



Agenda

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SUSTAINABLE SANTA FE COMMISSION

Wednesday, September 21, 2016, 4:00 p.m.

Councilors' Conference Room, City Hall (200 Lincoln Avenue)

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: August 17, 2016
- E. COMMUNICATIONS FROM THE FLOOR
- F. REPORT FROM, AND ASSIGNMENT OF, ACTIONEER
- G. DISCUSSION/ACTION ITEMS
 - 1. AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE TO UPDATE LAND-USE CATEGORIES, TABLE OF PERMITTED USES TO ADD AGRICULTURAL USES; AMENDING SUBSECTION 14-6.2(H) OF THE LAND DEVELOPMENT CODE TO PROHIBIT ANIMAL PRODUCTION AND SLAUGHTERHOUSES, AND PROVIDING FOR AGRICULTURAL USES; CREATING A NEW SUBSECTION 14-6.3(D)(4) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR AGRICULTURAL HOME OCCUPATION EXCEPTIONS; AMENDING SECTION 14-8.7 OF THE LAND DEVELOPMENT CODE TO WAIVE ARCHITECTURAL DESIGN REVIEW OF AGRICULTURAL RELATED STRUCTURES BY THE LAND DEVELOPMENT DIRECTOR; AND AMENDING SUBSECTION 14-12 OF HE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS FOR TERMS RELATING TO URBAN AGRICULTURE. (Mayor Gonzales and Councilor Ives) (John Alejandro)
 - a. A RESOLUTION CREATING THE CITY OF SANTA FE PROCEDURES AND GUIDELINES FOR URBAN AGRICULTURE ACTIVITIES AND USES. (Mayor Gonzales and Councilor Ives) (John Alejandro)
 - 2. 25-Year Sustainability Plan Updates: Working Groups
- H. ITEMS FROM THE CHAIR & CO-CHAIR
 - 1. Mayor's Sustainability Awards
- I. ITEMS FROM THE COMMISSION
- J. ITEMS FROM STAFF
 - 1. Verde Fund Update
- K. ITEMS FROM THE PUBLIC
- L. ITEMS FOR NEXT AGENDA
- M. ADJOURNMENT

Next Meeting: October 19, 2016

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

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September 21, 2016

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Next Meeting: October 19, 2016

SUSTAINABLE SANTA FE COMMISSION

Wednesday, September 21, 2016, 4:00 pm – 6:30 pm

City Councilors' Conference Room, 200 Lincoln Avenue, Santa Fe, NM

A. CALL TO ORDER

The Sustainable Santa Fe Commission meeting was called to order by Commissioner Beth Beloff, chair at 4:00 pm. A quorum was declared by roll call.

B. ROLL CALL

Present:

Beth R. Beloff, Chair
Robb Young Hirsch, Co-Chair [arriving later]
Tejinder Ciano
Christian Casillas
Amanda Hatherly
Kathleen S. Holian, County Commissioner, Vice-Chair
Glenn Schiffbauer

Not Present/Excused:

Jack McGowan [excused]
Linda Smith [excused]

Others Present:

Seth Roffman, Green Fire Times
Olivia Hawkins

Staff Present:

John Alejandro, Staff Liaison
Carl Boaz, Stenographer

B. APPROVAL OF AGENDA

Commissioner Holian moved to approve the agenda as presented. Commissioner Hatherly seconded the motion and it passed by unanimous voice vote. Commissioner Hirsch was not present for the vote.

C. APPROVAL OF MINUTES: August 17, 2016

Commissioner Casillas moved to approve the minutes of August 17, 2016 as presented, Commissioner Holian seconded the motion and it passed by unanimous voice vote, except Commissioner Hatherly abstained and Commissioner Hirsch was not present for the vote.

E. COMMUNICATIONS FROM THE FLOOR

There were no communications from the Floor. Mr. Roffman and Ms. Hawkins introduced themselves.

F. REPORT FROM, AND ASSIGNMENT OF, ACTIONEER

The Actioneer Report was included in the packet.

Chair Beloff noted that many of these items have already happened.

Mr. Alejandro commented regarding the draft template for the Energy Report Card that the Water Division is created a water score card so we will combine efforts to do the energy/water score card together for city facilities. He hoped to have it on line very soon. He agreed to report back on it at the next meeting with a version of it.

Chair Beloff said that would be an action item for next time.

Commissioner Hirsch arrived at 4:03.

Chair Beloff reported that Commissioner Casillas had the carbon spot offset meeting. Commissioner Hirsch had the two-hour social equity workshop. The Brendle Group has been here and gave a presentation on a possible outline for the 25 Year Plan and the Commission will continue to update it. Either Andrew Erdman or Commissioner Holian will be giving an update on the Water Plan.

Commissioner Holian asked if the update was needed.

Chair Beloff said it was not necessary. It is done.

Mr. Alejandro said Mr. Victor Lucero will give the IPM (pest management) report at the October meeting. The Urban Agriculture ordinance is scheduled for today.

Chair Beloff continued the Actioneer Report with the City-County regional water planning effort and it will incorporate most of the plan recommendations. It will be reviewed by the Brendle Group and likely they will update it. The action item is that Chair Beloff and Commissioner Holian will meet with Mr. Alejandro

prior to the October meeting to determine how to forward the water report with a strong recommendation for regional water planning.

Commissioner Casillas reported that the Solar Efficiency Education event happened as part of the Santa Fe Community College seminars. The Carbon Sequestration seminar happened on Monday. He asked any members not receiving those invitations to notify him.

Chair Beloff said Mr. Alejandro was to confirm filling the vacancy. All Commissioners have interest in staying on.

Mr. Alejandro explained that the expired terms are to be published and applications taken to be fair with the community. For those whose terms have expired, he just needs a letter that you want to remain on the Commission and will be considered with any other applicants. The Mayor makes the appointments after reviewing the resumes and applications. Mr. Alejandro will get with Matt Ross for a press release and let members know when it goes out. An email would suffice for renewal requests. He still needs to get a date certain from the City Clerk.

In response to Commissioner Hirsch, Mr. Alejandro said the letter or email just needs to express your interest in staying on. Your original letter and CV are on file with the City Clerk.

Chair Beloff encouraged mentioning that our work is in process.

Mr. Alejandro said the Clerk recommended that the Chair election be done in October. Anyone who would like to Chair or Chair Beloff can express desire to continue. The Clerk also reminded him that the members have ethics forms to sign that were sent out 6-8 weeks ago and if you cannot find the ethics forms, he could send an electronic version to print out. He explained that it asks for your affiliations on that form such as non-profits, etc. Any changes after that could be done by an email to him.

Chair Beloff asked about the meeting with key people at Water/Wastewater for adapting water use to population growth.

Mr. Alejandro said that could be on the October agenda and he would contact Andrew Erdman to present the water plan and the Wastewater Director for the plan they have and then address many of those questions.

Chair Beloff said she was to contact Greg Mello with the Los Alamos Environmental Study Group regarding the impact of the plutonium pit factory. She exchanged communications on that and was still working on it. The last item is a repeat of that so she would keep the one with the phone number.

She asked about paper-saving practices at the meetings and Mr. Alejandro explained that printed versions are for the public and have to be made available in printed form.

She said Commissioner Schiffbauer was to send information on the June Water Conference.

Commissioner Schiffbauer asked to carry that over. It has a name now after the meeting on Monday.

Mr. Alejandro did send out information on the Mayor's Sustainability Awards. She asked each Commissioner to consider some nominations there and send them to the working groups.

Commissioner Casillas asked if it would be possible to download a fillable Word document or a Google form.

Mr. Alejandro said he would have done that but that capability is very limited at the City. Perhaps next year that would be possible. The Word document is available on the web. He has received three nominations from the community already. The deadline is Friday, September 29. Matt Ross will send out a press release on it.

Chair Beloff asked, since she is leaving the country first thing in the morning if the report could be sent to Mr. Alejandro.

G. DISCUSSION/ACTION ITEMS

- 1. An ordinance amending the Land Development Code to update land-use categories, table of permitted uses to add agricultural uses; amending Subsection 14-6.2(h) of the Land Development Code to prohibit animal production and slaughterhouses, and providing for agricultural uses; creating a new Subsection 14-6.3(d)(4) of the Land Development Code to allow for agricultural home occupation exceptions; amending Section 14-8.7 of the Land Development Code to waive architectural design review of agricultural related structures by the Land Development Director; and amending Subsection 14-12 of the Land Development Code to include definitions for terms relating to urban agriculture. (Mayor Gonzales and Councilor Ives) (Mr. John Alejandro)**
 - a. A resolution creating the City Of Santa Fe Procedures and Guidelines For Urban Agriculture Activities and Uses. (Mayor Gonzales and Councilor Ives) (Mr. John Alejandro)**

Mr. Alejandro presented the report. [A copy of the ordinance and resolution is attached as Exhibit 1.] This has been in development for about two years. Initially, Katherine Mortimer was charged with it and he was then given task of completing it. He has worked closely with the Land Use Division on it and with two food-related stakeholders. The Code is silent on anything that address food for commercial purposes. You are allowed to grow fruits and vegetables for personal consumption and that is it. On a scale larger than others, many would like to sell what they grow. They have excess produce that they feel they could sell to neighbors.

There are four points on this proposal:

1. Primary is to allow agriculture for commercial purpose in all zoned areas with rules and regulations so it is not just residential.
2. To ensure those provisions and guidelines will help encourage produce in Santa Fe and minimize red tape to do so. All is designed to limit requirements while maintaining the safety and wellbeing of the public.
3. To serve all people who wish to undertake it for 50 square feet of back yard or an agriculture business for larger amounts on commercial and industrial zoned land.
4. To build up and refine it as appropriate.

So it establishes the foundation on which other things will be added. It is complex and amends many sections of the present city code besides a new section of city code in order to make sure it is in alignment with this section of the code. Over time, the community will learn what works and what doesn't work; what needs more regulation and what needs less. It is designed to be attended to continuously. So this is not the be all, end all for urban agriculture ordinance in the city.

It is important because at least 21,000 people in Santa Fe County do not know where next meal is coming from according to the Food Policy Council. According to Santa Fe Public Schools, 13,000 children, K-12 students get free or reduced lunch. Santa Fé imports over 90% of its produce. So this ordinance is designed as a way for people to take control of their food future and their health and well-being. Through this ordinance it might foster a small business environment where local food can be realized.

He said this proposed ordinance has been heard by Public Works and the Planning Commission where it was recommended to move forward. At the Planning Commission, many folks stayed until 11:15 p.m. when he made his presentation. Public testimony there and also at CBQL shared very valid concerns that make sense. There is broad-based support for the ordinance but there were also suggested changes that he believed make sense. The Water Conservation Committee also heard it last week, and had suggested changes on the water section. It was heard last Monday at Finance where a set of amendments were suggested by Councilor Lindell and he has been working with her, Councilor Maestas, Councilor Villarreal, and the Water Conservation Committee to create a comprehensive list of amendments that are reasonable in this ordinance. All of those will be presented at the PUC after the City Manager, at the request of many, referred it to the PUC for a further hearing. Given the large water section, it was felt they needed to hear it. The PUC meeting is October 5 and the full Council will hear it on October 26. Those decisions were made this morning.

Commissioner Ciano said the water section has gotten weird. If you want to truck in water from a neighbor's well you can't. The effort is to sell what is grown on their own land and he wondered how many properties could produce food and if there could be a jillion food stands across the City. If food security is the goal, being able to have produce by other farmers sold in an area where maybe less food is accessible, would help. With two farmer's markets, growers from larger farms can provide those for smaller stands to keep it reasonable and have the most access. If the goal is to feed people, that means everyone has to be growing their own food and if not, it should be made available from other local farmers. So he wondered if it is possible to have it not restricted only to what is grown on their own land.

Commissioner Hatherly agreed. She could imagine several families sharing in one food stand.

Mr. Alejandro first addressed the question about the water. On page 6 of the ordinance it talked about allowed sources. So no, you couldn't bring water from off premises to water one's garden. In line 15, treated effluent will be removed from that line because the public has no access to effluent. In the future, that could change.

Commissioner Casillas asked if grey water will stay in there.

Mr. Alejandro agreed. There are some amendments to strengthen it but now it is just discussion. Currently, a person could grow and sell produce but it is not allowed to sell off premises. In the future, that might happen or a separate ordinance could address that. Under current code you technically could get a special use permit to sell on city property. And the thought was to remove that. He explained that there is the opportunity to sell at the Farmer's Market what you grow. It is a big of a process with rules and regulations and costs. But the ordinance right now is designed to fill that void to sell directly from their property. Selling away from one's property has impacts on other code sections. It could be addressed in a better way through a new ordinance section.

The Commission asked several questions about animals.

Mr. Alejandro said there is a livestock section of the code but the current code doesn't address those well. He expects to bring forth a section that addresses chickens, goats, bees, etc. The reason it wasn't included here is that they are covered in other parts of the Code. The next version would include those animal husbandry related items. And that would affect other parts of the code. That would be in about a year.

The resolution establishes the policies and procedures for licensure from the City from the Land Use Division for urban agriculture. I would require completing a form and in certain circumstances, to provide a sketch of the property to be used up to in an Industrial area with blueprints and going through the permitting process. Existing overlay rules would apply. Virtually everything in city code has to be adhered to including a business license or a home occupancy business license.

Commissioner Schiffbauer asked if people have to get a permit for aggregated garage sale.

Mr. Alejandro didn't know but this ordinance is designed to regulate an ongoing sale on seasonal or year-round basis for produce. There is also the potential for fraud. They could seek to sell at a grocery store. That will likely be addressed in this ordinance in some way. It needs to be addressed more for that to not happen through an amendment to avoid it.

Chair Beloff asked about composting.

Mr. Alejandro said that currently, there is not any strict guidelines for composting. This ordinance is still fairly open on what you can utilize and produce for compost. That has raised concerns from the public and Councilors who are concerned with noise, smell, rodent infestations, etc. Those will be taken under consideration and voted up or down

Commissioner Ciano said the composting doesn't really address residential composting.

Mr. Alejandro said it is allowed as an accessory use but not primary use. It is covered under other sections. Once you elect to sell produce, you would come under this ordinance.

Commissioner Ciano moved to recommend passage of the ordinance to the Governing Body. Commissioner Schiffbauer seconded the motion and it passed by unanimous voice vote.

2. 25-Year Sustainability Plan Updates: Working Groups

Chair Beloff said they had a wonderful couple of days that were very compressed with the Brendle Group. Dealing with the 25-Year Sustainability Plan. They met for two hours with the energy efficiency and renewable energy working group. Last night they had community conversation with two classes at SFCC. The Commission will get reports from the Brendle Group on that. Today, they had three groups in the morning and, from 1 to 3, a meeting going over the plan vision and framework and began zeroing in on the framework including the preliminary table of contents. They did a SWOT analysis and set the next date tentatively on November 16, 17. She urged all Commissioners to participate in this important work. The Commission meets on November 16 and will probably finalize the working group reports then. They will be edited by the Brendle Group and work with the chairs for further refinement. The Commission will cover the working groups that have not already been covered and finalize the framework plan on or before then.

She is expecting that Brendle Group will probably have action items. And particularly for those who didn't make the 1-3 meeting, there would be annotations from the discussions on the PPT they gave. They will provide a summary of the community discussion from last night and feedback and notes from all the working group meetings including the questions asked about what would be needed from them to fill in the gaps. So the Commission should get reports from them on each working group and the greenhouse gas inventory and the community discussion. She was very delighted with this group. They bring wisdom and best practices.

Mr. Alejandro thanked those who met with them. They appreciated it as well. They said they got a lot of information and were impressed with the amount of thought going into it. We are well ahead of many others they worked with.

Commissioner Hirsch said the Social Equity Group organized a wonderful workshop and an effort to have these Commissioners and Councilors participate just to understand that there is a lot of history of oppression and mistreatment of people by the predominate culture. From that perspective, hopefully, Karen from Earth Care, who is a Lakota Sioux woman will lead it. She has done a lot of it. We learn humility and listen actively to our community members that maybe were disenfranchised from those who have screwed up our environment. That status has caused a lot of problems and the focus is on getting comfortable with that and learn how to grow as a community. We hear all of these crazy things on racial confrontations, shootings, etc., and delve deeper into those relationships and be open to change and justice and new possibilities. It really impressed Councilor Villarreal and Councilor Dominguez to attend this and the Commissioners who attended. It was a step forward and hopefully will lead to more awareness of social equity not just as a term but real life commitment to one another. That was the spirit of it.

Chair Beloff thought it was terrific and she was such a great facilitator Commissioner Casillas agreed.

Chair Beloff said the Greenhouse Gas group was also impressed by the inventory they reviewed.

Commissioner Casillas added that they have two members on their team with experience for GHG inventories. They had a number of comments and questions about what has been done. They are looking at the excel spreadsheet now. They thought it was a great first start and asked how it will integrate in the 25-year plan. We are thinking about what areas can be most impacted and focus on those areas. And then not get so much into cost/benefit with limited resources and not getting stuck in the weeds.

Mr. Alejandro worked on a project management week-by-week calendar through to year end of year and lists all of Brendle's responsibilities and the working groups and their responsibilities listed. He could send that out and that could be an action item, as well.

Chair Beloff said that working group template is useful. In the working group discussion, they talked about lots of overlap in there for transportation, land use planning, water & energy. The whole point is to integrate across boundaries. The Commission should have the matrix summary by working group of recommendations with the top 5 to 7 being highlighted but all of it in the appendix. Then many recommendations would get woven into 3-4 buckets. They recommended the three buckets be prosperous and equitable paths to parking neutrality; community resilience to environmental and economic stressors; healthy food, green jobs, affordable sustainable housing. She imagined some content could be put in multiple buckets so how it gets finessed would be the next important set of questions. She invited thoughts with they viewed the PPT for how best to simplify it and make it really sing. The Brendle Group will create their economic analyses for cost and benefits. They also talked about water budgets and carbon budgets and to look at our footprint over time and reducing all of that.

Commissioner Hirsch spoke to the idea of a municipal electric system and the initial costs for setting it up and having self-determination; the opportunity to lock in low interest loans right now.

Chair Below said in looking at a long-term horizon, that financing might be the low cost solution. An action item would be for Commissioner McGowan and Commissioner Smith to take that into consideration with their recommendations. With what the Brendle Group having done that at Fort Collins, they would have a handle on cost/benefit.

H. ITEMS FROM THE CHAIR & CO-CHAIR

1. Mayor's Sustainability Awards

Chair Beloff said the awards have been moved out to the 29th for a deadline with awards given on October 13 and then the continuing conference the Green Chamber of Commerce and Women of Green will put on.

I. ITEMS FROM THE COMMISSION

Commissioner Casillas announced the last sustainability panel will be this coming Monday from 6:30 to 8:30 with a narrower scope down to electricity in commercial buildings. He solicited people to attend. All presentations will be up on the SFCC website.

Commissioner Hatherly said they are up now but require a log in.

Chair Beloff asked him to send a note when he figures that out. She was amazed at the level of information in those one-minute presentations.

Commissioner Casillas said the carbon sequestration presentation on Monday was fantastic. He agreed to circulate that presentation to the group. There are huge uncertainties in putting numbers on carbon reliefs. We took from the reports kind of a carbon stock per acre for ecological response in the County. When the land use changes, we can calculate that and it could inform the carbon impacts from developments. It would be good to bring that to the Brendle Group.

Chair Beloff asked to have it as action item to talk with the Brendle Group about sinks and carbon.

J. ITEMS FROM STAFF

1. Verde Fund Update

Mr. Alejandro said the Working Group of City staff is continuing to identify pilot programs by which we can integrate City services and the Mayor's goal is to make it a self-sustaining source for programs - how to best utilize resources and the potential allocation of \$300,000 for the Verde Fund and what kind of program could be pushed out for it next year. It is a complex issue to different parts of our community. The demographic is a challenge and that is where it stands right now. He didn't know the date of the next meeting.

The next project is a program that focuses on transitional housing for those who are fairly vulnerable such as having just moved out of homelessness. It would provide educational services or getting them in school and healthcare programs, food security programs and how to layer on sustainability. It would help determine what the most important ones are that can make or break their future. And we need to maximize the money that we have.

Chair Beloff considered it is looking at the nexus of climate and poverty.

Commissioner Ciano asked if Verde is it more climate or more sustainability.

Chair Beloff said it is more climate. She suggested it might be worth having a discussion with the Commission as a whole.

Commissioner Hirsch felt it is a healthy process to address both of them in a mix. So if we could weigh in on it, it could be helpful for our sustainability objective.

K. ITEMS FROM THE PUBLIC

Ms. Hawkins asked what the ideology for this is.

Chair Beloff said the evidence shows that those most affected by climate change are in poverty. The idea was to address the nexus which is changing more rapidly here in the southwest and we have more in poverty here.

Mr. Roffman said it seems those in poverty contribute most to climate change.

Commissioner Casillas thought one important piece is so we can start with climate change and think about how we can have large impacts on that change and we all have finite resources. So we should look at how those decisions could benefit the most who are in poverty. The Verde Fund thinks about those connection points. The Verde Fund is still working on the approach.

Commissioner Ciano suggested doing a pilot scale on integrating services.

Mr. Alejandro agreed. That is what they are looking at - starting a program on a small scale.

L. ITEMS FOR NEXT AGENDA

No other items were identified for the next agenda.

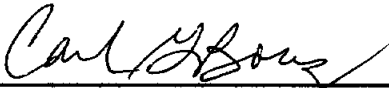
M. ADJOURNMENT

With no more business to come before the Sustainable Santa Fe Commission, the meeting was adjourned at 5:43 p.m.

Approved by:


Beth Beloff, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.

Sustainable Santa Fe Commission
September 21, 2016

EXHIBIT 1

City of Santa Fe, New Mexico

memo

DATE: August 22, 2016

TO: City Council Committees

VIA: Nick Schiavo, Director, Public Utilities Department *NSA*

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

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

ITEM

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

BACKGROUND

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

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

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

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

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

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

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

SECTIONS

Section 1.

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

Section 2.

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

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

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

Section 3.

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

Section 4.

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

Section 5.

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

Table 14-6.1-1

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

RESOLUTION

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

FISCAL IMPACT

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

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

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2016-36

INTRODUCED BY:

Mayor Javier M. Gonzales

Councilor Peter N. Ives

AN ORDINANCE

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

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

Section 1. Purpose. The purpose of this Section is to establish zoning regulations

1 for the operation of commercial agricultural activities and to provide standards for the siting,
2 design, maintenance and modification of agricultural activities that address public safety, and
3 minimize impacts on residents and historic resources in the city of Santa Fe.

4 *Editor's Note: This subsection does not need to be codified in SFCC 1987.

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

7 14-6.2 USE-SPECIFIC STANDARDS

8 (H) Agricultural Uses

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

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

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

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

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

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

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

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

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

3 (4) Approval Procedures.

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

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

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

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

15 (5) Development Standards.

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

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

21 (6) Urban Farm, Ground Level.

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

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

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

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

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

5 (8) *Aquaculture, Aquaponics and Hydroponics.*

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

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

11 (9) *Farm Stands.*

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

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

17 (10) *Screening and Buffering.*

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

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

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

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

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

8 (13) Composting.

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

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

14 (c) Maximum Height:

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

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

21 (d) Setbacks:

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

25 (ii) Compost bins, structures and windrows located in a required

1 yard or street frontage in all *residential* and *commercial* zoned districts must be
2 screened from street view.

3 (14) Water.

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

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

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

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

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

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

15 (vi) Treated municipal effluent.

16 (vii) Municipal water system.

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

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

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

24 (e) Watering times shall comply with the outdoor conservation regulations
25 pursuant to Subsection 25-2.7 SFCC 1987.

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

3 (15) Abandonment.

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

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

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

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

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

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

Section 3. Table 14-6.1.1 of the Land Development Code is amended to amend Agricultural Uses:

Table 14-6.1-1

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

[TABLE CONTINUED ON FOLLOWING PAGE]

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

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

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

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

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

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

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

19 (ii) If applicable, three parking spaces on the lot shall be available to
20 *farm stand* customers during farm stand open hours.

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

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

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

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

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

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

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

AQUACULTURE

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

AQUAPONICS

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

COMPOSTING

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

FARM AREA

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

1 **FARM STAND**

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

5 **FARM STRUCTURES**

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

10 **GROUND LEVEL URBAN FARMS**

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

13 **HYDROPONICS**

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

16 **ROOF LEVEL URBAN FARM**

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

19 **ROOFTOP GREENHOUSE**

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

23 **URBAN AGRICULTURE**

24 The use of a *lot* for the cultivation of agriculture, *composting*, *aquaponics*, *aquaculture*,
25 and/or *hydroponics* for commercial purposes.

1 **URBAN FARM, GROUND LEVEL, LARGE**

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

4 **URBAN FARM, GROUND LEVEL, MEDIUM**

5 *A ground level urban farm with a farm area greater than or equal to ten-thousand*
6 *(10,000) square feet, but no greater than one (1) acre, that is used for urban agriculture*
7 *for commercial purposes, whether for profit or non-profit.*

8 **URBAN FARM, GROUND LEVEL, SMALL**

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

12 **URBAN FARM, ROOF LEVEL, LARGE**

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

15 **URBAN FARM, ROOF LEVEL, MEDIUM**

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

19 **URBAN FARM, ROOF LEVEL, SMALL**

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

22 APPROVED AS TO FORM:

23 
24 _____

25 KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Bills 2016/Urban Agriculture Final

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

2 **RESOLUTION NO. 2016 - ____**

3 **INTRODUCED BY:**

4
5 Mayor Javier M. Gonzales

6 Councilor Peter N. Ives

7
8
9
10
11 **A RESOLUTION**

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

14
15 **WHEREAS**, the governing body wishes to promote a healthy lifestyle for all people in
16 Santa Fe; and

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

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

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

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

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

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

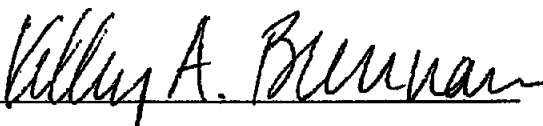
7
8 PASSED, APPROVED and ADOPTED this ____ day of _____ 2016.

9
10
11 _____
12 JAVIER M. GONZALES, MAYOR

13 ATTEST:

14
15 _____
16 YOLANDA VIGIL, CITY CLERK

17 APPROVED AS TO FORM:

18 
19 _____
20 KELLEY A. BRENNAN, CITY ATTORNEY

21
22
23
24
25 *M/Legislation/Resolutions 2016/Urban Agriculture Guidelines*

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

PART 1: APPLICATION FOR URBAN AGRICULTURE

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

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

PART 2: DESIGN GUIDELINES

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

- A. Scaled Site Plan.

- 1. Including locations of Farm Structures, ingress/egress, and parking areas (including spaces). Urban Agriculture activities and uses should be designed in a manner that enhances the street frontage, surrounding buildings and under-utilized spaces on the site. In addition, Placement of Farm Structures should respect existing landscape features on the site, such as rock outcroppings, drainage areas, and significant trees.

- B. Vehicular ingress and egress to and from an Urban Agriculture Activity should minimize traffic impacts on the adjacent roadways, and provide safe visual access for drivers and pedestrians.

- C. Composting, farm equipment storage, and waste disposal areas cannot be located within the front yard setback.

- 2.2 Structures.

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

- 2.3 Landscape.

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

- 2.4 Walls and Fencing.

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

- 2.5 Lighting.

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

PART 3. BUSINESS LICENSING

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

PART 4. AMENDMENTS TO THESE GUIDELINES AND REGULATIONS

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

City of Santa Fe Fiscal Impact Report (FIR)

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

Section A. General Information

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

Short Title(s):

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

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

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

Reviewing Department(s): Public Utilities

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

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

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

Section B. Summary

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

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

Finance Director: [Signature]

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

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

Section C. Fiscal Impact

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

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

1. Projected Expenditures:

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

 X Check here if no fiscal impact

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

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

Total: \$ _____ \$ _____

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

2. Revenue Sources:

a. To indicate new revenues and/or

b. Required for costs for which new expenditure budget is proposed above in item 1.

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

3. Expenditure/Revenue Narrative:

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

N/A

Section D. General Narrative

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

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

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

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

3. Technical Issues:

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

None identified.

4. Community Impact:

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

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