

### III. Neighborhood Plan

#### ***LDSDP SU-2 Zone for City of Albuquerque Zoning Districts***

The LDSDP SU-2 Zone is required for all new development within the boundaries of the Los Duranes Sector Development Plan under the jurisdiction of the City of Albuquerque with the exception of those properties with SU-1 zoning. The SU-1 for Private School zone on Gabaldon Rd is rezoned SU-1 for School & related facilities to reflect its current status as an APS School. The SU-1 for O-1 permissive uses on the west side of Rio Grande Blvd. remains the same. [C23] and for properties west of Gabaldon Road annexed into the city in 1996 and zoned RA-1. [C25]

**Non-conforming uses:** Existing non-conforming uses are allowed as conditional uses.

The intent for residential development is to continue the historic scale and pattern of housing and encourage consolidated open space and agricultural land. The LDSDP SU-2 zone amends the existing RA-1, RA-2, R-1, R-2, R-LT & RT zoning districts with revised design standards and provisions and permits the use of Private Commons Development (PCD) on tracts one acre or greater in the SU-2/RA-1, SU-2/RA-2, and SU-2/R-1 zoning districts.

**Approval process for residential development:** Proposals shall be submitted as site development plans for building permit, or shall be submitted to the Development Review Board if they include replatting or a Private Commons Development.

The intent for commercial development is to encourage neighborhood-oriented retail, service and office uses, and commercial and residential mixed uses and to create a transition zone between the rural residential character of the neighborhood and the more urban character and intensities of development that fronts Rio Grande Blvd. Future lot splits are encouraged to reinforce the traditional “lineas” pattern. [C24]

#### **Definitions:**

**~~Community Acequia:~~** ~~a ditch, lateral, or drain designated on the LDSDP Community Acequias Map.~~

**Agricultural Land:** A consolidated area set aside as permanent agricultural land.

**Buildable Area:** A consolidated area that may be used for buildings and associated development purposes.

**Commercial Parking Facility:** An area of land or a structure used to provide parking, as a commercial enterprise, for four or more motor vehicles for a fee. Such parking is not primarily associated with any other use on the same site.[C56]

**Community Acequia:** a ditch, lateral, or drain designated on the LDSDP Community Acequias Map (see Figure XX page xx).

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**Consolidated Open Space:** A consolidated land area set as permanent open space.

~~**Buildable Area:** A consolidated area that may be used for buildings and associated development purposes.~~

~~**Lines:** A Hispanic tradition of land division in New Mexico creating a recurring pattern of long narrow lots (fields), each having access to irrigation.[C27]~~

**Plazuela Compound:** A permitted development type within a Private Commons Development in the LDSDP SU-2 zone characterized by a consolidated open space bound by attached or detached buildings on at least three sides.

**Private Commons Development (PCD):** A permitted development type in accordance with the provisions in City of Albuquerque's Comprehensive Zoning Code, Section 14-16-3-16 which allows clustered housing and requires a set aside of a tract to provide a Private Commons Area (PCA).

**Private Commons Area:** An open space set aside which may be used for agriculture, landscaping, on-site ponding [C26], recreation or any combination thereof that is shared by residents of a Private Commons Development.

#### **LDSDP SU-2/Acequia Protection [C32]**

##### ~~*Setbacks from the Community Acequia System*~~

~~Protection of the community acequia system in Los Duranes supports the traditional community pattern which has its roots in the historic agricultural lifestyle and contributes to the health and beauty of the regional Rio Grande ecosystem. The following standard applies to all new development in the City portions of the planning area.~~

##### ~~A. Setbacks from the Community Acequia System:~~

- ~~1. All structures must be set back a minimum of 15 feet from the centerline of any ditch, lateral or drain designated on the LDSDP Community Acequia System Map (Figure U, p. 50).~~

#### **LDSDP SU-2/RA-1 [C25]**

##### ~~*Design standards pertaining to scale and mass amending RA-1 zoning district*~~

~~The RA-1 zone pertains to properties west of Gabaldon Road annexed into the city in 1996 and any properties annexed into the city in the future zoned RA-1. The revised standards in the Los Duranes SU-2 zone are intended to ensure that new development respects the scale and mass of the existing built environment and to encourage the preservation of visual and functional open space.~~

~~City RA-1 with the following exceptions:~~

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- A. Permissive Uses: Private Commons Development is permitted on a lot containing 1 or more acres, per the LDSDP SU-2/PCD regulations on page xx. Townhouses are permitted only in conjunction with a PCD. [C35]
- B. Heights:
1. Structure height up to 16 feet is permitted
  2. Structure height up to 26 feet is permitted with the following conditions:
    - i) Minimum 6' step back from ground floor frontage abutting public right of way
    - ii) Second story area limited to 65% of ground floor footprint, except townhouses in a PCD shall be limited to 75% of ground floor footprint. [C40]
- C. Lot Coverage (the total square footage of the principal residence footprint + accessory building footprints).
1. Lot coverage shall not exceed 50% of lot.
- D. Setbacks:
1. Side set back: not less than 10' from property line
  2. Staggered Front set back :
    - i) not less than 10' from property line and
    - ii) a minimum of 6' set back or set forward from front façade of principal residence located on one adjoining property. The staggering requirement shall apply to residences fronting the same street in new subdivision developments of 5 or more houses.[C31]
  3. Garages that have doors facing [C33] the street shall be setback not less than 20' from property line.
- E. Driveways shall be a minimum of 20' in length. [C34]

#### **LDSDP SU-2/RA-2**

##### *Design standards pertaining to scale and mass amending RA-2 zoning district*

Residential development in the RA-2 zoning district occurs on a variety of lot sizes and configurations due to subdivisions that relate to the acequia system, family transfers, access and frontage to public and private streets. At the parcel level there are a variety of setbacks, landscape features and parking placements. Scattered throughout the area are large garden plots, small scale agricultural activities nurtured by the acequia system and home businesses. Many of the lots have accessory dwelling units and some have been configured to accommodate clustered housing.

Los Duranes Community Center is an approved conditional use in the RA-2 Zone (ZA-79-162, ZA-95-025) and may continue as an approved conditional use when this plan takes effect.

The RA-2 Zone (Residential and Agricultural) allows residential and low intensity agricultural uses and a gross density of 3 dwelling units per acre. Due to the age of this neighborhood, many lots existed prior to the adoption of the city Zoning Code in 1959. Once zoning was established, many of these smaller lots became legal non-conforming lots. Property owners have had the right to build on any lot of record

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regardless of size per the 1981 amendment to the existing plan. When the new plan takes effect, property-owners have the right to build a residence on any legal lot zoned RA-2. "Legal" lot is defined as a lot recorded in the County Clerk's Office on or prior to March 23, 1981, OR a lot that was recorded after that date and complies with the City's Subdivision Ordinance.

The variety of lot sizes contributes to the unique character of Los Duranes. The following standards support the goal of preserving the character of the residential neighborhood, and preserving open space and agricultural lands. These revised standards to the RA-2 zoning district are intended to ensure that new development respects the scale and mass of the existing built environment.

City RA-2 zoning with the following exceptions:

- A. Permissive Uses: Private Commons Development is permitted on a lot containing 1 or more acres, per the LDSDP SU-2/PCD regulations on page ~~xx~~59. Townhouses are permitted only in conjunction with a PCD. [C35]

B. Heights:

1. Structure height up to 16 feet is permitted
2. Structure height up to 26 feet is permitted with the following conditions:
  - i) Minimum 6' step back from ground floor frontage abutting public right of way
  - ii) Second story area limited to 65% of ground floor footprint, except townhouses in a PCD shall be limited to 75% of ground floor footprint. [C40]

C. Lot Coverage (the total square footage of the principal residence footprint + accessory building footprints).

1. Lot coverage shall not exceed 50% of lot.

~~C.D.~~ Setbacks:

1. Side set back: not less than 10' from property line
2. Staggered Front set back :
  - i) not less than 10' from property line and
  - ii) a minimum of 6' set back or set forward from front façade of principal residence located on one adjoining property. The staggering requirement shall apply to residences fronting the same street in new subdivision developments of 5 or more houses.[C31]
3. Garages that ~~face~~ have doors facing [C33] the street shall be setback not less than 20' from property line.

~~D-E.~~ Driveways shall be a minimum of 20' in length. [C34]

E.Heights:

- ~~5. Structure height up to 16 feet is permitted~~
- ~~6. Structure height up to 26 feet is permitted with the following conditions:~~
  - ~~i) Minimum 6' step back from ground floor frontage abutting public right of way~~
  - ~~ii) Second story area limited to 65% of ground floor footprint, except townhouses in a PCD shall be limited to 75% of ground floor footprint.~~

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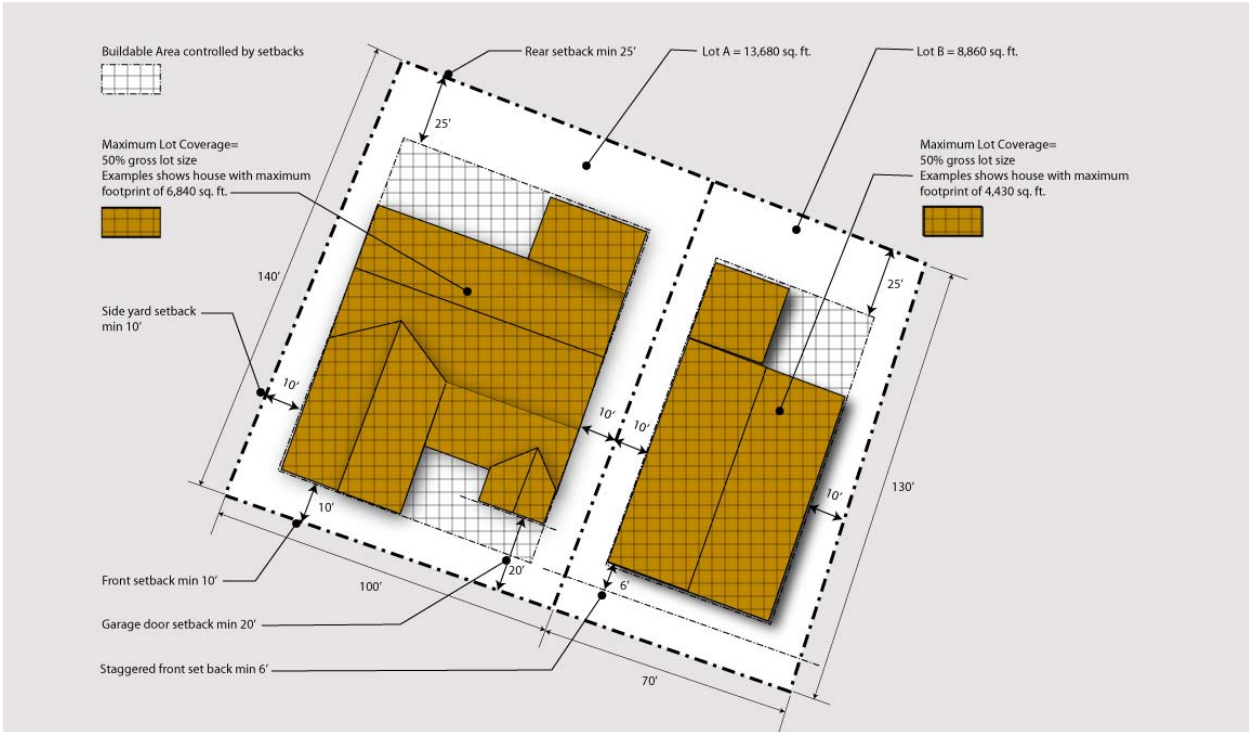


Figure ~~WZ Design Standards Pertaining To Scale and Mass Amending~~ Example Lot Coverage & Setbacks, SU-2/RA-1, -SU-2/RA-2- & SU-2/R-1 Zoning Districts

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#### **LSDP SU-2/R-1**

##### *Design standards pertaining to scale and mass amending R-1 zoning district*

The R-1 zoning districts in Los Duranes consist of primarily one story single family homes on standard 6000 sq ft lots with 60 foot frontages on local streets. The following standards support the goal of preserving the character of the residential neighborhood and encouraging a cohesive evolution of the neighborhood. It is intended to ensure that new development in the R-1 zoning district respects the scale and mass of the existing built environment.

City R-1 zoning with the following exceptions:

- A. Permissive Uses: Private Commons Development is permitted on a lot containing 1 or more acres, per the LSDP SU-2/PCD regulations on page ~~xx~~59. Townhouses are permitted only in conjunction with a PCD. [C35]
- B. Height:
  - 1. Structure height up to 16 feet is permitted
  - 2. Structure height up to 26 feet is permitted with the following conditions:
    - i) Minimum 6' step-back from ground floor frontage abutting public right-of way
    - ii) Second story area limited to 65% of ground floor foot print, except townhouses in a PCD shall be limited to 75% of ground floor footprint. [C40]
- C. Frontage:
  - 1. The front facade of new structures shall not exceed the average width of principal structures on lots within 300 ft in both directions measured from both corners of the lot line that abuts the primary public right-of-way by more than 20%. [C36] ~~The front facade of new structures does not exceed the average front facade width of the principal structure on the two adjoining properties by more than twenty percent (20%).~~
- D. Setbacks:
  - 1. Front set back :
    - i) The building setbacks shall be substantially maintained to preserve the pattern of building fronts and setbacks from the street. Substantially maintained means that the building setback is within, plus or minus, 5 feet of existing buildings within 300 feet in both directions measured from the corners of the lot line that abuts the primary public right of way. Minimum setback is 15 ft. [C37] ~~The building front setbacks shall be maintained to preserve the pattern of building fronts and setbacks from the street, with a setback between 25 feet to 35 feet, and vary the setback from the adjacent building.~~
    - ii) In subdivision developments of 5 or more houses, front setbacks shall have a minimum 6 ft set back or set forward from front facade of principal residence located on one adjoining property fronting the same street.[C31]
  - 2. Garages that ~~face~~ have doors facing [C33] the street shall be setback not less than 20' from property line
- E. Driveways shall be a minimum of 20' in length. [C34]

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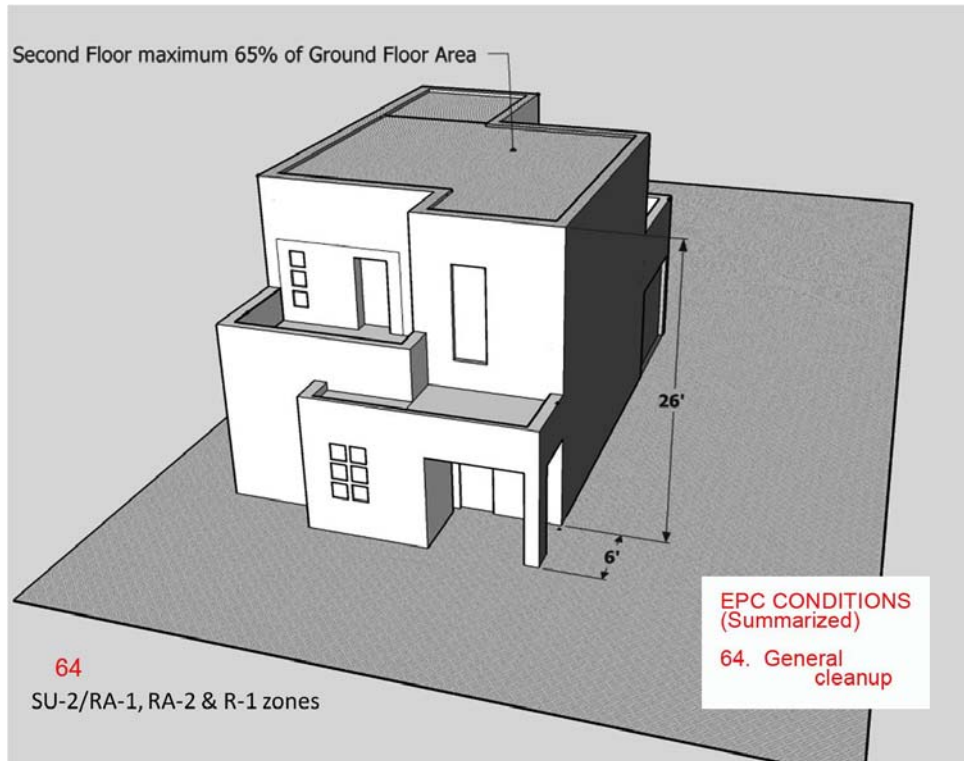


Figure X Example Flat Roof House: showing height standards and second floor area maximum.

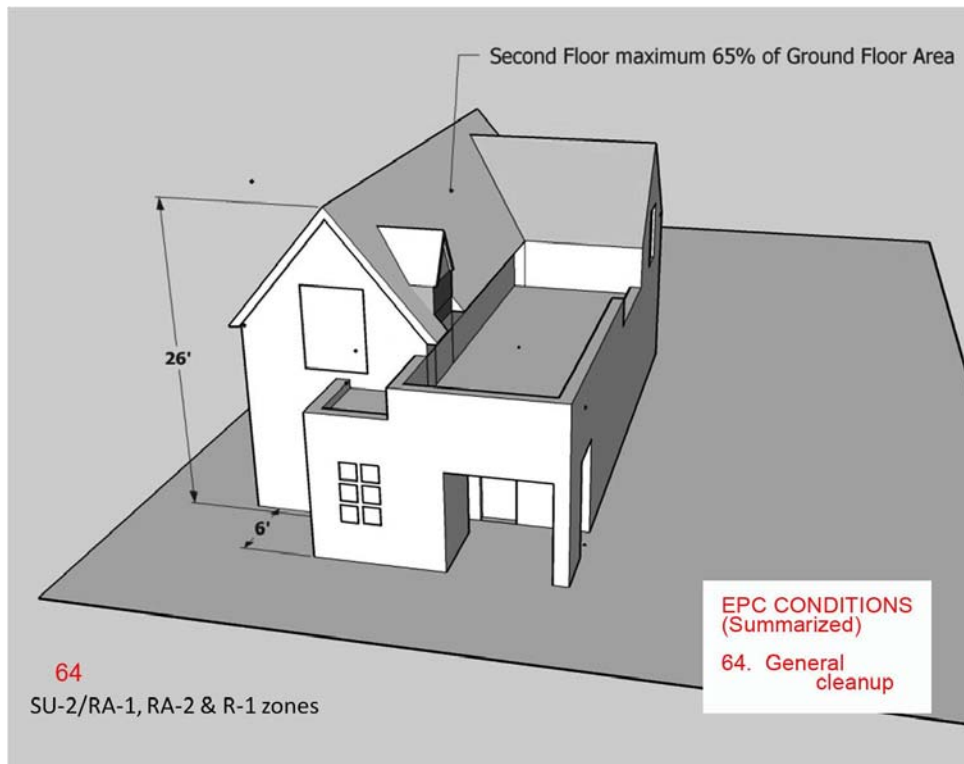


Figure Y Example Pitch Roof House: showing height standards and second floor area maximum



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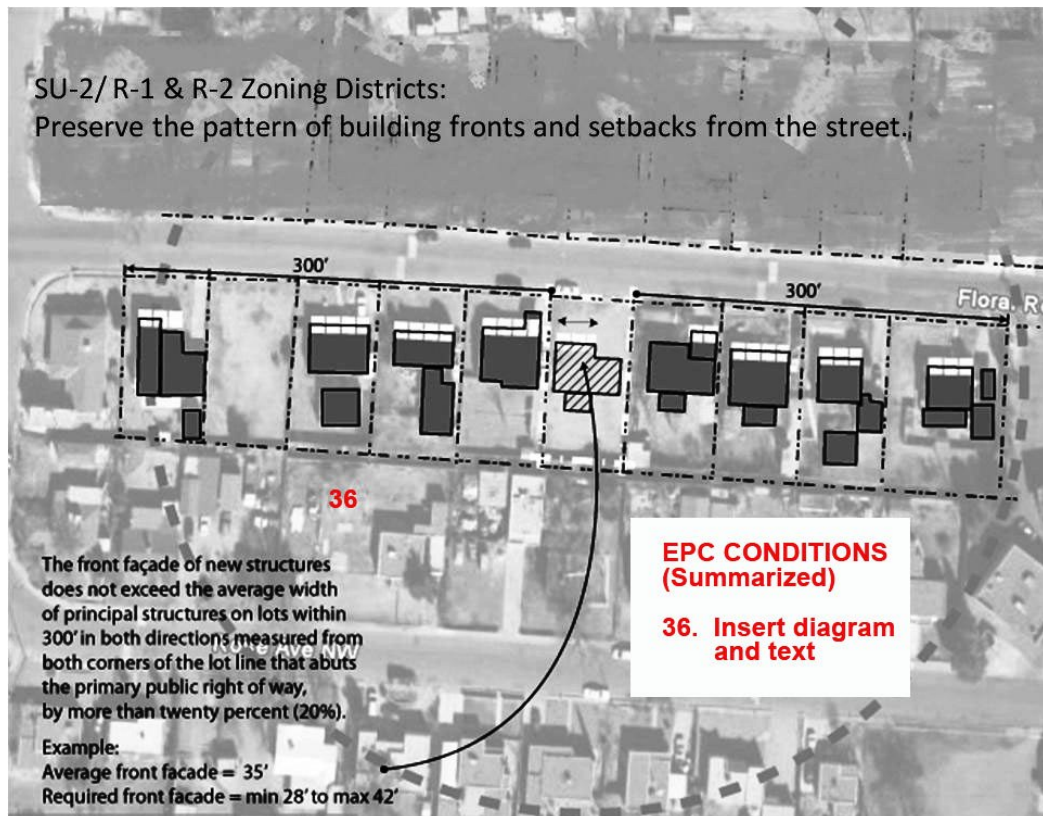


Figure Z SU-2/R-1 & SU-2/R-2 Example Building Frontage Standards

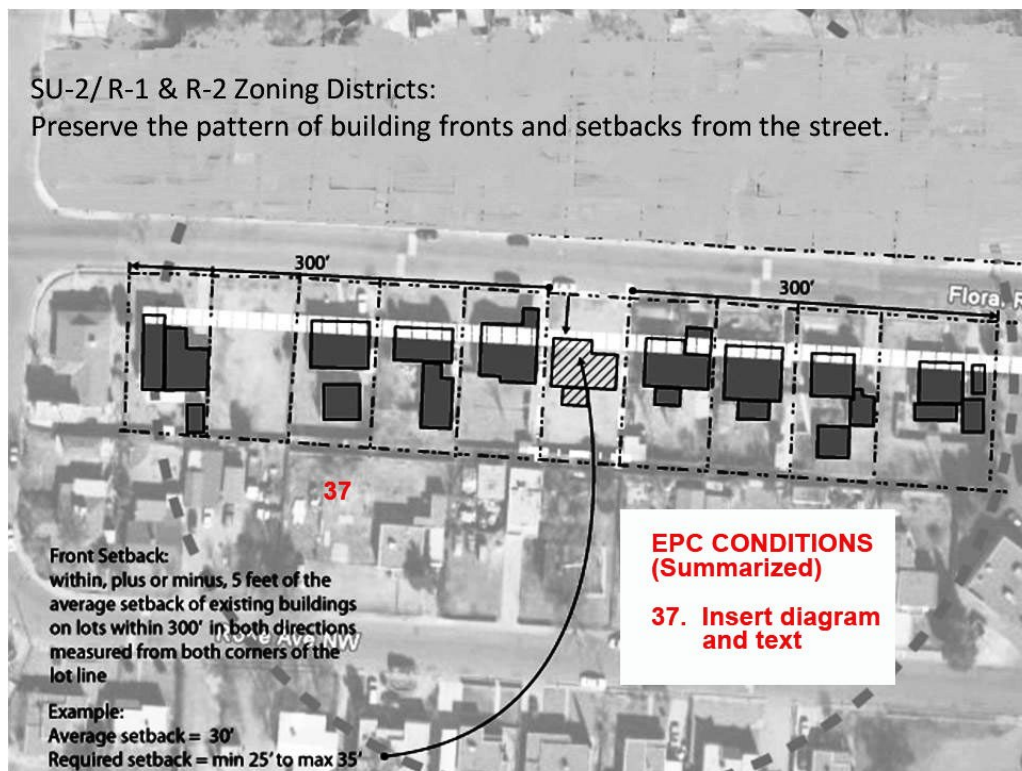


Figure AA SU-2/R-1 & SU-2/R-2 Example Front Setback Standards



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#### ~~LDDP SU-2/R-2 [C38]~~

##### *~~Design standards pertaining to scale and mass amending R-2 zoning district~~*

~~The R-2 zoning district has large deep tracts (350') and zoning that allows single family, townhouses and apartments. This has created a mixed development pattern. Many of the lots have been subdivided into parcels that accommodate detached one and two story single family homes with private drives to provide access for houses built in the middle and back of the tract. Other lots have been subdivided to accommodate attached one and two story townhomes and apartment complexes. The following standards support the goal of preserving the character of the residential neighborhood and encouraging a cohesive evolution of the neighborhood. These revised standards are intended to ensure that new development respects the scale and mass of the existing built environment.~~

City R-2 zoning with the following exceptions:

A. Height:

1. Structure height up to 16 feet is permitted
2. Structure height up to 26 feet is permitted with the following regulations:
  - i) Minimum 6' step back from ground floor frontage abutting public right-of way
  - ii) Townhouses and apartments: Minimum 6' step back from ground floor frontage abutting SU-2/R-1 or SU-2/RA-2 zoned properties.
  - iii) Second story area limited to 65% of ground floor foot print

B. Ground Floor Entrances:

1. Entrances to second floor units shall be internal to the building if they are not located on the ground floor.

C. Frontage:

1. The front façade of new structures does not exceed the average front façade width of the principal structure on the two adjoining properties by more than twenty percent (20%).

D. Setbacks:

1. The building front setbacks shall be maintained to preserve the pattern of building fronts and setbacks from the street, with a setback between 25 feet to 35 feet, and vary the setback from the adjacent building.
2. Garages that face the street shall be setback not less than 20' from the property line.

E. Every two adjoining townhouses with vehicle access from the street are required to share a driveway with a maximum curb cut of 16'.

G.A. Driveways shall be a minimum of 20'.

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#### **LDSDP SU-2/R-LT**

##### *Design standards pertaining to scale and mass amending R-LT zoning district*

The R-LT zoning district in Los Duranes consists primarily of one and two story townhouses with ground related entrances. The following standards are intended to ensure that new development respects the scale and mass of the existing built environment by preventing long homogeneous facades on public streets, minimizing the number of curb cuts and maximizing contiguous landscape areas in the front setback area.

City R-LT zoning with the following exceptions:

- A. Height:
  - 1. Structure height up to 16 feet is permitted
  - 2. Structure height up to 26 feet is permitted with the following regulations:
    - i) Minimum 6' step-back from ground floor frontage abutting public right-of way
    - ii) Townhouses ~~and apartments~~ [C41]: Minimum 6' step-back from ground floor frontage abutting SU-2/R-1, SU-2/RA-1 [C25] or SU-2/ RA-2 zoned properties.
    - iii) Second story area limited to ~~65~~ 75% [C40] of ground floor foot print
- B. Frontage:
  - 1. Facades of townhouses on the same frontage shall be articulated at least every 40' or third unit with a minimum change of 2' in setback.
- C. Garages that have doors facing [C33] ~~face~~ the street shall be setback not less than 20' from the property line.
- D. Every two adjoining townhouses with vehicle access from the street are required to share a driveway with a maximum curb cut of 16'.
- E. Driveways shall be a minimum of 20' in length. [C34]

#### **LDSDP SU-2/R-T**

##### *Design standards pertaining to scale and mass amending R-T zoning district*

The R-T zoning district in Los Duranes consists of one and two story clustered townhouses with shared driveways and ground related entrances. The following standards are intended to ensure that new development respects the scale and mass of the existing built environment by preventing long homogeneous facades on public streets, minimizing the number of curb cuts and maximizing contiguous landscape areas in the front setback area.

City R-T zoning with the following exceptions:

- A. Height:
  - 1. Structure height up to 16 feet is permitted
  - 2. Structure height up to 26 feet is permitted with the following regulations:
    - i) Minimum 6' step-back from ground floor frontage abutting public right-of way

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- ii) Townhouses: Minimum 6' step-back from ground floor frontage abutting SU-2/R-1, SU-2/RA-1 [C25] or SU-2/ RA-2 zoned properties.
  - iii) Second story area limited to 6575% [C40] of ground floor foot print
- B. Frontage:
- 1. Facades of townhouses on the same frontage shall be articulated at least every 40' or third unit with a minimum change of 2' in setback-.
- C. Garages that have doors facing [C33] ~~face~~ the street shall be setback not less than 20' from the property line.
- D. Every two adjoining townhouses with vehicle access from the street are required to share a driveway with a maximum curb cut of 16'.
- E. Driveways shall be a minimum of 20' in length. [C34]

#### **LSDP SU-2/R-2 [C38]**

##### *Design standards pertaining to scale and mass amending R-2 zoning district*

The R-2 zoning district has large deep tracts (350') and zoning that allows single family, townhouses and apartments. This has created a mixed development pattern. Many of the lots have been subdivided into parcels that accommodate detached one and two story single family homes with private drives to provide access for houses built in the middle and back of the tract. Other lots have been subdivided to accommodate attached one and two story townhomes and apartment complexes. The following standards support the goal of preserving the character of the residential neighborhood and encouraging a cohesive evolution of the neighborhood. These revised standards are intended to ensure that new development respects the scale and mass of the existing built environment.

City R-2 zoning with the following exceptions:

#### A. Height:

- 1. Structure height up to 16 feet is permitted
- 2. Structure height up to 26 feet is permitted with the following regulations:
  - i) Minimum 6' step-back from ground floor frontage abutting public right-of way
  - ii) Townhouses and apartments: Minimum 6' step-back from ground floor frontage abutting SU-2/R-1, SU-2/RA-1 or SU-2/ RA-2 zoned properties.
  - iii) Second story area limited to 75% [C40] of ground floor foot print

#### B. Ground Floor Entrances: Entrances to second floor units shall be internal to the building if they are not located on the ground floor.

#### C. Frontage: The front facade of new structures shall not exceed the average width of principal structures on lots within 300 ft in both directions measured from both corners of the lot line that abuts the primary public right-of-way by more than 20%. [C36]

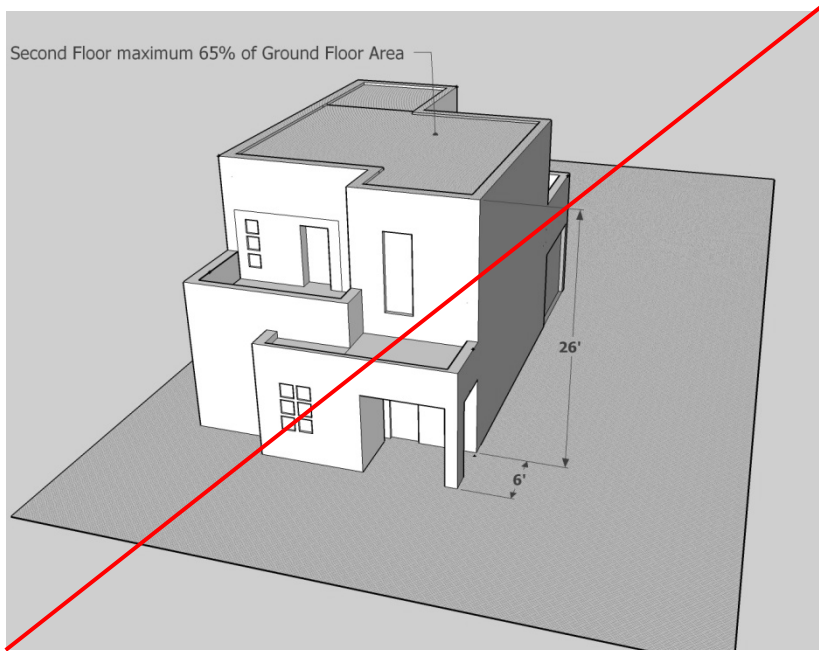
#### D. Setbacks:

- 1. The building setbacks shall be substantially maintained to preserve the pattern of building fronts and setbacks from the street. Substantially maintained means that the building

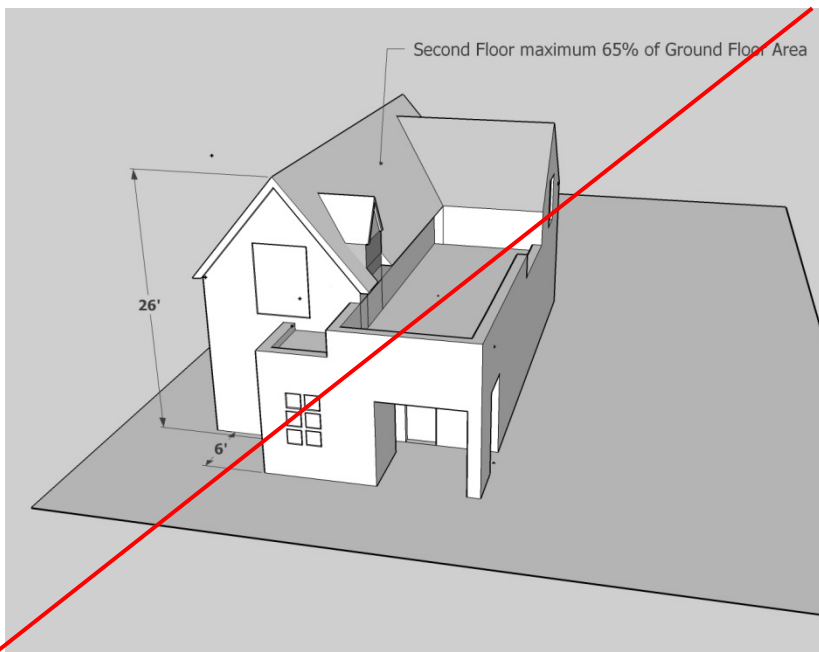
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- setback is within, plus or minus, 5 feet of existing buildings within 300 feet in both directions measured from the corners of the lot line that abuts the primary public right of way. Minimum setback is 15 ft. [C37]
2. Garages that have doors facing [C33] the street shall be setback not less than 20' from the property line.
3. The maximum length of a building shall be 80 ft. The minimum distance between buildings shall be 15 ft. [C39]
- E. Every two adjoining townhouses with vehicle access from the street are required to share a driveway with a maximum curb cut of 16'.
- F. Driveways shall be a minimum of 20' in length. [C34]

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**Figure A Example Flat Roof: showing height standards and second floor area maximum.**



**Figure B Example Pitch Roof: showing height standards and second floor area maximum**

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#### **LDSDP SU-2/PCD Regulations [C32]**

~~Permitted use of private commons development (PCD) in accordance with the provisions in Section 14-16-3-16 of the Zoning Code on any tract of land or the aggregate of lots within a single development in the RA-2, and R-1 zoning district containing one or more acres, and refinements to the PCD design criteria.~~

The LDSDP SU-2/PCD amends the PCD regulations in the Zoning Code for the SU-2/RA-2 and SU-2/R-1 zoning districts to reduce the minimum tract size from 2 acres to 1 acre and refines the PCD design criteria to allow plazuela compounds which will permit compact and/or clustered development and shared consolidated open space, without increasing density. The intent is to support the following community goals:

- ~~Encourage family compounds to support multi-generations of families living in the neighborhood.~~
- ~~Support clustered housing and family compounds as a way of continuing historic land use patterns that maintain open space and accommodate diverse household incomes and lifestyles.~~

A.~~A PCD may be established on a tract of land containing 1 or more acres zoned LDSDP SU-2/ RA-2 or SU-2/R-1.~~

B.Density:

- 1.~~The number of dwelling units permitted in a PCD is determined by dividing the gross site area by the minimum lot size permitted by the existing zoning rounded to the nearest whole number. However, the number of dwellings in a PCD may not be more than 20.~~

i)~~Example: one acre tract (43,560 sq ft) / RA-2 minimum lot size (10,890 sq ft) = 4 dwelling units~~

C.~~The dwelling units may be attached or detached houses or townhouses or any combination thereof on any size lots.~~

D.Setbacks:

- 1.~~Front — There shall be a minimum setback of 15 feet from PCD boundary that abuts public right of way except driveways shall not be less than 20 feet long.~~
- 2.~~Rear — there shall be a minimum setback of 25 feet from PCD boundary~~
- 3.~~Side — there shall be a minimum setback of 10 feet for all side yards contiguous with the PCD boundary.~~

E.Heights:

- 1.~~Structure height up to 16 feet is permitted~~
- 2.~~Structure height up to 26 feet is permitted with the following conditions:~~
- 3.~~Minimum 6' step back from ground floor frontage abutting public right-of way~~



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~~4. Second story area limited to 65% of ground floor foot print.~~

#### ~~F. Private Commons Area (PCA):~~

- ~~1. As per Zoning Code: A minimum of 30% of the gross area of a PCD or 100% of the area gained through lot size reductions, whichever is greater, shall be set aside as a Private Commons Area (PCA).~~
- ~~2. The PCA may be used for agriculture, landscaping, recreation or any combination thereof. It may be composed of separate tracts but each shall have a minimum length and width of 35 feet and shall be visible from a public right-of-way with the exception noted below for a PCA associated with a plazuela compound or the community acequia system. Land used for streets, driveways, parking, sidewalks and private yards may not be counted as part of a PCA. No buildings or structures are permitted in a PCA except those necessary for the operation and maintenance of the PCA. A PCA may have underground easements and or drain, lateral, or ditch. The use of a PCA may be restricted to the residents of the PCD and may be fenced following City regulations for walls (§14-16-3-19).~~
- ~~3. The tract or tracts of a PCA shall be located within the property according to the following provisions:~~
  - ~~i) If a property abuts a ditch, lateral or drain designated on the Community Acequia System Map, at least one half of the PCA shall be located parallel and adjacent to the waterway.~~
  - ~~ii) The PCA may be located in a plazuela compound, provided that no street goes through the PCA.~~
  - ~~iii) If the PCA does not abut a ditch, lateral or drain of the community acequia system nor is contained in the plazuela area of a plazuela compound, then the PCA shall abut and be visible from a public right-of-way, unless the PCD has no public frontage.~~

#### ~~G. Land Use Easement and Restrictive Covenants:~~

- ~~1. The PCA shall be set aside by the developer through a land use easement and restrictive covenants acceptable to the Development Review Board (DRB) and according to provisions of section § 14-16-3-16 PRIVATE COMMONS DEVELOPMENT of the Zoning Code with the exceptions as noted above, when applicable.~~

#### ***LDSDP SU-2/Mixed Use District 1 (MUD 1) Zone***

*For properties with non-residential, primarily C-1 and O-1, zoning in the Rio Grande Blvd corridor area of the Los Duranes Sector Development Plan.*

The LDSDP SU-2/Mixed Use District 1 is provided to encourage neighborhood-oriented retail, service and office uses, and commercial and residential mixed uses on properties with C-1 and O-1 zoning prior to the adoption of this plan. In several cases, lots in the Rio Grande Blvd. corridor are currently split

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between two different zones, commercial and residential. The LDSDP proposes to remedy the problem by aligning zoning with lot lines. The realignments generally reflect the predominant, existing land use and the ownership of the lots.

The district supports a mix of retail and commercial service uses as well as medium density (up to 20 dwelling units per acre) residential uses. LDSP SU-2/Mixed Use District 1 in conjunction with the design regulations put forth in the Rio Grande Blvd. Corridor Plan (RGCBCP) are necessary to implement many of the land use, housing, and transportation strategies and to support many of the community goals for the Los Duranes neighborhood.

[C44 applies to the following section generally;C48 applies to permissive and conditional uses]

A. Permissive Uses: any or a mix of permissive uses from the following zones and Senior Housing Facility [C44] are allowed, subject to a maximum residential density of 20 dwelling units (DUs) per acre [C45]:

1. R-G Residential Garden Apartment Zone

2. O-1 Office and Institution Zone with the exception of:

i) Parking lot, and Commercial parking facility as defined on page xx of this plan [C56]

3. C-1 Neighborhood Commercial Zone with the exception of:

i) Parking lot, and Commercial parking facility as defined on page xx of this plan [C56]

ii) Gasoline, oil and liquefied petroleum gas retailing, unless it is an existing or previously approved use, which is allowed on the same premises.

iii) Off-premise signs

4. Senior Housing Facility - An age restricted residential complex which may be in a variety of housing forms - attached or detached dwelling units, apartments, private or semi-private rooms - occupied by senior citizens. The property shall be operated only as 'Housing for Older Persons' as defined in the Federal Housing for Older Persons Act (42U.S.S., para 3607(b)(2)) and uses will include related facilities. [C49] Such facilities may include a congregate meals program in a common dining area, private recreational facilities, housekeeping assistance, medical services including but not limited to dietary and nutritional assistance, or incidental services that address the activities of daily living. Facilities meeting the definition of a Community Residential Program cannot be included under the Senior Facility Housing use. [C49]

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B. Conditional Uses: any or a mix of conditional uses from the following zones are allowed , subject to a maximum residential density of 20 dwelling units (DUs) per acre [C45]:

1. R-G Residential Garden Apartment Zone

2. O-1 Office and Institution Zone

3. C-1 Neighborhood Commercial Zone with the exception of :

i) Vehicle sales, rental, service, repair and storage, both indoor and outdoor.

C. Regulations:

1. R-G Residential Garden Apartment Zone, as regulated in the Zoning Code with the following exceptions:

i) Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan

ii) Lot Size. No requirements.

iii) Setback. Setback shall be as provided in the O-1 zone.

iv) Off-street Parking:

(a) 1 space for units with 1 bedroom or efficiency [C52] apartments,

(b) 1.5 spaces for units with 2 bedrooms,

(c) 2 spaces for units with 3 or more bedrooms.

(d) Per design standards of the Rio Grande Blvd Corridor Plan, where applicable.

2. O-1 Office and Institution Zone, as regulated in the Zoning Code with the following exceptions:

i) Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan

ii) Off-street Parking: per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.

3. C-1 Neighborhood Commercial Zone, as regulated in the Zoning Code with the following exceptions:

i) Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan

ii) Off-street Parking. Per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.

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iii) Design Standards for Drive-up Service Windows: Drive-up service windows shall not be on a façade that faces or fronts on Rio Grande Blvd. and the associated drive-up queue lanes shall not be located parallel to Rio Grande Boulevard, unless they are behind a building. Drive-up service windows shall be oriented away from pedestrian areas, such as sidewalks and plazas, [C46]residentially-zoned areas and other public streets where possible. Screening shall be provided for drive-up service windows and associated drive-up queue lanes. Screening may be in the form of walls, earth berms, and/or dense evergreen landscaping, and shall be a minimum of three feet in height. The design of walls shall integrate with the building materials and colors. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian, residential or public street side. The vegetation shall include evergreen shrubs and/or trees to provide adequate shielding. Screening may also be provided by placing the drive-up service windows and/or queue lanes between two adjacent and parallel buildings. [C46]

#### 4. Senior Housing Facility [C47]

i) Height. Pursuant to C-1 zone with stepback as per Rio Grande Blvd. Corridor Plan.

ii) Setbacks. Pursuant to O-1 zone.

iii) Off-street Parking. 1 space per 2 dwelling units or apartments, 1 space per 2 private or semi-private rooms.

D. Special Buffer Landscaping/Screening: §14-16-3-10 (E)(4) of the Zoning Code shall apply where a non-residential use in an SU-2/MUD 1 abuts a residential zone, except that the special landscape buffer shall be at least 6 ft wide instead of 10 ft.. This is to allow for narrower buffers in this older neighborhood, where the depth and/or shape of existing lots may create a constraint. The special landscape buffer shall be used for rainwater harvesting.[C51]

E. Approval process: Development may only occur in conformance with a Site Development Plan for Building Permit, and a Site Development Plan for Subdivision if replatting is required and/or development will be phased. Site development plans shall be approved by the Development Review Board (DRB). Public notification of the DRB hearings is required. The Planning Director may approve minor changes to an approved Site Development Plan, per the procedure in 14-16-2-22 (A)(6) except that major changes shall be approved by the Development Review Board rather than the Planning Commission. Any conditional uses shall be approved by the Zoning Hearing Examiner prior to DRB. [C50]

#### A. Permissive and Conditional Uses:

1. Any or a mix of uses from the following three zoning districts is allowed with the exception of the prohibited uses listed in B:-

i) O-1 as regulated in the Zoning Code with the following exceptions:

(1) Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan

### III. Neighborhood Plan

- ~~(2) Off-street Parking: per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.~~
- ~~ii) C-1 as regulated in the Zoning Code with the following exceptions:~~
  - ~~(1) Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan~~
  - ~~(2) Off-street Parking. Per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.~~
  - ~~(3) Design Standards for Drive-up Service Windows: Drive-up service windows shall not be on a façade that faces or fronts on Rio Grande Blvd. and the associated drive-up queue lanes shall not be located parallel to Rio Grande Boulevard, unless they are behind a building. Drive-up service windows shall be oriented away from pedestrian areas, residentially-zoned areas and other public streets where possible. Screening shall be provided for drive-up service windows and associated drive-up queue lanes. Screening may be in the form of walls, earth berms, and/or dense evergreen landscaping, and shall be a minimum of three feet in height. The design of walls shall integrate with the building materials and colors. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian, residential or public street side. The vegetation shall include evergreen shrubs and/or trees to provide adequate shielding.~~
- ~~iii) R-G as regulated in the Zoning Code with the following exceptions:~~
  - ~~(1) Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan~~
  - ~~(2) Lot Size. No requirements.~~
  - ~~(3) Setback. Setback shall be as provided in the O-1 zone.~~
  - ~~(4) Off-street Parking:~~
    - ~~(a) 1 space for units with 1 bedroom or studio apartments,~~
    - ~~(b) 1.5 spaces for units with 2 bedrooms,~~
    - ~~(c) 2 spaces for units with 3 or more bedrooms.~~
    - ~~(d) Per design standards of the Rio Grande Blvd Corridor Plan, where applicable.~~

~~2. Permissive Use: Senior Housing Facility—An age restricted residential complex which may be in a variety of housing forms—attached or detached dwelling units, apartments, private or semi-private rooms—occupied by senior citizens. Such facilities may include a congregate meals program in a common dining area, private recreational facilities, housekeeping assistance, medical services including but not limited to dietary and nutritional assistance, or incidental services that address the activities of daily living.~~

#### ~~B. Prohibited Uses: [C48]~~

- ~~1. New Drive-up service windows, with the following exception:~~
  - ~~i) Drive-up service windows allowed permissively in the C-1 zone (incl. banks, pharmacy)~~
- ~~2. Gasoline, oil and liquefied petroleum gas retailing, unless it is an existing or previously approved use, which is allowed on the same premises.~~
- ~~3. Commercial parking lot~~
- ~~4. Off-premise signs~~

### III. Neighborhood Plan

~~5. Vehicle sales, rental, service, repair and storage, both indoor and outdoor~~

~~6.~~

#### ~~C. Special Buffer Landscaping/Screening:~~

~~§14-16-3-10 (E)(4) of the Zoning Code shall apply where a non-residential use in an SU-2/MUD 1 abuts a residential zone, except that the special landscape buffer shall be at least 6 ft wide instead of 10 ft.. This is to allow for narrower buffers in this older neighborhood, where the depth and/or shape of existing lots may create a constraint.~~

#### ~~D. Approval Process:~~

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

#### **LDSDP SU-2/Mixed Use District 2 (MUD 2) Zone**

*For properties with non-residential, primarily C-2, zoning in the Rio Grande Blvd corridor area of the Los Duranes Sector Development Plan.*

The LDSP SU-2/Mixed Use District 2 is provided to encourage a mix of neighborhood-scale commercial, retail, office and residential uses on properties with primarily C-2 zoning prior to the approval of this plan. MUD 2 districts allow a wider range and more intensive commercial uses than the MUD 1 districts. They are appropriate in the southern part of the Rio Grande Blvd. corridor, which is closer to Interstate 40.

In several cases, lots in the Rio Grande Blvd. corridor are currently split between two different zones, including residential. The LDSDP proposes to remedy the problem by aligning zoning with lot lines. The realignments generally reflect the predominant, existing land use and the ownership of the lots.

The district supports a mix of retail and commercial service uses as well as medium density (up to ~~20~~ 30 [for consistency with C53] dwelling units per acre) residential uses. LDSDP SU-2/Mixed Use District 2 in conjunction with the design regulations put forth in the Rio Grande Blvd. Corridor Plan (RGBCP) are necessary to implement many of the land use, housing, and transportation strategies, and support many of the community goals for the Los Duranes neighborhood.

[C44 applies to the following section generally; C48 applies to permissive & conditional uses]

A. Permissive Uses: any or a mix of permissive uses from the following zones and Senior Housing Facility are allowed, subject to a maximum residential density of 30 DUs/acre [C53]:



### III. Neighborhood Plan

1. LDSDP SU-2/R-2 Zone [C53]
2. O-1 Office and Institution Zone with the exception of :
  - i) Parking lot, and Commercial parking facility as defined on page xx of this plan [C56]
3. C-1 Neighborhood Commercial Zone with the exception of :
  - i) Parking lot, and Commercial parking facility as defined on page xx of this plan [C56]
  - ii) Gasoline, oil and liquefied petroleum gas retailing, unless it is an existing or previously approved use, which is allowed on the same premises.
  - iii) Off-premise signs
4. C-2 Community Commercial Zone with the exception of :
  - i) Drive-in restaurant
  - ii) Parking lot, and Commercial parking facility as defined on page xx of this plan [C56]
  - iii) Gasoline, oil and liquefied petroleum gas retailing, unless it is an existing or previously approved use, which is allowed on the same premises.
  - iv) Off-premise signs
  - v) Vehicle sales, rental, service, repair and storage, both indoor and outdoor
  - vi) Drive up Service Windows for Restaurant, unless it is an existing or previously approved use, which is allowed on the same premises.
5. Senior Housing Facility - An age restricted residential complex which may be in a variety of housing forms - attached or detached dwelling units, apartments, private or semi-private rooms - occupied by senior citizens. The property shall be operated only as 'Housing for Older Persons' as defined in the Federal Housing for Older Persons Act (42U.S.S., para 3607(b)(2)) and uses will include related facilities.[C49] Such facilities may include a congregate meals program in a common dining area, private recreational facilities, housekeeping assistance, medical services including but not limited to dietary and nutritional assistance, or incidental services that address the activities of daily living. Facilities meeting the definition of a Community Residential Program cannot be included under the Senior Facility Housing use. [C49]

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B. Conditional Uses: any or a mix of conditional uses from the following zones are allowed, subject to a maximum residential density of 30 DUs/acre [C53]

1. LDSDP SU-2/R-2 Zone [C53]

2. O-1 Office and Institution Zone

3. C-1 Neighborhood Commercial Zone with the exception of :

i) Vehicle sales, rental, service, repair and storage, both indoor and outdoor

4. C-2 Community Commercial Zone

C. Regulations:

1. SU-2/R-2 Zone as regulated in the LDSDP with the following exceptions [C53]

i) Height.

(a) Structure height up to 16 feet is permitted

(b) Structure height up to 26 feet, and up to 36 ft within 450 ft of I-40, is permitted with the following regulations

i. Stepback as per Rio Grande Blvd. Corridor Plan

ii. Townhouses and apartments: Minimum 6' step-back from ground floor frontage abutting SU-2/R-1, SU-2/RA-1 or SU-2/ RA-2 zoned properties.

iii. Second story area limited to 75% of ground floor foot print

ii) No frontage requirement.

iii) Front building setback. Minimum 15 ft.

iv) Off-street Parking:

(a) 1 space for units with 1 bedroom or efficiency apartments,

(b) 1.5 spaces for units with 2 bedrooms,

(c) 2 spaces for units with 3 or more bedrooms.

(d) Per design standards of the Rio Grande Blvd Corridor Plan, where applicable.

2. O-1 Office and Institution Zone, as regulated in the Zoning Code with the following exceptions

i) Height. Pursuant to C-1 Zone, except within 450 ft of Interstate 40, where height up to 36' is permitted [C54], with stepback as per Rio Grande Blvd. Corridor Plan

ii) Off-street Parking: per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.

### III. Neighborhood Plan

3. C-1 Neighborhood Commercial Zone, as regulated in the Zoning Code with the following exceptions

- i) Height. Pursuant to C-1 Zone , except within 450 ft of Interstate 40, where height up to 36' is permitted [C54], with setback as per Rio Grande Blvd. Corridor Plan
- ii) Off-street Parking. Per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.
- iii) Design Standards for Drive-up Service Windows: Drive-up service windows shall not be on a façade that faces or fronts on Rio Grande Blvd. and the associated drive-up queue lanes shall not be located parallel to Rio Grande Boulevard, unless they are behind a building. Drive-up service windows shall be oriented away from pedestrian areas, such as sidewalks and plazas, [C46]residentially-zoned areas and other public streets where possible. Screening shall be provided for drive-up service windows and associated drive-up queue lanes. Screening may be in the form of walls, earth berms, and/or dense evergreen landscaping, and shall be a minimum of three feet in height. The design of walls shall integrate with the building materials and colors. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian, residential or public street side. The vegetation shall include evergreen shrubs and/or trees to provide adequate shielding. Screening may also be provided by placing the drive-up service windows and/or queue lanes between two adjacent and parallel buildings. [C46]

4. C-2 Community Commercial Zone , as regulated in the Zoning Code with the following exceptions

- i) Height. Pursuant to C-1 Zone, except within 450' of Interstate 40, where height up to 36' is permitted, [C54]with setback as per Rio Grande Blvd. Corridor Plan.
- ii) Off-street Parking. Per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.
- iii) Design Standards for Drive-up Service Windows: Drive-up service windows shall not be on a façade that faces or fronts on Rio Grande Blvd. and the associated drive-up queue lanes shall not be located parallel to Rio Grande Boulevard, unless they are behind a building. Drive-up service windows shall be oriented away from pedestrian areas, such as sidewalks and plazas, [C46]residentially-zoned areas and other public streets where possible. Screening shall be provided for drive-up service windows and associated drive-up queue lanes that abut public streets or pedestrian areas. Screening may be in the form of walls, earth berms, and/or dense evergreen landscaping, and shall be a minimum of three feet in height. The design of walls shall integrate with the building materials and colors. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian, residential or public street side. The vegetation shall include

### III. Neighborhood Plan

evergreen shrubs and/or trees to provide adequate shielding. Screening may also be provided by placing the drive-up service windows and/or queue lanes between two adjacent and parallel buildings. [C46]

#### 5. Senior Housing Facility [C47]

- i) Height. Pursuant to C-1 zone, except within 450' of Interstate 40, where height up to 36' is permitted, [C54] with stepback as per Rio Grande Blvd. Corridor Plan.
- ii) Setbacks. Pursuant to O-1 zone.
- iii) Off-street Parking. 1 space per 2 dwelling units or apartments, 1 space per 2 private or semi-private rooms.

D. Special Buffer Landscaping/Screening: §14-16-3-10 (E)(4) of the Zoning Code shall apply where a non-residential use in an SU-2/MUD 1 abuts a residential zone, except that the special landscape buffer shall be at least 6 ft wide instead of 10 ft.. This is to allow for narrower buffers in this older neighborhood, where the depth and/or shape of existing lots may create a constraint. The special landscape buffer shall be used for rainwater harvesting.[C51]

E. Approval process: Development may only occur in conformance with a Site Development Plan for Building Permit, and a Site Development Plan for Subdivision if replatting is required and/or development will be phased. Site development plans shall be approved by the Development Review Board (DRB). Public notification of the DRB hearings is required. The Planning Director may approve minor changes to an approved Site Development Plan, per the procedure in 14-16-2-22 (A)(6) except that major changes shall be approved by the Development Review Board rather than the Planning Commission. Any conditional uses shall be approved by the Zoning Hearing Examiner prior to DRB. [C50]

#### A. Permissive and Conditional Uses:

1. Any or a mix of uses from the following three zoning districts is allowed with the exception of the prohibited uses listed in B:

i) ~~O-1 as regulated in the Zoning Code with the following exceptions:~~

- (1) ~~Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan~~
- (2) ~~Off-street Parking: per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.~~

ii) ~~C-1 as regulated in the Zoning Code with the following exceptions:~~

- (1) ~~Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan~~
- (2) ~~Off-street Parking. Per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.~~

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~~(3)Design Standards for Drive-up Service Windows: Drive-up service windows shall not be on a façade that faces or fronts on Rio Grande Blvd. and the associated drive-up queue lanes shall not be located parallel to Rio Grande Boulevard, unless they are behind a building. Drive-up service windows shall be oriented away from pedestrian areas, residentially-zoned areas and other public streets where possible. Screening shall be provided for drive-up service windows and associated drive-up queue lanes. Screening may be in the form of walls, earth berms, and/or dense evergreen landscaping, and shall be a minimum of three feet in height. The design of walls shall integrate with the building materials and colors. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian, residential or public street side. The vegetation shall include evergreen shrubs and/or trees to provide adequate shielding.~~

~~iii)C-2 as regulated in the Zoning Code with the following exceptions:~~

~~(1)Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan except within 300' of Interstate 40, where height up to 36' is permitted.~~

~~(2)Off-street Parking. Per the COA Zoning Code, except any more restrictive design standards of the Rio Grande Blvd Corridor Plan shall apply.~~

~~(3)Design Standards for Drive-up Service Windows: Drive-up service windows shall not be on a façade that faces or fronts on Rio Grande Blvd. and the associated drive-up queue lanes shall not be located parallel to Rio Grande Boulevard, unless they are behind a building. Screening shall be provided for drive-up service windows and associated drive-up queue lanes that abut public streets or pedestrian areas. Screening may be in the form of walls, earth berms, and/or dense evergreen landscaping, and shall be a minimum of three feet in height. The design of walls shall integrate with the building materials and colors. Where walls are provided, a minimum 3-foot wide planting strip with live vegetation shall also be provided on the pedestrian, residential or public street side. The vegetation shall include evergreen shrubs and/or trees to provide adequate shielding.~~

~~iv)R-G as regulated in the Zoning Code with the following exceptions:~~

~~(1)Height. Pursuant to C-1 Zone with stepback as per Rio Grande Blvd. Corridor Plan~~

~~(2)Lot Size. No requirements.~~

~~(3)Setback. Setback shall be as provided in the O-1 zone.~~

~~(4)Off-street Parking:~~

~~(a)1 space for units with 1 bedroom or studio apartments,~~

~~(b)1.5 spaces for units with 2 bedrooms,~~

### III. Neighborhood Plan

~~(c)2 spaces for units with 3 or more bedrooms.~~

~~(d)Per design standards of the Rio Grande Blvd Corridor Plan, where applicable.~~

~~2.Permissive Use: Senior Housing Facility—An age restricted residential complex which may be in a variety of housing forms—attached or detached dwelling units, apartments, private or semi-private rooms—occupied by senior citizens. Such facilities may include a congregate meals program in a common dining area, private recreational facilities, housekeeping assistance, medical services including but not limited to dietary and nutritional assistance, or incidental services that address the activities of daily living.~~

#### ~~B.Prohibited Uses: [C48]~~

~~1.Adult Establishments, Adult Store, Adult Material [C55]~~

~~2.Drive in Restaurant~~

~~3.Drive up Service Windows with the following exceptions:~~

~~i.Drive up service windows permissively allowed in the C-1 zone, i.e., banks, pharmacy, etc.)~~

~~ii.Existing or previously approved drive up service window for restaurant on the same premises~~

~~4.Gasoline, oil and liquefied petroleum gas retailing unless it is an existing or previously approved use, which is allowed on the same premises.~~

~~5.Commercial parking lot~~

~~6.Off-premises signs~~

~~7.Vehicle sales, rental, service, repair and storage, both indoor and outdoor~~

~~8.~~

~~9.~~

#### ~~C. Special Buffer Landscaping/Screening:~~

~~-§14-16-3-10 (E)(4) of the Zoning Code shall apply where a non-residential use in an SU-2/MUD-1 or MUD-2 zone abuts a residential zone, except that the special landscape buffer shall be at least 6 ft wide instead of 10 ft.. This is to allow for narrower buffers in this older neighborhood, where the depth and/or shape of existing lots may create a constraint.~~

~~1.~~



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#### ~~D. Approval Process:~~

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

#### **General Regulations**

##### **LDSDP Acequia Protection [C32]**

###### Setbacks from the Community Acequia System

Protection of the community acequia system in Los Duranes supports the traditional community pattern which has its roots in the historic agricultural lifestyle and contributes to the health and beauty of the regional Rio Grande ecosystem. (See Figure AA, p. xx) The following standard applies to all new development in the City portions of the planning area.

###### A. Setbacks from the Community Acequia System:

All structures, excluding walls and fences, [C28] must be set back a minimum of 15 feet from the centerline of any ditch, lateral or drain designated on the LDSDP Community Acequia System Map (Figure CC¥, p.-50xx).

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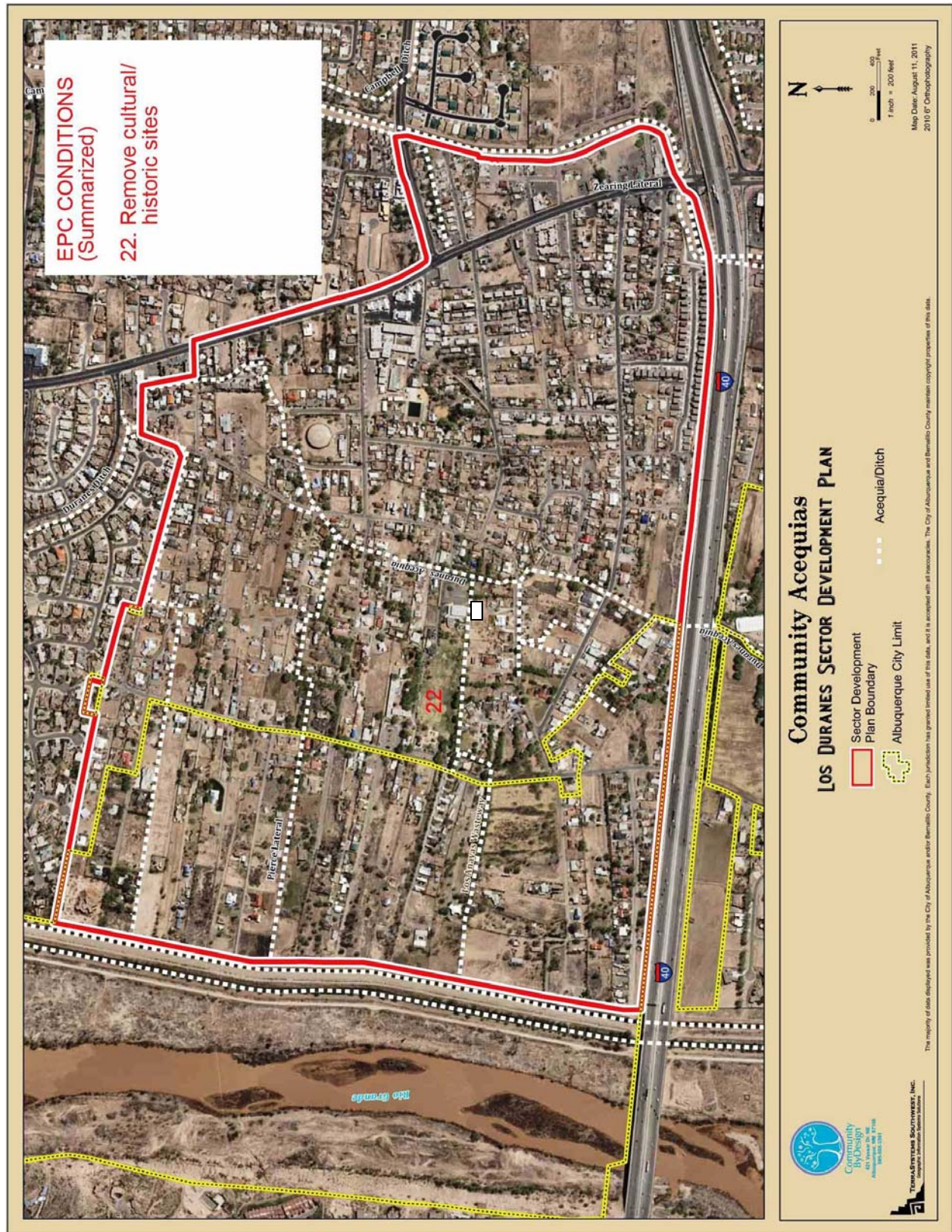


Figure BB LDSDP Community Acequia System Map – General Map (see next page for official map)



### III. Neighborhood Plan

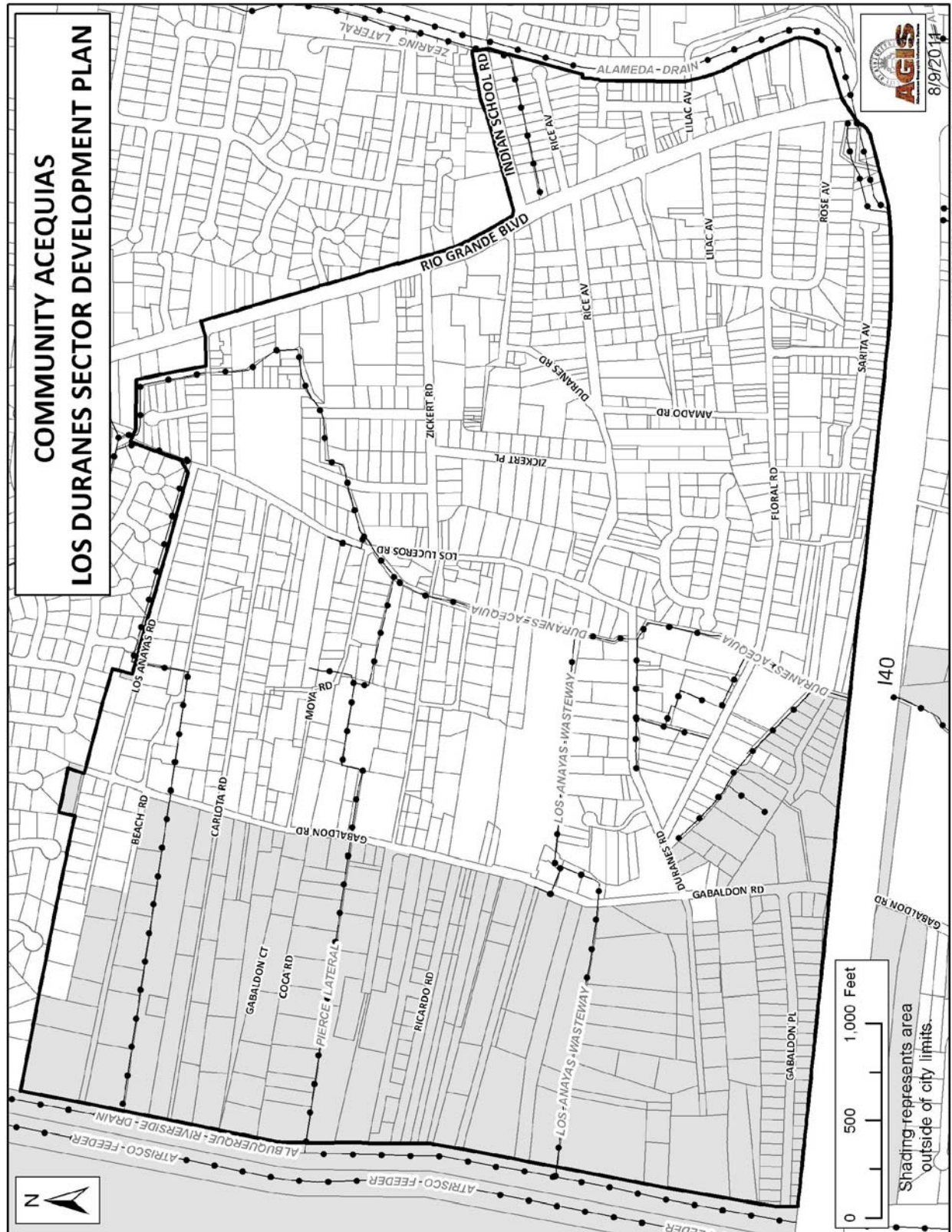


Figure CC LDSDP Community Acequia System Map – Official Map

### III. Neighborhood Plan

#### **LDSDP PCD Regulations [C32]**

Permitted use of private commons development (PCD) in accordance with the provisions in Section 14-16-3-16 of the Zoning Code on any tract of land or the aggregate of lots within a single development in the RA-1,[C25] RA-2, and R-1 zoning district containing one or more acres, and refinements to the PCD design criteria.

The LDSDP SU-2/PCD amends the PCD regulations in the Zoning Code for the SU-2/RA-1,[C25] SU-2/RA-2 and SU-2/R-1 zoning districts to reduce the minimum tract size from 2 acres to 1 acre and refines the PCD design criteria to allow plazuela compounds which will permit compact and/or clustered development and shared consolidated open space, without increasing density. The intent is to support the following community goals:

- Encourage family compounds to support multi-generations of families living in the neighborhood.
- Support clustered housing and family compounds as a way of continuing historic land use patterns that maintain open space and accommodate diverse household incomes and lifestyles.

A. A PCD may be established on a tract of land containing 1 or more acres zoned LDSDP SU-2/RA-1,[C25]SU-2/ RA-2 or SU-2/R-1.

B. Density:

1. The number of dwelling units permitted in a PCD is determined by dividing the gross-[C42]site area by the minimum lot size permitted by the existing zoning rounded to the nearest whole number. However, the number of dwellings in a PCD may not be more than 20.

i) Example: one acre tract (43,560 sq ft) / RA-2 minimum lot size (10,890 sq ft) = 4 dwelling units

C. The dwelling units may be ~~attached or~~ [C64]detached houses or townhouses or any combination thereof on any size lots.

D. Setbacks:

1. Front – There shall be a minimum setback of 15 feet from PCD boundary that abuts public right of way except driveways shall not be less than 20 feet long.

2. Rear – there shall be a minimum setback of 25 feet from PCD boundary

3. Side – there shall be a minimum setback of 10 feet for all side yards contiguous with the PCD boundary.

E. Heights:

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1. Structure height up to 16 feet is permitted
2. Structure height up to 26 feet is permitted with the following conditions:
3. Minimum 6' step-back from ground floor frontage abutting public right-of way
4. Second story area limited to 65% of ground floor foot print, except townhouses in a PCD shall be limited to 75% of ground floor footprint [for consistency with C40].

#### F. Private Commons Area (PCA):

1. As per Zoning Code: A minimum of 30% of the gross area of a PCD or 100% of the area gained through lot size reductions, whichever is greater, shall be set aside as a Private Commons Area (PCA).
2. The PCA may be used for agriculture, landscaping, on-site ponding [C43]recreation or any combination thereof. It may be composed of separate tracts but each shall have a minimum length and width of 35 feet and shall be visible from a public right-of-way with the exception noted below for a PCA associated with a plazuela compound or the community acequia system. Land used for streets, driveways, parking, sidewalks and private yards may not be counted as part of a PCA. No buildings or structures are permitted in a PCA except those necessary for the operation and maintenance of the PCA. A PCA may have underground easements and or a drain, lateral, or ditch. Any ponding area in the PCA shall have a minimum of 75% live vegetative cover.[C43] The use of a PCA may be restricted to the residents of the PCD and may be fenced following City regulations for walls (§14-16-3-19).
3. The tract or tracts of a PCA shall be located within the property according to the following provisions:
  - i) If a property abuts a ditch, lateral or drain designated on the Community Acequia System Map, at least one half of the PCA shall be located parallel and adjacent to the waterway.
  - ii) The PCA may be located in a plazuela compound, provided that no street goes through the PCA.
  - iii) If the PCA does not abut a ditch, lateral or drain of the community acequia system nor is contained in the plazuela area of a plazuela compound, then the PCA shall abut and be visible from a public right-of-way, unless the PCD has no public frontage .

#### G. Land Use Easement and Restrictive Covenants:

1. The PCA shall be set aside by the developer through a land use easement and restrictive covenants acceptable to the Development Review Board (DRB) and according to provisions of section § 14-16-3-16 PRIVATE COMMONS DEVELOPMENT of the Zoning Code with the exceptions as noted above, when applicable.

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Figure DD Example of PCD on 1 acre lot with detached units.



Figure EE Example of PCD on 1 acre lot with attached units (townhouses).

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#### **Electrical Utilities**

All screening and vegetation surrounding ground-mounted transformers and utility pads shall allow 10 feet of clearance in front of the equipment door and 5 to 6 feet of clearance on the remaining three sides for access and to ensure work crew and public safety during maintenance and repair, or as specified in the *Facility Plan: Electric Service Transmission and Subtransmission Facilities*. Non permanent use of clearance, such as for parking, is permitted. Aesthetic improvements are encouraged to minimize the visual impact of ground-mounted utility equipment. [C29]