

Section Three

Railyard Park - Uses

South of Paseo de Peralta



SUMMARY OF RAILYARD OPEN SPACE USES

The Deed of Conservation Easement allows the development of:

- A ten (10) acre park for public enjoyment to be used as a demonstration of how to co-exist with the high desert in the next century,
- A “Rail Line Corridor” for railroad ingress and egress,
- And a three (3) acre “Plaza and Alameda” to be used for community activities that support the area being a vital and active part of the City of Santa Fe, used by all of its citizens. (CE)

A) The Conservation Easement restricts the use of the Park, Plaza and Alameda to activities, including to those limited commercial activities involving park, recreation, community gatherings and rail uses, specified publicly approved business use and acequia use (CE). The Public Vote in 1997 determined that the Park shall be dominantly a passive park with Scenic, open space, natural, historical and recreational values (CE)

B) And Uses that assure the majority of the Park remains visually open (such that any and all development or structures be clustered, with 75% or more of the Park to be unobstructed by buildings or improvements) (CE)

The following abbreviations indicate the primary source of the text that precedes it:

CE = Conservation Easement

City = City of Santa Fe

MPL = Master Plan

SFRCC = Santa Fe Railyard Community Corporation

Stewards = Railyard Park Stewards

TPL = Trust for Public Land

PARK - HOURS OF USE

A) 6 am to 10 p.m. for Special Events in the Park (including access, tear down on same day with all participants exiting the Park by closing time at 10 p.m.). Special Events requests for earlier or later times must be approved in writing by SFRCC, including two sequential day events. (SFRCC and City)

B) Sections of Park may be closed at discretion of SFRCC and City Parks Division for maintenance needs, with reasonable discretion for Special Events. (SFRCC and City)

C) Large Special Events in the Park for groups of 100 people and over to be limited to weekends (in order to accommodate regular park maintenance schedule) except in very rare Special circumstances at the discretion of SFRCC Events Management. (City)

PARK– ALLOWABLE USES – WITH NO SFRCC LICENSE REQUIRED

The Park, Plaza and Alameda are the heart of the Railyard. Its usage should be creative, evolving and non-institutionalized. Standards should encourage variety, equity in usage and regulations, and respect for the important role the Park, Plaza and Alameda play in the life of Santa Fe (City + SFRCC)

The Park play and fun include:

- A) Playfully passing through, but no loitering or destructive behavior, on the Alameda and Plaza on roller-skates, roller-blades, skateboards, bicycles, cross-country snow skis, and such. Please note that the Plaza and Alameda North and South of Paseo de Peralta is a dismount and walking zone for transportation systems when congested with pedestrians. (SFRCC, TPL and City)
- B) Skateboards are only allowed on sidewalks, walkways, paved and brick surfaces with no grinding, or free-flying skateboards. No skateboards allowed in the children's play area or railway gardens, or on other structures such as benches, railings, half walls, tables, staircases, fences, or park play areas or gardens. (City)
- C) Informal recreational activities in the open field only, such as Frisbee throwing, soft-ball throwing, Hacky-sack, Bocci Ball, Hula Hoops, Hop-scotch, (meaning no team activities, like volleyball, disc ball and Frisbee golf). (SFRCC and City)
- D) Children using Washable Chalk Painting on sidewalks (not buildings) (MPL)
- E) Spontaneous acoustical instrument playing with family or friends (meaning not planned in advance, nor playing more than once a wk.) Recurring Public Performers require permits. (SFRCC and City)
- F) Improvisational performance art, singing and dancing, infrequently performed, but not more than once a month by the same artist, individuals or families. Recurring Public Performers require permits with locations not more than 50 feet +/- from a public restaurant or tenant space. (SFRCC and City)
- G) Temporary, Ephemeral Open Air Cinema or Video, projected by Tenants on their own exterior walls, windows or screens adjacent to the Park as a nocturnal activity for people walking by with no provided seating. (MPL)
- H) Public Speech in the Park on a broad range of public issues will be allowed to accommodate non-amplified public speaking (no microphones or bullhorns allowed). No individual political promotions, or commercial promotions. No time limitation, unless another speaker is waiting to speak. No table setups, no injurious language. (SFRCC and City)
- I) Dogs allowed in Railyard but must be on a leash as required by Section 5-5.4 Santa Fe City Code. No dogs allowed in turf areas (due to families lying on the grasses). No dogs in children and toddler areas. Dogs allowed on walkways, parking lots and streets. Dog Owners must clean up after their dog. Clean up stations will be provided by the Parks Division. No dogs allowed in Food Vendor's areas, or any location off of the walkways for maintenance and health reasons. (Pets not allowed during special events except as noted) (City, SFRCC and TPL)
- J) Schools are allowed without a permit or fee to bring groups of students for play or educational purposes into the park as per the City's and Santa Fe Public School's MOU for shared use of facilities. The SFRCC requests that each school notify SFRCC office for reservations and information on School bus parking and unloading of children. (SFRCC)

PARK - ALLOWABLE USES WITH SFRCC LICENSE REQUIRED

- A) Public Special Events such as Community Celebrations, Outdoor Entertainment Events, Fiestas, Special Event Markets, and Events including Commercial Vending, Parades, Rallies, and other large Public Events, shall be licensed by SFRCC in the Park; provided that (i) the Park shall not be used for such purposes more than a total of twenty-eight (28) days from April 1 through October 31 of any year (the "Permitted Days") and (ii) no single group or person or entity participating in or organizing such activities shall be licensed to use the Park for more than one-quarter (1/4) of the Permitted days (or 7 days) of a calendar year. SFRCC shall otherwise regulate the use of the Park, in the interest of preserving the Conservation Values of the Park. Commercially produced products not produced by the vendor may be sold only in conjunction with individual Special Events and as deemed appropriate to the event. All vendors and their products to be pre-approved by Event Coordinator and SFRCC. Confetti, plastic beads and the like prohibited at request of Parks Division. See Special Events Section for applications and details. (SFRCC and CE)
- B) Regularly scheduled Seasonal Markets such as Farmers and Artists Markets, Book, Clothing and Furnishing Fairs with a seasonal license allowing for recurring, non-sequential days. All food and artisan vendors must be original producers of items for sale. See Seasonal Markets License Section for applications and details. (SFRCC and CE)
- C) Private Celebrations such as Barbecues, Family or Class Reunions, Anniversary Parties, Weddings, Quince Años Celebrations, etc. Private Celebrations are allowed at the Circular Ramada, and the three BBQ Picnic Areas in the Park. See Private Celebrations Section for applications and details. (CE, SFRCC and TPL)
- D) Sales by individual, temporary and mobile, commercial food vendors only, (such as push carts and temporary open air stalls) shall be allowed in strictly limited numbers by locations to be determined by SFRCC, and following the health and cooking safety regulations of the City of Santa Fe and the State of New Mexico. No vending may occur on the Park between the hours of 10 p.m. and 6 am, and no vendor or their equipment or goods shall remain in the Park overnight, unless specifically permitted by SFRCC. See Food Vendors Section for applications and details. (CE)
- E) Public Performers (PP) will contribute to a sense of place and make an important contribution to the cultural life of the Railyard. PP using dangerous implements (such as flames or swords) must notify SFRCC in advance, provide a volunteer to help keep audience, children especially, at a safe distance from performer, and observe at all times, the reasonable safety requirements for such performances. Public Performers may only collect tips. No sales of products allowed. PP's may be hired as part of a Special Event. (See Public Performers Section for applications and details.) (SFRCC)
- F) Organized political events sponsored by political campaigns or public or other special interest groups, such as political rallies, require a permit. Organized political events representative of a fully diverse range of interests continue the tradition of public places as forums of open public debate and exemplars of free speech. "Organized political events" do not include the spontaneous expressions of ideas by individuals or small groups that are not affiliated with any organization, which do not require a license. (City)
- G) Vehicular and golf cart access into the Park require a license for the purpose of setting up, operating and disassembling such open air markets, serving the public, See Maps Section for entry and exit locations (CE + SFRCC)

PARK - ALLOWABLE USES WITH SFRCC LICENSE REQUIRED, continued

- H) The construction of temporary stalls, kiosks and/or tents as required to facilitate the operation of open-air markets or special events, only in the locations defined on the Map for Stall Locations. Seasonal Market vendors required to use tents (no tent stakes allowed to be driven - sand bags recommended), except as pre-approved under the Alameda Shade Structure. Tents or vendor carts are required for vendors participating in individual Special Events, but tables are allowed for registration, informational materials, children's and other separate activities. (CE, SFRCC and City)
- I) Two (2) 10'x10' spaces will be provided for use by local non-profit organizations with a SFRCC license but no fee requirement on a first-come, first-serve basis. Non-profits must contact SFRCC to request use of these spaces. Permission will be given for use of one space no more than once in any 3-month period. SFRCC reserves the right to cancel availability of these spaces at any time, based on needs of superseding Special Events. Non-profits may contact SFRCC at any time for availability of guaranteed reserved space in other Railyard areas at regular license fee rates.
- J) The construction of temporary open air theaters and/or stages to facilitate use of the Park for dance, music and theater events, public ceremonies, private celebrations, and other such community events only for the licensed time of the event. (CE + SFRCC)
- K) Animals are allowed as part of a designated event, as sanctioned by SFRCC, (such as events like the Rodeo Parade, the Desfile de los Ninos, and the *Fiesta Parade*); or if the animals are service animals. Animals must at all times be leashed or restrained as set forth in Section 5-5.4 Santa Fe City Code. (City + SFRCC)
- L) Open Air Cinema or Video, projected on to an exterior wall, window or screen, with permission from building owner or tenant, allowed as a nocturnal activity with seating provided in the Park or along the Park-Alameda. (MPL)
- M) Temporary Signage for Special Events may be larger than permanent acknowledgement signage in the Conservation Easement. For all licensed signs, the location, number and design shall not significantly diminish the natural and scenic qualities of the Park. Final sign designs to be approved by SFRCC prior to production. See Special Events Section for applications and details. (CE)
- N) Temporary, directional, information signage for Special Events must be installed immediately prior to event and removed at its close. No nailing or attaching by any means into trees. Signage affixed to shade structures, ramada post, or light fixture pole shall be of non-damaging materials approved by SFRCC, and shall not impede use of facilities. Attachments to event structures or freestanding locations to be pre-approved by SFRCC. No manholes may be covered. (SFRCC and TPL)
- O) Commercial film location permits must be arranged through SFRCC for all areas of the Park. Any tenant making arrangements for commercial filming inside a tenant space, including rail car interiors, or on the exterior of their lease parcel which physically spills out onto any portion of the Park must refer the production company to the SFRCC for permission to shoot a commercial film location permit. (SFRCC)
- P) Use of the Park for commercial film-making may be deemed a Large Special Event by SFRCC based on size of crew or area of park used and counted as such in limited number of permitted days. Overall number of filmmaking days shall be limited at the discretion of SFRCC. (SFRCC)

PARK – SCHEDULING AND SELECTION PROCESS

- A) A License is required for all pre-organized activities of groups of 20 or greater taking place in the City of Santa Fe Railyard Park, except school groups as referenced in City MOU (See Reference Documents). License application requires submitting the attached License Application Forms to the Santa Fe Railyard Community Corporation. (Section 23-4.9 SFCC) (City and SFRCC)
- B) As noted in the SFRCC License Application Forms, some additional permits may be required from the City (prior to completing the SFRCC license). Any decision on a City of Santa Fe license may be appealed to the City's governing body within thirty (30) days of the decision. Fees for the City's licenses shall be established by the City. (City + SFRCC).
- C) All events in the Park are considered to be public events. SFRCC will provide private groups with a Private Celebration License (such as family or class reunions, anniversaries or weddings) the courtesy of a reservation for space(s), but the event cannot be guaranteed privacy, due to its occurring within a public space. (SFRCC)
- D) SFRCC reserves the right to ask users who are required to obtain a license for their event, but have not done so, to vacate the area immediately. Such unlicensed users may elect to complete a license application and pay the required fee for the event and if they do so, they may remain in the area consistent with the terms of the license. Unlicensed users who elect to vacate the area may be assessed a reasonable fee for the unlicensed use. (SFRCC and City)
- E) No site should be considered reserved until the requester has received a signed license. An application is not considered complete until all required information is received, and all fees paid. No incomplete application will be considered. (SFRCC and City)
- F) Licensed Public Events will be posted on the SFRCC website calendar. (SFRCC)
- G) SFRCC shall receive, review, approve or deny requests for any Event or Private Celebration function of a commercial or noncommercial use in the Railyard Park. SFRCC will follow a similar structure to the City Ordinance/Guidelines in licensing daily Food Vendors. (See Foods Vendors Section.)
- H) Any conflicts arising over rejections of event application, or priority for high demand dates, shall be reviewed by the SFRCC Park, Plaza and Alameda Committee. SFRCC retains the right to amend the selection process to limit the number of vendors in the future. SFRCC also has the right to revoke a license if the product is deemed objectionable or there is an unauthorized use of violation of City laws. (SFRCC)
- I) Any decision on an SFRCC license may be appealed to the SFRCC Park, Plaza and Alameda Committee within thirty (30) days of the decision. Within 10 business days after receipt of an appeal, SFRCC shall provide a response to the appeal, and its decision shall be final.
- J) Initial fees as defined in the Railyard Public Use License Fees and any subsequent changes recommended by SFRCC shall be subject to City Council approval. SFRCC shall have the discretion to negotiate fees and rates for use of the Park, Plaza and Alameda with Railyard tenants who have leased land and/or buildings from SFRCC pursuant to the City of Santa Fe Railyard lease management agreement provided such rates and fees do not exceed the rates and fees approved by the City of Santa Fe City Council. (City and SFRCC)

PARK – SCHEDULING AND SELECTION PROCESS, continued

- K) For Seasonal Markets with seasonal licenses, and Food Vendors with seasonal or annual licenses, a “Two week license revocation notice” will be provided in writing by the Railyard Management for violations of the conditions of the Railyard Public Policies and Procedures. The license holder may choose to remedy within the two-week period, or the license holder may appeal to the Park, Plaza and Alameda Committee within the two-week period. In 5 business days, written determination by the Committee will be provided stating whether license will be reinstated, revoked or will enter a probationary period. If “two week license revocation notices” are issued three times within any one year, the Committee will have the right to revoke the license at the time of the fourth notice. (SFRCC)

- L) All requests for parades, processions, other special uses of city streets and city sidewalks, as well as street closures, shall be made through the office of the City Clerk and/or Parks Division and approved by the City Manager. All applicants are required to obtain a special use permit from the Office of the City Clerk and/or Parks Division prior to the event. (Section 23-4.7 SFCC 1987) (City)

PARK-ALLOWABLE PUBLIC ART USES- WITH SFRCC REVIEW AND PERMISSION

- A) SFRCC, the City, TPL and the Stewards will cooperate to establish and implement a Railyard Conservation Easement Public Art Committee to regulate the installation of temporary art in the Railyard. The Public Arts Committee will have an uneven number of members (15) including a representative of the City Arts Commission, the SFRCC and TPL. The remaining members may be chosen from among the following professions: artists, art critics, curators, art museum professionals, art philanthropists, hydrologists, scientists, ecologists, climatologists, economists, Conservation Easement representatives, farmers who participate in the Farmers Market, or other community-oriented organizations with an interest in the Railyard, provided that members shall not be affiliated with or represent art gallery owners, museums representing their own galleries or artists, elected officials or others whose profession or affiliation may create a conflict or interest or appear to create such a conflict. The Public Art Committee will draft and upon approval of SFRCC, the City, TPL and the Stewards, adopt and implement regulations governing the installation of public art in the Conservation Easement Public Spaces, including the locations and duration of all such installations.
- B) Art is found throughout the Railyard and this community expression is an important part of the present day character of the area. The Railyard Master Plan and all Jurisdictions encourage the continuation of this tradition. (MPL)
- C) The Park, Plaza and Alameda Conservation Easement Areas were designed as a “Cohesive Urban Art Environment” by Public Artists Mary Miss, Ken Smith and Fred Schwartz. Therefore, no additional Permanent Art (monuments, memorials or art installations) are to be added in the Park, Plaza, and Alameda. (TPL and Stewards)
- D) Permanent Exterior Architectural Art may include building wide murals like those on the Old State Archives and the former Morelli buildings. The Master Plan allows for art in surfaces and walkway materials, only when permitted with review by both the SFRCC and the City of Santa Fe’s BCD-DRC-Business Capital District-Design Review Committee. (MPL)
- E) Temporary Exterior Architectural Art: The saw tooth spaces formed along the “Paseo Corridor” by the rectangular ends of buildings are opportunity locations for art, which can help visually connect the North and South halves of the Railyard. The Master Plan encourages the idea that sites along the “Paseo Corridor” and the Railyard Plaza, (see Maps) including paving, site furnishings and the buildings should have the ability to display art to help visually connect the Railyard. Examples shown in the Master Plan are the metal panel erected by “Site Santa Fe” in the Spring of 2001, the art banners on the east face of El Museo Cultural, a Unique Bus Shelter and Unique Signs to identify the Railyard. Temporary architectural art installations would be permitted with review by SFRCC, (and a building permit may be required). The changes must be easily reversible, limited in time—a maximum of 2 years and must consider public safety. Unique art expressions will be maintained by the sponsoring tenant or group. (MPL)

PARK-ALLOWABLE PUBLIC ART USES- WITH SFRCC REVIEW AND PERMISSION, continued

- F) Temporary Art within the Public Open Spaces: The Railyard Public Art Committee supports yearly experimentation for the study of social and environmental sustainability. From its inception the Railyard was developed through collaboration, and therefore collaboration remains at the core of the Railyard's Public Art. Artists and designers will be encouraged to work with scientists, historians, hydrologists, and others to implement the Open Space as a Living Laboratory. Selected Art will be asked to arouse interest, curiosity and participation in finding solutions for the pressing sustainability issues of the 21st century including cultural heritage, site history, ecological restoration, the building of a sustainable future, etc. (TPL and Stewards)

- G) The Railyard Public Art Committee shall work together to develop programming definitions for the Railyard Open Space Living Laboratory to define art that is vital, lively and experimental, including cinema, sculpture, painting, audio art, soils art, music, guerilla art, art theatre, and more. (TPL and Stewards)

PARK PROHIBITED USES

- A) The Park will not be allowed to be closed off with a fence or made inaccessible at any time for the General Public, other than as required by Fire or Police Departments. (City)
- B) The use of open graded fields for use in organized sports or in association with organized recreational activities. (CE)
- C) Flea Markets, as defined by the ordinances of the City of Santa Fe, shall not be licensed in the Park; (CE)
- D) No Alcohol is allowed in the Railyard Open Spaces (Plaza, Alameda and Park). If an event is scheduled that incorporates an indoor or outdoor tenant space or railcar interior, liquor may be served only in those indoor and outdoor spaces, but only with a State Liquor License, and that tenant event cannot allow alcohol consumption to occur on the public spaces. Event Coordinators are solely responsible for obtaining license, and restricting consumption of alcoholic beverages to licensed indoor tenant spaces. (City and SFRCC)
- E) Activities or uses that cause or are likely to cause visible and/or substantive soil or landscape degradation, erosion or water pollution, either on the surface or underground. However, the Parks Division recommends park maintenance practice shall be consistent with the City of Santa Fe Integrated Pest Management (IPM), ordinance, est. 2001. (Article 10-7 SFCC 1987) (CE and City)
- F) The use of toxic chemicals are prohibited, (see limited use list mounted on signage on site) including, without limitation, pesticides or herbicides, on the Park, which might significantly impact the biological integrity of the Area. (CE). Maintenance Practices shall be consistent with the City of Santa Fe Integrated Pest Management (IPM) Ordinance, established in 2001. (Article 10-7 SFCC 1987) (City)
- G) The dumping or disposal of refuse, other waste or unsightly material on the Park. However, small trash receptacles may be provided for general public use, provided such receptacles are emptied on a regular basis by City maintenance, are not permitted to become unsightly, and the refuse collected from the receptacles is appropriately disposed of off-site. For Special Events, City refuse roll-offs may be allowed. (CE and SFRCC)
- H) No temporary posting of any kind, such as notices for lost pets, rummage sales, local events, etc. (Other than pre-approved and permitted signage for Special Events.) These notices are allowable on the public bulletin board to be provided at the future parks maintenance building. (SFRCC and City)
- I) Riding Animals, or animal drawn vehicles in City Parks is unlawful. (Section 23-4.1 SFCC 1987) With the exception of permitted Mounted Police as determined by the Santa Fe Police Department. No pets for all major events other than as designated in PP&P Special Events Licenses. (Section 23-4.1 SFCC 1987) (SFRCC and City)

**PARK PROHIBITED USES,
continued**

- J) The use of any “on-road” motorized vehicles (except authorized City or SFRCC vehicles as may be required, or Special Event vehicles as licenses for loading and unloading at the Park), including without limitation, automobiles, all-terrain vehicles, snowmobiles, motor-scooters and motorcycles, except (i) as may be required in the construction, repair and maintenance, (ii) for temporary loading and unloading of equipment and supplies on the Rail Line Corridor, or the Acequia Madre, (iii) or wheelchairs or scooters for the disabled. Motorized vehicles other than listed above allowable only on dedicated City Streets within the Railyard during all events. Pedicabs are prohibited in the Park. Pedicabs are also prohibited on the Alameda between Paseo de Peralta and Alcaldesa during all events, but allowed on the Alameda South of Paseo de Peralta at a walking speed when no events are being held. Pedicabs are allowed on the Alameda South of Manhattan at a walking speed when no events are being held. (CE, SFRCC and City)
- K) Starting or maintaining a fire is prohibited, (Section 23-4.10) except with charcoal briquettes in approved BBQ grills in the Park, or user provided propane grills. No fires allowed at all when “high fire danger” declared by City Fire Department, throughout the City. No camping or lodging. (Section 23-4.11 SFCC 1987) (City and SFRCC)
- L) Driving or hitting golf balls in the Park is prohibited. (Section 23-4.11 SFCC 1987) (City and SFRCC)
- M) Loud music, guns or weapons, drugs or alcohol are prohibited. (Article 10-2; Section 16-15.1; Article 23-6 SFCC 1987) (City and SFRCC)
- N) Noise exceeding City of Santa Fe Noise Ordinances is not allowed. (Article 10-2 SFCC 1987) (City)
- O) No buried cables in the Railyard Park. No staking of equipment or tents other than in a narrowly designated area with SFRCC permission. (City and TPL)
- P) Solicitation on Public Property. The practice by itinerant vendors or solicitors of going onto public property for the purpose of panhandling or soliciting money, or for the sale of goods, wares and merchandise, or for the purpose of disposing of the same shall be considered a nuisance and punishable. Any vending of any product must be prearranged and licensed by SFRCC, provided that no vending of any kind will be licensed anywhere on the Alameda which is to be kept free for emergency vehicles. (Section 23-4.2 SFCC 1987) (City)
- Q) It is unlawful for any person to expose for sale or display on any stands or counters goods, wares or merchandise on any sidewalk in the City, or SFRCC common area or walkway to maintain any scales, weighing machines, counter display stand or other obstruction between the wall or lease line of a building and the curb line of the street; or to in any manner obstruct any sidewalk or hinder its use by the public. (Section 23-4.8 SFCC 1987) (City and SFRCC)
- R) Newspaper stands and vending machines shall not be allowed on the Alameda or Park or SFRCC Common areas. This subsection shall not prohibit the placing on city sidewalks of newspaper vending machines for the purpose of providing newspapers or periodicals for sale to the public; provided, however, that the placement of such machines be done in a manner so as not to hinder the free flow of pedestrian traffic on the sidewalks or otherwise obstruct the public right of way. (Section 23-4.8 SFCC 1987) (City and SFRCC)

AMENDMENTS TO THESE POLICIES AND PROCEDURES

- A) May be recommended from time to time by SFRCC for the City Manager's approval with the recommendation of the City's Department of Public Works and, where such proposed amendments modify the rights and obligations of the parties to the Conservation Easement, TPL's approval is also required, provided however, that any such amendment does not violate any City ordinance or conflict with other established City policies or practices. (City)
- B) SFRCC may make nonmaterial administrative changes to these policies and procedures which do not violate the Conservation Easement and any established City policies or practices. (City)
- C) The Forms may be amended from time to time by the party that created the form. The Fees may be modified from time to time by SFRCC, provided that any increase either reflects increases adopted by the City for its parks and other public places or does not exceed in any twelve-month period a total of 25% of such fee. (City)

DEFINITIONS
Definitions from the City of Santa Fe

23-5.1 Definitions. As used in this chapter:

- A) *Artist/artisan* means a person who designs and creates arts or crafts.
- B) *Artwork* means an object for sale by an artist/artisan.
- C) *Bicycle* means a vehicle with two (2) wheels tandem, a steering handle, a saddle seat, and pedals by which it is propelled.
- D) *Collective* means a nonprofit organization that shares the use of the license among three (3) to seven (7) non related artists/artisans.
- E) *Collective license* means a Plaza Park artist/artisan license issued to a collective.
- F) *Commercial use* means any function or event at which goods, artwork, foodstuffs, merchandise of any kind are offered for sale.
- G) *commUNITY DAYS FESTIVAL* means a city sponsored event promoting the programs and services offered by local nonprofit organizations, performances by multicultural, youth, and school groups and celebrating the diversity of Santa Fe.
- H) *Findings* means mechanical fittings in a great variety, either commercially available or handmade, used to hold jewelry to the clothing or the person, i.e., ear wires, screw backs, broach pins, chains, gallery bezel wire or hollow beads.
- I) *Handmade* means the design and creation of the artwork from raw materials and its finishing and decoration were accomplished by hand labor and by manually controlled methods that permit the maker to control and vary the construction shape, design and/or finish of each individual piece, but does not exclude the use of findings, hand tools and equipment nor does it exclude the hand assembly of premanufactured components in a creative manner.
- J) *Immediate family* means the spouse, children and stepchildren of a Plaza Park artist/artisan. The city may require proof of relationship for family members.
- K) *Individual license* means a Plaza Park artist/artisan license issued to an individual artist/artisan licensee pursuant to the provisions of subsection 23-5.3 SFCC 1987.
- L) *Machine made* means the producing or reproducing of artwork in mass production by mechanical processes such as stamping, blanking, weaving, molds or offset printing and other printing methods that allow mass production except as allowed by these regulations.
- M) *Major commercial event* means any commercial use for which the entire Plaza is used.
- N) *Minor rework* means taking a machine made or mass-produced item and making only minor additions or changes to the item.
- O) *Noncommercial use* means any function or event at which nothing is offered for sale and at which no money or other valuable consideration is exchanged for goods or services. This use includes, but is not limited to, patriotic observances, political rallies, televised news media events and motion picture filming activities.

DEFINITIONS from the City of Santa Fe, continued

- P) *Nonprofit organization* means an organization that is registered as a New Mexico nonprofit organization with the New Mexico Public Regulatory Commission.
- Q) *Original* means the single, one of a kind, master that can be used as the model for a reproduction.
- R) *Plaza* means that inclusive area bounded on the north by the north curb line of Palace Avenue running in front of the Palace of the Governors, and on all other sides by the facades of the buildings, excluding portals, or property lines lying to the east, south and west of the Plaza Park as outlined in the map prepared by the city, labeled "Plaza Park Map".
- S) *Plaza Park* means that inclusive area bounded by the inside back of the curb surrounding the Plaza as outlined in the map prepared by the City, labeled "Plaza Park Map".
- T) *Plaza Park artist/artisan* means an artist/artisan represented or an artist/artisan represented by a collective issued a Plaza Park artist/artisan license.
- U) *Plaza Park artist/artisan license* means a license issued to an artist/artisan represented by a collective issued a Plaza Park artist/artisan license.
- V) *Portrait artist* means a person who creates portraits, cartoons, caricatures, or silhouettes.
- W) *Portrait artist license* means a Plaza Park artist/artisan license issued to a portrait artist.
- X) *Raw materials* mean any material that can be converted by manufacture or processing or a combination of manufacture and processing into a new and useful product.
- Y) *Recreational object* means any object that can be thrown, kicked or struck, including, but not limited to, balls, frisbees or any object used in game or sport.
- Z) *Reproduction* means the production of multiples of a single piece, the original or master, applicable to each medium.
- AA) *Resident of Santa Fe County* means a person whose primary residence is in Santa Fe County. Residency shall be established by any standard identification that proves residency such as a driver's license, passport or voter registration, utility bills or other documentation.
- AB) *Roller skates* or *in-line skates* means a shoe with a set of wheels attached for skating over a flat surface.
- AC) *Rotating license* means a Plaza Park artist/artisan license issued to seven (7) artists/artisans to be used on a rotating basis.
- AD) *Service animal* means any animal trained to assist mobility of impaired, blind, or deaf people or trained for and actively employed by a police department.
- AE) *Skateboard* means a narrow board about two feet (2') long mounted on roller skate wheels.

DEFINITIONS
Railyard Definitions

- A) Flea Market means an occasional or periodic market conducted by an operator in an open area or structure where spaces are rented, leased, or otherwise available to groups of individual vendors who offer goods for sale to the public. Flea markets do not include carnivals or similar functions primarily offering services or recreation for sale.

- B) "Pedicab" is a human powered cab-bicycle to carry a second person.

- C) Public Assembly: Within the Railyard is defined as Community Celebrations, Outdoor Entertainment Events, Fiestas, Market and Event, including Commercial Vending, Parades, Rallies, and other Large Public Events. A Public Assembly does not include school play activities, stewardship programs, private celebrations, food vendors or individual public performers.

- D) Railyard vendor means a Food Vendor or an Other Vendor such as artist/artisan, or an artist/artisan represented by a collective, who is issued a Railyard vendor license.

- E) Railyard vendor license means a license issued to a vendor by SFRCC for the purpose of commercial sales on the Railyard Park, Plaza or Alameda.

- F) Temporary Stage – terms to be defined by the Conservation Easement.