

# **N**ORTH I-25 Sector Plan



January 2008 Draft

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# Acknowledgements

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Nor Este Neighborhood Association  
North Domingo Baca Neighborhood Association  
North Edith Commercial Corridor Association  
North Hills Home Owners Association  
North Wyoming Neighborhood Association  
Pleasant View Mobile Home Association  
The Quail Springs Neighborhood Association  
Sonora Home Owners Association  
Sun North Estates Neighborhood Association  
West La Cueva Neighborhood Association  
Wildflower Area Neighborhood Association  
Vista Del Norte Alliance

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# 1 Introduction

## 1.1 PURPOSE OF THE PLAN

The North I-25 Sector Development Plan provides the framework for guiding the development of 2,800 acres in northern Albuquerque. The area covered by this Sector Plan serves as an important asset to the City of Albuquerque, functioning as a northern gateway to the City and as an emergent employment center for the region.

The purpose of the Plan is to achieve the City's vision for the area by guiding the future development of the Sector Plan area as a regional employment center and to control the residential development that has encroached upon the area on its eastern boundary.

The North I-25 Sector Development Plan is a Rank 3 plan, the most detailed level of the City's planning program, intended to be implemented and enforced through policy, regulation, and capital improvements funding. The Sector Plan includes specific land use regulations, design standards, streetscape recommendations, and capital improvement priorities. The Sector Plan is consistent with the City of Albuquerque's overall goals for Sector Plan development, which are to implement the concept of centers and corridors, enhance livability of communities, attain stakeholder agreement through the planning process, and develop regulatory and capital project plans.

## 1.2 ORGANIZATION OF THE PLAN

The North I-25 Sector Development Plan is presented in eight chapters. The following provides a brief overview of the topics covered in each chapter of the plan.

**Chapter 1** provides the background information to the I-25 Sector Development Plan, describing the purpose of the plan, plan boundaries, organization of the plan, the plan development process, and how to use the Plan.

**Chapter 2** describes the relationship of the Plan to other plans and codes and summarizes the existing conditions in the Plan area including demographic, land use, zoning, infrastructure and transportation conditions.

**Chapter 3** describes the Plan's Land Use policies and the recommended actions for complying with the policies. Chapter 3 also discusses the Land Use Districts established within the Plan area and the standards associated with each District.

**Chapter 4** discusses the Plan's Community Design policies and the proposed recommended actions for complying with the policies. Chapter 4 also describes the design standards for the Plan area and specific streetscape improvements recommended for several corridors.

**Chapter 5** describes the Plan's Transportation Plan, including policies, capital improvements and recommended actions for motorized and non-motorized transportation and circulation.

**Chapter 6** describes the Plan's Open Space Plan, including policies, capital improvements and recommended actions for open space conservation and trail development.

**Chapter 7** discusses the Plan's approach to environmental and safety issues including issues related to drainage and landfills.

**Chapter 8** specifies how the Plan is to be implemented, including financing methods, plan adoption, and recommended capital improvements.

## 1.3 PLAN AREA BOUNDARIES

The Plan area is within the City of Albuquerque Council District's 2 (west of I-25) and District 4 (east of I-25). Sandia Pueblo's Reservation defines the Plan area's northern boundary; Louisiana Boulevard defines the eastern boundary; Paseo del Norte (SR 423) and the Domingo Baca Arroyo define the southern boundary; and the North Diversion Channel and Edith Boulevard define the western boundary. **Figure 1** illustrates the boundaries for the Sector Plan area.

## 1.4 PLAN DEVELOPMENT PROCESS

The I-25 Sector Plan was developed in collaboration between the public and the City of Albuquerque. Public input, including input from residences, business and landowners, and community organizations, was integral in the planning process.



The development of the I-25 Sector Plan began with a three-day design charrette held in March 2006. The purpose of the charrette was to receive input from the public regarding the vision for the Sector Plan area and to identify plan area issues. Two additional public meetings were later held to seek public comment through a draft plan review process performed by a stakeholder committee. From this process, a new land use plan was formulated and made available to the public via the City of Albuquerque's web site ([www.cabq.gov](http://www.cabq.gov)) in October 2006. A draft plan was presented for review and comment at the public meeting held in November 2006 and was presented to the Environmental Planning Commission (EPC) in June 2007. The plan was updated based on comments from the EPC and again presented to the public in November 2007 for review. After incorporating public comments, the Plan was presented to the public again in November 2007 and January 2008. The Plan was then brought back to the EPC in March 2008.

## 1.5 HOW TO USE THIS PLAN

### Procedures for Development Proposals

This Plan contains policies and design regulations that will be enforced for all development proposals within the Plan area. When developing a site within the Plan area, the following steps should be taken:

- 1) Locate property on the Land Use Plan Map referenced on page 20 of this Plan.
- 2) Determine whether the proposed development is in conformance with the existing zoning of

the site or your proposed development uses the Land Use Districts described and contained in this document.

- 3) If your property has P, C-1, C-2, C-3, M-1 or M-2 zoning **and** is five acres or greater, the Shopping Center Regulations apply (See §14-16-3-2 of the City Zoning Code).
- 4) In order to determine if your proposed development is in conformance with this Plan, consult the Land Use Plan and Community Design Plan Chapters on pages 19 and 25. All development must be in conformance with Chapter 4 of this Plan's Design Goals and Regulations. ***No zoning is being changed within the Plan boundaries. However, expanded uses of the existing zoning may be allowed when complying with the Land Use District Regulations. Development that is in conformance with the underlying zoning is permissible; however, the design regulations set forth in this Plan for the Plan area and specified Land Use District shall apply.***
- 5) Consult Chapter 3 on goals and policies of this Plan and ensure the proposed development is in compliance.
- 6) Prepare ***a Site Plan*** for Building Permit that ***includes a landscaping plan*** and other documentation required by this Plan. ***A Site Plan shall be required for all development within the North I-25 Sector Development Plan area.***

- 7) Submit the site plan (that includes a landscaping plan) to the City of Albuquerque Planning Department, with the appropriate fee.

### Conforming vs. Non-conforming

If the Site Plan ***is in conformance*** with this Plan, either through existing zoning, the Land Use Districts or both, the following shall apply:

- a) The development proposal may be approved with no public hearing(s) required. Developments that do not need to go to the EPC or the DRB will be administratively approved by the Planning Director or his/her designee.
- b) If the subject property is within 100-feet of a single-family dwelling, it must be submitted for Design Review Board approval.
- c) All sites with SU-1 zoning are required to go to the Environmental Planning Commission for a public hearing (§14-16-2-22).
- d) Development proposals that conform with existing zoning and the design regulations of this Plan ***or*** development proposals that conform to the Land Use Districts and design regulations in the Plan ***do not*** need to go to public hearing. Examples of approvable development proposals that do not need a public hearing are:

- Proposed developments that follow the underlying zoning in the Zoning Code, include a landscape plan and incorporate the design regulations found in Chapter 4 of this Plan.
- Proposed developments that follow the land-use districts as described in this Plan (Chapter 3), include a landscape plan and incorporate the design regulations found in Chapter 4 of this Plan. Place a note on the site plan stating the development is in accordance with the underlying zoning and/or land use district.

If it is determined that the development proposal and/or Site Development Plan *is NOT in conformance* with the underlying zoning and/or this Plan, you may either:

- a) Withdraw your application (no refund of fee) or;
- b) Amend the development proposal (additional fees may be required as determined by the Planning Director) or Go to the Planning Commission for a Zone Change.

This Plan strongly discourages any Zone change requests that are not in conformance with this Plan.

## 1.6 DEFINITIONS

Desired future conditions are stated in the form of

goals, objectives, policies, guidelines and regulations, which are the essence of the Sector Plan. These terms are defined below:

**Goals:** A general, overall and ultimate purpose, aim, or end toward which the City will direct effort.

**Objective:** A specific statement of a desired future condition toward which the City will expend effort in the context of achieving a broader goal.

**Policy:** A specific statement of principle or guiding actions that implies a clear commitment but is not necessarily mandatory (the word “shall” makes a policy mandatory). A policy is a general direction that the City elects to follow in order to accomplish its goals and objectives.

**Guideline:** A statement of policy direction around which specific details will later be established.

**Regulation:** A rule or measure establishing levels of quality or quantity that must be complied with or satisfied.

The following conventions are used in this plan to designate the extent to which a statement is mandatory or optional:

- “May” refers to that which is permissible.
- “Should” signifies a directive to be honored if at all possible.
- “Shall” means that which is obligatory or necessary.

## 2 Community Context

This section describes how the Plan relates to other adopted plans and discusses the existing framework in the Plan area including demographics, land use, zoning and transportation. This section also summarizes the issues in the Plan area and the concerns raised by the public during the plan development process.

### 2.1 RELATED PLANS & POLICIES

During the development of the I-25 Sector Plan, several existing plans were taken into consideration. These plans either have policies and codes that directly apply to the Plan area or have identified future projects within the boundaries of the Plan area. The following plans were taken into consideration:

#### **Albuquerque / Bernalillo County Comprehensive Plan**

The I-25 Sector Plan area is part of the Developing Urban and Established Urban Area in the 2002 Albuquerque / Bernalillo County Comprehensive Plan. The Established Urban Area consists of existing, planned, or platted areas and the Developing Urban Area consists of undeveloped, fringe areas. The Sector Plan conforms to the goals and policies for the Developing Urban and Established Urban Areas and will serve as the

official policy guide for new development, redevelopment and improvements in the Plan area.

Specific Developing and Established Urban Area policies in the comprehensive plan that relate to the I-25 Sector Plan include the following:

**Policy d:** The location, intensity, and design of new development shall respect existing neighborhood values, natural environment conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.

**Policy i:** Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments.

**Policy k:** Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established neighborhoods shall be protected in transportation planning and operation.

**Policy l:** Quality and innovation design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

#### **Alameda Boulevard Design Overlay Zone**

The *Alameda Boulevard Design Overlay Zone* (ABDOZ) was adopted in 1998 by the Extra-territorial Land Use Authority and makes recommendations of regulations and guidelines for public streetscape improvements along Alameda

Boulevard from the Rio Grande to I-25. The Alameda Boulevard corridor is broken into 4 segments or Character Zones. The primary focus is the portion of Alameda Boulevard that traverses the north valley from the Rio Grande River to Edith Boulevard. Character Zone 4 is from Edith Boulevard to I-25 and is the only character zone that is within the City. It recognizes that its character is focused on the Balloon Fiesta Park while maintaining a commercial campus feel. There are design regulations and guidelines that are for the entire corridor and apply to character zone 4. The regulations and guidelines address a uniform corridor with continuous sidewalks, landscaping, consistent off-street parking, restrictions on lighting, regulations of walls, consistent setbacks and limited on-premise signs.

#### **Facility Plan for Arroyos**

The *Facility Plan for Arroyos* establishes guidelines and procedures for implementing the goals of the Comprehensive Plan in order to create a multi-purpose network of recreational trails and open space along arroyos. The La Cueva Arroyo, which runs east-west in the middle of the Plan area and abuts the natural area of Wildflower Park, is designated as a Major Open Space Link per the *Facility Plan*. Major Open Space Links are scheduled for the development of arroyo corridor plans which will locate recreational trails that will form continuous east-west linkages. The Domingo Baca Arroyo, which is in the southern portion of the Plan area, is designated an Urban Recreational Arroyo per the *Facility Plan*. Urban Recreational

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Arroyos are located either in highly urbanized or in developing areas. They have the potential to connect major activity centers with residential development by trails located along segments of the arroyo.

### **Trails and Bikeways Facility Plan**

The *Trails and Bikeways Facility Plan* was adopted in July 1993 with an amendment made to the *Bikeways Master Plan* in November of 1996. The initial intent of the plan was the implementation of an off-road recreational trail system. However, after public hearings in the fall of 1990, the public strongly indicated a strong desire that the trail system function not only as a recreational network, but also as an alternative method of transportation. The major goals for the *Trails and Bikeways Facility Plan* are to: secure a funding source; find an “administrative home” for the trails and bikeways; create a map of the proposed network; and develop policies for future trail and bikeway development and usage.

The *Trails and Bikeways Facility Plan* identifies two different types of trails, a Primary Trail and a Secondary Trail, with distinct policies and recommendations that apply to both types of trails. A Primary Trail is proposed for the Domingo Baca Arroyo east of I-25. At the intersection of the North Diversion Channel and Paseo del Norte to the north, a Primary Trail is proposed and Secondary Trails are proposed along the La Cueva Arroyos and the Camino Arroyo.

### **Major Public Open Space Facility Plan**

The purpose of the *Major Public Open Space (MPOS) Facility Plan* is to establish guidelines for implementation of the open space network goals as specified in the *Albuquerque / Bernalillo County Comprehensive Plan*. Section 6 of the *Major Public Open Space Facility Plan*, regarding arroyos, states several policies related to planning, land use, management and revenue generation. Applicable policies specific to this project are presented in the Planning Policies and state below:

**Policy A.1:** MPOS lands in the Major Public Open Space Arroyos shall be acquired and managed to promote the purposes of Major Public Open Space as is stated in the *Comprehensive Plan* and the following sub-goals:

- (a) Conserve natural resources and environmental features including the natural flow of water and the drainage capacity of the largest arroyos in Bernalillo County, the natural state of historic environmental features, geological features such as bluffs, wildlife habitat corridors, native vegetation, the infiltration of water into the arroyo’s gravel soils and recharge of the aquifer, provide wildlife corridors from both the Rio Puerco Escarpment and the Sandia foothills to the Rio Grande.
- (b) Provide opportunities for outdoor education and recreation including trails for a variety of users.

**Policy A.3:** The drainage management plans will attempt to address the policy recommendations for Major Public Open Space Arroyos contained in the *Facility Plan for Arroyos* and policies stated in A.1. The Open Space Division and Planning Department will work with the lead agency to determine areas that may be acquired as Major Public Open Space and to incorporate design policies, trails and other recreational uses into the drainage management plan. The draft arroyo corridor plans will be used for guidance in planning these facilities to the extent applicable.

### **Balloon Fiesta Park Master Development Plan**

The *Balloon Fiesta Park Master Development Plan* was developed for the Parks and Recreation Department and adopted by City Council in December 1998. The plan provides the necessary framework for the phase development and implementation of the Balloon Fiesta ark based upon a number of considerations including the establishment of priorities for various recreational facilities and associated costs.

Applicable recommendations stated in the plan related to this project include the following:

- The gateway area to the Park from I-25 and nearby access roads east and west, should be protected by the City and County. It is recommended that a regional set of design guidelines and/or overlay zone be prepared with enforcement provided by the City and County.

- The local governments, including Sandia Pueblo and the State of New Mexico, should continue cooperative work on a regional multi-modal circulation system that connects the local access of the Park with the metropolitan transportation system as a whole in the most efficient way possible.

## 2.2 PLAN AREA DEMOGRAPHICS

### Population

Data from the 2000 U.S. Census and Mid-Region Council of Governments (MRCOG) was used to provide demographic information about the I-25 Sector Plan area. According to these sources, the Plan area had a population of 4,425 persons. The Plan area has experienced an average annual growth rate of six percent since 1990; a higher growth rate than the City of Albuquerque's metropolitan area during the same time period.

The ages of the Plan area population resemble that of the Albuquerque metropolitan area. Nearly one-third of the Plan area population is between the ages of 30 and 49 years of age. In addition, 28 percent of the Plan area residents are under 18 years of age, 20 percent are between 18 and 29 years old, 11 percent are 50 to 64 years of age, and 10 percent are 65 years and over.

### Household Income

In regards to income, the Plan area varies substantially between the residential areas east and

west of I-25. As indicated by the 2000 U.S Census, the residential areas east of I-25 reported a median household income of \$52,824 and the residential areas west of I-25 reported a median household income of \$34,851. For purposes of comparison, the Albuquerque metropolitan area had a median household income of \$39,308.

In correlation to the numbers reported for median household income, 6 percent of the households in the Plan area east of I-25 had incomes below the poverty level in 2000 as compared to 15 percent of the households in the Plan area west of I-25.

### Owner-Occupied Housing

Demographic data also indicates that the Plan area is comparable to the Albuquerque metropolitan area in terms of owner-occupied housing. Owner-occupied housing is often an indicator of the stability of an area and can provide insight into redevelopment opportunities. In the Plan area, 94 percent of the available housing is occupied, with 70 percent accounting for owner-occupied housing. Within the Albuquerque metropolitan area, renter-occupied housing accounted for 32 percent of the market and owner-occupied dwellings accounted for 68 percent of the market.

## 2.3 LAND USE

Existing land use within the I-25 Sector Plan Area is shown in **Figure 2**. The most prominent land uses existing in the area include vacant, commercial, open space, industrial and residential uses.

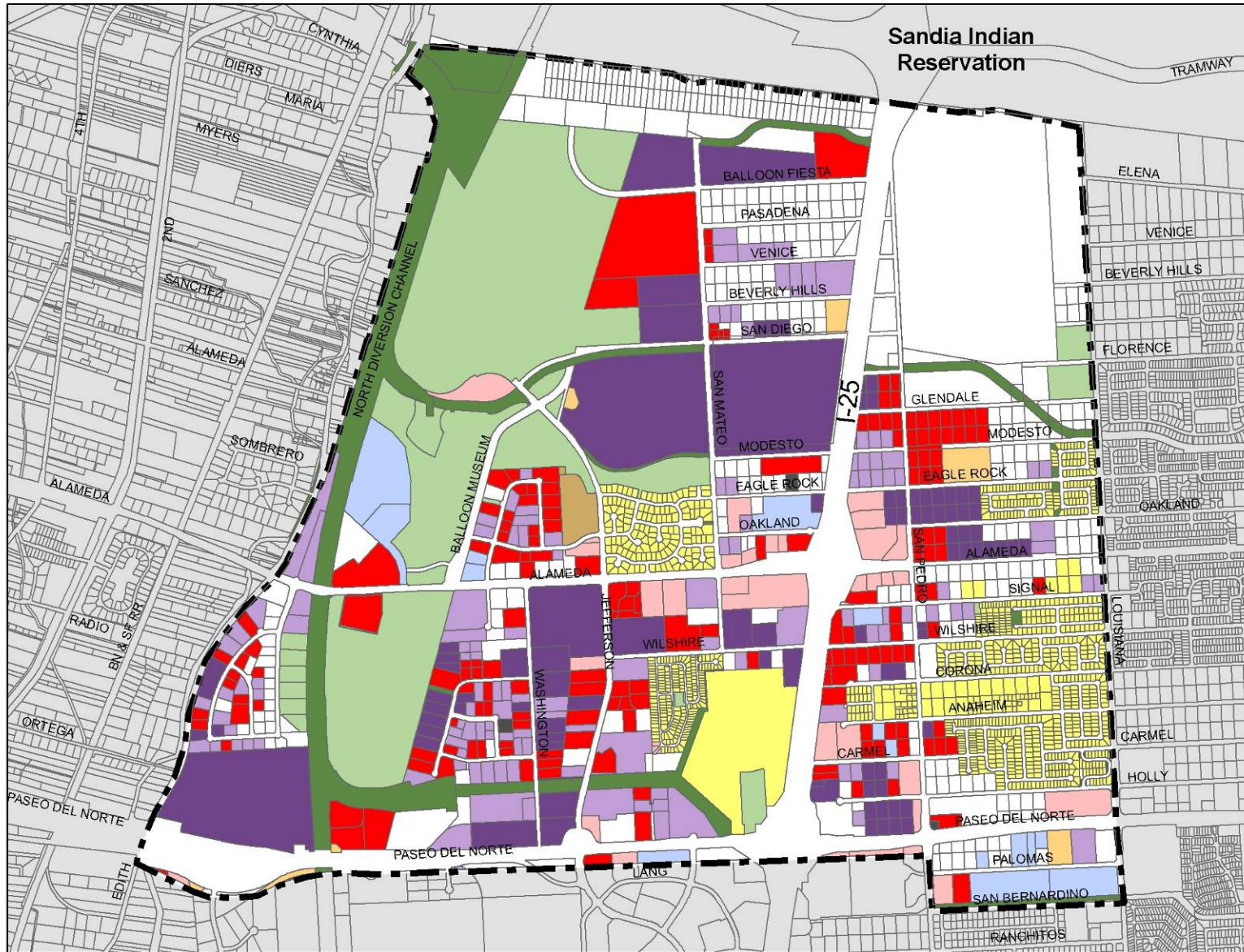
Currently, 20 percent of the Plan area is represented by vacant lands, 18 percent by commercial uses, 14 percent by parks and open space uses and 13 percent by industrial uses. The following discusses in more detail each of the major land uses in the Plan area.

### Vacant Lands

The majority of vacant land within the Plan area occurs in larger parcels, indicating the potential for continued development. Large areas of vacant land are located in the northeast part of the Plan area and include the former Coronado Airport site located east of I-25. The property is owned by Sandia Pueblo and is primarily vacant with the exception of several buildings associated with the former airport facility. The Sandia Pueblo also owns several other smaller vacant tracts of land located along the La Cueva Arroyo, east of I-25. Other areas of vacant land are concentrated north of San Diego Avenue, west of I-25 and along Alameda Boulevard, east of I-25.

### Commercial

Existing commercial uses within the Plan area include both retail and service oriented uses. Existing retail commercial development is primarily concentrated along Alameda Boulevard near the interchange of Alameda / I-25 and includes the Toyota and Drive Time auto dealerships. Existing service commercial uses throughout the Plan area are intermittent. New commercial development includes the Blue Cross/Blue Shield building at



Sandia Indian  
Reservation

Figure 2  
Existing  
Land Use



**Legend**

- Commercial Retail
- Commercial Service
- Single Family Residential
- Multi-family Residential
- Industrial
- Wholesale/Warehousing
- Recreation/Open Space
- Institutional
- Parking Lots/Structures
- Transportation/Utility
- Drainage/Flood Control
- Vacant/Other

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Balloon Fiesta Parkway and several new commerce buildings in the vicinity of Alameda Boulevard.

### **Parks and Open Space**

The predominant parks and open space use in the Plan area is the Balloon Fiesta Park, a 355-acre, city-owned multi-use area located between the northern Plan area boundary and Alameda Boulevard. The Balloon Fiesta Park, operated by the Albuquerque International Balloon Fiesta (AIBF), includes a 78-acre joint-use area which functions as a balloon launch field, driving range and 5-hole chip and putt course. Located east of the launch field are the city-owned Albuquerque Golf and Training Center and several soccer and game fields. Other amenities within the park include the Anderson-Abruzzo International Balloon Museum, eight youth baseball fields, and a 16-acre natural wildlife area, located on the south side of the intersection of Balloon Museum Drive/ Jefferson Street. The AIBF also uses other lands surrounding the park during the Balloon Fiesta event. The Nazareth Landfill, east of the launch field and the Los Angeles Landfill, south of the launch field and Alameda Boulevard, are used for recreational vehicle parking. The AIBF also uses surrounding properties owned by the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) for the Balloon Fiesta event.

Other parks and open space uses within the Plan area include the Wildflower Park and the North Domingo Baca Park. Wildflower Park is a 12.5-acre passive park owned and maintained by the City. The

park is located adjacent to the Wildflower subdivision, east of the Balloon Fiesta Park.

The North Domingo Baca Park is a multiuse, 32-acre community park located in the residential area of North Albuquerque Acres. The park is bounded by Wyoming Boulevard on the east, Carmel Avenue on the south, Louisiana Boulevard on the west and Corona Avenue on the north. While located outside of the Plan area, the park serves the residents within the Plan area. Future plans for the park site include an off-leash dog area, a multi-generational center, as well as several other community facilities. The park is adjacent to a 27-acre AMAFCA property, which is available for joint use.

### **Industrial**

Industrial land uses are focused in the southwest portion of the study area and continue to the north between I-25 and the Balloon Fiesta Park.

Heavy industrial uses are concentrated in the southwest portion of the Plan area including the General Mills operation, located at the southwest corner of this area, west of the North Diversion Channel. Light industrial uses occur at various locations throughout the Plan area, with newer development taking place west of Jefferson Street and north of San Diego Avenue. Major light industrial uses include Honeywell, Sumco and Miox.

Another major industrial operation in the Plan area is the old Philips plant, located near the San Mateo Boulevard / San Diego Avenue intersection. The

Philips plant closed their 500,000 square foot facility in 2003, was purchased in 2006, and is now being considered for redevelopment.

### **Residential**

Residential development in the Plan area is diverse, consisting of single-family homes, apartments and manufactured home subdivisions. Existing residential developments west of I-25 include Wildflower, Desert Apartments, Sun North Estates, Coronado Village and the Village at Alameda Assisted Living Facility.

Wildflower is a single-family residential subdivision located north of Alameda Boulevard and west of San Mateo Boulevard. Homes in the neighborhood were constructed in the early 1980's and were built at 3-6 dwelling units per acre. Directly west of the Wildflower subdivision is the newly constructed Desert Apartments complex. The apartment complex was built at 30 dwelling units per acre and is the only apartment complex in the Plan area. Other residential areas west of I-25 include the Sun North Estates manufactured home subdivision and the Coronado Village trailer park. Sun North Estates is located directly south of Wilshire Avenue and east of Jefferson Street. A majority of the lots in the development are under single ownership and were built at 13 dwelling units per acre and greater. Coronado Village is located in the northwest quadrant of the I-25 / Paseo del Norte interchange and unlike Sun North Estates, is currently under single ownership. The Villages at Alameda, an assisted living facility, is located north

of the office buildings at Alameda Boulevard and Balloon Museum Drive.

Residential development east of I-25 consists primarily of newer single-homes. Single-family development includes the La Cueva neighborhood, located west of Louisiana Boulevard between Alameda Boulevard and Paseo del Norte, and the Eagle Rock Estates neighborhood, located north of Alameda Boulevard. Additional residential development includes Pleasant View, a manufactured home development located between Anaheim Avenue and Corona Avenue.

## 2.4 ZONING

The study area is primarily zoned for industrial uses but also includes lands zoned residential, open space, commercial, and institutional. The bulk of residential zoning is located east of I-25 and south of Modesto Avenue. There are also areas zoned for residential development near Alameda Boulevard between Jefferson and San Mateo and between Wilshire Avenue and the North Diversion Channel Easement. Lands zoned for open space are located along the western border of the Plan area, with the majority of the zone encompassing the Balloon Fiesta Park. Commercially zoned land is located directly to the northwest of the I-25/Paseo del Norte interchange. Lands zoned for institutional uses include the Edmund G. Ross Elementary School located in the southeast corner of the Plan area and the senior living facility located north of Alameda Boulevard. The remaining lands in the Plan area are zoned for industrial uses and account for more

than half of the Plan area.

## 2.5 TRANSPORTATION

### Vehicular Circulation

Alameda Boulevard and Paseo del Norte are the only two roads within the Plan area that provide east-west access across I-25 and are two of the eight Rio Grande River crossings within metropolitan Albuquerque. These roadways are designated as Principal Arterials west of I-25 on the City of Albuquerque's Current *Roadway Functional Classification Map: Albuquerque Metropolitan Area*, prepared by the Mid-Region Council of Governments. East of I-25, Paseo del Norte retains a principal arterial street designation and Alameda Boulevard is reclassified as a minor collector. Paseo del Norte is currently a limited access roadway within the Plan area, with access into the west side of the Plan area at Jefferson Street. Alameda intersects the north-south routes of San Mateo Boulevard, Jefferson Street and Balloon Museum Drive. On the east side of I-25, Paseo del Norte and Alameda intersect San Pedro Drive and Louisiana Boulevard. Alameda Boulevard is also the only east-west truck route through the Plan area and the North Valley. A third major east-west route in the Plan area is San Diego Avenue. San Diego Avenue is shown on the *Long Range Roadway System Map* as a continuous collector street that crosses I-25, with a 68-foot right-of-way.

North-south roadways in the Plan area include Louisiana Boulevard, San Pedro Drive, San Mateo Boulevard, Jefferson Street, Balloon Museum Drive

and I-25. Interstate 25 is a limited access facility with interchanges at Roy/Tramway (north of the Plan area), Alameda Boulevard and Paseo del Norte. A southbound service road on the west side of the freeway provides access to all roads north of Alameda Boulevard, as well as the primary access into the Pleasant View manufactured housing subdivision. On the east side, the northbound service road provides access to all roads within the Plan area. Jefferson Street provides access from Paseo del Norte to San Diego Avenue and San Mateo Boulevard provides north-south access between Alameda Boulevard and Balloon Fiesta Parkway. Jefferson Street is designated as a minor arterial with 86 feet of right-of-way between Paseo del Norte and Alameda Boulevard as indicated in the City's *Roadway Functional Classification Map*. San Mateo Boulevard and Balloon Museum Drive are designated as collector streets with a 68-foot right-of-way. On the east side of I-25, San Pedro Drive and Louisiana Boulevard currently have no designation, but are envisioned as a future collector and an arterial street, respectively.

### Public Transportation

Public transit is available at several locations within the Plan area including stops along Jefferson Street, Balloon Fiesta Parkway and San Mateo Boulevard. With the exception of Alameda Boulevard, there are no planned or funded transit services in the Plan area, east of I-25 at this time.

Another transit route, the Rio Rancho Rail Runner connection, travels across Paseo del Norte west of





**Figure 4**  
**Existing Transportation Facilities**



**Legend**

-  Roadway
-  Multi-Use Trail
-  Bike Lane
-  Bus Stop

**Bus Routes**

-  Wyoming Commuter
-  San Mateo / Jefferson
-  North Fourth Street

the Plan area. The Rail Runner Express stop is located southwest of the Plan area at the location where El Pueblo Road and Paseo del Norte meet between Edith Boulevard and 2nd Street. There is no transit service connecting the Rail Runner Express to locations within the Plan area at this time.

### **Pedestrian and Bicycle Circulation**

There are several trails within and adjacent to the Plan area including the North Diversion Channel Trail and the Domingo Baca Arroyo Trail. The North Diversion Channel Trail is located along the west side of the channel and approaches the Plan area from the south, terminating near Alameda Boulevard. The Domingo Baca Arroyo Trail is adjacent to the arroyo and approaches the Plan area from the east, terminating near San Pedro Drive south of Paseo del Norte. A third trail exists along Paseo del Norte, approaching the Plan area from west and termination at the North Diversion Channel.

In addition to the multi-use trails, there are several bikeways that are located near the southern Plan area boundary. There are bikeways that approach the area from the south and terminate at Paseo del Norte, including bikeways along San Pedro Drive and Louisiana Boulevard.

## **2.6 DRAINAGE**

Arroyos are considered primary elements in the City of Albuquerque's flood control system. The arroyos carry storm water runoff from the Sandia

Mountains, foothills and mesas on the City's east side to the Rio Grande River. The Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) was established in 1963 to manage these systems, although some are maintained by the City of Albuquerque.

The North I-25 Plan area drains from east to west from the Sandia Mountains and foothills. The Plan area is located on the East Mesa and the North Valley, which rises above the Rio Grande. Multiple arroyos carry water to the Rio Grande including the North Camino Arroyo, the La Cueva Arroyo and the Domingo Baca Arroyo. The North Camino Arroyo traverses the Sandia Indian Reservation and enters the Plan area near its northern boundary. The arroyo channel is stabilized between I-25 and San Mateo Boulevard and is free flowing east of I-25 and again from San Mateo Boulevard to the North Diversion Channel. The La Cueva Arroyo parallels San Diego Avenue east of I-25 and traverses the Balloon Fiesta Park to the North Diversion Channel. East of I-25, the La Cueva Arroyo continues in an east-west direction towards Louisiana Boulevard. The Domingo Baca Arroyo channel is located north of Paseo Del Norte and conveys storm water through Coronado Village and Villa San Mateo subdivisions before continuing west to the North Diversion Channel.

## **2.7 LANDFILLS**

There is the potential for development and infrastructure projects within the plan area to be

impacted by the presence of landfill gas generated by several former private and City owned/operated landfills including the Los Angeles, Nazareth, Coronado, Oakland Avenue and Sacramento Landfills as shown in **Figure 5**. Currently, if a person/company wishes to develop property within the limits of a City landfill buffer zone, development is required to comply with the *City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones (Appendix B)*. As part of the process, a review and approval of the site plan(s), the proposed construction, design drawings, and a certification of construction is required by the Environmental Health Department (EHD), Environmental Services Division. The following City designated landfill buffer zones for the landfills within the plan area are as follows:

- Coronado Landfill North Cell -250 ft
- Coronado Landfill Middle and South Cells - 1000 ft
- Los Angeles Landfill -1000 ft
- Nazareth Landfill -500 ft
- Oakland Avenue Landfill – 1000 ft
- Sacramento Landfill - 500 ft

The Sacramento Landfill site was cleaned-up by the land owner as part of the development approval process. The Middle and South Cells of the Coronado Landfill, located near the former Philips facility, have also been identified for clean-up as the process for redevelopment of the site moves forward.



Figure 5  
Existing & Former  
Landfill Sites



**Legend**

- Existing & Former Landfill Sites
- 1000 Ft. Landfill Buffer

**Landfills**

- 1 Los Angeles
- 2 Nazareth
- 3 Coronado
- 4 Oakland Avenue
- 5 Sacramento

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The Los Angeles Landfill is the largest former landfill site in the Plan area. The site is currently used for RV parking during the Balloon Fiesta event but is otherwise left vacant. The site closed in the mid 1980's but in recent years there has been a general concern because water seepage into the landfill debris has been generating methane gas. A landfill gas extraction system was installed in 2007 with the intent of removing landfill gas and diminishing the potential for landfill contaminants to travel as a gas and dissolve into the ground water. A drainage plan for the site is also in place and is being implemented by the EHD, however, the plan has not been fully implemented because of the lack of funds.

## **2.8 COMMUNITY-IDENTIFIED ISSUES**

The following information was compiled through the public involvement process in addition to letters and emails received by the City Planning Department. The following highlights the main concerns and issues in the Plan area as identified by the residents, stakeholders and other participants in the planning process.

### **Land Use**

Residents in the Plan area recognize the need to control and have regulations for new development as well as those areas being considered for redevelopment. Residents identified concerns over those areas that will serve as transition areas between existing residential development and future uses. In particular, there was a concern about the

height of buildings and whether height is something that can be restricted. In addition, residents also saw the need to prohibit certain uses such as adult-oriented businesses and package liquor sales.

### **Community Design**

Concerns were also expressed in regards to design regulations and the overall continuity within the Plan area. Residents stated they would like to see design regulations for signage, lighting, streetscapes and site design. Several community members also stated their concerns over the maintenance and appeal of existing medians and the need for landscaping. Residents also view the area as a gateway to the City and would like to see a unique identity established that would distinguish the Plan area as a gateway.

### **Transportation**

Plan area residents have several concerns related to vehicular traffic and circulation in the residential neighborhoods. Key concerns for residents living within the Wildflower subdivision include traffic volumes and speeds on Jefferson Street, Alameda Boulevard and San Mateo Boulevard; the amount of truck traffic on Alameda Boulevard and the associated noise impacts; vehicle conflicts along Alameda Boulevard due to the high number of curb cuts; and the traffic traveling along Jefferson Street and accessing San Diego Avenue. Residents living east of I-25 expressed concerns over the amount of cut-through traffic using neighborhood streets; the amount of traffic congestion on Louisiana

Boulevard and San Pedro Drive; and traffic congestion associated with the I-25 / Paseo del Norte interchange.

### **Open Space and Trails**

Residents stressed the importance of the Balloon Fiesta Park and the need to try and incorporate previous planning for the park into the Sector Plan. It was also stated by residents in the community the importance of maintaining and utilizing the existing recreational resources in and around the Plan area.

Plan area residents identified the lack of non-motorized circulation and connectivity as an important issue to be addressed. Residents cited the lack of connectivity between I-25 and the North Diversion Channel; concerns over the omission of non-motorized connectivity in the design of the new arterial proposed by the New Mexico Department of Transportation; and in general, the lack of north south connectivity from and to existing community resources such as parks and schools.

### **Environmental Issues**

Landfills and drainage were two major environmental issues identified by community members. In particular, several residents identified the Los Angeles landfill as concern and the need to address the problems occurring at the site. Others also identified drainage as a concern, citing the need to protect existing arroyos from encroaching development and to utilize existing arroyos as recreational resources.

# 3 Land Use Plan

## Land Use Goal

*Integrate existing and future land uses to support and promote economic and employment opportunities within the Plan area*

This chapter of the Plan addresses the land use districts and their descriptions with reference to the corresponding zoning categories for the City of Albuquerque. The intent of the Land Use Plan is not to change the underlying zoning but to provide flexibility by allowing for additional uses within the different districts described in this chapter. It should be understood that a property can still be developed using the underlying zoning, but must comply with the design regulations outlined in Chapter 5. This Plan strongly discourages any zone change requests that are not in conformance with the land use districts contained herein. If the Comprehensive City Zoning Code changes over time, the allowable uses shall remain as described in Appendix E.

### 3.1 LAND USE POLICIES

Policy LUZ1: Define development patterns for guiding future development by establishing a land use plan.

Policy LUZ2: Ensure that all properties in the Plan

area are incorporated into the SU-2 zoning category.

Policy LUZ3: Promote land uses that contribute to the vitality of the Plan area and strengthen the economic and functional relationships to surrounding areas.

Policy LUZ4: Encourage vertical mixed-use development in appropriate areas as identified in this Plan.

Policy LUZ5: Encourage a mix of uses that will balance the time and direction of traffic movements and promote other means of vehicular trip reduction so as to minimize increases in vehicular traffic produced by new development.

#### 3.1.1 Land Use Recommended Actions

1. Ensure transitions in building scale, intensity of use, and adequate buffering between lower and higher intensity uses shall be achieved by requiring adequate distance, screening, setbacks, vegetative buffers, or combinations of these means.
2. Incorporate and enforce the policies and Land Use District requirements into the development approval process.
3. As the Land Use Plan is implemented, areas of conflict between the desired land use and existing development should be identified, and incentives developed to encourage private property owners to bring their property into conformance with the land use plan.

4. Utilize the level of service (LOS) standards identified or referenced in the various chapters of the City's Comprehensive Plan to determine the capacity, or lack thereof, of supportive infrastructure and services. This determination should then serve as a guide in determining the need, and the extent of that need, for additional support facilities as a result of the proposed Land Use Districts.
5. Increase support for development and redevelopment that strengthens and meets the goals for Activity Centers as identified in the City's Comprehensive Plan.
6. Amend the City Zoning Ordinance to create development procedures to allow for additional residential/ nonresidential mixed-use buildings in the Plan Area.

### 3.2 LAND USE DISTRICTS

The Land Use Districts described in this Plan serve as a guide to the physical development of the Plan area and reflects the spatial distribution of various land use classifications. Within each land use district, there is a range of expanded permissible uses and required actions that must be taken for development approval. The permissible uses listed for each Land Use District are in addition to the uses allowed under a properties existing zoning. The following describes each of the Land Use Districts and their permissible uses.

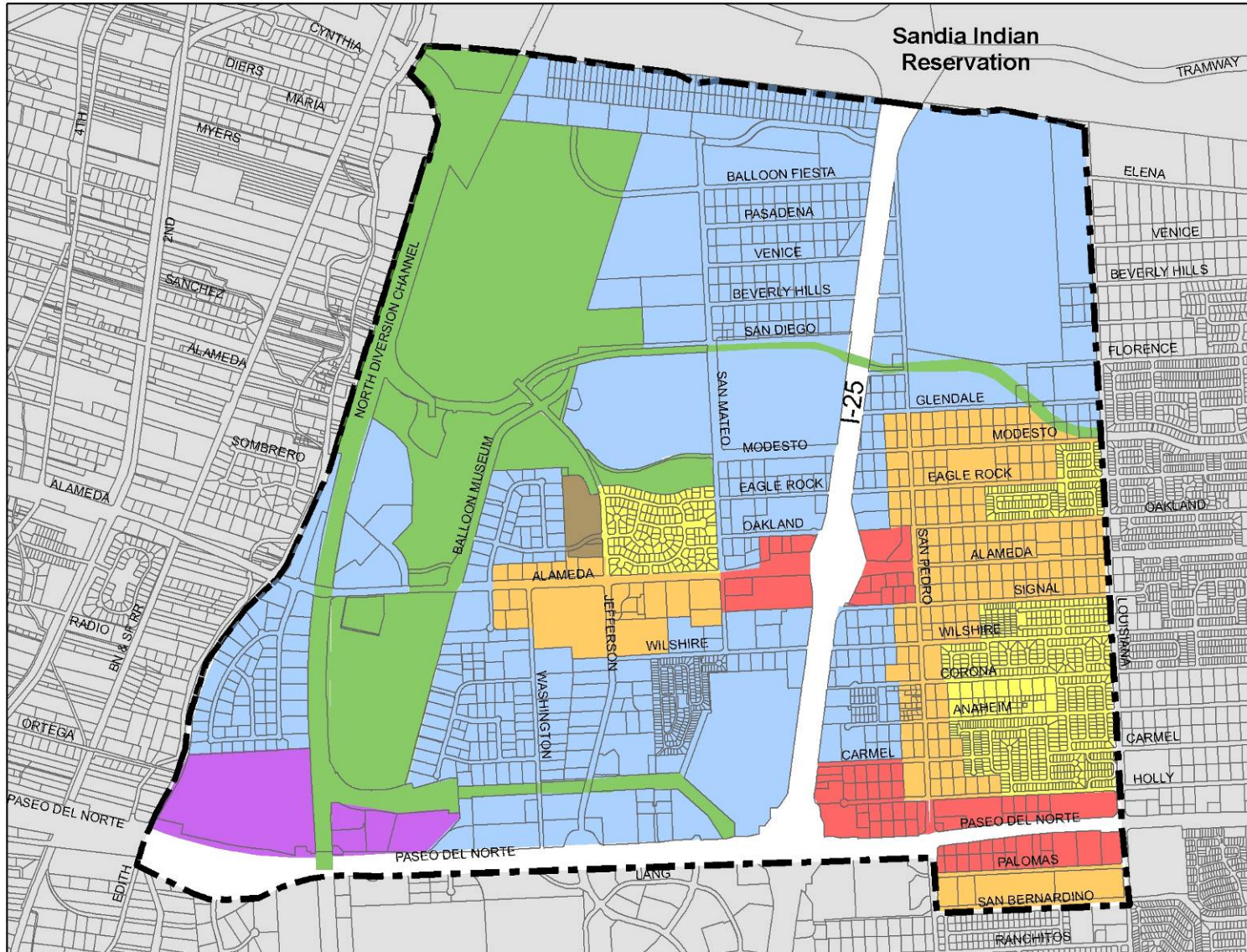


Figure 6  
Proposed  
Land Use Plan



Legend

- Low-Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Regional Commercial
- Commerce
- Manufacturing
- Recreation/Open Space

### Low-Medium Density Residential (LMDR)

The Low-Medium Density Residential land use district encompasses the existing single-family residential developments in the Plan area including the West La Cueva and Eagle Rock neighborhoods located east of I-25 and the Wildflower neighborhood located west of I-25. The intent of this land use district is to restrict single-family residential development to existing neighborhoods and not allow for additional single-family to occur within the Plan area.

**a) Permissive uses:** Development proposals that are in conformance with the requirements of the R-1 zone in the City Zoning Code and the design regulations defined in Chapter 4 of this Plan are appropriate to this category. Allowable uses include:

1. R-1 Zone Permissive and Conditional Uses;
2. R-LT Zone Permissive and Conditional Uses, and
3. R-T Zone Permissive and Conditional Uses.

**b) Required actions:**

1. A Site Development Plan for Building Permit, as defined by the City of Albuquerque Comprehensive City Zoning Code (as amended) §14-16-3-11 shall be submitted with all development proposals in this land use district.

**b) Mixed-use:** Residential uses allowed on first floor only.

### High Density Residential (HDR)

The High Density Residential land use district is provided to include the existing multi-family in the Plan area. Densities of 9 dwelling units and above per acre and up to 26 dwelling units per acre are appropriate within this land use district.

**a) Permissive uses:** Development proposals in conformance with the requirements of the R-3 zone in the City Zoning Code and the design regulations defined in Chapter 4 of this Plan are appropriate to this category. Allowable uses include:

1. R-G Zone Permissive and Conditional Uses;
2. R-2 Zone Permissive and Conditional Uses, and
3. R-3 Zone Permissive and Conditional Uses.

**b) Mixed-use:** Residential uses allowed on first floor only.

**c) Required actions:**

1. A Site Development Plan for Building Permit, as defined by the City of Albuquerque Comprehensive City Zoning Code (as amended) and as regulated by §14-16-3-11 shall be submitted with all development proposals in this land use district.

### Neighborhood Commercial (NC)

The Neighborhood Commercial land use district is provided to encourage neighborhood-oriented street level retail and office uses, and retail and residential mixed uses along the corridors adjacent to existing residential development in the Plan area. The Neighborhood Commercial land use district is intended to create corridor consisting of pedestrian oriented elements and to create a transition zone between residential and non-residential uses.

The Neighborhood Commercial land use district is used and described as places that are designed to be pedestrian-friendly, activity areas that support a mix of retail and commercial service uses. These areas denote a high level of visual interest and are characterized by an attractive pedestrian-oriented environment. Uses may include restaurants, retail shops, entertainment and recreational uses, offices, and plazas. They may also include higher density (a minimum of 12 dwelling units per acre), vertically-mixed, commercial and residential uses. This land use district is not considered appropriate for “Big Box” commercial-type development (e.g., single use retail establishments greater than 100,000 square feet).

**a) Permissive uses:** Development proposals that are in conformance with the requirements of the C-1 zone in the City Zoning Code and the design regulations defined in Chapter 4 of this Plan are appropriate to this category. Allowable uses include:

1. RC Zone Permissive and Conditional Uses;

2. O-1 Zone Permissive and Conditional Uses, and
3. C-1 Zone Permissive and Conditional Uses.

**b) Setback Requirements:**

1. Front setback: 0 feet min.
2. Side street setback: 5 feet min.
3. Rear setback: 5 feet min.

**c) Nonresidential Off-street parking requirements:**

per the COA Zoning Code, with reductions for mixed-use shared parking and transit proximity per the COA Comprehensive Plan.

**d) Residential off-street parking requirements:**

2 spaces for units with 3 or more bedrooms, 1.5 spaces for units with 2 bedrooms, 1 space for units with 1 bedroom or studio apartments.

**e) Mixed-use:** Residential uses allowed on second story and above only.

**f) Required actions:**

1. All proposals for development in this land use district shall include a Site Development Plan for Building Permit as defined by the City of Albuquerque Comprehensive City Zoning Code (as amended) and as regulated by §14-16-3-11.

**Regional Commercial (RC)**

This land use district provides areas for large, pedestrian-oriented retail and retail/office centers that provide everyday goods and services for a number of neighborhoods. Regional Commercial uses are intended for nodes of activity and are oriented along major arterials.

**a) Permissive uses:** Development proposals that are in conformance with the requirements of O-1, C-1 and C-2 zones in the City Zoning Code and the design regulations defined in Chapter 4 of this Plan are appropriate to this category. Allowable uses include:

1. O-1 Zone Permissive and Conditional Uses, or;
2. C-1 Zone Permissive and Conditional Uses, or;
3. C-2 Zone Permissive and Conditional Uses.

**b) Setback Requirements:**

1. Front setback: 15 feet min.
2. Side street setback: 5 feet min.
3. Rear setback: 5 feet min.
4. Setback along I-25: minimum 50 Landscape setback

**c) Off-street parking requirements:** Parking is per the COA Zoning Code, with reduction for mixed-use share parking and transit proximity

per the COA Comprehensive Plan, and with the following exceptions:

1. On street parking spaces adjacent to the site may be counted towards a site's off street parking requirements.
2. No single parking area shall exceed 150 spaces unless divided into smaller sub-areas by a building, internal landscaped street or shaded landscaped pedestrian way with trees planted 30 feet on center.

**d) Mixed-use:** Residential uses allowed on second story and above only.

**e) Required actions:**

1. A Site Development Plan for Building Permit, as defined by the City of Albuquerque Comprehensive City Zoning Code (as amended) and as regulated by §14-16-3-11, shall be submitted with all development proposals in this land use district.
2. Development proposals shall be in conformance with City of Albuquerque Comprehensive City Zoning Code Shopping Center Regulations (§14-16-3-2) and General Building and Site Design Regulations (§14-16-3-18) for non-residential uses.

## Commerce (CP)

The Commerce land use district is intended to accommodate a variety of light industrial/business parks in campus-like settings, commercial support uses, corporate offices, high-tech uses and mixed-use residential developments. This category also provides for employment uses such as warehousing, assembly and storage that occur in a closed building or in a yard that is fenced and screened from view from the street, sidewalk or adjacent non-industrial land uses.

**a) Permissive uses:** Development proposals in conformance with the design regulations defined in Chapter 5 of this Plan and the following conditions are considered appropriate to this land use district:

1. IP Zone Permissive and Conditional Uses, EXCEPT with the provision of exceptions listed below,
2. M-1 Zone Permissive Uses, EXCEPT A(1), A(2), A(5), A(6), A(7), A(12), A(15), A(16), A(17), and
3. M-1 Zone Conditional Uses B(5), B(7).

**b) Setback Requirements:**

1. Front setback: 0 feet min.
2. Side setback: 10 feet min.
3. Rear setback: 10 feet min.

**c) Nonresidential Off-street parking**

**requirements:** per the COA Zoning Code, with reductions for mixed-use shared parking

and transit proximity per the COA Comprehensive Plan, and with the following exceptions:

1. On street parking spaces adjacent to the site may be counted towards a site's off street parking requirements.
2. No single parking area shall exceed 150 spaces unless divided into smaller sub-areas by a building, internal landscaped street or shaded landscaped pedestrian way with trees planted 30 feet on center.
3. A maximum of one bay of parking (one drive aisle parked on both sides) is permitted between the front of the building and the street. All other parking shall be located at the rear and sides of the buildings.

**d) Residential off-street parking**

**requirements:** 2 spaces for units with 3 or more bedrooms, 1.5 spaces for units with 2 bedrooms, 1 space for units with 1 bedroom or studio apartments.

**e) Mixed-use:** Residential uses allowed on second story and above only.

**a) Required actions:**

1. A Site Development Plan for Building Permit, as defined by the City of Albuquerque Comprehensive City Zoning Code (as amended) and as regulated by §14-16-3-11, shall be submitted with all

development proposals in this land use district.

## Manufacturing (M)

The Manufacturing land use district provides for the development of areas where businesses, because of the nature of their manufacturing or storage operations (highly volatile substances), appearance, traffic generation or other conditions, may not be compatible with residential, retail, commercial, or business park land uses, or do not require visibility from arterial streets.

Appropriate land uses in the manufacturing land use district are characterized by businesses that use raw materials to manufacture or fabricate goods on-site. These businesses generally require outdoor storage and proximity to major transportation corridors, accessibility to water and sewer systems and are incompatible with adjacent residential land uses.

**a) Permissive uses:** Development proposals in conformance with the design regulations defined in Chapter 5 of this Plan and the following conditions are considered appropriate to this land use district:

1. M-1 Zone Permissive and Conditional Uses.

**b) Required actions:**

1. A Site Development Plan for Building Permit, as defined by the City of Albuquerque Comprehensive City Zoning Code (as amended) and as regulated by

§14-16-3-18 shall be submitted with all development proposals in this land use district.

**Recreation and Open Space (ROS)**

The Recreation and Open-Space designation includes existing and planned City parks, open spaces, conservation areas, public recreation facilities, and arroyos intended for public recreation and resource conservation. Included in this designation are the Balloon Fiesta Park, the Domingo Baca, La Cueva and North Camino Arroyos and the North Diversion Channel.

- a) **Permissive uses:** Development proposals appropriate to this land use district shall be in conformance with the *Balloon Fiesta Master Development Plan* and the *Facility Plan for Arroyos: Multiple Use of Albuquerque’s Arroyos and Their Floodplains*. Other site design regulations for development proposals within this land use district are found in Chapter 5 of this Plan.

**Land Use District Summary Table**

Land Use District	COA Zoning District											
	R-1	R-LT	R-T	R-2	R-3	R-G	R-C	O-1	C-1	C-2	IP	M-1
Low-Medium Density Residential	■	■	■									
High Density Residential				■	■	■						
Neighborhood Commercial							■	■	■			
Regional Commercial								■	■	■		
Commerce											■	■*
Manufacturing												■
Recreation and Open Space												

\* M-1 Zone Permissive Uses, EXCEPT A(1), A(2), A(5), A(6), A(7), A(12), A(15), A(16), A(17), and M-1 Zone Conditional Uses B(5), B(7).

## 4 Community Design Plan

### Community Design Goal

*Provide quality development and a quality, cohesive visual environment throughout the Plan area for residents, businesses and visitors*

The intent of this Community Design Plan is to provide for an attractive, well-designed Plan area that will attract quality development, improve the visual character of the area, and create a positive, cohesive image for the Plan area.

It is the intent of the Community Design Plan to provide design regulations for the effective and efficient design of new commercial, employment, and mixed-use developments and for the redevelopment of existing areas within the Plan area. The Plan applies to both public and private development projects and should be used by citizens, developers, and public officials in the decision-making process.

The Community Design Plan is supplemented by design regulations that illustrate certain policies and action strategies contained in this chapter. As needed, guidelines shall be updated and supplemented with appropriate examples of building and/or site design or other site features that meet the goals and policies of this chapter.

### 4.1 COMMUNITY DESIGN POLICIES

Policy CD1: Encourage site, architectural, signage, and landscape designs that complement the scale and character of existing and planned development in the Plan area and result in the creation of safe and accessible pedestrian circulation.

Policy CD2: Create an identity and cohesive, visually unified area.

Policy CD3: Enforce the design regulations contained in this plan to guide the development within the land use districts

Policy CD4: Upgrade the visual quality of the Plan area gateways and major travel corridors.

Policy CD5: Establish a hierarchy of community streets with appropriately designed streetscapes.

Policy CD6: Provide an informal, naturalistic landscape throughout the Plan area consistent with the prevailing landscape character of the City of Albuquerque.

#### 4.1.1 Community Design Recommended Actions

1. Require generalized development plans to include architectural, sign, lighting, and landscape compatibility for all shopping centers, employment areas, and mixed-use developments.
2. Incorporate the Community Design Plan into the City's development application review and approval processes.
3. Provide streetscape improvements to present a cohesive site design for existing and proposed developments. These improvements should serve to create the desired vision for the Plan area as identified in this Plan by including new decorative light fixtures, street trees, sidewalks, safe pedestrian street crossings, and bicycle and multi-use trails.
4. Prepare, in cooperation with the New Mexico Department of Transportation (NMDOT) and the private sector, landscape plans to improve the scenic quality of highly visible areas along I-25, Paseo del Norte and Alameda Boulevard.
5. Provide incentives for improvements to existing private properties.
6. Investigate the possibility of placing overhead utilities underground or relocating them to the rears of properties in order to eliminate visual clutter along the roadway.
7. Work with all applicable public agencies, as well as private entities, such as local neighborhood / business associations, to develop maintenance plans prior to implementation of the proposed improvements. Ensure that the necessary maintenance for all of the improvements is provided, including but not limited to seasonal landscaping where

applicable, regular litter collection, street cleaning, and general landscaping and lighting maintenance. Work with private property owners to improve the maintenance of private properties in order to enhance the overall appearance of the gateway.

8. Periodically review the design regulations referenced in this Plan and keep these regulations and graphics current.

## 4.2 DESIGN REGULATIONS

The intent of these design regulations is to create a cohesive built environment that emphasizes the use of quality materials and creates a human scale setting. The design regulations are specific to the Plan area and are intended to identify and address issues of importance. These design regulations shall be considered supplemental to the applicable zoning use provisions and development regulations and any other applicable Federal, State, or local regulation governing development unless otherwise noted. When the regulations are silent on an issue that would otherwise be governed by other City codes or plans, those codes and plans shall prevail. Where conflict arises between the City regulations and regulations and these design guidelines, the more restrictive provisions shall prevail.

### Building Design Regulations

#### a) Building Principles

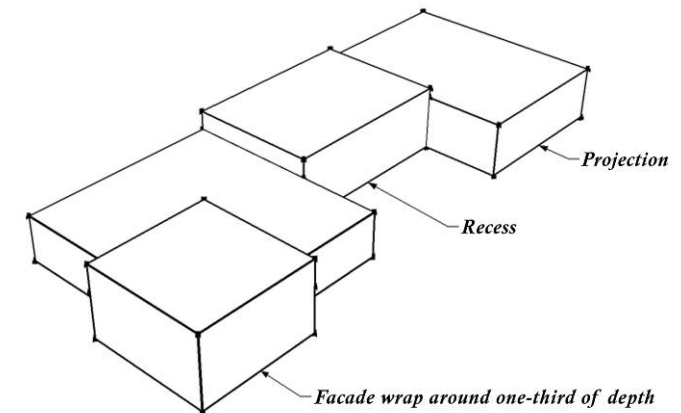
1. Architectural details should be used to provide appropriate scale and proportion to facades. Details should be related, where feasible, to the properties of the materials from which the building is made.
2. Building masses should be appropriate to the scale of the context of the building's locality and be designed to provide interest and variety.
3. Multiple buildings on the same site shall be designed to create a cohesive visual relationship between buildings.
4. Architectural styles will be based on contemporary interpretations of regional design styles of the southwest.

#### b) Exterior façade treatments:

1. Building entrances shall be articulated with an awning, arcade, change in roof line, portico, recess or projection, tower element, or similar feature to identify a clear sense of entry.
2. Facades that face a public street shall have the front facade wrap around the structure at a distance equal to or greater than one-third the depth of the building or 20 feet, whichever is greater.

3. Facades should be articulated to reduce the massive scale and composition of large buildings by providing visual interest that will be consistent with each Land Use Districts' identity, character and scale.
4. Facades with a length greater than 100 feet, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 feet and extending at least 20 percent of the length of the facade.

*Exhibit 1 - Illustrative of façade treatment*



#### c) Building Roofs:

1. Parapet Roofs are allowed only in a configuration where the roof material is not visible from any adjacent public right-of-way. The average height of such parapets shall not exceed 15 percent of the height of

the supporting wall and shall not at any point exceed one-third of the height of the supporting wall.

2. Skylights and roof vents are permitted only on the roof plane opposite the primary street or right-of-way or when shielded from public right-of-way view by the building's parapet.

**d) Permitted Building Materials:**

1. Building facades shall be required to use a minimum of two different finishes. Combinations of materials are strongly encouraged to create visual interest and diversity.
2. All primary building facades shall use materials that are durable and of a quality that will retain their appearance over time.

3. All accessory buildings shall be contextual and shall be of the same materials used in the primary building design.

**e) Non-residential building orientation:**

1. Buildings shall orient customer entrances and/or windows to all public spaces, including common areas, trails and streets.
2. When the side of a building faces open space, trails or other public use, one of the following shall be provided to create an attractive façade facing the public street:
  - i. display window and landscaping
  - ii. at least one customer entrance and landscaping
  - iii. building design and details similar to a front façade and landscaping

3. When the rear of a building faces open space, trails or other public use, one of the following shall be provided to create an attractive façade facing the public street:

- i. display window and landscaping
- ii. building design and details similar to a front façade and landscaping

**f) Screening of Undesirable Materials:**

1. Materials, colors, and design of screening walls and/or fences shall complement those used as predominant materials and colors on the building(s). If such areas are to be covered, the covering shall conform to those used as predominant materials and colors on the building(s).
2. Where feasible, mechanical equipment on the roof should not be visible or should be screened from all vantage points. Screening shall be consistent with the buildings architectural design, materials, and finishes.
3. Ground mounted utilities shall be screened from view from public right-of-way and open space.

**Site Design Regulations**

**a) Pedestrian Orientation:**

1. Sites shall be designed to minimize conflicts between automobiles, trucks, bikes and pedestrians to create an

**Exhibit 2 - Illustrative of architectural details**



organized system of entrances, driveways, parking lots and delivery areas.

2. Internal pedestrian walkways shall be distinguished from driving surfaces through the use of special materials such as special pavers, bricks, or scored concrete to enhance pedestrian safety and the attractiveness of the walkways.
3. Use of curb cuts, curb returns and drive pads that reduce the continuity of walks or result in sidewalk grade changes shall be minimized and ADA compliant.
4. On buildings that abut a public sidewalk, building entrances shall be directly accessible from the public sidewalk. Pavement is required along the entire length of the façade that abuts the sidewalk.
5. Customer entrances shall be located convenient to pedestrian walkways and bus stops.

**b) Service locations:**

1. Service areas and storage area shall not front onto public streets and open spaces.
2. Service areas shall be visually screened from the view of public streets or open space by a visual barrier such as fencing or landscaping.
3. Service and emergency service lanes shall be designed as part of the site circulation

and shall not use dedicated lanes that add impervious surface.

**c) Outdoor Storage and Trash Collection Areas:**

1. Areas for outdoor storage, trash collection or other such uses shall be screened from abutting streets and adjacent Property with an opaque screen consisting of walls and/or landscaping. No areas for outdoor storage, trash collection or compaction shall be permitted within 30 feet of any public street, sidewalk or internal pedestrian way.
2. Non-enclosed areas for the storage and/or sale of seasonal inventory shall be permanently defined and screened with walls and/or fences.

**d) Loading docks, garages and similar facilities:**

1. Loading docks, garage doors, bays and other similar facilities shall be incorporated into the overall design of the building and landscaping.
2. Garage door areas should not exceed 1/3 of the building's horizontal length and only two garage doors per 60 feet of linear frontage may be used.
3. Roof canopies shall be provided over all loading docks and shall be architecturally integrated with the building.

**e) Lighting:**

1. Site lighting shall be of a design and height and shall be located so as to illuminate only the lot. Up-lighting is not permitted. An exterior lighting plan must be approved as consistent with these regulations by the City.
2. Street lights shall be located between thirteen (13) feet and sixteen (16) feet above grade with a maximum average spacing (per block face) of 60 feet on center placed two (2) feet from the back of curb on each side of the street and travel lanes.
3. At the front of the building, exterior lights shall be mounted between 6 feet and 14 feet above adjacent grade.
4. All lots with alleys shall have lighting fixtures within 5 feet of the alley right of way. This fixture shall illuminate the alley, shall be between 13 and 16 feet in height, and shall not cause glare into adjacent single-family lots.
5. Lighting elements shall be incandescent, metal halide or halogen only. No HID or fluorescent lights (excepting compact fluorescent bulbs that screw into standard sockets) may be used on the exterior of buildings.
6. Floodlights or directional lights (maximum 75- watt bulbs) may be used to illuminate

alleys, parking garages and working (maintenance) areas, but must be shielded or aimed in such a way that they do not shine into other lots or the street.

7. Floodlighting shall not be used to illuminate building walls (i.e. no up-lighting).
8. No flashing, traveling, animated, or intermittent lighting shall be visible on the exterior of any building except in historic areas where it is expressly permitted.
9. Lighting in the vicinity of Balloon Fiesta Park shall be limited to area lighting regulations that are no greater in height than 20 feet. Spacing for area lighting shall be spaced as far as part as possible to minimize the total number of fixtures. Pedestrian lights along Balloon Fiesta Park for trails and walks shall be limited to bollard lighting only.

## Signage Regulations

### a) Monument Signage

1. Freestanding, monument style with concealed supports are allowed (no poles), either single or double faced, limited to the building or major tenant name and address. Monument signs are limited to one sign per building/buildings complex and shall be designed as part of the overall theme of the Land Use District in which it is located. The color and materials used for the sign

shall complement the materials, color and texture of the building and have a good relationship with the surrounding landscaping.

2. Monument signage shall not block the visibility of vehicular traffic or risk the safety of pedestrians.
3. The allowable dimensions for monument signage are 10' long by 4' high with an additional base height of 18".
4. Monument signage shall be attractively illuminated without excessive spillage of light upward or outward. Any exposed light source, flashing or moving character type sign shall not be permissible.

### b) Building Signage

1. One building sign will be permitted per development parcel, limited to the name of the business, business logo and street address number. The color and materials used for the signs shall complement the materials, color and texture of the building.
2. Business signs are not permitted at or near the rear of the buildings.
3. For multiple-story building, wall signs are permitted within the area between the second story floor line and the first floor ceiling, within a horizontal band not to exceed 2' in height. In no case shall this band be higher than 18' or lower than 12' above grade.

4. For multi-tenant buildings, all wall signs shall be located at a consistent location on the building façade with only one building sign allowed for each building.

5. Projecting signs may be hung below the second story level, perpendicular to the right-of-way or from an overhang or awning. Signs shall not project more than thirty six (36) inches, perpendicular to the right-of-way, beyond the façade.
6. Building sign letters shall not exceed 18 inches in height or width and 3 inches in relief.
7. Company logos shall not be larger than a rectangle of 8 square feet.
8. Street addresses may be placed at between 6' and 12' above grade using 6 to 12 inch tall lettering.
9. Projecting signs shall not be more than 24 inches vertical by 48 inches horizontal and shall have a 9' minimum clearance height above the sidewalk.
10. Animated, illuminated flashing or intermittent illumination signage is prohibited.

## Landscape Regulations

Planning and landscape design regulations shall be per the City of Albuquerque Zoning Code and Development Process Manual, with the following additions/exceptions:

a) **Landscape Area Requirements:** 15% per COA Zoning Code (No artificial turf allowed).

b) **Standard Landscape Buffers:**

1. Front Landscape Buffer: A minimum landscape strip of ten feet, or a six foot landscaped area with a 4 foot high screen wall, shall be maintained between parking areas and the primary street right of way.
2. Side/Rear: A minimum landscaped strip of 6 feet shall be maintained between parking areas and adjacent lots, regardless of site size.

c) **Special Buffer Landscaping/Screening requirements:**

Where a nonresidential zone is developed for a nonresidential purpose and the site abuts a residential zone, special buffer landscaping is required to minimize noise and sight impact of the non-residential activities in the residential area:

1. Trees and plants shall have non-invasive growth habits, and be planted in soil and conditions that are appropriate for their growth habits.
2. Property owners are strongly encouraged to use xeriscape and other water conservation methods in selecting plant materials.
3. Turf areas shall be identified on the landscape plan and cannot constitute more than twenty five (25) percent of the landscape area requirement.

Buffers may be either native vegetation or landscaping materials provided the buffer strip is a minimum of ten (10) feet in width and of sufficient occurrence and density so as to block from view the property to be buffered.

d) **Open Space Area Requirements:**

1. For site greater than 20 acres, 5% of the site must be designated for usable open space.

e) **Off-street Landscaping requirements:** per City of Albuquerque Zoning Code, with the following exceptions:

1. Landscape requirements apply to surface parking only.
2. Required parking area trees may be of a deciduous or evergreen species.
3. Landscape coverage: Tree canopy shall count towards the requirement that 75% of landscape areas 36 square feet or greater be covered with living, vegetation materials.
4. Where practical, surface runoff into water harvesting areas shall be provided in parking lots.

and maximize development / redevelopment opportunities. If following the under lying zoning, development proposals are subject to the height requirements set forth in the *City of Albuquerque Zoning Code*. If the development proposal is not following the under lying zoning but instead following the requirements of the Land Use Districts, the development proposal is required to adhere to the height limitations set forth in the Building Height Overlay, shown in **Figure 7**.

### 4.3 HEIGHT OVERLAY

The maximum building height regulations are intended to protect adjacent residential neighborhoods and open space resources, including compatibility in scale and character, and to facilitate

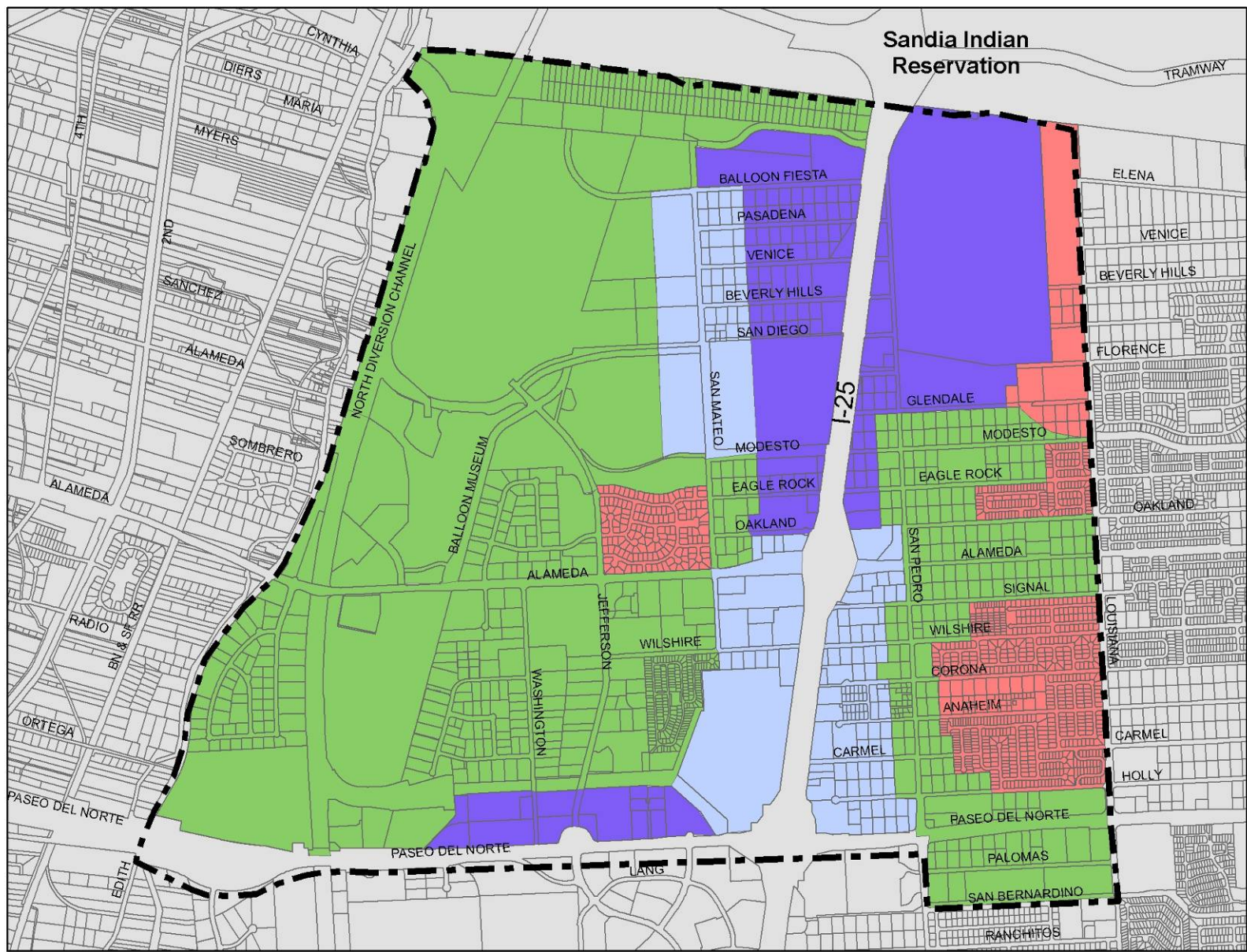


Figure 7  
Building  
Height Overlay



Legend

- 26 ft MAX
- 3rd - 39 ft MAX
- 4th - 52 ft MAX
- 5th - 65 ft MAX

# 5 Transportation Plan

## Transportation Goal

*To improve circulation and access to facilitate the movement of goods and people throughout the Plan area*

A well-functioning transportation system in the Plan area is essential to ensure the efficient movement of people and goods, maintain the quality of life, and provide for economic growth and diversification. The intent of the Transportation Plan is to promote the safe and efficient movement of goods and people throughout the Plan area and surrounding areas. The plan utilizes a multi-modal approach to the transportation network including roadway, transit, bicycle, and pedestrian facilities, by providing policies, capital improvements and recommended actions for each mode of transportation.

### 5.1 TRANSPORTATION POLICIES

Policy T1: Provide additional north-south access to and from the Plan area.

Policy T2: Provide east-west vehicular access through the Plan area north of Alameda Boulevard

Policy T3: Reduce traffic speeds throughout the Plan area to improve safety and reinforce quality development.

Policy T4: Improve service levels throughout the Plan area.

Policy T5: Reinforce the hierarchy of streets, through the use of landscaping and design elements that are scaled appropriately to the street's width and function.

Policy T6: Alleviate traffic problems occurring during special events within the Plan area.

Policy T7: Encourage the provision of pedestrian and bicycle links between and among commercial properties, community facilities, and nearby residential neighborhoods.

Policy T8: Establish an interconnected system of right-of-way to provide for safe and efficient movement of pedestrian and bicycle traffic.

Policy T7: Enhance access from the Plan area to the Rail Runner Express platform located at Paseo del Norte and Edith Boulevard.

Policy T8: Provide additional transit routes and stops within the Plan area.

Policy T9: Improve pedestrian access to public transit facilities.

#### 5.1.1 Transportation Capital Improvements

1. *Extend San Mateo Boulevard south to the arterial proposed by the New Mexico Department of Transportation.* Extending San

Mateo Boulevard to the south would improve north-south circulation and alleviate anticipated increases in traffic as the northern portions of the Plan area continue to develop. The extension of the roadway could be done in coordination with the redevelopment of the Coronado Trailer Park site.

2. *Extend Balloon Museum Drive south to Paseo del Norte.* Extending Balloon Museum Drive would also improve north-south circulation and serve as an alternate route to accessing Balloon Fiesta Park from the south. The extension could be constructed utilizing the public right-of-way and drainage channel on the eastern edge of the Los Angeles landfill.
3. *Extend San Diego Avenue across I-25 to San Pedro Drive.* Extending San Diego Avenue east of I-25 would provide additional east-west capacity within the Plan area. The extension could be incorporated via an overpass of I-25 and could also serve as an opportunity to serve as a gateway to the City.
4. *Connect San Diego Avenue to Balloon Museum Drive.* The connection would provide the needed additional north-south capacity to the west side of the Plan area. The improvement should be evaluated in coordination with the proposed extension of Balloon Museum Drive to Paseo del Norte.
5. *Extend Alameda Drive to Balloon Fiesta Park.* Extending Alameda Drive in Bernalillo County

to the Balloon Fiesta Park would provide additional access to the Park. Land needed to provide the connection is already under Park ownership and could be utilized as right-of-way for the extension.

6. *Provide an additional north-south roadway between San Mateo Boulevard and I-25.* As development continues, providing for a parallel facility to San Mateo Boulevard between Balloon Fiesta Parkway and Alameda Boulevard would provide additional north-south capacity. Right-of-way could be acquired / provided as properties in this area develop.
7. *Place a traffic signal at the intersection of San Pedro Drive and Alameda Boulevard.* A major concern for residents east of I-25 is the congestion and safety concerns at the intersection of San Pedro Drive and Alameda Boulevard. The intersection is currently a four-way stop but 2006 traffic counts indicated that a traffic signal is warranted.
8. *Conduct traffic calming studies.* Conduct traffic calming studies along the corridors in the Plan area encompassing Alameda Boulevard, San Mateo Boulevard, San Pedro Drive and Louisiana Boulevard. As congestion east of I-25 has worsened, cut-through traffic within existing residential neighborhoods has become problematic. The City should take steps to evaluate traffic calming measures and implement improvements in collaboration with

residents. Recommended traffic calming methods are provided in Section 5.2.

9. *Extend the existing bicycle lane along Alameda Boulevard from its current termination at Jefferson Street to Louisiana Boulevard.* Extending the bicycle lane will provide additional non-motorized east-west access within the Plan and would provide an additional connection to the existing multi-use trail located south of Domingo Baca Park.
10. *Provide a bicycle lane along Jefferson Street between Balloon Fiesta Park and the Journal Center.* A bike-lane along Jefferson Street would provide a needed north-south connection for non-motorized traffic. The bike-lane would provide a connection between the proposed trails at the Domingo Baca Arroyo and the North La Cueva Arroyo and would also provide access to Wildflower Park.

#### 5.1.2 Transportation Recommended Actions

1. Remove the truck restrictions on Paseo del Norte and designate the roadway as the area's primary truck route.
2. Encourage the consolidation of commercial parking areas in order to reduce curb cuts and vehicular conflicts.
3. Encourage the consolidation of access points and reconfigure internal circulation drives to improve vehicular and traffic safety, in a manner that does not cause internal congestion. Where

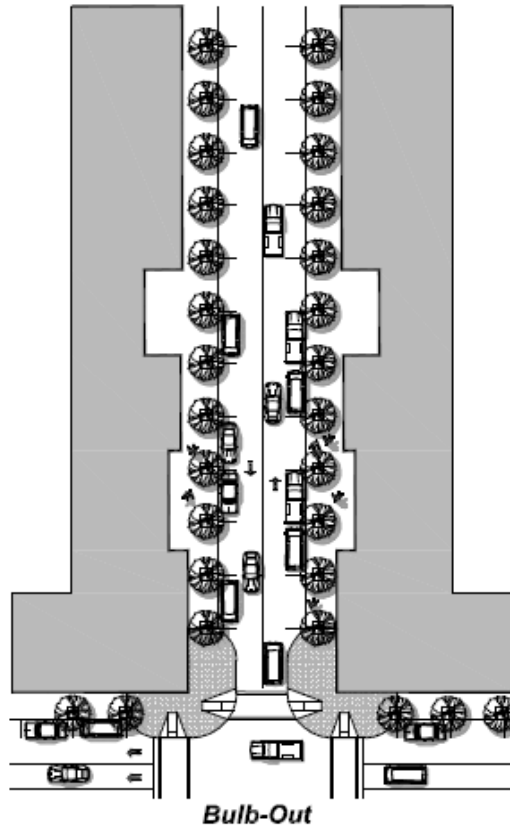
appropriate and where such connections will not cause internal congestion, encourage the creation of inter-parcel connections to permit vehicular movement between adjacent commercial properties.

4. Update the functional street classifications contained in the Long Range Roadway System Map to reflect land uses and roadway functions proposed in this Plan.
5. Plan roadways to operate at a level of service (LOS) "D" or better.
6. During the development proposal process, require that the applicant set forth techniques to maintain existing LOS for those intersections and roadway segments already operating below LOS "D" and which would be further reduced by the traffic impacts of the requested development.
7. Place permanent signs, using a consistent theme, for directional purposes and identification within and around the Balloon Fiesta Park.
8. Place temporary way finding signage on affected roadways during special events in the Plan area including signage on I-25, Paseo del Norte, Alameda Boulevard, San Diego Avenue, San Mateo Boulevard and Jefferson Street.
9. Require the submittal of a circulation master plan as a condition of any Zone change request or development proposal on the former Coronado Airport site.

10. Require any redesign of Paseo del Norte to include protected north-south bicycle and pedestrian crossings at San Pedro Drive and Louisiana Boulevard.
11. Encourage the clear delineation of pedestrian ways in commercial parking lots and other thoroughfares for public use—through the use of landscaping, lighting, signage, contrasting pavement, pavement marking, or other innovative treatments.
12. Amend the Trails and Bicycle Facility Plan to include on street bike-lanes within the existing right-of-way along Alameda Boulevard, Jefferson Street and Louisiana Boulevard and to include trails along the La Cueva Arroyo and Domingo Baca Arroyo.
13. Require that new development within 150 feet of a bus stop provide direct access to the stop location.
14. Require the dedication of through streets to be no more than a quarter-mile apart in all new developments.
15. As development continues and transportation improvements are made, reevaluate the bus route system to ensure that a sufficient number of stops are being provided.
16. Provide parking space reductions for employers that provide private shuttle service for their employees to the Rail Runner Express

## 5.2 TRAFFIC CALMING TECHNIQUES

Traffic calming allows a reduction in vehicular speed, but maintains an acceptable Level of Service (LOS) on collector or neighborhood streets. Traffic calming measures can also provide for a safer pedestrian environment and a sense of scale at the street level. The following traffic calming techniques can be applicable to a number of streets in the Plan area.

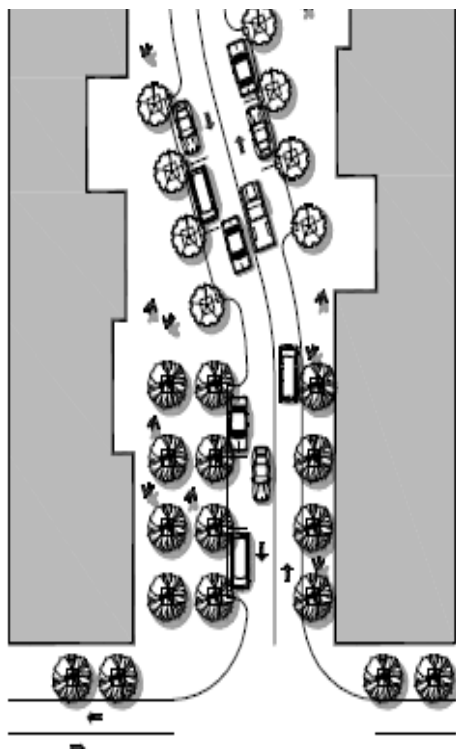


<b>Bulb-Out/Curb Extension/Neckdown</b>	
Curb extensions at intersections that reduce roadway width curb to curb.	
<i>Pros</i>	<i>Cons</i>
<ul style="list-style-type: none"> <li>▪ Shortens pedestrian crossing distance</li> <li>▪ Reduces speed of turning vehicles</li> <li>▪ Can be landscaped</li> </ul>	<ul style="list-style-type: none"> <li>▪ Increased landscape maintenance costs</li> <li>▪ Potential drainage issues</li> </ul>

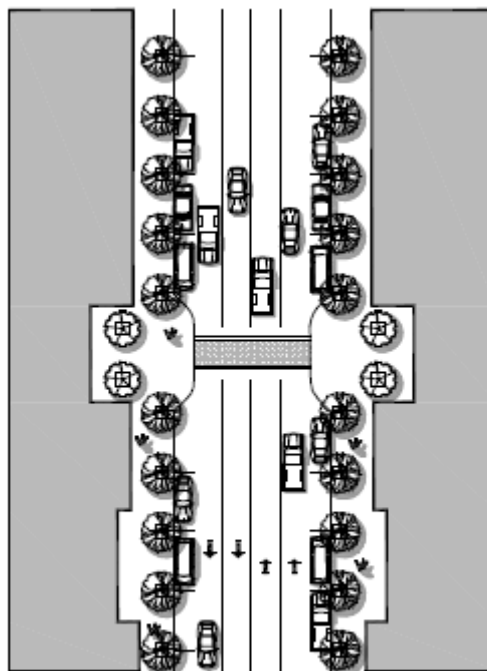
<b>Chicane/Serpentine</b>	
Curb extensions that alternate from one side of the street to the other, forming S-shaped curves.	
<i>Pros</i>	<i>Cons</i>
<ul style="list-style-type: none"> <li>Shortens pedestrian crossing distance</li> <li>Low impact on emergency response time</li> </ul>	<ul style="list-style-type: none"> <li>Potential drainage problems</li> <li>Increased maintenance costs</li> </ul>

<b>Mid-block Crossing/Center Island/Median Choker</b>	
Raised islands located along the centerline of a street that narrow the travel lanes at that location.	
<i>Pros</i>	<i>Cons</i>
<ul style="list-style-type: none"> <li>Landscaping opportunities</li> <li>Increase pedestrian safety</li> </ul>	<ul style="list-style-type: none"> <li>May require loss of on-street parking</li> <li>May interrupt driveway access</li> </ul>

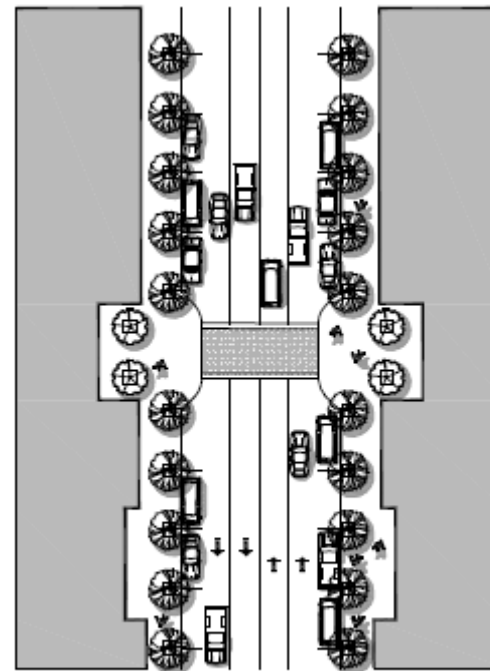
<b>Speed Table/Raised Crosswalk</b>	
Flat-topped speed humps often constructed with brick or other textured materials on the flat section.	
<i>Pros</i>	<i>Cons</i>
<ul style="list-style-type: none"> <li>Reduces speed</li> <li>Provides safer crossing for pedestrians</li> </ul>	<ul style="list-style-type: none"> <li>More expensive than speed hump</li> <li>May not reduce speed as much as speed hump</li> </ul>



**Chicane**



**Mid-Block Crossing**



**Speed Table**



**Figure 8**  
**Proposed**  
**Transportation Plan**



**Legend**

- Existing Roadway
- Proposed Roadway
- Existing Bike Lane
- Proposed Bike Lane
- Existing Multi-Use Trail
- Proposed Multi-Use Trail
- Proposed Traffic Signal

**Bus Routes**

- Wyoming Commuter
- San Mateo / Jefferson
- North Fourth Street
- Bus Stop

# 6 Open Space Plan

## Open Space Goal

**To protect and maintain a high-quality, accessible sufficient system of recreation facilities and sites to serve the Plan area**

The intent of this Open Space Plan is to integrate existing open space and recreational resources into the Plan area by providing for improved access to those resources. The Balloon Fiesta Park consumes a large portion of the Plan area and is an important resource to the Plan area and to the City of Albuquerque. As such, the Park should be considered and integrated into the Plan's vision. Although this Plan does not directly address or recommend improvements to the Park, the Balloon Fiesta Park Master Plan should be taken into consideration and respected as the Plan area continues to develop.

## 6.1 OPEN SPACE POLICIES

Policy OS1: Provide better access to the broad range of recreational opportunities, by improved or reinforced links to open spaces within and outside the City.

Policy OS2: Encourage the location of public open spaces and facilities in new developments close to active uses--commercial, community services,

employment, and schools.

Policy OS3: Provide connections between existing trails and recreational resources within the Plan area.

Policy OS4: Encourage the integration of existing drainage facilities into the open space system.

### 6.1.1 Open Space Capital Improvements

1. *Provide for a multi-use trail along the North La Cueva Arroyo connecting Balloon Fiesta Park to Louisiana Boulevard.* A trail could be constructed along the North La Cueva Arroyo or within the existing San Diego Avenue right-of-way. The trail could use the I-25 flyover, proposed for San Diego Avenue as part of this Plan, and proceed east to connect to the bike lane located along Louisiana Boulevard.
2. *Provide for a multi-use trail along the Domingo Baca Arroyo, connecting the North Diversion Channel to Louisiana Boulevard.* A trail along the Domingo Baca Arroyo could be constructed within the right-of-way of the new arterial proposed by the New Mexico Department of Transportation. The trail could connect to the portion of the Domingo Baca Arroyo Trail already constructed south of the Plan area, east of I-25.
3. *Provide for a multi-use trail from the North Camino Arroyo, south to the Domingo Baca Arroyo.* A trail could be constructed in the

vicinity of San Mateo Boulevard, providing an additional north-south non-motorized connection. Private land owners could contribute to the trail right-of-way as the former Phillips site and Coronado Trailer Park are redeveloped.

4. *Provide for a multi-use trail between Wildflower Park and the Balloon Fiesta Park.* Providing for a trail at this location will provide a connection between existing open space resources.

### 6.1.2 Open Space Recommended Actions

1. Amend the Proposed Trails Map to include trails along the Domingo Baca and North La Cueva Arroyos.
2. Provide convenient, well-marked, well-defined entrance points of access for existing and proposed trails within the Plan area. Where possible, locate these entrance points at activity centers, such as park locations, public facilities public transit, residential communities, and private businesses.
3. Consider placing a trail study corridor designation on the proposed trails map a quarter-mile north and south of Paseo del Norte, between San Pedro Drive and the North Diversion Channel. This will ensure that the existing trail connection between the Bus Rapid Ride system at Paseo del Norte and Edith Boulevard and the North Domingo Baca Arroyo remains.


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4. Provide/study a north-south trail connection between I-25 and the North Diversion Channel in the redesign of the Paseo del Norte / Jefferson Street intersection.
    - **Lighting:** Adequate lighting should be provided where trails traverse security risk areas and serve users of public transit facilities.
  5. Coordinate planning efforts to implement an interconnected system of trails between the Plan area and surrounding areas including trails for pedestrian and non-motorized vehicles. Connectivity between parks via trails, sidewalks, and linear corridors shall be encouraged.
  6. Utilize the *Crime Prevention through Environmental Design (CPTED)* practices for points of access to trails and in trail designs.
  7. Promote the implementation of proposed trails with the assistance of citizen groups, the development community, and the New Mexico Department of Transportation in order to link trails and open spaces to the Plan area's neighborhoods, businesses and transit facilities.
  8. Develop and maintain regulations governing construction of trails. Regulations should consider, but not be limited to, the following factors:
    - **Surfaces and Widths:** Trail surfaces and widths should be appropriate to the expected user types, intensity of use, and maintenance levels expected.
    - **Access Points:** Frequency and location of access points should relate to activity centers and transportation facilities.
  9. Develop an appropriate structure to ensure community involvement in the management of open spaces.



Figure 9  
Proposed Open Space & Trails Plan



**Legend**

- Existing Open Space
- Existing Trails
- Planned Trails

# 7 Environmental & Public Safety Plan

## Environmental & Public Safety Goal

*Preserve, protect, and enhance the significant environmental resources and features of the Plan area, including arroyos, air quality, ground water, and natural viewsheds*

### 7.1 ENVIRONMENTAL & PUBLIC SAFETY POLICIES

Policy EPS1: Consider environmental concerns at all levels of land use-related decision-making.

Policy EPS2: Limit the amount and extent of impervious surfaces.

Policy EPS3: Improve and reduce the effects of flooding as a result of existing and planned development.

Policy EPS4: Monitor former landfills within the Plan area in an effort to protect the environment and public's health and safety.

#### 7.1.1 Environmental & Public Safety Capital Improvements

1. *Continue the North Arroyo Channel through the northern boundary of Balloon Fiesta Park.*  
Completing the improvements to the North

Camino Arroyo in the Northwest portion of the Plan area is necessary to proceed with development in the area and reduce flooding in the Park.

#### 7.1.2 Environmental & Public Safety Recommended Actions

1. Incorporate community involvement in the design and maintenance of environmentally sensitive open space areas.
2. Require a master drainage plan for the closed Coronado Airport site to be submitted for any development proposals for the site. Require the drainage plan to address the connection between the North Camino Arroyo and its termination at I-25 and Louisiana Boulevard.
3. Implement the drainage plan for the Los Angeles Landfill established by the Environmental Health Department.
4. All City departments and offices involved in land use shall coordinate with local, state, and regional environmental organizations to facilitate the exchange of data and implementation of environmental protection measures.
5. Ensure that the City is cognizant of the environmental issues and impacts of development projects within and adjacent to the Plan area that might affect the health, safety, and welfare of its residents.
6. Encourage developers to incorporate into site planning various environmentally sensitive approaches including low-impact development techniques, green building and sustainable design.
7. Encourage the minimization of the amount of impervious surfaces of development and utilize acceptable retrofit techniques in redevelopment in order to minimize storm water runoff through the use of appropriate low-impact development techniques.
8. Continue to remediate ground water contamination originating from former landfills in the Plan area.
9. Evaluate the effectiveness of the landfill gas extraction system at the Los Angeles landfill through close monitoring of the ground water, methane wells and underground structures in the nearby area.
10. Evaluate alternative energy uses for the landfill gas being removed at the Los Angeles landfill.

# 8 Plan Implementation

*Abbreviations and Acronyms used in the table below:*

To implement the Plan, the following projects should be considered for inclusion in the City of Albuquerque Component Capital Improvement Plan (CCIP).

**AMAFCA** – Albuquerque Metropolitan Arroyo Flood Control Authority

**CIP** – Capital Improvement Program

**COA** – City of Albuquerque

**DMD** – Department of Municipal Development

**EHD** – Environmental Health Department

**MR-COG** – Mid Region Council of Governments

**NMDOT** – New Mexico Department of Transportation

**NTMP** – Neighborhood Traffic Management Program

Element	ID	Policy Implemented	Action	Lead Agency	Coordination Required	Potential Funding Sources
Land Use	3.1.1 (2)	LUZ1	Incorporate the policies and Land Use District requirements into the development approval process	Planning (COA)		
Land Use	3.1.1 (6)	LUZ4, LUZ5	Amend the City ordinance to create development procedures to allow for additional residential/non residential mixed-use buildings	Planning (COA)	Property Owners	
Community Design	4.1.1 (2)	CD3	Incorporate the Community Design Plan into the City's development application and approval processes	Planning (COA)		
Community Design	4.1.1 (3)	CD2, CD5	Provide streetscape improvements to present a cohesive site design for existing and proposed developments	DMD (COA)	Parks & Recreation (COA)	CIP
Community Design	4.1.1 (4)	CD2, CD4, CD5	Prepare landscape plans to improve the scenic quality of highly visible areas along I-25, Paseo del Norte and Alameda Boulevard	Parks & Recreation (COA)	Property Owners / NMDOT /	CIP
Community Design	4.1.1 (6)	CD4	Place overhead utilities underground or relocate them to the rears of properties	Public Service Company of New Mexico	Property Owners	CIP

Element	ID	Policy Implemented	Action	Lead Agency	Coordination Required	Potential Funding Sources
Transportation	5.1.1 (1)	T1, T4, T6	Extend San Mateo Boulevard south to the arterial proposed by the NMDOT	Public Works / Traffic Analyses (COA)	Property Owners / NMDOT / AMAFCA	CIP
Transportation	5.1.1 (2)	T1, T4, T6	Extend Balloon Museum Drive south to Pase del Norte	Public Works / Traffic Analyses (COA)	NMDOT / EHD	CIP
Transportation	5.1.1 (3)	T2, T4, T6	Extend San Diego Avenue across I-25 to San Pedro Drive	Public Works / Traffic Analyses (COA)	Property Owners / NMDOT /	CIP
Transportation	5.1.1 (4)	T2, T4, T6	Conect San Diego Avenue to Balloon Museum Drive	Public Works / Traffic Analyses (COA)	Property Owners / Albuquerque International Balloon Fiesta / Wildflower Neighborhood Assoc.	CIP
Transportation	5.1.1 (5)	T2, T6	Extend Alameda Drive to Balloon Fiesta Park	Public Works / Traffic Analyses (COA)	Property Owners / Albuquerque International Balloon Fiesta / AMAFCA / Bernalillo County	CIP
Transportation	5.1.1 (7)	T3, T4	Place a traffic signal at the intersection of San Pedro Drive and Alameda Boulevard	DMD / Traffic Analyses (COA)	La Cueva Neighborhood Assoc.	CIP / NTMP
Transportation	5.1.1 (8)	T3, T4, T7	Conduct traffic calming studies	DMD / Traffic Analyses (COA)		CIP / NTMP
Transportation	5.1.1 (9,10)	T7, T8	Provide bike lanes along Alameda Boulevard, San Pedro Drive, Louisiana Boulevard and Jefferson Street	DMD (COA)	MR-COG / Parks & Recreation (COA)	CIP / General Fund
Transportation	5.1.2 (1)	T3, T7	Remove truck restrictions on Paseo del Norte	DMD (COA)	NMDOT	

Element	ID	Policy Implemented	Action	Lead Agency	Coordination Required	Potential Funding Sources
Transportation	5.1.2 (4)	T5	Update the functional classifications contained in the Long Range Roadway System Map	Planning (COA)	MR-COG	
Transportation	5.1.2 (8)	T6	Place temporary way finding signage on affected roadways during special events	DMD (COA)	Albuquerque International Balloon Fiesta / NMDOT	CIP
Transportation	5.1.2 (12)	T6	Amend the Trails and Bicycle Facility Plan to include bike lanes along Alameda Boulevard, San Pedro Drive, Louisiana Boulevard and Jefferson Street and trails along the La Cueva Arroyo and Domingo Baca Arroyo	Planning (COA)	Parks & Recreation (COA)	
Open Space	6.1.1 (1)	OS2, OS3, OS4	Construct a multi-use trail along the North La Cueva Arroyo	Parks & Recreation (COA)	Property Owners / NMDOT	CIP
Open Space	6.1.1 (2)	OS1, OS2, OS3, OS4	Construct a multi-use trail along the Domingo Baca Arroyo	Parks & Recreation (COA)	Property Owners / AMAFCA	CIP
Open Space	6.1.1 (3)	OS1, OS2, OS3, OS4	Construct a multi-use trail along San Mateo Boulevard from the North Camino Arroyo, south to the Domingo Baca Arroyo	Parks & Recreation (COA)	Property Owners / AMAFCA / NMDOT	CIP
Open Space	6.1.1 (4)	OS1, OS2, OS3	Construct a multi-use trail between Wildflower Park and Balloon Fiesta Park	Parks & Recreation (COA)	Albuquerque International Balloon Fiesta / Wildflower Neighborhood Assoc. / AMAFCA	CIP
Open Space	6.1.2 (4)	OS1, OS2, OS3, OS4	Study a north-south trail connection between I-25 and the North Diversion Channel in the redesign of the Paseo del Norte / Jefferson Street interchange	Parks & Recreation (COA)	NMDOT	CIP

<b>Element</b>	<b>ID</b>	<b>Policy Implemented</b>	<b>Action</b>	<b>Lead Agency</b>	<b>Coordination Required</b>	<b>Potential Funding Sources</b>
Environment & Public Safety	7.1.1 (1)	EPS3	Continue the North Arroyo Channel through the northern boundary of Balloon Fiesta Park	AMAFCA	Albuquerque International Balloon Fiesta	CIP / General Fund
Environment & Public Safety	7.1.2 (3)	EPS3	Implement the drainage plan for the Los Angeles Landfill	EHD (COA)	Albuquerque International Balloon Fiesta	CIP / General Fund

# Appendix A: City Zoning Districts Applicable to the Plan

## R-1 RESIDENTIAL ZONE

This zone provides suitable sites for houses and uses incidental thereto in the Established and Central Urban areas.

### (A) *Permissive Uses.*

- (1) House, one per lot.
- (2) Accessory use:
  - (a) Accessory structure (noncommercial) for garage, storage, recreation, hobby, greenhouse, bathhouse, or for the keeping or housing of domestic pets, other allowed animals or agricultural products.
  - (b) Agricultural animal keeping, for noncommercial purposes, as follows: rabbits and similar animals, poultry, pigeons. Cows, horses, goats or sheep, provided the number of animals does not exceed one cow or horse for each 10,000 square feet of open lot area, or one sheep or goat for each 4,000 square feet of open lot area, or equivalent combination, provided the lot has an area of at least 21,780 square feet.

Animals shall be so controlled that they cannot graze on any other premises. Animals under four months old are not counted.

- (c) Garage and yard sale, provided:
  1. No more than one sale at a given dwelling in any 12-month period. The duration of the garage or yard sale shall not exceed three consecutive days.
  2. No items shall be purchased for a garage or yard sale for the purpose of resale; items shall be of the type normally accumulated by a household.
  3. One non-illuminated sign not exceeding six square feet in area shall be permitted. The sign shall pertain to the garage or yard sale only and shall be located on the premises. The sign shall be permitted for the three-day period only.
- (d) Antenna (noncommercial), up to 65 feet in height.
- (e) Family Care facility, provided there is no sign and only members of the residing family serve as provider of care.

- (f) Family day care home, with any sign limited as for home occupations, provided:
  1. Only members of the residing family serve as providers of care.
  2. Group composition shall not exceed six children; this limit does not consider the resident provider's children who are age six or more.
  3. The activity is licensed by the state as a family day care home.
- (g) Home occupation and sign identifying the activity, provided:
  1. The activity is clearly incidental and secondary to use of the premises for a dwelling.
  2. Only members of the residing family are employed.
  3. No stock in trade is manufactured, displayed, or sold on the premises, except a small stock of art objects and custom sewing created by a resident of the dwelling is allowed.
  4. All business activities are conducted entirely indoors.
  5. No more than 25% of the floor area of the dwelling is devoted to

the home occupation. No more than 5% of the floor area of the dwelling is devoted to storing stock in trade.

6. There is no external evidence of the activity, including, but not limited to, the parking of commercial vehicles, inordinate vehicular traffic, outside storage, noise, dust, odors, noxious fumes, or other nuisances emitted from the premises.
7. Health care (including physicians, nursing homes, massage, and the like) shall not be considered a permissive home occupation.
8. One related on-premise sign is permitted, provided:
  - a. It does not exceed one square foot in area.
  - b. It is a non-illuminated wall sign.
- (h) Parking of a noncommercial vehicle incidental to another use permitted in this zone, provided all motor vehicles, both noncommercial and commercial, which are not parked inside a building are operative and are not wholly or partially dismantled, and as provided elsewhere in this section. Inoperative and dismantled vehicles shall be governed by the provisions of Chapter

8, Article 5. This section shall not apply to the parking of commercial vehicles parked on a temporary basis for the sole purpose of providing a commercial service incidental to a residential use such as delivery, repair and utility installation and/or repair. The parking of a vehicle meeting the definition for recreational vehicle, except for size, is not deemed incidental to another use permitted in this zone.

- (i) Recreational vehicle, boat, or boat-and-boat-trailer parking as follows:
  1. Inside parking;
  2. Outside parking in the side yard or the rear yard, provided no part of the unit extends over the public sidewalk; or
  3. Outside parking in the front yard, provided:
    - a. The unit is parked perpendicular to the front curb;
    - b. The body of the recreational vehicle or boat is at least 11 feet from the face of the curb; and
    - c. No part of the unit extends over the public sidewalk.

4. Parking is permitted only if the unit, while parked in this zone, is:
  - a. Not used for dwelling purposes, except one recreational vehicle may be used for dwelling purposes for a maximum of 14 days in any calendar year on any given lot. Cooking is not permitted in the recreational vehicle at any time. Butane or propane fuel shall not be used.
  - b. Not permanently connected to sewer lines, water lines, or electricity. The recreational vehicle may be connected to electricity temporarily for charging batteries and other purposes if the receptacle and the connection from the recreational vehicle has been inspected and approved by the city; this connection must meet the Electrical Code of the city and a city electrical permit must be obtained for all such installations. The individual taking out the permit must call for an inspection of the electrical wiring when ready for inspection. Standard inspection fees will be charged, except no inspection shall be made for less than a \$3.50 fee.

- c. Not used for storage of goods, materials, or equipment other than those items considered to be a part of the unit or essential for its immediate use.
- 5. Notwithstanding the provisions of divisions 3. and 4. above, a unit may be parked anywhere on the premises during active loading or unloading, and use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use.
- 6. If the dwelling unit on the lot is under construction, the provisions of division (2)(k)3. of this subsection shall control, rather than the provisions of (2)(i)1. through 4. of this division (A).
- 7. No recreational vehicle or boat may be parked in a clear sight triangle.
- (j) Sign, provided that it meets the requirements of (2)(f)8. of this division (A) or § 14-16-3-5 of this Zoning Code.
- (k) Trailer parking as follows:
  - 1. Inside parking if all provisions of (2)(h)4. of this division (A) are met;
  - 2. Outside parking in the side yard or the rear yard of cargo trailers of less than 2,500 pounds carrying capacity.
  - 3. As a dwelling connected to any utilities during construction of a building on the premises, for a period of up to six months or until the construction is completed, whichever comes first. The six-month period shall begin to run from the date on which a building permit is issued for a dwelling unit on the same lot. The body of the trailer shall be set back at least five feet from any lot line and eight feet from the dwelling unit under construction.
  - 4. Notwithstanding the other provisions of this subsection, a trailer may be parked anywhere on the premises during active loading or unloading.
- (l) Hobby breeder, as defined by and under a permit pursuant to Chapter 9, Article 2, Animal Control.
- (3) Community residential program except not either Community residential corrections program or Community residential program for substance abusers: up to ten client residents provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (4) Growing plants, noncommercial.
- (5) Private Commons Development, not less than two acres in area, if allowed in a Sector Development Plan or area plan governing the site.
- (6) Public park.
- (7) Public school, including caretaker's mobile home.
- (8) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.
- (9) Real estate office and an incidental sign in connection with a specific development, provided it is not used as living quarters during the time it is used as an office, and further provided that it is limited to a period of one year unless the time is extended through approval by the Zoning Enforcement Officer. A site plan and floor plan approved by the Zoning Enforcement Officer is required prior to establishment of this activity.
- (10) Wireless Telecommunications Facility which is concealed or located on a public utility structure, provided the requirements of § 14-16-3-17 of this Zoning Code are met.

- (11) Family Housing Development, as defined by the Family Housing Development Ordinance, Section 4.
- (B) *Conditional Uses.*
- (1) Accessory living quarters.
  - (2) Animal keeping, noncommercial, the species being other than those which are permissive in this section.
  - (3) Carport in the required front or side setback area, provided:
    - a. No part is within three feet of a property line, other than a right-of-way line.
    - b. No building wall is ever built within a required setback area.
    - c. The specific carport proposed is in harmony with the building site.
  - (4) Construction office in connection with a specific construction project provided it is limited to a period of one year unless the time is extended through a new conditional use.
  - (5) Family day care home, with any sign limited as for home occupations. There shall be an outdoor play area adequately enclosed with a wall or fence. At least one member of the residing family shall serve as a provider of care. The activity shall be licensed by the state as a family day care home. (See also the permissive use provisions.)
  - (6) Front yard setback of not less than 15 feet if there is no front yard driveway and vehicle access is only to the rear yard from an alley or if the garage setback is not less than 25 feet and comprises no more than 50% of the width of the street-facing building facade and driveways and off-street parking areas cover no more than 60% of the area of the front yard.
  - (7) Health care, including physicians, massage, therapy, etc. (but not nursing homes), as physically limited under home occupations.
  - (8) Public library.
  - (9) Public utility structure which is not permissive.
  - (10) Recreational facility (non-profit), such as community center, swimming pool, tennis club.
  - (11) Second kitchen within a house, provided:
    - (a) The kitchen is incidental to occupancy of the entire house in common by members of one family (as herein defined); that, in fact, there would not be two separate and distinct dwelling units, each exclusively occupied by some family members.
  - (b) If such use is approved, the Zoning Hearing Examiner shall record the terms of the action with the County Clerk, together with a signed acceptance of such terms by the owners. The terms of the city action shall run with the land.
  - (12) Shade structure including a covered patio, a gazebo, a pergola, a ramada or similar roofed structure, either detached or attached, in the required rear yard setback area, provided:
    - (a) No part is within three feet of a property line.
    - (b) No building wall is ever built within the required setback area.
    - (c) No more than 50% of the required rear yard setback area is covered by a roof.
    - (d) The structure shall not exceed 12 feet in height nor shall it exceed the height of the principal building on the site.
    - (e) A second floor deck is prohibited.
    - (f) The specific structure proposed is in harmony with the building site and with surrounding sites.
  - (13) Storage structure or yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed

or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year. Incidental signs may also be approved.

(14) Walls, fences, and retaining walls, in a setback area where height is normally limited to three feet, up to five feet high when less than ten feet from the property line, and up to six feet high when ten or more feet from the property line, provided:

(a) It is attractive and in harmony with its site, the style of the wall or fence blending architecturally with the adjacent residences and with the general streetscape, it is consistent with the requirements of Section 14-16-3-19, and it is at least one of the following:

1. At least 11 feet from the public sidewalk or planned public sidewalk location, or 14 feet from the edge of the street pavement, whichever is more restrictive;

2. The portion of the wall or fence which is more than three feet above the adjacent curb top is essentially an open fence which permits good visibility through it; or

3. On a corner lot, the rear yard of which is contiguous to the front yard of a residentially-zoned lot, and the wall

or fence is not in the required front yard setback.

(b) The Zoning Hearing Examiner shall not approve a wall or fence unless the Traffic Engineer finds that the specific plan approved would not be a hazard to traffic visibility.

(c) Wire fences over three feet high and in setback areas are not normally considered to be in harmony with a residential streetscape.

(C) *Height.* Structures shall not exceed 26 feet in height, except as provided in § 14-16-3-3 of this Zoning Code and antenna as provided in division (A) of this section.

(D) *Lot Size.*

(1) Except as provided in division (2) and (3) below, minimum lot area shall be 6,000 square feet. Minimum lot width shall be 60 feet.

(2) (a) Lot standards in subdivisions for which plats are submitted after February 1, 1981, shall be:

1. Minimum lot area of 5,000 square feet.

2. Minimum lot width of 50 feet.

(b) Provided, however, that these standards rather than the standards indicated in division (1) above shall apply only where the Planning Director

finds that such a lot size will not depart from a pattern of larger developed lots, which pattern constitutes the established character of the neighborhood.

(3) Lot standards for Family Housing Development subdivisions which meet the requirements set forth in the Family Housing Development Ordinance or for a lot with vehicle access only to the rear yard from an alley or for a lot with a detached garage located in the rear yard and accessed by a driveway with a maximum width of 12 feet in the front yard and in the side yard abutting the side of the dwelling, shall be:

(a) Minimum lot area of 4,000 square feet.

(b) Minimum lot width of 40 feet.

(E) *Setback.* The following regulations apply, except as provided in § 14-16-3-3:

(1) There shall be a front yard setback of not less than 20 feet.

(2) For lots created after January 1, 2005 and for lots granted conditional use approval, if one of the following conditions is met, then there shall be a front yard setback of not less than 15 feet:

(a) There is no front yard driveway and vehicle access is only to the rear yard from an alley, or

- (b) The garage is set back not less than 25 feet and comprises no more than 50% of the width of the street-facing building facade and driveways and off-street parking areas cover no more than 60% of the area of the front yard.
- (3) On a corner lot, the side-yard setback adjacent to the side of the street shall be as follows:
  - (a) If the rear yard abuts the front yard of a residentially-zoned lot, not less than 20 feet.
  - (b) If division (3)(a) does not apply, not less than ten feet.
- (4) Side-yard setbacks which are interior, i.e., measured from side lot lines which are not adjacent to streets, shall be either:
  - (a) Not less than five feet on each side if the lot width (see definition in § 14-16-1-5) is 65 feet or less. The setback on one side shall increase one foot for every one foot incremental increase in lot width to a maximum side setback of ten feet (thus, if lot width is 70 feet or more, the minimum side setbacks are ten feet on one side and five feet on the other);
  - (b) There shall be one side-yard setback of not less than ten feet on one side. The other side-yard setback shall be at least five feet, except that it may be reduced or eliminated if the owner of the

abutting lot agrees in writing to permanently bind his lot to not have a house closer than ten feet to the areas allowed for a house on the subject lot, and the agreement is included with the application for a building permit. The agreement shall be filed by the owners with the Planning Director after being recorded with the County Clerk. In no case shall the distance between two residential buildings be less than ten feet; or

- (c) For lots where a common, interior side lot line is oriented more than 60° from due north-south, the minimum side-yard setback on the northerly side of the common lot line shall be as follows:

1. Not less than 15 feet if the immediately adjacent side yard setback is less than five feet;
2. Not less than ten feet if the immediately adjacent side yard setback is five feet or more.
3. Provided the provisions of divisions (a) and (b) above shall apply if:

- i. For irregularly shaped lots, setback lines allow one side of the house on the irregularly shaped lot to be oriented 30° or more from due north-south, and which allow solar access equal to or greater than the

provisions of division 1. or 2. above; or

- ii. The owner of the property on the northerly side of the common lot line agrees in writing to permanently waive the requirement of the 15 foot side yard originally required to protect that property's solar access. The agreement must be included with the application for a building permit, if applicable, and shall be filed by the owners with the Planning Director after being recorded with the County Clerk.

4. Unless waived pursuant to division 3.ii above, in no case shall the distance between two residential buildings be less than 15 feet.
5. Setback lines shall be as indicated on the final plat (either by note, reference, or dimension) not inconsistent with this division (E).

- (5) (a) There shall be a rear-yard setback of not less than 15 feet.
- (b) For lots created after January 1, 2005, if alleys are provided, either a second story heated space or the rear yard wall or fence shall provide a view of the alley.

(F) *Off-Street Parking.*

- (1) Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.
- (2) Maximum front yard setback area that can be an improved parking and maneuvering area: 60%, but no more than 30 feet wide or the width of the front of the garage, whichever is wider.
- (3) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.

(G) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

(‘74 Code, § 7-14-10) (Ord. 80-1975; Am. Ord. 38-1978; Am. Ord. 63-1978; Am. Ord. 7-1979; Am. Ord. 23-1979; Am. Ord. 52-1980; Am. Ord. 62-1980; Am. Ord. 23-1981; Am. Ord. 101-1981; Am. Ord. 20-1982; Am. Ord. 51-1985; Am. Ord. 5-1987; Am. Ord. 41-1987; Am. Ord. 53-1989; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 3-1991; Am. Ord. 45-1991; Am. Ord. 23-1993; Am. Ord. 10-1995; Am. Ord. 31-1996; Am. Ord. 9-1999; Am. Ord. 15-1999; Am. Ord. 27-2001; Am. Ord. 8-2002; Am. Ord. 25-2003; Am. Ord. 29-2004; Am. Ord. 44-2005; Am. Ord. 17-2007)

## R-LT RESIDENTIAL ZONE

This zone provides suitable sites for houses, limited townhouses, and uses incidental thereto in the Established and Central Urban areas.

(A) *Permissive Uses.*

- (1) Uses permissive in the R-1 zone, except:
  - (a) Agricultural animal keeping (§ 14-16-2-6(A)(2)(b)) is not permitted; and
  - (b) Front yard parking of recreational vehicles (§ 14-16-2-6(A)(2)(h)3.) is not permitted.
- (2) Townhouses, provided:
  - (a) There shall be only one dwelling unit per lot; and
  - (b) No more than two dwelling units shall be in a building.

(B) *Conditional Uses.*

- (1) Uses conditional in the R-1 zone.
  - (2) Townhouses with three dwelling units per building and one dwelling unit per lot. Such townhouses existing in the R-LT zone prior to the effective date of this Zoning Code shall be considered approved conditional uses.
- (C) *Height.* Structures shall not exceed 26 feet in height, except as provided in § 14-16-3-3 of this Zoning Code.

(D) *Lot Size.*

- (1) For a townhouse, except as provided in division (2) below, minimum lot area shall

be 3,200 square feet; minimum lot width shall be 24 feet.

- (2) For a townhouse in a Family Housing Development or for a townhouse on a lot with vehicle access only to the rear yard from an alley, minimum lot area shall be 2,560 square feet; minimum lot width shall be 20 feet.
- (3) For a house, except as provided in division (4) below, minimum lot area shall be 4,000 square feet; minimum lot width shall be 40 feet.
- (4) For a house in a Family Housing Development or for a house on a lot with vehicle access only to the rear yard from an alley or for a lot with a detached garage located in the rear yard and accessed by a driveway with a maximum width of 12 feet in the front yard and in the side yard abutting the side of the dwelling, minimum lot area shall be 3,200 square feet; minimum lot width shall be 32 feet.

(E) *Setback.*

- (1) There shall be a front yard setback of not less than 15 feet, except driveways shall not be less than 20 feet long.
- (2) For lots created after January 1, 2005 and for lots granted conditional use approval, if one of the following conditions is met, then there shall be a front yard setback of not less than 10 feet:

- (a) There is no front yard driveway and vehicle access is only to the rear yard from an alley, or
- (b) The garage is set back not less than 25 feet and comprises no more than 50% of the width of the street-facing building facade and driveways and off-street parking areas cover no more than 60% of the area of the front yard.
- (3) There shall be no required side-yard setback, except:
  - (a) There shall be ten feet on the street side of corner lots; and
  - (b) There shall be five feet from a side lot line that separates the R-LT zone from another zone.
- (4) There shall be a rear-yard setback of:
  - (a) Not less than 15 feet; or
  - (b) For houses with offset rear lot lines, not less than five feet, provided that the average rear yard setback is not less than 15 feet. Such reduced setbacks are allowed only when approved by the Planning Director and specified on a subdivision plat for not less than two back-to-back lots.
  - (c) For lots created after January 1, 2005, if alleys are provided, either a second story heated space or the rear yard wall

or fence shall provide a view of the alley.

- (5) There shall be a distance of not less than ten feet between residential buildings.
  - (F) *Off-Street Parking.*
    - (1) Off-street parking spaces shall be as provided in § 14-16-3-1 of this Zoning Code.
    - (2) Maximum front yard setback area that can be an improved parking and maneuvering area: 75%, but no more than 27 feet in width or the width of the front of the garage, whichever is wider, perpendicular to the curb.
    - (3) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.
  - (G) *Usable Open Space.* Usable open space shall be provided on-site at 800 square feet per townhouse dwelling unit or 600 square feet per townhouse dwelling unit with vehicle access only to the rear yard from an alley.
  - (H) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.
- ('74 Code, § 7-14-12) (Ord. 80-1975; Am. Ord. 85-1978; Am. Ord. 54-1980; Am. Ord. 3-1986; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 69-

1990; Am. Ord. 15-1999; Am. Ord. 44-2005; Am. Ord. 17-2007)

## R-T RESIDENTIAL ZONE

This zone provides suitable sites for houses, townhouses, and uses incidental thereto in the Established and Central Urban areas.

### (A) *Permissive Uses.*

- (1) Uses permissive in the R-1 zone, except:
  - (a) Agricultural animal keeping (see § 14-16-2-6(A)(2)(b)) is not permitted;
  - (b) Front yard parking of recreational vehicles (§ 14-16-2-6(A)(2)(h)3.) is not permitted;
  - (c) Hobby breeders (see § 14-16-2-6(A)(2)(k)) are not permitted; and
  - (d) Houses are not limited to one per lot.

### (2) Townhouses.

- (B) *Conditional Uses.* Uses conditional in the R-1 zone.
- (C) *Height.* Structures shall not exceed 26 feet in height, except as provided in § 14-16-3-3 of this Zoning Code.
- (D) *Lot Size.*

- (1) For a townhouse, except as provided in division (2) below, minimum lot area shall be 2,200 square feet per dwelling unit; minimum lot width shall be 22 feet per dwelling unit.
- (2) For a townhouse in a Family Housing Development or for a townhouse with vehicle access only to the rear yard from an alley, minimum lot area shall be 1,760 square feet; minimum lot width shall be 18 feet.
- (3) For a house, except as provided in division (4) below, minimum lot area shall be 3,600 square feet per dwelling unit; minimum lot width shall be 36 feet.
- (4) For a house in a Family Housing Development or for a house with vehicle access only to the rear yard from an alley or for a lot with a detached garage located in the rear yard and accessed by a driveway with a maximum width of 12 feet in the front yard and in the side yard abutting the side of the dwelling, minimum lot area shall be 2,880 square feet; minimum lot width shall be 29 feet.
- (E) *Setback.*
- (1) There shall be a front-yard setback of not less than 15 feet except driveways shall be not less than 20 feet long.
- (2) For lots created after January 1, 2005 and for lots granted conditional use approval, if one of the following conditions is met,
- then there shall be a front yard setback of not less than 10 feet:
- (a) Vehicle access is only to the rear yard from an alley, or
- (b) The garage is set back not less than 25 feet and comprises no more than 50% of the width of the street-facing building facade and driveways and off-street parking areas cover no more than 60% of the area of the front yard.
- (3) There shall be no required side-yard setback except:
- (a) There shall be ten feet on the street side of corner lots.
- (b) There shall be five feet from a side lot line that separates the R-T zone from another zone.
- (4) There shall be a rear-yard setback of:
- (a) Not less than 15 feet; or
- (b) For houses with offset rear lot lines, not less than five feet, provided that the average rear yard setback is not less than 15 feet. Such reduced setbacks are allowed only when approved by the Planning Director and specified on a subdivision plat for not less than two back-to-back lots.
- (c) For lots created after January 1, 2005, if alleys are provided, either a second story heated space or the rear yard wall or fence shall provide a view of the alley.
- (5) There shall be a distance of not less than ten feet between residential buildings.
- (F) *Off-Street Parking.*
- (1) Off-street parking spaces shall be as provided in § 14-16-3-1 of this Zoning Code.
- (2) Maximum front yard setback area that can be an improved parking and maneuvering area: 85%, but no more than 22 feet in width or the width of the front of the garage, whichever is wider, perpendicular to the curb.
- (3) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.
- (G) *Usable Open Space.*
- (1) Usable open space shall be provided on-site at 750 square feet per house, 650 square feet per house on a lot with vehicle access only to the rear yard from an alley or on a lot with a detached garage located in the rear yard and accessed by a driveway with a maximum width of 12 feet in the front yard and in the side yard abutting the side of the dwelling, 550 square feet per townhouse dwelling unit, and 360 square feet per townhouse

dwelling unit on a lot with vehicle access only to the rear yard from an alley.

- (2) Where an aggregate of two or more dwelling units is constructed on any given lot, the development shall include landscaping of the ground-level usable open space planted and maintained according to a landscaping plan approved by the Zoning Enforcement Officer.

(H) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

(I) *Dwelling Units Per Building.* Where the rear yard(s) of townhouse units abut the rear or side yard areas of lots zoned specifically for houses, no more than two townhouse units per residential building shall be permitted.

(74 Code, § 7-14-13) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 38-1978; Am. Ord. 23-1979; Am. Ord. 54-1980; Am. Ord. 92-1980; Am. Ord. 3-1986; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 69-1990; Am. Ord. 4-1995; Am. Ord. 15-1999; Am. Ord. 44-2005; Am. Ord. 17-2007)

## R-G RESIDENTIAL GARDEN APARTMENT ZONE

This zone provides suitable sites for houses, townhouses, and low density apartments, in the Established and Central Urban areas.

(A) *Permissive Uses.*

- (1) Uses permissive in the R-T zone.

(2) Accessory living quarters.

(3) Apartment.

(4) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code.

(B) *Conditional Uses.*

(1) Uses conditional in the R-1 Zone.

(C) *Height.* Structures shall not exceed 26 feet in height, except as provided in § 14-16-3-3 of this Zoning Code.

(D) *Lot Size.*

(1) Minimum lot area for lots developed with apartments other than townhouses shall be 6,000 square feet. Minimum lot width for lots developed with apartments other than townhouses shall be 60 feet.

(2) Minimum lot area and width for lots developed only with houses and townhouses shall be as provided in the R-T zone.

(E) *Setback.*

(1) There shall be a front-yard setback of not less than 15 feet except that the length of a driveway shall be not less than 20 feet.

(2) For lots created after January 1, 2005 and for lots granted conditional use approval, if one of the following conditions is met,

then there shall be a front yard setback of not less than 10 feet:

(a) Vehicle access is only to the rear yard from an alley, or

(b) The garage is set back not less than 25 feet and comprises no more than 50% of the width of the street-facing building facade and driveways and off-street parking areas cover no more than 60% of the area of the front yard.

(3) There shall be a side-yard setback of not less than five feet, except:

(a) There shall be ten feet on the street side of corner lots; and

(b) There is no required side-yard setback from internal lot lines for townhouses.

(4) (a) There shall be a rear-yard setback of not less than 15 feet.

(b) For lots created after January 1, 2005, if alleys are provided, either a second story heated space or the rear yard wall or fence shall provide a view of the alley.

(5) There shall be a distance of not less than ten feet between residential buildings.

(F) *Density.*

- (1) For apartments other than townhouses, a floor area ratio of 0.5 is the maximum permitted; and
- (2) Density of a lot may not exceed 20 dwelling units per acre.
- (G) *Off-Street Parking.* Shall be as provided in § 14-16-3-1 of this Zoning Code.
- (H) *Usable Open Space.* Usable open space shall be provided on-site in an amount equal to 400 square feet for each efficiency or one-bedroom dwelling unit, 500 square feet for each two-bedroom dwelling unit, and 600 square feet for each dwelling unit containing three or more bedrooms.

('74 Code, § 7-14-14) (Ord. 80-1975; Am. Ord. 92-1980; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 44-2005)

## R-2 RESIDENTIAL ZONE

This zone provides suitable sites for houses, townhouses, and medium density apartments, and uses incidental thereto in the Established and Central Urban areas.

### (A) *Permissive Uses.*

- (1) Uses permissive in the R-T zone.
- (2) Accessory living quarters.
- (3) Apartment.

- (4) Community residential program except not either community residential corrections program or community residential program for substance abusers: up to ten client residents provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (5) Family day care home, with any sign limited as for home occupations.
- (6) Sign, as provided in § 14-16-3-5 of this Zoning Code.

### (B) *Conditional Uses.*

- (1) Uses conditional in the R-1 zone.
- (2) Community residential program except not either community residential corrections program or community residential program for substance abusers: 11 to 18 client residents provided that the standards of § 14-16-3-12 of the Zoning Code are met.
- (3) Community residential corrections program with up to ten client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (4) Community residential program for substance abusers with up to ten client residents, provided that the standards for § 14-16-3-12 of this Zoning Code are met.
- (5) Day care center.

- (6) Emergency shelter with up to 18 clients normally present, provided that the standards of § 14-16-3-13 of this Zoning Code are met.

- (C) *Height.* Structure height up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline, or drainageway right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle from the same boundaries or centerline. Exceptions to the above are provided in §§ 14-16-3-3 and 14-16-3-5 of this Zoning Code. Notwithstanding any of the above regulations, apartment structures shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses.

### (D) *Lot Size.*

- (1) Minimum lot area for lots developed with apartments other than townhouses shall be 6,000 square feet. Minimum lot width for lots developed with apartments other than townhouses shall be 60 feet.
- (2) Minimum lot area and width for lots developed only with houses and townhouses shall be provided in the R-T zone.

(E) *Setback.*

- (1) There shall be a front-yard setback of not less than 15 feet, except driveways shall not be less than 20 feet long.
- (2) For lots created after January 1, 2005 and for lots granted conditional use approval, if one of the following conditions is met, then there shall be a front yard setback of not less than 10 feet:
  - (a) Vehicle access is only to the rear yard from an alley, or
  - (b) The garage is set back not less than 25 feet and comprises no more than 50% of the width of the street-facing building facade and driveways and off-street parking areas cover no more than 60% of the area of the front yard.
- (3) There shall be a side-yard setback of not less than five feet, except:
  - (a) There shall be ten feet on the street side of corner lots; and
  - (b) There is no required side-yard setback from internal lot lines for townhouses.
- (4)
  - (a) There shall be a rear-yard setback of not less than 15 feet.
  - (b) For lots created after January 1, 2005, if alleys are provided, either a second story heated space or the rear yard wall

or fence shall provide a view of the alley.

- (5) There shall be a separation between apartment buildings other than townhouses, and off-street parking and vehicular circulation areas of not less than ten feet.

(F) *Density.*

- (1) A floor area ratio of 0.5 is the maximum permitted.
- (2) Density of a lot may not exceed 30 dwelling units per acre.

- (G) *Off-Street Parking.* Off-street parking spaces shall be as provided in § 14-16-3-1 of this Zoning Code.

(H) *Usable Open Space.*

- (1) Usable open space shall be provided on-site in an amount equal to 400 square feet for each efficiency or one-bedroom dwelling unit, 500 square feet for each two-bedroom dwelling unit, and 600 square feet for each dwelling unit containing three or more bedrooms.
- (2) Where an aggregate of two or more dwelling units is constructed on any given lot, the development shall include landscaping of the ground-level usable open space, planted and maintained according to a landscaping plan approved by the Zoning Enforcement Officer.

- (I) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

(‘74 Code, § 7-14-15) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 38-1978; Am. Ord. 57-1978; Am. Ord. 50-1980; Am. Ord. 22-1981; Am. Ord. 3-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 44-2005)

### R-3 RESIDENTIAL ZONE

This zone provides suitable sites for the highest density housing outside of urban centers. It is most appropriately mapped adjacent to commercial, office, or employment centers, where primary access to a major street is available. The R-3 zone may be mapped in the Established and Central Urban areas, where appropriate.

(A) *Permissive Uses.*

- (1) Uses permissive in the R-2 zone, provided there are not over 30 dwelling units per net acre.
- (2) Uses incidental to an apartment such as day care center, news, cigar, or candy stand, delicatessen, personal-service shop, and the like, are permitted with an apartment development, provided:
  - (a) The use is intended for the exclusive use of residents of the premises on which the incidental use is located.
  - (b) At least 100 dwelling units are on the same premises.

- (c) The use is limited to a maximum of 2% of the gross leasable floor area of the apartment development.
- (d) The use is not directly accessible from the outdoors.
- (e) A sign or window display relating to the use is not discernible from a public right-of-way.
- (f) Adult book stores and photo studios are not permitted.
- (3) Boarding or lodging house.
- (4) Community residential program for substance abusers with up to seven client residents, all of whom shall be under 18 years old, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (B) *Conditional Uses.*
- (1) Uses conditional in the R-2 zone.
- (2) Apartment, if there are over 30 but not over 36 dwelling units per net acre. Such development may be approved if and only if it is an appropriate transition between modest density residential areas, such as townhouses, and much more intensive development.
- (3) Club, provided it has no liquor license.
- (4) Fraternity or sorority house or dormitory.
- (5) Nursing or rest home, provided it is conducted in a structure which has the exterior appearance of a residential structure.
- (C) *Height.* Structure heights up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline, or drainage right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle from the same boundaries or center line. Exceptions to the above are provided in §§ 14-16-3-3 and 14-16-3-5 of this Zoning Code. Notwithstanding any of the above regulations, apartment structures shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses.
- (D) *Lot Size.*
- (1) Minimum lot width and depth shall be 150 feet.
- (2) Lots legally nonconforming to minimum lot width or depth may be developed governed by the R-T zone in all respects; no variance is required for such development.
- (E) *Setback.*
- (1) There shall be a front-yard setback of not less than 15 feet except driveways shall not be less than 20 feet long.
- (2) There shall be a side-yard setback of not less than five feet, except:
- (a) There shall be ten feet on the street side of corner lots; and
- (b) There is no required side-yard setback from internal lot lines for townhouses.
- (3) There shall be a rear-yard setback of not less than 15 feet.
- (4) There shall be a separation between apartments other than townhouses, and off-street parking and vehicular circulation areas of not less than ten feet.
- (F) *Density.* A floor area ratio of 1.0 is the maximum permitted.
- (G) *Off-Street Parking.* Off-street parking spaces shall be as provided in § 14-16-3-1 of this Zoning Code.
- (H) *Usable Open Space.*
- (1) Usable open space shall be provided on-site in an amount equal to 200 square feet for each efficiency or one-bedroom dwelling unit, 250 square feet for each two-bedroom dwelling unit, and 300 square feet for each dwelling unit containing three or more bedrooms.

- (2) Where an aggregate of two or more dwelling units is constructed on any given lot, the development shall include landscaping of the ground-level usable open space, planted and maintained according to a landscaping plan approved by the Zoning Enforcement Officer.

(I) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

('74 Code, § 7-14-16) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 92-1980; Am. Ord. 3-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990)

## RC RESIDENTIAL/COMMERCIAL ZONE

This zone permits a mixture of residential and small commercial activities.

### (A) *Permissive Uses.*

- (1) Uses permissive in the R-T zone.
- (2) Apartment, provided the density does not exceed 20 dwelling units per acre.
- (3) Institution.
  - (a) Church or other place of worship, including the usual incidental facilities. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for

public worship, notwithstanding special limitations elsewhere in this Zoning Code.

- (b) Library.
- (4) The following uses are permissive if the total nonresidential floor area does not exceed one-half of the gross floor area on the lot, and if all business activity except parking is inside a building:
  - (a) Office.
  - (b) Retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair, provided there is no outdoor storage or activity except parking:
    1. Arts and crafts objects, supplies, plus their incidental creation.
    2. Books, magazines, newspapers, stationery, except adult book store.
    3. Cosmetics, notions, hobby supplies.
    4. Drugs, medical supplies.
    5. Flowers and plants.
    6. Food and non-alcoholic drink for consumption on-premises or off but not drive-in restaurant or

restaurant with drive-up facility for take-out orders.

- 7. Jewelry.
- (c) Services, provided there is no outdoor storage or activity except parking:
  1. Barber, beauty.
  2. Day care center.
  3. Dry cleaning station (no processing), self-service laundry.
  4. Instruction in music, dance, fine arts, or crafts.
  5. Interior decorating.
  6. Photography, except adult photo studio.
  7. Tailoring, dressmaking, shoe repairing.
- (5) Sign, on-premise, as in § 14-16-3-5 of this Zoning Code, and further provided:
  - (a) Location. Signs shall be wall signs or canopy signs.
  - (b) Number. No limit on number of wall signs. One canopy sign per entrance or exit shall be permitted.

- (c) **Size.** Sign area shall not exceed 7.5% of the area of the facade to which it is related.
- (d) **Height, Illumination, Motion.** No regulations, apart from the general sign regulations.
- (B) *Conditional Uses.*
- (1) Uses conditional in the R-1 zone and not permissive in this zone.
  - (2) Uses permissive in the C-1 zone and not permissive in this zone.
  - (3) Community residential program except not either community residential corrections program or community residential program for substance abusers: up to 18 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
  - (4) Community residential corrections program with up to ten client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
  - (5) Community residential program for substance abusers with up to ten client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
  - (6) Retail sales and services permissive in this zone where nonresidential floor area exceeds one-half the gross floor area on the lot.
- (7) Retail business in which products may be manufactured, processed, assembled, treated, or repaired, as an accessory use, provided:
- (a) All activities are conducted within a completely enclosed building.
  - (b) The number of persons physically engaged in manufacturing, processing, assembling, treating, or repairing products is limited to five at any one time.
  - (c) Activities or products are not objectionable due to odor, noxious fumes, dust, smoke, noise, vibration, or similar cause.
- (C) **Height.** Structures shall not exceed 26 feet in height, except as provided in § 14-16-3-3 of this Zoning Code.
- (D) **Usable Open Space.**
- (1) Usable open space shall be provided on-site at 750 square feet per townhouse dwelling unit.
  - (2) For apartments other than townhouses, usable open space shall be provided on-site in an amount equal to 200 square feet for each efficiency or one-bedroom apartment, and 300 square feet for each dwelling unit containing two or more bedrooms. Where apartments other than townhouses occupy the same structure as the permissive nonresidential uses, and no apartments are located on the ground level, the required usable open space may be reduced by 50%.
- (E) **Lot Size.** No requirements.
- (F) **Setback.** The following regulations apply, except as provided in § 14-16-3-3 of this Zoning Code:
- (1) There shall be a front and a corner side-yard setback of not less than five feet and a setback of 11 feet from the junction of a driveway and a public sidewalk or planned public sidewalk location.
  - (2) Where the site faces or is contiguous to a different residential zone the setback requirements of that zone apply.
  - (3) The clear sight triangle shall not be infringed upon.
- (G) **Off-Street Parking.** Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.
- (H) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.
- ('74 Code, § 7-14-17) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 86-1976; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 22-1979; Am. Ord. 92-1980; Am. Ord. 74-1985; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990)

## O-1 OFFICE AND INSTITUTION ZONE

This zone provides sites suitable for office, service, institutional, and dwelling uses.

### (A) *Permissive Uses.*

- (1) Antenna, up to 65 feet in height.
- (2) Beauty shop, barber shop.
- (3) Church, or other place of worship, including the usual incidental facilities. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code.
- (4) Club, provided there is no liquor license.
- (5) Community residential program except not either Community residential corrections program or Community residential program for substance abusers: up to 18 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (6) Dwelling unit (house, townhouse, or apartment) constituting up to 25% of the gross floor area on the premises, provided usable open space is provided on-site in an amount equal to 400 square feet for each efficiency or one-bedroom dwelling unit, 500 square feet for each two-bedroom dwelling unit, and 600 square feet for each dwelling unit containing three or more bedrooms. If located in an area designated by the master plan as "Developing" or "Semi-Urban," the total open space requirement of the R-D or RA-1 zone, respectively, shall also be met.
- (7) Incidental uses within a building, most of which is occupied by offices and/or dwelling units, such as news, cigar or candy stand, restaurant, personal-service shop, and the like, provided the incidental uses comply with the following:
  - (a) The use is intended primarily for the use of the occupants of the structure.
  - (b) At least 10,000 square feet of floor area are contained in the structure.
  - (c) The use is limited to a maximum of 10% of the total floor area.
  - (d) The use is so situated within the structure that it is not directly accessible from a public right-of-way.
  - (e) A sign or window display relating to the use is not discernible from a public right-of-way.
- (8) Institution, including library, museum, nursing or rest home, school, day care center, except not hospital for human beings, sanatorium, or disciplinary or mental institutions.
- (9) Medical supplies and services, such as drug prescription and supply shop, physical therapy office, or shop for fabricating and fitting prosthetic or correcting devices, or medical or dental laboratory.
- (10) Office.
- (11) Park-and-ride temporary facilities.
- (12) Parking lot, providing it complies with the following:
  - (a) Paving, all of which shall be maintained level and serviceable.
    1. The lot must be graded and surfaced with one of the following:
      - a. Blacktop or equal: Two inches of asphalt concrete on a prime coat over a four inch compacted subgrade, or a surface of equal or superior performance characteristics.
      - b. For parking lots of 20 or fewer spaces, Gravel: A layer at least two inches thick of gravel sized from 3/8 minimum to one inch maximum diameter, at least 1/2 inch of which shall be maintained on the surface; gravel shall be kept off the right-of-way.

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- 2. If street curbs and gutters exist adjacent to the parking lot property on a side where lot egress is allowed, the surfacing shall be blacktop for the width of the egress drive(s) and shall extend inward from the property line a minimum of 25 feet along all normal lines of egress traffic flow from the lot.
  - (b) The lot shall have barriers which prevent vehicles from extending over the sidewalk or abutting lots, or beyond the sides of a parking structure.
  - (c) A solid wall or fence at least six feet high shall be erected on sides which abut land, other than public right-of-way land, in a residential zone. (See also § 14-16-3-10 of this Zoning Code.) However:
    - 1. Such wall or fence shall be three feet high in the area within 11 feet of a public sidewalk or planned public sidewalk location.
    - 2. If the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by the same process and criteria required for a conditional use.
  - (d) In a parking structure there shall be a six-foot solid wall on every parking level where the structure is within 19 feet of privately owned land in a residential zone.
  - (e) Ingress or egress shall be designed to discourage parking lot traffic from using local residential streets for more than 150 feet, unless no reasonable alternative is available.
  - (f) A parking lot hereafter developed shall include landscaping planted and maintained according to a Landscaping Plan approved by the Planning Director; however, the Planning Commission may waive this requirement where it is found not useful to achieving the intent of this Zoning Code.
  - (13) Photocopy, photography studio, except adult photo studio.
  - (14) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.
  - (15) Radio or television studio.
  - (16) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:
    - (a) Location.
      - 1. Only wall signs, canopy signs, and free-standing or projecting signs are permitted.
      - 2. A sign may not overhang into the public right-of-way, except a wall sign may protrude up to one foot into the public right-of-way. (See also § 14-16-3-5(B)(2) of this Zoning Code.)
      - 3. Projecting signs shall not project horizontally more than four feet.
    - (b) Number.
      - 1. No limit on number of wall signs.
      - 2. One canopy sign per entrance or exit shall be permitted.
      - 3. In the Established or Redeveloping Areas, one free-standing or projecting sign structure shall be permitted for each premises, or joint sign premises, providing the premises or joint sign premises is at least 100 feet wide.
      - 4. In the Developing or Semi- Urban Areas:
        - a. Free-standing or projecting sign not permitted on premises of under five acres.

- b. One free-standing or projecting sign on premises of five acres or more, provided the street frontage is at least 100 feet wide.
- (c) Size.
  - 1. Size of Free-Standing or Projecting Signs. Sign area of a free-standing or projecting sign shall not exceed 75 square feet.
  - 2. Size of Building-Mounted Signs, Except Projecting Signs. Sign area of a building-mounted sign shall not exceed 15% of the area of the facade to which it is applied if there is no free-standing or projecting on-premise sign on the premises or joint sign premises, or 7.5% of the area of the facade if there is such a free-standing or projecting sign on the premises or joint sign premises.
- (d) Height. Sign height shall not exceed 26 feet or the height of the walls of the tallest building on the premises, whichever is lower.
- (e) Motion. Signs or sign parts shall not move; there shall be no wind devices. No sign shall automatically change its message unless it is a time or temperature sign.
- (f) Lettering. No lettering on a free-standing sign shall have any character exceeding nine inches in height.
- (17) Storage structure or yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed, or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year unless the time is extended by the Planning Director.
- (18) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:
  - (a) A free-standing wireless telecommunications facility, up to 65 feet in height.
  - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
  - (c) A face-mounted wireless telecommunication facility.
  - (d) A roof-mounted wireless telecommunications facility, up to 6 feet above the parapet of the building on which it is placed.
  - (e) A concealed wireless telecommunications facility.
- (f) A Community Identity Feature, if it is approved by the Planning Commission pursuant to § 14-16-3-17 of this Zoning Code.
- (g) A wireless telecommunications facility for which all antennas are mounted on an existing vertical structure.
- (B) *Conditional Uses.*
  - (1) Antenna, over 65 feet in height.
  - (2) Community residential corrections program: up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
  - (3) Community residential program for substance abusers with up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
  - (4) Dwelling units constituting more than 25% of the gross floor area on a premises, open space provided as specified for permissive dwelling units in this zone.
  - (5) Instruction in music, dance, fine arts, or crafts.
  - (6) Public utility structure which is not permissive.
  - (7) Office machines and equipment sales and repair.

- (8) Printing, copying, blueprinting incidental to office uses.
- (9) Retailing of food and drink, for consumption on premises or off, but not drive-in facility and provided that alcoholic drink is not dispensed for off-premise consumption in broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a designated Metropolitan Redevelopment Area (as defined in the State Metropolitan Redevelopment Code), a city owned park or city owned major public open space:
  - (a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;
  - (b) beer, as defined in the New Mexico Liquor Control Act, in any single container labeled as containing 16 or fewer ounces; and
  - (c) fortified wines with a volume of alcohol of more than 13.5 percent, provided that retailing alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994.

- (10) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is placed, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.

(C) *Height.*

- (1) Structure height up to 26 feet is permitted at any legal location. The height and width of the structure over 26 feet shall fall within 45° angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. To protect solar access, a structure over 26 feet may not exceed the northern boundary of these 45° planes, but may be sited in any other direction within planes drawn at a 60° angle from the same boundaries or centerline. Exceptions to the above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section. Notwithstanding any of the above regulations, structures shall not exceed 26 feet in height within 85 feet of a lot zoned specifically for houses.
- (2) Exceptions to division (1) above are provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section.

(D) *Lot Size.* No requirements.

(E) *Setback.* The following regulations apply to structures other than signs except as provided

in §§ 14-16-3-1 and 14-16-3-3 of this Zoning Code:

- (1) There shall be a front and a corner side yard setback of not less than five feet and a setback of 11 feet from the junction of a driveway or alley and a public sidewalk or planned public sidewalk location.
- (2) Near residential zones, the following greater setback requirements shall apply:
  - (a) There shall be a front or corner side setback of not less than ten feet where the lot is across the street from the front lot line of a facing lot in a residential zone. This setback applies to on- and off-premise signs.
  - (b) There shall be a side or rear setback of not less than five feet where the site abuts the side of a lot in a residential zone.
  - (c) There shall be a side or rear setback of not less than 15 feet where the site abuts the rear of a lot in a residential zone.
- (3) The clear sight triangle shall not be infringed upon.
- (F) *Off-Street Parking.* Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.

(G) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

(74 Code, § 7-14-20) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 26-1977; Am. Ord. 38-1978; Am. Ord. 48-1980; Am. Ord. 61-1980; Am. Ord. 39-1983; Am. Ord. 40-1983; Am. Ord. 54-1983; Am. Ord. 11-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 58-1995; Am. Ord. 9-1999; Am. Ord. 11-2002; Am. Ord. 36-2002; Am. Ord. 4-2005; Am. Ord. 16-2005)

## C-1 NEIGHBORHOOD COMMERCIAL ZONE

This zone provides suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of residential areas.

(A) *Permissive Uses.* Permissive uses, provided there is no outdoor storage or activity except parking and as specifically allowed below:

- (1) Antenna, up to 65 feet in height.
- (2) Institution:

- (a) Church or other place of worship, including incidental recreational and educational facilities. Incidental uses allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code.

(b) Club, provided there is no liquor license.

(c) Library.

(d) Museum.

(e) Schools, including a private school which serves to provide basic education to children as is provided in public schools in grades K through 12, and excluding all other private schools.

(3) Office.

(4) Office machines and equipment sales and repair.

(5) Park-and-ride temporary facilities.

(6) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.

(7) Residential uses permissive in the R-3 Zone with the following exceptions:

(a) Houses are not allowed;

(b) No less than 20% and no more than 60% of the gross floor area of the structures on the site shall be developed with residential uses;

(c) Residential uses shall be part of a vertical mix of uses (e.g. residential

over commercial or residential over office).

(d) Where residential uses are proposed, the following regulations shall apply:

1. Area: minimum of 5 acres.
2. Height: Pursuant to the R-3 Zone.
3. Density: The total square footage of all buildings shall achieve a minimum floor area ratio of 0.3.
4. Usable open space: Pursuant to the R-3 Zone. At least 50% of the required open space shall be provided in the form of shared or aggregate open space.
5. Shared parking: As provided in § 14-16-3-1(E)(6)(b) except that parking for residential uses is eligible for a shared parking exception.
6. Approval process: Site development plan approval by the Environmental Planning Commission.

(8) Retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair:

- (a) Arts and crafts objects, supplies, plus their incidental creation provided there

- is little or no reproduction of substantially identical objects.
- (b) Auto parts and supply.
  - (c) Books, magazines, newspapers, stationery, provided that no such material is advertised to be forbidden to be sold to minors.
  - (d) Christmas trees, including outside sales, provided the use is limited to 45 days in one calendar year.
  - (e) Clothing, shoes, dry goods.
  - (f) Cosmetics, notions, hobby supplies.
  - (g) Drugs, medical supplies.
  - (h) Flowers and plants, including minor and incidental outdoor sales.
  - (i) Food and drink for consumption on premises or off, provided:
    1. There shall be no drive-in restaurant, and
    2. Alcoholic drink may be sold only under a restaurant license for sale of beer and wine, as provided by Section 60-6A-4 NMSA 1978 except the retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance
- abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994.
- (j) Furniture, household furnishings, and appliances.
  - (k) Gasoline, oil, liquified petroleum gas, including outside sales.
  - (l) Hardware, building materials, provided it is in a completely enclosed building.
  - (m) Jewelry.
  - (n) Musical instruments and supplies.
  - (o) Pets, provided there is no outside pen. One outside exercise run is permitted, provided it is enclosed with a solid wall or fence at least six feet high, and no more than one animal is permitted in the run at any one time.
  - (p) Photograph equipment.
  - (q) Sporting goods.
- (9) Radio and television station.
- (10) Services:
- (a) Automobile, bicycle and motorized bicycle (moped) repairing, but no body work. Repairing shall be done within a completely enclosed building at least 20 feet from any residential zone.
- (b) Banking, loaning money, including pawn. Drive-in facilities permitted on the condition the vehicle movement plan is approved by the Traffic Engineer.
  - (c) Barber, beauty.
  - (d) Car washing.
  - (e) Day care center.
  - (f) Dry cleaning, laundry, clothes pressing, provided:
    1. Only nonflammable or noncombustible materials are used in the cleaning process.
    2. The number of persons employed in the establishment is limited to three, excluding pressers, office, clerical, or delivery personnel.
    3. That portion of the structure in which any cleaning process is done is at least 50 feet from any residential zone.
  - (g) Games, electronic and pinball, provided:
    1. They are within a completely enclosed building; and
    2. If the games are within 100 feet of a residential zone there shall be no

- more than four game machines per business.
- (h) Health Gymnasiums.
  - (i) Instruction in music, dance, fine arts, crafts, modeling; training of dogs which are not boarded on the premises.
  - (j) Interior decorating.
  - (k) Medical or dental laboratory.
  - (l) Parking lot, as regulated in the O-1 zone.
  - (m) Pet grooming.
  - (n) Photography, photocopy, except adult photo studio.
  - (o) Repair of shoes, household equipment.
  - (p) Small animal clinic.
  - (q) Tailoring, dressmaking.
  - (r) Taxidermy.
- (11) Sign, off-premise, as in § 14-16-3-5 of this Zoning Code, and further provided:
- (a) Location.
    - 1. Only wall signs and free-standing signs are permitted in the
- Established or Redeveloping Areas.
- 2. Only wall signs are permitted in the Developing or Semi-Urban Areas.
  - 3. No sign shall be nearer than 300 feet to any other off-premise sign.
  - 4. No free-standing sign erected after January 1, 1976, shall be nearer than 100 feet to any preexisting on-premise sign.
  - 5. No sign shall be nearer than 12 feet to any public street right-of-way.
  - 6. No sign shall be nearer than 150 feet to any conforming residential property.
- (b) Size. Sign area of any sign shall not exceed 72 square feet. An additional add-on sign area of six square feet is permitted.
  - (c) Height. Sign height shall not exceed 15 feet, except the height of an add-on sign may be up to but shall not exceed 18 feet.
  - (d) Illumination. No sign shall be illuminated.
  - (e) Motion. Signs or sign parts shall not move.
- (12) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:
- (a) Location.
    - 1. A sign shall not overhang into the public right-of-way, except wall signs may protrude up to one foot into the public right-of-way.
    - 2. Building-mounted signs extending above the roof shall be permitted only if they are a continuation of the plane of a facade or of a projecting sign.
    - 3. Projecting signs shall not project horizontally more than four feet.
  - (b) Number.
    - 1. No limit on number of wall signs.
    - 2. In the Established or Redeveloped Areas, one free-standing sign or projecting sign shall be permitted for each street frontage of each premises, or joint sign premises, provided the street frontage is at least 100 feet wide.
    - 3. In the Developing Semi-Urban, or Rural and Open Areas:
      - a. Projecting signs as in division 2. above.

- b. No free-standing signs on premises of under five acres.
  - c. One free-standing sign shall be permitted on premises of five acres or more, provided the street frontage is at least 100 feet wide.
4. One canopy sign per entrance or exit shall be permitted.
- (c) Size.
1. Size of Free-Standing or Projecting Signs. Sign area for a free-standing or projecting sign shall not exceed the following area:
    - a. 75 square feet if the most important street abutting the lot is a local street.
    - b. 100 square feet if the most important street abutting the lot is a collector street, arterial street, or freeway.
  2. Size, Building-Mounted Signs, Except Projecting Signs:
    - a. A building-mounted sign on premises or joint sign premises where there is no free-standing on- or off-premise sign shall not exceed the following:
      - i. Twenty percent of the area of the facade to which it is applied, if the sign is not wholly visible from an abutting arterial or collector street or freeway; or
      - ii. Twenty-five percent of the area of the facade to which it is applied, if the sign is wholly visible from an abutting arterial or collector street or freeway.
    - b. A building-mounted sign, on a premises or joint sign premises where there is a free-standing or projecting on-premise sign or any off-premise sign, shall not exceed one-half the percentage of facade area listed in division a. above.
- (d) Height.
1. Height of a free-standing sign shall not exceed 26 feet, except a sign that is within 200 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, may be up to but shall not exceed 26 feet above the freeway at its closest point.
  2. Height of a building-mounted sign shall not exceed five feet above the height of the building, or it shall not exceed 30 feet, whichever is lower.
- (e) Illumination, Motion, Lettering. No regulations, apart from the general sign regulations.
- (f) Exceptions.
1. Permitted building-mounted sign area from the front and sides of the principal building of the business may be transferred from the building to a customer service area of the same business on the same premises, provided the height of such signs shall not exceed 15 feet and setback shall be at least ten feet; such signing shall not be considered free-standing.
  2. Any exceptions allowed for shopping centers, in order to provide adequate signing in special situations, shall be as provided under § 14-16-3-2 of this Zoning Code. Such a sign exception must be specifically defined in the Planning Commission resolution. Shopping centers approved prior to the effective date of this Zoning Code shall comply with sign regulations in this article, unless an exception is specifically defined in a Planning Commission resolution.
- (13) Storage structure or yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the

- specific construction project is completed, or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year unless the time is extended by the Planning Director.
- (14) Uses or activities in a tent, if the uses or activities are listed elsewhere in this subsection, provided:
- (a) The tent may not be erected for more than seven days at a time and may not be erected more than two times a year on a given premises; and
  - (b) There is sufficient paved off-street parking available on the premises to meet the parking requirements for all uses on the premises, including the activity in the tent. The Zoning Enforcement Officer shall approve the site plan for the tent, which shall demonstrate adequate parking and vehicle circulation, prior to erection of the tent; and
  - (c) There are toilet facilities on the premises available to the users of the tent; and
  - (d) The City Fire Marshal or his authorized representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
- (15) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:
- (a) A free-standing wireless telecommunications facility, up to 65 feet in height.
  - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
  - (c) A face-mounted wireless telecommunication facility.
  - (d) A roof-mounted wireless telecommunications facility, up to 6 feet above the parapet of the building on which it is placed.
  - (e) A concealed wireless telecommunications facility.
  - (f) A Community Identity Feature, if it is approved by the Planning Commission pursuant to § 14-16-3-17 of this Zoning Code.
  - (g) A wireless telecommunications facility for which all antennas are mounted on an existing vertical structure.
- (B) *Conditional Uses.*
- (1) Antenna, over 65 feet in height.
- (2) Community Residential Program except not either Community Residential corrections program or Community residential program for substance abusers: up to 18 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
- (3) Auto, trailer, and truck rental, service, storage, provided at least the following is complied with:
- (a) The lot is graded and surfaced as follows:
    1. Blacktop or equal. Two inches of asphaltic concrete on a prime coat and a four inch compacted subgrade, or a surface of equal or superior performance characteristics.
    2. Such paving shall be maintained level and serviceable.
  - (b) 1. A fence or wall which prevents vehicles from extending beyond the property line shall be erected. However, if the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by the same process and criteria required for a conditional use.

2. In a parking structure there shall be a six foot high solid wall on every parking level, where the structure is within 19 feet of privately owned land in a residential zone.
- (c) Trucks and trailers parked outdoors for rental or storage, provided:
1. Such vehicles shall not exceed 35 feet in length, 12 feet in height, or a registered gross vehicle weight capacity of 26,000 lbs. The body of trailers shall not be over 14 feet long unless it is a recreational vehicle.
  2. No such vehicles shall be truck tractors or road tractors.
  3. Parked or stored vehicles shall not cover more than 25% of the premises.
  4. Special restrictions on types and number of such vehicles as well as screening and location of parking shall be imposed if appropriate and necessary to protect the neighborhood.
- (d) Vehicle repairing, done within a completely enclosed building and at least 20 feet from any residential zone.
- (4) Bicycle and motorized bicycle (moped) sales and rental, provided that outdoor display is permitted only 50 feet or more from any residential zone.
- (5) Drive-up service window, except where listed as permissive in this zone, provided that the vehicle movement plan is approved by the Traffic Engineer, and further provided that the service window and any associated order board are located at least 75 feet from any residential zone. Drive-up service windows in existence upon the effective date of this Zoning Code shall be considered as approved conditional uses.
  - (6) Fireworks sales, provided the use is limited to 45 days in one calendar year.
  - (7) Games within a completely enclosed building, operated for profit, and not permissive in this zone.
  - (8) Kennel, provided:
    - (a) It is in a completely enclosed building.
    - (b) It is no closer than 30 feet from any residential zone.
    - (c) The noise from the kennel does not exceed the ambient noise level as defined in § 9-9-2, Noise Control, when measured 30 feet from any exterior wall of the kennel.
  - (9) Mortuary.
- (10) One mobile home for a watchman or caretaker on the same premises developed with a commercial building or use provided that the mobile home shall not be within 100 feet of a lot in a residential zone or a dwelling unit in any zone.
  - (11) Outdoor storage or activity except as specifically listed as a permissive or conditional use in this section and as further provided below:
    - (a) The outdoor storage or activity is part of a use on the same premises, which use is a permissive only within a building in this zone.
    - (b) Outdoor uses which would impact their environs with appearance, light, noise, odor, or similar environmental problems likely to be unpleasant to neighboring premises and uses shall not be approved.
    - (c) Outdoor conditional uses may justify special buffering to prevent the activity from negatively impacting adjacent land.
    - (d) Outdoor restaurant seating located within 75 feet of a residential zone.
  - (12) Park-and-ride joint-use facilities, if it is determined that under the conditions imposed there will not be a shortage of on-site parking for the activities on the site; in such situations, no parking variance is required.

- (13) Photo direct off-set printing, perforating, scoring, cutting, and other light duty printing services provided:
  - (a) The number of persons engaged in the business is limited to five excluding secretarial, clerical, and delivery personnel; and
  - (b) Activities or products are not objectionable due to noise, vibration or other cause.
- (14) Public utility structure which is not permissive.
- (15) Recycling bin as an accessory use on the site, as provided in § 14-16-3-15 of this Zoning Code.
- (16) Schools, other than public.
- (17) Storage of household goods, office records, equipment or material reasonable to neighborhood function provided:
  - (a) All activities are conducted within a completely enclosed building, the scale and style of which fits its location;
  - (b) Individual storage cubicles, units, or facilities are not each directly accessible from outside the enclosed building; and
  - (c) Direct access to the premises from an arterial or collector street is available.

- (18) Uses or activities in a tent. If the uses or activities are listed elsewhere in this section, provided there is sufficient paved off-street parking available on the premises to meet parking requirements for all uses on the premises, including the activity in the tent, and provided that the City Fire Marshal [i.e., the Chief of the Fire Prevention Bureau] or his authorized representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
- (19) Restaurant serving liquor, provided that the restaurant is located within a shopping center site for which a site development plan has been approved.
- (20) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is located, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.
- (C) *Height.* Structures shall not exceed 26 feet except as provided in § 14-16-3-3 of this Zoning Code, and for sign and antenna height, in division (A) of this section.
- (D) *Lot Size.* No requirements.
- (E) *Setback.* Setback shall be as provided in the O-1 zone.
- (F) *Off-Street Parking.* Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.

- (G) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.
- (H) *Shopping Center Regulations.* Any site in this zone classified as a Shopping Center site, as defined in §§ 14-16-1-5 of this Zoning Code, is subject to special site development regulations. The Shopping Center Regulations are provided in § 14-16-3-2 of this Zoning Code.

(‘74 Code, § 7-14-21) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 87-1976; Am. Ord. 88-1976; Am. Ord. 1-1977; Am. Ord. 13-1977; Am. Ord. 26-1977; Am. Ord. 74-1977; Am. Ord. 30-1978; Am. Ord. 31-1978; Am. Ord. 38-1978; Am. Ord. 61-1980; Am. Ord. 74-1980; Am. Ord. 66-1981; Am. Ord. 94-1981; Am. Ord. 39-1983; Am. Ord. 40-1983; Am. Ord. 54-1983; Am. Ord. 101-1983; Am. Ord. 102-1983; Am. Ord. 74-1985; Am. Ord. 63-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 30-1990; Am. Ord. 47-1990; Am. Ord. 63-1990; Am. Ord. 69-1990; Am. Ord. 26-1991; Am. Ord. 43-1991; Am. Ord. 2-1994; Am. Ord. 58-1995; Am. Ord. 9-1999; Am. Ord. 10-2004; Am. Ord. 4-2005; Am. Ord. 43-2005; Am. Ord. 7-2006; Am. Ord. 23-2007)

## **C-2 COMMUNITY COMMERCIAL ZONE**

This zone provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses.

- (A) *Permissive Uses.* Permissive uses, provided there is no outdoor storage except parking and as specifically allowed below:
- (1) Antenna, up to 65 feet in height.
  - (2) Clinic.
  - (3) Copying, blueprinting.
  - (4) Institution:
    - (a) Club.
    - (b) Day Care Center.
    - (c) Library.
    - (d) Museum.
    - (e) School, including caretaker's mobile home.
  - (5) Office.
  - (6) Park-and-ride temporary facilities.
  - (7) Public utility structure, provided its location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.
  - (8) Residential uses permissive in the R-3 Zone with the following exceptions:
    - (a) Houses are not allowed.
- (b) No less than 20% and no more than 60% of the gross floor area of the structures on the site shall be developed with residential uses.
- (c) Residential uses shall be part of a vertical mix of uses (e.g. residential over commercial or residential over office).
- (d) Where residential uses are proposed, the following regulations shall apply:
1. Area: Minimum of 5 acres.
  2. Height: Pursuant to the R-3 Zone.
  3. Density: The total square footage of all buildings shall achieve a minimum floor area ratio of 0.3.
  4. Usable open space: Pursuant to the R-3 Zone. At least 50% of the required open space shall be provided in the form of shared or aggregate open space.
  5. Shared parking: As provided in § 14-16-3-1(E)(6)(b) except that parking for residential uses is eligible for a shared parking exception.
  6. Approval process: Site development plan approval by the Environmental Planning Commission.
- (9) Sign, off-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:
- (a) Location.
    1. Only wall signs and free-standing signs are permitted in the Established or Redeveloping Areas.
    2. Only wall signs are permitted in the Developing or Semi-Urban Areas except that free-standing signs designated to be read from the Interstate Highway and with at least one edge within 150 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, are also permitted.
    3. Separation.
      - a. No sign shall be nearer than 300 feet to any other off-premise sign.
      - b. No sign within 660 feet of the nearest edge of the public right-of-way of an Interstate Highway shall be nearer than 1,000 feet to any other off-premise sign.
      - c. But divisions a. and b. above shall not apply as to the distance between two signs separated by a building or other obstruction where the face of only one sign is

- visible from any point on the public right-of-way.
- d. But divisions a. and b. above shall not apply to signs which are at some point within five feet of each other and only one of the sign faces is designed to be read from any given lane of traffic.
4. No free-standing sign erected after January 1, 1976, shall be nearer than 100 feet to any preexisting on-premise sign.
  5. Setback
    - a. No sign shall be nearer than seven feet to any public street right-of-way, except a public right-of-way containing an Interstate Highway without a frontage road between the sign and the Interstate Highway.
    - b. No sign shall overhang a public right-of-way containing an Interstate Highway without a frontage road between the sign and the Interstate Highway.
  6. No free-standing sign shall be nearer than 150 feet to any conforming residential property.
    - (b) Size.
      1. Free-standing sign area of any one sign shall not exceed 300 square feet plus an additional add-on sign area of 18 square feet, except that within 150 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, the area of any one sign designed to be read from the Interstate Highway may be up to but shall not exceed 672 square feet plus an additional add-on sign area of 34 square feet. Free-standing sign length shall not exceed 60 feet.
      2. Wall sign area shall be controlled by the provisions of division (9)(c)2. of this division (A).
    - (c) Height.
      1. Sign height shall not exceed 26 feet, except:
        - a. As provided in division 2. below; and
        - b. the height of an add-on sign may be up to but shall not exceed 31 feet.
      2. Within 150 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, the height of the highest point of the sign shall not exceed 29 feet, measured either from grade or from the elevation of the Interstate Highway at its closest point, except the height of an add-on sign may be up to but shall not exceed 34 feet, measured in the same way.
    - (d) Illumination, Motion: No regulations, apart from the general sign regulations.
- (10) Sign, on-premise, as provided in § 14-16-3-5 of this Zoning Code, and further provided:
    - (a) Location.
      1. Building-mounted signs extending above the height of the building shall be permitted only if they are:
        - a. A continuation of the plane of a projecting sign or of the nearest facade; or
        - b. Counted and controlled by all number, size, and height regulations for free-standing signs, including division (c)2.b. below.
      2. A sign shall not overhang into the public right-of-way more than five feet.
      3. Projecting signs shall not project horizontally more than five feet, except marquee signs are permitted to project ten feet.

(b) Number.

1. In the Established or Redeveloped Areas. One free-standing or projecting sign shall be permitted for each street frontage of each premises or joint sign premises which has at least 100 feet of street frontage, or one per 300 feet of total street frontage (e.g., up to two signs allowed if 630 feet of frontage), whichever is more permissive.
2. In the Developing, Semi- Urban, or Rural and Open Areas.
  - a. No free-standing signs on sites of under five acres.
  - b. One free-standing sign per street frontage shall be permitted on premises of five acres or more, provided the street frontage is at least 100 feet wide.
  - c. One free-standing sign shall be permitted on a premises with 250 feet or more of street frontage but an area under five acres, provided the maximum sign area for each of one or two faces shall not exceed 35 square feet per face.
3. One canopy sign per entrance or exit shall be permitted.
4. No limit on number of wall signs.

(c) Size.

1. Size of Free-Standing and Projecting Signs. Sign area for a free-standing or projecting sign shall not exceed the following area:
  - a. Seventy-five square feet if the most important street abutting the lot is a local street.
  - b. One hundred square feet if the most important street abutting the lot is a collector street.
  - c. Two hundred and fifty square feet if the most important street abutting the lot is an arterial street or freeway (if division d. below does not apply).
  - d. Three hundred square feet if the sign is within 200 feet of a moving lane of a freeway and is visible from the freeway; in addition to the regular limits on numbers of signs, there shall be no more than one sign this large per business.
2. Size, Building-Mounted Signs, Except Projecting Signs.
  - a. A building-mounted sign on premises or joint sign premises where there is no free-standing

on- or off-premise sign shall not exceed the following:

- i. Twenty percent of the area of the facade to which it is applied, if the sign area is not wholly visible from an abutting collector street, arterial street, or freeway;
  - ii. Twenty-five percent of the area to which it is applied, if the sign area is wholly visible from an abutting collector street; or
  - iii. Thirty percent of the area of the facade to which it is applied, if the sign area is wholly visible from an abutting arterial street or freeway.
- b. A building-mounted sign on premises or joint sign premises where there is a free-standing or projecting on- or off-premise sign shall not exceed one-half the percentage of facade area listed in division a. above.
  - c. An off-premise wall sign may be substituted for the area which otherwise would be permitted for an on-premise sign; such sign shall be regulated by height regulations for off-premise signs.

(d) Height.

1. Height of a free-standing sign shall not exceed 26 feet, except a sign which is within 200 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, may be up to but shall not exceed 26 feet above the freeway at its closest point.
  2. Height of a building-mounted sign shall not exceed five feet above the height of the building, or it shall not exceed 30 feet, whichever is lower.
  3. However, height of either a non-illuminated wall sign or an illuminated wall sign for a hotel or motel may be over 30 feet.
- (e) Illumination, Motion, Lettering. No regulations, apart from general sign regulations.
- (f) Exceptions.
1. Permitted building-mounted sign area from the front and sides of the principal building of the business may be transferred from the building to a customer service area of the same business on the same premises, provided the height of such signs shall not exceed 15 feet and setback shall be at least ten feet; such signing shall not be considered free-standing.

2. Any exceptions allowed for shopping centers, in order to provide adequate signing in special situations, shall be as provided in § 14-16-3-2 of this Zoning Code. Such a sign exception must be specifically defined in the Planning Commission resolution. Shopping centers approved prior to the effective date of this Zoning Code shall comply with sign regulations in this article unless an exception is specifically defined in a Planning Commission resolution.
  - (11) Radio or television studio or station.
  - (12) Recycling bin as an accessory use on the site, as provided in § 14-16-3-15 of this Zoning Code.
  - (13) Retailing of any consumer product and provision of any customer, personal, or business service, except adult amusement establishments and adult stores, hospitals for human beings and transit facilities, provided it is not listed as a conditional use in this zone, or as a permissive or conditional use listed for the first time in the C-3 zone, and with the following limitation:
    - (a) Alcoholic drink sales for consumption off premises; except the sale of alcoholic drink within 500 feet of a community residential program or hospital for treatment of substance

abusers is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994:

1. are limited to building area which is not within 500 feet of a residential zone; and
  2. shall not include the sale of broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a designated Metropolitan Redevelopment Area (as defined in the State Metropolitan Redevelopment Code), a city owned park or city owned major public open space:
    - A. distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;
    - B. beer, as defined in the New Mexico Liquor Control Act, in any single container labeled as containing 16 or fewer ounces; and
    - C. fortified wines with a volume of alcohol of more than 13.5 percent.
- (b) Vehicle sales, rental, service, repair, and storage, both indoor and outdoor, provided:

- 1. Outdoor activity areas (display and storage of stock in trade) meet all the specifications for a parking lot, as regulated in the O-1 zone.
  - 2. Outdoor storage of inoperative vehicles is limited to two vehicles at any time, and a given inoperative vehicle shall not be parked outdoors over two weeks in any 12-month period.
  - 3. Painting and major automotive repair is conducted within a completely enclosed building at least 20 feet from any residential zone.
  - 4. A truck terminal is not permitted.
  - 5. Outdoor vehicle storage as a principal business, where vehicles are typically not moved for one week or more, is not a permissive use.
- (c) Banking, loaning money, including pawn. Drive-in facilities included on the condition the vehicle movement plan is approved by the Traffic Engineer.
  - (d) Building materials, provided they are in a completely enclosed building or within an area enclosed on all sides by a wall or fence at least six feet high which must be solid when it faces or is contiguous to land not zoned C-2, C-3, M-1 or M-2.
  - (e) Circus or Carnival operation outdoor or in a tent provided:
    - 1. The use is located at least 300 feet from a dwelling in a residential zone;
    - 2. The use is permitted at one location for a period not to exceed seven days in any calendar year;
    - 3. Hours of operation, including erection and dismantling of equipment are:
      - a. If the use is located between 300 feet and 500 feet from a dwelling, between 7:30 a.m. and 10:30 p.m.;
      - b. If the use is located 500 feet or more from a dwelling, between 6:00 a.m. and 11:30 p.m.;
    - 4. There is sufficient off-street parking available on the premises to meet parking requirements for all the uses on the premises. The Zoning Enforcement Officer shall approve a site plan which shall demonstrate adequate parking and vehicle circulations;
    - 5. There are toilet facilities on the premises; and
  - 6. The City Fire Marshall or his authorized representative gives prior approval of any tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
    - (f) Drive-in restaurant, provided a solid wall or fence at least six feet high shall be erected on sides which abut land, other than public right-of-way land, in a residential zone. However, if the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by the same process and criteria required for a conditional use.
    - (g) Dry cleaning, laundry, clothes pressing, provided:
      - 1. Only cleaning fluid which is not flammable at temperatures below 138.5° Fahrenheit may be used;
      - 2. The number of persons engaged in operating a laundry or dry cleaning establishment is limited to five, excluding pressers, office, clerical, or delivery personnel;
      - 3. That portion of the structure in which any cleaning process is done is at least 50 feet from any residential zone.

- (h) Flowers and plants, including out-door sales.
- (i) Gasoline, oil, and liquified petroleum gas retailing, including outdoor sales, but not truck plazas.
- (j) Golf driving range, miniature golf course, baseball batting range, located in a building or outdoors, provided fencing or other suitable device is employed to insure that balls are not hit out of premises.
- (k) Hospital for animals, provided it has no outside pens. One outside exercise run is permitted, provided it is enclosed with a solid wall or fence at least six feet high, and no more than one animal is permitted in the run at any one time.
- (l) One mobile home for a watchman or caretaker on the same lot with commercial uses, permissive or conditional in this zone, which do not have or normally require a permanent structure, including but not limited to used car sales lot; mobile home or recreational vehicles sales or rental lot; and circus, carnival, or similar enterprise. However, the mobile home shall not be within 100 feet of a lot in a residential zone or a dwelling unit in any zone.
- (m) Parking lot, as regulated in the O-1 zone.
- (n) Pets, as regulated in the C-1 zone.
- (o) Restaurant with outdoor seating.
- (p) Sample dwelling unit used to sell such units, including incidental sales office activity.
- (q) Secondhand store, including outside storage in the side or rear yard and if enclosed by a solid wall or fence at least six feet high.
- (r) Stand or vehicle selling fruit, vegetables, or nursery stock, provided it is limited to a period of 90 days in any calendar year. However, one renewal for an additional 90 days may be permitted by the Planning Director.
- (s) Not permissive as retailing or services are uses listed as conditional use in this section and uses that are in substantial part industrial or manufacturing activities, e.g., automobile dismantling, sheet metal working, or tire recapping and retreading.
- (14) Storage structure or yard for equipment, material or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year unless the time is extended by the Planning Director.
- (15) Wholesaling of jewelry.
- (16) Uses or activities in a tent, if the uses or activities are listed elsewhere in this subsection, provided:
  - (a) The tent may not be erected for more than seven days at a time and may not be erected more than two times a year on a given premises;
  - (b) There is sufficient paved off-street parking available on the premises to meet parking requirements for all uses on the premises, including the activity in the tent. The Zoning Enforcement Officer shall approve the site plan for the tent, which shall demonstrate adequate parking and vehicle circulation, prior to erection of the tent; and
  - (c) There are toilet facilities on the premises available to the users of the tent; and
  - (d) The City Fire Marshall or his authorized representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
- (17) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:

- (a) A free-standing wireless telecommunications facility, up to 65 feet in height.
  - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
  - (c) A face-mounted wireless telecommunications facility.
  - (d) A roof-mounted wireless telecommunications facility, up to 6 feet above the parapet of the building on which it is placed.
  - (e) A concealed wireless telecommunications facility.
  - (f) A Community Identity Feature if it is approved by the Planning Commission pursuant to § 14-16-3-17 of this Zoning Code.
  - (g) A wireless telecommunications facility, the antennas of which all are mounted on an existing vertical structure.
- (B) *Conditional Uses.*
- (1) Antenna, over 65 feet in height.
  - (2) Cold storage plant.
  - (3) Church or other place of worship, including incidental recreational and educational facilities. Incidental uses
- allowed include but are not limited to an emergency shelter operated by the church on the church's principal premises which is used regularly for public worship, notwithstanding special limitations elsewhere in this Zoning Code.
- (4) Community residential program, provided that the standards of § 14-16-3-12 of this Zoning Code are met.
  - (5) Drive-in theater.
  - (6) Emergency shelter, provided the standards of § 14-16-3-13 of this Zoning Code are met.
  - (7) Fire wood sales and related storage, provided the wood is not visible from land not zoned C-2, C-3, M-1, or M-2.
  - (8) Kennel.
  - (9) Mobile home development, provided the development contains at least three acres. Approval of a site development plan and landscaping plan is required prior to development.
  - (10) One mobile home for a watchman or caretaker on the same premises with a commercial use other than one of those uses enumerated in division (A)(12)(l) of this section. However, the mobile home shall not be within 100 feet of a lot in a residential zone or a dwelling unit in any zone.
- (11) Outdoor storage or activity, except as specifically listed as a permissive or conditional use in this section, and as further provided below:
- (a) No outdoor storage or activity specified as a principal special use in § 14-16-2-22(B) of the Zoning Code, the SU-1 zone, may be a conditional use considered under this division (B).
  - (b) Combinations of uses, some or all of which are outdoor uses, which interact to create a more intense use, operating as one coordinated enterprise or attraction are not normally appropriate for approval as conditional uses under this division (B), being more properly controlled as SU-1 zone special uses.
  - (c) Outdoor uses which would impact their environs with appearance, light, noise, odor, or similar environmental problems likely to be unpleasant to neighboring premises and uses shall not be approved.
  - (d) Outdoor conditional uses often justify special requirements to keep the appearance or other aspects of the outdoor storage or activity from negatively impacting adjacent land.
  - (e) Outdoor vehicle storage as a principal business, where vehicles are typically not moved for one week or more, is not appropriate if it will be significantly visible from adjacent streets or nearby residential, office, or commercial uses:

- if approved. this type of storage requires special buffering.
- (12) Parking of more than two truck tractors and two semitrailers for over two hours.
- (13) Park-and-ride joint-use facilities, if it is determined that under the conditions imposed there will not be a shortage of on-site parking for the activities on the site; in such situations, no parking variance is required.
- (14) Pony riding without stables, provided it is located at least 300 feet from a dwelling which is a conforming use.
- (15) Retail sale of alcoholic drink for consumption off premises, where the portion of the building used for such business is within 500 feet of a residential zone, provided such sales shall not include the sale of broken packages or the following packages within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a city owned park or city owned major public open space except the retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994 and further provided that such sales shall not include:
- (a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;
- (b) beer, as defined in the New Mexico Liquor Control Act, in any single container; and
- (c) fortified wines with a volume of alcohol of more than 13.5 percent.
- (16) Public utility structure which is not permissive.
- (17) Retail business in which products may be manufactured, compounded, processed, assembled, or treated, as an accessory use, including carpentry, plumbing, sheet-metal working, upholstery, sign painting, making of metal stamps, catering, baking, confectionery making, or jewelry or curio making, provided:
- (a) All activities are conducted within a completely enclosed building.
- (b) The number of persons engaged in the manufacturing, processing, assembling, or treating of products is limited to ten, excluding office, clerical or delivery personnel.
- (c) Activities or products are not objectionable due to odor, dust, smoke, noise, vibration, or other cause.
- (18) Tire recapping or retreading, provided:
- (a) The activity is incidental to the major use and is conducted within a completely enclosed building.
- (b) Outdoor storage of tires is enclosed by a solid wall or fence at least six feet high.
- (c) Tires stored outdoors may not be stacked above the plane established by the top of the required surrounding wall.
- (19) Transfer or storage of household goods, provided:
- (a) Parking and maneuvering of trucks is permitted only off the street in an off-street parking area as regulated by this article.
- (b) Servicing of trucks is permitted only within a building or an area completely enclosed by a solid wall or fence at least eight feet high.
- (20) Uses or activities in a tent, if the uses or activities are listed elsewhere in this section, provided there is sufficient paved off-street parking available on the premises to meet parking requirements for all uses on the premises, including the activity in the tent, and provided that the Fire Marshal [i.e., the Chief of the Fire Prevention Bureau] or his designated representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.

- (21) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is placed, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.
- (C) *Height.* Height shall be as provided in the O-1 zone, except sign and antenna height shall be as provided in division (A) of this section.
- (D) *Lot Size.* No requirements.
- (E) *Setback.* Setback shall be as provided in the O-1 zone.
- (F) *Off-Street Parking.* Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.
- (G) *Shopping Center Regulations.* Any site in this zone classified as a Shopping Center site, as defined in § 14-16-1-5 of this Zoning Code, is subject to special site development regulations. The Shopping Center Regulations are provided in § 14-16-3-2 of this Zoning Code.
- (H) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

('74 Code, § 7-14-22) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 57-1976; Am. Ord. 13-1977; Am. Ord. 26-1977; Am. Ord. 74-1977; Am. Ord. 38-1978; Am. Ord. 55-1978; Am. Ord. 74-1980; Am. Ord. 42-1981; Am. Ord. 40-1983; Am. Ord. 54-1983; Am. Ord. 74-1985; Am. Ord. 11-1986; Am. Ord. 80-1986; Am. Ord. 41-1987; Am. Ord. 62-

1988; Am. Ord. 3-1990; Am. Ord. 12-1990; Am. Ord. 30-1990; Am. Ord. 47-1990; Am. Ord. 63-1990; Am. Ord. 69-1990; Am. Ord. 43-1991; Am. Ord. 39-1992; Am. Ord. 50-1992; Am. Ord. 13-1993; Am. Ord. 2-1994; Am. Ord. 58-1995; Am. Ord. 9-1999; Am. Ord. 11-2002; Am. Ord. 10-2004; Am. Ord. 42-2004; Am. Ord. 4-2005; Am. Ord. 16-2005; Am. Ord. 43-2005; Am. Ord. 7-2006; Am. Ord. 23-2007)

## IP INDUSTRIAL PARK ZONE

This zone provides suitable sites for a wide range of industrial and commercial uses, provided such uses are conducted in a compatible and harmonious manner within industrial environments achieved through a Development Plan.

### (A) *Permissive Uses.*

- (1) Adult amusement establishment, or adult store, provided:
  - (a) The use is located at least 1,000 feet from any adult amusement establishment or adult store; and
  - (b) The use is located at least 500 feet from the nearest residential zone, or from any church or pre-elementary, elementary or secondary school.
- (2) Air separation plant for nitrogen, oxygen, and argon only.
- (3) Auditorium, place of assembly.
- (4) Bottling plant.

- (5) Club.
- (6) Cold storage plant.
- (7) Golf course or golf driving range.
- (8) Hospital for animals.
- (9) Institution, including library, museum, school, day care center, but not disciplinary institutions or hospital for human beings.
- (10) Laboratory — experimental, testing, or medical, provided all activities are conducted within a completely enclosed building. Noxious fumes, odor, or dust shall not be emitted from the premises.
- (11) Machine Shop.
- (12) Manufacturing, assembling, treating, repairing, or rebuilding articles except those conditional or otherwise limited in this zone and the M-1 zone or specifically listed as permissive or conditional in the M-2 zone, provided manufacturing is conducted within a completely enclosed building.
- (13) Office.
- (14) Office machine equipment sales and repairs.
- (15) One dwelling per premises for a watchman or caretaker on the same premises with commercial or industrial use.

- (16) Park-and-ride temporary facilities.
- (17) Parking lot related to another use permitted in this zone, as regulated in the O-1 zone.
- (18) Printing, publishing, lithographing, blue-printing, or photostating.
- (19) Public utility use or structure and fire stations, provided their location is in accord with an adopted facility plan and a site development plan for building permit purposes has been approved by the Planning Commission.
- (20) Radio and/or television station, provided the construction of any structure, tower or facility near an airport that interferes with airport airspace requirements as determined by the Federal Aviation Administration, is prohibited.
- (21) Railroad right-of-way and incidental facilities, provided they are at least 100 feet from any residential zone or approved by master plan.
- (22) Retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair:
  - (a) Books, magazines, newspapers, except adult book store.
  - (b) Cosmetics, notions, gifts.
  - (c) Drugs, medical supplies.
- (d) Flowers and plants.
- (e) Food and drink, for consumption on premises.
- (f) Gasoline, oil, liquified petroleum gas.
- (23) Sales and display rooms or buildings for wholesalers, distributors, warehouses, or manufacturers.
- (24) Services:
  - (a) Automobile repairing, but no body work; repairing shall be done within a completely enclosed building at least 20 feet from any residential zone.
  - (b) Banking, loaning money, including pawn. Drive-in facilities permitted on the condition the vehicle movement plan is approved by the Traffic Engineer.
  - (c) Barber, beauty.
  - (d) Car washing.
  - (e) Clinic.
  - (f) Day care center.
  - (g) Dry cleaning, laundry, clothes pressing.
  - (h) Health gymnasium.
- (i) Hotel or motel, including incidental uses.
- (j) Photography, except adult photo studio.
- (25) Sign, on-premises as provided in § 14-16-3-5 of this Zoning Code, and further provided:
  - (a) Location. A sign shall not overhang into the public right-of-way.
  - (b) Number.
    1. In the Established or Redeveloping Areas: one free-standing sign or projecting sign shall be permitted for each street frontage of each premises or joint sign premises which has at least 200 feet of street frontage.
    2. In the Developing or Semi-Urban Areas: as provided in division 1. above, except that there shall be no free-standing or projecting sign on a premises of less than five acres.
    3. One wall sign shall be permitted per facade per business.
    4. On a multi-business premises, one additional sign of any type shall be permitted as a directory sign, provided its area does not exceed 32 square feet.

- (c) Size.
1. Size of Free-Standing or Projecting Signs. Sign area for a free-standing or projecting sign shall not exceed the following:
    - a. 75 square feet if the most important street abutting the lot is a local street.
    - b. 100 square feet if the most important street abutting the lot is a collector or arterial street or freeway.
  2. Size, Building-Mounted Signs, Except Projecting Signs. A building-mounted sign shall not exceed the following area:
    - a. Fifteen percent of the area of the facade to which it is applied if the sign is not wholly visible from an abutting arterial or collector street; or
    - b. Twenty percent of the area of the facade to which it is applied if the sign is wholly visible from an abutting arterial or collector street or freeway.
- (d) Height.
1. Height of a free-standing sign shall not exceed 26 feet.
  2. Height of a building-mounted sign shall not exceed five feet above the building wall.
    - (e) Illumination. Light bulbs illuminating signs shall not shine directly into adjacent conforming residential property.
    - (f) Motion, Lettering. No regulations, apart from those in § 14-16-3-5.
- (26) Sheet metal working.
- (27) Swimming pool.
- (28) Warehouse.
- (29) Wholesaling.
- (30) Wireless Telecommunications Facility, provided that the requirements of § 14-16-3-17 of this Zoning Code are met, and as specifically allowed below:
  - (a) A free-standing wireless telecommunications facility, up to 65 feet in height.
  - (b) A collocated free-standing wireless telecommunications facility, up to 75 feet in height.
  - (c) A face-mounted wireless telecommunications facility.
- (d) A roof-mounted wireless telecommunications facility, up to 6 feet above the parapet of the building on which it is placed.
- (e) A concealed wireless telecommunications facility.
- (f) A Community Identity Feature if it is approved by the Planning Commission pursuant to § 14-16-3-17 of this Zoning Code.
- (g) A wireless telecommunications facility, the antennas of which all are mounted on an existing vertical structure.
- (B) *Conditional Uses.* Uses permissive or conditional in the M-1 zone and not permissive in this zone, except not Community residential program, Emergency shelter, or dwelling unit other than caretaker or watchman premises on the premises of the commercial or industrial use.
- (C) *Height.*
- (1) Structure height and width shall fall within 45° angle planes drawn from the horizontal at the mean grade along each boundary of the premises, but a structure shall not exceed a height of 120 feet.
  - (2) Exceptions to the above are provided in § 14-16-3-3 of this Zoning Code and, for sign height, in division (A) of this section.

- (D) *Lot Size.* Minimum lot area shall be one-half acre. Minimum lot width shall be 100 feet. No more than 50% of the surface of any lot or site shall be covered with buildings.
- (E) *Setback.* The following regulations apply, except as provided in § 14-16-3-3 of this Zoning Code:
- (1) There shall be a front-yard setback of not less than 20 feet.
  - (2) There shall be a side-yard setback of not less than ten feet.
  - (3) There shall be a rear-yard setback of not less than ten feet.
  - (4) No setback will be required on sides abutting rail trackage or rail easements.
- (F) *Off-Street Parking.* Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.
- (G) *Outside Storage.* All outdoor storage and trash collection areas shall be visually screened from all property lines by a solid wall or fence or by an evergreen hedge at least six feet high.
- (H) *General Requirements.*
- (1) *Minimum Zone Size.* The minimum total contiguous area eligible for an IP zone designation is 20 acres.

- (2) *Master Development Plan.* A plan meeting the requirements of § 14-16-1-5 shall accompany an application for change to IP zoning. No building permit shall be issued for an IP-zoned property until a Master Development Plan has been approved. Amendment of an approved Master Development Plan shall be the same as in the SU-1 zone.
  - (3) *Landscaping.* Landscaping shall be as specified in § 14-16-3-10 of this Zoning Code, except that a minimum landscaped strip of ten feet shall be maintained between parking areas and the street right-of-way line, regardless of site size.
- (I) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.

(74 Code, § 7-14-24) (Ord. 80-1975; Am. Ord. 6-1977; Am. Ord. 26-1977; Am. Ord. 76-1977; Am. Ord. 38-1978; Am. Ord. 14-1984; Am. Ord. 11-1986; Am. Ord. 41-1987; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 58-1995; Am. Ord. 22-1997; Am. Ord. 9-1999; Am. Ord. 29-2003; Am. Ord. 42-2004; Am. Ord. 66-2005)

## M-1 LIGHT MANUFACTURING ZONE

This zone provides suitable sites for heavy commercial and light manufacturing uses.

- (A) *Permissive Uses.*

- (1) Uses first listed as permissive and as regulated in the C-3 zone (§ 14-16-2-18(A)).
- (2) Uses permissive and as regulated in the IP zone.
- (3) Antenna, without limit as to height.
- (4) Automotive sales, rentals, service, repair, and storage, provided:
  - (a) The area meets all of the specifications for a parking lot as defined in this Zoning Code.
  - (b) Major automotive repair is conducted within a completely enclosed building.
- (5) Automobile dismantling, provided:
  - (a) All activities are conducted in a completely enclosed building or are enclosed by a solid wall or fence at least six feet high.
  - (b) Inoperative automobile bodies may be stacked to a height that does not exceed the height of the required wall.
- (6) Commercial agricultural activity and incidental structures. Animals permissive are cattle, horses, goats, and sheep, provided the number of head of cattle or horses does not exceed one for each 10,000 square feet of open lot area, or one sheep or goat for each 4,000 square feet of open lot area, or equivalent combination.

- Animals shall be so controlled that they cannot graze on any other premises. Animals under four months old are not counted.
- (7) Emergency shelter, provided that the standards of § 14-16-3-13 of this Zoning Code are met.
- (8) Manufacturing, assembling, treating, repairing, or rebuilding articles, except those conditional or otherwise limited in this zone or specifically listed as permissive or conditional in the M-2 zone, provided all manufacturing is conducted within a completely enclosed building.
- (9) Incidental uses within a building, most of which is occupied by offices, including news, cigar or candy stand, personal-service establishment and the like, provided:
- (a) The use is intended primarily for the use of occupants of the building.
- (b) The use is limited to a maximum of 10% of the total floor area.
- (10) Parking lot, as regulated in the 0-1 zone.
- (11) Recycling bin as an accessory use on the site, as provided in § 14-16-3-15 of this Zoning Code.
- (12) Sign, off-premise, as provided in the C-2 zone and § 14-16-3-5 of this Zoning Code, except:
- (a) Size. Free-standing sign area of any one sign shall not exceed 672 square feet. An additional add-on sign area of 34 square feet is permitted.
- (b) Height.
1. Sign height shall not exceed 29 feet except:
- a. As provided in division 2. below; and
- b. the height of an add-on sign may be up to but shall not exceed 34 feet.
2. Within 150 feet of a moving through lane of an Interstate Highway, excluding interchange ramps, the height of the highest point of the sign shall not exceed 29 feet, measured either from grade or from the elevation of the Interstate Highway at its closest point, except the height of an add-on sign may be up to but shall not exceed 34 feet, measured in the same way.
- (13) Sign, on-premise, as provided in the C-2 zone and in § 14-16-3-5 of this Zoning Code.
- (14) Storage structure or yard for equipment, material or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed, or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year, unless the time is extended by the Planning Director.
- (15) Trailer sales, rentals, service, repair, and storage, provided:
- (a) Paving shall be maintained level and serviceable. The lot must be graded and surfaced with one of the following:
1. Gravel: Two inches of compacted gravel (3/8 inch to one inch size) at least 1/2 inch of which shall be maintained on the surface; gravel shall be kept off of the right-of-way; or
2. A hard surface superior to division 1. above.
- (b) A fence or wall which prevents vehicles from extending beyond the property line shall be erected.
- (c) A solid wall or fence at least six feet high shall be erected on sides which abut land, other than public right-of-way land, in a residential zone. However, if the wall or fence plus retaining wall would have an effective height of over eight feet on the residential side, the Zoning Hearing Examiner shall decide the required height; such decision shall be made by

the same process and criteria required for a conditional use.

(16) The following uses, provided all activities are conducted within a completely enclosed building and provided that noxious fumes, odors, or dust shall not be emitted from the premises:

- (a) Blacksmith shop.
- (b) Poultry or rabbit live storage or killing and dressing.

(17) Uses which must be conducted in a completely enclosed building or within an area enclosed on all sides by a wall or fence at least six feet high which is maintained in a state of good repair and which must be solid when it faces or abuts land not zoned C-2, C-3, M-1, or M-2:

- (a) Concrete or cement products manufacturing, batching plant, processing of stone.
- (b) Gravel, sand, or dirt removal, stockpiling, processing, or distribution.
- (c) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities.

(B) *Conditional Uses.*

(1) If so approved, the following uses may be conducted in an area not completely enclosed by a wall or fence:

- (a) Air separation plant not otherwise allowed as a permissive use.
- (b) Animal raising, other than those animals which are permissive in this section.
- (c) Building material storage or sales.
- (d) Concrete or cement products manufacturing, batching plant, processing of stone.
- (e) Contractor's equipment storage, or contractor's plant.
- (f) Feed or fuel storage or sales.
- (g) Gravel, sand, or dirt removal activity, stockpiling, processing, or distribution.
- (h) Rental, sales, display, and repair of operative contractor's and heavy farm equipment.
- (i) Salvage yard for storage and sale of used material provided the yard is enclosed on all sides by a solid wall or fence at least six feet high.
- (j) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities.

(2) Community residential corrections program: up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(3) Community residential program for substance abusers with up to 15 client residents, provided that the standards of § 14-16-3-12 of this Zoning Code are met.

(4) Public utility structure which is not permissive.

(5) Retailing which is not permissive, provided retailing shall not include the sale of alcoholic drink for consumption off premises within 500 feet of a pre-elementary, elementary or secondary school, a religious institution, a residential zone, a city owned park or city owned major public open space if the alcoholic drink is in a broken package or in the following package except the retailing of alcoholic drink, for on or off premise consumption, within 500 feet of a community residential program or hospital for treatment of substance abusers, is prohibited pursuant to § 14-16-3-12(A)(11) ROA 1994 and further provided that such sales shall not include:

- (a) distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 750 milliliters;

- (b) beer, as defined in the New Mexico Liquor Control Act, in any single container; and
- (c) fortified wines with a volume of alcohol of more than 13.5 percent.
- (6) Uses or activities in a tent, if the uses or activities are listed elsewhere in this section, provided there is sufficient paved off-street parking available on the premises to meet parking requirements for all uses on the premises, including the activity in the tent, and provided that the City Fire Marshal [i.e., the Chief of the Fire Prevention Bureau] or his authorized representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.
- (7) Wireless Telecommunications Facility, Roof-Mounted, up to 20 feet above the parapet of the building on which it is placed, provided that the requirements of § 14-16-3-17 of this Zoning Code are met.
- (C) *Height.*
- (1) Structure height up to 36 feet is permitted at any legal location. The height and width of the structure over 36 feet high shall fall within a 45° plane drawn from the horizontal at the mean grade along each boundary of the premises, but a structure shall not exceed a height of 120 feet.
- (2) Exceptions to the above are provided in § 14-16-3-3 of this Zoning Code, and, for sign height, as provided in the C-2 zone.
- (D) *Lot Size.* No requirements.
- (E) *Setback.* Setback shall be as provided in the O-1 zone.
- (F) *Off-Street Parking.* Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.
- (G) An air quality impact review and assessment may be required. See § 14-16-3-14 of this Zoning Code.
- (H) *Large Retail Facility Regulations.* Any site containing a large retail facility, as defined in § 14-16-1-5 of the Zoning Code, is subject to special development regulations. The large retail facility regulations are provided in § 14-16-3-2 of the Zoning Code.
- (74 Code, § 7-14-25) (Ord. 80-1975; Am. Ord. 40-1976; Am. Ord. 13-1977; Am. Ord. 26-1977; Am. Ord. 74-1977; Am. Ord. 38-1978; Am. Ord. 34-1981; Am. Ord. 74-1985; Am. Ord. 41-1987; Am. Ord. 3-1990; Am. Ord. 12-1990; Am. Ord. 47-1990; Am. Ord. 2-1991; Am. Ord. 43-1991; Am. Ord. 22-1997; Am. Ord. 9-1999; Am. Ord. 11-2002; Am. Ord. 42-2004; Am. Ord. 4-2005; Am. Ord. 43-2005; Am. Ord. 23-2007)

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## Appendix B: Interim Guidelines for Development within City Designated Landfill Buffer Zones

Through normal decomposition of buried refuse in former landfills, methane gas may be produced as a byproduct. If production of methane is significant, the landfill becomes pressurized forcing the methane gas out beyond the boundaries of the landfill. Methane generally follows the path of least resistance when it migrates. Typical areas it migrates through are utility corridors, existing gravel and/or sand deposits below the surface or areas where prior excavations have occurred and the fill was not properly compacted. Because methane may migrate onsite and to offsite areas surrounding a landfill, there is a potential danger to development and activities associated with development as the methane may enter buildings through utility corridors or other means. Trenching during construction activities associated with development also has the potential to expose workers to methane. Methane gas is explosive when the concentration in air reaches a certain level. Landfill gas may also be a health hazard due to other byproduct gases. As a result of the above concerns, these Interim Guidelines for Development (Interim Guidelines)

within City of Albuquerque (City) Designated Landfill Buffer Zones are to be followed by all development within the City's jurisdiction. These guidelines apply to all active or inactive City designated landfill buffer zones of City and private permitted landfills, unpermitted landfills, and/or illegal dumpsites.

1. All development, whether it proceeds through the Environmental Planning Commission (EPC), Development Review Board (DRB), Design Review Committee (DRC) or the building permit process shall be subject to the Interim Guidelines if the property falls on top of or within a City designated landfill buffer zone. The Albuquerque Environmental Health Department Environmental Services Division or its consultant will review all documentation concerning development within each designated landfill buffer zone from professional engineers and the developers/owners/responsible parties to ensure that the Interim Guidelines have been followed.
2. Development projects will include input from a professional engineer, with expertise in landfills and landfill gas issues, to determine if landfill gas (including but not limited to methane) exists on the property in question and whether there is a potential for the migration of landfill gas to impact the property or other properties in the future.
3. If landfill gas is present at the property in question or there is a potential for the property to be impacted in the future, plans must include risk abatement measures, which are adequate to address any existing and/or future risk related to landfill gas.

The portion of the construction plans dealing with landfill gas abatement measures shall be certified by a professional engineer with landfill gas experience, noted on plat/site development plans or building permits, reviewed and signed-off by designated Albuquerque Environmental Health Department Environmental Services Division staff or its designated consultant. Work orders for construction of public infrastructure will not be issued by the Public Works Department until the Albuquerque Environmental Health Department has verified that the risk abatement measures are properly detailed on infrastructure construction plans. Certificates of occupancy will not be issued by the City's Planning Department until the Albuquerque Environmental Health Department has verified that the risk abatement measures are properly detailed on the building permit plans and properly constructed.

The certification process shall include the following steps:

- An assessment performed by the professional engineer, with expertise in landfills and landfill gas, to determine the current presence and/or potential for future presence and extent of landfill gas at the property. The scope of work undertaken concerning the assessment of landfill gases and/or the risk abatement measures at the property must be sufficient for the professional engineer to render an unqualified opinion concerning the current presence and/or potential for future presence and extent of landfill gases at the property, and the sufficiency of the risk

abatement measures to eliminate any hazards or potential hazards associated with landfill gases.

- A commitment by the owner/developer/responsible party to follow abatement measures and acknowledgment that the commitment is a condition of development approval. (In the case of a large corporation, the certification letter will be signed by a representative, who has the authority to commit the corporation to implement the risk abatement measures.)
- Construction plans detailing the risk abatement measures shall be submitted with the building permit plans.
- A stamped certification from a professional engineer licensed to practice in New Mexico certifying that the construction of the project has been completed in compliance with the risk abatement measures as detailed on original construction plans (any changes in the original design of the risk abatement measures shall be coordinated with the landfill gas professional engineer and Albuquerque Environmental Health Department prior to implementation of the change).

E. Copies of landfill certification documentation will be submitted to the Planning Department and maintained in its development files.

F. If a determination is made that there is no landfill gas existing at the property and there is no future risk from landfill gas, the assessment report shall state how such a determination was made and shall

be certified by a professional engineer with landfill gas experience. The “no risk” certification process shall include the same steps outlined above.

G. Properties within City designated landfill buffer zones must note on the site plan/plats/as-builts the following disclosure statement:

“The subject property is located (near, on) a (former, existing) landfill. Due to the subject property being (near, on) a (former, existing) landfill, certain precautionary measures may need to be taken to ensure the health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the Interim Guidelines for Development within City Designated Landfill Buffer Zones) shall be consulted prior to development of the site.”

H. The Interim Guidelines are for the development process and are not intended to affect planning or administrative processes that are not associated with physical changes to sites on or within City designated landfill buffer zones other than to raise the awareness of procedures to be undertaken prior to development.

I. Any removal of landfill materials during development of the property must also be coordinated with the New Mexico Environment Department – Solid Waste Bureau.

J. The following City designated landfill buffer zones are:

- Atrisco LF-250 ft

- Coronado LF North Cell -250 ft
- Coronado LF Middle and South Cells -1000 ft
- Eubank LF- 1000 ft (Except those areas within Sandia Science and Technology Park Phase I area)
- Los Angeles LF-1000 ft
- Nazareth LF-500 ft
- Oakland Avenue Landfill – 1000 ft
- Riverside LF-1000 ft
- Russ Pitney LF-1000 ft
- Sacramento LF- 500 ft
- San Antonio LF- 1000 ft
- San Francisco Drive LF-1000 ft
- Seay Brothers LF-1000 ft
- South Broadway LF-1000 ft
- Southwest LF-1000 ft
- Swartzman LF-1000 ft
- W.W. Cox LF-1000 ft
- Yale LF – 1000 ft
- Private Permitted Landfills\* – 1000 ft
- Private Unpermitted Landfills\* – 1000 ft
- Illegal Dumpsites- 1000 ft

\*Note – private permitted landfills have been permitted by the New Mexico Environment Department (NMED) Solid Waste Bureau, while private unpermitted landfills have not been permitted by the NMED Solid Waste Bureau.