SD-LD Bernalillo County Zoning Districts

This Sector Development Plan establishes zoning that will implement the recommended land use changes in the portion of the Los Duranes neighborhood under Bernalillo County zoning jurisdiction. The purpose and intent of the SD-LD zoning is to support community goals for land use, agriculture and acequias and to further support policies from the Rank II North Valley Area Plan. To promote the conservation of special neighborhood characteristics, the zoning implements the following:

- 1. SD-LD A-1 Rural Agricultural Zone
- 2. SD-LD R-1 Single Family Residential Zone
- 3. SD-LD Conditional Use Zoning Provisions:
 - a. Replaces the existing Clustered Density Guidelines for Open Space and Lot Size from the Rank II North Valley Area Plan with two new zoning provisions as conditional uses for properties with SD-LD A-1 and SD-LD R-1 zoning:
 - i. SD-LD Clustered Housing & Conservation Subdivision which provides incentives for Consolidated Open Space (COS) or Agricultural Lands (AL) set asides by increasing density and permitting clustered housing for tracts with a minimum of 2 acres or more.
 - ii. SD-LD- Secondary Dwelling Unit which provides incentives for Consolidated Open Space (COS) or Agricultural Lands (AL) set asides by permitting and regulating a secondary dwelling unit on lots with a minimum of one acre or more.

Special Zoning Provisions of Sector Development Plans

A SD Zone allows a mixture of uses controlled by a Sector Development Plan which specifies new development and redevelopment that is appropriate to a given neighborhood, when other zones are inadequate to address special needs. The SD Zone is appropriate to map in Los Duranes because it meets the following criteria:

1. The area is developed such that the requirements of other available zones do not promote the conservation of special neighborhood characteristics, which the County desires to preserve.

In the Los Duranes neighborhood, the historic subdivision of land based on access to the acequia system and the impact of the more intense development pattern of the adjacent metropolitan area, constitute

unique conditions that do not fit the standard zones of the Zoning Ordinance. Land use regulation and development standards through specially tailored zones are preferable to the proliferation of variances and non-conforming development.

Zoning for the Los Duranes Sector Development Plan

The plan contains two zones; SD-LD A-1 Rural Agricultural Zone and SD-LD R-1 Single Family Residential Zone and corresponding conditional use provisions. Each zone is based on the closest similar zone in the Bernalillo County Zoning Ordinance and is intended to apply to properties with A-1 or R-1 zoning at the time of plan adoption. All provisions of the Bernalillo County Zoning Ordinance apply unless specified otherwise in this Sector Development Plan.

Section 1. Definitions

The following definitions are in addition to provisions and definitions of Section 5 of the Zoning Code:

Agricultural Land. (AL), a consolidated area set aside as permanent agricultural land.

Consolidated Open Space. (COS), a consolidated land area set as permanent shared open space.

Open Fence. A vertical structure used to delineate specific areas, boundaries, or yards that creates an essentially transparent barrier, allowing visibility through it.

Plazuela Compound. A permitted development type within the SD-LD Clustered Housing & Conservation Subdivision characterized by a consolidated open space bound by attached or detached buildings on at least three sides.

Solid Wall or Fence. A vertical structure used to delineate specific areas, boundaries, or yards that creates an opaque visual barrier and is kept in good repair.

Section 2. SD-LD A-1 Rural Agricultural Zone

A. The regulations set forth in this section or set forth in this ordinance or in the County Zoning Ordinance, when referred to in this section, are the regulations in the SD-LD A-1 Rural Agricultural Zone. The purpose of this zone is to preserve the scenic and rural character of the Los Duranes Neighborhood, to provide consolidated open space and agricultural lands and to recognize the desirability of carrying on compatible agricultural operations and home developments in areas near the fringes of urban development. The regulations provide for the protection of these important land uses, and are not intended to unduly restrict or regulate farming, or ranching operations.

- B. Use Regulations. A building or premises shall be used only for the following purposes. All uses customarily incidental to the building or premises shall be maintained on site.
 - 1. Permissive Uses. Uses permissive in the A-1 Zone in the Zoning Code.
 - 2. Conditional Uses. The following uses may be permitted, if approved by the Zoning Administrator, in accordance with the procedures and under the conditions set out in the Administrative Section of the Zoning Code, with additional requirements deemed necessary to safeguard the best interest of the adjoining property, neighborhood and the community.
 - a. Uses conditional in the A-1 Zone in the Zoning Code.
 - b. SD- LD Clustered Housing & Conservation Subdivision.

Provisions and standards for the development of clustered housing in conjunction with consolidated open space and/or agricultural land on sites with 2 acres or more. Replaces the existing Clustered Density Guidelines for Open Space and Lot Size from the Rank II North Valley Area Plan. The purpose is to provide as a conditional use, an alternative clustered housing development option for the SD-LD A-1 and R-1 zoning districts. The intent of the SD-LD Clustered Housing & Conservation Subdivision is to support following community goals:

- Support clustered housing and family compounds as a way of continuing historic land use patterns that maintain open space and accommodate diverse household incomes and lifestyles.
- Promote the conservation and use of irrigated agricultural land and open space.
- Maintain the semi-rural neighborhood character through residential development that is consistent in scale and massing with the neighborhood.
 - (1) Design Regulations. Minimum site size: Two acres
 - (2) Density:
 - (a) 2.5 units per acre with min 50% set aside of gross area for Consolidated Open Space (COS) or Agricultural Lands (AL)
 - (b) 3 units per acre with min 70% set aside of gross area for Consolidated Open Space (COS) or Agricultural Lands (AL)
 - (3) The development shall provide each lot with satisfactory access to an existing dedicated street by means of a dedicated street.
 - (4) Consolidated Open Space or Agricultural Land:

Land used for streets, parking and private yards may not be counted as part of the COS or AL. No buildings or structures are permitted in the COS or AL except corrals and maximum 200 s.f. shed necessary for the maintenance of the area. Underground and above ground utility easements and land accommodating ditches drains or laterals can be counted as part of the COS or AL.

(a) Size:

Minimum size is based on proposed density:

D.U.s per acre	COS or AL
2.5 units	50% of total site
3 units	70% of total site

- (b) The COS or AL shall be composed of a single consolidated tract.
- (c) All areas counted as COS or AL shall have a minimum width and length of 35 feet.
- (d) Location:
 - (i) If property abuts a ditch, lateral or drain designated on the Community Acequia System Map (see page 58), the consolidated Open Space or Agricultural Land shall be located adjacent to the waterway
 - (ii) The COS or AL may be located in a plazuela compound provided no street goes through the plazuela area.
- (5) Consolidated Buildable Area:
 - (a) Attached and detached single family homes allowed.
 - (b) Calculation of Size of Area

Area remaining after COP or AL has been identified:

D.U.s per acre	COS or AL	Buildable Area
2.5 units	50% of total site	50% of total site
3 units	70% of total site	30% of total site

- (c) Shared driveways, parking and access are permitted.
- (d) Permeable surfaces are permitted.
- (e) There shall be no minimum setback for structures with the following exceptions:
 - (i) A minimum 10 ft set back from perimeter boundary of proposed clustered housing development.
 - (ii) A minimum 10 ft set back from perimeter boundary of proposed clustered housing development abutting public right-of-way.
- (6) Consolidated Open Space or Agricultural Land Set Aside

Consolidated Open Space or Agricultural Land must be set aside by the developer through an easement or separate parcel conveyed to a homeowners association or other legal entity responsible for its maintenance. The easement or plat will specify the responsibilities of the party or parties who will maintain the easement or open space parcel. In no case will the County have responsibility for maintenance of privately owned consolidated open space or agricultural land.

(7) Process for requesting a SD-LD Clustered Housing & Conservation Subdivision

A request for a Clustered Housing & Conservation Subdivision use shall be as a conditional use for properties in the SD-LD A-1 or SD-LD R-1 zones. The process for application shall follow the provisions of the Zoning Ordinance.

c. SD-LD Secondary Dwelling Unit.

Provisions and standards for the development of a secondary unit in conjunction with consolidated open space and/or agricultural land on single lots with 1 or more acres.

The purpose of the SD-LD Secondary Dwelling Unit use is to provide incentives for consolidated open space and agricultural land on single lots with one acre or more by permitting as a conditional use, a secondary dwelling unit for properties in the SD-LD A-1 and R-1 zoning districts. The intent of the SD-LD Secondary Dwelling Unit is to support following community goals:

- Support clustered housing and family compounds as a way of continuing historic land use patterns that maintain open space and accommodate diverse household incomes and lifestyles.
- Promote the conservation and use of irrigated agricultural land and open space.
- Maintain the semi-rural neighborhood character through residential development that is consistent in scale and massing with the neighborhood.
 - (1) Design regulations: Minimum lot size: 1 acre
 - (2) Density:
 - (a) 1 primary unit plus 1 secondary dwelling unit per acre with minimum 70% set aside of gross area for Consolidated Open Space or Agricultural Lands
 - (b) Accessory Living Quarters are prohibited
 - (c) Subdivision of site is prohibited.
 - (3) Consolidated Open Space or Agricultural Land

Land used for streets, parking and private yards may not be counted as part of the COS or AL. No buildings or structures are permitted in the COS or AL except those necessary for the operation and maintenance of the area. Underground and above ground utility easements and land accommodating ditches drains or laterals can be counted as part of the COS or AL.

- (a) Minimum Size:
 - (i) 70% of total lot
 - (ii) COS or AL shall have a minimum width and length of 35 feet
- (b) Location:

If property abuts a drain, lateral or ditch designated on the Community Acequia System Map (see page 58), the consolidated Open Space or Agricultural Land shall be located adjacent to the waterway.

- (4) Consolidated Buildable Area:
 - (a) Size:

Area remaining after COP or AL has been identified (maximum of 30% of total lot)

- (b) Density:
 - (i) 1 single family home (primary unit)
 - (ii) 1 secondary dwelling unit permitted with the following standards:
 - (iii) Size: Maximum unit size up to 50% of the primary unit, not to exceed 1,000 s.f. floor area
 - (iv) Attached or detached
 - (v) May be located in front of primary unit
- (c) Parking:
 - (i) 2 spaces primary dwelling unit
 - (ii) 1 space for secondary dwelling unit
 - (iii) Shared driveways, parking and access are permitted.
 - (iv) Permeable surfaces are permitted.
- (d) Setbacks: There shall be no minimum setback for structures with the following exceptions:
 - (i) A minimum 10 ft set back from perimeter boundary of lot
 - (ii) A minimum 10 ft set back from perimeter boundary of lot abutting public right-of way.
 - (iii) Setbacks from the Community Acequia System:

All structures must be set back a minimum of 15 feet from the centerline of any ditch, lateral or drain designated on the LDSDP Community Acequia System Map, (see page 58).

(iv) Minimum setbacks between structures as required by building code.

- (v) Maximum setback is 12 ft between residential structures. A variance may be requested if mature vegetation prevents meeting this requirement.
- (5) Consolidated Open Space or Agricultural Land Set Aside

Consolidated Open Space or Agricultural Land must be set aside by the developer through an easement conveyed to a homeowners association or other legal entity responsible for its maintenance. The easement or plat will specify the responsibilities of the party or parties who will maintain the easement or open space parcel. In no case will the County have responsibility for maintenance or privately owned consolidated opens space or agricultural land.

(6) Process for requesting a SD-LD Secondary Dwelling Unit.

A request for a secondary dwelling unit use shall be as a conditional use for properties in the SD-LD A-1 or SD-LD R-1 zones. The process for application shall follow the provisions of the Zoning Ordinance.

- C. Height Regulations. Buildings and structures to 16 feet are permitted. Building and Structure height up to 26 feet are permitted with the following conditions:
 - 1. Minimum 6' step-back from ground floor front façade of unit.
 - 2. Minimum 6' step-back from ground floor frontage abutting public right-of way.
 - 3. Second story area limited to 65% of ground floor foot print.
 - 4. As provided in the Supplementary Height and Area Regulation Section of the Zoning Ordinance.

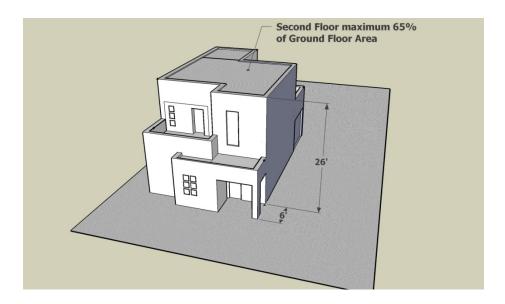


Figure B- Height and step-back provisions; flat roof

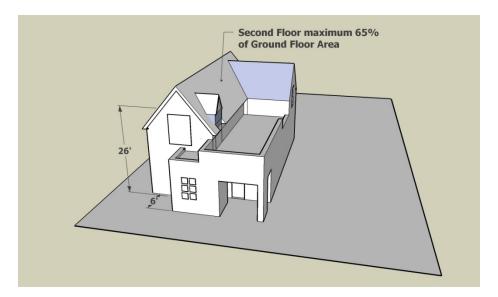


Figure A-Height and step-back provisions; sloped roof

D. Area Regulations.

- 1. Minimum Lot Area and Lot Width. Minimum lot area and lot width as provided by A-1 zone in the Zoning Code.
- 2. Building Setbacks.
 - a. Front yard, side yard and rear yard setbacks shall be the same as provided by A-1 zone of the Zoning Ordinance.

b. Setbacks from the Community Acequia System:

All structures must be set back a minimum of 15 feet from the centerline of any ditch, lateral or drain designated on the LDSDP Community Acequia System Map, (see page 58).

E. Parking Requirements.

Off-street parking for all uses must be provided in accordance with the regulations set forth in the Offstreet Parking, Loading and Unloading Regulations Sections of the Zoning Code.

F. Design Standards and Provisions for Perimeter Walls and Fences.

The purpose of the design standards is to provide a cohesive approach to perimeter walls and fences within Los Duranes that will support the community's goal of maintaining the open, rural character of the neighborhood. Since the majority of land within the County portion of Los Duranes is zoned A-1 and consists of large lots, having open walls, fencing or combination thereof at the perimeter of the lot is desirable. Recognizing that most property owners want to maintain some privacy on their property, the proposed standards are intended to allow a portion of the lot to have solid, opaque walls or fencing. The following standards are intended to support these community goals.

1. Standards

- a. Open fencing is permitted at the front, rear, or side property line within all required setback areas, along all property lines and within all required yards. The maximum height for open perimeter fencing is 6 feet as measured from lowest adjacent grade.
- b. Solid walls or solid fences shall not exceed three feet in height as measured from lowest adjacent grade at within the required front, rear, or side property lines yards. Open fencing, up to an additional 3 feet in height, may be attached to the top of the opaque solid wall or solid fence, for a total combined fenced height of 6 feet, except as limited below:
 - (1) Solid opaque walls or fences with a maximum height of 6 feet as measured from lowest adjacent grade are permitted to enclose up to 30% of the gross site area of the lot, as long as provided they are not located within 20 feet of the front property line of the subject site.
- c. Razor ribbon, barbed wire, or similar materials are prohibited.

Section 3. SD-LD R-1 Single Family Residential Zone

- A. The regulations set forth in this section or set forth elsewhere in this ordinance, or in the County Zoning Ordinance, when referred to in this section, are the regulations in the SD-LD R-1 Residential Zone. The purpose of this zone is to provide for the development of single-family homes on lots, to preserve the scenic and rural character of the Los Duranes Neighborhood, to provide consolidated open space and agricultural lands and to recognize the desirability of carrying on compatible agricultural operations and home developments in areas near the fringes of urban development. The regulations provide for the health, safety and welfare of the residents.
- B. Use Regulations. A building or premises shall be used only for the following purposes, all uses customarily incidental to the building or premises shall be maintained on site:
 - 1. Permissive Uses: Uses permissive in the R-1 zone in the Zoning Code.
 - Conditional Uses.

The following uses may be permitted if approved by the Zoning Administrator in accordance with the procedures and under the conditions set out in the Administrative Section of the County Zone Ordinance with additional requirements deemed necessary to safeguard the best interest of the adjoining property, neighborhood and the community.

- a. Uses conditional in the R-1 Zone in the Zoning Code
- b. SD- LD Clustered Housing & Conservation Subdivision.

Provisions and standards for the development of clustered housing in conjunction with consolidated open space and/or agricultural land on sites with 2 acres or more. Replaces the existing Clustered Density Guidelines for Open Space and Lot Size from the Rank II North Valley Area Plan. The purpose is to provide as a conditional use, an alternative clustered housing development option for the SD-LD A-1 and R-1 zoning districts. The intent of the SD-LD Clustered Housing & Conservation Subdivision is to support following community goals:

- Support clustered housing and family compounds as a way of continuing historic land use patterns that maintain open space and accommodate diverse household incomes and lifestyles.
- Promote the conservation and use of irrigated agricultural land and open space.
- Maintain the semi-rural neighborhood character through residential development that is consistent in scale and massing with the neighborhood.
 - (1) Design Regulations. Minimum site size: Two acres

- (2) Density:
 - (a) 2.5 units per acre with min 50% set aside of gross area for Consolidated Open Space (COS) or Agricultural Lands (AL)
 - (b) 3 units per acre with min 70% set aside of gross area for Consolidated Open Space (COS) or Agricultural Lands (AL)
- (3) The development shall provide each lot with satisfactory access to an existing dedicated street by means of a dedicated street.
- (4) Consolidated Open Space or Agricultural Land:

Land used for streets, parking and private yards may not be counted as part of the COS or AL. No buildings or structures are permitted in the COS or AL except corrals and maximum 200 s.f. shed necessary for the maintenance of the area. Underground and above ground utility easements and land accommodating ditches drains or laterals can be counted as part of the COS or AL.

(a) Size:

Minimum size is based on proposed density:

D.U.s per acre	COS or AL
2.5 units	50% of total site
3 units	70% of total site

- (b) The COS or AL shall be composed of a single consolidated tract.
- (c) All areas counted as COS or AL shall have a minimum width and length of 35 feet.
- (d) Location:
 - (i) If property abuts a ditch, lateral or drain designated on the LDSDP Community Acequia System Map, (see page 58), the consolidated Open Space or Agricultural Land shall be located adjacent to the waterway
 - (ii) The COS or AL may be located in a plazuela compound provided no street goes through the plazuela area.
- (5) Consolidated Buildable Area:

- (a) Attached and detached single family homes allowed.
- (b) Calculation of Size of Area:

Area remaining after COP or AL has been identified:

D.U.s per acre	COS or AL	Buildable Area
2.5 units	50% of total site	50% of total site
3 units	70% of total site	30% of total site

- (c) Shared driveways, parking and access are permitted.
- (d) Permeable surfaces are permitted.
- (e) There shall be no minimum setback for structures with the following exceptions:
 - (i) A minimum 10 ft set back from perimeter boundary of proposed clustered housing development.
 - (ii) A minimum 10 ft set back from perimeter boundary of proposed clustered housing development abutting public right-of-way.
- (6) Consolidated Open Space or Agricultural Land Set Aside

Consolidated Open Space or Agricultural Land must be set aside by the developer through an easement or separate parcel conveyed to a homeowners association or other legal entity responsible for its maintenance. The easement or plat will specify the responsibilities of the party or parties who will maintain easement or open space parcel. In no case will the County have responsibility for maintenance of privately owned consolidated open space or agricultural land.

(7) Process for requesting a SD-LD Clustered Housing & Conservation Subdivision

A request for a Clustered Housing & Conservation Subdivision use shall be as a conditional use for properties in the SD-LD A-1 or SD-LD R-1 zones. The process for application shall follow the provisions of the Zoning Ordinance.

c. SD-LD Secondary Dwelling Unit.

Provisions and standards for the development of a secondary unit in conjunction with consolidated open space and/or agricultural land on single lots with 1 or more acres.

The purpose of the SD-LD Secondary Dwelling Unit use is to provide incentives for consolidated open space and agricultural land on single lots with one acre or more by permitting as a conditional use, a secondary dwelling unit for properties in the SD-LD A-1 and R-1 zoning districts. The intent of the SD-LD Secondary Dwelling Unit is to support the following community goals:

- Support clustered housing and family compounds as a way of continuing historic land use patterns that maintain open space and accommodate diverse household incomes and lifestyles.
- Promote the conservation and use of irrigated agricultural land and open space.
- Maintain the semi-rural neighborhood character through residential development that is consistent in scale and massing with the neighborhood.
 - (1) Design regulations. Minimum lot size: 1 acre
 - (2) Density:
 - (a) 1 primary unit plus 1 secondary dwelling unit per acre with minimum 70% set aside of gross area for Consolidated Open Space or Agricultural Lands
 - (b) Accessory Living Quarters are prohibited
 - (c) Subdivision of site is prohibited.
 - (3) Consolidated Open Space or Agricultural Land:

Land used for streets, parking and private yards may not be counted as part of the COS or AL. No buildings or structures are permitted in the COS or AL except those necessary for the operation and maintenance of the area. Underground and above ground utility easements and land accommodating ditches drains or laterals can be counted as part of the COS or AL.

- (a) Minimum Size:
 - (i) 70% of total lot
 - (ii) COS or AL shall have a minimum width and length of 35 feet

(b) Location:

If property abuts a drain, lateral or ditch designated on the LDSDP Community Acequia System Map, (see page 58), the consolidated Open Space or Agricultural Land shall be located adjacent to the waterway.

- (4) Consolidated Buildable Area:
 - (a) Size:

Area remaining after COS or AL has been identified (maximum of 30% of total lot)

- (b) Density:
 - (i) 1 single family home (primary unit)
 - (ii) 1 secondary dwelling unit permitted with the following standards:
 - (iii) Size: Maximum unit size up to 50% of the primary unit, not to exceed 1,000 s.f. floor area
 - (iv) Attached or detached
 - (v) May be located in front of primary unit
- (c) Parking:
 - (i) 2 spaces primary dwelling unit
 - (ii) 1 space for secondary dwelling unit
 - (iii) Shared driveways, parking and access are permitted.
 - (iv) Permeable surfaces are permitted.
- (d) Setbacks: There shall be no minimum setback for structures with the following exceptions:
 - (i) A minimum 10 ft set back from perimeter boundary of lot.
 - (ii) A minimum 10 ft set back from perimeter boundary of lot abutting public right-of way.

(iii) Setbacks from the Community Acequia System:

All structures must be set back a minimum of 15 feet from the centerline of any ditch, lateral or drain designated on the LDSDP Community Acequia System Map, (see page 58).

- (iv) Minimum setbacks between structures as required by building code.
- (v) Maximum setback is 12 ft between residential structures. A variance may be requested if mature vegetation prevents meeting this requirement.
- (5) Consolidated Open Space or Agricultural Land Set Aside

Consolidated Open Space or Agricultural Land must be set aside by the developer through an easement conveyed to a homeowners association or other legal entity responsible for its maintenance. The easement or plat will specify the responsibilities of the party or parties who will maintain the easement or open space parcel. In no case will the County have responsibility for maintenance or privately owned consolidated open space or agricultural land.

(6) Process for requesting a SD-LD Secondary Dwelling Unit.

A request for a secondary dwelling unit use shall be as a conditional use for properties in the SD-LD A-1 or SD-LD R-1 zones. The process for application shall follow the provisions of the Zoning Ordinance.

- C. Height Regulations. Buildings and structures to 16 feet are permitted. Building and Structure height up to 26 feet are permitted with the following conditions:
 - 1. Minimum 6' step-back from ground floor front façade of unit.
 - 2. Minimum 6' step-back from ground floor frontage abutting public right-of way.
 - 3. Second story area limited to 65% of ground floor foot print.
 - 4. As provided in the Supplementary Height and Area Regulation Section of the Zoning Ordinance.

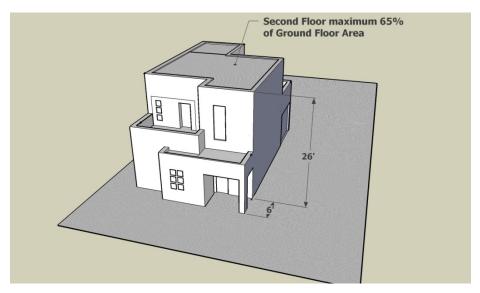


Figure D- Height and step-back provisions; flat roof

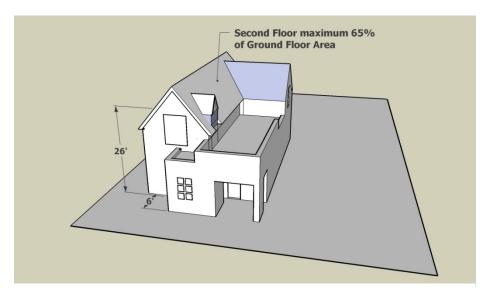


Figure C- Height and step-back provisions; sloped roof

D. Area Regulations.

- 1. Minimum Lot Area and Lot Width. Minimum lot area and lot width as provided by R-1 zone in the Zoning Ordinance
- 2. Building Setbacks. Front yard, side yard and rear yard setbacks shall be the same as provided by R-1 zone of the Zoning Ordinance.

3. Building setbacks from Community Acequia System.

All structures must be set back a minimum of 15 feet from the centerline of any ditch, lateral or drain designated on the LDSDP Community Acequia System Map, (see page 58).

- E. Parking Requirements. Off-street parking for all uses must be provided in accordance with the regulations set forth in the Off-street Parking, Loading and Unloading Regulations Section of the County Zoning Ordinance.
- F. Design Regulations and Guidelines for Perimeter Walls and Fences.

The purpose of the design standards is to provide a cohesive approach to perimeter walls and fences within Los Duranes that will support the community's goal of maintaining the open, rural character of the neighborhood. Since the majority of land within the County portion of Los Duranes is zoned A-1 and consists of large lots, having open walls, fencing or combination thereof at the perimeter of the lot is desirable. Recognizing that most property owners want to maintain some privacy on their property, the proposed standards are intended to allow a portion of the lot to have solid, opaque walls or fencing. The following standards are intended to support these community goals.

1. Standards

- a. Open fencing is permitted at the front, rear, or side property line within all required setback areas, along all property lines and within all required yards. The maximum height for open perimeter fencing is 6 feet as measured from lowest adjacent grade.
- b. Solid walls or solid fences shall not exceed three feet in height as measured from lowest adjacent grade at within the required front, rear, or side property lines yards. Open fencing, up to an additional 3 feet in height, may be attached to the top of the opaque solid wall or solid fence, for a total combined fenced height of 6 feet, except as limited below:
 - (1) Solid opaque walls or fences with a maximum height of 6 feet as measured from lowest adjacent grade are permitted to enclose up to 30% of the gross site area of the lot, as long as provided they are not located within 20 feet of the front property line of the subject site.
- c. Razor ribbon, barbed wire, or similar materials are prohibited.