

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2007-44

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4
5 AN ORDINANCE

6 AMENDING SECTION 14-9.2(F)(1) SFCC 1987 REGARDING THE GENERAL
7 REQUIREMENTS FOR SIDEWALKS.

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

10 Section 1. Section 14-9.2(F)(1) SFCC 1987 (being Ord. No. 2002-38, §2) is
11 amended to read:

12 (F) Sidewalks

13 (1) General Requirements

14 (a) If a subdivision plat or development plan approval is required,
15 and there is no existing sidewalk, sidewalk locations shall be
16 dedicated at the time of subdivision plat or development plan
17 approval and constructed as part of the subdivision or
18 development infrastructure.

19 (b) If a subdivision or development plan is not required and there is
20 no existing sidewalk, sidewalk locations shall be dedicated prior
21 to issuance of a building permit and constructed prior to issuance
22 of a Certificate of Occupancy for:

23 (i) All new construction as defined by the city's building
24 permit process;

25 (ii) All additions over 500 sq ft; and

1 (iii) Remodeling or renovations over 500 sq ft for multi-
2 family residential and non-residential permits.

3 (c) Sidewalks shall be located in a City of Santa Fe right-of-way
4 (ROW) or if adequate ROW is not available, sidewalks shall be
5 located in a public access easement. Said ROW or public access
6 easement shall be dedicated to the City of Santa Fe on a plat
7 approved by the City of Santa Fe. The sidewalk shall be
8 consistent with Section 14-9.2(E) SFCC 1987 and located along
9 each street frontage immediately adjacent to the development.

10 (d) New sidewalks required as set forth in paragraphs (a) or (b)
11 above shall comply with the Americans with Disabilities Act
12 Accessible Guidelines (ADAAG). New sidewalks constructed as
13 per paragraph (a) above shall be constructed of concrete meeting
14 city standards unless otherwise approved by the Land Use
15 Director and be free of any structures, signs, landscaping, above
16 ground utility elements, or other items that prevent free passage
17 along the sidewalk. New sidewalks constructed as per paragraph
18 (b) above shall be free of any structures, signs, landscaping,
19 above ground utility elements, or other items as a result of the
20 new construction, addition or renovation that prevent free
21 passage along the sidewalk.

22 (e) If there are existing sidewalks as described in paragraphs (a) or
23 (b) above, such sidewalks shall be in good condition and
24 substantially in compliance with ADAAG as determined by the
25 Land Use Department Director or a new sidewalk shall be

1 required. Such existing sidewalks shall be free of any structures,
2 signs, landscaping, above ground utility elements, or other items
3 that prevent free passage along the sidewalk. However, in the
4 situations described in paragraph (b) above, the Land Use
5 Department Director may allow the sidewalk barrier to remain if
6 the removal of the sidewalk barrier is deemed not feasible or the
7 Land Use Director may approve an alternate sidewalk alignment
8 creating free passage around the barrier. Appeals of such
9 decisions may be made to the Planning Commission within 30
10 days of the date of that decision.

11 (f) Any new sidewalk that connects to an existing sidewalk shall
12 maintain the width of the existing sidewalk, the required
13 minimum width set forth in Table 14-9.2-1 of this Chapter, the
14 New Mexico Department of Transportation Pedestrian Access
15 Details (NMDOTPAD) as may be amended by the City, or the
16 minimum width required by ADAAG whichever is widest.

17 (g) A curb/access ramp, meeting standards as set forth by
18 NMDOTPAD as may be amended by the City or ADAAG, shall
19 be constructed where two paved City streets with curb, gutter,
20 and sidewalk intersect.

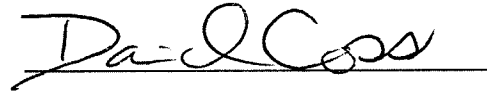
21 (h) Drive pads shall comply with NMDOTPAD as may be amended
22 by the City by adoption of the city's street standard details.

23 (i) If there is no curb or gutter, an alternative pedestrian route may
24 be approved as part of a subdivision plat or development plan
25 approval by the Planning Commission or the Land Use

1 Department Director if Planning Commission approval is not
2 required. The alternative pedestrian route shall comply with
3 ADAAG. Consideration shall be given to future maintenance,
4 the surrounding uses, density, and the location and type of the
5 street.

- 6 (j) The city reserves the right to specify sidewalk color or
7 alternative materials in certain sections of the city.

8 PASSED, APPROVED and ADOPTED this 28th day of November, 2007.

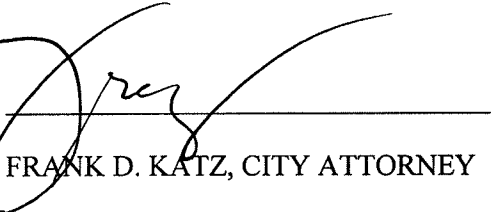
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11 DAVID COSS, MAYOR

12 ATTEST:

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15 YOLANDA Y. VIGIL, CITY CLERK

16 APPROVED AS TO FORM:

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19 FRANK D. KATZ, CITY ATTORNEY

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25 mdb/2007 ordinances/sidewalk barriers