
ZONING

ISSUES AND ANALYSIS

American cities have been developing comprehensive zoning codes since 1916. Traditional zoning divides cities into districts which allow only similar types of land uses. This form of zoning does not work well in places such as Sawmill/Wells Park where several types of land uses are already intermixed or where mixing new uses can be desirable.

Albuquerque's first legal zoning code and official zone map (late 1950s) were meant to create order, but may actually have contributed to decay in Sawmill/Wells Park and other old parts of the city. When standard zoning designations were assigned to these developed parts of the city, it was assumed that many existing homes and businesses would eventually be replaced with land uses that would conform to the new zones. Uncertainty about the future led to center city disinvestment and instability.

In 1978, Sawmill's first sector plan continued to assign standard zoning designations to the area's many mixed uses. The area is still zoned much as it was in 1978, but the actual land uses do not conform to the zoning. Standard zoning designations do not support the following community goals:

1. To conserve the special physical characteristics of the area
2. To ensure compatibility between housing and businesses
3. To improve area appearance
4. To improve and expand housing
5. To reuse vacant land in ways that will promote plan goals

The M-1 Light Industrial Zone that was designated for over two-thirds of Sawmill/Wells Park has allowed industrial businesses to grow where there had been a mixture of businesses, homes and farms. M-1 zoning fails to adequately protect nearby homes from the nuisances, hazards, and visual unattractiveness that often accompany heavy commercial and light industrial uses the zone allows.

In 1978, **the R-1 Single-Family Residential Zone** was assigned to areas that still have a mixture of houses, duplexes, and two houses on a lot. Conformance with the R-1 zone would eventually remove much existing housing stock in the neighborhoods because the zone does not allow duplexes and two detached houses on a lot.

The R-C Residential/Commercial Zone was assigned to areas where solid residential patterns are established. In some areas, R-C zoning was meant to create a buffer between housing and industrial zones. However, a mixture of housing and businesses on small lots does not have the site development capability to buffer housing from industry. Most of the lots zoned RC have either remained housing or become 100% commercial uses. Neither R-1 nor R-C zoning will conserve the existing variety of small scale residential development nor encourage commercial services for the neighborhoods.

In March 1993, five public meetings were held to discuss the first draft zoning proposals for this Sector Plan. The draft introduced new zones that allowed a continued mixture of uses in Sawmill and Wells Park. Some preliminary performance standards that would control land use operations were discussed. In general, people who attended the meetings or sent in comments made the following recommendations:

- Residents wanted strict environmental controls for businesses and the eventual removal of some uses.
- Business owners wanted clearly written regulations that were not too restrictive.
- Large property owners wanted to be able to market their land with few restrictions.
- Developers wanted clear regulations and administrative review of site plans rather than lengthy public hearings.

The proposed zoning regulations factor in these recommendations while supporting community goals.

SUMMARY OF ZONING PROPOSALS

This plan designates the entire Sector Plan area **SU-2 Special Neighborhood Zone**. Unlike SU-1 Special Use Zone, SU-2 does **not** require Environmental Planning Commission public hearings for development review.

The SU-2 zoning designation allows the City to establish general regulations and land use regulations that are tailored specifically to the Sawmill/Wells Park community. The new regulations are intended to promote community stability and investment that respect existing community character. The regulations will:

- Guide the design of new development to preserve the historic scale of development in the neighborhoods, improve area appearance, and create buffers between industries and housing;
- Control negative impacts from industries and other businesses and ensure healthy co-existence between closely located businesses and homes;
- Maintain existing residential development patterns that do not fit standard zones in the Comprehensive Zoning Code;
- Allow existing small businesses and other land uses that do not harm the community to remain in residential areas;
- Enable vacant and under-used land redevelopment that addresses plan goals; and
- Allow new uses that will contribute to community cohesiveness.

SAWMILL/WELLS PARK GENERAL SU-2 REGULATIONS

The Sawmill/Wells Park General SU-2 Regulations apply to all properties in the Sector Plan area. They are established to conserve the area's distinctive historic physical characteristics, increase compatibility between housing and nonresidential uses through site design and other requirements, and make the area more attractive and safer for people using streets and sidewalks.

ZONE CHANGES

For detailed information, see the Sawmill/Wells Park Sector Development Plan Zone Map and the regulations in each zone category.

The S-R Sawmill Residential Zone replaces C-1 Neighborhood Commercial zoning along 5th Street and Sawmill Road, some SU-1 Special Use zoning, and most R-1 Residential, R-T Residential Townhouse, and R-C Residential Commercial zoning. Its intent is to conserve the existing residential neighborhoods while allowing a variety of small scale housing and existing businesses. The new zone will accommodate existing nonresidential uses that have developed between housing provided they comply with limitations specified in the S-R Zone and the Sawmill/Wells Park General SU-2 Regulations.

The S-DR Sawmill Developing Residential Zone replaces M-1 Light Manufacturing zoning on about 12 acres of vacant land to allow expansion of the John Baron Burg neighborhood to the east.

The S-MRN Sawmill Mountain Road Neighborhood Zone replaces the mixture of R-1 and R-C zoning on the north side of Mountain Road. Its intent is to encourage reuse of vacant buildings and development of vacant land while more effectively conserving the historic mixture of housing and small commercial businesses.

The S-MI Sawmill Mixed Industrial Zone replaces some M-1 and all of the Sector Plan area's C-3 Heavy Commercial and M-2 Heavy Manufacturing zoning. Its intent is to continue to allow manufacturing, showrooms, warehouses, wholesaling, and some retail businesses, but to ensure that the scale of development and uses are compatible with nearby housing, hotels, retail shops, and museums. This zone also introduces a new mixed use, the residence/work space.

The S-I Sawmill Industrial Zone replaces the M-1 zoning clustered in the center of the plan area near 12th Street. Its intent is to encourage the development of manufacturing businesses. Commercial businesses generally allowed in the M-1 Zone are confined to properties on 12th Street.

Some M-1 properties along Rio Grande Boulevard are rezoned C-2 Community Commercial to encourage commercial services for tourists and nearby residents.

Some existing SU-1 zones are retained while others are absorbed into new zoning categories that accommodate their uses.

C-2 Community Commercial zones that predate the adoption of this Sector Plan update are retained along Rio Grande Boulevard.

The Explora Museum property is rezoned SU-1 for Museum to allow site plan review by the Environmental Planning Commission.

DEVELOPMENT REVIEW PROCESS

PERMISSIVE USES

All of the zoning regulations are enforced by the Zoning Enforcement Division of the Planning Department with assistance from other City departments when necessary. Compliance with all zoning regulations is checked during the building permit application process and again before a Certificate of Occupancy is granted. To facilitate compliance, City staff will explain the information needed to complete the building permit application and technical assistance appointments will be made if necessary.

Only the few properties with existing SU-1 zoning require hearings by the Environmental Planning Commission when new development or changes are requested. Design proposals for properties in the H-1 Buffer Zone require hearings by the Landmarks and Urban Conservation Commission when new development or changes are requested.

CONDITIONAL USES

Uses listed as conditional in zoning categories require approval on a case by case basis by the Zoning Hearing Examiner. According to the City of Albuquerque's Comprehensive City Zoning Code, the City shall approve a conditional use if the evidence presented to the Zoning Hearing Examiner shows that the use proposed 1) will not be injurious to the adjacent property, the neighborhood, or the community; and 2) will not be significantly damaged by surrounding structures or activities. Although others may submit evidence, it is the burden of the applicant to ensure that there is such evidence in the record.

According to the Zoning Code, conditional uses become void if:

- 1) the rights and privileges granted with conditional use approval have not been used within one year,
- 2) the property is used in a way materially in violation of the terms of conditional use approval for a continuous period of one year or more, or
- 3) after the approved use has begun, it ceases for a continuous period of one year or more.

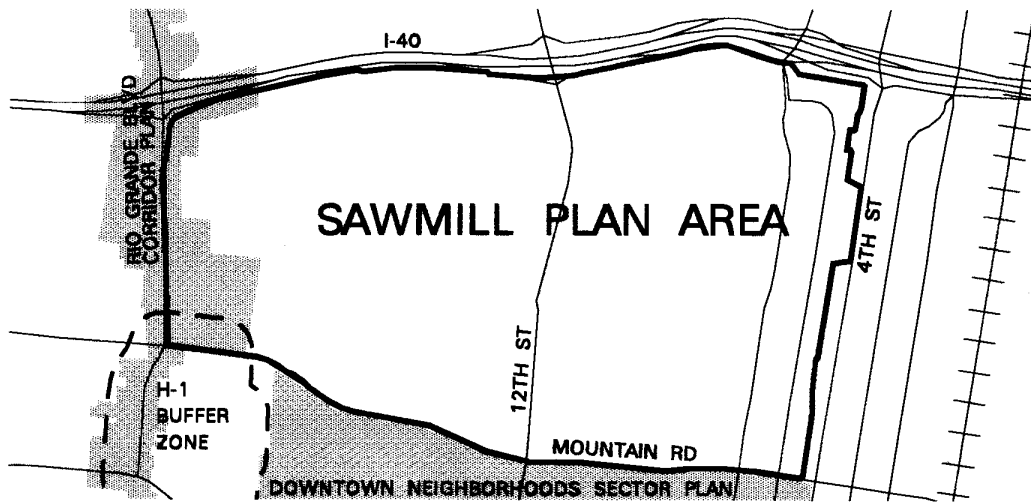
NONCONFORMING USES

When the plan is adopted and its zone changes are adopted as law, some existing business operations become legally nonconforming. When the time period for complying with the various new General SU-2 Regulations expires, properties must comply or request a special exception or an extended phase-in period from the Zoning Hearing Examiner. Businesses are required to demonstrate special circumstances to qualify for a special exception or time extensions. Only enclosure, screening and buffering requirements require a shorter compliance period than the periods established in the City of Albuquerque Comprehensive Zoning Code.

OVERLAPPING REGULATIONS

Zoning regulations from two other plan areas overlap the Sawmill/Wells Park Sector Development Plan area: Old Town's H-1 Buffer Zone and The Rio Grande Boulevard Corridor Plan Design Overlay Zone. Properties within the H-1 Buffer Zone are required to submit designs to the LUC (Landmarks and Urban Conservation Commission). In all cases, the strictest regulation applies.

The City shall request that the Downtown Neighborhood Sector Development Plan be amended to add Sawmill/Wells Park Sector Development Plan General SU-2 Regulations for properties on the south side of Mountain Road.



USING THE ZONING REGULATIONS

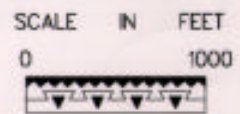
1. Locate your property on the fold-out color zone map on page 81.
2. Look up the specific regulations for the zoning category that applies to your property: S-R, S-DR, S-MRN, S-MI, S-I, C-2. C-2 regulations are found in the City of Albuquerque Comprehensive Zoning Code. SU-1 zoning can be researched through official files in the Planning Department.
3. Read the first pages of the General SU-2 Regulations to determine whether these regulations apply to your property.
4. If they do apply, then read all the regulations under this zoning section.

1995 ZONING PRE-DATING PLAN ADOPTION



- R-1 SINGLE FAMILY RESIDENTIAL
- R-T TOWN HOUSE RESIDENTIAL
- R-2 LOW DENSITY APT. RESIDENTIAL
- R-C RESIDENTIAL/COMMERCIAL
- C-1 NEIGHBORHOOD COMMERCIAL
- C-2 COMMUNITY COMMERCIAL
- C-3 HEAVY COMMERCIAL
- M-1 LIGHT MANUFACTURING
- M-2 HEAVY MANUFACTURING

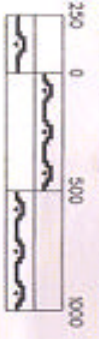
- SU-1 SPECIAL USE FOR**
- 1 PRE SCHOOL & STAFF RES.
 - 2 FLOWER SHOP & NURSERY
 - 3 DAY CARE CENTER
 - 4 OFFICE USES
 - 5 C-2 USES W/EXCEPTIONS
 - 6 BED & BREAKFAST
 - 7 MUSEUM
 - PROPOSED PLAN BOUNDARY





- PARK
- S-R (SAWMILL RESIDENTIAL)
- S-DR (SAWMILL DEVELOPING RESIDENTIAL)
- R-T (RESIDENTIAL TOWNHOUSE)
- S-MRN (SAWMILL MOUNTAIN RD NEIGHBORHOOD)
- C-2 (COMMUNITY COMMERCIAL - SEE ALBUQUERQUE ZONING CODE)
- S-M (SAWMILL MIXED INDUSTRIAL)
- S-I (SAWMILL INDUSTRIAL)
- SU-1 (SPECIAL USE)

GENERAL SU-2 REGULATIONS APPLY WITHIN THESE BOUNDARIES



**SAWMILL/WELLS PARK
SECTOR PLAN ZONING**

(BLANK PAGE)
see following page

SAWMILL/WELLS PARK GENERAL SU-2 REGULATIONS

The General SU-2 Regulations apply to all properties in the Sector Plan area unless specified otherwise. The regulations are established to:

- Conserve and build on the area's distinctive historic physical characteristics by guiding new construction and additions to respect predominant building sizes, shapes, setbacks and architectural elements. See p. 5 for a description of area physical character.
- Increase compatibility among housing, institutions, commercial, and industrial land uses through site design and other requirements.
- Improve the environment adjacent to the public right-of-way through specifications for site parking, walls, fences, landscaping, and pedestrian connections.

1. REGULATION COMPLIANCE, COMPLIANCE PERIODS AND PROCESS REQUIREMENTS:

All provisions of the Albuquerque Comprehensive Zoning Code apply unless specified otherwise in this Sector Plan.

- 1.a. Within four (4) years of plan adoption, all nonresidential properties within the Sawmill/Wells Park Sector Development Plan area except for Electric Facilities and other uses specifically exempted in particular regulations, shall comply with applicable regulations for enclosure, screening and buffer separation, or shall apply for special exceptions as provided for by Section 14-16-4-2 of the City of Albuquerque Comprehensive Zoning Code. Electric facilities shall comply with the applicable Rank II Electric Facility Plan.
- 1.b. All building permit applications for new construction shall comply with all of the Sawmill/Wells Park General SU-2 regulations.
- 1.c. Building permit applications for building additions, building renovation, and/or site rehabilitation shall comply with Sawmill/Wells Park General SU-2 regulations for those parts of the site undergoing construction.
- 1.d. Site development plans, building elevations and other items required to obtain building permits shall be checked for compliance with Sawmill/Wells Park General SU-2 regulations during the normal submittal processes for the City.
- * 1.e. Business registration applications and building permit applications for businesses that will use or store hazardous materials or wastes on site in excess of the amounts set forth in Uniform Fire Code Article 4.108 shall include a Hazardous Materials Emergency Response Plan as directed by the Fire Marshall's Office. See Appendix B for Hazardous Materials Emergency Response Plan forms.

General SU-2 Regulations

1. REGULATION COMPLIANCE, COMPLIANCE PERIODS AND PROCESS REQUIREMENTS (continued):

- 1.f. Building permit applications shall continue to include sign-off approval from the Fire Marshall's Office indicating that the property is in compliance with the Albuquerque Fire Code and the applicant's signature agreeing to comply with all laws governing the construction and later activities on the site covered by the building permit. The applicant's signature implies agreement to comply with the Ambient Air Quality Standards and Air Quality Control Regulations for Albuquerque/Bernalillo County when applicable. See page 29.

- 1.g. The Environmental Planning Commission shall consider all General SU-2 Regulations when reviewing SU-1 zoning applications.

- 1.h. Sawmill/Wells Park Sector Development Plan area properties within the Rio Grande Boulevard Corridor Plan Design Overlay Zone and the H-1 Buffer Zone shall continue to comply with those regulations in addition to the Sawmill/Wells Park Sector Development Plan regulations. The Landmarks and Urban Conservation Commission (LUCC) shall continue to review site development in the H-1 Buffer Zone. In all cases, the stricter regulation shall apply.

* Additional questions should be placed on the Building Permit Application to ensure compliance with the Albuquerque Fire Code hazardous materials regulations. Compliance shall be checked before the Certificate of Occupancy is granted. To facilitate compliance, a pre-application meeting will be offered to the applicant. At this meeting, City staff will explain the information needed to complete the building permit application and technical assistance appointments will be made if necessary.

General SU-2 Regulations

2. PRESERVING RESIDENTIAL NEIGHBORHOOD CHARACTER:

Building additions and renovations shall blend with the style of the original building.

NOTES

Many homes in Sawmill/Wells Park are simple versions of four predominant housing styles:

- 1) Bungalow
- 2) Southwest Vernacular
- 3) New Mexico Vernacular
- 4) Spanish/Pueblo Revival.

1. Bungalow:

low-pitched, gabled roof (occasionally with four slopes from a peaked ridge) with wide, unenclosed eave overhang; decorative beams or braces commonly added under gables; porches either full or partial-width, with roof supported by dominant square columns. Wood windows often in groups of 2 or 3.

2. Southwest Vernacular (1920-1935):

a builder's style combining elements from "southwestern" styles; flat-roofed, often with stepped parapet; usually symmetrical (a small square or rectangle) with banks of medium-sized windows; wall material usually stucco, sometimes brick; one story; often a front porch which blends with the main structure. Details may include vigas, curvilinear parapet, or red tile porch roof and/or window hoods.

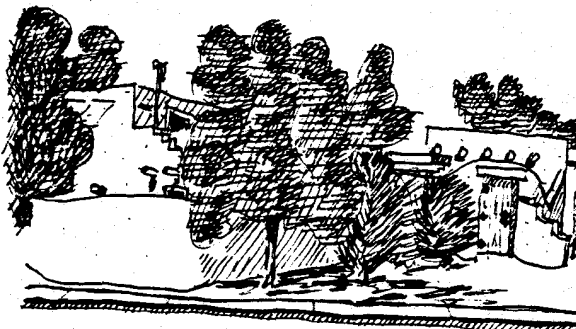
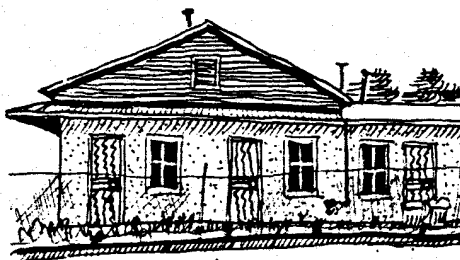
3. New Mexico Vernacular, also called Western Victorian (1880-1925):

pitched or hipped roofs (often corrugated metal); earth-toned walls; one, sometimes two stories; 2/2 or 1/1 windows. Details include porches with decorative woodwork such as turned or squared wood porch posts, scrollwork brackets, decorative shingles, or sometimes decorative woodwork in the gables.

4. Spanish/Pueblo Revival (1915-present):

based on early New Mexican Pueblo and Spanish buildings; flat-roofed with rounded parapets (sometimes embellished with a real or false bell-tower); earth-toned, battered (sloping) walls; one-three stories, with upper stories usually set back; portals have log posts, wood beams, and corbels. Details include vigas, canales, and exposed wood lintels above the windows.

ILLUSTRATIONS



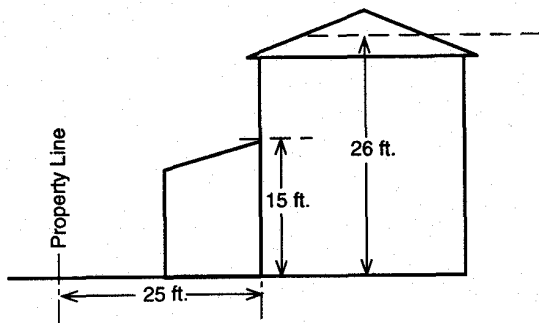
General SU-2 Regulations

3. RESIDENTIAL BUILDING DESIGN:

3.a. Building exterior materials (stucco, brick, wood, etc.), color, window and door styles, and roof slope and materials shall be the same or similar on all parts of a structure and on all detached dwelling units on one lot.

3.b. Buildings shall not exceed 26 feet in height. Building portions over 15 feet high shall be set back not less than 25 feet from property lines abutting the public right-of-way or a private street and not less than 10 feet from interior side property lines.

3.b.



3.c. The slope of new roofs shall range from flat to not more than a 45 degree angle.

3.d. New roofs on one story buildings shall be one of the following styles:

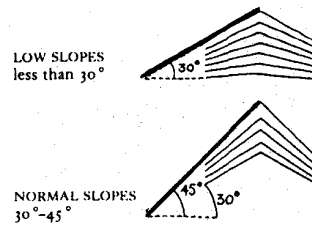
- side gabled
- front gabled
- parallel gabled
- cross gabled
- half gables (only for lean-to portions of buildings)
- simple hipped
- pyramidal hipped
- parallel hipped
- cross hipped
- flat with parapet

This regulation does not apply to carports.

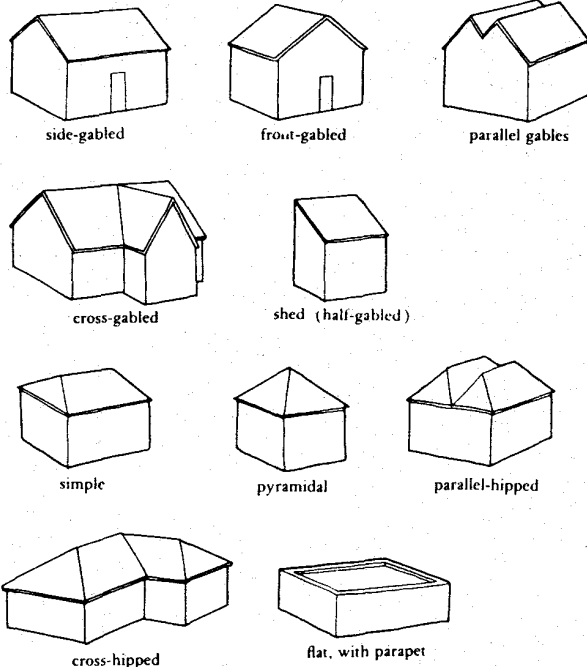
NOTES AND ILLUSTRATIONS

3.b. Sawmill/Wells Park homes are predominantly small and one story. Regulation 3.b. allows two story homes and second story additions to be built if the second story is set back. The set back should prevent these larger homes from dominating and compromising the small-scale character of the neighborhoods.

The Zoning Code measures the height of a building with a pitched roof at or to the mid point between the top plate and the roof ridge.



The roof slopes and styles indicated in 3.c., 3.d., 3.e., and 3.f. are found in Sawmill/Wells Park.

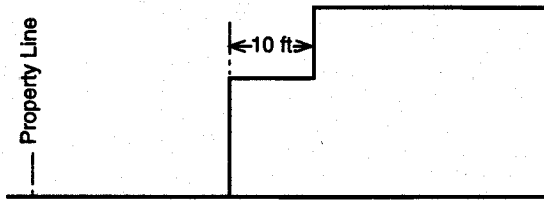


General SU-2 Regulations

RESIDENTIAL BUILDING DESIGN (continued):

- 3.e. The slope of roofs on new buildings over 15 feet high shall be 30 to 45 degrees.
- 3.f. Second story additions to existing flat roofed buildings may have flat roofs if the second story addition is set back not less than 10 feet from the first floor front building facade.

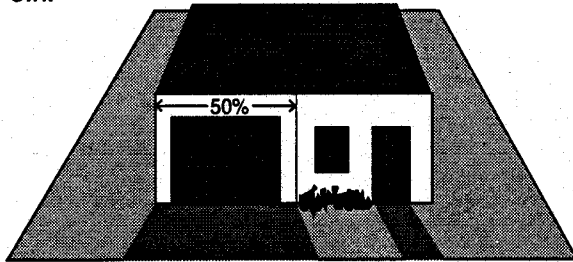
3.f.



- 3.g. Garage fronts shall be set back not less than 25 feet from the property line abutting a public right-of-way or private street.

- 3.h. Not more than 50% of a building's street frontage width shall be garage front.

3.h.

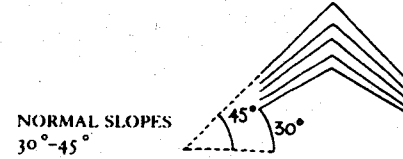


- 3.i. Front doors shall face the street. In townhouse and multiple dwelling unit development, the dwelling unit(s) adjacent to the public right-of-way shall face front doors toward the street.

- 3.j. Not less than 12.5% of a building facade facing a public right-of-way or private street shall be windows.

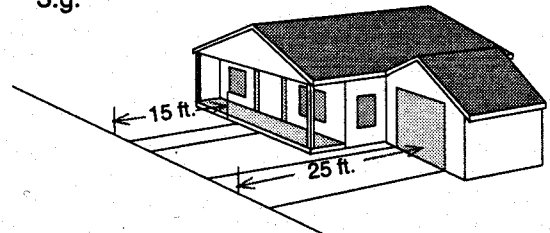
Underlined text indicates amendments adopted by Council Resolution R-14, Enactment # 24-2000.

NOTES AND ILLUSTRATIONS



- 3.f. Setting back second stories from first floor facades on flat roofed buildings will prevent large, dominating box-like structures. Set backs will be compatible with Spanish/Pueblo Revival type homes found in Sawmill/Wells Park.

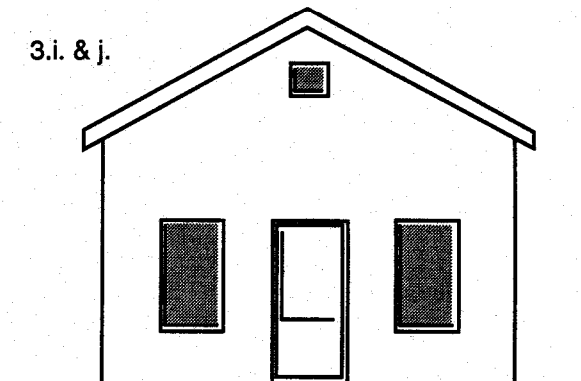
3.g.



- 3.g. and h. Most lots in Sawmill/Wells Park either have no garages or small, inconspicuous set back garages. Continuing this lot development pattern will contribute greatly to maintaining neighborhood character.

- 3.i. and 3.j. are intended to complement existing development and to increase safety by improving surveillance on residential streets.

3.i. & j.



General SU-2 Regulations

RESIDENTIAL BUILDING DESIGN (continued):

- 3.k. New windows shall be recessed not less than 2 inches and/or shall be surrounded by a window casing not less than 2 inches wide.
- 3.l. Standard, unstuccoed 8-inch by 16-inch CMU block is **not** allowed as a finish material for buildings.
- 3.m. Reflective glass is **not** permitted.
- 3.n. Residential buildings with over 35 linear feet of building facade width facing and visible from a public right-of-way shall be designed to appear as a collection of smaller building blocks rather than a single large box or block.

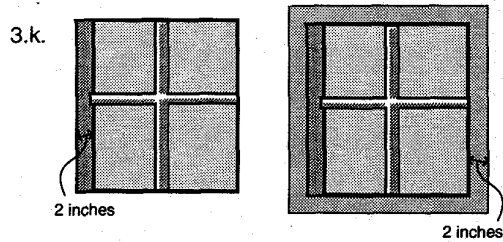
4. NONRESIDENTIAL BUILDING DESIGN:

- 4.a. Front doors shall face the public right-of-way.
- 4.b. Except for buildings used only for manufacturing, assembling, treating repairing or rebuilding products, or for warehousing, not less than 25% of a building facade facing a public right-of-way shall be windows.

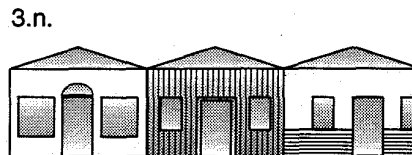
NOTES AND ILLUSTRATIONS

3.k. Windows are often the only distinguishing architectural feature on the simple homes in Sawmill/Wells Park. Replacement windows that are installed without recesses or casing often destroy the architectural character of the original home.

A casing is a flat or molded exposed trim molding, framing, or lining around a window.



3.n. Most of the houses in Sawmill/Wells Park are small and on small lots. Articulating the facades of large buildings will create interest along the street and will help large buildings fit into the community.



4.a. and 4.b. are intended to improve safety on the street. By putting "eyes on the street" the public space becomes safer.

General SU-2 Regulations

4. NONRESIDENTIAL BUILDING DESIGN (continued):

4.c. New construction and building additions exceeding 15 feet in height on properties abutting Mountain Road or within the S-R Zone shall be set back not less than 25 feet from property lines and not less than 10 feet from interior side property lines.

4.d. Exterior mechanical and electrical equipment shall be screened from public view unless incorporated into public building design for educational purposes.

4.e. Standard, unstuccoed 8 inch by 16 inch CMU block is **not** allowed as a finish material for buildings.

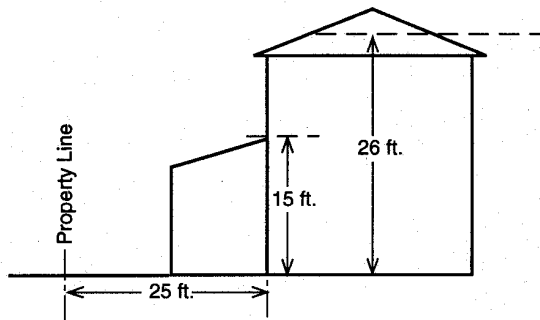
4.f. Reflective glass is **not** permitted.

4.g. Nonresidential buildings with over 35 linear feet of building facade width facing and visible from Mountain Road, Rio Grande Boulevard, a residential zone or a residential use in a mixed use zone shall be designed to appear as a collection of smaller building blocks rather than a single large box or block.

NOTES AND ILLUSTRATIONS

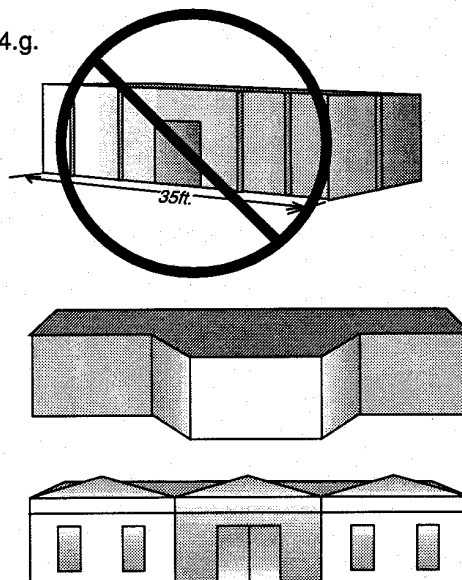
4.c. Setting back high parts of nonresidential buildings in residential neighborhoods will help preserve the area's residential character. Setting back high parts of nonresidential buildings on Mountain Road will prevent buildings from dominating the narrow street and small-scale mixture of residential and commercial uses.

4.c.



4.g. Articulating the facades of large buildings will create interest along these two historic streets and will help larger buildings complement the small houses prevalent in the neighborhoods.

4.g.



General SU-2 Regulations

5. ENCLOSURE AND SCREENING:

5.a. Nonresidential uses within, contiguous to, or across a street or trail from a residential zone or contiguous to or across a street or trail from a residential use in a mixed use zone shall be conducted within a completely enclosed building.

Exceptions are allowed outdoor storage; outdoor activities specified in Plan area zoning categories, outside sales of gasoline, oil and liquefied petroleum gas, vehicular parking, and trash collection areas.

5.b. All storage must comply with height and distance requirements in the current Albuquerque Fire Code in addition to the following regulations. In all cases, the strictest regulation applies.

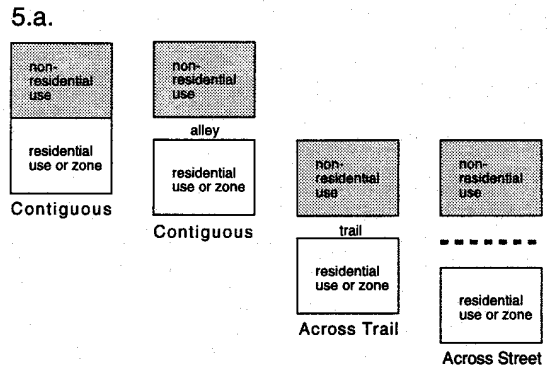
5.c. All nonresidential allowed outdoor storage (including required off-street parking), parking lots, and vehicular circulation areas, contiguous to lots in a residential zone, residential uses in a mixed use zone, and public institutional uses shall be visually screened with a solid wall or fence at least 6 feet high and at least a 10 feet wide planting strip of evergreen trees and/or shrubs planted and maintained to form a continuous buffer at tree or shrub maturity.

Trees and shrubs shall be at least 5 gallon size when planted and shall attain 10 - 15 feet height within ten years. All other specifications of the Special Buffer Landscaping described in the General Landscaping Regulations of the Comprehensive Zoning Code shall apply.

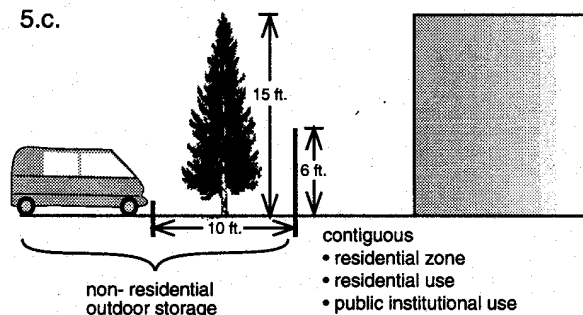
NOTES AND ILLUSTRATIONS

5.a. S-MI Sawmill-Mixed Industrial Zone is a mixed use zone that allows housing predating the adoption of this plan. The S-R, S-DR, and S-MRN zones are considered residential zones that allow some nonresidential uses.

5.a. For example, outdoor eating areas in the S-MRN Zone are an exception.



5.c. Drought tolerant, low-water using plants and xeriscape landscape methods and maintenance specified in Council Bill O-80, Enactment 18-1995, "The Water Conservation Landscaping and Water Waste Ordinance", are implied for fulfilling all of the Sector Plan landscaping requirements.



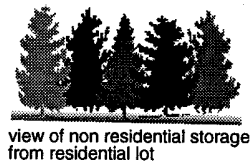
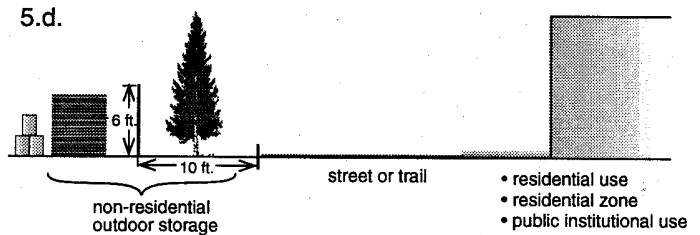
General SU-2 Regulations

5. ENCLOSURE AND SCREENING (continued):

5.d. All nonresidential allowed outdoor storage except for required off-street parking, parking lots, and vehicular circulation areas across a public street or recreational trail right-of-way from a residential zone, residential uses in a mixed use zone, or public institutional uses shall be visually screened with a solid wall or fence at least 6 feet high and at least a 10 feet wide planting strip of evergreen trees and/or shrubs planted and maintained to form a continuous buffer at tree and shrub maturity.

Trees and shrubs shall be at least 5 gallon size when planted and shall attain 10 - 15 feet height within ten years. All other specifications of the Special Buffer Landscaping described in the General Landscaping Regulations of the Comprehensive Zoning Code shall apply.

NOTES AND ILLUSTRATIONS

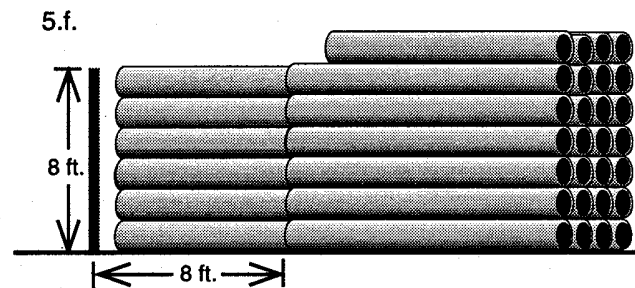


5.e. Trash collection areas shall be screened as regulated in the Solid Waste Ordinance.

5.e. Article III 6-3-7 of the Refuse Collection Ordinance, Storage of Refuse for Commercial Collection specifies that refuse containers within 80 feet of a public street shall be largely shielded from view by wall, fence, earthen berm or attractive sight barrier. Site plans are reviewed by the City.

5.f. Outdoor storage other than parked operative vehicles within eight feet of the property line shall not exceed the height of the wall or fence.

Outdoor storage other than parked operative vehicles may exceed the height of the wall or fence by one foot for each additional foot it is located beyond the eight feet wide area described above.



General SU-2 Regulations

5. ENCLOSURE AND SCREENING (continued):

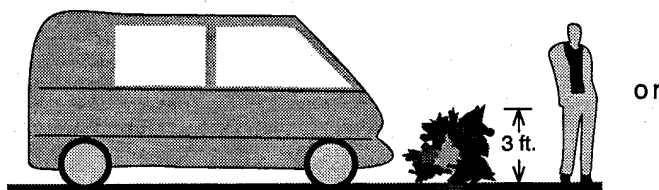
5.g. Nonresidential allowed outdoor storage and activities other than employee and customer parking shall be located a minimum of 30 feet from property lines contiguous to lots in a residential zone or to residential uses in a mixed use zone.

This distance may be reduced to 20 feet from property lines contiguous to lots in a residential zone or to residential uses in a mixed use zone if, in addition to the required solid wall or fence and buffer planting strip described in preceding regulations, another planting strip of evergreen trees, evergreen trees and shrubs, or evergreen trees and deciduous trees planted and maintained to form a dense buffer within ten years is planted contiguous to the first planting strip.

Tree and shrub placement in the second strip shall alternate with trees and shrubs in the first strip.

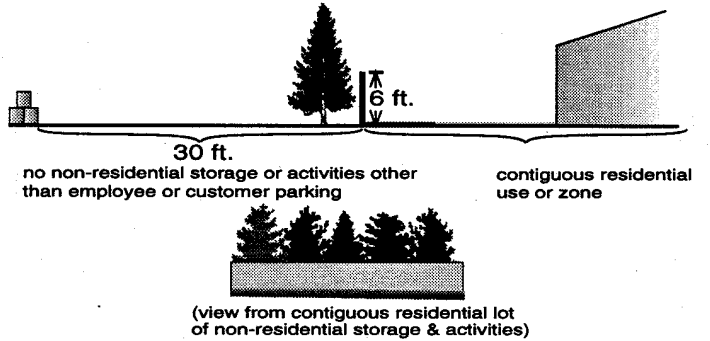
5.h. In addition to complying with other storage regulations, properties within 100 feet of I-40 or I-40 frontage road rights-of-way shall screen storage (other than parking) to the north with trees and tall shrubs or shall neatly stack and cover storage with roofs. Sloped roof ridges shall parallel I-40 and the I-40 frontage road.

5.i. Parking lots and required off-street parking for more than three vehicles shall be screened from the public street right-of-way with landscaping or a 3 foot high solid fence or wall.

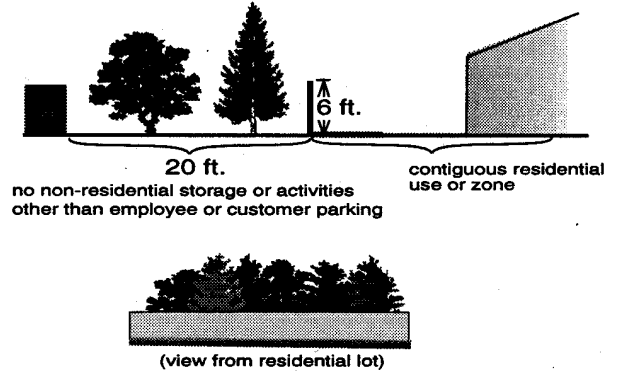


NOTES AND ILLUSTRATIONS

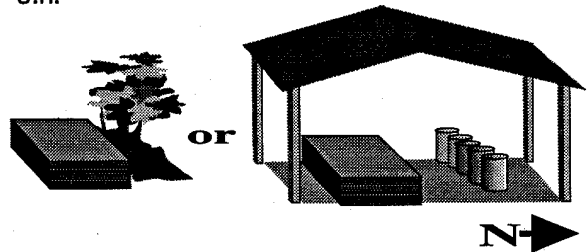
5.g. Alternative 1



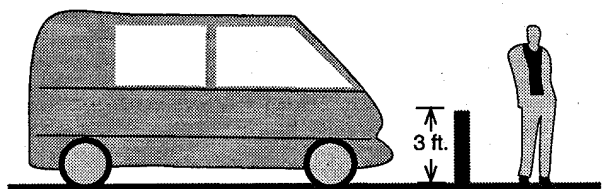
5.g. Alternative 2



5.h.



5.i. This regulation, like the Landscaping Regulations in the Comprehensive Zoning Code, applies only to nonresidential and multi-family residential uses.



General SU-2 Regulations

5. ENCLOSURE AND SCREENING (continued):

5.j. New site perimeter walls and fences and retaining walls contiguous to the public street right-of-way exceeding three feet in height shall be located inside the property line not less than the same number of feet as the height of the wall or fence.

5.k. Concertina wire, razor wire, and barbed wire shall be allowed to top 6 feet high and higher walls and fences provided the walls and fences are **not** within a residential zone, or contiguous to or across a street or trail from a residential zone, a residential use in a mixed use zone, or a public institutional use.

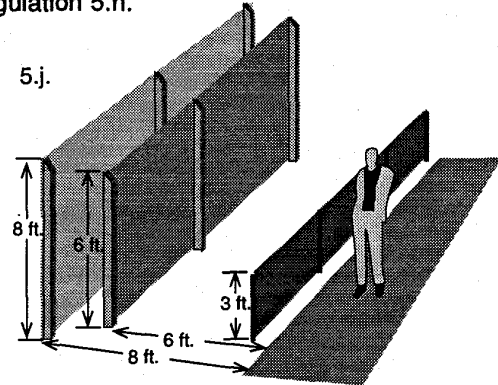
In a residential zone, or contiguous to or across a street or trail from a residential zone, a residential use in a mixed use zone, or a public institutional use, these types of security measures may be attached to the inside of the fence or wall provided they do not exceed the height of the fence or wall.

Public Electric Facilities are exempt from this regulation, but are required to comply with the provisions of the applicable Rank II Electric Facilities Plan.

5.l. Standard unstuccoed 8 inch by 16 inch CMU block is not allowed as a finish material for site perimeter walls facing the public right-of-way.

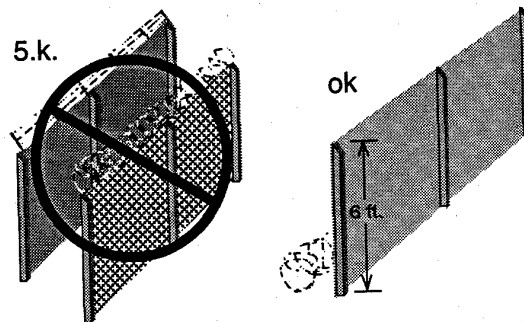
NOTES AND ILLUSTRATIONS

5.j. Landscaping requirements for the area between the perimeter wall or fence and the public right-of-way are described in regulation 5.n.



5.k. Prohibiting visible barbed wire and concertina wire close to dwellings and public institutions should prevent the Sawmill/Wells Park area from looking like an armed camp, while allowing nonresidential property owners to use a cheap security measure in most solidly industrial areas where a need for it is perceived.

Concertina, razor and barbed wire may be installed inside all properties provided it is not visible from other properties or the public right-of-way.



General SU-2 Regulations

5. ENCLOSURE AND SCREENING (continued):

5.m. New site perimeter walls facing public recreational trails shall have openings or gates for employees who may be potential trail users.

5.n. All properties shall comply with the following regulation:

The property owner shall plant and maintain the area between the public right-of-way and site perimeter fences and walls located inside the property line.

Tree species shall be capable of shading the sidewalk at tree maturity. Shrubs shall be maintained to avoid blocking the sidewalk or obstructing clear sight triangles.

A minimum of 75% of the ground area between the wall and public right-of-way shall be covered with live plant material. Ground coverage shall be calculated by using the projected mature tree canopy sizes and mature plant sizes.

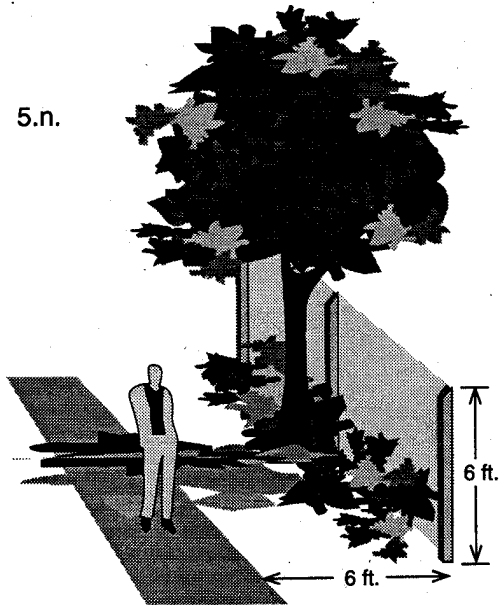
6. TRAFFIC, PARKING, AND CIRCULATION:

Off-street parking shall be as regulated in the Off-Street Parking Regulations and General Landscaping Regulations. Parking lot design shall be as regulated in the O-1 Office and Institution Zone of the Comprehensive Zoning Code with the following exceptions and limitations:

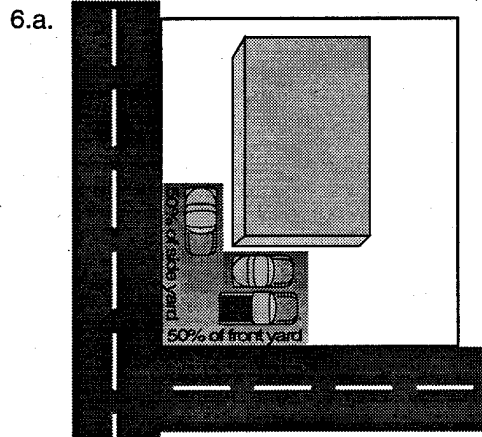
6.a. No more than 50% of each front, side, or rear yard set-back area contiguous to a public right-of-way shall be used for parking and/or driveway.

NOTES AND ILLUSTRATIONS

5.n. New site perimeter wall and fence location requirements are described in General SU-2 Regulation 5.j.



6.a. and b. These regulations are intended to prevent areas next to public rights-of-way from becoming seas-of-cars that discourage people from walking on public sidewalks.

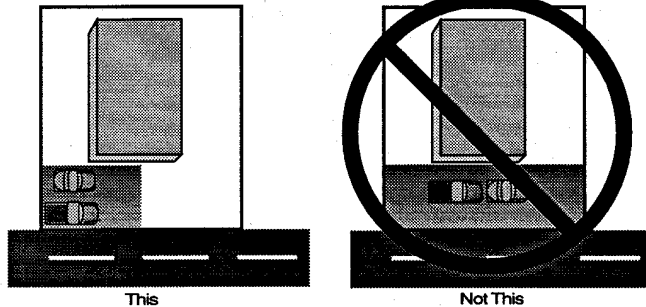


6. TRAFFIC, PARKING, AND CIRCULATION (continued):

6.b. The parking area, which includes any required walls, fences and landscaping, and/or driveway shall abut no more than 50% of the property line contiguous to the public street right-of-way.

NOTES AND ILLUSTRATIONS

6.b.



6.c. New nonresidential site development for businesses that will be shipping or receiving three (3) or more truck loads of goods or materials per day shall provide an off-street loading area or dock that will not obstruct traffic or interfere with normal use of adjacent public rights-of-way.

6.c. Loading area and loading dock requirements are specified in the Development Process Manual.

6.d. Developments meeting the thresholds described in Section 23.8 (Traffic Impact Studies) of the Development Process Manual (DPM) are required to submit a traffic impact study when applying for a building permit.

6.e. Developments required to submit a traffic impact study may also be required to submit an air quality impact study. See the Air Quality Impact Regulations of the Comprehensive Zoning Code.

6.f. The Planning Director shall not approve any development meeting the thresholds described in Section 23.8 of the Development Process Manual adjacent to streets or intersections where the current level of service is D, E, or F unless the applicant provides traffic mitigation measures that will improve the level of service. All improvements shall conform to Sawmill/Wells Park Sector Development Plan Public Project Design Policies. See pp. 69-73.

7. PEDESTRIAN ACCESS:

Private walkways for apartment developments and parts of nonresidential sites used by customers shall be provided, shall be accessible to people with disabilities, and shall connect to sidewalks in the public right-of-way and to public recreational trails.

8. NOISE:

- 8.a. All new nonresidential buildings and additions planned to house stationary machinery, devices or equipment that may create noise that violates allowable noise levels in the City of Albuquerque Noise Ordinance shall be subject to preconstruction site plan and design review by the Planning Director. Building plans shall be prepared and certified by a qualified acoustical consultant.

The review shall ensure that noise mitigation measures such as special construction and equipment installation techniques, insulation, site modifications, berms, barriers, and other measures are used to comply with the Albuquerque Noise Ordinance.

- 8.b. New residential buildings on a lot within, contiguous to, or across a public right-of-way from a zone allowing industrial uses shall use sound insulation and other noise attenuation measures to strive for an indoor sound level of no more than 45 dB(A). Building plans shall be prepared and certified by a qualified acoustical consultant.

8.b. dB(A) are weighted decibels from a linear numbering scale used to measure sound in the human range of hearing. This type of measurement is used to measure most sounds occurring in a community.

LAND USE ZONES

S-R SAWMILL - RESIDENTIAL ZONE

The S-R Zone replaces R-1 and some of the other land use zones in existing residential neighborhoods (Wells Park, West Sawmill and John Baron Burg).

The S-R Zone is established to:

- Maintain the existing small scale residential character of Sawmill/Wells Park's existing neighborhoods.
- Conserve the existing housing stock and range of living options by allowing apartment buildings, duplexes, and two detached homes on a lot that existed before adoption of this plan.
- Increase affordable housing by encouraging development of larger lots with limited townhouse development.
- Allow second dwellings on lots 7,000 square feet and larger. These second units will allow elderly family members and young adult family members starting out to live near each other. The second units may also become sources of rental income for property owners.
- Allow small businesses that existed in residential areas before adoption of this plan to remain.
- Eliminate R-C Residential-Commercial zoning in residential neighborhoods.

A. PERMISSIVE USES:

The following uses are permitted provided applicable General SU-2 Regulations for the Sector Plan area are met.

A.1. Uses listed as permissive in the R-1 Zone in the Comprehensive Zoning Code and the following uses listed as conditional in the R-1 Zone:

- Accessory living quarters provided the lot is a minimum of 7,000 square feet.
- Carport provided it meets Comprehensive Zoning Code set-back and construction requirements
- Second kitchen within a house provided the lot is a minimum of 7,000 square feet.

NOTE: Accessory living quarters, carports, and second kitchens are listed as permissive uses because they are less intense uses than those already listed in A.2. and A.3. of this zone.

NOTES AND ILLUSTRATIONS

A. Permissive Uses in the R-1 Zone are generally as follows:

1. One house per lot
2. Accessory Uses:
 - Accessory structure
 - Agricultural animal keeping
 - Garage and yard sale
 - Antenna
 - Family care facility
 - Family day care home
 - Home occupation and sign
 - Parking
 - Recreational vehicle, boat, etc.
 - Sign
 - Trailer parking
 - Hobby breeder
3. Some community residential programs
4. Growing plants
5. Public park
6. Public school
7. Public utility structure

This list is not complete. See R-1 Residential Zone in the Zoning Code for details and restrictions on these uses.

S-R Zone

NOTES AND ILLUSTRATIONS

A.2. Multiple dwelling units (on individual lots) that predate the establishment of the S-R Zone.

A.3. New construction or additions that result in two attached or detached dwelling units on one lot provided the following conditions are met in addition to all the general requirements of the S-R Zone.

A.3.a. Minimum lot area is 7,000 square feet.

A.3.b. A minimum distance of 10 feet is provided between residential buildings.

A.4. Townhouses and detached single family dwellings listed as permissive in the R-LT Residential-Limited Townhouse Zone in the Comprehensive Zoning Code provided the following conditions are met in addition to all the general requirements of the S-R Zone.

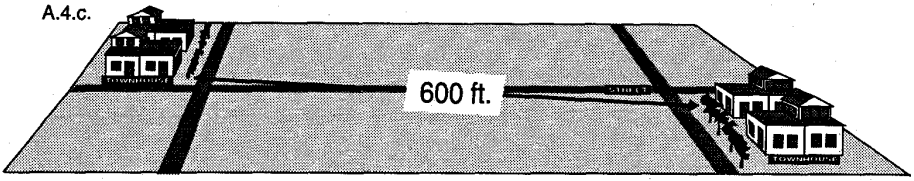
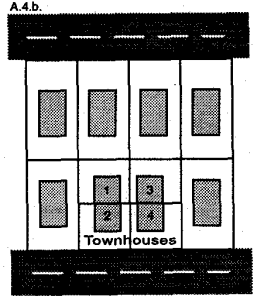
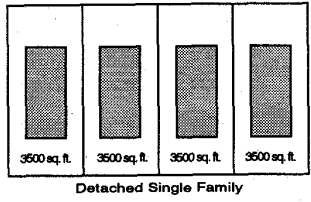
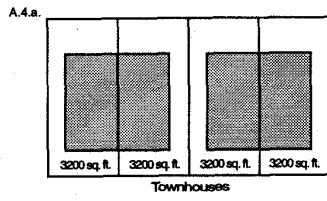
A.4.a. No more than four detached single family dwellings on 3,500 square feet lots or four townhouse dwelling units are constructed on contiguous lots. Four townhouse units shall be considered a townhouse development.

A.4.b. No more than two dwelling units are adjacent to the property line of another residential lot.

A.4.c. Townhouse developments are separated by a minimum of 600 feet measured from the closest property lines.

A.4. Permissible Uses in the R-LT Zone are generally as follows:

1. Uses permissive in the R-1 Zone, except
 - a. Agricultural animal keeping is not permitted
 - b. Front yard parking of recreational vehicles 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.



S-R Zone

PERMISSIVE USES (continued)

A.5. Nonresidential uses that were nonconforming in the R-1 Zone, were zoned SU-1 for specific uses, or were permissive uses in the R-C, C-1, or C-2 Zone and that exist when the S-R Zone is established with the adoption of the Sector Plan, shall be considered permissive uses and may remain at the locations where they exist provided they comply with the following conditions.

New nonresidential uses may occupy these same premises provided they are equally or more restrictive than the immediately preceding use, they do not require more off-street parking, and they comply with the following conditions:

- A.5.a. Outdoor storage shall consist only of parked operative vehicles and screened trash receptacles.
- A.5.b. No underground storage tanks shall be present or installed on the property.
- A.5.c. Business activities other than home occupations shall be prohibited between 10 p.m. and 7 a.m.
- A.5.d. No more than five employees shall be present at any given time.
- A.5.e. Signs shall be as regulated in the S-MRN Zone.

If a nonresidential use changes to a residential use, a nonresidential use at that location may not be resumed or re-established.

NOTES AND ILLUSTRATIONS

A.5. The conditions placed on nonresidential uses in the S-R Zone are intended to help nonresidential and residential uses co-exist harmoniously to prevent the decline of the neighborhood.

An inventory conducted just after the adoption of the Sector Plan will create a map of nonresidential uses and a list of attributes.

For nonresidential premises previously zoned SU-1 for specific uses, R-C, C-1, or C-2, a future nonresidential use can be any one of the permissive uses listed in the zoning category that applied to that property prior to the establishment of the S-R Zone provided it complies with the conditions listed in A.5.

A.5.c. The Comprehensive Zoning Code regulates home occupations as follows:

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 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 dwelling is devoted to storing stock in trade.
6. There is no external evidence of the activity, such as commercial vehicle, inordinate vehicular traffic, outside storage, noise, dust, odors, noxious fumes, or other nuisances emitted from the premises.
7. Health care shall not be considered a permissive home occupation.
8. One related on-premise sign is permitted, provided it does not exceed one square foot in area and is a nonilluminated wall sign.

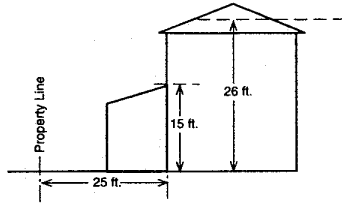
S-R Zone

B. CONDITIONAL USES:

Uses listed as conditional in the R-1 Zone in the Comprehensive Zoning Code except for those listed under A.1. of the S-R Zone provided that all the general requirements of the S-R Zone and applicable General SU-2 Regulations for the Sector Plan area are met.

C. HEIGHT:

Structures shall not exceed 26 feet in height provided new construction and building additions exceeding 15 feet in height comply with the set back and roof requirements in the Sector Plan's General SU-2 Regulations.



D. LOT SIZE:

- D.1. **Minimum lot size for houses** shall be 5,000 square feet with a minimum lot width of 50 feet.
- D.2. **Minimum lot size for two dwelling units** on a lot shall be 7,000 square feet.
- D.3. **Minimum lot size for each townhouse unit** shall be 3,200 square feet with a minimum lot width of 32 feet.
- D.4. **Minimum lot size for houses allowed and as regulated in A.4.** shall be 3,500 square feet with a minimum lot width of 35 feet.

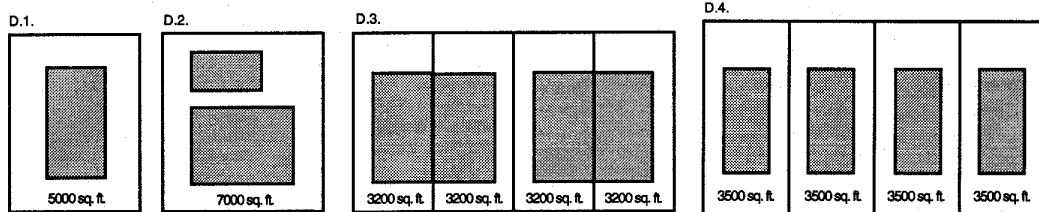
NOTES AND ILLUSTRATIONS

B. Conditional uses in the R-1 Zone minus the three exceptions listed to the left are generally as follows:

1. Animal keeping, noncommercial
2. Construction office in connection with a specific construction project
3. Family day care home
4. Health care as physically limited under home occupations
5. Public library
6. Public utility structure which is not permissive
7. Real estate office in connection with a specific development
8. Recreational facility (nonprofit)
9. Temporary storage structure or yard for a specific construction project

This list is not complete. See R-1 Zone in the Zoning Code for details.

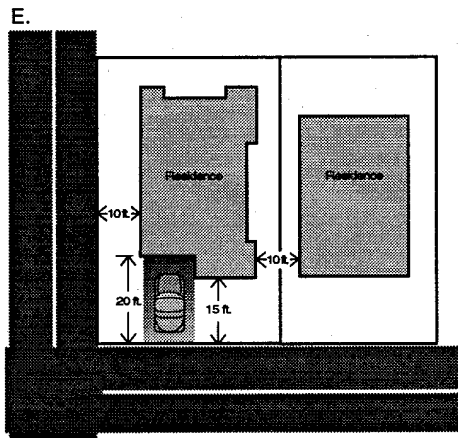
- D.1. 5,000 square foot lots are the standard lot size in the Wells Park neighborhood.
- D.2. Several lots in Sawmill and Wells Park neighborhoods already have duplexes or two detached houses.
- D.3. Using 7,000 square foot lots for similar development would promote new housing construction without interrupting the existing development pattern and scale of the neighborhoods.
- D.4. 3,500 square foot lots are the standard lot size in the John Baron Burg neighborhood.



S-R Zone

E. SETBACK:

Setbacks are the same as those listed in the R-LT Zone in the Zoning Code except as provided in the Supplementary Height, Area, and Use Regulations of the Comprehensive Zoning Code and with the additional requirement that a distance of 10 feet is required between residential and nonresidential buildings.



NOTES AND ILLUSTRATIONS

E. The R-LT setback regulations are generally as follows:

- Front yard setback of not less than 15 feet except driveways are not less than 20 feet long

- No required side-yard setback except:

- 10 feet is required on the street side of corner lots

- Distance between residential buildings is not less than 10 feet.

- Rear-yard setbacks shall be not less than 15 feet.

See R-LT in the Zoning Code for details and exceptions.

See sections 7, 8, 9, and 10 of the Design Regulations for Development.

F. OFF-STREET PARKING:

Off-street Parking Regulations of the Zoning Code apply provided applicable General SU-2 Regulations for the Sector Plan area are met.

G. USABLE OPEN SPACE:

The minimum usable open space provided for houses and townhouses shall be 1,200 square feet per dwelling unit.

G. The Comprehensive Zoning Code defines "Usable Open Space" as being located on the same lot as a dwelling. It may include, but is not limited to lawns, areas of native or cultivated plants, open balconies, covered patios open on at least two sides, walkways, recreational areas, fountains, swimming pools, wooded areas and water courses. It does **not** include public right-of-way, parking lots, off-street parking, driveways, or buildings other than swimming pool rooms.

(BLANK PAGE)
see following page

SDR SAWMILL - DEVELOPING RESIDENTIAL ZONE

The SDR Zone is similar in intensity to the R-G Residential Garden Apartment Zone in the Comprehensive Zoning Code.

The SDR Zone is established to:

- Expand the John Baron Burg neighborhood by allowing a mixture of single family houses, townhouses, and low density apartments on land formerly zoned M-1 Light Manufacturing.
- Include park and trail development as a neutral public space between the new housing and industrial development to the east and south.

A. PERMISSIVE USES:

The following uses are permitted provided applicable General SU-2 Regulations for the Sector Plan area are met.

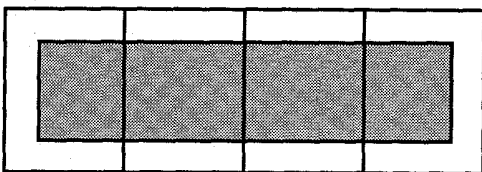
- A.1. Uses listed as permissive in the R-LT Zone in the Comprehensive Zoning Code except that there shall be no more than 4 dwelling units per townhouse building and not more than 30% of the net land area within this zone shall be developed as townhouses. The following uses listed as conditional in the R-1 Zone are also permitted:**

• Accessory living quarters provided the lot is a minimum of 7,000 square feet.

• Carport provided it meets Comprehensive Zoning Code set back and construction requirements

• Second kitchen within a house provided the lot is a minimum of 7,000 square feet.

Townhouses



NOTES AND ILLUSTRATIONS

A. A successful example of housing at this density that respects the scale of the surrounding neighborhood is the senior housing in North Barelbas. Sixty single story townhouses occupy 4.41 acres. Each building contains four 700 square foot townhouses.

A.1. Permissive Uses in the R-LT Zone are uses permissive in the R-1 Zone excepting agricultural animal keeping and front yard parking of recreational vehicles, and townhouses provided there is only one dwelling unit per lot and no more than two dwelling units in a building.

Permissive uses in the R-1 Zone that are allowed in the S-DR Zone are generally as follows:

1. One house per lot
2. Accessory Uses:
 - Accessory structure
 - Garage and yard sale
 - Antenna
 - Family care facility
 - Family day care home
 - Home occupation and sign
 - Parking
 - Sign
 - Trailer parking
3. Some community residential programs
4. Growing plants
5. Public park
6. Public school
7. Public utility structure

This list is not complete. See R-1 Residential Zone in the Zoning Code for details and restrictions on these uses.

S-DR Zone

PERMISSIVE USES (continued)

A.2. Attached Cottages - An attached cottage is a small townhouse type similar to townhouses permitted in the R-LT Zone in that only one (1) dwelling unit is permitted per lot and no more than two (2) dwelling units are permitted in a building. Not more than 10% of the net land area within this zone and portions of other zones specifically permitting S-DR uses may be developed as attached cottages.

A.3. Apartments other than townhouses*, except that a maximum of 30% of the net land area within this zone may be developed as apartments.**

A.4. Congregate meal site and or community building for senior or co-housing.

A.5. Community building in conjunction with a public park.

A.6. Recreational trails.

A.7. C-1 uses listed under A.5 of the S-MRN Zone (excepting auto parts and supply and taxidermy), provided they are located on a collector street or are contiguous to or across the street from the proposed neighborhood park. All conditions except those listed under A.5a and A.5d. of the S-MRN Zone apply.

B. **CONDITIONAL USES:**

Uses listed as conditional in the R-1 Zone in the Zoning Code except for the permissive uses listed under A.2 of the S-DR Zone, provided all the general requirements of the S-DR Zone and applicable General SU-2 Regulations for the Sector Plan area are met.

NOTES AND ILLUSTRATIONS

A.2. *The Zoning Code definition for apartment is a structure containing two or more dwelling units each, including dwelling units which do not have a separate entrance leading directly to the outdoors at ground level.

**Net land area means the total acreage included in the S-DR Zone minus streets and easements.

B. Conditional uses in the R-1 Zone minus the three exceptions under A.1. of the S-DR Zone are generally as follows.:

1. Animal keeping, noncommercial
2. Construction office in connection with a specific construction project.
3. Family day care home.
4. Health care as physically limited under home occupations
5. Public library
6. Public utility structure which is not permissive
7. Real estate office in connection with a specific development
8. Recreational facility (nonprofit)
9. Temporary storage structure or yard for a specific construction project

This list is not complete. See R-1 Zone in the Zoning code for details.

S-DR Zone

C. HEIGHT:

Structures shall not exceed 26 feet in height as established in the R-LT Zone in the Comprehensive Zoning Code provided new construction and building additions exceeding 15 feet in height comply with the residential roof regulations in the Sector Plan's General SU-2 Regulations and setback requirements of the S-DR Zone.

D. LOT SIZE:

D.1. **Minimum lot size for houses** shall be 3,500 square feet. Minimum lot width shall be 35 feet.

D.2. **Minimum lot size for townhouses** shall be 2,400 square feet per dwelling unit. Minimum lot width shall be 32 feet per dwelling unit.

D.3. **Minimum lot size for apartments other than townhouses** shall be 7,000 square feet. Minimum lot width for lots developed with apartments other than townhouses shall be 70 feet.

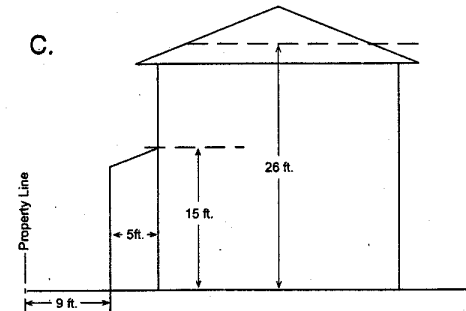
D.4. **Minimum lot size for attached cottages** shall be 1,350 square feet and minimum lot width shall be 24 feet.

E. DENSITY:

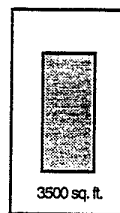
E.1. For apartments other than townhouses, a **floor area*** of 0.5 is the maximum permitted.

E.2. Lots developed with apartments other than townhouses may not contain more than 25 dwelling units per acre.

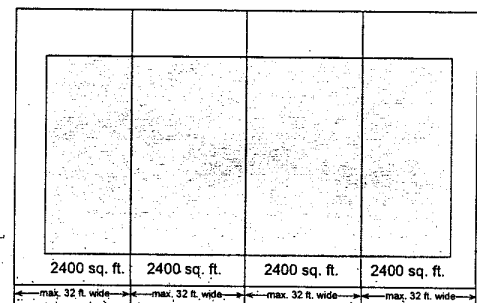
NOTES AND ILLUSTRATIONS



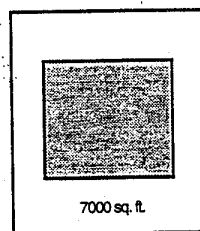
D.1.



D.2.



D.3.



E.1. *Floor area ratio means the heated gross floor area divided by the area of the lot or combination of contiguous lots held in single ownership on which the development occurs.

E.2. For example, 4 dwelling units would probably fit on a 7,000 square foot lot at 25 dwelling units per acre.

S-DR Zone

F. SETBACK:

F.1. Setbacks are the same as those listed in the R-LT Zone in the Comprehensive Zoning Code except that front yard setbacks shall be not less than 9 feet with driveways not less than 20 feet long and except as provided in the Supplementary Height, Area, and Use Regulations of the Comprehensive Zoning Code. Garage fronts shall be set back from the front façade of the building a minimum of 2 feet. Residential buildings in the S-DR zone are not subject to the garage setback requirements in 3.g. of the General SU-2 Regulations of this Sector Plan. Building portions over 15 feet high facing the public right-of-way or a private street shall be set back not less than 5 feet from the front façade of the building. The clear sight triangle shall not be infringed upon.

F.2. No driveways are required with attached cottages.

F.3. Attached cottages shall maintain a minimum 15 foot rear yard setback unless the rear yard is a zero lot line.

G. OFF-STREET PARKING

G.1. Off-street parking shall be as regulated in the General Parking Regulations of the Comprehensive Zoning Code provided the Sector Plan's General SU-2 regulations are met.

G.2. Attached cottages shall be required to have no more than two (2) off-street parking spaces.

H. USABLE OPEN SPACE

H.1. The minimum usable open space provided for houses and townhouses shall be 1,200 square feet per dwelling unit.

H.2. Usable open space for apartments other than townhouses shall be provided on-site as follows:

- 400 square feet for each efficiency or one-bedroom dwelling unit
- 500 square feet for each two-bedroom dwelling unit
- 600 square feet for each dwelling unit containing three or more bedrooms.

H.3. The minimum usable open space provided for attached cottages shall be 500 square feet per dwelling unit.

NOTES AND ILLUSTRATIONS

F. The R-LT setback regulations are generally as follows:

- Front yard setback of not less than 15 feet except driveways are not less than 20 feet long
- No required side-yard setback except:
 - 10 feet is required on the street side of corner lots
 - Distance between residential buildings is not less than 10 feet.
- Rear-yard setbacks shall be not less than 15 feet.

See R-LT in the Zoning Code for details and exceptions.

H. The Comprehensive Zoning Code defines "Usable Open Space" as being located on the same lot as dwelling. It may include, but is not limited to lawns, areas of native or cultivated plants, open balconies, covered patios open on at least two sides, walkways, recreational areas, fountains, swimming pools, wooded areas and water courses. It does **not** include public right-of-way, parking lots, off-street parking, driveways, or buildings other than swimming pool rooms.

S-MRN SAWMILL - MOUNTAIN ROAD NEIGHBORHOOD ZONE

The intensity of development allowed in the S-MRN Zone is similar to the R-C Residential-Commercial Zone in the Zoning Code. However, unlike the R-C Zone, properties developed for commercial uses are not required to include residential uses on the same lot.

The S-MRN Zone is established to:

- Conserve existing housing and foster additional residential development on Mountain Road.
- Maintain the historic mixture of housing and small businesses on Mountain Road by concentrating future commercial development on lots with existing commercial buildings and in predominantly commercial areas along Mountain Road. Commercial use approval is contingent on complying with the conditions set forth in the S-MRN Zone.
- Replace R-C zoning, which now requires that commercially developed lots contain a minimum of 50% residential use, with zoning that allows 100% commercial use on lots that meet the conditions for commercial use set forth in the S-MRN Zone. This change will support the use of vacant commercial buildings and some vacant land for low intensity businesses.
- Allow existing nonconforming businesses that predate the adoption of this plan. Business operations will be required to be compatible with nearby housing by complying with conditions set forth in the S-MRN Zone and the Sawmill Plan General SU-2 Regulations.

A. PERMISSIVE USES:

The following uses are permitted provided applicable General SU-2 Regulations for the Sector Plan area are met.

A.1. Uses listed as permissive in the R-1 Zone in the Comprehensive Zoning Code and the following uses listed as conditional in the R-1 Zone:

• Accessory living quarters provided the lot is a minimum of 7,000 square feet.

• Carport provided it meets Comprehensive Zoning Code set-back and construction requirements.

• Second kitchen within a house provided the lot is a minimum of 7,000 square feet.

NOTES AND ILLUSTRATIONS

A. R-1 Permissive Uses

1. One house per lot
2. Accessory Uses:
 - Accessory structure
 - Agricultural animal keeping
 - Garage and yard sale
 - Antenna
 - Family care facility
 - Family day care home
 - Home occupation and sign
 - Parking
 - Recreational vehicle, boat, etc.
 - Sign
 - Trailer parking
 - Hobby breeder
3. Some community residential programs
4. Growing plants
5. Public park
6. Public school
7. Public utility structure

This list is not complete. See R-1 Residential Zone in the Zoning Code for details and restrictions on these uses

S-MRN Zone

PERMISSIVE USES (continued):

A.2. Multiple dwelling units (on individual lots) that predate the establishment of the S-MRN Zone.

A.3. New construction or additions that result in two attached or detached dwelling units on one lot, provided the following conditions are met in addition to all the general requirements of the S-MRN Zone:

A.3.a. Minimum lot area is 7,000 square feet.

A.3.b. A minimum distance of 10 feet is provided between residential buildings.

A.4. Townhouses and detached single family dwellings listed as permissive in the R-LT Residential-Limited Townhouse Zone in the Zoning Code provided the following conditions are met in addition to all the general requirements of the S-MRN Zone.

A.4.a. No more than four townhouse dwelling units are constructed on contiguous lots. Four townhouse units shall be considered a townhouse development.

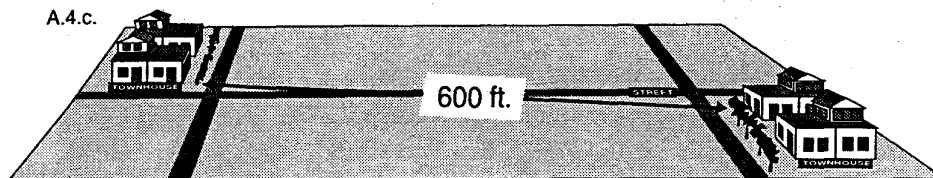
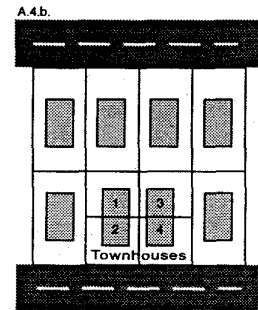
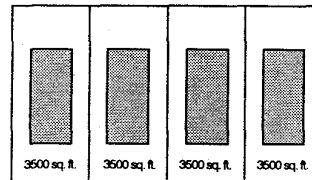
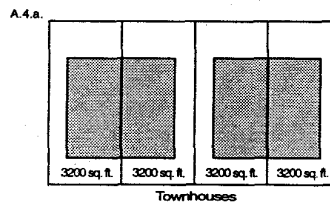
A.4.b. No more than two dwelling units are adjacent to the property line of another residential lot.

A.4.c. Townhouse developments are separated by a minimum of 600 feet measured from the closest property lines.

NOTES AND ILLUSTRATIONS

A.4. Permissible Uses in the R-LT Zone are generally as follows:

1. Uses permissible in the R-1 Zone, except
 - a. Agricultural animal keeping is not permitted
 - b. Front yard parking of recreational vehicles 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.



S-MRN Zone

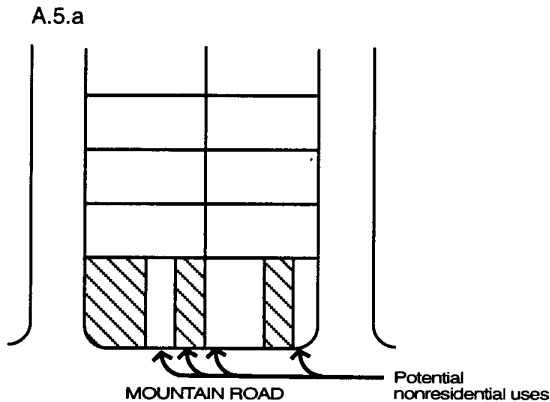
PERMISSIVE USES (continued)

A.5. Uses listed as permissive in the C-1 Neighborhood Commercial Zone, provided any one of the conditions in A.5.a. is met and subject to the conditions listed in A.5.b. through A.5.f.

- A.5.a. • If at least 50% of the total acreage of lots contiguous to Mountain Road on the city block* of the property are already occupied by legal nonresidential uses or
- the property contains a building that had a commercial use for at least (10) ten years over the last (50) fifty years or
 - the existing building was originally built for commercial uses.

NOTES AND ILLUSTRATIONS

* The Zoning Code defines a block as "an area no larger than 10 acres which is bounded by, but not crossed by public streets."



50% of acreage is already nonresidential.

NOTES AND ILLUSTRATIONS

A.5. Permissive uses in the C-1 Zone that are allowed in the S-MRN Zone are generally as follows:

1. Antenna, up to 65 feet in height
2. Club without liquor license
3. Library
4. Museum
5. Office
6. Places of worship
7. Public utility structure with an adopted facility and site development plan
8. Schools for grades K-12
9. Retail sales:
 - Arts and crafts objects, supplies and incidental creation
 - Auto parts and supply
 - Books, magazines, newspapers, stationery, except adult book store
 - Christmas trees
 - Clothing, shoes, dry goods
 - Cosmetics, notions, hobby supplies
 - Drugs, medical supplies
 - Flowers and plants
 - Food and nonalcoholic drink, but not drive-in restaurant or restaurant with drive-up facility for take-out orders
 - Furniture, household furnishings, and appliances
 - Hardware
 - Jewelry
 - Musical instruments and supplies
 - Office machines sales and repair
 - Pets with no outside pens
 - Photograph equipment
 - Sporting goods
10. Services:
 - Automobile, bicycle and motorized bicycle (moped) repair, but no body work
 - Repairing shall be done within a completely enclosed building at least 20 feet away from any residential zone
 - Banking, loaning money and pawn
 - Barber, beauty shop
 - Day care center
 - Dry cleaning and self-service laundry
 - Games, electronic and pinball with exceptions
 - Health gymnasium
 - Instruction in music, dance, fine arts or crafts
 - Interior decorating
 - Medical or dental laboratory
 - Parking lot, as regulated in the O-1 Zone
 - Pet grooming
 - Photography and photocopy, except adult photo studio

S-MRN Zone

PERMISSIVE USES (continued):

A.5.b. Restaurant outdoor eating areas are allowed if they **are not** contiguous to properties with pre-existing residential uses.

A.5.c. Outdoor storage is limited to parked operative vehicles and screened trash receptacles.

A.5.d. Signs comply with regulations for the R-C Zone, the General Sign Regulations of the Zoning Code, and the following additional requirement.

•Neither illuminated signs nor any illuminated elements of signs turn on and off or change in brightness.

A.5.e. Parking lots shall comply with regulations of the O-1 Zone and off-street parking shall comply with General Landscaping Regulations of the Zoning Code **except that**

•**demolition of the main buildings on a lot is not permitted to create a parking lot or to create space for required off-street parking or additional parking and**

•**the lot or parking area and its ingress and egress are paved with blacktop or another surface that does not produce dust.**

NOTES AND ILLUSTRATIONS

Permissive uses in the C-1 Zone (continued)

- Small animal clinic
- Tailoring, dressmaking, repairing shoes, household equipment
- Taxidermy

11. Sign, on-premise

12. Uses or activities in a tent, if the uses or activities are listed elsewhere in this zone with some exceptions

See C-1 Zone in the Zoning Code for details.

A.5.d. Sign Regulations in the R-C Zone are generally as follows:

- No off-premise signs** are allowed
- Location: Signs are wall signs or canopy signs.
- Size: Sign areas do not exceed 7.5 percent of the area of the facade to which it is related.

S-MRN Zone

PERMISSIVE USES (continued):

NOTES AND ILLUSTRATIONS

A.5.f. Uses **not** permitted are as follows:

1. Commercial car washes are **not** allowed.
2. Drive-up service windows (as defined in the Zoning Code) are **not** allowed.
3. Dry cleaning on the premises is **not** allowed.
4. Gasoline and other fuel sales are **not** allowed.
5. Radio and television stations are **not** allowed.

A.6. Nonresidential land uses that do not comply with A.5. of the S-MRN Zone, but predate the establishment of the S-MRN Zone, shall be considered conforming uses and may remain provided they comply with the following conditions. Uses which change shall comply with all of the conditions and limitations required in regulation A.5.

- A.6.a. Outdoor storage shall consist only of parked operative vehicles and screened trash receptacles.
- A.6.b. No underground storage tanks shall be present or installed on the property.
- A.6.c. Business activities shall be prohibited between 10 p.m. and 7 a.m.

S-MRN Zone

PERMISSIVE USES (continued):

NOTES AND ILLUSTRATIONS

- A.7. Bed and Breakfast Establishments provided:
- A.7.a. Bed and Breakfast establishments are separated by a minimum of 600 feet measured from the closest property lines.
 - A.7.b. Exterior appearance of the structure shall be compatible with other homes in the neighborhood.
 - A.7.c. The establishment shall contain no more than eight guest rooms.
 - A.7.d. A minimum of two off-street parking spaces for permanent residents and one space per guest room is provided (spaces within garages may be counted) and landscaped so as to be screened from the street and neighboring properties.
 - A.7.e. Guests shall not be allowed to stay in a motor home or camper-trailer.
 - A.7.f. No receptions or private parties shall be held for a fee.
 - A.7.g. Lodging for each guest shall be limited to two weeks at a time.

S-MRN Zone

B. CONDITIONAL USES:

Uses listed as conditional in the R-1 Zone in the Zoning Code except for the following permissive uses and provided that all the general requirements of the S-R Zone and applicable General SU-2 Regulations for the Sector Plan area are met:

- Accessory living quarters provided the lot is a minimum of 7,000 square feet.
- Carport
- Second kitchen within a house provided the lot is a minimum of 7,000 square feet.

C. HEIGHT:

Structures shall not exceed 26 feet in height except as provided in the Supplementary Height, Area, and Use Regulations section of the Zoning Code and provided new construction and building additions exceeding 15 feet in height comply with the General SU-2 Regulations of the Sector Plan.

D. LOT SIZE:

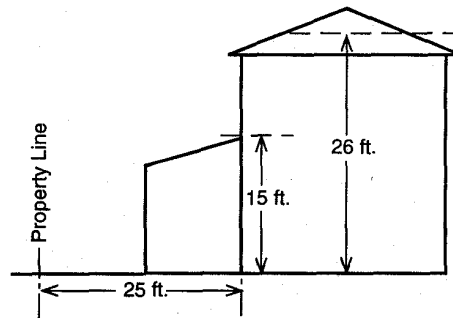
- D.1. **Maximum lot size** shall be 10,000 square feet.
- D.2. **Minimum lot size for a detached single dwelling unit** shall be 3,500 square feet.
- D.3. **Minimum lot size for two dwelling units on a lot** shall be 7,000 square feet.
- D.4. **Minimum lot size for each townhouse unit** shall be 3,200 square feet.

NOTES AND ILLUSTRATIONS

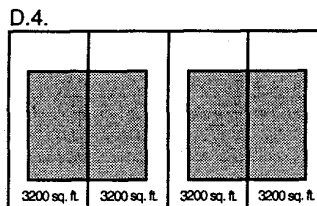
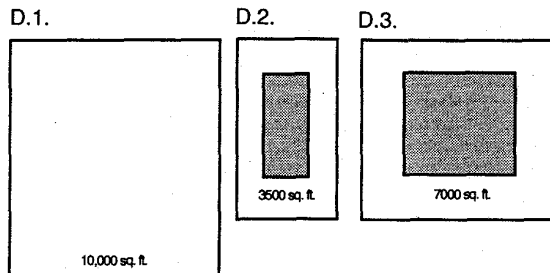
B. Conditional uses in the R-1 Zone are generally as follows:

1. Animal keeping, noncommercial
2. Construction office in connection with a specific construction project
3. Family day care home
4. Health care as physically limited under home occupations
5. Public library
6. Public utility structure which is not permissive
7. Real estate office in connection with a specific development
8. Recreational facility (nonprofit)
9. Temporary storage structure or yard for a specific construction project

This list is not complete. See R-1 Zone in the Zoning Code for details and restrictions on these uses.



D.1. A maximum lot size is specified to ensure that new development complements the existing and historic small scale development along Mountain Road.



S-MRN Zone

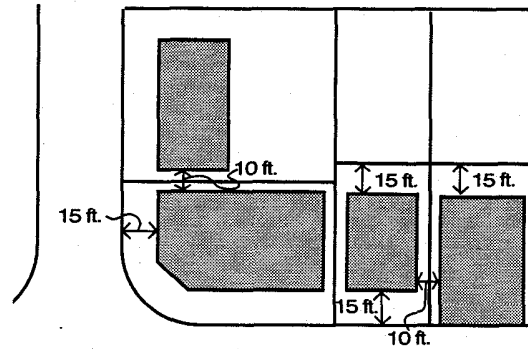
E. SETBACK:

The following regulation applies to new construction and additions.

- E.1. **Front yard setbacks contiguous to Mountain Road are not required provided the clear sight triangle is maintained, however, voluntary setbacks shall not exceed 15 feet.**
- E.2. **Front yard setbacks contiguous to streets other than Mountain Road shall be not less than 15 feet.**
- E.3. **Side yard setbacks are not required except that buildings shall be a minimum of 10 feet apart.**
- E.4. **Rear yard setbacks shall be 15 feet.**

NOTES AND ILLUSTRATIONS

E.



MOUNTAIN ROAD

F. OFF-STREET PARKING:

Off-street parking regulations shall be as provided in the Off-Street Parking Regulations of the Zoning Code, except that parking for more than one business may be shared and provided General SU-2 Regulations for the Sector Plan area are met.

G. USABLE OPEN SPACE:

The minimum usable open space provided for houses and townhouses shall be 1,200 square feet per dwelling unit.

H. BUILDING DEMOLITION

Demolition of the main building(s) on a lot is **not** permitted to create a parking lot or to create space for required or additional off-street parking.

G. The Comprehensive Zoning Code defines "Usable Open Space" as being located on the same lot as a dwelling. It may include, but is not limited to lawns, areas of native or cultivated plants, open balconies, covered patios open on at least two sides, walkways, recreational areas, fountains, swimming pools, wooded areas and water courses. It does **not** include public right-of-way, parking lots, off-street parking, driveways, or buildings other than swimming pool rooms.

S-MI SAWMILL MIXED INDUSTRIAL ZONE

The S-MI Zone is a mixed use zone established to:

- Continue to allow small manufacturing businesses, showrooms, wholesale businesses and existing warehouses, but ensure that they are compatible with nearby housing, hotels, retail shops, and museums.
- Allow residence/work spaces (artist studios, office, and apartment combinations) to develop.
- Allow some commercial services and retail businesses to develop.
- Allow housing that predates the adoption of this zone to remain.

A. PERMISSIVE USES:

The following uses are permitted provided they meet all the applicable General SU-2 Regulations for the Sector Plan area.

A.1. Manufacturing, assembling, treating, repairing, or rebuilding of products as regulated under permissive uses of the M-1 Zone in the Zoning Code with the following exceptions and limitations:

A.1.a. Concrete or cement products manufacturing, batching plant, and processing of stone are **not** allowed.

A.1.b. Gravel, sand, and dirt removal, stockpiling, processing, or distribution are **not** allowed.

A.1.c. Poultry or rabbit live storage or killing and dressing are **not** allowed.

A.2. Product showrooms for selling products in conjunction with a manufacturing plant.

A.3. Residence/ Work Space as defined in the S-MI Zone provided it's closest property line is a minimum of 200 feet from the S-I Zone. See Sector Plan Zoning Map.

DEFINITION

A.3. Residence/Work Space

A combination of dwelling unit(s) and work space(s) for the production of art and/or craft items, for practicing any of the performing arts by an individual or individuals, or for conducting business in an office or in a small manufacturing plant.

A residence/work space is **not** a residential use.

Arts, crafts and small manufacturing businesses on the same premises with dwelling unit(s) housing may include work in any material except for those excluded below provided work methods comply with Federal, State and local environmental regulations.

Buildings must comply with the Uniform Fire Code and Uniform Building Code for using kilns, centrifugal casting, spray painting booths, etc. Metal foundries, blast furnaces, explosives, and epoxy resin and other plastic production are **not** allowed. Buildings shall also comply with the City of Albuquerque Uniform Housing Code.

Each dwelling unit shall contain not less than 150 square feet of floor space for one occupant and not less than 100 additional square feet of floor space besides bathrooms for every additional occupant.

Dwelling unit space shall occupy no more than 50% of the floor area of the residence/work space building(s).

A. PERMISSIVE USES (continued):

A.4. On-premise signs, as provided in the General Sign Regulations and the I-P Industrial Park Zone of the Zoning Code.

A.5. Wholesaling

A.6. Warehouses

A.7. Residential uses that exist at the adoption of the Sector Plan as regulated in the S-R Zone may remain at the locations where they existed. If a residential use changes to another use, a residential use at that location may not be resumed or re-established.

A.8. Nonresidential uses that are not listed elsewhere as permissive uses in the S-MI Zone and that exist at the establishment of the S-MI Zone may remain at the locations where they exist.

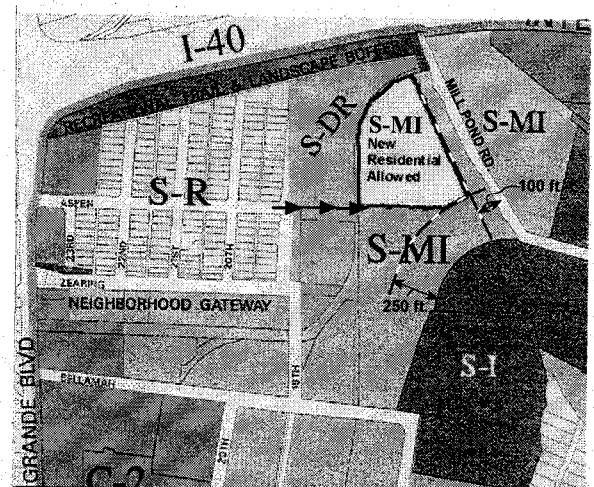
A.9. Public park and public trails

A.10. C-1 uses listed under A.5. of the S-MRN Zone. All conditions except those listed under A.5.a. and A.5.d. of the S-MRN Zone apply.

A.11. Hotels, motels (including incidental uses) and restaurants on properties contiguous to the I-40 frontage road or major arterials.

A.12. New residential uses as regulated in the S-DR Zone, provided they are located as follows:

- north of the straight line connecting Aspen Avenue NW at 19th Street NW and Aspen Avenue at Mill Pond Road NW, and
- at least 100 feet from the eastern boundary of the property more particularly described as Lot lettered "B-1-A-1", Duke City Lumber Company Addition, as



Underlined text indicates amendments adopted by Council Resolution R-14, Enactment # 24-2000.

S-MI Zone

NOTES AND ILLUSTRATIONS

A. PERMISSIVE USES (continued):

A.12. (continued):

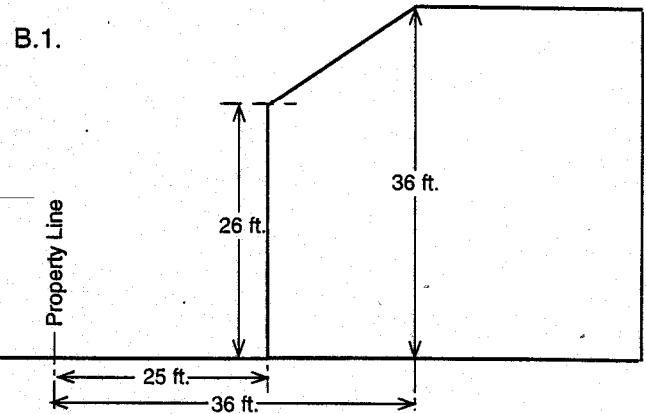
shown and designated on the plat entitled "LOTS B-1-A-1, B-1-A-2 AND B-1-A-3 (BEING A REPLAT OF LOT B-1-A) DUKE CITY LUMBER COMPANY ADDITION, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" filed in the office of the County Clerk of Bernalillo County, New Mexico on December 15, 1995; and

- at least 250 feet from the S-I zone.

B. HEIGHT:

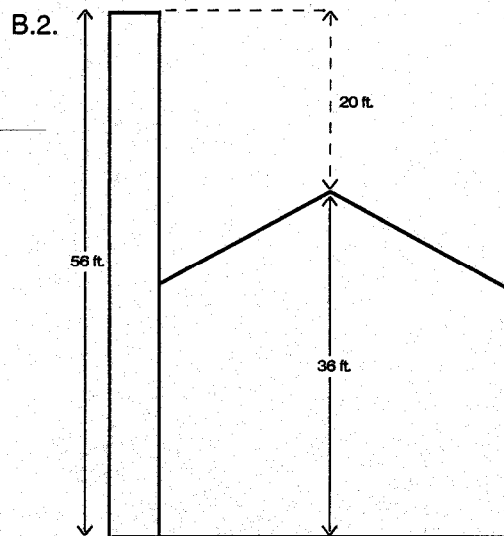
B.1. Portions of buildings over 26 feet high shall be set back from the property line the same number of feet as their height, but a structure shall not exceed a height of 36 feet.

B.2. The height of smokestacks, flues and other structures regulated in the Supplementary Height, Area, and Use Regulations of the Zoning Code shall be a maximum of 20 feet higher than the highest point of the highest building on the lot, but shall not exceed 56 feet in height, whichever is less.



(Setback as described in D.2.)

B.2. The Environmental Health Department may recommend variances to the Planning Department based on applicant demonstration that the stack height complies with Ambient Air Quality Standards and Air Quality Control Regulations for Albuquerque Bernalillo County Regulation #33.



Underlined text indicate amendments adopted by Council Resolution R-14, Enactment # 24-2000.

S-MI Zone

C. LOT SIZE:

Lots subdivided after the adoption of the Sector Plan shall not exceed 50,000 square feet.

D. SETBACK:

D.1. Front and rear yard set backs shall be a minimum of 10 feet.

D.2. Front, side, and rear yard setbacks of nonresidential buildings contiguous to or across a street or trail from a residential zone or a residential use other than a residential/work space within the S-MI Zone or adjacent to a public recreational trail shall be a minimum of 25 feet.

D.3. Front, side and rear yard setbacks from the junction of driveway or alley and a public sidewalk or planned public sidewalk location shall be a minimum of 11 feet.

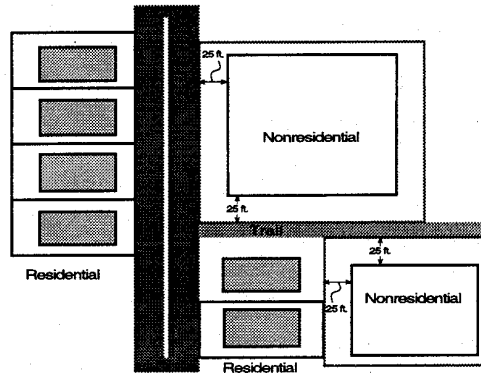
E. OFF-STREET PARKING:

Off-street parking shall be as provided in the Off-Street Parking Regulations of the Comprehensive Zoning Code.

NOTES AND ILLUSTRATIONS

C. 50,000 square feet lots will support the permitted uses and be compatible with the existing scale of development.

D.2.



S-I SAWMILL INDUSTRIAL ZONE

S-I uses are similar in intensity to uses in the M-1 Zone in the Zoning Code. The S-I Zone is meant to encourage the development of manufacturing businesses that can provide well-paid jobs. Retail commercial businesses are limited to arterials in order to facilitate traffic flow and to discourage the conversion of manufacturing space to retail commercial businesses.

The S-I Zone is established to:

- Provide a center-city sanctuary for light manufacturing, wholesaling, and product showrooms that have or will have easy access to Twelfth Street and I-40 and are generally separated from housing.

A. PERMISSIVE USES:

The following uses are permitted provided they meet all the applicable General SU-2 Regulations for the Sector Plan area.

A.1. Product showrooms for selling products in conjunction with a manufacturing business.

A.2. Uses listed as permissive in the M-1 Light Manufacturing Zone in the Zoning Code with the following exceptions and limitations:

A.2.a. Automotive sales and rentals are not allowed.

A.2.b. Concrete or cement products manufacturing, batching plant and processing of stone are not allowed.

A.2.c. Gravel, sand, and dirt removal, stockpiling, processing, or distribution are not allowed.

A.2.d. On-premise signs are allowed as provided in the General Sign Regulations and the I-P Industrial Park Zone of the Comprehensive Zoning Code.

NOTES AND ILLUSTRATIONS

A. Permissive Uses in the M-1 Zone that are also permitted in the S-I Zone are generally as follows:

1. Uses permissive and as regulated in the IP Zone with exceptions for C-2 uses
2. Antenna without height limit
3. Automobile dismantling within a completely enclosed building or enclosed by solid 6 foot high wall or fence
4. Commercial agricultural activity
5. Emergency shelter
6. Manufacturing, assembling, treating, repairing, or rebuilding articles
7. Incidental sales or personal services in a building
8. Parking lot
9. Recycling bin
10. Signs
11. Storage structure or yard incidental to a specific construction project
12. Blacksmith shop

This list is not complete. See the M-1 Zone in the Zoning Code for details.

A.2.a. and f. have not been included the S-I Zone because they do not create many jobs. They also contribute to commercial traffic.

A.2.b., c., and e. have not been included because they are the most nuisance producing uses in the M-1 Zone.

S-I Zone

PERMISSIVE USES (continued):

A.2.e. Poultry or rabbit live storage or killing and dressing are **not** allowed.

A.2.f. Trailer sales, rentals, and associated service, repair and storage are **not** allowed.

A.2.g. Truck terminal, including maintenance facilities, as regulated in the M-1 Zone is allowed provided:

1) the premises are a minimum of 500 feet from a zone allowing residential uses and

2) a traffic impact study, air quality impact study, and a plan for mitigation is accepted by the City.

3) truck terminals within 500 feet of a residential zone, existing at the time of the establishment of the S-I Zone, shall be nonconforming as to separation only.

Traffic impact studies are required only for new or enlarged truck terminal facilities.

A.2.h. Uses permissive and as regulated in the C-2 Zone and commercial uses listed in the I-P Zone are allowed provided they are contiguous to an arterial street.

NOTES AND ILLUSTRATIONS

A.2.g. Truck terminals create traffic and noise. The provisions attached to them and related facilities in this zone are intended to protect nearby housing.

A.2.h. The M-1 Zone allows uses listed as permissive in the C-2 and C-3 Zones. These uses are appropriate only on arterial streets in the S-I Zone. The majority of the zone is intended to provide a protected area for job-producing manufacturing uses. Retail/commercial businesses will often displace industrial uses when they are allowed anywhere.

S-I Zone

PERMISSIVE USES (continued):

A.3. Transit Facilities as defined in the Comprehensive Zoning Code provided they are a minimum of 500 feet from the S-R, S-DR, and S-MI Zones.

A.4. Public parks and trails.

B. CONDITIONAL USES:

The following uses shall meet all the applicable General SU-2 Regulations for the Sector Plan area:

B.1. Automotive service, repair and storage.

B.2. Trailer service, repair and storage.

B.3. Transit Facilities within 500 feet of the S-MI Zone.

C. HEIGHT:

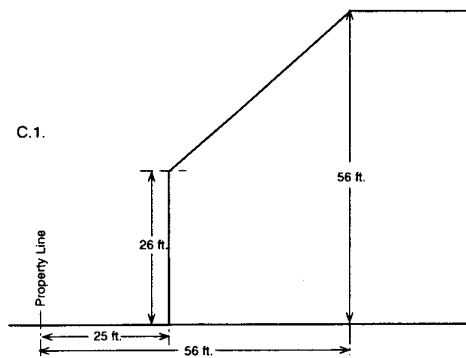
C.1. Portions of buildings over 26 feet high shall be set back from the property line the same number of feet as their height, but a structure shall not exceed a height of 56 feet.

C.2. The height of smokestacks, flues and other structures regulated in the Supplementary Height, Area, and Use Regulations of the Zoning Code shall be a maximum of 20 feet higher than the highest point of the highest building on the lot, but shall not exceed 65 feet in height, whichever is less.

D. LOT SIZE:

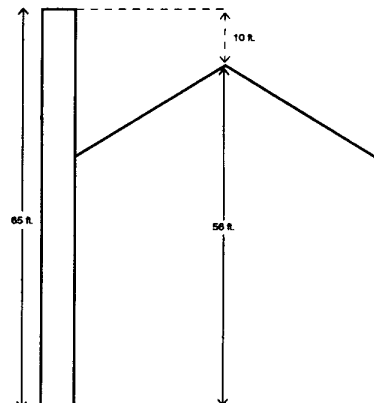
No requirements

NOTES AND ILLUSTRATIONS



(Setback as described in E.2.)

C.2. The Environmental Health Department may recommend variances to the Planning Department based on applicant demonstration that the stack height complies with Ambient Air Quality Standards and Air Quality Control Regulations for Albuquerque/Bernalillo County Regulation #33.



S-I Zone

E. SETBACK:

E.1. Front and rear yard set backs shall be a minimum of 10 feet.

E.2. Front, side, and rear yard setbacks of nonresidential buildings contiguous to or across a street or trail from a residential zone or a residential use other than a residential/work space within the S-MI Zone or adjacent to a public recreational trail shall be a minimum of 25 feet.

E.3. Front, side and rear yard setbacks from the junction of driveway or alley and a public sidewalk or planned public sidewalk location shall be a minimum of 11 feet.

F. OFF-STREET PARKING:

Off-street parking shall be as provided in the Off-Street Parking Regulations of the Comprehensive Zoning Code.

NOTES AND ILLUSTRATIONS

E.2.

