

## RESIDENTIAL USES

Structures and use of land for agricultural, grazing and ranching purposes are specifically excluded from the requirements of this Section 2. The following site planning standards are applicable to all new development.

### 2.1 Location Of Residential Uses

Residential uses are allowed anywhere in the County provided all of the requirements of the Code are met.

### 2.2 Lot Requirements For Residential Use

Residential uses are permitted under the following circumstances:

- 2.2.1 The density requirements of Section 10 of this Article III are met; or
- 2.2.2 The lot or parcel meets the requirements of Article II, Section 4.

### 2.3 Site Planning Standards For Residential Uses

#### 2.3.1 Purpose and Intent

- 2.3.1a. To encourage new development to adapt to the existing natural topography, soils, vegetation, geology, hydrology, landforms and other conditions existing on a site as well as being sensitive to the existing built environment in the local neighborhood or community;
- 2.3.1b. To minimize the visual effects of development and protect the natural appearance and integrity of hillside, ridgetop, and escarpment areas;
- 2.3.1c. To protect neighborhoods from nuisance effects of outdoor lighting and unsightly trenching or overhead utility installations; and
- 2.3.1d. To demonstrate existence of a Buildable Area on each lot for structures and support facilities (water supply, liquid waste disposal, access, and utilities).

2.3.2 Each lot shall have a designated Buildable Area which shall meet the criteria set forth in Article VII, Section 3.4, Terrain Management Performance Standards.

2.3.3 Development of the lot shall occur only within approved development sites.

- 2.3.3a No development sites may occur on a natural slope of thirty percent (30%) or greater. Exceptions may be approved by the Code Administrator for:
  - access corridors, utility corridors, and landscape areas proposed on natural slopes in excess of thirty percent (30%) that disturb no more than three (3) separate areas of no more than one thousand (1000) square feet each, provided the applicant demonstrates that no alternative development location is available;
  - arroyo crossings may be approved which disturb more than one thousand (1000) square feet in each instance provided that slope stability and hydrologic/hydraulic conditions are not changed from pre-development values; and
  - siting of structures to preserve remaining traditional agricultural lands and uses.The applicant shall demonstrate that crossing such slopes has minimal impact to terrain or to visual quality and otherwise would conform to the purposes and standards set forth in this Section 2.3 and Article VII, Section 3.4, Terrain Management Performance Standards. See the Guidelines for Site Planning and Development in Santa Fe County

- 2.3.3b. A complete terrain management plan (see Article VII, Section 3, Terrain Management) shall be required if any portion of land within a development site has a natural slope of fifteen percent (15%) or greater; for construction of one dwelling or accessory structure, the terrain management plan shall address the land proposed to be disturbed only; the Code Administrator may waive this requirement if the portion of the development site over 15% slope is incidental to the entire site.

2.3.3c. Density transfers are encouraged to take advantage of naturally occurring development sites below ridgetops and to set aside ridgetop areas for open space.

2.3.3d Any legal nonconforming lot, that is, a legal lot of record which was created before May 1, 1996 (Ordinance 1996-3 adopted March 12, 1996), and which does not contain a Buildable Area as defined in Article VII, Section 3.4.1.b of the Code, is eligible for application for a variance to the Buildable Area standard. See Article II, Section 3, Variance.

#### 2.3.4 Setbacks

2.3.4a In order to avoid flood and erosion hazards, a twenty-five foot (25') minimum set back from the natural edge of streams, waterways, drainage ways or arroyos pursuant to Article VII, Section 3.4.6 j of the Code is required; the required setback may be increased if the Code Administrator determines that a clear hazard exists because of slope stability and hydrologic/hydraulic conditions. In evaluating the need to increase the setback, the Code Administrator shall consider property and channel slope, velocity of channel flow, hydraulic radius, roughness coefficient, and sectional area of the particular drainage way.

2.3.4b Any development site on a ridgetop must be set back from the shoulder toward the crest of a hill or ridge pursuant to Article VII, Section 3.4.1 d, Performance Standards for Development Site.

2.3.5 Shared points of ingress and egress to adjacent development sites is encouraged, unless it can be demonstrated that additional or separate access is necessary. Design standards and submittal requirements as set forth in Article III, Section 4.4.3a, for Driveway Access, and Article VII, Section 3.4.4, Roads and Driveways shall be applied.

#### 2.3.6 Height Restrictions for Dwellings or Residential Accessory Structures

2.3.6a. For the purpose of this Section, height means the vertical distance from any point on the upper surface of a building or structure to the natural grade or finished cut grade, whichever is lower, directly below that point.

2.3.6b. The height of any dwelling or residential accessory structure shall not exceed twenty-four feet (24') . The vertical depth of fill materials from the natural grade, with or without retaining walls, shall be considered as a component of the building or structure; this depth shall be included in the determination of building height. Chimneys may extend three feet (3') beyond the height limitation. In addition:

The height of any dwelling or residential accessory structure located on land which has a natural slope of fifteen percent (15%) or greater shall not exceed eighteen feet (18'). The vertical distance between the highest point of a building and the lowest point of a building at natural grade or finished cut grade, whichever is lower, shall not exceed thirty feet (30'). The Code Administrator may waive this requirement if the portion of the structure located on land over 15 % slope is incidental to the entire site.

On ridgetops as defined in Article X of the Code, only one story buildings are allowed. On ridgetops, the height of any dwelling or residential accessory structure shall not exceed fourteen feet (14'), except one story pitched roof style buildings may be allowed a maximum height of eighteen feet (18') provided such roof can be screened from a public way and pursuant to a site visit and approval of the Code Administrator. Structures for agricultural purposes shall meet the requirements of Article III, Section 1.

2.3.6c. Requests for residential accessory structures such as windmills and radio antennas to exceed the maximum height restrictions shall be reviewed for approval by the County

Development Review Committee. When an exception to the height restrictions is desired, the applicant shall submit plans for the installation and operation of the accessory structure with a report explaining why the requested height of the structure is necessary for proper function. The County Development Review Committee shall consider: whether the requested structure is reasonably necessary to be on the proposed site; whether the applicant has demonstrated that the requested height is the minimum height necessary for the proposed structure to function properly, not to exceed a maximum height of forty-five feet (45'); and the size of the lot and impact on neighboring properties.

#### 2.3.7 Terrain Management

All development of a lot, tract, or parcel shall be done in accordance with the Santa Fe County Land Development Code, Article VII, Section 3, Terrain Management.

#### 2.3.8 Architectural and Appearance Standards

##### 2.3.8a. Purpose and Intent

These standards for architecture and appearance apply only to development sites where any portion of land has a natural slope prior to development of fifteen percent (15%) or greater and on ridgetops; they are designed to assure that buildings, roads, driveways, utilities, and other development blend into the natural landscape and conform to the existing natural topography, vegetation, and soils characteristics. The natural form, color, slope, and texture of the hills or mountains should be the dominant feature, not the built environment. The following standards apply to all new buildings and additions to existing structures which are located on natural slopes of fifteen percent (15%) or greater or on ridgetops:

Architectural styles are not regulated; however, buildings which fit the traditional or local building types, styles, and scale, as these vary throughout the County, are encouraged.

Neutral and darker shades of colors shall be used for exterior walls, facades, and roofs which blend with the natural foliage of the native trees or other vegetation or, where vegetation is sparse, with the natural earth tones of the soils on the building site. Roof colors visible from adjacent properties and all wall and facade colors shall be muted and of non-reflective or non-glossy materials with a Light Reflective Value (LRV) of less than forty (40) pursuant to manufacturers specifications. When such data is unavailable, compliance will be determined by a comparison of samples where data is available. This Light Reflective Value standard shall not apply within established Traditional Community Districts.

Pitched or shed roofs are allowed, provided they are within the height limitations set forth in Article III, Section 2.3.6, Height Restrictions.

Buildings should be designed using such techniques as variations in height and orientation and offset walls to reduce the visible mass or bulk.

Window and door glazing shall be non-mirrored with a Light Reflectance Value of forty (40) or less.

To minimize cuts and fills, buildings shall be designed to conform to the natural terrain by following contours, fitting into existing landforms, and solidly meeting the ground plane. Any pier foundations shall be enclosed so that exterior walls appear to meet the ground and shall not exceed the height limitations set forth in Article III, Section 2.3.6. For a structure built on a natural slope of over twenty percent (20%), the finished floor elevation at any point shall not exceed five feet (5') above the natural grade below that point. (See Article VII, Section 3.4.1, Terrain Management Performance Standards.)

Free standing walls and fences and retaining walls shall also be designed to conform to the natural terrain.

Multi-story buildings are prohibited on ridgetops.

2.3.8b. Reserve Section for future overlay districts for visual sensitivity which may be designated by the County.

#### 2.3.9 Utilities

2.3.9a Purpose and Intent

To minimize the visual scars created by trenching or the visual intrusion to the skyline by overhead installation of utilities across undeveloped terrain.

2.3.9b Installation of new utilities in development shall meet the following standards:

All new and replacement water, gas, electric, telephone, television or other utilities, including both main and service lines shall be placed underground within designated utility corridors. Infill development in areas currently served by overhead electrical lines, where conversion to underground for single uses may create safety or service problems, may continue to use overhead lines subject to individual review and approval by the Code Administrator.

Utility trenches shall be placed within easements in or adjacent to road or driveway easements or rights-of-way except where alternate locations are required for gravity flow of water or sewer or where a significant reduction in line length and terrain disturbance would be achieved by cross country easements and trenching.

All utility installations must meet the design standards for grading and removal of vegetation and revegetation of utility trenches found in Article VII, Section 3, Terrain Management.

Reserve Section for location of multiple utilities within roadway easements.

2.3.10 Landscaping

2.3.10a. Purpose and Intent

The standards and guidelines for landscaping are intended to promote three primary purposes:

The preservation of native vegetation. Native trees, shrubs and other natural vegetation stabilize steep slopes, retain moisture, prevent erosion, provide habitat for wildlife, play a role in the prevention of air and noise pollution, and enhance natural scenic qualities.

Revegetation of land disturbed in the development process:

to minimize erosion, runoff, dust, and other negative physical impacts associated with land disturbance;

to maintain and stabilize cut and fill slopes, and conceal raw soil from view.

Screening of development in areas of steep terrain and ridgetops to protect and enhance the visual appearance of natural hillsides.

2.3.10b Preservation and Revegetation of Native Vegetation

Grading and clearing of existing native vegetation shall be limited to approved development sites. No significant tree may be removed from slopes greater than thirty percent (30%).

Cleared or graded areas which are not built on and cut and fill areas shall be revegetated to the approximate original density and type of vegetation existing prior to disturbance. Areas to be used for recreation or park landscaping or rural agricultural uses shall be excluded from this requirement.

Any transplantable tree that will be displaced by construction shall be the primary source of new vegetation required for screening, buffering or other landscaping purposes. (See Appendix 3.C, incorporated by reference herein for tree preservation and transplanting guidelines.)

Native trees, shrubs and landscape shall be retained within any designated landscape areas set aside for buffers. Retention of the natural vegetation will reduce the requirement for new planting.

Native trees which are to be preserved on a development site shall be protected during construction from such hazards as damage by vehicles and equipment, compaction of soils, and spills of contaminants by temporary fences or barricades erected at the perimeter of the critical root zone. Permanent installation of such techniques as

retaining walls, terracing and tree wells with drainage shall be used to protect trees in areas where significant grade changes are approved.

2.3.10c Buffering and Revegetation for Ridgetops and Development Sites with a Natural Slope of Fifteen Percent (15%) or Greater

Any cut or fill slope greater than four feet (4') in height or with a grade of two and one half to one (2.5:1) or steeper, retaining walls and erosion control structures, and the facades of any building on a slope of fifteen percent (15%) or greater or on a ridgetop visible from a public way shall be screened or otherwise landscaped as follows:

A minimum of fifty percent (50%) of the visible portion of a facade or retaining wall shall be screened. Trees shall be planted or retained within fifteen feet (15') of all retaining walls to be screened and in an area no less than twenty-five feet (25') and no more than fifty feet (50') from any facade to be screened;

Trees shall be planted on the downhill side of road cuts and fill areas. Cuts and fills may be required to be terraced and planted in order to provide screening and slope stabilization;

Density in landscape and revegetation areas shall approximate the density of vegetation prior to disturbance. In no case shall density in landscape and revegetation areas be less than one (1) tree per one thousand (1000) square feet of designated area;

Top soil shall be removed and stockpiled for later use in revegetation of the disturbed areas.

2.3.10d Landscaping Plan

Multifamily, Large Scale Residential and Subdivision Uses

Multifamily and large scale residential uses and subdivisions shall meet the standards and submittals of Article III, Section 4.4.4 f of the Code, including general landscaping requirements, landscaping for road frontage areas, landscaping for parking lots and screening and buffering for residential uses.

A landscaping plan for revegetation and buffers is required for all residential development sites with a natural slope of fifteen percent (15%) or greater and development sites on ridgetops. For residential development where applicants propose to preserve native vegetation to meet all requirements for buffers and where no revegetation is required, the landscaping plan shall include the following:

a landscaping map drafted to scale describing the lot, the development site, proposed structures, and the designated landscape areas;

the landscape plan may be shown on the site plan where the scale is adequate to describe the vegetation;

the landscaping plan shall address only those areas where buffering and revegetation are required, not areas of ornamental landscaping or private gardens.

within the designated landscape areas, existing vegetation which will be retained or transplanted shall be located and labeled, showing the existing size of specific trees and plants by approximate width of canopy spread and caliper and common names;

a description of methods and details for protecting existing vegetation during construction.

For residential development where revegetation of cuts, fills, or graded areas is required or where new planting will be needed to meet buffering requirements, the landscaping plan shall include the following:

a landscaping map drafted to scale describing the lot, the development site, proposed structures, and the designated landscape areas, including revegetation areas; the landscape plan may be shown on the site plan where the scale is

adequate to describe the vegetation; the landscaping plan shall address only those areas where buffering and revegetation are required, not areas of ornamental landscaping or private gardens.

within the designated landscape areas, including revegetation areas, the plan shall locate and label:

existing vegetation which will be retained by type and size;

existing vegetation which will be transplanted, or removed by type and size.

location, type, and size of plants to be installed;

All plant material to be retained or installed shall be located and labeled, footprinted according to the spread of the plants at maturity;

A list of the type and number of plants to be retained and installed, with common and botanical names, showing the existing size of specific trees and plants by approximate width of canopy spread and caliper or gallon size at time of planting and the size of the plant material at maturity in height and width;

The location, description, and quantity of all other materials to be used as part of the landscape treatment; planting and installation details as necessary to show conformance with standards;

a description of any proposed system of irrigation including the use of on-site storm water collection, drip irrigation, recycled water, or other systems;

a description of methods and details for protecting existing vegetation during construction.

The designated landscape areas shall be shown on the development plan and, where applicable, the plat. Where applicable, the landscaping plan submitted with the development plan or development permit application for an individual use shall be in conformance with the approved master plan for landscaping for a development.

#### 2.3.10e Landscaping Design Standards

All required landscaping improvements shall be designed, installed and maintained to satisfy the following:

Landscape and revegetation areas shall be designated only on the development site within the Buildable Area of the lot.

Whenever the buffer requirements of Section 2.3.10c will be met by preservation of existing native vegetation, and no new planting is required for revegetation, the following shall apply:

Native vegetation shall be protected pursuant to the standards of Section 2.3.10b; and

a landscape plan shall be pursuant to Section 2.3.10d2.

Whenever revegetation of cuts, fills or graded areas is required or where new planting will be needed to meet buffering requirements of Section 2.3.10c above, the following standards shall apply:

Native vegetation shall be protected pursuant to the standards of Section 2.3.10b;

New vegetation (trees and seeded areas) shall approximate existing vegetation in type, density, and natural pattern of occurrence on the lot; density shall be determined by an inventory of existing vegetation within the development site prior to grading;

New trees shall be spaced at a distance equal to the the average diameter of the spread of the crown of the typical mature specimen of the species planted under similar growing conditions;

New trees shall be a minimum of six feet (6') in height, which, at maturity, will approximate the height of existing native trees and be as tall as the cut and fill or structure to be screened;

Seeded areas shall be protected by accepted horticultural practices to assure germination; See Appendix 3.C, incorporated by reference herein.

Seeding or planting may be delayed for the optimum germination or planting season, provided such delay is conditioned on the development permit and bonding or other financial warranty is secured.

Native vegetation or introduced vegetation that is freeze and drought resistant shall be used for new landscaping in an effort to conserve water use once the plants are established. Botanical materials shall be chosen so they fit within the water budget or water use plans for the development and with the character of the existing native plants on the lot or parcel. Plant materials, their size at maturity, how they can be used, their water use and other information is listed in Appendix 3.C, and incorporated by reference herein.

Xeriscape principles shall be followed in the design, installation and maintenance of landscaping, pursuant to Appendix 3.C, incorporated by reference herein.

Trees and large shrubs shall be supported after planting in such a way that the plants will not be injured by strong winds.

#### Adjustments

Minor design adjustments may be made to the designated landscape areas set forth in Section 2.3.10 c to accommodate solar access for solar design as long as the substance of landscape standards for screening and buffering are met.

Adjustments to the location and size of landscaped areas and these design standards may also be considered if existing conditions such as terrain or location of development site provide adequate buffering opportunities.

Adjustments shall be subject to the approval of the Code Administrator pursuant to a site visit.

#### Installation, Inspection, Enforcement

Landscaping shall be installed for inspection prior to the date of expiration of the Development Permit or the issuance of a Certificate of Occupancy.

A bond or letter of credit shall be required if seeding or planting of required landscaping and revegetation must be delayed for optimum results. Such delay shall be specified on the development permit.

All vegetation installed pursuant to an approved landscaping or terrain management plan which later dies shall be replaced.

Responsibility for the success of landscaping installations belongs entirely to the property owner. The property owner shall be responsible for control of plant growth by pruning or trimming so that it will not interfere with the installation, maintenance or repair of any public utility or constitute a traffic hazard.

#### 2.3.11 Outdoor Lighting Standards

All development shall meet the outdoor lighting standards set forth in Article III, Section 4.4.4h.

### 2.4 Submittals and Review

#### 2.4.1 Construction of One to Four Dwellings

2.4.1a. The following submittals and review shall apply to an application for a development permit involving the construction, alteration or repair of one to four dwellings or the construction, alteration or repair of an accessory structure:

##### Submittals

The applicant shall fill out a development permit application on a form provided by the Code Administrator. The application shall be accompanied by the following:

- Proof that the applicant owns the parcel on which the dwelling(s) will be constructed and that the lot is a legal lot of record;
- Plans and specifications for the proposed dwelling(s) or accessory structure, including elevations demonstrating natural and finish grades and heights of all structures;
- Name of the contractor and subcontractor, if any. All contractors and subcontractors shall have a valid and current New Mexico Contractor's License;
- An ED septic tank registration certificate if the applicant proposes to use an individual waste disposal system, or other evidence of compliance with Article VII, Section 2 must be submitted;
- Plans shall include residential sprinkler system plans if required by Section 2.3.12 of this Article; and
- A site plan of the lot or parcel showing all existing and proposed structures and improvements, including location of driveways wells, septic tanks, and the distance to the nearest fire hydrant.

In addition to the submittals (a) through (e) above, the following submittals are required only for new construction or alteration or repairs which add to the footprint or increase the square footage of a dwelling or residential accessory structure:

- A site plan or plat map indicating the development sites within the Buildable Area with reference to the lot boundaries; a topographic analysis pursuant to Article VII, Section 3.2.1 will be required to verify the Buildable Area.
- A storm drainage and erosion control plan pursuant to Article VII, Section 3.3.5 of the Code. Where applicable, drainage plans shall conform to approved subdivision plans. An administrative approval for detention/retention in lieu of the plan required by Section 3.3.5 may be allowed by the Code Administrator for applications meeting the following criteria:
  - the proposed development sites are located outside of a regulated one hundred (100) year floodplain and on slopes less than ten percent (10%); and
  - the proposed development site, including patios, garages, accessory structures, driveways and other development that decreases the permeability of infiltration of pre-development surfaces is no more than six thousand (6000) square feet and total impermeable surfaces (roofs, paved areas, patios, etc.) do not exceed twenty-five hundred (2500) square feet; and
  - retention/detention pond(s) or checkdams with a minimum volume of six hundred (600) cubic feet will be installed at a location to be approved by the Code Administrator. Such ponds shall be integrated with the landscaping or revegetation on the lot.
- For development sites containing any portion of land with natural slopes of fifteen percent (15%) or greater, a terrain management plan for the development sites pursuant to Article VII, Section 3 of this Code; the Code Administrator may waive this requirement if the portion of the development site over 15 % slope is incidental to the entire site.
- If a structure is to be located on a lot within a development or subdivision for which a terrain management plan has previously been submitted and approved, the applicant shall be required only to submit documentation of conformance with such approved plan, along with on-site drainage plans.
- For development sites containing any portion of land with natural slopes of fifteen percent (15%) or greater or on ridgetops, a landscaping plan pursuant to Article III, Section 2.3.10, and plans demonstrating compliance with Article III, Section 2.3.8, Architectural and Appearance standards.



Numbers of copies of plans, format, and detailed submittals shall be determined by the Code Administrator. Applicants shall be furnished a submittal list and explanation with the development permit application form.

#### Reviews

(a) Lot Size Requirement Review

The Code Administrator shall review the application for compliance with the lot size requirements of the Code.

#### Access

All development sites created under this Section shall demonstrate that access for ingress and egress, utility service, and fire protection whether by public access and utility easement or direct access to a public right-of-way can be provided and meet the requirements of this Code.

Installation of culverts, where applicable, shall be required at intersections of driveways with County roads.

Road Construction and/or Road Cut Permits must be obtained prior to road or driveways construction. The applicant must provide submittals for new construction pursuant to this Section 2.4.1 and meet standards as applicable and as required in Article V, Section 8, Subdivision Design Standards, and Article VII, Section 3, Terrain Management. Notification of all affected property owners and posting of notice will be required for roads and driveways accessing more than one property.

#### Special District Review

The Code Administrator shall check the location of the proposed dwelling, and if the location of the proposed dwelling is within a Special Review District as described in Article VI, the Code Administrator shall inform the applicant of any additional submittals or reviews required, if any, and make the applicable review.

#### Environmental Review

The Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII - Environmental Requirements.

#### Siting Review

The Code Administrator shall review the application for compliance with the site planning standards. Additional submittals in connection with the siting may be required; site visits to assure compliance with the standards of Section 2.3 of this Article and approval of the Code Administrator will also be required.

#### Building, Mechanical and Electrical Code Review

The Code Administrator shall cause the submitted plans and specifications to be reviewed for compliance with Article IV - Construction Codes of the Code and for engineering design.

#### Commencement of Development

Construction must begin within one (1) year of the date of issuance of development permit, or the development permit is void and a new application shall be made prior to any development. The work described in any development permit shall be substantially completed within two (2) years from the date it is issued, unless an extension is granted by the Code Administrator. Extensions of up to two (2) years may be granted by the Code Administrator pursuant to a review of the site and the original conditions of the Development Permit. Any permit not extended shall expire and be canceled by the Code Administrator. Written notice

will be sent to the applicant that further work as described in the canceled permit shall not proceed unless and until the development permit has been reissued.

#### 2.4.2. Division of a Parcel of Land, Summary Review Subdivisions and Other Plat Reviews

##### 2.4.2a. Types of Plats. All plats are to be prepared by a licensed surveyor.

Division of Land Plat is a graphic representation and legal description of the separation, splitting, or dividing of a lot, parcel, or tract of land into more than one lot, parcel, or tract of land for any of the purposes listed under Article II, Section 2.3.1.a.ii. (a) through (h).

Boundary Plat is the graphic representation and legal description of property ownership of a parcel, lot, or tract of land.

Lot line adjustment is the graphic representation and legal description of an adjustment, alignment, or movement of a parcel, lot, or tract boundary, which does not constitute a subdivision or division of land.

Consolidation Plat is the graphic representation and legal description of a merger, incorporation or consolidation of two or more parcels, lots, or tracts of land.

Easement Plat is the graphic representation and legal description of a public/private easement, but does not constitute a boundary plat.

Plat amendment is a minor change or correction to a plat, prepared by a licensed surveyor or engineer, which does not constitute a division of land, lot line adjustment, family transfer, or consolidation.

Summary Review Subdivision Plat is the graphic representation and legal description of the Type III subdivisions listed in Article II, Section 2.3.1a.vii and all Type V subdivisions.

##### 2.4.2b Submittals and Reviews.

The following submittals and review shall apply when an application for a development permit involves the types of plats listed above in Section 2.4.2a. Type III and Type V subdivisions subject to summary review shall follow all requirements of Article V, Section 5.5 in addition to the applicable provisions of this Section. Small Lot Inheritance Transfers and Small Lot Family Transfers shall meet all the requirements of Article II, Section 4.3 in addition to the applicable provisions of this Section. The Code Administrator will review proposed applications to determine whether there is a common promotional plan to subdivide a property. If it is determined that the land division does constitute a common promotional plan, the project shall comply with the procedures provided for in Article V of the Code.

##### Submittals

Proof that the parcel is a legal lot of record;

The application shall be accompanied by three (3) copies of a plat which shall:

include a vicinity map;

be drawn at a scale of one inch equals one hundred feet (1" = 100'), or larger, or other appropriate scales approved by the Code Administrator;

refer to permanent monuments (tied to a section or quarter corner when within a section and notation describing all monuments found or set;

indicate the lots to be created or changed, accurately describe each lot,

number each lot in progression, give its dimensions and the area of each lot or tract to the nearest one-hundredth of an acre, and the dimensions and acreage of all land dedicated for public use or for the use of the owners of lots

fronting or adjacent to the parcel; if the lot size is one (1) acre or less, the net acreage without easements shall also be shown;

show the locations of permanent improvements with reference to the boundaries, including but not limited to, the location of liquid waste disposal

systems, wells, buildings and roads; a description and location of any evidence of occupation found along a boundary line, including fences, walls, buildings or monuments;

bear the date of field survey, and the name, signature, seal, certificate number, and address of the surveyor responsible for the survey; the plat shall be certified as meeting the minimum standards for surveying in New Mexico by a professional surveyor, licensed in accordance with the Laws of the State of New Mexico;

contain a certification of title showing that the applicant is the owner of the land, and that the lot(s), parcel(s), or tract(s) represented by the plat are created or changed with the free consent and in accordance with the desires of the owner, and do further grant public and/or private easements signed on the plat by the owner of the property and notarized. If the plat is for a summary review subdivision the plat shall state that the proposed subdivision lies within the subdivision jurisdiction of the County.

indicate its title. A title shall include the type of plat, appropriate township(s), range(s) and section(s), conservancy district, grant (project the section number), subdivision - designations which describes the general location of the property and statement of jurisdiction, scale (equivalent and graphic), true and magnetic north arrows, and date;

provide a permit number line, date line, and a signature line for approval by the Code Administrator;

indicate required dimensions to the nearest one hundredth of a foot (.01') and angles to the nearest second;

show the basis of bearing;

reference all documents used to determine the boundary of the land surveyed including the recording information for documents of record;

state any discrepancy exceeding the requirements of these standards between the survey and the record description, and the source of all information used in making the survey. When an inconsistency is found, including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location of the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the plat;

indicate the horizontal length (ground) and direction (bearing or azimuth) of each line as specified in the legal description and as determined in the actual survey process;

show central angle, length and chord dimensions for all curves;

indicate and tie to property corners the natural drainage flow and hundred year flood hazard zones as identified in the "Flood Insurance Study for Santa Fe County, New Mexico" dated October 5, 1987, as updated, with the accompanying Flood Insurance Rate Maps and Flood Boundary - Floodway Maps, together with a notation of the Base Flood Elevation, in compliance with Santa Fe County Ordinance 1988-1, as incorporated by reference herein, and where applicable, floodway areas designated as drainage easements;

indicate lot, block, and tract numbers or other designations including adjoining lots and tracts if the survey is within a recorded subdivision or conservancy district tract;

graphically show all public and private rights-of-way or easements which are recorded or apparent and crossing or adjoining the land surveyed;

graphically show the extent of any visible encroachments onto adjoining property or abutting streets;

include all information called for in the property description on the deed and referenced on the plat, the point of beginning, course bearings, distances, etc.

indicate the latest available recorded property owner and book and page number of all adjacent properties;  
include a box labeled "Indexing Information for the County Clerk" located near the lower right hand corner of the plat;  
provide signature lines for utilities, where applicable; and  
for surveys of parcels within a tract of land, show the relationship to at least one established identifiable property corner of the tract.

(c) The following terrain management submittals shall be required:

A storm drainage and erosion control plan pursuant to Article VII, Section 3.3.5 of the Code;

Clearly indicate the Buildable Area, No Build Area(s) and any development sites within the Buildable Area of each lot by shading, pattern or comparable graphic method on the plat (see Article VII, Section 3.4.1 for Buildable Area Performance Standards); a slope analysis pursuant to Article VII, Section 3.2.1 shall be required to verify the Buildable Area.

For development sites containing any portion of land with natural slopes of fifteen percent (15%) or greater, a terrain management plan pursuant to Article VII, Section 3. The Code Administrator may waive this requirement if the portion of the development site over 15% slope is incidental to the entire site.

Further Land Divisions. Lots and subdivisions which were legally platted or approved prior to April 30, 1996 (Ordinance 1996-3) and which cannot meet the terrain management performance standards shall not be further subdivided or replatted in a manner which creates an additional number of non-conforming lots or parcels. Additionally, lot line adjustments shall not result in a conforming lot becoming non-conforming based on terrain management performance standards.

#### Reviews

##### Lot Size Requirement Review.

The Code Administrator shall review the application for compliance with the density regulations in Article III, Section 10 of the Code. If the application is for a Small Lot Inheritance Transfer or a Small Lot Family Transfer, the lot size standards in Article II, Section 4 shall apply.

##### Special District Review

The Code Administrator shall review the location of the lots indicated on the plat and, if a lot is located in a Special Review District, pursuant to Article VI of the Code, will inform the applicant of any additional submittals or reviews required and make the applicable review.

(c) Environmental Review.

The Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII, Environmental Requirements.

##### Other Reviews

For summary review subdivisions, the Code Administrator shall review the disclosure statement to determine whether the subdivider can fulfill the proposals contained therein, and whether the disclosure statement is consistent with this Code.

#### Required Improvements and Standards

Roads and Access - On-site and Off-site

Except as provided below in paragraphs (6) - (9) of this Subsection, all lots created under this Section shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by a road meeting county requirements constructed within an easement and utility easement or by direct access to a public right-of-way. All on and off-site roads shall meet the design standards for a local road as set forth in Appendix 5.B.3, except that the minimum width of any easement created for access purposes shall be no less than twenty (20) feet for access to two (2) lots and no less than thirty-eight (38) feet for access to three (3) or more lots. However, for off-site roads the Code Administrator may reduce the road easement width to no less than twenty (20) feet if adequate drainage control is provided and may allow the road surface to be hard packed dirt with a compaction of ninety-five percent (95%) of the maximum density. All roadways and access shall be subject to the provisions of Section 10.207 of the Uniform Fire Code and to the policy established by the County Fire Marshal regarding fire apparatus access roads under Section 10.207. Provision of easements may also be accomplished by contiguous access easements along property line of adjacent parcels or lots which, when added together, provide the total required width.

Roads serving two (2) or fewer lots may be treated as driveways and do not have to be constructed until the time of building construction. The number of driveways accessing a public road shall be minimized. The use of shared driveways is encouraged

When a tract to be developed borders an existing road having a right-of-way insufficient to conform to the minimum standards required by these regulations, which right-of-way will be used by the proposed development, sufficient right-of-way shall be platted, and dedicated or reserved in such a way as would make the resulting right-of-way or road conform with Code requirements.

The maximum grade of built roads shall be eleven percent (11%). Installation of culverts, where applicable, shall be required at intersections of driveways with County roads.

Road Construction and/or Road Cut Permits must be obtained if road or driveway construction is to precede any other development on any lot.

Divisions of land for grazing or farming as identified in Article II, Section 2.3.1.a.ii(c) are exempt from on-site and off-site road requirements.

Divisions of land that create no parcel smaller than one hundred forty (140) acres as identified in Article II, Section 2.3.1.a.ii(e) are exempt from on-site and off-site road requirements, except when more than one (1) such parcel is created in an area of land, the Code Administrator may require on and off-site road improvements.

Other land divisions as listed in Article II, Section 2.3.1.a.ii. (a) through (h) may be exempt from road construction standards at the discretion of the Code Administrator.

In addition to the requirements of this Section, summary review subdivisions shall meet the road improvements of Article V, Section 5.5.6.

Other Off-Site Improvements

If the Code Administrator determines that it is necessary for health, safety, or welfare reasons, the applicant may be required to construct improvements to existing off-site facilities or to construct planned facilities or portions of planned facilities which can provide relief to existing facilities. The purpose of requiring such improvements is to assure that such facilities which may be negatively impacted, either individually or cumulatively, by the addition of new development, will function efficiently. For the purposes of this Section, off-site facilities include but are not limited to, water systems and sewer systems.

(c ) Special Provisions for Family Transfer Improvements.

Off -site improvement requirements do not apply to lots created by Family Transfer for the first lot per immediate family member, Small Lot Family Transfer, or Small Lot Inheritance Transfer provided that the recipient does not sell or transfer such lot for three years from the time the plat is recorded. For second and subsequent lots and for lots sold or transferred by the recipient prior to such three year period off-site improvement requirements of this Code shall be met at the time of sale. For Family Transfers to be exempt from off-site road improvements for the first lot, the person transferring the lot shall file an affidavit as described in Article II, Section 4.3.2b.v.

Water Conservation. All lots created in accordance with Sections 2.3.1a.ii(b), (d), (f), (g) and (h), which are less than ten (10) acres in size shall be subject to water conservation covenants as set forth in Article VII, Section 6.6.2.

History. Sections 2.3 and 2.4.1 of Section 2 were amended by County Ordinance 1996-3, providing for site planning standards, required submittals and a review procedure regarding terrain management. Section 2.4.2 was amended by Ordinance 1996-8 to include summary review subdivisions, update road and access requirements, clarify provisions for family transfers and add water conservation requirements for some land divisions.