



SECTOR DEVELOPMENT PLAN

Final Draft



Mayor Martin J. Chávez

July 2008

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Chapter I. INTRODUCTION and PURPOSE

The Uptown Area is located in the northeast quadrant of Albuquerque, approximately 6.5 miles from Downtown Albuquerque. The Uptown Sector Development Plan area covers approximately 460 acres and includes three regional retail centers: Winrock Center, Coronado Mall and ABQ Uptown. These three centers provide the primary retail focus for the area. In addition, Uptown is home to Albuquerque Public Schools' Administrative Offices and the majority of New Mexico's financial, investment and brokerage firms. Uptown contains 1.82 million square feet of office space, which in 2007 was 14.62% of Albuquerque's total office space. This Area provides a major source of employment for Albuquerque and surrounding areas with over 11,000 jobs, as of 2004 and the highest concentration of office uses outside of Downtown. The primary transportation routes for Uptown are Interstate 40, Louisiana Boulevard and Menaul Boulevard.

Many of the goals and strategies in the 1981 and 1995 Uptown Sector Development Plans were achieved. National air quality standards have been met and traffic congestion was improved by the construction of the I-40, Louisiana Boulevard interchange. However, prior Sector Plans limited the opportunities needed for continued economic growth, infill and redevelopment in the Uptown Area. New guidelines were needed if Uptown was to continue as a strong economic engine for the whole State.

In 2007/2008, the Uptown property owners, City Planning, City Council, Uptown Progress Team and OTAK, Inc. a Planning/Architecture/ Engineering firm worked together to write the new Uptown Sector Development Plan. Input from public meetings also helped to shape the new USDP. Problems were identified and solutions were provided. OTAK designed an exciting plan of Public Connectivity Infrastructure to enhance Uptown aesthetics; improve mobility for pedestrians and bicyclists; provide opportunities for Community Activities; and the OTAK Plan identified several actions necessary to help Uptown evolve into an exciting, cohesive, economically viable area. The Public Connectivity Infrastructure plan generated enthusiasm from both the business owners and the surrounding neighborhoods.

Unfortunately, the level of infrastructure presented in the OTAK plan is prohibitively expensive without Public/Private Partnership funding. This Uptown Sector Development Plan sets forth two different standards of regulations for the Uptown Area. Chapter IV and Chapter V describe the requirements and regulations for all New Construction and Redevelopment for properties that are not participating in Public/Private Partnership funding. Chapter VI presents a framework for the Public Connectivity Infrastructure which would undoubtedly create the "Ideal" Uptown if Public/Private funding is available. The enhanced requirements in Chapter VI are justified and reflect the obligation created by the use of funds from a Public/Private Partnership. These funds must support the public purpose of generating new employment opportunities, increasing revenues, and raising the quality of life standards.

The purpose of this Plan is to encourage and facilitate infill redevelopment of Uptown as both an economically and environmentally sustainable, business and pedestrian-friendly area where people can **live, work and play**. This Plan is the guiding document that unites the Uptown Area as a cohesive, definable, dynamic area. New Construction, Redevelopment and the use of Public/Private Partnerships will build new infrastructure and amenities that define Uptown as **the place to be**.

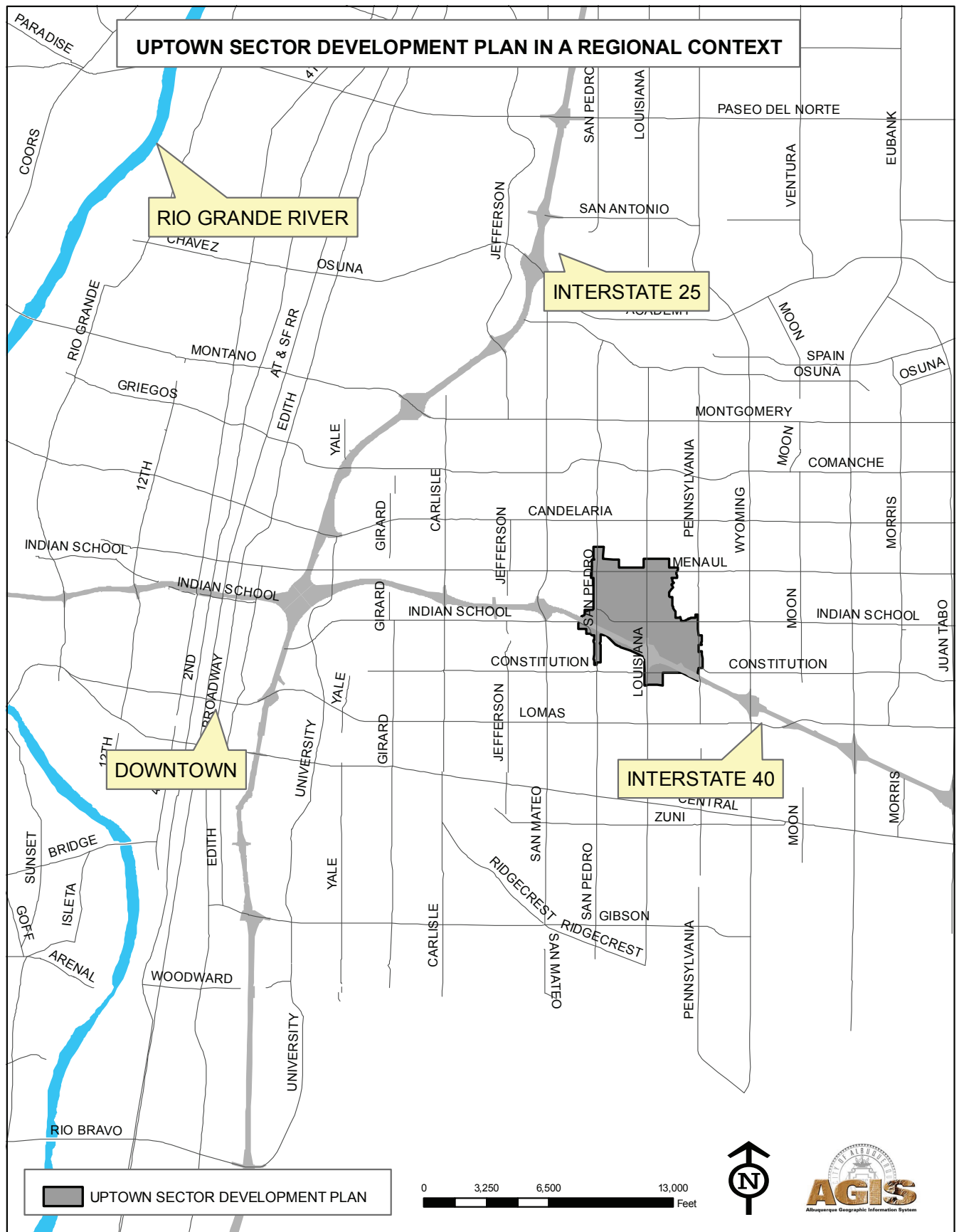
The basic goal of the Uptown Sector Development Plan is to ensure Uptown thrives economically, generates increased revenues for the City and the State, provides exciting opportunities for the public

and creates an attractive built environment for everyone to enjoy. With the passage of this Sector Development Plan, the future of Uptown has never been brighter.

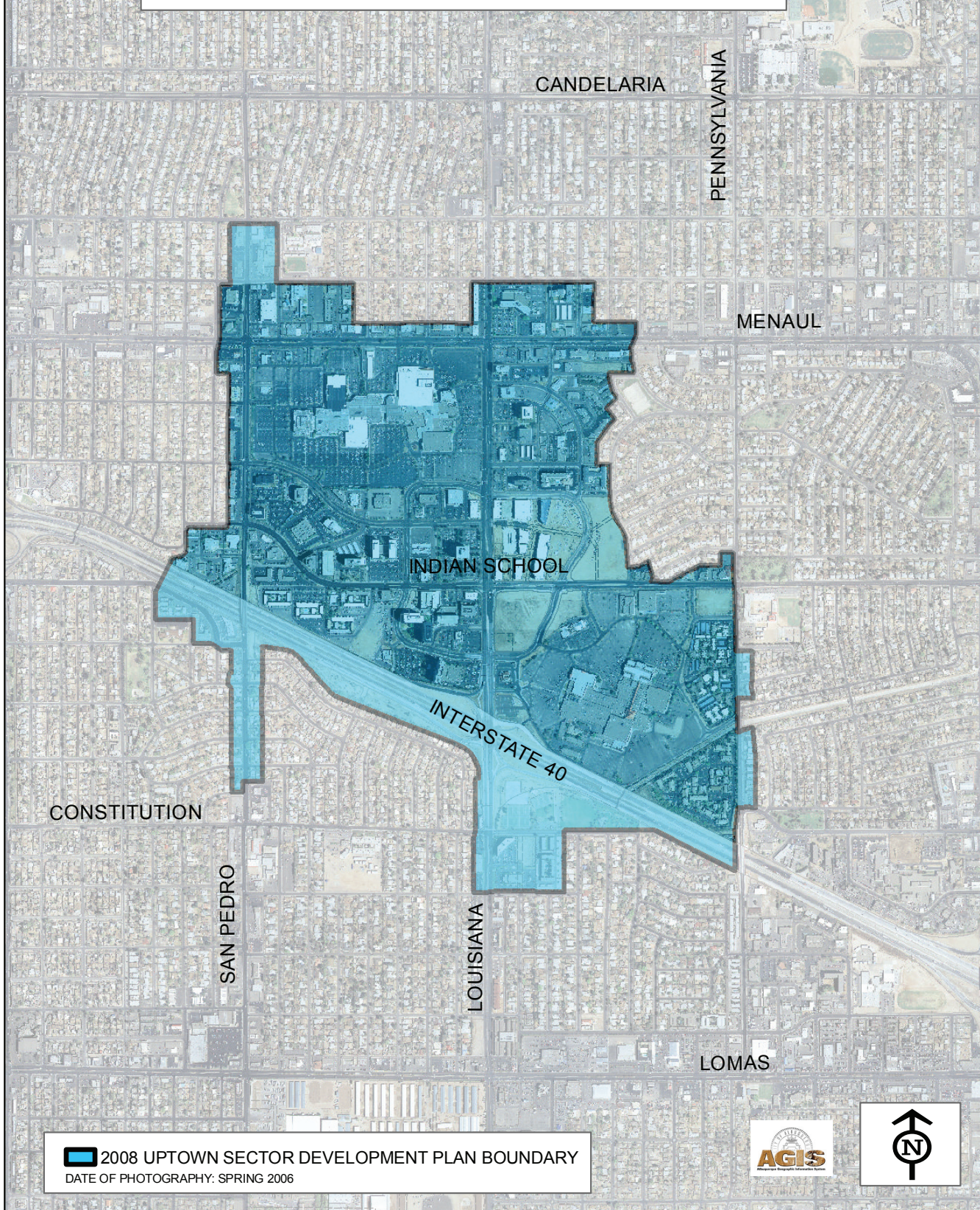
There is another broad public purpose served by investing and revitalizing Uptown. New Walkways, Bikeways, Open Space, a Wayfinding System, transit facilities and Parking Structures create a reinvigorated Mixed-Use area which can help stave off the blight that is so often found in the aging parts of all cities.

The 2008 Uptown Sector Development Plan was developed to reflect predictable, workable regulations and requirements that will be relevant for decades to come. The revisions to the Uptown Sector Development Plan are consistent with the Albuquerque Bernalillo County Comprehensive Plan's Major Activity Centers.

The 1995 Uptown Sector Development Plan was repealed with the adoption of this plan.



2008 UPTOWN SECTOR DEVELOPMENT PLAN BOUNDARIES



Chapter II DEFINITIONS

The following definitions are not merely advisory but are intended as integral to the understanding and interpretation of the Uptown Sector Development Plan. These definitions shall apply in all cases unless the context clearly indicates or requires a different meaning and in such cases every effort shall be made to maintain the intent of the definition. Words used in present tense include the future tense, words in the plural number include the singular number, words in the singular number include the plural number, and the masculine gender includes the feminine gender. The words “shall” and “will” and “must” are mandatory and “may” and “should” are permissive.

Words that are defined in this section will be capitalized throughout this document to remind the reader that there is a specific meaning that could be unique to this document.

Accessory Building: A non-residential Building detached from and smaller than the main Building on the same lot; the use of an Accessory Building shall be appropriate, subordinate, and customarily incidental to the main use of the lot (e.g. garage, shed, gazebo).

Addition: The enlargement, expansion, rebuild, reconfiguration, redevelopment, remodel and/or renovation by 10% or more of the total square footage of an existing Building or an individual Establishment, if the Building is part of a Mall.

Adequate Parking: Parking in a sufficient amount to meet the needs of a particular business or Establishment and in an amount to ensure that no situation shall arise that would create over flow parking into the surrounding residential neighborhoods that are not within the Uptown Sector Development Plan Area.

Adult Amusement Establishment: An establishment such as an auditorium, bar, cabaret, concert hall, nightclub, restaurant, theater, or other commercial Establishment that provides amusement or entertainment featuring one or more of the following:

1. A live performance, act or escort service distinguished or characterized by an emphasis on the depiction, description, exposure, or representation of specified anatomical areas as specified in 14-16-1-5 under “Specified Anatomical Areas” or the conduct or simulation of specified sexual activities; or
2. Audio or video displays, computer displays, films, motion pictures, slides or other visual representations or recordings characterized or distinguished by an emphasis on the depiction, description, exposure or representation of specified anatomical areas as defined in 14-16-1-5 under “Specified Anatomical Areas” or the conduct or simulation of specified sexual activities.

Alley: A thoroughfare designated by the City as public Right-of-Way, which affords a secondary means of access to an abutting property.

Amphitheater: An outdoor open air area or structure having tiers of seats, benches or berms with less than 1,000 seats in number, suitable for small performances.

Arena or Stadium: A large space for athletic games or performance events, partly or completely surrounded by tiers of seats for more than 1,000 spectators.

Articulation: A means of breaking up large expanses of blank wall both horizontally and vertically by adding changes in relief, alternating building materials and the placement of windows, portals and other external features.

Bicycle Circulation System (BCS): Uptown infrastructure consisting of bicycle lanes, routes and trails connected and enhanced in order to safeguard and encourage bicycle travel throughout the Uptown Area. The Bicycle Circulation System (BCS) is an element of the Uptown Public Connectivity Infrastructure.

Bikeway: Any bicycle lane, bicycle route and/or bicycle trail.

Building: Any Structure having a roof supported by columns or walls and intended for interior uses, in the case of a mall, a Building is that space utilized by one business or Establishment and does not include all of the businesses within the Mall. Buildings may be attached or detached from one another.

Business Improvement District (BID): A type of assessment district in which property owners and/or business owners choose to be assessed a fee, collected on their behalf by the City, for use in promoting, maintaining and improving a specific business area. For the purpose of this Uptown Sector Development Plan the recognized Neighbor Association, the Uptown Progress Team, will administer BID funds through a separate agreement with the City of Albuquerque.

Busker: A person engaging in the act of reciting, singing, acting, dancing, miming, pantomiming, playing a musical instrument or performing a theatrical or literary work outside of a Building or within the open space of a Mall or on a plaza or public space.

Caliper: The diameter of a tree trunk, six inches above grade on trees up to four inches caliper and 54 inches above grade on trees greater than four inches caliper.

Community Activities: Public festivals, marketplace activities, shows or gatherings for community arts, cultural, agricultural or recreational activities.

Development Process Manual: An administrative and design standard for public and private infrastructure. It regulates provisions such as curb, gutter, Walkways, refuse pick-up locations, street design, among many other requirements during the processing of development proposals in the City's jurisdiction.

Drive-In Restaurant: A Building and adjoining parking area used for the purpose of furnishing food, soft drinks, ice cream, and similar confections to the public normally for consumption outside the confines of the principal permitted Building, or in vehicles parked upon the Premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside for the patrons. Services are affected principally while patrons remain in their vehicles. Drive-in Restaurants are a Prohibited Use in this Uptown Sector Development Plan.

Drive-Up Service Window: A Building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service.

Entitlement: An approved City action that gives legal rights to a property owner for certain zoning, Site Development Plan or subdivision.

Establishment: A place of business for a single user where business is conducted or services are performed. In the case of a Mall, an Establishment is that space that is used by one business and does not include all of the businesses within the Mall.

Façade: Any separate external face of a Building, including parapet walls and omitted wall lines. Where separate faces are oriented in the same direction, or in directions with 45 degrees of one another, they are to be considered as part of a single façade.

Floor Area Ratio (FAR): The total floor area of all Buildings on a Lot divided by the total area of the Lot.

$$\text{FAR} = \frac{\text{Total Building Floor Area}}{\text{Total Lot Area}}$$

Example: Far of 0.3 = $\frac{13,068 \text{ sq. ft. (Building Size)}}{43,560 \text{ sq. ft. (One Acre Lot)}}$

Goal: A statement describing a desired outcome or condition to be achieved. It does not require specific actions unless the mandatory words shall, will or must are specifically used in the statement of the Goal.

Gray Water or Water Reuse System: Commonly known as “purple pipe” systems whereby recycled or treated wastewater can be used for non-potable water uses such as landscape irrigation.

Helipad: Facility intended for the takeoff and/or landing of helicopters at a location other than an airport or other general aviation facility. For the purposes of this USDP a Helipad must be located at least 60 feet above ground level to be a Permissive Use otherwise it is a Prohibited Use.

Institutional Use: Public and public/private use of a nonprofit nature, typically engaged in public service such as houses of worship, nonprofit cultural centers, charitable organizations, libraries and museums.

Intent: A clarifying statement preceding a planning Goal that sets forth a broad desired outcome. A statement of Intent does not require specific actions unless the mandatory words shall, will or must are specifically used in the statement describing an intention.

Internal Street: Streets within a specific Site Development Plan. These streets may be public or private.

Kiosk: A free standing structure, typically having 2 or more sides, designed to provide information on various Uptown locations, pedestrian and bicycle directions, listings of Community Activities, Uptown Shuttle and Albuquerque Transit Schedules and other information helpful to Uptown visitors. Kiosks may be included as part of the Uptown Wayfinding System.

Landscape Area: The square footage of a Site that is required to be landscaped.

Landscape Buffer: That portion of the Setback area where landscaping is required in the form of plants, trees, fences, walls, berms, or any combination of these. Landscape Buffers are used to physically separate or screen one land use or piece of property from another and/or to provide a spatial separation between pedestrians and vehicular traffic.

Landscape Plan: The Plan that must be submitted to and approved by the Planning Director or his

designee before building permits are issued. The Landscape Plan will show the proposed and required landscape including the landscape details listed in Chapter V of the USDP for a particular Site.

Legal Nonconforming: A use or activity that was lawful prior to the adoption, revision or amendment of the zoning ordinance or Sector Plan, but that fails by reason of such adoption, revision or amendment to conform to the present requirement of the zone.

Local Street: A street such as Española or Cutler which is primarily for access to abutting properties. It carries relatively low traffic volumes.

Lot: A separate tract or parcel of land platted and placed in the County Clerk's record in accordance with laws and ordinances

Mall: A collection of retail, office or restaurant Establishments typically located along a pedestrian corridor or Walkway that can include multiple Buildings, attached on one or more sides.

Mixed-Use: Development of a site with two or more different uses such as, but not limited to, office, institutional, retail, residential, public, or entertainment uses.

Mixed-Use Zone (MU-UPT): The Mixed-Use Uptown Zone is a zone where a mixture of commercial, housing and civic uses including: retail, wholesale, restaurants, offices, hospitality and entertainment is allowable. These uses may be located on the same Site and may be contained in the same Building. There are no specific Mixed-Use requirements for each Site and single land use Sites are allowed.

Mixed-Use Buffer Zone or MU-UPT Buffer: The Mixed-Use Uptown Buffer Zone is a zone in the Uptown Area that abuts single family residential zoning not within the Uptown Area. The Buffer Zone is intended to provide a transition between the surrounding neighborhoods and the Uptown Area.

Mulch: A protective covering spread or left on the ground to reduce evaporation, maintain even soil temperature, and retain moisture. For purposes of the Uptown Sector Plan Mulch shall not include: glass, rubber, pavement or gravel.

Multi-Unit Premise: A group of separate Buildings operating under a common name or management; a single Building containing multiple uses where there are specific exterior entrance ways for individual uses; or a group of uses on separate but adjoining properties that request treatment as a multi-use complex (used in reference to garage sales).

Neighborhood Association: An association recognized by the City of Albuquerque Office of Neighborhood Coordination whose members are residents and/or property owners from a defined area.

New Construction: A project in which an entirely new facility is built from the ground up.

Nonconforming: See "Legally Nonconforming".

Notification: For the purpose of this USDP, Notification is the requirement of a Site Development Plan applicant to notify two duly authorized representatives of any properly registered and recognized City Neighborhood Association in or contiguous to the project Site.

Off Premise Sign: A sign, the content of which does not refer to a business or merchant doing business on the Premise where the sign is displayed.

Off-Street Parking: An area used for temporary parking that is not on a street.

On-Street Parking: An area for temporary parking, within a street Right-of-Way.

Open Space: Land open to the public that does not contain Buildings and is required as a counterbalance to the built environment. For the purpose of this Uptown Sector Development Plan, Open Space may be any combination of Pedestrian Plazas, landscaped areas, parks or other recreation features that are open to and easily accessed by the public.

Parcel: A part or portion of land. A Lot.

Park and Ride - Joint Use: Provision of parking for transit customers in an area which has off-street parking, which dual use is agreed to by the transit department and the person in control of the property; the joint use is utilized for more than 30 consecutive days.

Park and Ride - Temporary: The temporary provision of parking for transit customers using service provided by the municipal transit agency in conjunction with a temporary civic use, including but not limited to the New Mexico State Fair and the International Balloon Fiesta. Other temporary civic uses shall have a demonstrable public purpose and shall require the approval of the Mayor. Use of the facility shall not exceed 45 days in a calendar year. The use may include a ticket booth, portable restrooms, lighting, concession stand, and barriers contributing to traffic management. Approval of a traffic management plan shall be required.

Park Once: For the purpose of the Uptown Sector Development Plan “Park Once” is a behavior typified by parking one’s car at a single location, possibly a Parking Structure, and accessing several other locations by other means such as a Walkway or an Uptown Shuttle. “Park Once” is a behavior that is encouraged in the Uptown Area in order to lessen traffic and conserve fuel.

Parking Basin: Areas within the USDP that have been designated for a minimum of one Parking Structure predicated upon a funding source being available. Parking Basins are included in Public Connectivity Infrastructure.

Parking Lot: An area of ground level surface parking used for temporary parking of personal vehicles, providing four or more parking spaces, not within the Public Right-of-Way. Parking Lot landscape requirements are listed in Chapter V of this USDP.

Parking Structure: Uptown infrastructure that includes parking spaces and adjacent access drives, aisles, and ramps that are located in a structure with two or more levels, above or below ground. There are specific Design Regulations in Chapter V that apply to Parking Structures. Parking Structures are included in Public Connectivity Infrastructure (PCI).

Pedestrian Circulation System (PCS): Uptown infrastructure consisting of additional Walkways, and Pedestrian Plazas, designed to connect the entire Uptown Area with pedestrian features intended to make walking in Uptown a safer more enjoyable experience. The Pedestrian Circulation System (PCS) allows pedestrians to access all major Uptown uses; offices, businesses, restaurants and entertainment venues. The Pedestrian Circulation System is included in Public Connectivity Infrastructure.

Pedestrian Plaza: An outdoor space open to and easily accessible by the public that contains seating, landscaping, shade or other amenities such as water features and/or art. Pedestrian Plazas are typically privately owned and maintained but for the purpose of this Plan, Pedestrian Plazas may also be publicly owned and publicly or privately maintained. Design Regulations for Pedestrian Plazas are included in Chapter V of this Plan. Pedestrian Plazas are an enhancing element of the Pedestrian Circulation System.

Pedestrian-Scale Lighting: Lighting typically positioned over a Walkway rather than a street. Lighting scaled to the pedestrian is usually limited in height to 16-foot poles and incorporates decorative features or design detail.

Permeable Pavement: Hardscape material used as a means of allowing water to penetrate beneath the pavement for the health of planted materials e.g. paving stones, permeable asphalt, or permeable concrete.

Permeable Surface: A surface which allows water to penetrate through the surface. Examples: bare soil, grass, natural stone, or gravel without plastic sheeting underneath, permeable paving, wood mulch, cobbles etc.

Permissive Use: Any use which is established as lawful in a particular Zone, provided the use conforms with all the requirements applicable to that Zone. For the purpose of the Uptown Sector Development Plan, Permissive Uses allowed in the SU-3 for MU-UPT Zone and/or the SU-3 for MU-UPT Buffer Zone are listed in Chapter IV of this Uptown Sector Development Plan.

Planting Strip: An area intended to be landscaped located behind the back of the street curb and in front of the Walkway;

Premise: Any Lot or combination of contiguous Lots held in single ownership or managed as one Site, together with the development thereon; there may be multiple occupancy.

Prohibited Use: Any use not allowed in a zoning district. For the purpose of the Uptown Sector Development Plan, Prohibited Uses are not allowed in the SU-3 for MU-UPT Zone or the SU-3 for MU-UPT Buffer Zone. Prohibited Uses are listed in Chapter IV of this Uptown Sector Development Plan.

Public Connectivity Infrastructure: New Uptown infrastructure designed to foster the redevelopment of the Uptown Area into a cohesive, environmentally conscience, economically vibrant area. Public Connectivity Infrastructure includes, but is not limited to, Parking Structures, streets, Walkways, Pedestrian Plazas, Uptown Shuttles, civic spaces, a Wayfinding System, and Bikeways.

Public/Private Partnerships: Partnerships between the public sector and the private sector for the purpose of financing and constructing infrastructure for the public purpose.

Public Right-of-Way: see Right-of-Way

Public Utility Structure: A structure associated with a natural gas, electric, water, wastewater or drainage function such as a water well or pump facility.

Purple Pipe System: A water reuse system whereby recycled or treated wastewater can be used for non-potable water uses such as landscape irrigation.

Reconfiguration: An improvement to the exterior of a Building that changes the shape or size of the Building.

Recreational Vehicle: A vehicle not exceeding 40 feet in body length, eight feet in width, or 11 feet in overall height, primarily designed as a temporary living quarters for recreational, camping, or travel use; it either has its own motive power or is designed to be mounted on or drawn by an automotive vehicle. Recreational Vehicle includes motor home, truck camper, travel trailer, and camping trailer.

Redevelopment: Construction other than New Construction that could be described as conversion, structural alteration, relocation, rebuild, Addition, Reconfiguration, Remodel or Renovation.

Remodel: Any improvement to the exterior or interior of a Building that requires a permit and that is not a structural alteration, New Construction or addition.

Renovation: The repair, preservation, and/or improvement of a substandard structure or outdated structure or to accommodate a new use.

Rideshare or carpool: The cooperative effort between two or more people to travel together, usually to and from work.

Right-of-Way: The area of land acquired by the city, county, or state primarily for the use of the public for the movement of people, goods, and vehicles. Usually the location for utility lines, Walkways, Planting Strips, curbs, lighting, drainage facilities, and other landscape amenities.

Salvage Yard: Any location whose primary use is where wasted or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled or handled, including but not limited to materials such as scrap metals, paper, rags, tires and bottles. For the purpose of this USDP a Salvage Yard is a Prohibited Use.

Setback: The shortest allowable distance between a structure and a lot line. For the purpose of the Uptown Sector Development Plan a Setback is a regulated distance between a Building and the property line.

Shade Tree: Deciduous trees capable of reaching a mature canopy diameter of at least 25 to 40 feet and a mature height of 30 to 40 feet.

Shared Parking: A public or private parking area used jointly by two or more uses or owners.

Shared Parking Agreement: A legally binding agreement duly executed by all owners of record acknowledging the intent to share required parking between properties with uses conducive to sharing parking. Such agreement shall address the issue of how parking will be shared and what will happen if the parties change their operating hours and peak business periods. Such written agreement shall be recorded by the applicant with the Bernalillo County Recorder's Office prior to the issuance of a building permit or certificate of occupancy and a copy filed in the project review file.

Sidewalk or Walkway: That portion of the Public Right-of-Way which is primarily devoted to pedestrian use. For the purpose of the Uptown Sector Development Plan, sidewalks are referred to as Walkways and must meet the Design Regulations in Chapter V of this USDP.

Signature Tree: Trees intended as a unifying feature for the Uptown Area. Signature Trees are trees with a very noticeable flowering presence in spring. Acceptable Signature Trees are listed in Chapter V. Design Regulations.

Site: An area governed by a Site Development Plan that can include one or more Lots.

Site Development Plan: A plan (to scale) showing uses and structures proposed for a parcel of land as required by the regulations involved.

Special Events Permit: A permit issued by the City of Albuquerque that allows the permit holder to do something that is outside the scope of the normal use for a property.

Stadium or Arena: A large space for athletic games or performance events, surrounded by tiers of seats for more than 1,000 spectators.

Staging Yard: Temporary construction storage for equipment, material or activity incidental to a specific construction project.

Stepback: An indentation on a Façade, adjacent to the street for the purpose of eliminating the “canyon effect” of the Building. The upper portion of a Building, such as a ledge, that is offset in comparison to the lower portion of the Building. For the purposes of this USDP a Stepback may occur at any height but the Building can go no taller than 48 feet without a Stepback. The minimum depth of a Stepback is 12 feet.

Storage: A space or place where goods, materials, or personal property is placed and kept for more than 24 consecutive hours.

Street Tree: Required trees that are planted along the sides of all streets including Internal and Local streets and along Walkways that are not shaded by trees planted along the street.. For the purpose of this USDP, 50% of all trees planted shall be Uptown Signature Trees which are flowering trees chosen from the flowering tree list provided in Chapter V and 50% shall be Shade Trees as defined in this USDP.

Structure: Anything constructed or erected above ground level which requires location on the ground or attached to something having a location on the ground.

Suite Liner or Wrap: An Establishment connected to and extending from the front or side of a Parking Structure, for the purpose of screening and creating street level commercial activity.

Surface Parking: A ground level parking area for motor vehicles where there is no gross Building area or roof above it.

Tax Increment: A piece or portion of future gains of taxes used to finance the current improvements used to create those gains.

Tax Increment Allotment: The allocation or amount of Tax Increment designated to specific districts or uses or debt service.

Tax Increment Development District (TIDD): A Tax Increment Development District (TIDD) is the geographic area where the Tax Increment is generated and allocated.

Tree Well: The basin where the root ball of the tree is planted. A tree well shall be a minimum of one and one half times as deep as the root ball and twice as wide as the root ball. The bottom of the tree well should be convex and a minimum of four inches of mulch should be placed on the top of the well.

Trailer: A vehicle without motive power, designed so that it can be drawn by a motor vehicle, to be used for the carrying of persons or property or as a human habitation. However, a structure which meets the requirements of the Building Code of the city in all ways, including foundation, is not a trailer, whether or not it was once a vehicle.

Uptown Area: The area of Uptown as defined by the Uptown Sector Development Plan and zoned either SU-3 for MU-UPT or SU-3 for MU-UPT Buffer.

Uptown Sector Development Plan (USDP): The guiding document that governs New Construction and Redevelopment within the Uptown Area boundaries.

Uptown Walkabout: Walkways throughout Uptown that are designed to encourage walking or jogging throughout the entire Uptown Area.

Walkways: That portion of the Public Right-of-Way which is primarily devoted to pedestrian use. For the purpose of the USDP, sidewalks are referred to as Walkways. Walkways must follow the Design Regulations in Chapter V. Additional Walkways are also included in the Public Connectivity Infrastructure.

Water Harvesting: A water conservation method used to capture, divert, and/or store rainwater for plant irrigation and other uses. A simple system usually consists of an area to catch water such as a cistern or a “catchment area” and a means to distribute water using gravity. Water is directed to landscape holding areas, concave or planted areas with “edges” to retain water, which can be used immediately by nearby plants.

Wayfinding System: A system of signage, Kiosks and other tools to guide drivers, pedestrians and bicyclists through Uptown. The use of creative, consistent Wayfinding tools gives Uptown a unique, enhanced and memorable identity by creating a strong “sense of place”. The Wayfinding System is a unifying element of the Public Connectivity Infrastructure.

Wrap or Suite Liner: An Establishment connected to and extending from the front or side of a Parking Structure, for the purpose of screening and creating street level commercial activity.

Chapter III. INTENT and GOALS

A. Zoning

The intent of this Plan is to create two new zones for the entire Uptown Area. The new zoning throughout the Uptown Area is a less prescriptive, more flexible Mixed-Use Zone with an expedited approval process for Site Development Plans that meet the requirements set forth in this Plan.

Zoning goals of this Plan include:

1. Creating new Mixed-Use Zoning that promotes integrated, economically viable and sustainable land uses that include commercial, civic, office, restaurant, hotel, housing and entertainment.
2. Protecting existing neighborhoods by maintaining the Buffer Zone protections from the 1995 USDP with regards to setbacks and height restrictions between Uptown Mixed-Use and existing single family residential not within the Uptown Area. Enhance protections by including schools and parks with the R-I zoning.
3. Encourage desired New Construction and Redevelopment by allowing an expedited permit and Entitlement process for projects that support the purpose and meet the regulations of the Uptown Sector Development Plan.

B. Design Regulations

The intent of the Design Regulations in the Uptown Sector Development Plan is to create a unique, quality environment with signature features that unify the Uptown Area for the enjoyment of everyone who comes to the Uptown Area.

The Design Regulation goals of this Plan include:

1. Enhancement of the aesthetic conditions of the Uptown area
2. Requirement of architectural design and building materials that create quality buildings to stand the test of time. Buildings that are attractive on all visible sides and welcoming to visitors and residents.
3. Creating a “sense of place” through good Design Regulations that include the placement of 10 foot Walkways for connectivity within the Uptown Area, enhanced landscaping, Wayfinding signage and public spaces throughout the entire Uptown Area. All Site Development Plans will clearly demonstrate the interconnectivity from each site to the rest of the Uptown Area.
4. Designing and requiring Open Space with increased landscaping in order to ensure the public a pleasant experience within the built environment. Landscaping is a tool for visually unifying the Uptown Area. Flowering trees are a Signature design element in Uptown.

5. Take advantage of views to the Sandia Mountains or to other exciting elements within Uptown when designing public places such as Pedestrian Plazas, Walkways and outdoor dining spaces.

C. Pedestrians

The intent of this Plan is to make the Uptown Area a safe and enjoyable place to walk. There is a focus on creating a very special experience for pedestrians making Uptown a unique pedestrian destination. Many pedestrian amenities are required for Redevelopment and New Construction such as Open Space, enhanced landscaping and 10 foot wide Walkways.

The goals to achieve a safe and enhanced pedestrian environment include:

1. Facilitate pedestrian safety by allowing more mid-block signalized crossings of major streets and provide, wherever possible, areas of “safe haven” for pedestrians to use while crossing the streets in Uptown.

2. Encourage pedestrians to walk between sites in the Uptown Area by requiring New and Redevelopment construction to provide 10 foot wide Walkways with enhanced landscaping.

3. When designing New or Redevelopment construction, use overhangs, awnings, portals and landscaping to shelter pedestrians from extreme weather or intense sun. Consider wind conditions (both westerly and east canyon winds) when building entrances, Pedestrian Plazas and Walkways, etc. Where possible promote positive use of breezes and natural ventilation during the summer and protect pedestrians from cold fall or winter winds and gusting spring winds.

4. Design doorways and entries as inviting, easy to find and as an interesting part of the overall façade of the building.

5. Plan pedestrian scale activities such as street fairs, art shows, sidewalk sales, farmers markets or other events designed for people to enjoy on foot. Provide music and art to add to the excitement of being in Uptown.

6. Build the Pedestrian Circulation System (PCS) as described in Public Connectivity Infrastructure in Chapter VI of this Uptown Sector Plan. The PCS facilitates access to all parts of Uptown by connecting Walkways to Pedestrian Plazas, Parking Structures and other areas of interest created to excite people who are walking in Uptown. The complete Pedestrian Circulation System can only be achieved through Public/Private Partnership funding sources such as a TIDD and cannot be required without such funding.

D. Bicycle Circulation

The intention of the USDP is to encourage bicycling in the Uptown Area and to make it a more safe and enjoyable experience.

The goals to achieve a safe and enhanced environment for bicyclists include:

1. Encourage Uptown property/business owners to install bicycle racks and covered bicycle storage where possible and desirable.
2. Plan bicycle activities for all ages to entice bicyclists to the Uptown Area.
3. Build the Bicycle Circulation System (BCS) as described in Public Connectivity Infrastructure, Chapter VI of this Uptown Sector Development Plan. The additional enhancements described in the BCS can only be achieved through Public/Private Partnership funding sources such as a TIDD and cannot be required otherwise.

E. Parking

The intention of the USDP is to ensure Adequate Parking for the Uptown Area while being sensitive to the environmental goals of “Park Once” behavior. Adequate Parking is essential for the success of the Uptown Area developing into a dynamic Mixed-Use area.

A Public/Private Partnership funding source such as a TIDD would enable Parking Structures to be built throughout the Uptown Area eliminating the need for “a sea of parking”. Parking Structures are the solutions to many issues facing Uptown. However, the existing Surface Parking spaces in Uptown are allowed to remain and new Surface Parking may be built so long as all parking follows the Design Regulations set out in Chapter V. of the USDP. If Parking Structures are built they must also follow the Design Guidelines in Chapter V. and be located in accordance with the Public Connectivity Infrastructure, Chapter VI.

Parking solutions should reflect a realistic range of parking options and regulations. It is not the intent of this Plan to restrict parking in such a way as to make Uptown less marketable than other parts of the City.

The Parking goals include:

1. Eliminate maximum parking requirements.
2. Create parking regulations that allow for a market driven parking outcome, both in amount and location, but require a minimum standard for parking that will protect the residential areas outside the Uptown Area from any overflow parking.
3. Formulate a policy that will allow for shared parking between uses and across property lines throughout the Uptown Area.
4. Build Parking Structures as part of the new Public Connectivity Infrastructure, Chapter VI of this USDP. This goal cannot be achieved without funding provided by a Public/Private Partnership such as a TIDD or PID and cannot be required without that funding.

F. Transportation:

The intent of the USDP in regards to transportation is to create a safe environment for people to travel in and around the Uptown Area using various modes of transportation. It is important that everyone involved tries to mitigate traffic congestion and safeguard air quality. The Uptown Progress Team Neighborhood Association (UPTNA) through the formation of a Business Improvement District (BID) should be the force behind achieving many of the following goals.

The transportation goals include:

1. Continue to meet all objectives of the National Ambient Air Quality Standards.
2. Increase and promote the use of City Transit as a means of transportation for both the people coming to enjoy the Uptown Area and for people living in Uptown. .
3. The UPTNA should lead a Transportation Management Program by establish rewards such as dedicated parking spaces and other incentives for the use of alternative fuel vehicles and for the people who participate in Rideshare programs.
4. Develop and promote the operation of a free, full-time, Uptown Shuttle for shoppers, visitors, customers, employees and residents. Attractive Shuttle stops should be located to maximize safety, accessibility and may be used as a unifying element throughout Uptown. The City and Uptown property owners shall investigate alternatives to standard shuttle buses. The need for this type of localized transportation could also be satisfied by other means such as sky shuttles or trams.
5. Connect the Uptown Shuttle to City Transit stops. The Public Connectivity Infrastructure, Chapter VI includes connecting the Uptown Shuttle to Pedestrian Plazas and Parking Structures.

G. Environment

It is the intention of the USDP to protect the environment while still allowing people to maintain their lifestyles. Cars, City Buses, bicycles and pedestrians are all welcome in Uptown but it is important to mitigate any negative effects on the environment when possible. The new Public Connectivity Infrastructure encourages “Park Once” behavior through the use of the Pedestrian Circulation System that connects to Parking Structures and Uptown Shuttle stops.

The environmental goals for Uptown include:

1. Continue to meet and maintain Federal standards for air quality in Uptown.
2. Promote the use of City Transit, Uptown Shuttles, bicycles, Ridesharing programs and pedestrian Walkways.
3. Continue to improve traffic conditions to reduce automobile emissions in Uptown.

4. Require enhanced landscaping as a major element in maintaining a healthy and attractive environment. Protect landscaping by using mulch and providing ample permeable areas for tree roots to ensure that trees grow and flourish.
5. Identify areas that will lack solar access in the winter or that will cause excessive outdoor heat accumulation in the summer. Conserve energy by mitigating these effects through design where possible.
6. Utilize water harvesting techniques and water reuse systems when possible for landscaping. Maximize water relocation to the root zones of trees for better overall health of the trees.
7. Use solar energy or other alternative energy systems and energy efficient design when possible.
8. Use landscaping, shade, openings for winter sun and non-glare materials advantageously when designing outdoor spaces in order to create inviting and comfortable places for people to gather in all seasons.

H. Open Space

Open Space areas are intended to permanently provide the public with an accessible respite from the built environment. These spaces are designed to satisfy the visual and psychological needs of the community. At least 40% of all Open Space areas are required to be landscaped and to include pedestrian amenities. Pedestrian Plazas are strongly encouraged.

The goals for Open Space include:

1. Require all New Construction or Redevelopment Sites in the Uptown Area to provide publicly accessible Open Space.
2. Ensure that enhanced landscaping is included in Open Space areas.
3. Allow sites to combine required Open Space in order to create more usable, quality Open Space areas.
4. Connect Open Space to Walkways throughout Uptown.
5. When designing Open Space special care should be given to taking advantage of views to the Sandia Mountains or other exciting elements within Uptown.
6. Create the Open Space areas envisioned in the Public Connectivity Infrastructure, Chapter VI including enhanced Pedestrian Plazas and other features designed to create public spaces for the community to enjoy. The public amenities described in Chapter VI are not possible without a Public/Private Partnership funding source such as a TIDD. Without that funding the additional enhanced amenities cannot be required.

I. Wayfinding:

The Wayfinding System is intended to be a system of directional signage and informational Kiosks consistent throughout Uptown as a unifying element. Through the design and implementation of the Wayfinding System, Uptown will emerge as an easily recognizable area of Albuquerque having its own unique character and “sense of place”.

The basic purpose of the Wayfinding System is to guide people through Uptown whether they are driving, walking, riding a bicycle, taking a City bus or an Uptown Shuttle. The Wayfinding System is part of the Public Connectivity Infrastructure. Public/Private Partnership funding sources such as a TIDD, BID or PID are necessary to implement the Wayfinding System and cannot be required without a funding source in place.

The goals for the Wayfinding System include:

1. With the help of the Uptown Progress Team Neighborhood Association, create an Uptown logo, the symbol that gives Uptown a “sense of place”. It is a visual presence that ties all of Uptown together but doesn’t interfere with other commercial identities.
2. Develop an overall signage package for pedestrians, drivers and bicyclists that provide directional signage to all areas and uses of Uptown, incorporating the logo.
3. Provide Kiosks or other signage at various locations for the purpose of posting information on current Community Activities.
4. Mandate the use of the Wayfinding System as described in Public Connectivity Infrastructure, Chapter VI of this USDP if a funding source is established.

J. Public Connectivity Infrastructure:

The intent of the Public Connectivity Infrastructure is to guide new infrastructure in a coordinated manner so as to visually and physically unite all the properties within the Uptown Area while providing desirable public amenities. By creating a cohesive, dynamic, exciting “place to be” Uptown will become a renewed and economically vibrant area.

The Public Connectivity Infrastructure goal is the creation of the new infrastructure described in Chapter VI, including but not limited to the following elements:

1. A **Pedestrian Circulation System (PCS)**
2. A **Bicycle Circulation System (BCS)**
3. **Parking Structures**
4. A **Wayfinding System**
5. **Civic Spaces**

In order to finance and build new Public Connectivity Infrastructure it is necessary to create Public/Private Partnerships between the City of Albuquerque, Bernalillo County, The State of New Mexico and the landowners in the Uptown Area. This Uptown Sector Development Plan recognizes that without a Public/Private Partnership this level of new public infrastructure cannot be achieved, cannot be required and redevelopment efforts will be stifled.

K. Public/Private Partnerships

It is the intent of the Uptown Sector Development Plan to facilitate the successful growth and evolution of Uptown. To allow Uptown to realize its potential it is necessary to provide new public infrastructure that will draw people to the Uptown Area.

The implementation of new Public Connectivity Infrastructure is essential to the future success of the Uptown Area. Enhanced landscaping, Pedestrian Plazas, bicycle paths, civic spaces and a Wayfinding system will create an identity for Uptown that is unique to Albuquerque and all of New Mexico. Cohesive new infrastructure will give Uptown its “sense of place” along with a vibrancy that will ensure Uptown’s popularity for decades to come.

The ability to build Parking Structures along with the other features of Public Connectivity Infrastructure necessitates the use of Public/Private Partnership funding sources like the establishment of Tax Incremental Development Districts (TIDDs).

A TIDD serves a broad public purpose through the financing of new public infrastructure such as Parking Structures, civic amenities, Pedestrian Plazas, streets, Walkways and the other elements of the Public Connectivity Infrastructure. TIDD financing for the Uptown Area is essential in creating economic development and redevelopment opportunities including job growth. Without TIDD financing much of the new infrastructure is prohibitively expensive and cannot be achieved or required.

The use of a BID and TIDDs maximize Uptown’s Redevelopment opportunities and prevent blighted or declining areas from evolving.

The goals for Public/Private Partnerships include:

1. The Uptown Progress Team should establish an Uptown Business Improvement District (BID) to promote Uptown, maintain the public areas throughout Uptown and provide other services benefiting the Uptown Area such as security.
2. City support for the establishment of one or more Tax Increment Development Districts (TIDDs) to facilitate and foster construction of the new Public Connectivity Infrastructure needed in Uptown.
3. City support for the creation of an Uptown Progress Team Business Improvement District (BID).
4. Establishing TIDDs that meet the requirements of State, County and City laws regarding their formation in order to promote Uptown’s redevelopment as a premiere Mixed Use economic development area that will benefit Albuquerque and the entire State.

Chapter IV. ZONING

A. Mixed-Use Zone

All properties within the Uptown Sector Development Plan boundaries shall be zoned SU-3 for MU-UPT or SU-3 for MU-UPT/Buffer.

Upon adoption of the Uptown Sector Development Plan, all existing Buildings are permitted as legally nonconforming.

SU-3 for MU-UPT and SU-3 for MU-UPT/Buffer Zone are Mixed-Use zones that allow housing, civic and commercial uses including: retail, wholesale, restaurants, offices, hospitality and entertainment. These uses may be located on the same Site and may be contained in the same Structure. There are no specific Mixed-Use requirements for each Site and single land use Sites are allowed. All properties in the Uptown Sector Development Plan Area must conform to the Design Regulations in Chapter V. Each New Construction or Redevelopment Site shall be governed by a Site Development Plan that has been approved by the City using the process described in Chapter VII.

All uses within SU-3 for MU-UPT and SU-3 for MU-UPT/ Buffer Zone are either Permissive or Prohibited as described in this chapter.

All properties zoned SU-3 for MU-UPT/Buffer shall follow the regulations and requirements for the SU-3 for MU-UPT zone, except where different regulations and requirements are listed in this Chapter with regards to setbacks, height and landscape buffers. In addition to these differences, vehicle access to and from the west side of Española Street between Cutler Street and Indian School Road shall not be allowed.

B. Permissive Uses

The following uses are Permissive Uses in the SU-3 for MU-UPT Zone and the SU-3 and MU-UPT Buffer Zone:

1. Activities

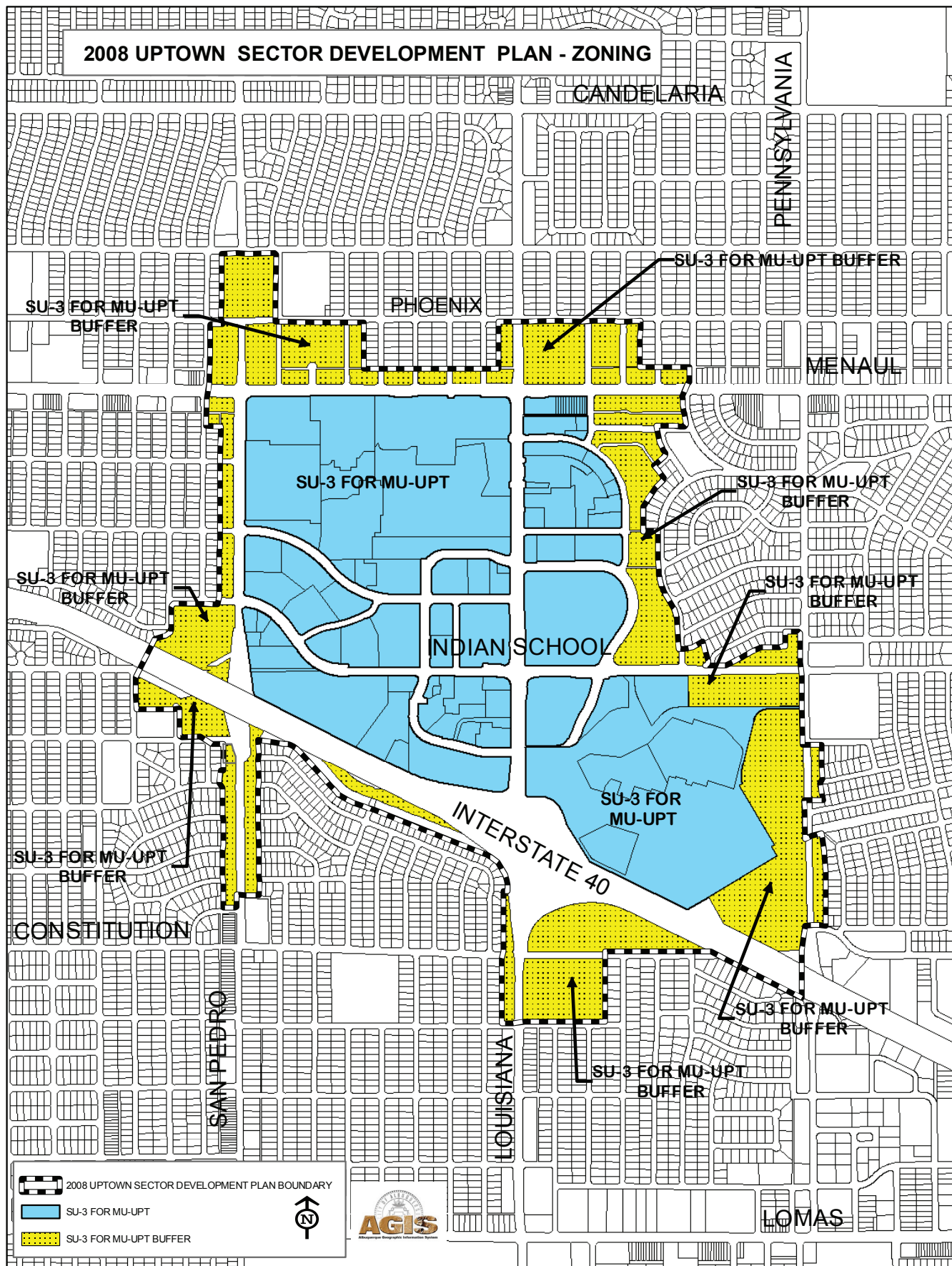
- a. Events with a Special Events permit.
- b. Outdoor artists, Buskers and street performers provided they have notarized written permission from the owner of the private Premise.

2. Animal clinic provided the clinic has only one outside exercise run and that the exercise run is enclosed with a solid wall or fence at least six feet high and no more than one animal is permitted in the run at any one time.

3. Animal grooming

4. Animal Kennel, provided:

- a. The kennel is in a completely enclosed Building.
- b. The facility is no closer than 30 feet from any residential zone outside the



Uptown Sector Development Plan.

c. The noise from the kennel does not exceed the ambient noise level as defined in § 9-9-12, when measured 30 feet from any exterior wall of the kennel.

5. Carnival operation outdoor or in a tent provided:

a. The carnival is located at least 300 feet from a residential zone outside of the Uptown Sector Development Plan

b. The carnival is permitted at one Premise for a period not to exceed ten days in any calendar year:

c. Hours of operation, including erection and dismantling of equipment are between 7:30 a.m. and 10:30 p.m.;

d. There is sufficient parking available on the Premise. The Zoning Enforcement Officer shall approve a Site plan which shall demonstrate Adequate Parking and vehicle circulation;

e. There are public toilet facilities on the Premise;

f. City Fire Marshall or his authorized representative gives prior approval of any tent as meeting the requirements of Chapter 14, Article 2, Fire C;

g. No animals are used in any way.

6. Churches and other places of worship, including incidental recreational and educational facilities.

7. Crematorium

8. Gasoline, oil and liquefied petroleum gas retailing, including outdoor sales, but not truck plazas, provided that the facility meets all Design Regulations as listed in Chapter V. of the Uptown Sector Development Plan.

9. Golf driving range, miniature golf course, baseball batting cages, located in a Building or outdoors, provided fencing or other suitable device is employed to insure that balls are not hit out of the Premise and that noise does not exceed the noise level as defined in 9-9-12.

10. Helipad but only if it is a minimum of 60 feet above ground level.

11. Hospitals for human beings provided the main access to the Site is from Louisiana, Menaul, Indian School or San Pedro and the Site is a minimum distance of 500 feet from a residential zone, school or park located outside the Uptown Sector Development Plan Area.

12. Hotels and motels that are full service, selective service or boutique hotels, so long as all guest rooms are accessed by an interior corridor.

13. Institutional Uses such as libraries and museums.

14. Kiosks

15. Mortuaries

16. Park-and-Ride Temporary facilities

17. Park-and-Ride Joint Use Facilities

18. Parking Structures, Surface Parking Lots, On-Street Parking, and Off-Street Parking provided that they are consistent with the Design Regulations in Chapter V of the USPD.

19. Pedestrian Plazas and Amphitheaters

20. Police substation.

21. Public Utility Structure, provided its location is in accord with an adopted facility plan and a Site Development Plan for building permit purposes has been approved by the Environmental Planning Commission. Requirements for Buildings (Chapter 5A) including materials, articulation regulations, loading areas, fencing and walls, and landscaping regulations.

22. Radio or television studio or station, if using a visible antenna or dish, the antenna or dish must be architecturally integrated and approved by the Planning director or his designee.

23. Recreational facility, public or private, such as a community center, swimming pool, tennis club or park.

24. Residential uses are allowed with no minimum or maximum dwelling units allowable or required per acre.

25. Restaurants may have:

a. Outdoor restaurant seating

b. Retail sales of food and drink, for consumption on premise or off, but not a Drive-In Restaurant.

c. Alcoholic drink provided the restaurant is not within 500 feet from the cash register to nearest residential lot line of an area zoned R-1, park, school or religious institution located outside of the Uptown Sector Development Plan area.

26. Retail and Wholesale of any consumer product and provision of any customer, personal or business service, except as prohibited in the Prohibited Uses section, are permissible with the following qualifications:

a. Indoor vehicle sales, service and storage if completely enclosed within a Building or Parking Structure.

b. Building materials provided they are within a completely enclosed Building.

c. Vehicle rentals if located completely on a hotel site or completely within a Parking Structure.

d. Garage or yard sale for residential uses, provided:

i. No more than two sales at a given Multi-Unit Premise in any 12-month period. The duration of the garage or yard sale shall not exceed three consecutive days. The Planning Director or his designee may grant additional garage or yard sales.

ii. No items shall be purchased for a garage or yard sale for the purpose of resale; items shall be of the type normally accumulated by a household.

iii. One non-illuminated sign not exceeding six square feet in area shall be permitted. The sign shall pertain to the garage or yard sale only and shall be located on the Premise. The sign shall be permitted for the three-day period only.

e. Dry cleaning, laundry, clothes pressing, provided that the process of dry cleaning shall not occur within the defined Uptown Sector Development Plan area.

f. Medical, dental or scientific laboratory provided that no animals are used for

any purpose including testing or experimentation.

g. Repair business provided that the activity occurs within a completely enclosed Building, with no outside storage or sales and provided that the repairs do not include painting or repainting.

h. Photography, except as an Adult Amusement Establishment.

27. Retail business in which products may be manufactured, compounded, processed, assembled or treated, as an accessory use, including but not limited to: carpentry, upholstering, catering, baking, confectionery making, jewelry or curio making, provided:

a. All activities are conducted within a completely enclosed Building.

b. Activities or products are not objectionable due to odor, dust, smoke, noise, vibration or other cause.

28. Schools.

29. Storage of household goods, office records, equipment or material provided:

a. All activities are conducted within a completely enclosed Building, the scale and style of which fits its location in addition to meeting all Design Regulations listed in Chapter V of the Uptown Sector Development Plan;

b. Individual storage cubicles, units or facilities are not each directly accessible from outside the enclosed Building;

30. Temporary Buildings or Trailers serving as a rental office or sales office may be used until 2 weeks after the permanent leasing or sales office is built.

31. Temporary Buildings or Trailers serving as a temporary construction office during construction of a specific construction project on the Premise provided it is set up only after the Site Development Plan is approved and removed when the Final Certificate of Occupancy has been issued. If work on the project has been dormant for a period of six or more months the Temporary Buildings or Trailers must be removed unless an extension is granted by the Planning Director or his designee. The body of the temporary Building or Trailer shall be set back at least five feet from any lot line.

32. Temporary construction storage or Staging Yard for equipment, material or activity incidental to a specific construction project, provided it is set up only after the Site Development Plan is approved and removed when the Final Certificate of Occupancy has been issued. If work on the project has been dormant for a period of six or more months the construction storage or Staging Yard must be removed unless an extension is granted by the Planning Director or his designee.

33. Tents, uses or activities in a tent, if the uses or activities are permitted in this Uptown Sector Development Plan, provided:

a. A tent may not be erected for more than thirty days at a time and may not be erected more than six times a year on a given Premise, unless being used as part of a movie production and then the time limit shall be per the Zoning Enforcement Officer or his designee.

b. There is adequate paved parking available on the Premise. The Zoning Enforcement Officer shall approve the Site plan for the tent, which shall demonstrate Adequate Parking and vehicle circulation, prior to erection of the tent.

c. There are toilet facilities on the Premise available to the users of the tent.

d. The City Fire Marshal or his authorized representative gives prior approval of the tent as meeting the requirements of Chapter 14, Article 2, Fire Code.

34. Theater except as an Adult Amusement Establishment.

35. Urgent Care Clinic

36. Wireless Telecommunication Facility provided the facility meets all the restrictions and regulations listed for WTFs in the Zoning Code.

C. Prohibited Uses

1. Adult Amusement Establishments, adult bookstores, adult photo studios or adult theaters.

2. Agricultural animals.

3. Automobile or other motorized vehicle painting, dismantling or tire recapping or tire re-treading, even if completely enclosed within a structure.

4. Cold storage plant.

5. Drive-up service windows are not permitted except as part of a bank or pharmacy and shall not exceed three lanes.

6. Equestrian activities or facilities.

7. Firewood sales and related storage as a primary use.

8. Ground mounted antenna.

9. Industrial - all uses listed in I4-I6-2-20, M1 and I4-I6-2-21, M2 are prohibited unless specifically listed in the Permissive Uses section of the Uptown Sector Development Plan.

10. Jails or correctional institutions including community residential corrections programs.

11. Mobile home development or mobile home sales.

12. Off-premise sign, except as provided for in the Design Regulations of this Sector Plan and except for "Sense of Place", Wayfinding, directional signs or Kiosks which are Permissive Uses.

13. Outdoor go-cart tracks.

14. Outdoor parking of a recreational vehicle, boat, boat trailer, ATVs or other trailer of any kind.

15. Outdoor sales, rental or display of recreational vehicles, agricultural and farming equipment, snowmobiles, boats and other water craft, trailers, ATVs, landscape equipment,

motorcycles, motorized scooters or bicycles unless they are an integral part of the design of the building façade. Design of a building façade which includes these elements must be approved by the Planning Director or his designee through an Administrative Amendment.

16. Outdoor storage of household items, Recreational Vehicles, boats, trailers or ATVs, etc.

17. Parking of more than two truck tractors and two semi trailers for over two hours, except in designated truck docks or in designated truck loading zones.

18. Parking meters or parking Kiosks on public streets.

19. Pawn shop.

20. Salvage Yard.

21. Sanatorium.

22. Sheet-metal working.

23. Stadiums or Arenas with seating for more than 1,000 people, public or private.

24. Storage facilities not completely contained in a Building.

25. Surface Parking Lots or publicly owned Parking Structures which charge the public for the rental of parking spaces.

26. Taxidermy.

27. Temporary Buildings or Trailers except as listed in Permissive Uses of the Uptown Sector Development Plan.

28. Truck plaza, terminal, rest area, repair and semi-trailer refueling stations.

29. Vehicle service, repair and storage, unless completely enclosed within a Parking Structure or Building.

D. Lot Size.

There is no specific limitation on lot size in the SU-3 for MU-UPT Zone or the SU-3 for MU-UPT Buffer Zone.

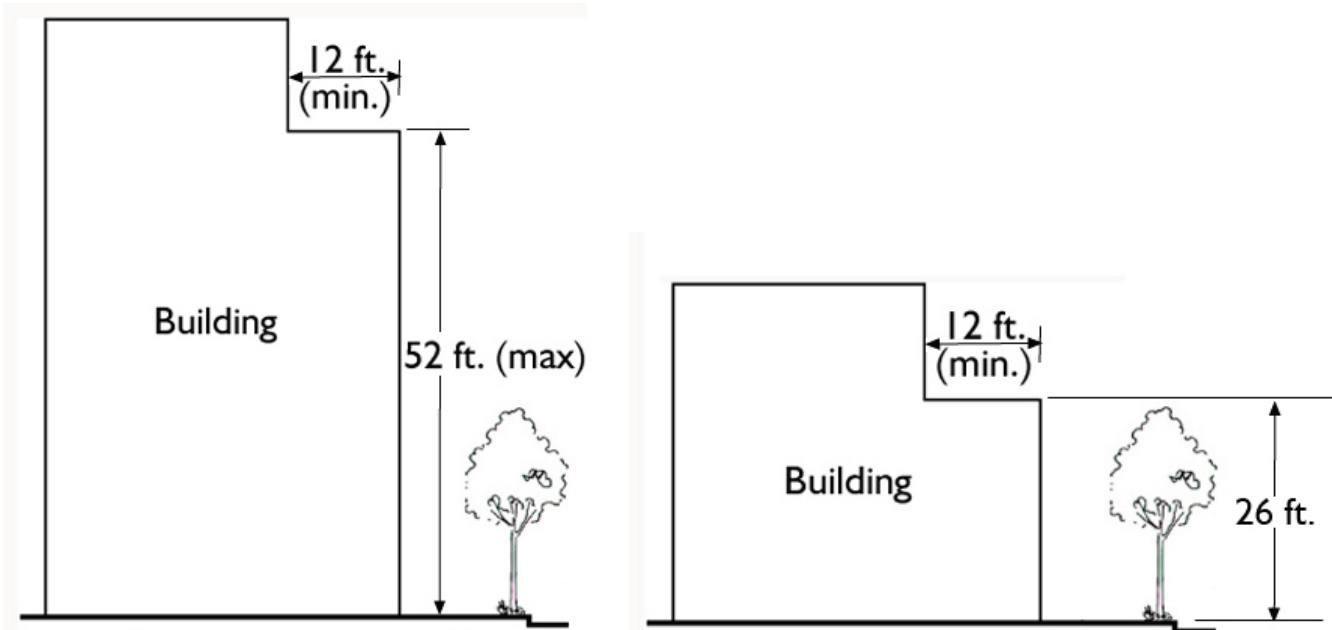
E. Building Size

The maximum square footage allowable for any one level of a Building for any single user or Establishment shall be a maximum of 80,000 square feet.

F. Height.

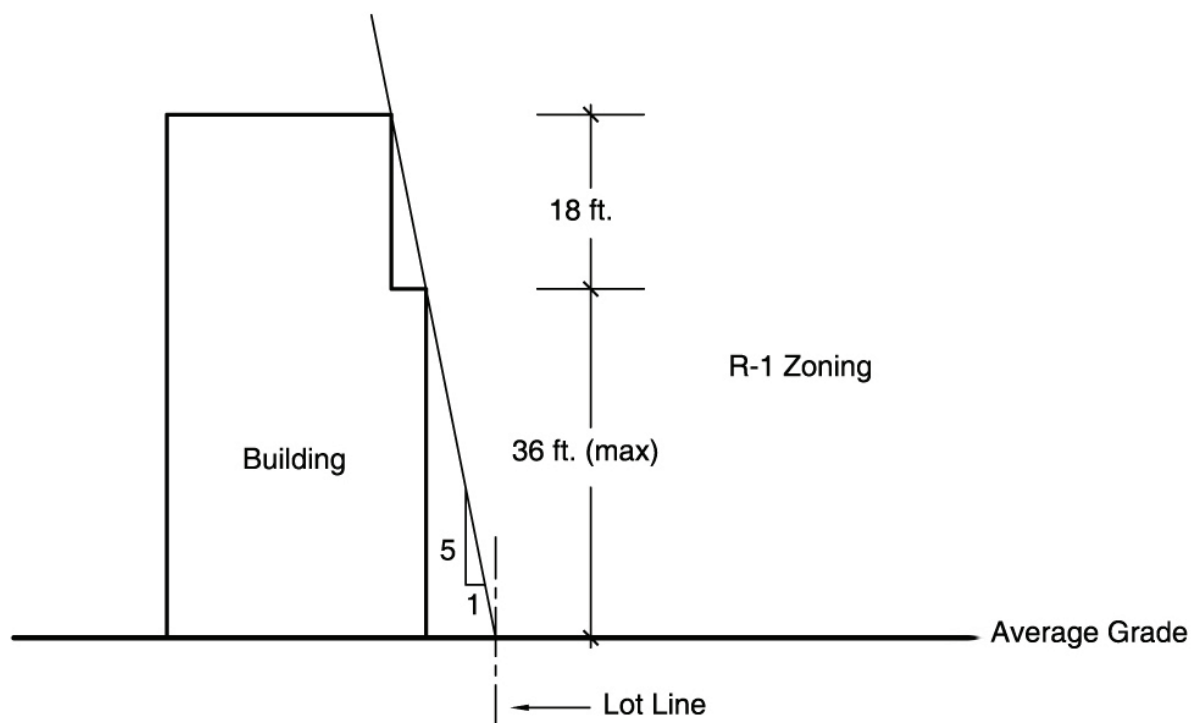
I. SU-3 for MU-UPT: Any legal Building height is allowed in SU-3 for MU-UPT.

Stepbacks may occur at any height of a Building. A minimum of one Stepback must occur at or before 48 feet from ground level. The Stepback does not apply to the sides of Buildings that do not front on streets, as long as arcades, awnings, or other pedestrian overhead structures are provided for all exterior entryways in multi-story Buildings. The minimum depth of a Stepback is 12 feet.



12 ft. STEPBACK DETAILS

2. SU-3 for MU-UPT/Buffer Zone: Structure height up to 36 feet is permitted at any legal location subject to Buffer Setback regulations. The height and width of a structure over 36 feet shall fall within a plane elevated at a five-to-one slope (an 11 degree angle 18 feet above the horizontal), the base of the plane being at average grade along the nearest lot lines of lots zoned R-1, City-owned parks or Albuquerque Public Schools outside of the boundaries of the Uptown Sector Development Plan.



36 ft. HEIGHT SETBACK DETAIL ADJACENT TO R-1 ZONING

G. Setbacks.

1. SU-3 for MU-UPT:

- a. A zero foot setback is permissible as long as a 10 foot Walkway and a 4 foot landscaped Planting Strip are provided between the Building wall and the curb. The Walkway and Planting Strip do not count as Open Space for the purpose of meeting the Open Space requirements.
- b. There is no maximum setback.
- c. Setbacks along Menaul Blvd shall be a minimum of 15 feet or as directed by the Menaul Blvd Corridor Plan.
- d. If there is an alley adjacent to the Site a minimum 10 foot setback will be required to provide adequate space for trash pickup and other utilizes.

2. SU-3 for MU-UPT/ Buffer Zone:

Buildings where the lot is adjacent to properties zoned R-1 shall have a front or corner side setback of not less than 15 feet except:

- a. There shall be a minimum 30 foot landscape buffer on the western border of Espanola between Indian School and Cutler.

b. There shall be a 30 foot Setback for the lot at the southwest corner of Pennsylvania and Indian School. The buffer zone created by this setback shall include a 15 foot Landscape Buffer adjacent to the back of the 10 foot Walkways and shall consist of a double row of Street Trees. This area shall be covered with 75% living vegetative materials. The remaining 15 feet of this buffer may be any configuration of pedestrian walkway, plazas, patio, landscaping, parking and drive aisles provided they conform to the Design Regulations of this Sector Plan. If the remaining 15 feet is used for parking or drive aisles a visual barrier consisting of a solid wall or continuous evergreen hedge shall be required between 15 foot landscaped area and the parking or drive aisle.

H. Parking Regulations

1. All existing Surface Parking spaces throughout the Uptown Area at the time this USDP is adopted are allowed. These parking spaces may be reconfigured to accommodate new Site Development Plans and Building configurations as long as they conform to the Design and Landscaping requirements in Chapter V.

2. New Surface Parking Lots are allowed so long as they comply with the Landscaping and Design Regulations in Chapter V.

3. Minimum parking requirements are two (2) parking spaces per 1,000 square feet of Building. Proposed developments must demonstrate that they will meet their parking requirements either through dedicated parking spaces or Shared Parking Agreements. The applicant must also demonstrate on their S Development Plan that Adequate Parking is provided to prevent over-flow parking into residential neighborhoods not within the Uptown Area.

4. There shall be no maximum parking requirements.

5. All parking, including Surface Parking, On-Street Parking, Off-Street Parking, Parking Lots, Parking Structures and any other configuration of parking shall follow the Design Regulations in Chapter V of this Uptown Sector Development Plan.

6. Parking Meters and/or parking Kiosks that charge a fee to park are prohibited.

7. Commercial Surface Parking Lots or publicly owned Parking Structures which charge the public for the rental of parking spaces are prohibited.

I. Open Space Requirements

1. All sites zoned SU-3 for MU-UPT and SU-3 for MU-UPT Buffer shall be required to provide a minimum of 10% of their Premise acreage as Open Space. A minimum of 40% of the Open Space area must be landscaped as described in Chapter V.

2. If a Site has multiple Buildings and multiple lots within it, the required Open Space can be combined into larger areas rather than in separate smaller areas near each Building so long as it is approved on the Site Development Plan in that configuration.

3. Combined Open Space areas can be located across internal streets within a Site that is governed by a Site Development Plan.

4. All Open Space areas shall be privately maintained or maintained through an Uptown Progress Team Neighborhood Association BID or other private funding method.

5. Open Space areas shall conform to all Open Space Design Regulations listed in Chapter V of the Uptown Sector Development Plan.

6. Open Space areas must connect to Walkways, Bikeways and/or the Public Connectivity Infrastructure.

7. The following elements and/or items shall not be included as Open Space for the purpose of meeting the Open Space requirements:

- a. Driveways
- b. Parking in any form
- c. Parking Lot
- d. Parking Lot Landscaping
- e. Parking Space Landscaping (trees and pots)
- f. Parking Structure Landscaping
- g. Street Trees
- h. Uptown Shuttle and/or City Transit Stops
- i. Walkways, required in the Uptown sector Development Plan (except the portion of the Walkways over 10 feet wide)

8. The following elements, if open to the public, shall be included for the purpose of meeting the Open Space requirements:

- a. All landscaping other than Planting Strips and that required internal to parking areas
- b. Gardens
- c. Landscape Buffer areas
- d. Landscaped Traffic Circles
- e. Parks
- f. Pedestrian Plazas, patios, and/or courtyards
- g. Recreational areas and landscaped trails
- h. Walkways - that portion wider than 10 feet.
- i. Any other elements that meet the intent of this section and the approval of the Planning Director or his designee.

Chapter V. DESIGN REGULATIONS

A. Buildings

Upon adoption of this plan, existing Buildings are permitted as Legally Nonconforming.

Interior modifications that do not change exterior walls are not affected by these regulations. The City of Albuquerque's building codes address interior modifications.

New Construction or Redevelopment Construction of exterior walls in an existing Building which involves 10% or more of the existing total Building square footage are subject to these regulations.

1. Floor Area Ratio (FAR)

- a. There is no maximum FAR in the Uptown Area.
- b. For properties 7 acres in size or larger the minimum FAR shall be 0.3. If the owner/representative of any property of at least 7 acres in size puts forth a completed application to obtain a TIDD from the City of Albuquerque and/or Bernalillo County and/or the State of New Mexico and is turned down or if the Tax Increment Allotment is not sufficient, according to the owner/representative of the property, that property is not subject to a minimum FAR.
- c. Properties of less than 7 acres have no minimum FAR.

2. Materials

- a. Materials on buildings shall support a high quality, diverse architectural character that provides variety, interest and vitality. To achieve design integrity, individual building elements shall be of excellent design and quality materials such as brick, slate, stone or tile.
- b. The following external building materials shall be prohibited:
 - Engineered wood paneling
 - Vinyl siding
 - Plastic
 - Unfinished, solid faced, concrete masonry units
 - Any other material designated as prohibited by the Planning Director or designee.

3. Articulation Regulations:

- a. Vertical and horizontal articulation is required on all sides of a building.
- b. Articulation shall be required along no less than 50% of the unbroken length of a building wall and shall be distributed to avoid creating a blank wall greater than 25 feet in length.
- c. At least three of the following elements shall be used for building articulation up to 48 feet of building height above grade. Above 48 feet only two articulation elements are required:
 - Arcades
 - Awnings
 - Balconies
 - Brackets, projecting
 - Brick
 - Canopies
 - Cantilevers
 - Cornices
 - Eaves

Entrances, extending outward from a façade
Glazing or Windows, to be counted as one item
Lintels, projecting and exposed
Molding integrated into the building
Multiple finishes i.e. stone, brick and stucco
Pitched roof forms
Planters that incorporate landscaped areas and can be used for seating;
Portals
Slate
Tile
Transoms
Trellises
Wall accenting i.e. shading, engraved patterns, etc.
Wing-walls that include landscaped areas and can be used for seating;
Any other treatment that meets the approval of the Planning Director or designee.

4. Building Additions

An Addition to an individual building of 10% or more to the building square footage requires that the Walkway immediately adjacent to the addition Façade be upgraded. The upgraded Walkway shall be a minimum of ten (10) feet wide with a four (4) foot wide Street Tree Planting Strip.

B. Fencing and Walls

Engineered wood panels, cyclone fencing, chain-link fencing, razor-wire for any purpose and unfinished, solid faced, concrete masonry units are prohibited as fencing or walls. Walls or fences shall be no higher than 6 feet.

C. Signage

Section I Freestanding Signs

A. Number of Signs. A business, business complex, or shopping/Mixed Use center shall be permitted one (1) freestanding sign along each roadway frontage, and an additional one (1) freestanding sign for every one hundred-fifty (150) feet of street frontage along a single roadway.

B. Sign Area and Height.

1. A business, business complex, or shopping/Mixed Use center shall be permitted forty (40) square feet of sign area along each roadway frontage, and an additional twenty (20) square feet of freestanding sign area for every one hundred-fifty (150) feet of street frontage along a single roadway.

2. In no instance shall any single freestanding sign have a sign area exceeding forty (40) square feet, except if within 150 feet of a moving through lane of an Interstate Highway, including interchange ramps, when a sign area may not exceed 80 feet.

3. Marquee signs designed with changeable letters to change text or message shall be included

in the total signage authorized for the business or use.

4. Only one (1) side of a freestanding sign will be used in calculating sign area.
5. Freestanding signs shall not exceed twenty (20) feet in height, except if within 150 feet of a moving through lane of an Interstate Highway, including interchange ramps. Then the height of the sign shall not exceed 40 feet, measured either from grade or from the elevation of the Interstate Highway at its closest point.
6. Existing legally non-conforming signs are allowed to remain at their existing height, location and size so long as they are only refurbished with materials to match adjacent buildings or to change the message/text and logo of the sign, and not substantially altered or rebuilt.

C. Sign Location and Appearance.

1. Signs shall be contained within the property lines of the premise upon which the principal building, complex, or center is located. Note that in the case of Mixed Use, business, or shopping centers, the premise may contain one or more lots and buildings.
2. All supports, frames and posts shall be painted, covered with masonry, stucco, decorative building materials, or otherwise finished.

Section 2 Wall Signs

A. Projection from Building. Wall signs (except for projecting signs as addressed in Section C below) shall not project more than six (6) inches from the wall on which they are displayed.

B. Wall Sign Area. In no case shall a wall sign exceed forty (40) square feet.

1. Cutout letter signs shall be considered wall signs if attached to a building and shall count toward the total allowable area (draw a box around the words to calculate the surface area).

C. Projecting Signs. Signs that project from a wall surface shall:

1. Be limited to a single, two (2) sided sign per use;
2. Not be higher than the ridge line or the parapet wall of the building to which it is attached;
3. Not be higher than sixteen (16) feet above ground level as measured to the top of the sign or supports, whichever is higher;
4. Be a minimum of twelve (12) feet above grade;
5. Not extend more than four (4) feet from a building wall;
6. Not project over any vehicular traffic area;
7. Be limited to a maximum face area of sixteen (16) square feet per side;
8. Be included in the total wall sign area for the use as defined in Section 6.02 B above.

Section 3 Off-Premise Signs

Off-Premise Signs Not Permitted. Off-premise signs shall not be permitted. Note that signs located within a premise of a business, shopping, or Mixed Use center that comprises multiple buildings and/or lots are not considered off-premise signs and are permitted as noted under Freestanding Signs. Existing off-premise signs shall be allowed as legally non-conforming. Off-premise sign regulations do not apply to “sense of place”, wayfinding, directional, special event, or kiosk information signs.

Section 4 Prohibited Signs

A. Type and Placement. The following signs are prohibited:

1. Signs contributing to confusion of traffic control lighting, unauthorized signs, signals, markings or devices which purport to be, or are imitations of, official traffic control devices or railroad signs or signals, or signs which hide or interfere with the effectiveness of any official traffic control devices.
2. Unauthorized signs which attempt to control traffic on the public right-of-way.
3. Signs involving the use of revolving lights, beacons, strobe lights, or spotlights.
4. Canopy signs, if the bottom of the sign is less than ten (10) feet above grade.
5. Building-mounted signs which extend above the roofline of the building.
6. Signs with missing letters, including approved signs with movable letters, or signs which are in a state of disrepair.
7. Movable or wheel/trailer mounted signs.

Section 5 Sign Permits

A. Sign Permit. All signs covered by this Section shall require a City Permit pursuant to current City of Albuquerque regulations and fees.

B. Signs Not Requiring a Permit. Provided they conform to all other portions of this section, the following types of signs do not require a permit:

1. Non-illuminated names of buildings, dates of erection, monuments, citations, and commemorative tablets are allowed when carved into stone, concrete, metal, or any other permanent type construction and made an integral part of an approved structure, or made flush to the ground (but not obstructing view of traffic).
2. Signs required by law or signs of a duly constituted governmental body, traffic signs, or directional signs are allowed.
3. Signs placed by a public utility for the safety, welfare, or convenience of the public are allowed, such as signs identifying high voltage, public telephones, or underground cable, etc.
4. Holiday, special event, or market festival decorations, including those put up by the Uptown Business Improvement District, but excluding advertising signs for specific businesses.

5. One (1) construction sign shall be allowed for all building contractors, one (1) for all professional firms, and one (1) for all lending institutions on premises under construction. Each sign area shall not exceed thirty-two (32) square feet, and not more than a total of three (3) such signs are allowed on the premises. Such sign shall be confined to the site of construction, construction shed, or construction trailer and shall be removed within fourteen (14) days of the Certificate of Occupancy.
6. Real estate signs are allowed when located on a property for sale, rent, or lease as follows:
 - a. One (1) temporary real estate sign located on the property it references shall be allowed for each street frontage of developed premises or undeveloped lot. Signs shall be removed within fourteen (14) days after sale or complete leasing.
 - b. For large parcels of land for sale (those over 7 acres in size), multiple signs are allowed. Such signs shall be spaced a minimum of one hundred-fifty (150) feet apart along street frontage.
 - c. The signs shall not exceed sixteen (16) square feet in area.
 - d. The height of real estate signs shall not exceed six (6) feet.
7. Official National, State, or City flags are allowed for any period of time.
8. Flags containing logos or emblems.

C. Submittal of Sign Plan with Site Development Plan.

A sign plan must be submitted along with the Site Development Plan indicating the size, location, colors and materials of all proposed signs. Elevation drawings of the signs shall be included on the sign plan.

D. Wireless Telecommunication Facilities (WTFs)

WTFs are required to be concealed facilities and co-located as required in the Zoning Code.

E. Parking Design Regulations

I. Design Regulations for all Uptown parking not in Structures are as follows:

- a. Parking Lot design as required in the Development Process Manual (DPM)
- b. Disabled Parking Spaces as required in 14-16-3-1 section (F) (9)
- c. Motorcycle, moped and motor scooter parking as required in 14-16-3-1 (C)
- d. Bicycle parking required is a minimum of one bicycle space for every 20 parking spaces.
- e. Parking spaces that meet infiltration basins or vegetated storm water controls should be bordered by permeable paving. Grasses and other ground vegetation should be near edges to help filter and slow runoff as it enters the site.
- f. Landscape Buffers shall be required to separate Surface Parking Lots from adjacent streets.
- g. Landscaping requirements for all Uptown parking not in Structures are listed in this chapter, Section J, Parking Lot Landscaping.
- h. If a Parking Structure and/or Building, identified on an approved Site

Development Plan, is proposed to be built on an existing Parking Lot then that Parking Lot is not required to meet the landscape requirements.

2. Design Regulations for Parking Structures are as follows:

- Walkway.
- a. Pedestrian entrances into Parking Structures shall connect to at least one
 - b. Parking Structures shall be built with an interior ramp system.
 - c. The Parking Structure shall be designed so that the headlights of parked cars shall not be directly visible from the Walkways across the street from any Parking Structure.
 - d. The Parking Structure shall be built with the same height, setback and Open Space requirements as Buildings in the Uptown Area. (Chapter IV. F, G, and I)
 - e. Parking Structures shall be built with the same materials allowable for Buildings in the Uptown Area.
 - f. Parking Structures may have Wraps or Suite Liners on the ground floor.
 - g. Wayfinding signage shall be provided at each connection of the Parking Structure to a Walkway, a Bikeway and/or a street.
 - h. Parking structures shall be built in a manner so as to deter crime and to facilitate security measures.
 - i. Space for an Uptown Shuttle Stop and/or a City Transit Stop must be provided at every Parking Structure including room for seating and a provision for shade. The space does not need to be built until there is Uptown Shuttle or increased City Transit service.
 - j. Visible Façades shall be enhanced with at least two of the following articulation elements:

- Arcades
- Awnings
- Balconies
- Brackets, projecting
- Brick
- Canopies
- Cantilevers
- Cornices
- Eaves
- Entrances, extending outward from a façade
- Glazing
- Lintels, projecting and exposed
- Molding integrated into the Building
- Multiple finishes i.e. stone, brick and stucco
- Pitched roof forms
- Planters that incorporate landscaped areas and can be used for seating
- Portals
- Slate;
- Tile
- Transoms
- Trellises
- Wall accenting i.e. shading, engraved patterns, etc.
- Windows or patterns of openings similar to windows, counts as 1 item
- Wing-walls that include landscaped areas and can be used for seating
- Any other treatment that meets the approval of the Planning Director or his designee.

F. Open Space Design

When designing Sites, whether for New Construction or Redevelopment as defined by a change of 10% or larger in the square footage of the existing Building, the following Open Space Design Regulations shall apply:

1. Open Space shall be open to and easily accessed by the public. Generally, such areas shall be open during the day and the evening hours.
2. Open Space may include any combination or single use of the Open Space elements listed in Chapter IV section I, Open Space Requirements.
3. All Open Space areas shall provide connections to Walkways or to the Pedestrian Circulation System.
4. Asphalt cannot be used as the surface for Open Space areas.
5. A minimum of 40% of all required Open Space must be landscaped according to Chapter V, section G, Landscape Area and General Landscape Design Requirements of this USDP.
6. A minimum of 50% of the seating within an Open Space area must be shaded.
7. Open Space areas shall include a minimum of two (2) of the following amenities
 - a. Bicycle amenities like bicycle racks or bicycle lockers
 - b. Dog-friendly amenities
 - c. Low-water use fountain or water feature
 - d. Playground or other recreational amenity
 - e. Sculpture or other artwork
 - f. Seating
 - g. Small performance spaces or amphitheatre
 - h. Any other amenities that meets the intent of this section and the approval of the Planning Director or his designee.

G. Landscape Area and General Landscape Design Requirements

When designing Sites, whether for New Construction or Redevelopment as defined by a change of 10% or larger in the square footage of the existing Building, the following Landscape Area and General Landscape Requirements shall apply:

1. All sites zoned SU-3 for MU-UPT and SU-3 for MU-UPT Buffer shall be required to provide a minimum of 10% of their Premise acreage as Open Space. A minimum of 40% of the Open Space area must be Landscape Area.
2. 75% of all required Landscape Areas and/or Planting Strips shall be covered with living, vegetative materials, such as grasses, vines, flowers and/or bushes/shrubs. Coverage shall be calculated from the mature spread of the plants.

3. To provide the quality of landscaping envisioned in the Uptown Sector Development Plan, a minimum of 10% of the required Landscape Area shall contain flowering plants and shrubs. These plants may be annuals or perennials but if annuals are used, this requirement must be met each year with new plantings.

4. The following elements and/or items shall not be included as Open Space or counted towards the 40% of Open Space as required Landscape Area:

- a. Landscaping at Uptown Shuttle and/or City Transit Stops
- b. Parking Lot Landscaping
- c. Planting Strips when used in conjunction with a zero "0" setback building.
- d. Street Trees

5. The square footage of the following elements and/or items if landscaped shall be included for the purpose of meeting the Landscape Area requirements:

- a. Gardens
- b. Landscape Buffers
- c. Landscaped areas of Pedestrian Plazas, patios and/or courtyards
- d. Landscaped Traffic Circles
- e. Landscaping other than Street Trees located along Walkways
- f. Parks
- g. Planter boxes and large planting pots
- h. Planting Strips when not used in conjunction with a zero "0" setback building.

6. All required Landscape Areas and/or Planting Strips shall be planted according to the approved Landscape Plan (see section I. below)

7. All required Landscape Areas and/or Planting Strips shall be planted no later than 30 days after the completion of construction and in no case later than the final inspection as required in the building code.

8. Planting Strips must be a minimum of 4 feet wide and be covered with living, vegetative materials, such as grasses, vines, flowers and/or bushes/shrubs over 75% of the Strip. Pavers may be used within the Planting Strip to facilitate the transition between On-Street Parking and an adjacent Walkway. Planting Street Trees in the Planting Strip is encouraged.

9. Any damage to utility lines resulting from the negligence of the landowner abutting the Right-of-Way, his agents, or employees in the installation and maintenance of the Landscaped Area in the Public Right-of-Way shall be the responsibility of such landowner. Any damage to utility lines resulting from the growth of plant materials, which have been approved by the applicable public utility as part of a plan for landscaping on the Public Right-of-Way, shall be the responsibility of such public utility. If a public utility disturbs a Landscaped Area in the Public Right-of-Way, the utility shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless some plant materials die, it is the obligation of the abutting landowner to replace the plant materials as expeditiously as possible, but in no case longer than 60 days after being made aware of the issue.

10. Mulch such as bark but not including gravel, crusher fine, rubber or glass, should be provided in areas around the living plants to reduce heat and conserve moisture.

11. The use of Gravel is limited 5% of any Landscaped Area.

12. The minimum acceptable sizes of plants, trees or amounts of seed, at the time of planting, are as follows:

- a. Trees must be two inches in caliper measured six inches above grade,
- b. Shrubs, bushes and low-growing evergreens must be at least one gallon.
- c. Ground cover and turf must be adequate to provide general ground coverage within one growing season after planting.

13. All landscaping shall be maintained in such a way as to keep the plants and trees healthy and alive. Landscaping which dies shall be replaced by the owner as expeditiously as possible, but in no case longer than 60 days after being made aware of the issue.

14. Landscaped Traffic Circles are encouraged at the intersection of interior driveways or platted streets.

15. Water conservation techniques shall be utilized where possible and as approved by the City Hydrologist or City Engineer. Such techniques may include water harvesting, reuse systems and permeable paving. Water from roof runoff should be directed or stored and used to assist all trees and landscaping.

16. The use of structural soil links to landscaping or permeable pavement connections in the Walkways shall be encouraged.

17. All trees shall be planted within a Tree Well or porous landscaped area or porous pavement area. The minimum size of a Tree Well shall be 36 square feet.

H. Landscape Plan

A Landscape Plan must be submitted along with all Site Development Plans for New Construction or Redevelopment as defined by a change of 10% or larger in the square footage of the existing Building.

The Landscape Plan shall include the following:

- 1. A statement describing how the proposed landscaping meets the Landscape Area, Street Trees and other landscape requirements in this Uptown Sector Development Plan.
- 2. The common names of the plants to be used; if there is no common name or if that name does not clearly indicate the species, the botanical name shall be used
- 3. Topography in the form of finished contour lines
- 4. Irrigation information is required and shall include the type and description of the watering/irrigation system proposed, approximate location and type of back flow prevention device, and the quantity of water delivered to trees and other plantings from the system proposed.
- 5. The parties responsible for maintenance of the landscaping

6. The square footage for each separate area of landscaping and also a total for all landscaping on the Site; dimensions of each landscaping area shall be provided, along with the quantities of trees, flowers and shrubs, and their mature height and spread.

7. Clear delineation of any non-living ground cover not intended as Mulch shall be shown on the Landscaping Plan and approved by the Planning Director or his designee.

8. The location and description of all trees, required and/or optional including Street Trees.

9. The existence of underground utility lines shall be verified and noted on the Landscape Plan. The underground utility lines to be checked are as follows: water and sewer, traffic signal, fire alarm, gas, telephone, electric, and cable television. Planting must be located so as to not interfere, either at the time of installation or later, with the function of such underground lines; trees and shrubs shall not be planted closer than three feet from existing gas mains or gas service lines.

10. The location and description of any non-living ground cover not intended as mulch around spreading plants must be clearly delineated on the landscaping plan.

I. Street Trees

Recognizing the importance of trees, in 1981 the City of Albuquerque passed a Street Tree Ordinance requiring Street Trees be planted along local and major streets.

In the Uptown Area trees serve an additional purpose as an identifying element. 50% of all new Street Trees planted shall be Signature Trees and to ensure as much shade as possible the other 50% shall be Shade Trees.

1. New Construction or Redevelopment Construction as defined by a change of 10% or larger in the square footage of the existing Building are required to plant Street Trees as described in this section.

2. Any person who constructs a building addition of over 200 square feet or who paves or repaves a Parking Lot or Off-Street Parking area for apartments and/or non-residential development are required to plant Street Trees as described in the section.

3. Any person who constructs a building addition of over 200 square feet or who paves a Parking Lot or Off-Street Parking area for apartments and/or non-residential development but is not required to submit a Landscape Plan must submit a Street Tree Plan for those parts of the Site adjacent to any street including Local and Internal streets.

4. Street Tree requirements are as follows:

a. 50% of all new Street Trees planted shall be Signature Trees chosen from a list of flowering trees provided in Chapter VIII, Appendix A. To ensure as much shade as possible the other 50% shall be Shade Trees chosen from Appendix B.

b. Street Trees shall be at 2 inches in caliper at the time of planting.

c. On Louisiana, San Pedro or Menaul, Street Trees are required and shall have an approximate regular spacing of 30 feet on center.

d. On streets other than Louisiana, San Pedro or Menaul including Internal and Local streets, Street Trees are required and shall have an average minimum spacing of 30 feet on center. The same number of required trees may be clustered if desired, shown on the Site Development Plan and approved by the Planning Director or his designee.

e. Street Trees are required along Walkways that are not shaded by the Street Trees planted along the streets.

f. Trees shall be located within a Tree Well or porous landscaped area or porous pavement area. The minimum size of a Tree Well shall be 36 square feet.

g. Street Trees adjacent to a street shall be placed between the curb and the public Walkway and/or in the Planting Strip, unless traffic safety requires different locations of trees,

h. All Street Trees shown on an approved Landscape Plan or approved Street Tree Plan shall be maintained alive and healthy. Maintenance including trimming is the responsibility of the owner of the lot adjacent to or on which the tree is located.

i. The replacement of dead Street Trees is the responsibility of the owner of the lot adjacent to or on which the tree is located. Dead Street Trees shall be replaced with a tree of conforming species and location as expeditiously as possible, but in no case longer than 60 days after being made aware of the issue. Signature Trees may be substituted in order to achieve the desired 50/50 balance.

j. All required Street Trees shall be planted no later than 30 days after the completion of construction and in no case later than the final inspection as required in the building code.

k. Adequate vertical clearance below the branches must be maintained for pedestrians, cars, and bicyclists. The minimum height to the lowest branch overhanging a Walkway shall be seven feet; the lowest height overhanging a street shall be 14 feet.

J. Parking Lot Landscaping

Trees are required in and around all parking not contained in a Structure in order to provide shade and relieve the adverse visual impact of large expanses of pavement.

Landscape requirements for Parking Lots containing four or more spaces are as follows:

1. A minimum of one Shade Tree per eight (8) parking spaces is required.
2. A minimum of one Signature Tree per twelve (12) parking spaces is required
3. No parking space shall be more than 75 feet from a tree trunk.
4. Trees in Landscape Buffers shall not count as a required parking space trees.
5. Trees may be located at the center of a group of four to eight parking spaces, clustered in parking row end caps, or located along Walkways internal to a Parking Lot.
6. Trees lining Walkways internal to a Parking Lot may count as a required parking space trees.

7. If a Building or a Parking Structure is identified in an approved Site Development Plan and is proposed to be built on an existing Parking Lot then that Parking Lot is not required to meet the Parking Lot Landscape Requirements even though the amount of Site construction would require otherwise. There are two exceptions:

a. If the Building or Parking Structure can only be built with Public/Private Partnership funding such as a TIDD and the TIDD or other funding is not approved or the Tax Increment Allotment is not sufficient to build the proposed Building or Parking Structure as determined by the owner/representative of the property then the Parking Lot Landscape Requirements must be installed within 6 months of the funding being denied or rejected by the owner/representative.

b. If a Building or a Parking Structure identified in an approved Site Development Plan is not dependant on Public/Private funding but has not been built within 4 ½ years of the date of Site Development Plan approval, the parking Lot Landscape Requirements must be met within 5 years of the date of the Site Development Plan approval. An extension may be granted by the Planning Director or his designee.

K. Walkways:

There is a lack of uniformity between the existing Walkway configurations, both in width and design throughout Uptown. Walkway consistency is important in order to create a cohesive, recognizable, unique Uptown Area. Walkways are a unifying feature that should contain a design element that has yet to be identified.

New Construction or Redevelopment Construction as defined by a change of 10% or larger in the square footage of the existing Building are required to install Walkways as described in this section.

Any person who constructs a building addition of over 200 square feet or who paves or repaves a Parking Lot or Off-Street Parking area for apartments and/or non-residential development are required to install Walkways as described in the section.

Walkways are sidewalks, pedestrian links or pedestrian connections within the Uptown Area and are subject to the following requirements.

1. Walkways in the Uptown Area are required to be a minimum of 10 feet wide, with a minimum of a 6 foot clear path maintained within the Walkway at all times. Site amenities, landscaping, utility boxes and other features may not encroach upon the 6 foot clear width of the Walkway.

2. Walkways shall have pedestrian scale lighting and other pedestrian amenities such as benches, trash receptacles and water fountains that serve humans and dogs.

3. If located within Parking Lots, Walkways shall be constructed of decorative paving patterns built from materials other than those used in the parking areas

4. All Walkways must comply with the American National Standards Institute and Americans with Disabilities Act.

5. Walkways shall be provided along the entire length of a Building Façade if the Façade has a Building entrance or if the Building Façade is adjacent to any street.

6. Walkways that are not adjacent to streets with Street Trees or not shaded will require Street Trees to provide pedestrians with shade.

L. Pedestrian Plazas:

Pedestrian Plazas or Pocket Parks are strongly encouraged as a means of meeting the 40% Open Space regulation.

Pedestrian Plazas, Pocket Parks and/or playgrounds must meet the following regulations:

1. Must be open to the public and easily accessible.
2. Shall be constructed of ADA accessible materials other than asphalt.
3. Provide seating on-site with benches, boulders, retaining walls, ledges, raised planters, wide stairways, grass berms, or other ways for pedestrians to rest.
4. At least 50% of the seating areas shall be shaded in the summer with landscaping and/or a shade structure such as a canopy or lattice work.
5. A minimum of 40% of Pedestrian Plaza areas must be landscaped.
6. Pedestrian Plazas or Pocket Parks may be used for Community Activities such as farmers markets or art shows.
7. Pedestrian Plazas, Pocket Parks and playgrounds shall connect to Walkways or the Pedestrian Circulation System.
8. Pedestrian Scale lighting shall be provided for all Pedestrian Plazas, Pocket parks and playgrounds.
9. Trash receptacles shall be provided on-site for Pedestrian Plazas, Pocket parks and playgrounds.
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10. All Pedestrian Plazas, Pocket Parks and/or playgrounds shall be publicly or privately maintained with adequate hours of public access. Generally, such areas shall be open during the day and the evening hours.
11. Pedestrian Plaza, Pocket Parks and playgrounds should be visible from the Public Right-of-Way or other public areas wherever possible for security.
12. Pedestrian Plazas shall include a minimum of two (2) of the following amenities
 - a. Bicycle amenities like bicycle racks or bicycle lockers
 - b. Drinking fountains
 - c. Dog-friendly amenities
 - d. Flower Garden

- e. Low-water use fountain or water feature
- f. Playground equipment or other children's entertainment feature
- g. Sculpture or other artwork
- h. Any other amenities that meet the intent of this section and the approval of

the Planning Director or his designee.

Pedestrian Plazas, Pocket Parks and playgrounds are very important elements of the Pedestrian Circulation System. Along with the Walkways, they are the amenities that unite all of Uptown. Pedestrian Plazas, Pocket Parks and playgrounds may be used to satisfy the 40% Open Space requirement but without Public/Private Partnership funding no minimum amount of these areas can be required.

Chapter VI. PUBLIC CONNECTIVITY INFRASTRUCTURE

Public Connectivity Infrastructure is new infrastructure for the Uptown Area designed to foster and facilitate the redevelopment of Uptown. In order to accomplish the successful redevelopment of the whole Uptown Area it is necessary to visually and physically unite all the properties within Uptown by creating a safe, cohesive, dynamic, exciting “**place to be**” identity. New public infrastructure is necessary if Uptown is to realize its potential and not become a blighted area.

Recently, the general public has begun demanding more than just “shopping centers.” All across the country “Lifestyle Centers” are being built which offer more than just retail. They have become corporate centers, the places people want to work because of the amenities close at hand. These Lifestyle Centers are full of parks, art work and numerous possibilities for recreation and entertainment. These Centers have also become popular places to live as an alternative for people who don’t want the responsibilities that come with owning a traditional home. Uptown has an opportunity to become one of the most successful Lifestyle Centers in the country, able to attract new businesses with new job opportunities.

The new improved Uptown will also attract the “neighbors”. Uptown will provide entertainment for the people who live in Albuquerque, especially those in the northeast heights who can just walk there, bring the kids, bring the dogs. When Public/Private Partnership funding is used the infrastructure built becomes the property of the City of Albuquerque. This gives the City more opportunities to provide chamber music concerts, art shows, farmers markets and other events that people might not want to drive downtown to enjoy.

Some of the enhancements listed here are currently required on a smaller scale in the Zoning, Chapter IV and Design Regulations, Chapter V of this Sector Plan. However, in order to finance all of the much needed new infrastructure it is necessary to create Public/Private Partnerships between the City of Albuquerque, Bernalillo County, The State of New Mexico and the landowners in the Uptown Area. The Uptown Sector Development Plan recognizes that without a Public/Private Partnership the level of public infrastructure described in this chapter can not be achieved or required and redevelopment efforts will be stifled.

Because the Uptown Area has so many owners and stakeholders it is imperative that all new infrastructure be planned and executed in a coordinated manner. This chapter of the Uptown Sector Development Plan is just a framework. The Public Connectivity Infrastructure, used as a guiding document, sets out the various elements necessary to accomplish the creation of a safe, cohesive, dynamic, exciting “**place to be**” identity for Uptown. Specific goals, requirements and regulations will be written later with much stakeholder input when acceptable funding has been arranged but it is important to give the public an idea of what is envisioned for Uptown, what Uptown’s potential truly is. As Public/Private Partnership funding becomes available a Public Connectivity Infrastructure Plan will be written in order to achieve the greatest public benefits from those funds.

The Public Connectivity Infrastructure includes but is not limited to the following elements.

- I. The **Pedestrian Circulation System (PCS)** is designed to make walking in Uptown a safer, more enjoyable experience. This infrastructure creates a park-like experience in and around the built environment of Uptown. The PCS provides pedestrians with easy access to the whole Uptown Area; offices, businesses, restaurants, entertainment venues and connections to transit stops, shuttle stops, Parking Lots and eventually Parking Structures.

The Public Connectivity Infrastructure calls for additional 10 foot wide Walkways to be built that create an Uptown Walkabout, new Walkways that are not always parallel to the streets in Uptown but are located in the places people want to walk. All Walkways should be attractively landscaped, properly shaded in the summer, lighted with Pedestrian-Scale Lighting and display Wayfinding signage for everyone's convenience. The Pedestrian Circulation System will establish Uptown as a destination for walkers and joggers. Mile markers and exercise stations are added amenities.

Scattered throughout Uptown, accessible from the Walkways, will be the **Pedestrian Plazas**. Pedestrian Plazas are Open Space areas where people can sit in the shade, take a break from work, meet with friends, have a picnic. The Plazas, large or small, will bring a community feeling to the Uptown Area.

Open Space, which may be used for Pedestrian Plazas, is required on all New Construction and Redevelopment Construction in this Sector Plan but the Pedestrian Circulation System including Pedestrian Plazas needs to be an amenity that connects all of Uptown not just the redeveloped properties.

It is important to the Pedestrian Circulation System to have improved street crossings with timed signalization, raised or colored Walkways for street crossings and serious research into alternative ways for pedestrians to cross the wide boulevards in Uptown.

2. A **Bicycle Circulation System (BCS)** is designed and implemented to enhance and connect bicycle lanes, routes and trails in order to increase bicycle travel and make it safer and more enjoyable. Bicycle lanes, routes and trails should all be clearly marked and striped or re-striped when necessary. All Bikeways should display ample Wayfinding signage. Parking for bicycles should be provided inside Parking Structures which have connectivity to Bikeways. Bicycle rentals should be encouraged and facilitated.

3. **Parking Structures** are connected not only to the streets in Uptown but to the Pedestrian Circulation System (PCS) and Bicycle Circulation System (BCS). Both directional and informational Wayfinding signage should be located at each Parking Structure entrance.

Below and above ground Parking Structures are encouraged in order to maximize land use, emphasize environmentally responsible "Park Once" behavior and to lessen the need for large areas of Surface Parking. As Uptown redevelops, hopefully, the existing Surface Parking will transition more towards Parking Structures but that is not likely to happen without Public/Private Partnership funding.

Public Connectivity Infrastructure establishes Parking Basins in order to ensure logical placement of Parking Structures. Coordination between Site owners in each Parking Basin is encouraged in order to help choose the best location for each Parking Structure. Parking Structures should be located within each Basin in such a manner to reduce vehicle miles traveled but should also be located in places that the public will be inclined to use the Structures.

4. A **Wayfinding System** is a system of directional signage, informational Kiosks and other tools to guide drivers, pedestrians and bicyclists through Uptown. The use of creative, consistent Wayfinding tools will give Uptown a unique, enhanced and memorable identity by creating a

strong “sense of place”. The Uptown Progress Team Neighborhood Association is encouraged create Community Branding for the Uptown Area, including a Logo and to find funding for the Wayfinding System, possibly through the use of a BID, PID or a TIDD

5. A **Localized Transportation System (LTS)** such as an Uptown shuttle, sky shuttle, tram or a City Transit Circulator will connect all of the Uptown Area. Successful localized transportation in Uptown is essential in getting people to use the Parking Structures and Walkways. It is possible for a TIDD to pay for the capital expenses of a Localized Transportation System but daily operations of such a system would require a different funding source such as an Uptown Progress Team BID.

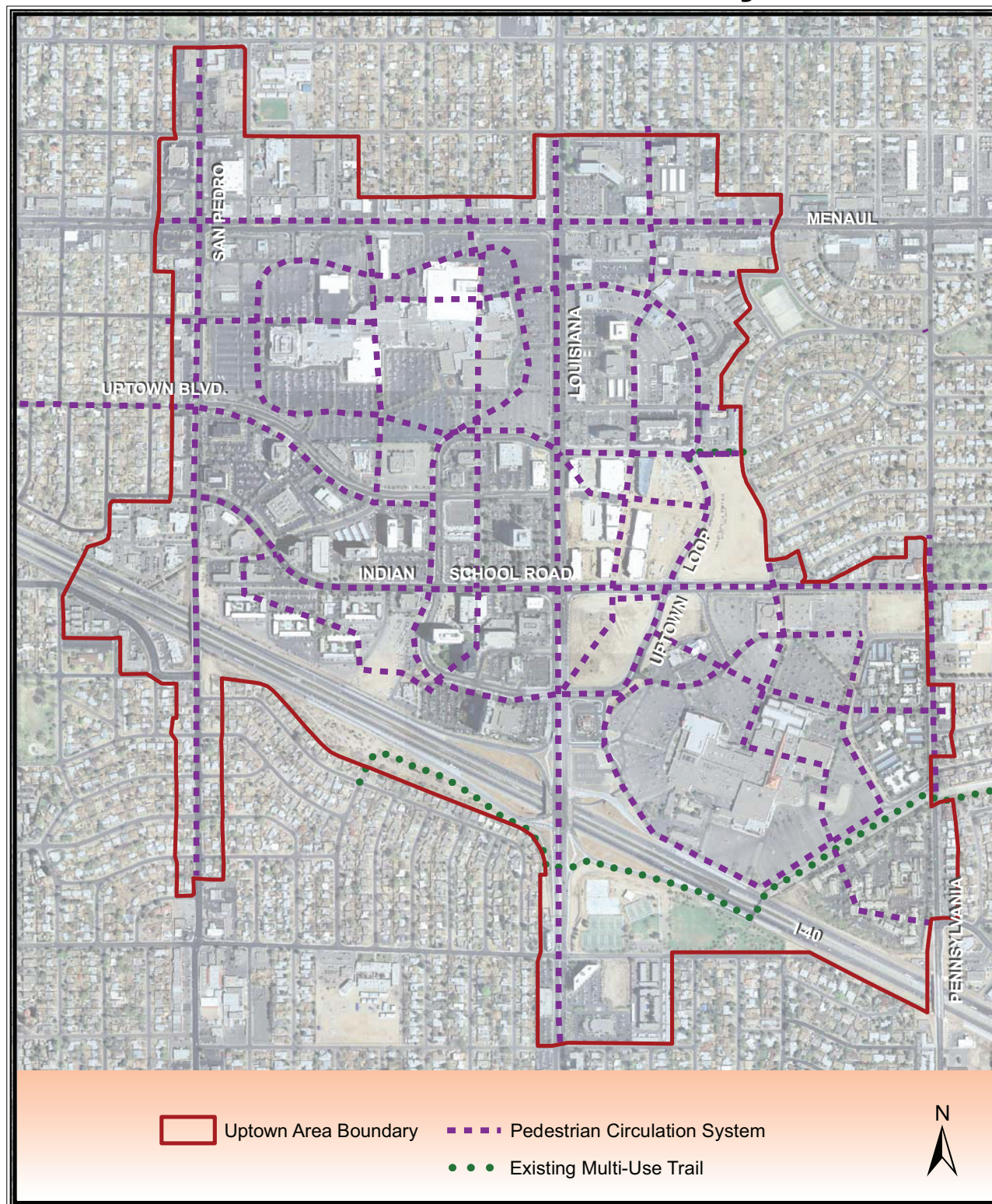
6. **The Basics** – infrastructure such as streets and curb & gutter also need to be built. There is basic infrastructure in place in Uptown but it is not sufficient to redevelop the larger properties with configurations different from what exists now. While not as glamorous as new Walkways and Bikeways it is necessary. The City is responsible for keeping infrastructure adequate and up to date. Through the use of Public/Private Partnerships this burden no longer rests solely on the City.

7. **Civic Spaces** built for people to gather that are dedicated to arts, culture and recreation. The City will manage the Civic Spaces and coordinate Community Activities with the Uptown Progress Team.

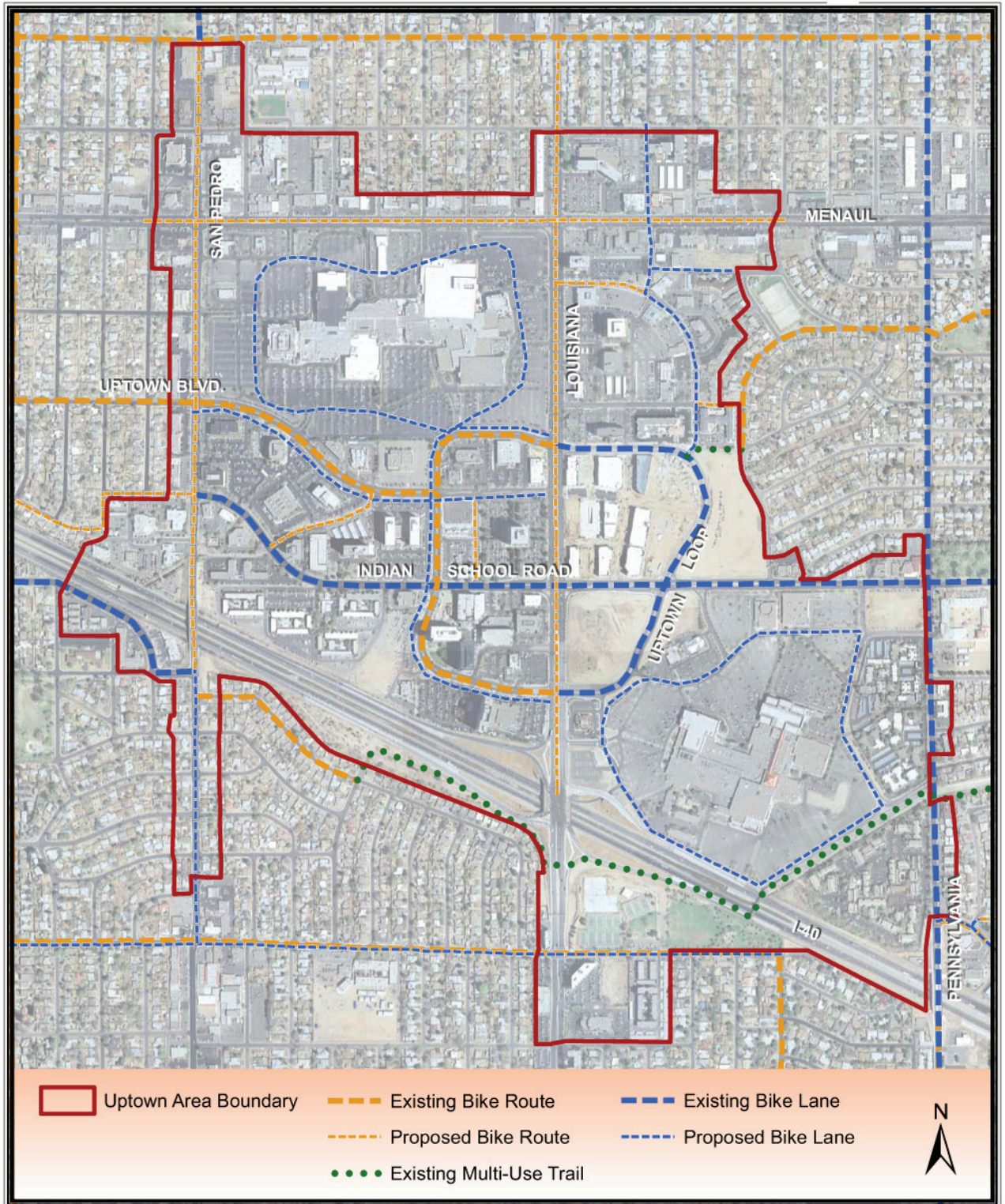
The following maps are illustrations of what the Pedestrian Circulation System and the Bicycle Circulation System could look like with Public/Private Partnership Funding. When funding becomes available there will be a more accurate plan put forth.

The Map of the Parking Basin is also an approximation of what the USDP is striving for.

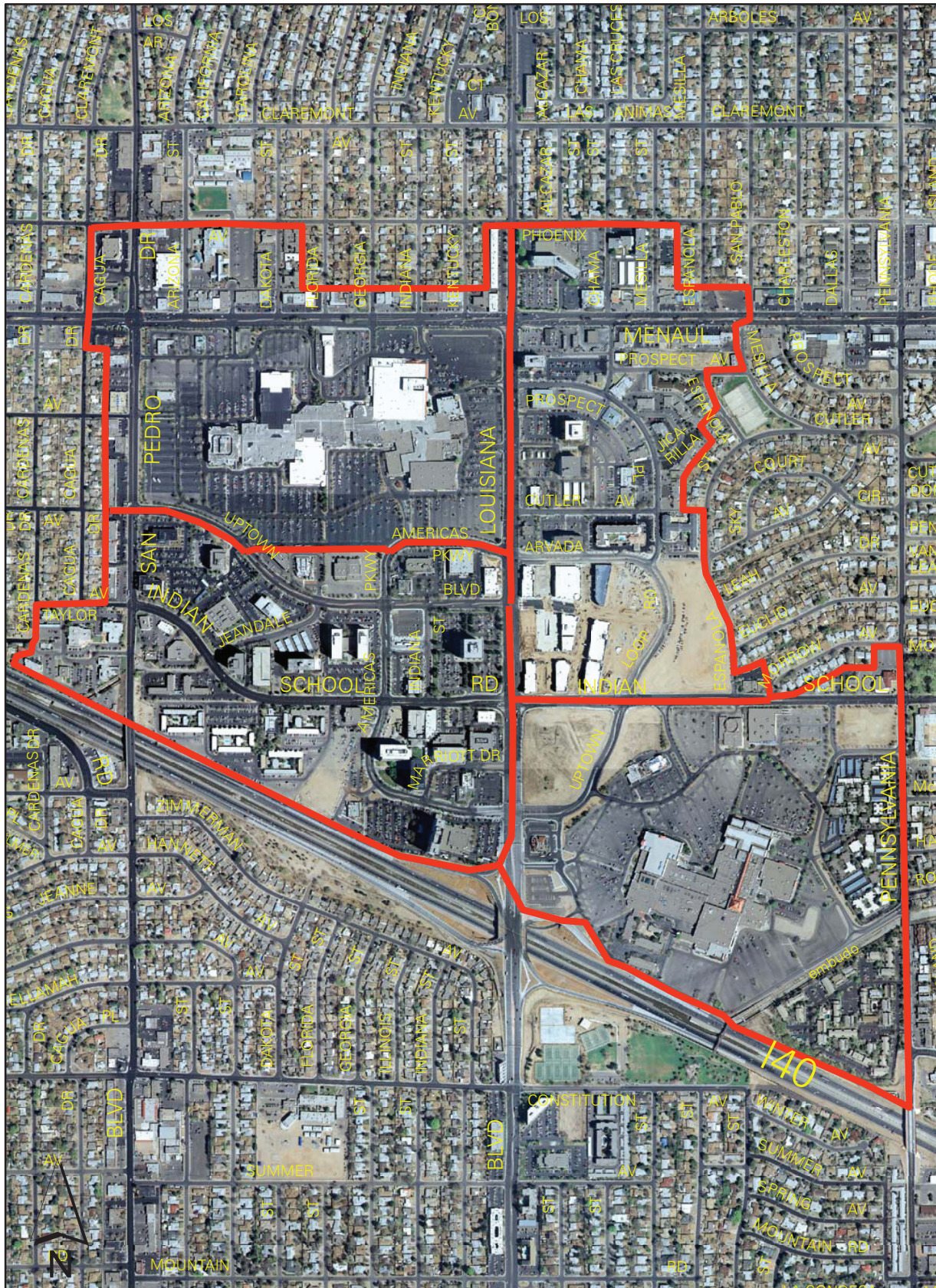
Pedestrian Circulation System



Bicycle Circulation System



Uptown Parking Basins



Chapter VII. APPROVAL PROCESS

A. A Site Development Plan and Landscaping Plan shall be approved by the Planning Director for each new Building, or for a change of 10% or greater to the square footage of an existing Building. The Planning Director shall use the following procedures in reviewing Site Development Plan and Landscaping Plan:

1. Uptown projects will be processed through the expedited Development Review Building (DRB) permit process if they meet all the requirements and regulations of this Uptown Sector Development Plan. If an applicant seeks approval for a project that varies from the requirements and regulations of this Plan, it will require approval by the Environmental Planning Commission (EPC).

2. For projects requiring the approval of the Environmental Planning Commission and/or City Council, a duly filed application for a Site Development Plan shall be decided upon the record after the required public hearing(s).

3. The Planning Director or his designee shall assemble a Project Review Team (PRT) for project review and approval. The Team shall consist of representatives from Planning, Transportation, Environmental Health, Transit, Engineering, City Forester and/or other City Departments as deemed appropriate by the Planning Director to review the project. It is mandatory that applicants are present and discuss their project in its entirety at a required scheduled Pre-Application Meeting. The applicants shall familiarize themselves with City plans, policies, regulations, requirements and standards. The applicant is required to demonstrate how the project meets the regulations and requirements of the Uptown Sector Development Plan.

4. Approvals of a Site Development Plan are initiated by an application to the City on prescribed forms. Each application shall be accompanied by sufficient copies of an accurate Site Development Plan, premise building development plan, Landscape Plan, elevations, evidence of interest in property, Street Tree Plan and other related information as may be required by the City. The applicant shall show how the project meets all the requirements and regulations of this Sector Plan with the submitted project plans. Submission of inaccurate information with an application is grounds for denial.

5. The applicant shall notify, by certified/return receipt mail, two duly authorized representatives of any properly registered and recognized City Neighborhood Association in or contiguous to the project site. This constitutes official Notification.

6. Fees for Site Development Plan review and appeal are as specified in current City fee schedules, except when the fee is waived for a project where the City is the applicant.

B. A Street Tree Plan, if required, shall be approved by the Planning Director or his designee.

C. Applications for approval of a Site Development Plan may not be filed within 12 months from the date of final denial action by the City on a prior application for substantially the same plan. This limitation shall not apply to applications by a representative of the City.

D. Approved Site Development Plans are valid for 7 years.

