *off-street parking* located within six hundred feet of
19 the nearest *property* line of the *parcel*. Leased parking is not acceptable unless documentation is
20 shown for a lease of a minimum of five years and that the lease of such parking will not cause the
21 lessor *property* to be in noncompliance with parking requirements. The lessee shall submit a site plan
22 with the *application* that delineates the available parking spaces on the lessor *property* and the spaces
23 to be leased. The leased parking spaces shall be designated for the exclusive use of the lessee on the
24 site plan and shall be so reserved by clear, appropriate signage on the lessor *property*.

25 (c) Parking spaces in the BCD that are not in conformance with Appendix

1 Table B shall not be considered legal spaces in determining whether the lessor *property* has sufficient
2 parking spaces to lease under the provisions of Section 14-8.6(D)(2)(b). After the expiration of the
3 lease period, the *business* registration shall not be issued unless renewal of the lease or a new lease,
4 and compliance of the lessor *property* with the parking requirements of this Section 14-8.6(D)(2)(c),
5 are documented;

6 (d) Any modification of the parking requirements granted by the *board of*
7 *adjustment* shall not constitute a waiver of the assessment fee; and

8 (e) Assessment districts – Reserved

9 **(3) BIP Districts**

10 (a) The configuration and distribution of parking areas may be proposed for
11 the entire site or portions of the site and need not be allocated on an individual *lot* basis.

12 (b) Quantities and sizes of parking and *loading spaces* shall be as required in
13 Sections 14-8.6(A) and (B). Truck loading shall be confined to the rear and sides of *buildings*. To
14 the extent possible, areas for *outdoor storage*, trash collection and loading shall not be located
15 adjacent to *residential lots*. Where such facilities are located adjacent to *residential lots*, they shall
16 include a solid acoustic buffer. In all cases, the areas shall be effectively screened from public view.
17 *Signs* shall be installed prohibiting vehicular idling in areas adjacent to *residential lots*. Areas for
18 *outdoor storage*, trash collection and loading shall be incorporated into the primary *building* design
19 and construction for these areas shall be of materials of comparable in quality and appearance to the
20 *building*. Visual and acoustic impacts of these functions shall be mitigated to the greatest extent
21 possible. When the loading or refuse collection area is adjacent to a *residential* district, *signs* shall be
22 installed prohibiting deliveries and collections between 10:00 p.m. and 6:00 a.m.

23 **(4) MU District**

24 (a) The configuration and distribution of parking areas may be proposed for
25 the entire site or portions of the site and need not be allocated on an individual *lot* basis.

(b) Quantities and sizes of parking and loading areas shall be as required in Sections 14-8.6(A) and (B); however, the quantity of parking provided may be reduced if approved by the planning commission concurrently with the *development* plan.

[E]D. Loading Standards

(1) General Requirements

(a) *Loading space* shall be paved in conformance with paving requirements specified in *off-street parking* standards.

(b) All permitted or permissible uses requiring *loading space* for normal operations shall provide adequate *loading space* so that no vehicle being loaded or unloaded in connection with normal operation shall stand in or project into any public *street*, walk, alleyway, *front required yard*, required parking space or access aisle or common ingress-egress easement.

(c) The minimum dimensions of the *loading space* shall be scaled to accommodate the largest vehicle used for pickups and deliveries, including vertical clearance.

(2) Additional District-Specific Requirements

(a) In SC districts, space for normal *off-street* loading operations shall be provided at the rear or side of or beneath any shopping center *building*.

(b) In I-1, I-2 and BCD districts, there shall be an adequate area for the storing of all vehicles used incidental to or as part of the primary operation of the establishment.

(c) In the C-2 district, loading areas shall not be allowed within fifty feet of the *front lot* line and truck loading shall be confined to the rear or sides of *buildings*.

[F]E. Off-Street Bicycle Parking

(1) Applicability

Off-street bicycle space parking standards shall apply to all uses except single-family *residential* uses.

(2) Requirements

1 Off-street bicycle spaces shall be provided in accordance with Exhibit C Off-Street
2 Bicycle Parking Tables 14-8.6-3, 14-8.6-4 and 14-8.6-5. [Editor's Note: Tables are located in the
3 appendix located following Section 14-12.]

4 **[G]E. Procedures for Securing Approval**

5 **(1) Applications; Parking Plan**

6 *Applications* for construction *permits*, special use *permits*, *development* plans or other
7 *development* approvals shall include parking plans that show compliance with applicable
8 requirements of this Section 14-8.6, adopted parking and driveway standards and other applicable
9 provisions of Chapter 14 as required by the *land use director*. The *applicant* shall also obtain any
10 access *permits* required by Chapter 23 SFCC 1987 (Streets, Highways and Public Places) or required
11 by *state* or federal law or regulation.

12 **(2) Review of Plans**

13 Parking plans, including shared parking plans, shall be reviewed by the *land use*
14 *director* for compliance with this Section 14-8.6.

15 **(3) Special Provisions for Shared Parking Plans**

16 (a) An *application* for a shared parking plan shall contain a parking demand
17 study or other information required by the *land use director* and shall include plans showing the
18 proposed shared parking facilities in relation to the uses for which they are to be provided.

19 (b) Pursuant to the same procedure and subject to the same limitations and
20 requirements by which the shared parking plan is approved, a shared parking plan may be amended or
21 withdrawn, either partially or completely, if all land and *structures* remaining under the special plan
22 and if all land and *structures* withdrawn from the shared parking plan comply with the provisions of
23 this article.

24 (c) Upon approval of a shared parking plan, a copy of the plan shall be
25 recorded in the office of the *county* clerk and its contents shall:

1 (i) be binding upon the *applicants*, their heirs, successors and
2 assigns;
3 (ii) limit and control the issuance and validity of all construction
4 *permits* and certificates; and
5 (iii) restrict and limit the use and operation of all land and *structures*
6 included within the shared-use plan to conditions and limitations specified in the plan.

7 **Section 24. A new Subsection 14-8.8(A)(6) SFCC 1987 is ordained to read:**

8 (6) address economic impacts of large scale retail *structures*.

9 **Section 25. Subsection 14-8.11(F) SFCC 1987 (being Ord. #2011-37, §11) is repealed**
10 **and a new Section 14-8.11(F) SFCC 1987 is reenacted and ordained to read:**

11 **(F) Santa Fe Homes Program Requirements**

12 (1) If a *SFHP* developer obtains a residential construction permit for a *SFHP*
13 *development* between June 8, 2011 through June 7, 2014, then 20 percent of the total number of
14 *dwelling units* or *manufactured home lots* in an *SFHP development* shall be *SFHP units* and meet all
15 requirements of Section 26-1 SFCC 1987. A modification to a *SFHP* agreement or *HOP* agreement
16 that was entered into prior to June 8, 2011 shall be made to reflect the 20 percent requirement; and if
17 applicable, an annexation agreement, subdivision plat or development plan shall be administratively
18 amended to reflect the reduction and redistribution of *SFHP* or *HOP lots* and the amended annexation
19 agreement, subdivision plat or development plan shall be recorded or filed, as applicable, by the
20 owner or developer.

21 (2) Effective June 8, 2014, and thereafter, 30 percent of the total number of *dwelling*
22 *units* or *manufactured home lots* in an *SFHP* development shall be *SFHP units* and meet all
23 requirements of Section 26-1 SFCC 1987.

24 (3) Fifteen percent of the total number of *dwelling units* or *manufactured home lots*
25 offered for rent in an *SFHP* development shall be *SFHP units* and meet all requirements of Section

1 26-1 SFCC 1987.

2 (4) However, the governing body may approve alternative means of compliance as
3 provided in Section 26-1.33 SFCC 1987 (SFHP – Alternate Means of Compliance).

4 **Section 26. Subsection 14-9.2(D) SFCC 1987 (being Ord. #2011-37, §12) is amended**
5 **to read:**

6 **D. Access and Traffic Calming**

7 (1) Where a *development* abuts or contains an existing or proposed arterial
8 *street*, a *land use board* may require marginal access for collector or local *streets*, reverse frontage
9 with *screen* planting or *walls* contained in a non-access reservation along the rear *property* line, *lots*
10 with rear service alleys or such other treatment as may be necessary for adequate protection of
11 *residential properties* and to afford separation of through and local traffic.

12 (2) Where a *development* borders on or contains a railroad *right of way* or
13 limited access highway *right of way*, a *land use board* may require a *street* approximately parallel to
14 and on each side or on either side of such *right of way*, at a distance suitable for the appropriate use of
15 the intervening land for park or recreational purposes when such purposes are appropriate in the
16 relevant area. Such distances also shall be determined with due regard for the requirements of
17 approach grades and future grade separations.

18 (3) At least one through street that traverses the entire developed area shall
19 be provided for each one thousand feet of developed area. [~~See General Plan 6-1-I-10.~~]

20 (4) At least two connections to the existing road network points shall be
21 provided for every ten acres of *development*. [~~See General Plan 6-1-I-10.~~]

22 (5) Where a trail network exists or is planned, access to the trail network
23 must be provided every 500 feet, where feasible. [~~See General Plan 6-3-I-9.~~]

24 (6) Reserve strips controlling access to *streets* are prohibited unless the *City*
25 controls the reserve strip under conditions approved by the planning commission.

(7) Traffic calming measures are allowed in new *developments* and specific measures may be required by the planning commission to ensure traffic safety in new neighborhoods.

(8) Cul-de-sacs and other dead-end streets, both public and private, may be constructed only if topography, lot configuration, previous development patterns or other natural or built features prevent continuation of the street.

Section 27. Table 14-9.2-1 SFCC 1987 (being Ord. #2011-37, §12) is amended to read:

TABLE 14-9.2-1: Design Criteria for Street Types See also Chapter 12 Fire Prevention and Protection – International Fire Code Appendix D Fire Apparatus Access Roads (as amended) for mandatory standards for roadway width, steepness, dead end/turnarounds, number of access points and fire lane signage									
Criteria	Major Arterial (6-Lane)	Major Arterial (4-Lane)	Secondary Arterial	Collector	Collector Mixed-Use	Subcollector		Lane	Lot Access Driveway Note 1
						No Parking	With Parking		
Average Daily Traffic	Up to 60,000	Up to 40,000	5,000-15,000	1,000-5,000	1,000-5,000	300-1,000	300-1,000	0-300	Minimum
Dwelling Unit Access						30-100	30-100	0-30	(0-8)
Minimum Right-of-way Width	120	98	70	50	50	42	50 or 56 [46 or 52]	38 or 42	NA
Slope/Grading Easement (conditional upon staff review)	0-30	0-30	0-30	0-30	0-30	0-30	0-30	0-30	NR
Number of Auto Lanes	6-7 Note 2	4-5 Note 2	2-3 Note 2	2	2	2	2	2	1
Width of Driving Lanes	11	11	11	10	10	9	10	9	10
Median/Turn Lane Width	18	18	14	NR	NR	NR	NR	NR	NR
Minimum Bikeway Width	5	5	5	4	NR	NR	NR	NR	NR
On-Street Parking Width	NA	NA	NA	NA	6 Note 3	NA	6 Note 4	NA	NA
Curb & Gutter	2	2	2	2	2	2	2	2	NR
Minimum Sidewalk Setback	5	5	5	4	NR	5	3	3-4	NR

Minimum Sidewalk Width	6	6	5	5	7	5	5	5	NR
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Notes:

NA - Not Applicable

NR - Not Required

1. Refer to 14-9.2(C)(8) for additional standards for lanes and *lot* access driveways. *Lot* access driveway standard applicable to access from street to not more than eight single *family lots*.

2. Includes Median/Turn Lane

3. Parking required on both sides of street, except no parking on that side of a street adjoining the plaza.

4. Parking may be on one side or both sides of the street; parking lane should not be continuous.()

All measurements in feet, unless otherwise noted.

1 **Section 28. Subsection 14-9.2(K)(1) SFCC 1987 (being Ord. #2011-37, §12) is**

2 **amended to read:**

3 **(1) Standards and Specifications:**

4 (a) connection to *City* water service except as provided in Section

5 25-1.10 SFCC 1987(Regulations for the Drilling of New Domestic Water Wells);

6 (b) connection to *City* sewer services except as provided in Section

7 22-3.1 SFCC 1987 (Sewers – Connection to the Public System);

8 (c) approval of storm sewer system and other drainage improvement

9 plans by the city engineer;

10 (d) approval of *grading* and centerline gradients by the city

11 engineer;

12 (e) approval of major and secondary arterial *street* cross-section by

13 the city engineer; provided, however, that the cost of improvement to the subdivider shall not exceed

14 that which is required for improving a collector street.

15 (f) installation of *street* name *signs* of a material and design

16 approved by the *governing body* at all street intersections;

17 (g) approval of complete *street* lighting facilities by the city

18 engineer; and

19 (h) *landscaping* as required by Section 14-8.4 (Landscape and Site

Design).

Section 29. Article 14-12 SFCC 1987 (being Ord. #2011-37, §15) is amended to amend the following definitions:

GROUP HOME. A *dwelling unit* licensed by the appropriate state agency where full-time shelter, rehabilitation, care and supervision are given on a non-institutional basis to children or adults who are neglected, abandoned, or who have physical, mental or developmental disabilities, mental illness, or substance or alcohol dependence [~~physically handicapped, developmentally disabled, mentally ill, mentally disabled or substance or alcohol dependent children or adults on a private, nonprofit basis~~]. Live-in nursing care is not a primary part of the services provided.

TOWNSCAPE STANDARDS, as used in the BCD, means the specific requirements within a *townscape* subdistrict that provide for:

- A. maximum height of *structures*;
- B. maximum *lot* coverage;
- C. *building* placement and [~~setback~~] yard requirements;
- D. minimum *open space* requirements;
- E. *landscape treatment*;
- F. height of *walls* and fences;
- G. placement of parking;
- H. curb cuts; and
- I. *portals*.

Section 30. Article 14-12 SFCC 1987 (being Ord. #2011-37, §15) is amended to reenact and ordain the following definition:

[NEW MATERIAL] HOUSING OPPORTUNITY PROGRAM (HOP). The Housing Opportunity Program set forth in Article 26-1 (Santa Fe Homes Program).

Section 31. Article 14-12 SFCC 1987 (being Ord. #2011-37, §15) is amended to

1 repeal the following definition:

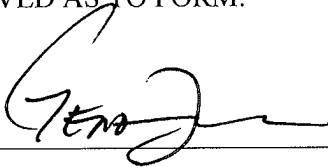
2 ~~[ONE HUNDRED YEAR FLOOD or ONE HUNDRED YEAR FREQUENCY FLOOD.~~

3 ~~A flood having a one percent chance of being equaled or exceeded in any given year.]~~

41. **Section 32. Editor's Note: Chapter 14 SFCC 1987 (being Ord. #2011-37) is**
5 **amended to delete all references to "historic design review board" and substitute in lieu thereof**
6 **"historic districts review board".**

7 **Section 33. Effective Date.** This ordinance shall become effective on March 1, 2012 and
8 shall be published one time by title and general summary.

9 APPROVED AS TO FORM:

10 

11 _____
12 GENO ZAMORA, CITY ATTORNEY