

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

ORDINANCE NO. 2024-04

ORDINANCE NO. 2024-04, AN ORDINANCE AMENDING THE SUSTAINABLE LAND DEVELOPMENT CODE, ORDINANCE NO. 2016-9, AS AMENDED, TO AMEND SECTION 9.5 (TESUQUE COMMUNITY DISTRICT OVERLAY) TO REVISE PURPOSE SECTIONS; TO MAKE MINOR TECHNICAL AND GRAMMATICAL CHANGES; TO REVISE THE FENCES AND WALLS STANDARDS; TO AMEND DIMENSIONAL STANDARDS FOR BASE ZONING DISTRICTS; TO ADD AND AMEND SELECT USE REGULATIONS IN THE USE TABLE AND BASE ZONING DISTRICTS.

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS ("BOARD") OF SANTA FE COUNTY ("COUNTY"):

1. Chapter 9 Section 9.5 of the SLDC is hereby amended and restated as follows:

9.5. TESUQUE COMMUNITY DISTRICT OVERLAY.

9.5.1. Purpose and Intent. The provisions of the Tesuque Community District (TCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Tesuque Community Plan adopted by Resolution 2022-072 and the Sustainable Growth Management Plan (SGMP). The 2022 Tesuque Community Plan articulates the future direction for the community and expresses preferences for design standards, uses, locations and intensity of development in order to protect scenic features and environmentally sensitive areas and accommodate the anticipated natural growth of the community.

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

9.5.2.1. Fences and Walls. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- 1. Intent.** In order to maintain safety, privacy, and security, as well as preserving the rural character of the Tesuque Traditional Historic Community, the area of Bishops Lodge Road north of the Santa Fe City boundary and Tesuque Village Road to the Tesuque Pueblo boundary, fencing and walls in this area shall be built to reflect historic design patterns. Fencing in this area has historically been short,

open fencing for farming and grazing management which created the sense of a small rural agricultural community.

2. **Definitions.** The following terms are defined for this Overlay
 - a. **Opaque:** incapable of transmitting light (SLDC Appendix A).
 - b. **Semi-Opaque:** capable of transmitting up to 50% of light or up to 50% visually transparent.
 - c. **Transparent:** capable of transmitting more than 50% of light or more than 50% visually transparent.
3. **Permit Requirements.** A permit is required to construct any fence or wall within 25 feet of the Centerline of Bishops Lodge Road or 37 feet of the Centerline of Tesuque Village Road in accordance the provisions outlined in paragraphs 4a and 4b of this Section.
4. **Location and Height.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. Fences and walls fronting or running parallel to Tesuque Village Road from the north boundaries of the Rural Commercial Overlay A and extending north to the boundary with Tesuque Pueblo must meet the following fence and wall design standards:
 - i. The maximum height of walls or fences shall not exceed six feet subject to the standards outlined in this section.
 - ii. Any Opaque or Semi-Opaque fence or wall excluding fences or walls for Community Facilities, must be set back from the Centerline of Tesuque Village Road by at least 37 feet.
 - b. Fences and walls fronting or parallel to Bishops Lodge Road (excluding Community Facilities and properties within Commercial Overlay A) must meet the following fence and wall design standards:
 - i. Minimum setback. No fence, wall, or other structure may be built within fifteen feet of the Centerline of Bishops Lodge Road.
 - ii. Any Opaque or Semi-Opaque fence or wall fronting or running parallel to Bishops Lodge Road must meet the following standards:
 1. A maximum height of four feet between 15 and 20 feet from Centerline of Bishop's Lodge Road;

2. A maximum height of five feet between 20 and 25 feet from Centerline of Bishop's Lodge Road; or,
3. A maximum height of six feet if 25 feet or more from the Centerline of Bishop's Lodge Road.
4. Height and Setback Exception permitted. When an existing habitable structure, or portion thereof, is situated within 25 feet of the nearest edge of the asphalt, an Opaque fence or wall not to exceed 5 feet in height may be placed between 5 and 15 feet of the nearest edge of the asphalt.

iii. Transparent Height Extensions permitted. An Opaque or Semi-Opaque wall or fence constructed to the permitted height, may include a transparent extension for a total wall height not to exceed 6 feet.

- c. Where a property-line fence/wall intrudes into an applicable setback, the applicable fence/wall-height limitations described in paragraphs 4 a and b apply.

5. Fencing Materials and Design. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

- a. Fence and wall materials may not include glass, plastic, or polycarbonate type materials, except as incidental ornamentation.
- b. Chain-link fencing is prohibited.
- c. Fencing and walls fronting or parallel to Tesuque Village Road and Bishops Lodge Road that are greater than 30 feet in length shall incorporate architectural offsets at a minimum of 1 every 30 feet.
- d. All walls shall be colored in tones consistent with shades historically used in Tesuque, including earth tones, brown, tan, or white.

6. Existing Legally Constructed Fences and Walls. Legally constructed fences and walls in existence at the time that these provisions become effective shall be deemed pre-existing, legal, non-conforming structures. Such existing fences and walls shall not be considered in violation of these regulations and may be repaired or replaced by the owner to their existing setback, height, materials, and opacity.

9.5.2.2. Signs. The standards for signs shall be as regulated by Chapter 7 of the Code with the following exceptions:

1. Pole-mounted signs are prohibited.

2. Wall, fence, and pedestal signs with a maximum size of 6 square feet are allowed for nonresidential uses.
3. Electronic and internally illuminated signs are prohibited.
4. Indirect sign illumination for way-finding purposes during the hours of operation is permitted, so long as it is shielded, with the light source concealed from view and directed downward.

9.5.2.3. Parking. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. **Parking Lot Location.** Rear or side parking is required for all nonresidential parking when the property is adjacent to a public road.
2. **Parking Lot Setback.** Nonresidential front parking shall be set back 10' from the roadway and the setback area shall be landscaped to provide screening.
3. **Screened Parking.** Nonresidential parking shall be screened from adjacent residential properties.
4. **Parking Lot Design Standards.** All nonresidential parking should be designed with base course except as required to meet accessibility standards.

9.5.2.4. Terrain Management. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. **Steep Slopes and Ridges.** These standards apply to all new structures and additions to existing structures located on development sites where any portion of the development site has a natural slope prior to development of 15% or greater, and on ridgetops.
 - a. Exterior walls, facades and roof shall be darker shades of the natural earth tones (such as tan, brown) of the soils on the building site. Tones of grey, green and white are prohibited for exterior building colors.
 - b. Roof colors and all wall and facade colors visible from adjacent properties or from U.S. 84/285, CR 73 and CR 73A shall be muted and of non-reflective or non-glossy materials with a Light Reflective Value (LRV) of less than forty pursuant to manufacturer's specifications. When such data is unavailable, compliance will be determined by a comparison of samples for which data is available.
 - c. Windows and door glazing shall be limited to no more than 30% of a facade and shall be non-mirrored and the LRV shall be less than 20, except:

- i. Glazing shall be limited to no more than 50% under portals of 8 feet or deeper. This Subsection shall not apply to glazing on a south-facing facade where incorporated into a documented design solar heating application equivalent to one for which the annual "Solar Saving Fraction (SSF)" exceeds 60%.

2. **Height on Steep Slopes and Ridges.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. **Structure heights on slopes greater than 15%.** Structure heights are limited to 18 feet. The distance between the highest point of the structure and the lowest point at the natural grade or finished cut shall not exceed 18 feet.
 - b. **Structures on ridgetops.** Pitched roofs are prohibited on ridgetops throughout the planning area.
3. **Storm Drainage.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:
 - a. In order to protect the Little Tesuque and Big Tesuque rivers from siltation and contaminants, drainage from all land uses which may discharge runoff containing high nitrogen content or other contaminants, such as stables or kennels, shall be retained in ponds which must be set back a minimum of 25 feet from the natural edge of the river or FEMA designated floodplain, whichever is closer. Retention ponds shall be cleaned regularly to maintain their planned capacity and shall be incorporated into the landscaping to maintain the integrity of aesthetics for the site.
4. **Landscaping.** These standards apply to all new structures and additions to existing structures located on development sites where any portion of the land has a natural slope prior to development of 15% or greater, and on ridgetops.
 - a. Indigenous evergreen trees at least 5 feet tall and approximating the original density and type existing on the site prior to disturbance shall be used for screening and buffering of structures and cuts and fills, where required, in order to maintain year-round screening.
 - b. Cut slopes with a slope or retaining wall closer than 6 feet from the edge of a road or driveway, where the planting area for trees is limited, may be screened with a trellis supporting planted vegetation or some other similar means which creates a natural screened effect.

9.5.2.5. Special Protection of Riparian Areas. The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Native vegetation endemic to riparian areas are exempted from the xeriscape requirements set forth in Chapter 7 of this Code.

9.5.2.6. Special Protection of Wildlife Corridors. In all instances where wildlife corridors exist, they must be identified in the application or during the application process so development can be adjusted to avoid disturbance.

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

9.5.3.1. Generally. The TCD modifies the underlying base zoning districts identified in Chapter 8 in order to address special siting, use, and compatibility issues requiring regulations that supplement or supplant those found in the base zoning districts of this Code. If an overlay zone regulation conflicts with any standard of the underlying zone, the standard of the overlay zone shall govern.

9.5.3.2. Base Zoning Districts. Base zoning districts approved for use in the TCD are listed in Table 9-5-1.

RUR-R	Rural Residential
RES-F	Residential Fringe
RES-E	Residential Estate
RES-C	Residential Community
TC	Traditional Community
PI	Public/Institutional

1. **Use Regulations.** Uses permitted, conditional and prohibited are identified on the TCD Use Table [Table 9-5-10] with exceptions identified below:

- a. Commercial and crop production greenhouses:
 - i. Limited to 3,000 square feet.
- b. Weather stations or transmitters:
 - i. Limited to 10 feet in height.
- c. Accessory farm structures, sheds, and agricultural facilities:
 - i. In all zoning districts, farming related structures, sheds and other agricultural facilities are considered accessory uses.
- d. School or university (privately-owned):
 - i. Only public or private schools for elementary, middle or senior high students are permitted.

- e. Crop production greenhouse
 - i. In all zoning districts, temporary greenhouse structures shall be considered Accessory farm structures.
- 2. **Lot coverage.** The standards shall be regulated as identified in Chapter 8 of this Code with the following exceptions:
 - a. **Residential Uses.** The maximum lot coverage throughout the Tesuque Community Planning Area is 20%, calculated by the combined roofed area of principal and accessory structures.
 - i. This standard does not apply to non-conforming lots of record
 - ii. In the event that an existing nonconforming use is replaced with a similar use, the same or similar lot coverage of the previous use may be maintained.
 - b. **Nonresidential Uses.** The maximum lot coverage throughout the Tesuque Community Planning Area is 20%, calculated by the combined roofed area of all structures, parking areas and driveways.
 - i. In the event that an existing nonconforming use is replaced with a similar use, the same or similar lot coverage of the previous use may be maintained.
 - c. **Density Transfer.** Whenever density transfers are used to create open space in perpetuity by easement or other legal means, and new lots are created, maximum lot coverage shall increase up to 50% and shall be calculated based on each individual new development lot.
- 3. **TCD Rural Residential (TCD RUR-R); Purpose.** The purpose of this district is to provide for the development of single-family homes on large lots, either individually or as part of rural subdivisions; to preserve the scenic and rural character of the County; to provide consolidated open space and agricultural lands; and to recognize the desirability of carrying on compatible agricultural operations and home development in areas near the fringes of urban development while avoiding unreasonable restrictions on farming or ranching operations. This zoning district is characterized by less level, buildable area and more sloping terrain. Most of the area has good tree cover, with piñon and juniper trees predominant in the landscape. Many of the residential lots that are less than 10 acres are associated with land set aside as conservation easements or permanent open space. Uses limited to single-family residential development, agricultural related uses and home occupations that are residential in scale.

- a. **Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9-5-2:

Density (# of acres per dwelling unit)	10
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet) hay or animal barn, silo	36
Height (maximum, feet) all other structures	24

4. **TCD Residential Fringe (TCD RES-F); Purpose.** The purpose of this district is to designate areas associated primarily with contemporary residential subdivisions that were established off the valley floor in the surrounding piñon/juniper covered hills. Uses are primarily single-family residential development, agricultural related uses and home occupations that are residential in scale.

- a. **Use Regulations.** Uses permitted, conditional and prohibited are identified on TCD Use Table [Table 9-5-10] with the exceptions identified below.

i. **Community Center:**

- a) Conditional Use only allowed with access from Bishops Lodge or Tesuque Village Road.

- b. **Dimensional Standards.** The dimensional standards are identified in Table 9-5-3.

Density (# of acres per dwelling unit)	5
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet) hay or animal barn, silo	36
Height (maximum, feet) all other structures	24

5. **TCD Residential Estate (TCD RES-E); Purpose.** The purpose of this district is to designate properties that are situated on a flat ridge above the valley floor adjacent to Bishops Lodge Hills Subdivision and accessed by either Mama Kay Way or Eccola Lane or Bauer Road. This area should continue to evolve as a primarily low-density single-family residential district with appropriate

SFC CLERK RECORDED 03/13/2024

infrastructure and options for clustering in conjunction with contiguous common areas or conservation easements.

- a. **Dimensional Standards.** The dimensional standards are identified in Table 9-5-4.

Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet) all other structures	24

6. **TCD Residential Community (TCD RES-C); Purpose.** The purpose of this district is to recognize the historic and agricultural area along both the Big and Little Tesuque Rivers as the green heart of the plan area and the feature that differentiates Tesuque from other areas. Preservation of this area as rural and open is to keep the lands available and suitable for pastures, orchards and other agricultural uses, and for the preservation of the acequias. Uses are limited to single-family residential development, agricultural related uses, home occupations. The TCD RES-C Zoning District includes Rural Commercial Area A which allows small-scale commercial uses centrally located near the intersection of Bishops Lodge Road and Tesuque Village Road. (See Tesuque Rural Commercial Overlay.)

- a. **Use Regulations.** Uses permitted, conditional and prohibited are identified on TCD Use Table [Table 9-5-10] with exceptions as prescribed below:

i. Community Center:

- a) Conditional Use only allowed with access from Bishops Lodge or Tesuque Village Roads.

- b. **Dimensional Standards.** The dimensional standards are identified in Table 9-5-5.

Density (# of acres per dwelling unit)	1.5*
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100

Lot width (maximum, feet)	n/a
Height (maximum, feet) hay or animal barn, silo	36
Height (maximum, feet) all other structures	24

*Subject to Open Space Design Standards below.

- i. **Density.** Density for the TCD RC is one dwelling unit per acre subject to the Open Space Design Standards identified below.
 - a) **Open Space Design Standards:** A minimum of 75% of the gross area of the lot must be identified on the plat or through a conservation easement as open space in order to meet planning objectives including preservation of visual open space, grazing, or other agricultural lands; trail easements; or the preservation of historic and cultural sites to meet the base density. Structures on the open space areas are prohibited. The open space conservation area shall include arable, irrigable land including grazing land and land associated with any acequia system if these conditions are present on the property.
 - b) Solid walls are prohibited. Any fencing shall allow for unobstructed views of the property.
 - c) If the property does not meet the open space design standards above, density shall be a minimum of one dwelling unit per 1.5 acres.
7. **TCD Traditional Community (TCD TC); Purpose.** The purpose of the TCD TC district is to continue to reflect the unique historic development patterns of the old village with a mixed pattern of lot sizes and shapes and housing types. This district is primarily single-family residential district consistent with historic options for compact residential development including clustered housing, family compounds, and secondary dwelling units. Community facilities, institutional uses, agricultural uses, and home occupations that are residential in scale are appropriate in the district. The TCD Traditional Community district accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses, including agricultural found in traditional communities with acequia systems, from encroachment by development.
 - a. **Dimensional Standards.** The dimensional standards are identified in Table 9-5-6.

Density (# of acres per dwelling unit)	.75*
Frontage (minimum, feet)	50
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet) hay or animal barn, silo	36
Height (maximum, feet) all other structures	24
Maximum building size (commercial)	2,500 sq. ft.

*Base density may not be adjusted through Density Bonus.

- i. **Density.** The minimum lot size for TCD Traditional Community is 1 dwelling unit/.75 acres.
 - ii. **Setbacks.** A minimum of 10 feet is required between neighboring dwelling units. Where zero lot lines are existing, new development on neighboring lots requires a 10-foot minimum setback between property line and structure.
- 8. **TCD Public/Institutional (TCD PI); Purpose.** The purpose of the TCD PI district is to accommodate governmental, educational, and nonprofit or institutional uses, including public or community parks and recreation facilities, and public, nonprofit, and institutional residential uses, but excluding any such uses of an extensive heavy industrial character.
 - a. **Dimensional Standards.** As identified in Chapter 8 of this Code except as prescribed in Table 9-5-7.

Density (# of acres per dwelling unit)	.75
Frontage (minimum, feet)	40
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24
Lot coverage (maximum, percent)	20

- 9. Existing Master Plans Identified as PDDs (Planned Development Districts).** In order to recognize existing approvals, PDDs identified on the initial zoning map may be built out in accordance with their approved master plans approved prior to the effective date of this SLDC.

- a. Bishop's Lodge is a Planned Development (PD-5) in accordance with Section 8.10 of the SLDC. This designation allows the property owner to develop the property in accordance with the approved Master Plan for the property.
- b. **Expansion of existing PDDs.** Nonresidential structures within an existing PDD may expand up to twenty-five [percent] (25%) under a conditional use permit.

9.5.4. TCD Overlay Zones. Tesuque Rural Commercial Overlay zones address special siting, use, and compatibility issues requiring regulations that supplement or supplant those found in the underlying zoning districts. If Rural Commercial Overlay zone regulation conflicts with any standard of the underlying zone, the standard of the Rural Commercial Overlay zone shall govern.

9.5.4.1. Tesuque Rural Commercial Overlay (TCD O-RC); Purpose. The Rural Commercial Overlay is intended to support the needs of the community and to retain the predominantly residential character of the Village. Commercial uses that are small in scale are appropriate within this overlay zone in order to support the development of the village as a mix of residential and commercial. Commercial development should support local employment and provide local services which do not disrupt the quiet of the Village and promote self-sufficiency for the community.

- 1. **Location.** The existing Tesuque Rural Commercial Overlay subdistricts are identified on the Official Zoning Map. The TCD Rural Commercial Overlay includes two subdistricts: Area A and Area B:
- 2. **TCD O-RC Area A.** Area A is centrally located within the village core and covers lots or portions of lots with established historic commercial land uses. Tesuque Rural Commercial Overlay Area A Subdistrict has frontage on Bishops Lodge Road and/or Tesuque Village Road. The area is envisioned to continue as mixed-use village area supporting neighborhood scale retail and commercial uses, community facilities and open space.
 - a. Uses permitted, conditional, accessory and prohibited as regulated in the base zoning districts, with exceptions identified below:
 - i. **Conditional Uses.** The following uses may be allowed in TCD O-RC Area A upon the issuance of a conditional use permit, provided the maximum floor area for each establishment shall not exceed five thousand (5,000) square feet:

- a) Community Services, such as retirement housing, assisted living facilities, life care or continuing care facilities, skilled nursing facilities, library, museum, postal services, bus stop shelters, and community center (only with access from Bishops Lodge Road); and
- b) Small-scale lodging, such as bed and breakfast inns (up to 7 units), rooming and boarding housing (up to 7 units), and retreats (up to 6 events per year, no more than 3 days per week, and no more than 10 participants at a time); and
- c) Retail services market shops and open markets, convenience stores, offices/stores with residence on top; and
- d) Entertainment facilities such as fitness, recreational sports, gyms, and athletic clubs (archery is prohibited), exhibitions and art galleries, performing arts and supporting establishments, bars, taverns, and nightclubs.
 - i) Bars, taverns and nightclubs may replace existing facilities only.

ii. Dimensional Standards. See Base Zoning Districts: TCD-TC and TCD-RUR.

- 3. TCD O-RC Area B.** Area B is located along Tesuque Village Road just east of the interchange with U.S. 285 on approximately 9 acres of vacant land that abuts public right-of-way on three sides; Tesuque Village Road on the south and east and Highway U.S. 285 on the west. Tesuque Rural Commercial Overlay Area B Subdistrict functions as a gateway to Tesuque. The area is envisioned to be appropriate for neighborhood-scaled and neighborhood-oriented mixed uses, including commercial offices, live-work units, studios, restaurants, retail of primarily locally produced goods, community services, recreation amenities. Area B Subdistrict is not appropriate for travel services, highway oriented development or retail where the majority of goods are not produced locally.

- a.** Uses permitted, conditional, accessory and prohibited as regulated in the base zoning districts, with exceptions identified below:

- i. Conditional Uses.** The following uses may be allowed in TCD O-RC Area B Subdistrict upon the issuance of a conditional use permit, provided the maximum floor area for each establishment shall not exceed five thousand (5,000) square feet:

- a) Community Services, such as retirement housing, assisted living facilities, life care or continuing care facilities, skilled nursing facilities, medical clinics, social/charitable services, services for the disabled, public safety, police, fire

- and emergency facilities, library, museum, postal services, bus stop shelters, and community center (only with access from Bishops Lodge Road); and
- b) Small-scale lodging, such as bed and breakfast inns (up to 7 units), rooming and boarding housing (up to 7 units), and retreats (up to 6 events per year, no more than 3 days per week, and no more than 10 participants at a time); and
- c) Retail services market shops and open markets, convenience stores, offices/stores with residence on top; and
- d) Entertainment facilities such as fitness, recreational sports, gyms, and athletic clubs (archery is prohibited), exhibitions and art galleries, performing arts and supporting establishments, theater, dance, or music establishments, and permanent outdoor stage/bandstand; and
- e) Research and development services including scientific, medical and technological. Animal testing is prohibited.

ii. Dimension Standards. See Base Zoning Districts: TCD-TC and TCD-RUR.

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

9.5.5.1. Accessory Dwelling Units.

1. Accessory Dwelling Units are allowed as a conditional use throughout the zoning district.
2. At the time of application, it is required that the primary dwelling unit is owner-occupied.

9.5.5.2. Home Occupations; Purpose.

Home Occupations are small-scale uses that are conducted from one's home and are clearly incidental and secondary to primary use of a residence. All Home Occupations shall meet the criteria established in this Overlay and as regulated in Chapter 10 of this Code with the following exceptions as identified in Table 9-5-8.

1. Medium Impact Home Occupations are prohibited throughout the TCD.

Permit type	Business Registration	Business Registration and Development Permit	n/a
Non-resident employees (max)	1	2	n/a
Area used for business (maximum)	25% of heated square footage	35% of heated square footage	n/a
Accessory building storage	120 SF	600 SF	n/a
Appointments/patron visits (max/day)	0	6	n/a
Business traffic	none	see Section 10.6.5	n/a
Signage	not permitted	see Section 7.9.4.3 [sic]	n/a
Parking and access	Resident and employee only	see Section 10.6.5	n/a
Heavy Equipment (maximum)	None	Up to 2	n/a

9.5.6. Use Table. Uses permitted in the base zones and planned development zoning districts are shown in the TCD Use Table 9-5-10. All uses are designated as permitted, accessory, or conditional, as further explained in Table 9-5-9. Accessory uses may be subject to specific regulations as provided in Chapter 10, and conditional uses are subject to the conditional use permit standards provided in Chapter 4. In addition, uses may be subject to modification by the overlay zoning regulations included in this chapter.

P	Permitted Use: The letter "P" indicates that the listed use is permitted by right within the zoning district. Permitted uses are subject to all other applicable standards of the SLDC.
A	Accessory Use: The letter "A" indicates that the listed use is permitted only where it is accessory to a use that is permitted or conditionally approved for that district. Accessory uses shall be clearly incidental and subordinate to the principal use and located on the same tract or lot as the principal use.
C	Conditional Use: The letter "C" indicates that the listed use is permitted within the zoning district only after review and approval of a Conditional Use Permit in accordance with Chapter 4.
DCI	Development of Countywide Impact: The letters "DCI" indicate that the listed use is permitted within the zoning district only after review and approval as a Development of Countywide Impact.

Table 9-5-9: Use Table Labels	
X	Prohibited Use: The letter "X" indicates that the use is not permitted within the district.

The Use Matrix also includes Function, Activity and Structure Codes in accordance with the Land Based Classification System.

Uses not specifically enumerated. When a proposed use is not specifically listed in the use matrix, the Administrator may determine that the use is materially similar to a listed use if:

The proposed use is listed as within the same structure or function classification as the use specifically enumerated in the use matrix as determined by the Land-Based Classification Standards (LBCS) of the American Planning Association (APA).; or

If the use cannot be located within one of the LBCS classifications, the Administrator shall refer to the most recent manual of the North American Industry Classification System (NAICS). The proposed use shall be considered materially similar if it falls within the same industry classification of the NAICS manual. A proposed use shall be treated in the same manner as the listed use to which it is materially similar. For example, if the proposed use is materially similar to a permitted use, this proposed use shall also be a permitted use.

Table 9-5-10: Tesuque Community District Use Table										
Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Residential										
Single-family		1110		P	P	P	P	P	A	Ch. 10
Accessory dwelling units		1130		C	C	C	C	C	A	
Townhouses				X	X	X	X	P	A	
Multifamily dwellings		1202-99		X	X	X	X	P	A	
Retirement housing	1210			X	X	X	X	X	C	
Assisted living facility	1230			X	X	X	X	X	C	
Life care or continuing care facilities	1240			X	X	X	X	X	C	
Nursing facilities	1250			X	X	X	X	X	C	
Community home, NAICS 623210				C	C	C	X	X	C	
Barracks		1310		X	X	X	X	X	X	
Dormitories		1320		X	X	X	X	X	X	
Temporary structures, tents etc. for shelter		1350		X	X	X	X	X	X	
Hotels, motels, or other accommodation services										
Bed and breakfast inn	1310			X	X	X	X	X	X	Ch. 10
Rooming and boarding housing	1320			X	X	X	X	X	X	

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Resorts				X	X	X	X	X	X	
Retreats				X	X	X	X	X	X	
Hotels, motels, and tourist courts	1330			X	X	X	X	X	X	
Commercial										
Shop or store with drive- through facility		2210		X	X	X	X	X	X	
Restaurant, with incidental consumption of alcoholic beverages		2220		X	X	X	X	X	X	
Restaurant, with no consumption of alcoholic beverages permitted		2220		X	X	X	X	X	X	
Store or shop without drive through facility		2230		X	X	X	X	X	X	
Department store		2240		X	X	X	X	X	X	
Warehouse discount store/superstore	2124	2250		X	X	X	X	X	X	
Market shops, including open markets		2260		X	X	X	X	X	X	
Gasoline station		2270		X	X	X	X	X	X	
Automobile repair and service		2280		X	X	X	X	X	X	
Car dealer	2111			X	X	X	X	X	X	
Bus, truck, mobile home, or large vehicle dealers	2112			X	X	X	X	X	X	
Bicycle, motorcycle, all- terrain vehicle dealers	2113			X	X	X	X	X	X	
Boat or marine craft dealer	2114			X	X	X	X	X	X	
Automotive parts, accessories, or tires	2115			X	X	X	X	X	X	
Gasoline service	2116			X	X	X	X	X	X	
Lumberyard and materials	2126			X	X	X	X	X	X	
Outdoor resale business	2145			X	X	X	X	X	X	
Pawnshops		NAICS 522298		X	X	X	X	X	X	
Tap or Tasting Room				X	X	X	X	X	X	
Beer, wine, and liquor store (off-premises consumption of alcohol)	2155			X	X	X	X	X	X	
Shopping center		2510-2580		X	X	X	X	X	X	
Convenience stores or centers		2591		X	X	X	X	X	X	

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Car care center		2593		X	X	X	X	X	X	
Carwashes		NAICS 811192		X	X	X	X	X	X	
Office or bank (without drive-through facility)		2100		X	X	X	X	X	X	
Office (with drive-through facility)		2110		X	X	X	X	X	X	
Office or store with residence on top		2300		X	X	X	X	X	X	
Office - over storefront structure		2400		X	X	X	X	X	X	
Research and development services (scientific, medical, and technology)	2416			X	X	X	X	X	X	Ch. 9
Car rental and leasing	2331			X	X	X	X	X	X	
Leasing trucks, trailers, recreational vehicles, etc.	2332			X	X	X	X	X	X	
Services including pest control, janitorial, landscaping, carpet[,] upholstery, cleaning and other services	2450			X	X	X	X	X	X	
Bars, taverns and nightclubs				X	X	X	X	X	X	
Sexually oriented business				X	X	X	X	X	X	Sec. 10.20
Tattoo parlors				X	X	X	X	X	X	
Industrial, manufacturing and wholesale trade										
Light industrial structures and facilities (not enumerated in Codes 2611-2615, below)		2610		X	X	X	X	X	X	
Loft		2611		X	X	X	X	X	X	
Mill-type factory structures		2612		X	X	X	X	X	X	
Manufacturing plants		2613		X	X	X	X	X	X	
Industrial parks		2614		X	X	X	X	X	X	
Laboratory or specialized industrial facility		2615		X	X	X	X	X	X	
Assembly and construction-type plants	3000	2621		X	X	X	X	X	X	
Process plants (metals, chemicals[,], asphalt, concrete, etc.)	3000	2622		X	X	X	X	X	X	
Construction-related businesses	7000			X	X	X	X	X	X	

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Heavy construction	7400			X	X	X	X	X	X	
Machinery related	7200			X	X	X	X	X	X	
Trade contractor, plumbing, electrical, roofing, painting, landscaping	7300			X	X	X	X	X	X	
Automotive paint and body				X	X	X	X	X	X	Sec. 10 [10.23]
Automotive wrecking and graveyards, salvage yards, and junkyards				X	X	X	X	X	X	
Vehicle storage for towing or related business				X	X	X	X	X	X	
Demolition, building and structure business				X	X	X	X	X	X	
Warehouse or storage facility structure		2700		X	X	X	X	X	X	
Mini-warehouse, mini- storage units		2710		X	X	X	X	X	X	
High-rise mini- warehouse		2720		X	X	X	X	X	X	
Warehouse structure		2730		X	X	X	X	X	X	
Produce warehouse		2740		X	X	X	X	X	X	
Refrigerated warehouse or cold storage		2750		X	X	X	X	X	X	
Large area distribution or transit warehouse		2760		X	X	X	X	X	X	
Wholesale trade - durable goods	3510			X	X	X	X	X	X	
Wholesale trade nondurable goods	3520			X	X	X	X	X	X	
Food, textiles, and related products				X	X	X	X	X	X	
Wood, paper, and printing products				X	X	X	X	X	X	
Tank farms		2780		X	X	X	X	X	X	
Public assembly structures										
Performance theater			3110	X	X	X	X	X	X	
Movie theater			3120	X	X	X	X	X	X	
Amphitheater			3130	X	X	X	X	X	X	
Drive-in theaters			3140	X	X	X	X	X	X	
Indoor games facility		3200		X	X	X	X	X	X	
Amusement, sports, or recreation establishment	5300			X	X	X	X	X	X	

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
not specifically enumerated										
Amusement or theme park	5310			X	X	X	X	X	X	
Arcade	5320			X	X	X	X	X	X	
Miniature golf establishment	5340			X	X	X	X	X	X	
Fitness, recreational sports, gym, or athletic club	5370			X	X	X	X	X	C	
Bowling, billiards, pool, etc.	5380			X	X	X	X	X	X	
Skating rinks	5390			X	X	X	X	X	X	
Sports stadium or arena		3300		X	X	X	X	X	X	
Racetrack or raceway	5130			X	X	X	X	X	X	
Exhibition, convention or conference structure		3400		X	X	X	X	X	X	
Religious facilities		3500		P	P	P	P	P	P	
Covered or partially covered atriums and public enclosure		3700		X	X	X	X	X	C	
Passenger terminal, mixed mode		3810		X	X	X	X	X	X	*
Active open space/athletic fields/golf courses	6340			X	X	X	X	X	X	*
Passive open space	6340			P	P	P	P	P	P	
Arts, entertainment, and recreation										
Active leisure sports and related activities			7100	X	X	X	X	X	X	
Movie ranch				X	X	X	X	X	X	
Camps, camping, and related establishments	5400			X	X	X	X	X	X	
Exhibitions and art galleries		4410		X	X	X	X	X	X	
Performing arts or supporting establishment	5100			X	X	X	X	X	C	
Theater, dance, or music establishment	5101			X	X	X	X	X	C	
Institutional or community facilities										
Community center		2200		X	C	X	C	X	P	Ch. 9
Hospitals		4110		X	X	X	X	X	X	
Medical clinics		4120		X	X	X	X	X	C	

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Social assistance, welfare, and charitable services (not otherwise enumerated)	6560			X	X	X	X	X	C	
Child and youth services	6561			X	X	X	X	X	C	
Child care institution	6562			P	P	P	P	P	P	
Day care center	6562			P	P	P	P	P	P	
Community food services	6563			X	X	X	X	X	C	
Emergency and relief services	6564			X	X	X	X	X	C	
Other family services	6565			X	X	X	X	X	C	
Services for elderly and disabled	6566			X	X	X	X	X	C	
Animal hospitals	6730			X	X	X	X	X	C	
School or university (privately owned)		4200		P	P	P	P	P	P	Ch. 9
Grade school (privately owned)		4210		P	P	P	P	P	P	
College or university facility (privately owned)		4220		X	X	X	X	X	X	
Technical, trade, and other specialty schools	6140	4230		X	X	X	X	X	X	
Library		4300		X	X	X	X	X	C	
Museum, exhibition, or similar facility	5200	4400		X	X	X	X	X	C	
Planetarium		4420		X	X	X	X	X	C	
Aquarium		4430		X	X	X	X	X	X	
Zoological parks		4450		X	X	X	X	X	X	
Public safety related facility			4500	X	X	X	X	X	C	
Fire and rescue station			4510	X	X	X	X	X	C	
Police station			4520	X	X	X	X	X	C	
Emergency operation center			4530	X	X	X	X	X	C	
Correctional or rehabilitation facility			4600	X	X	X	X	X	X	*
Cemetery, monument, tombstone, or mausoleum			4700	X	X	X	X	X	C	
Funeral homes			4800	X	X	X	X	X	X	
Cremation facilities			4800	X	X	X	X	X	X	
Public administration		6200		X	X	X	X	X	C	
Post offices		6310		X	X	X	X	X	P	
Space research and technology		6330		X	X	X	X	X	C	*

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Clubs or lodges				X	X	X	X	X	X	
Transportation-related facilities										
Commercial automobile parking lots		5200		X	X	X	X	X	X	
Commercial automobile parking garages				X	X	X	X	X	X	
Surface parking, open		5210		X	X	X	X	X	A	
Surface parking, covered		5220		X	X	X	X	X	A	
Underground parking structure with ramps		5240		X	X	X	X	X	X	
Rooftop parking facility		5250		X	X	X	X	X	X	
Bus terminal		3830		X	X	X	X	X	X	
Bus stop shelter		5300		X	X	X	X	X	P	
Truck storage and maintenance facilities		5400		X	X	X	X	X	X	
Truck freight transportation facilities	4140			X	X	X	X	X	X	
Light rail transit lines and stops	4151			X	X	X	X	X	X	
Local rail transit storage and maintenance facilities	4153			X	X	X	X	X	X	
Taxi and limousine service maintenance and storage facilities	4155			X	X	X	X	X	X	
Taxi and limousine service dispatch facilities				X	X	X	X	X	X	
Bus transportation storage and maintenance facilities	4156			X	X	X	X	X	X	
Towing and other road service facilities, excluding automobile salvage, wrecking, or permanent vehicle storage	4157			X	X	X	X	X	X	
Long-distance or bulk pipelines for petroleum products, natural gas, or mineral slurry	4170			X	X	X	X	X	X	
Courier and messenger service facilities	4190			X	X	X	X	X	X	
Commercial airports		5600		X	X	X	X	X	X	
Private airplane runways and landing strips		5610		X	X	X	X	X	X	
Airport maintenance and hangar facilities		5620		X	X	X	X	X	X	

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Heliprot facility		5640		X	X	X	X	X	X	
Helistops				X	X	X	X	X	X	
Glideport, stolport, ultralight airplane, or balloon port facility		5650		X	X	X	X	X	X	
Railroad tracks, spurs, and sidings				X	X	X	X	X	X	
Railroad switching, maintenance, and storage facility		5700		X	X	X	X	X	X	
Railroad passenger station		5701		X	X	X	X	X	X	
Railroad freight facility		5702		X	X	X	X	X	X	
Utility										
Local distribution facilities for water, natural gas, and electric power		6100		P	P	P	P	P	P	
Telecommunications lines				P	P	P	P	P	P	
Electric power substations				X	X	X	X	X	X	
High-voltage electric power transmission lines				X	X	X	X	X	X	
Dam		6220		X	X	X	X	X	X	
Livestock watering tank or impoundment				P	P	P	P	P	P	
Levee		6230		X	X	X	X	X	X	
Water tank (elevated, at grade, or underground)		6250		C	C	C	C	C	C	
Water wells, well fields, and bulk water transmission pipelines		6260		C	C	C	C	C	C	
Water treatment and purification facility		6270		C	C	C	C	C	C	
Water reservoir		6280		C	C	C	C	C	C	
Irrigation facilities, including impoundments for on-site irrigation or acequia system irrigation		6290		P	P	P	P	P	P	
Wastewater storage or pumping station facility, lift stations, and collection lines		6310		C	C	C	C	C	C	
Solid waste landfill facility	4345	6320		X	X	X	X	X	X	

SFC CLERK RECORDED 03/13/2024

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Composting facility		6330		C	C	C	C	X	C	
Recycling transfer center		6331		X	X	X	X	X	X	
Solid waste collection transfer station (governmental)	4343		3210	X	X	X	X	X	X	
Solid waste collection transfer station (private)	4343		3210	X	X	X	X	X	X	
Solid waste combustor or incinerator	4344			X	X	X	X	X	X	
Septic tank service, repair, and installation business	4346			X	X	X	X	X	X	
Household hazardous waste collection facility				X	X	X	X	X	X	
Hazardous waste storage facility		6340		X	X	X	X	X	X	
Hazardous waste treatment and disposal facility				X	X	X	X	X	X	
Sewage treatment plant and disposal facilities		6350		C	C	C	X	X	C	
Gas or electric power generation facility		6400		X	X	X	X	X	X	
New wireless communication facilities/Modification of existing wireless communication facility with substantial changes		6500		C	X	X	X	X	C	
Modification of existing wireless communication facility with no substantial changes/Collocation		6500		P	P	P	P	P	P	
Roof-mounted/surface-mounted/stealth		6500		P	C	C	C	C	P	
Amateur radio antenna		6510		X	X	X	X	X	X	
Weather stations		6520		C	X	X	X	C	C	Ch. 9
Environmental monitoring station (air, soil, etc.)		6600		P	P	P	P	P	P	
Commercial solar energy production facility				X	X	X	X	X	X	
Geothermal production facility		6450		X	X	X	X	X	X	
Large-scale wind facility				X	X	X	X	X	X	Sec. 10.16

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Highway rest stops and welcome centers		6930		X	X	X	X	X	X	
Fountain, sculpture, or other similar decorative structures		6950		P	P	P	P	P	P	
Permanent outdoor stage, bandstand, or similar structure		6960		X	X	X	X	X	X	
Agriculture, forestry, and conservation/open space										
Grain silos and other storage structure for grains and agricultural products		8100		A	A	A	A	A	A	
Animal production that includes slaughter	9300			X	X	X	X	X	X	
Livestock pens or hog houses		8200		X	X	X	X	X	X	
Commercial greenhouses		8500		C	C	C	X	X	C	Ch. 9
Nurseries and other growing of ornamental plants				P	P	P	P	P	P	
Stables and other equine-related facilities - Personal use				P	P	P	P	P	P	
Stables and other equine-related facilities - Commercial up to 12 horses		8240		P	P	P	P	P	P	Ch. 9
Stables and other equine-related facilities - Commercial over 12 horses				X	X	X	X	X	X	
Kennels and commercial dog breeding facilities		8700		X	X	X	X	X	X	
Apiary and other related structures		8700		P	P	P	P	P	P	
Crop production outdoor	9100			P	P	P	P	P	P	
Crop production greenhouse		8500		C	C	C	X	X	C	Ch. 9
Display or sale of agricultural products raised on the same premises				X	X	X	C	C	C	
Forestry and logging operations	9300			X	X	X	X	X	X	
Game preserves and retreats	9400			X	X	X	X	X	X	

Table 9-5-10: Tesuque Community District Use Table

Use	Function	Structure	Activity	TCD RUR- R	TCD RES- F	TCD RES- E	TCD RES- C	TCD TC	TCD PI	Special Conditions
Support business and operations for agriculture and forestry				X	X	X	X	X	X	
Parks, open space areas, conservation areas, and preservation areas				P	P	P	P	P	P	
Public or community outdoor recreation facilities				C	C	C	C	C	C	
Concentrated animal feeding operation		8310		X	X	X	X	X	X	Ch. 11
Grazing and ranching of livestock		8230		P	P	P	P	P	P	Sec. 10.3
Dairy farms		8210		X	X	X	X	X	X	
Other farm and farming-related structures		8900		A	A	A	A	A	A	Ch. 9
Poultry farms and poultry production facilities		8220		X	X	X	X	X	X	
Sheds, or other agricultural facilities		8000		A	A	A	A	A	A	Ch. 9
Animal waste lagoons		8420		X	X	X	X	X	X	Ch. 11
Mining and extraction establishments										
Oil and natural gas exploration or extraction	8100			DCI	DCI	DCI	DCI	DCI	DCI	Ch. 11
Hard rock mining	8200			DCI	DCI	DCI	DCI	DCI	DCI	Ch. 11
Small scale sand and gravel extraction				X	X	X	X	X	X	
Sand and gravel extraction (as specified in Section 11.10)				DCI	DCI	DCI	DCI	DCI	DCI	Ch. 11

Notes:

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

2. The effective date of the amendments to the SLDC adopted by this Ordinance shall be thirty (30) days after it is recorded by the County Clerk in accordance with Section 4-37-9 NMSA, 1978.

PASSED, APPROVED AND ADOPTED THIS 12th DAY OF March, 2024.
THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By: Hank Hughes
Hank Hughes, Chair



ATTEST:

Katharine E. Clark
Katharine E. Clark
Santa Fe County Clerk

APPROVED AS TO FORM:

Roger Puccio
Jeff Young
Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC ORDINANCE
PAGES: 27

I Hereby Certify That This Instrument Was Filed for
Record On The 13TH Day Of March, 2024 at 11:27:36 AM
And Was Duly Recorded as Instrument # 2029787
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy [Signature] County Clerk, Santa Fe, NM

SFC CLERK RECORDED 03/13/2024