

NON-CONFORMING USES

Non-conforming uses as identified in this Plan shall be in compliance with §14-16-3-4 Non-Conformance Regulations of the Comprehensive City Zoning Code, with the following EXCEPTIONS:

- 1. Unless otherwise provided, a structure or land building which is non-conforming as to use must be ~~removed or~~ converted to a conforming use within 5 years. The time period for the removal conversion of a non-conformance shall be computed from the date the Downtown Neighborhood Area Sector Plan is adopted by the City Council.

[Cond.78; Line
345]

DEMOLITION REVIEW

In order to limit the detrimental effect of demolition on the character of the Downtown Neighborhood Area, the following regulations provide the time necessary to determine whether a structure that meets certain criteria shall be designated as a City Landmark consistent with Article 14-12 R.O.A. 1994, or for owners of such structures to consider alternative strategies for the preservation, rehabilitation, or restoration of an historic building. City residents and the neighborhood association are required to be notified and asked to comment on the impending demolition of historic structures.

A. Procedure

- 1. No permit for the demolition of a structure in the Downtown Neighborhood Area which is in whole or in part 50 years or more old shall be issued without the following procedure. If a structure is of unknown age, it shall be presumed that the structure is over 50 years old for the purposes of these regulations.
- 2. An applicant proposing to demolish a structure shall file an application with the City and provide the following information:
 - a. The address of the structure to be demolished.
 - b. The owner’s name, address, and telephone number.
 - c. A description of the structure.
 - d. The reasons for requesting demolition. A brief description of the proposed reuse, reconstruction, or replacement.
 - e. A photograph or photograph(s) of the structure.
 - f. A statement as to the age of the structure and the basis for that statement.

If the applicant is not the owner of the premises upon which the structure is situated, the owner must indicate on or with the application his/her ~~assent~~ consent to the filing of the application.

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- 3. The Chief Building Official shall forward the application to the Landmarks and Urban Conservation Commission (LUCC) staff. The LUCC staff shall, within 15 days after receipt of the application, make a written determination of whether the structure is subject to demolition review.

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Any structure that the LUCC staff finds is or is presumptively more than 50 years old and as to which the LUCC staff finds that there is a likelihood that it meets the criteria of ~~(H)(1)~~ A.8.a as set out below is subject to demolition review.

4. Upon determination by the LUCC staff that the structure is not subject to demolition review, the LUCC staff shall approve the application and the Chief Building Official may then issue the demolition permit.
5. Upon determination by the LUCC staff that the structure is subject to demolition review, the LUCC staff shall so notify the Chief Building Official and the applicant in writing. No demolition permit may be issued following a staff determination that the structure is subject to demolition review prior to a LUCC hearing. If the LUCC staff does not notify the Chief Building Official within 15 days of receipt of the application that the structure is subject to demolition review, the Chief Building Official may proceed to issue the demolition permit.
6. If the LUCC staff finds that the structure is subject to demolition review, the LUCC shall hold a public hearing within 60 days of the written notification to the Chief Building Official. The City shall publish notice of the place, time and subject matter of the public hearing and the City shall also post the property subject to the application to indicate that a demolition permit has been requested. The City will mail written notice to the applicant and the record owners of the property subject to the application and to recognized neighborhood associations. If the address of the property owner is not a matter of record, any failure to send notice by mail does not invalidate any proceedings on the permit application.
7. Parties at the hearing shall be limited to:
 - a. Applicants;
 - b. Owners and occupants of the subject property;
 - c. Owners and occupants of adjacent properties;
 - d. Neighborhood associations covering the subject property;
 - e. Other persons who so request and whom the Commission determines have due cause to be considered parties; and
 - f. The City.
8. The purpose of the public hearing is for the LUCC to decide whether a 180 day demolition review period shall be invoked. If agreed to in writing by the applicant, the determination of the LUCC may be postponed.
 - a. To invoke the 180 day review period, the LUCC must find that, in considering the public interest, it is preferable that the structure be preserved or rehabilitated rather than demolished. Factors for consideration include:
 - 1) The structure's historic, architectural, engineering or cultural significance;

- 2) The structure’s potential to contribute to the City’s economic development or tourism industry;
 - 3) The structure’s potential to enhance the city’s heritage and historical identity;
 - 4) Whether the structure is unique or one of the last remaining examples of its kind in the neighborhood, the City or the region;
 - 5) The structure’s contribution to the fabric of the district, and in particular, to the wholeness and continuity of the street; and
 - 6) The structure’s condition.
- b. Upon a determination by the LUCC that the review period is to be invoked, the LUCC shall notify the Chief Building Official and applicant in writing. No permit for demolition, new construction or alterations on the premises shall be issued for a period of 180 days from the date of the determination. If the LUCC does not notify the Chief Building Official in writing within 21 days of the public hearing that the review period is to be invoked, the Chief Building Official may issue the demolition permit.
- c. No permit for demolition of a structure determined to be subject to a review period shall be granted until all plans for future use and development of the site have been filed with the Chief Building Official and have found to comply with all laws pertaining to the issuance of a building permit or if for a parking lot, a certificate of occupancy for that site. All approvals necessary for the issuance of such building permit or certificate of occupancy including without limitation any necessary zoning exceptions or special permits must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section.
- d. A “Determination of No Feasible Alternative” may be issued during the public hearing if the LUCC finds that as to a structure that otherwise meets the requirements for the 180 day demolition review period, there is no feasible alternative to demolition.
- e. If the LUCC determines that the 180 day review period is not to be invoked, the LUCC shall so notify the Chief Building Official and applicant in writing. The Chief Building Official may then issue the demolition permit.
9. The Chief Building Official may issue a demolition permit or a building permit upon expiration of the 180 day review period, and if a City Landmark designation has not been initiated or some other means of preserving the structure intact has not been agreed to in writing by the LUCC and the applicant.
10. During the demolition review period, the City and/or LUCC staff may take any action that it deems necessary and consistent with this regula-

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tion to preserve the structure, including, without limitation, consulting with groups, public agencies, and interested citizens; recommending acquisition of the property by private or public bodies or agencies; exploring the possibility of moving structures that would otherwise be demolished; and salvaging materials. During the review period, the LUCC shall provide for the documentation of the historic resources.

B. Administration

The LUCC may adopt such rules and regulations as are necessary to administer the terms of these regulations. The LUCC is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of these regulations.

C. Emergency Demolition

If, after an inspection, the Chief Building Official finds that a structure subject to this ordinance poses an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the structure, then the Chief Building Official may issue an emergency demolition permit to the owner of the structure. The Chief Building Official shall then prepare a report explaining the condition of the structure and the basis for his decision, which shall be forwarded to the LUCC.

D. Conflicts

Nothing in these regulations shall be deemed to conflict with the provisions of the Landmarks and Urban Conservation Ordinance Section 14-12 R.O.A. 1994. If any of the provisions of these regulations do so conflict, the Ordinance shall prevail.



**SECTION 7:
ACTION AGENDA**

A. Introduction

The Downtown Neighborhood Area Sector Development Plan provides numerous strategies and action steps that the City of Albuquerque should follow to ensure future community development that is consistent with the goals and objectives as expressed in the Plan. This Action Agenda is a summary of the strategies identified in the Sector Plan, and assigns responsibility, general time frames, and specific tasks for implementation. Objectives for implementing the Downtown Neighborhood Area Sector Development Plan include:

- Determining the short and long-term time frames for implementing the strategies and recommendations.
- Delegating responsibility for implementing the Sector Plan.
- Linking the City’s Infrastructure Capital Improvement Plan (ICIP) to the Sector Plan’s recommendations, where appropriate.
- Updating the Sector Plan as needed.

B. Implementation Tables

The implementation tables on the following pages are based upon the strategies and recommendations contained within the Sector Plan (see *Implementation Policies and Strategies, Section 5*). They represent a full range of action items, from construction of sidewalks to transportation studies and updates to existing planning documents. In addition to the action items and general timeframes, the tables also identify responsible entity and/or recommended partnerships the City can pursue to fully implement the Sector Plan. Ultimately, implementation depends on available funding, staff time, and the ability of the City to enter into and sustain partnerships. The entity responsible for the action item may also change depending on the available funding source.

ACTION AGENDA		
Action	Responsible Entity	Timeframe
1.1 Adjust Sector Plan Boundary	City Council	Occurs with Plan adoption
2.1 Create new zoning districts and development regulations	City Council	Occurs with Plan adoption
3.1 Provide incentives and encourage redevelopment of opportunity sites	Redevelopment Division	On-going
3.2 Pursue designation of Central Avenue as a Metropolitan Redevelopment Area	Planning Dept., City Council	Medium-term
4.1 Promote adaptive reuse of existing buildings	Redevelopment Division	On-going
5.1 Restrict commercial parking lots	City Council	Occurs with Plan adoption
5.2 Promote redevelopment of commercial parking lots	Redevelopment Division	On-going
6.1 Remove illegal offices	Zoning Enforcement	Short-term
6.2 Remove illegal parking lots	Zoning Enforcement	Short-term
7.1 Review and refine regulations that address historic preservation	Planning Dept., LUCC	Medium-term
7.2 Create regulations that support preservation of neighborhood character	City Council	Occurs with Plan adoption
7.3 Inform the public on historic preservation	Planning Dept., LUCC	On-going
7.4 Consider establishing historic overlay zones	City Council, LUCC	On-going
7.5 Pursue listing of individually eligible historic buildings	Planning Department, LUCC, private property owners	On-going
7.6 Preserve and acknowledge historic districts through signage	Planning Dept., and/or Dept. of Municipal Development	Short-term
8.1 Develop a street tree program	City Urban Forester	Short-term
8.2 Require street trees on local streets	City Council	Occurs with Plan adoption
8.3 Develop an education program on street trees	City Urban Forester	Short-term
9.1 Reduce and improve sidewalks, add new sidewalk sections, and remove sidewalk obstacles	Dept. of Municipal Development	Short/Medium-term
9.2 Improve curb ramps	Dept. of Municipal Development	Short-term
9.3 Preserve existing and develop new parkway strips	Dept. of Municipal Development and/or Planning Dept.	Short/Medium-term

ACTION AGENDA		
Action	Responsible Entity	Timeframe
10.1 Narrow roadways	Dept. of Municipal Development	Medium-term
10.2 Provide curb extensions	Dept. of Municipal Development	Medium-term
10.3 Initiate neighborhood traffic study	Dept. of Municipal Development	Short-term
11.1 Incorporate recommendations from West Central Avenue Corridor Concept Plan	City Council	Occurs with Plan adoption
11.2.a Improve 12th/Mountain intersection	Dept. of Municipal Development	Short-term
11.2.b Improve 12th/Lomas intersection	Dept. of Municipal Development	Short-term
12.1 Develop comprehensive streetscape plan for Lomas Blvd.	Dept. of Municipal Development, Parks and Recreation Dept.	Short-term
12.2 Provide traffic taming on Lomas Blvd.	Dept. of Municipal Development	Medium-term
12.3 Provide Lomas Blvd. sidewalk and lighting improvements	Dept. of Municipal Development	Medium-term
13.1 Provide traffic calming on 12th St.	Dept. of Municipal Development	Short-term
13.2 Provide pedestrian lighting along 12th St. south of Lomas Blvd.	Dept. of Municipal Development	Short-term
13.3 Repair sidewalks and improve curb ramps along 12th St.	Dept. of Municipal Development	Short-term
14.1 Expand transit service	Transit Dept.	On-going
14.2 Expand transit connectivity	Transit Dept.	Short-term
14.3 Provide physical improvements to transit stops	Dept. of Municipal Development	Medium-term
15.1 Add bicycle routes and lanes	Dept. of Municipal Development	Short-term
15.2 Add bicycle crossing push buttons	Dept. of Municipal Development	Short-term
15.3 Provide improvements along 14th St. Bicycle Boulevard	Dept. of Municipal Development	Short-term
15.4 Provide enhanced bicycle crossing at 14th St.	Dept. of Municipal Development	Short-term
15.5 Work with business community on providing bicycle facilities	Planning Dept.	On-going
15.6 Provide updates to the Bike-ways and Trails Master Plan	Dept. of Municipal Development	On-going

ACTION AGENDA		
Action	Responsible Entity	Timeframe
16.1 Conduct an inventory of alleys	Dept. of Municipal Development	Short-term
17.1 Pursue lower functional classifications for Marquette, west of Keleher St.; 12th St., south of Mountain Rd.; Central Ave.	Dept. of Municipal Development	Short-term



APPENDICES:

A: GLOSSARY

B: STREET TREES

**C: WEST CENTRAL AVENUE
CORRIDOR CONCEPT PLAN**

D: BAIL BONDSMEN & DISTANCE TO COURTHOUSES [Cond.36;
Line 98]

E: SU-2/HDA [Cond.82]

ACCESSORY BUILDING. A 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.

ADAPTIVE REUSE. The process of converting a building to a new use other than that for which it was originally designed.

ALTERATION. Any construction, modification, addition, moving or destruction that would affect the exterior appearance of a structure which has been designated a landmark, or which is located in a historic overlay zone, or which has been formally identified as worthy of preservation, or for which the City has received a preservation facade easement.

APARTMENT. Structures containing two or more dwelling units each, including dwelling units which do not have a separate entrance leading directly to the outdoors at ground level.

APPLICANT. Any person or entity that files an application to the City of Albuquerque for a demolition permit, conditional use, variance, zone map amendment, etc.

APPLICATION. A form required for submittal to the City for the demolition of a structure, conditional use, variance, zone map amendment, etc.

BAIL BOND OFFICE. An office that acts as a surety and pledges money or property as bail for the appearance of a criminal defendant in court. Bail bond agents provide a service to criminal defendants and their friends or family. The service is to secure the release of the defendant from jail for a fee.

BLOCK FACE. The properties abutting on one side of a single street and lying between the closest intersecting streets. A corner lot shall be part of the block face parallel to the lot's front lot line.

BUILDING MASS. The three-dimensional bulk of a building: height, width, and depth.

CENTRAL URBAN AREA. A designation as determined by the Albuquerque/Bernalillo County Comprehensive Plan; generally, redevelopment or rehabilitation is appropriate.

CERTIFICATE OF APPROPRIATENESS. The written approval of the Landmarks and Urban Conservation Commission or designated city staff indicating that a project has been reviewed and determined to meet the applicable design criteria for projects located within a Historic Overlay Zone.

CHIEF BUILDING OFFICIAL. The person authorized to issue demolition permits.

COMMERCIAL PARKING LOT. An area of land 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.

CONDITIONAL USE. Specific land use listed as conditional in a given zoning district requiring approval by the Zoning Hearing Examiner and subject to limitations and conditions. A conditional use shall be approved if, in the circumstances of the particular case and under conditions imposed, the use proposed will not be injurious to the adjacent property, the neighborhood, or the community and it will not be significantly damaged by surrounding structures or activities.

CONTRIBUTING BUILDING. A contributing building is one that adds to the historic architectural qualities of the district and possesses historic integrity reflecting the district's character.

DEMOLITION. Any act of pulling down, destroying, removing, dismantling, or razing a structure or commencing the work of total or substantial destruction with the intent of completing the same.

DEMOLITION PERMIT. The permit issued by the Chief Building Official for the demolition of a structure, excluding a permit issued solely for the demolition of the interior of a structure.

DEVELOPMENT REVIEW BOARD (DRB). A five member board comprised of City staff (Planning Director representative, Parks and Recreation Director representative, City Engineer, Traffic Engineer, and Albuquerque/Bernalillo County Water Utility Authority representative) charged with administering the Subdivision Ordinance and signing off on site development plans delegated by the Environmental Planning Commission (EPC) or delegated by a sector development plan.

ELECTRONIC DISPLAY SIGN. A sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments. These types of displays may include: LED (Light Emitting Diodes), LCD (Liquid Crystal Display), PDP (Plasma Display Panels), pixel or sub-pixel technology, other fiber optics or illumination devices within the display area.

ENVIRONMENTAL PLANNING COMMISSION (EPC). A nine member commission charged with reviewing zone map and code amendments, site development plans, adoption or amendments to Rank I, II, and III plans including the Comprehensive Plan, area plans, and sector development plans.

FACADE. The external face of a building, including parapet walls and omitted wall lines.

FLOOR AREA RATIO. The heated gross floor area of a building divided by the area of the premises.

FULL SERVICE GROCERY. A retail establishment which primarily sells food, but may also sell other convenience and household goods, and which occupies at least 5,000 square feet but not more than 20,000 square feet of gross floor area.

LANDMARKS AND URBAN CONSERVATION COMMISSION (LUCC). A seven member commission appointed by the Mayor whose primary function is to make decisions on applications for Certificates of Appropriateness for alteration, new construction, or demolition within Historic Overlay Zones. Two members must own property within an Historic Zone, one member must be a professional architect, one member must be a licensed real estate agent, one member must be a knowledgeable lay person, and the remaining members shall have expertise in architecture, law, graphic arts, planning, real estate, history, construction, or archaeology.

MID REGION COUNCIL OF GOVERNMENTS (MRCOG). A governmental agency representing the counties of Bernalillo, Valencia, Tarrant, and Sandoval and providing planning services in the areas of transportation, agriculture, workforce development employment growth, land use, water, and economic development.

MIXED-USE BUILDING. A structure with a vertical mixture of uses. The upper floors may be used for office, residential, lodging, storage, or parking; the ground floor (lot frontage at the street level) may be used for retail or office.

NATIONAL REGISTER OF HISTORIC PLACES. The official list of the nation’s cultural resources worthy of preservation. The National Register is administered by the National Parks Service under the Office of the Secretary of the Interior. The associated programs for the National Register are administered by the New Mexico Historic Preservation Division. The National Register does not control the use, alteration, or demolition of any privately owned property unless federal money is used in the project.

NEW MEXICO REGISTER OF CULTURAL PROPERTIES. The official State of New Mexico list of cultural resources worthy of conservation and preservation. The list and associated programs are managed and administered by the State of New Mexico Office of Cultural Affairs, Historic Preservation Division. The New Mexico Register does not control the use, alteration, or demolition of any privately owned property unless public money is used in the project.

NON-CONTRIBUTING BUILDING. A non-contributing building is one that does not add to the historic architectural qualities of the district because it was built after 1945 or because it no longer possesses historic integrity reflecting the district’s character due to alternations, additions, or other changes.

NON-CONFORMING USE. ~~A structure or~~ use of a structure or land which does not conform to this article and which was in conformity with any zoning ordinance in effect at the time it was created.

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345]

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[Cond.46; Line
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[Cond.65; Line
284]

SECONDARY DWELLING UNIT. Living quarters within an accessory building containing ~~one bedroom, one living room, one bathroom, one closet, one mechanical room, and~~ kitchen facilities; ~~to be occupied by no more than two persons~~ and does not exceed ~~500~~ 650 net square feet in area. There shall be no more than one Secondary Dwelling Unit or Accessory Living Quarters per premise.

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. The property shall be operated only as "Housing for Older Persons" as defined in the Federal Housing for Older Persons Act (42U.S.S., §3607(b) (2)) and uses will include related facilities.

STATUS ESTABLISHED BUILDING. A building nonconforming as to use which is approved to maintain its nonconforming use status. Such approval shall apply only to a building for which the existing use is prohibited upon expiration of its nonconformance amortization period. Such approval shall not be available to nonconforming uses that resulted from Zoning Code text amendments. Approval of a status established building can only occur on or before the expiration of its nonconformance amortization period.

STRUCTURE. Anything constructed or erected above ground level which requires location on the ground or attached to something having a location on the ground, not including a tent, vehicle, vegetation, or public utility pole or line and for the demolition of which a permit is required from the City.

TANDEM PARKING. The placement of parking spaces arranged one behind the other inside a garage. Typical minimum length is 35 feet.

TATTOO PARLOR. Any room, space, or building where tattooing is practiced, or where the business of tattooing is conducted, or any part thereof.

TOWNHOUSE. One of a group of two to eight attached dwelling units divided from each other by common walls, each having a separate entrance leading directly to the outdoors at ground level, and each having at least one-fourth of its heated and unheated floor area approximately at grade. A townhouse building is one type of an apartment.

A. Introduction

The provision of street trees in the Downtown Neighborhood Area is one of the key character elements that define the area. Accordingly, the Zoning Regulations contained in this Plan require street trees to be provided for all new development, including residential and non-residential uses, without regard to the type of street where the development will occur. The trees provided in this list were selected for their ability to withstand an urban environment where the planting space is confined to a strip located between the back of curb and the public sidewalk. Planting details are also included in this section to ensure adequate tree root aeration, nutrient delivery, and prevent the uprooting of sidewalks as the trees mature. The street trees identified in this section are recommendations; other species may be appropriate as well. Selection of plant species should also consider adjacency to overhead utilities.

Recommended Street Trees

Trees appropriate for 3-4 foot wide planting strip

- Chinaberry ~ *Melia azedarach*
- Claret Ash ~ *Fraxinus oxycarpa*
- Decaisneana Locust ~ *Robinia ambigua* 'Decaisneana'
- Idaho Locust ~ *Robinia ambigua* 'Idahoensis'
- Lacebark Elm ~ *Ulmus parviflora*
- Maidenhair ~ *Ginkgo biloba* (male)
- Oklahoma Redbud ~ *Cercis reniformis* 'Oklahoma'
- Village Green Zelkova ~ *Zelkova serrata* 'Village Green'

Trees appropriate for 4-6 foot wide planting strip

- Arizona Sycamore ~ *Platanus wrightii*
- Chinaberry ~ *Melia azedarach*
- Chinese Pistache ~ *Pistacia chinensis*
- Horsechestnut ~ *Aesculus hippocastanum*
- Japanese Pagoda ~ *Sophora japonica*
- Lacebark Elm ~ *Ulmus parviflora*
- London Plane Tree ~ *Platanus acerifolia*
- Maidenhair ~ *Ginkgo biloba* (male)
- Modesto Ash ~ *Fraxinus velutina* 'Modesto'
- Western Soapberry ~ *Sapindus drummondii*

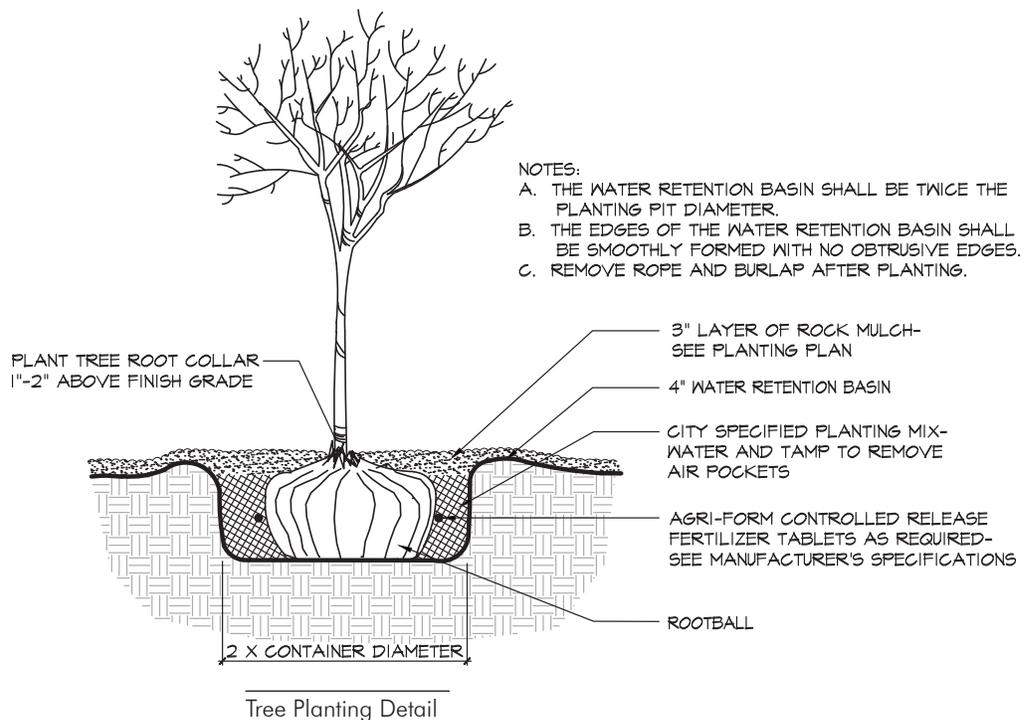
Trees in yards within 10 feet of sidewalk @ back of curb

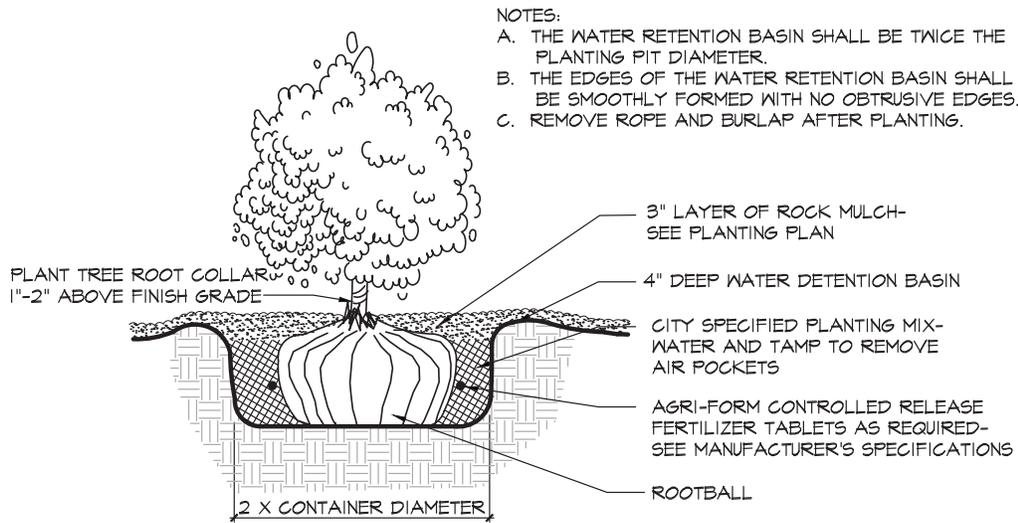
- American Sycamore ~ *Platanus occidentalis*
- Arizona Alder ~ *Alnus oblongifolia*
- Green Ash ~ *Fraxinus pennsylvanica*
- Honey Locust ~ *Gleditsia triacanthos inermis* 'Shademaster'
- Horsechestnut ~ *Aesculus hippocastanum*
- Lacebark Elm ~ *Ulmus parviflora*
- London Plane Tree ~ *Platanus acerifolia*
- Pin Oak ~ *Quercus palustris*
- Sycamore-leaf Maple ~ *Acer pseudoplatanus*
- Texas Oak ~ *Quercus texana*

Village Green Zelkova ~ *Zelkova serrata* 'Village Green'
Western Catalpa ~ *Catalpa speciosa*
White Ash ~ *Fraxinus americana*

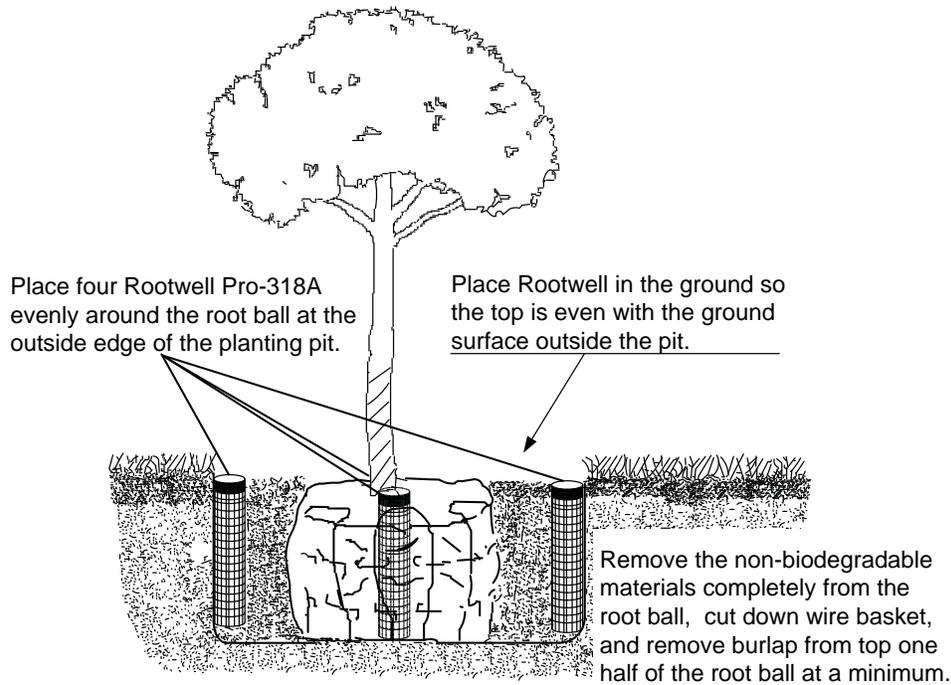
Planting Guide

Taking care with planting new trees and shrubs will help ensure the long term health of the plant. This section provides general guidance for new landscape, and includes tree and shrub planting details. Providing adequate aeration to tree roots, particularly in an urban environment, is also another key to healthy tree growth and will help prevent heaving of the adjacent sidewalk. It is recommended that for each tree installed in the planting strip between the back of curb and the public sidewalk that four aeration devices (Rootwell or equivalent product) be installed. This will encourage the tree roots to grow deeper instead of wider.





Shrub Planting Detail



Rootwell Installation Guide for Ball Based Trees
(for all tree species)

FOLLOWING PAGES ARE EXCERPTS FROM:

West Central Avenue Corridor Concept Plan



Prepared for



Prepared by



Kimley-Horn
and Associates, Inc.



A. CENTRAL AVENUE ROAD DIET

Background and Existing Configuration

Between Lomas Boulevard and 8th Street, Central Avenue features two travel lanes in either direction, left turn lanes at most intersections and an approximate curb-to-curb width of 66 feet. The speed limit for this segment is 30 mph and on-street parking is provided in several areas. In order to improve the pedestrian and bicycle environment conforming to the vision for Central Avenue as a multi-modal corridor, preliminary plans were prepared for a “road diet” of Central Avenue between Lomas Boulevard and 8th Street. The proposed road diet project vicinity and key study intersections are presented in **Figure 1**.

A road diet typically involves a reduction in travel lanes to provide width for on-street parking, bicycle facilities and pedestrian improvements such as widened sidewalks, pedestrian refuges, curb extensions or “bulbouts” to shorten crossings, and landscaping. The benefits of a road diet include reduced conflicts at intersections, a reduction in certain types of crashes, improved visibility, and enhanced street activity for pedestrian-oriented businesses.

Reducing lanes on West Central Avenue was recommended in the West Central Streetscape Urban Design Master Plan (March 2001) which was adopted by the City Council in April of 2002. The resolution adopting the Master Plan (Council Bill No. R-02-24) required the lane reduction to be implemented in stages beginning with a low cost test (Demonstration Project) followed by the ultimate buildout of the plan when funding became available.

Road Diet General Design Elements

The design concepts are presented in the form of Near-Term Improvements and Ultimate Improvements. Near-Term improvements include new roadway striping along the entire corridor and intersection improvements at a few priority locations that could be implemented immediately with minor modifications to the street and intersections at relatively low cost. The Near-Term improvements meet the requirements for the “Demonstration Project” as discussed above. As a demonstration project the Near-Term improvements can be implemented, monitored and assessed without a significant long-term investment. The Near-Term improvements can be implemented entirely with paint restriping and relatively minor signalized intersection modifications. Lane striping will be in its ultimate location (reflecting future changes to curbs and bulbouts) to fully test the geometry of the street and reduce rework when implementing the ultimate improvements. **Table 1** provides an overview of the proposed design elements for the Central Avenue road diet.

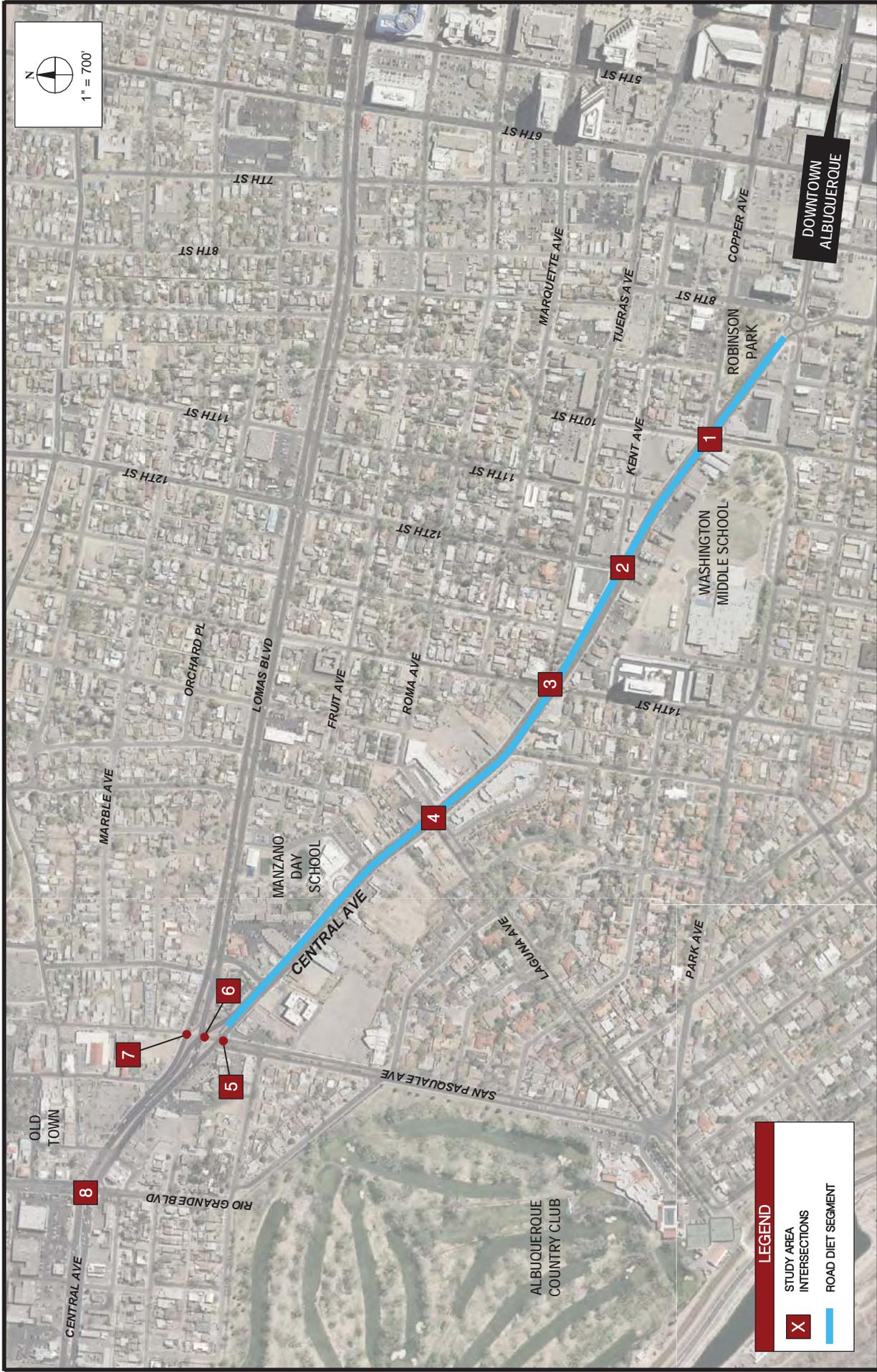


FIGURE 1
CENTRAL AVENUE ROAD DIET - LOMAS BOULEVARD TO 8TH STREET
PROJECT VICINITY AND STUDY INTERSECTION LOCATIONS

WEST CENTRAL AVENUE CORRIDOR CONCEPT PLAN - 47TH STREET TO 8TH STREET



city of albuquerque
 West
 Central Avenue
 Corridor
 Concept Plan

Table 1: Proposed Road Diet Design Elements

Proposed Design Elements	Near-Term Improvements (NT); Ultimate Improvements (ULT)
<i>Travel Lanes</i>	Current: 2 lanes in each direction with left turn lanes at most intersections Proposed: 1 lane in each direction with two-way left turn lane and left turn lanes at intersections (NT)
<i>Travel Lane Width</i>	Current: 12 feet (inside lane and outside lane w/o parking); 16 to 22 feet (outside lane with shoulder/parking) Proposed: 11 feet (NT)
<i>Bike Lanes</i>	Current designation: Not designated as bicycle facility Proposed: 6 foot bike lanes in both directions (NT)
<i>Parking</i>	Current condition: Parallel on-street parking provided within shoulder along some segments of street Proposed: 7 foot parallel parking lane provided along majority of street (NT)
<i>Bulbouts</i>	Definition: Bulbouts are extensions of the curbline at intersections that extend into the parking lane Benefits: <ul style="list-style-type: none"> • Reduce roadway width from curb to curb • Shorten crossing distance for pedestrians • Improves motorist/pedestrian visibility • Create protected parking bays for on-street parking • Tighten curb radii at the corners reducing the speeds of turning vehicles • Provide space for landscaping Proposed: bulbouts proposed in several locations (ULT).
<i>Sidewalks</i>	Current Conditions: Sidewalks typically range from 5 feet to 6 feet in width. In some locations, sidewalks are as narrow as 3½ feet Proposed: Sidewalks widened by 4 feet along several segments of the corridor – see Figure 3 for list of locations (ULT)
<i>Landscaping</i>	Current condition: Some landscaping treatments near Robinson Park and plaza at Central Ave / Lomas Blvd intersection; however, the majority of the corridor lacks landscaping Proposed condition: Landscaping and street trees along majority of corridor where there is sufficient right-of-way. Landscaping elements are incorporated into the proposed bulbouts. (ULT)
<i>Curb Ramps</i>	Proposed: New ADA compliant curb ramps where curb reconstruction is proposed for bulbouts. (ULT)
<i>Bus Stops</i>	Current conditions: There are 12 existing ABQ Ride stops between Lomas Boulevard and 8 th Street Proposed: Retain existing stops and relocate some stops to far side of intersections where feasible. Explore opportunity for curb extension bus stops, or “bus bulbs” where space allows.(ULT)



The existing, Near-Term and Ultimate cross-sections for the proposed concept are presented in **Figure 2**, **Figure 3** and **Figure 4**, respectively. An operational analysis for existing and future conditions with and without implementation of the road diet is included in the Appendix.

Specific Design Elements

In preparing the Central Avenue road diet design concepts, particular attention was given to evaluating options for the following locations:

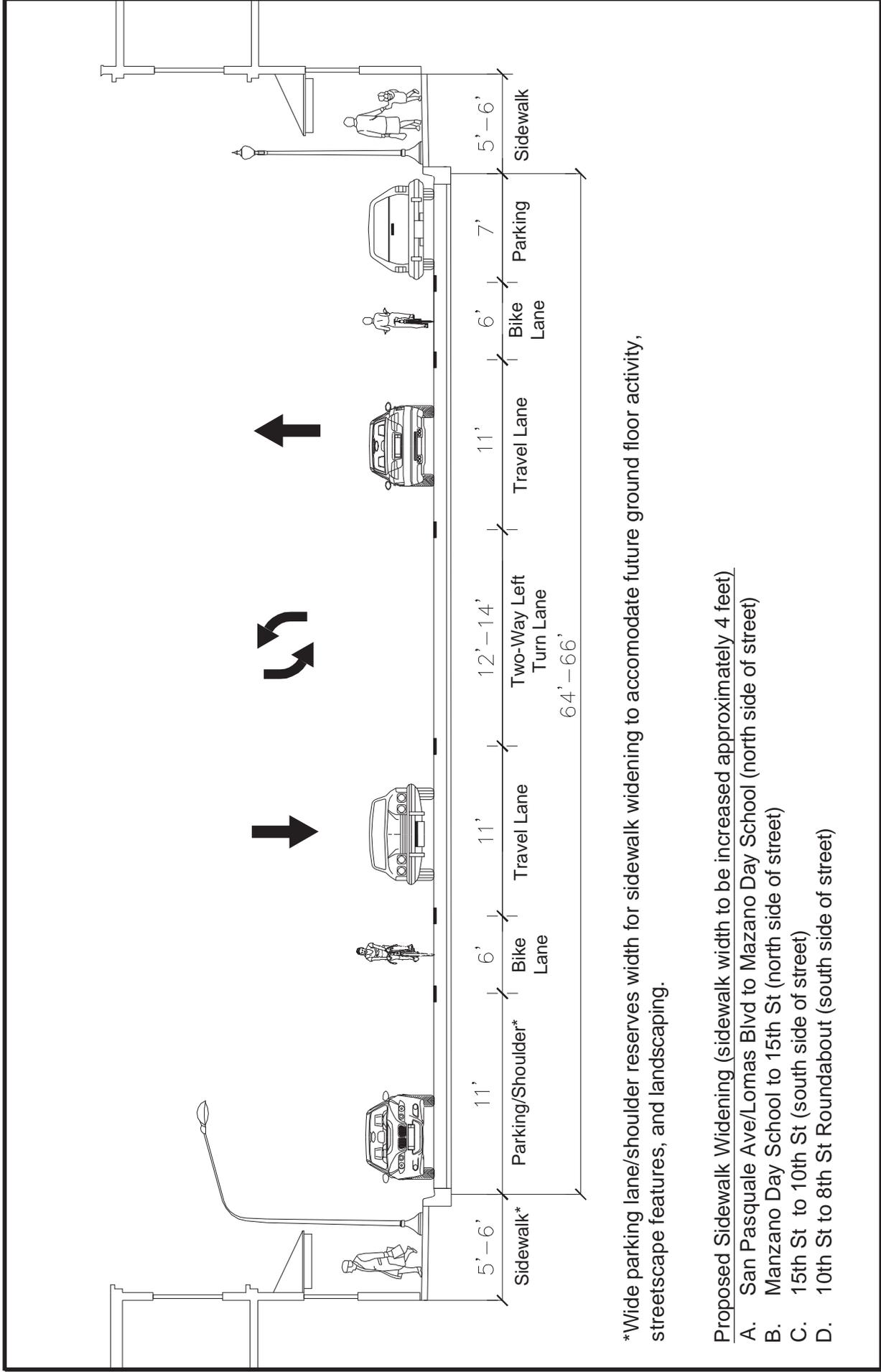
1. Manzano Day School Pedestrian Crossing
2. Central Avenue / 15th Street Intersection
3. Central Avenue / 13th Street Intersection
4. Central Avenue / 11th Street Intersection
5. Central Avenue / 10th Street / Copper Avenue
6. Central Avenue segment from 10th Street to 8th Street roundabout

The recommended design elements for these locations are described in **Table 2**. Design concepts for Near-Term (Demonstration Project) implementation of the Central Avenue road diet are presented in **Figures 5-10**. The design concepts for Ultimate construction of the Central Avenue road diet are presented in **Figures 11-16**.



Table 2: Specific Road Diet Design Elements

Near-Term Improvements (NT); Ultimate Improvements (ULT)	
<i>Manzano Day School Pedestrian Crossing</i>	
<ul style="list-style-type: none"> Relocate existing crosswalk with painted pedestrian refuge islands to the west side of the bus turnaround (see Figure 6). (NT) 	<ul style="list-style-type: none"> Add curb extensions at the alternative crosswalk location to shorten crossing distance (see Figure 12). (ULT)
<i>Central Avenue / 15th Street Intersection</i>	
<ul style="list-style-type: none"> Provide new high-visibility pedestrian crosswalk with ladder style striping and a striped pedestrian refuge island (see Figure 7). (NT) 	<ul style="list-style-type: none"> Construct raised pedestrian refuge island with low landscaping at proposed crossing. (ULT) Add bulbouts at proposed crossing to shorten crossing distance (see Figure 13). (ULT)
<i>Central Avenue / 13th Street Intersection</i>	
<ul style="list-style-type: none"> Provide new high-visibility pedestrian crosswalk with ladder style striping and a striped pedestrian refuge island (see Figure 8). (NT) 	<ul style="list-style-type: none"> Construct raised pedestrian refuge island with landscaping at proposed crossing. (ULT) Add bulbouts at proposed crossing to shorten crossing distance (see Figure 14). (ULT)
<i>Central Avenue / 11th Street Intersection</i>	
<ul style="list-style-type: none"> Provide new high-visibility pedestrian crossing with ladder style striping and a striped pedestrian refuge island (see Figure 9). (NT) 	<ul style="list-style-type: none"> Construct raised pedestrian refuge island with landscaping at proposed crossing. (ULT) Add bulbouts at proposed crossing to shorten crossing distance (see Figure 15). (ULT)
<i>Central Avenue / 10th Street Intersection</i>	
<ul style="list-style-type: none"> Relocate stop bar at southeast leg of intersection and add pedestrian crosswalk with ladder style striping. Requires modification of the signal phasing to include protected left turn phasing for eastbound and westbound approaches of Central Avenue (see Figure 16) (ULT) 	<ul style="list-style-type: none"> Add bulbouts with landscaping at north-south crosswalks to shorten crossing distance (see Figure 16). (ULT)
<i>Central Avenue Segment from 10th Street to 8th Street Roundabout</i>	
<ul style="list-style-type: none"> Widen sidewalk by approximately 6 feet and provide tree wells approx. 25 feet on center along south side of Central Avenue. (see Figure 16) (ULT) 	<ul style="list-style-type: none"> Construct raised median with landscaping between 10th Street and the approach to the 8th Street roundabout. Provide median break for access to existing driveways along south side of Central Avenue (see Figure 16). (ULT)

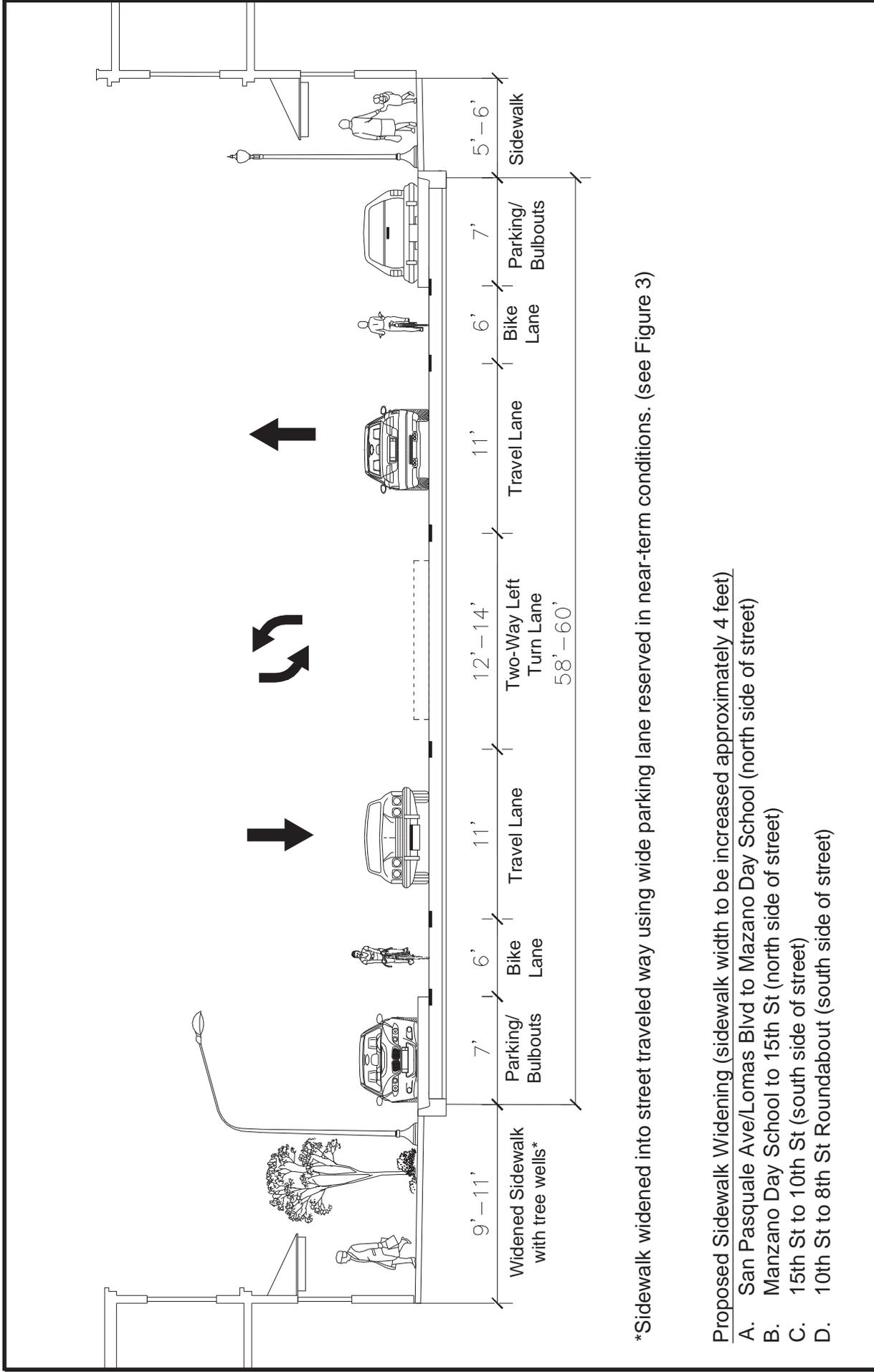


*Wide parking lane/shoulder reserves width for sidewalk widening to accommodate future ground floor activity, streetscape features, and landscaping.

Proposed Sidewalk Widening (sidewalk width to be increased approximately 4 feet)

- A. San Pasquale Ave/Lomas Blvd to Mazano Day School (north side of street)
- B. Manzano Day School to 15th St (north side of street)
- C. 15th St to 10th St (south side of street)
- D. 10th St to 8th St Roundabout (south side of street)

FIGURE 3
CENTRAL AVENUE ROAD DIET - LOMAS BOULEVARD TO 8TH STREET
NEAR-TERM TYPICAL STREET CROSS SECTION



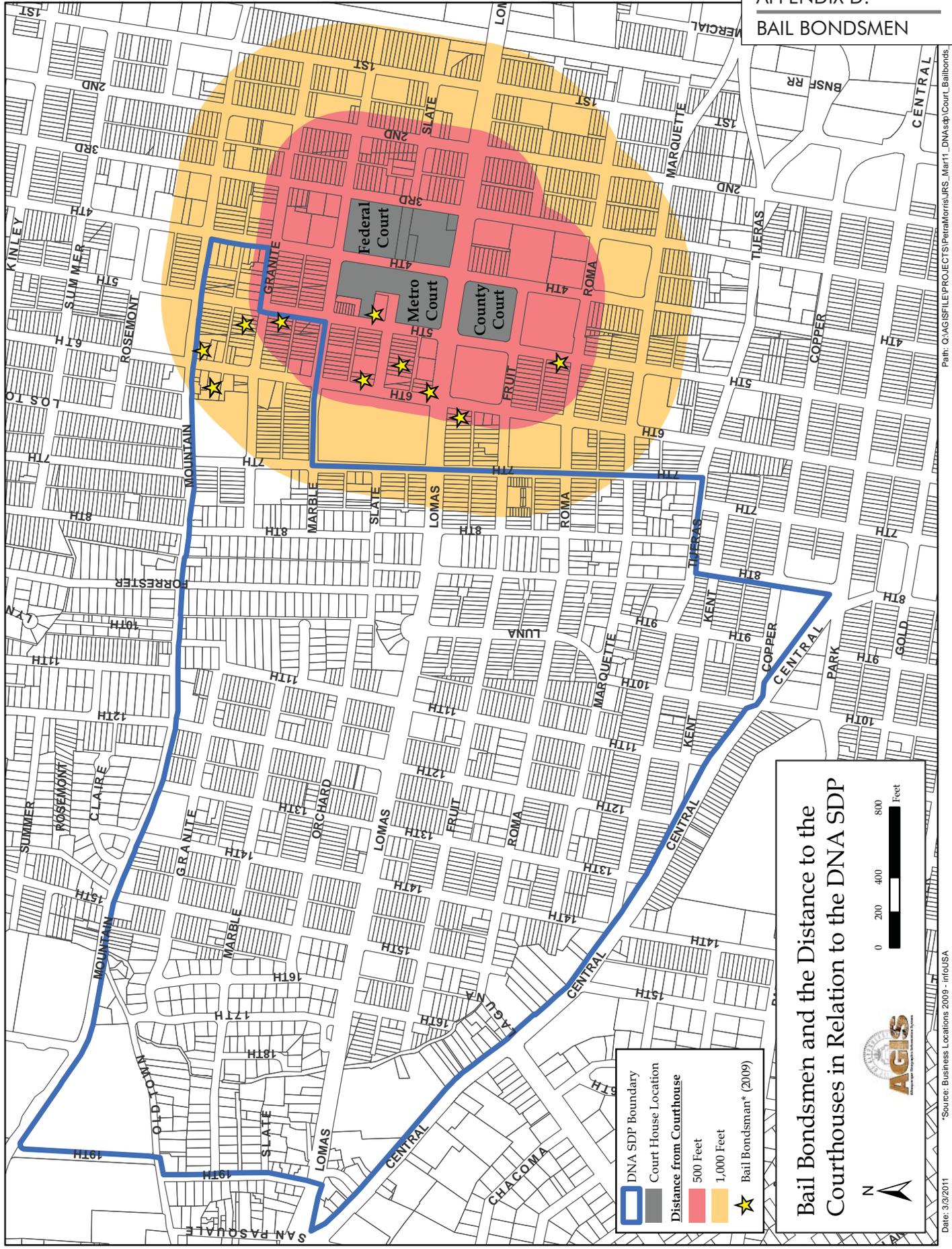
*Sidewalk widened into street traveled way using wide parking lane reserved in near-term conditions. (see Figure 3)

Proposed Sidewalk Widening (sidewalk width to be increased approximately 4 feet)

- A. San Pasquale Ave/Lomas Blvd to Mazano Day School (north side of street)
- B. Mazano Day School to 15th St (north side of street)
- C. 15th St to 10th St (south side of street)
- D. 10th St to 8th St Roundabout (south side of street)

FIGURE 4
 CENTRAL AVENUE ROAD DIET - LOMAS BOULEVARD TO 8TH STREET
 ULTIMATE TYPICAL STREET CROSS SECTION

APPENDIX D:
BAIL BONDSMEN



**CITY of ALBUQUERQUE
THIRTEENTH COUNCIL**

COUNCIL BILL NO. R-148 ENACTMENT NO. 35-1999

SPONSORED BY: **Adele Baca-Hundley**

RESOLUTION

1
2 AMENDING THE DOWNTOWN NEIGHBORHOOD AREA SECTOR DEVELOPMENT PLAN
3 ZONING TO ELIMINATE OFF-STREET COMMERCIAL PARKING LOTS AS A PERMITTED
4 USE AND AS A CONDITIONAL USE IN SPECIFIED SU-2 ZONES OF THE PLAN AREA.

5 WHEREAS, the City of Albuquerque originally adopted the Downtown
6 Neighborhood Area Sector Development Plan in 1976 through action on Council
7 Resolution 158-1976 , and subsequently adopted additional amendments ; and

8 WHEREAS, the Downtown Neighborhood Area Sector Development Plan
9 addressed the stabilization and conservation of the Downtown neighborhood; and

10 WHEREAS, the City of Albuquerque adopted the Center City/Downtown Core
11 Revitalization Strategy in 1989 through action on Council Resolution R-232, Enactment
12 No. 34-1989; and

13 WHEREAS, the Center City/Downtown Core Revitalization Strategy addressed
14 protecting surrounding neighborhoods from intrusion of surface parking lots and
15 acknowledged that spillover parking is a traffic problem which impacts neighborhoods,
16 especially weakening the residential environment, and that downtown parking needs
17 should be accommodated in the Central Business District; and

18 WHEREAS, the City of Albuquerque accepted the 1998 Downtown Parking
19 Study, through EC-186; and

20 WHEREAS, the Downtown Parking Study identified a strategy for addressing
21 parking in the downtown and one element of the strategy was eliminating off-street
22 commercial parking lots in the adjacent Downtown Neighborhood; and

23 WHEREAS, the Environmental Planning Commission in its advisory role on all
24 matters related to planning, zoning and environmental protection conducted a public

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1 hearing and has recommended the adoption of the Downtown Neighborhood Area Sector
2 Development Plan amendment to the HDA, RC and MRO zones; and

3 WHEREAS, this sector development plan amendment is not a zone map amendment,
4 however, if the sector plan amendment is at any time deemed to be a zone map amendment,
5 the Council finds that there are changed neighborhood and community conditions that would
6 justify a zone map amendment including, but not limited to, the relocation of the federal
7 courthouse to 4th Street and Lomas NW near the Sector Plan boundary, the proposed
8 construction of the Bernalillo County Courthouse on Lomas NW near the Sector Plan boundary,
9 the increased pressure in the Sector Plan Area for commercial parking caused by the relocation
10 of the two courthouses and the absence of adequate parking provided for the federal
11 courthouse; and

12 WHEREAS, the City Council has the authority to amend such a sector development plan.
13 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

14 Section 1. That the Downtown Neighborhood Area Sector Development Plan be
15 amended as follows:

16 SU-2 (HDA). The High Density Apartment land use corresponds to the
17 R-4 Residential Zone in the Comprehensive City Zoning Code and is subject to the same
18 regulations as that zone with three exceptions:

19 1. The off-street parking requirement is one space per dwelling
20 unit instead of the Code requirement of one space per bath but not less than one and one-
21 fourth spaces per unit.

22 2. For blocks 47 and 54 of the Original Townsite (bounded by the
23 9th Street, Tijeras, 10th Street and Copper Avenue) and block 1 of the Nichols and Bowden
24 Addition (the south half of the block bounded by Keleher Street, Marquette Avenue, 9th Street,
25 and Tijeras Avenue) structure height up to 40 feet is permitted at any legal location.

26 3. Parking lots are not allowed. Landscaping. Parking lots
27 established prior to the effective date of this amendment are allowed to remain, as regulated
28 by standards for parking lots in the O-1 zone, based upon a site plan submitted for approval of
29 the Zoning Enforcement Officer within 60 days of adoption of this amendment, to include
30 landscaping. Landscaping shall be installed within 60 days of site plan approval, and
31 subsequently maintained according to the approved site plan.

32 The Residential/Commercial land use corresponds to the RC
33 Residential/Commercial Zone in the Comprehensive City Zoning Code and is subject to the same
34 regulations as that zone with six exceptions:

35 1. The usable open space requirement is 500 square feet per dwelling

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- 1 unit instead of the Code requirement of 760 square feet per unit.
- 2 2. The minimum lot size is 2,000 square feet.
- 3 3. The off-street parking requirement is one and one-fourth spaces per
- 4 dwelling unit for residential use instead of the Code requirement of one space per bath but not
- 5 less than two spaces per unit. The off-street parking requirement for commercial use is the
- 6 same as the code requirement.
- 7 4. On Lots 1 and 2, Block 44, Perea Addition, wholesaling and storage
- 8 of motor oil packaged for retail sale will be allowed subject to approval of a site development
- 9 plan by the Zoning Hearing Examiner, provided that upon termination of this use on the
- 10 property, the use of the property will be regulated by the provisions of the
- 11 Residential/Commercial Zone in the Comprehensive City Zoning Code and the exceptions listed
- 12 above.
- 13 5. Use of the 100% of the floor area for offices is conditional for
- 14 properties within the RC Zone bordering Lomas Boulevard providing the following criteria are
- 15 met:
 - 16 a. Structurally sound main buildings will be rehabilitated and
 - 17 maintained in a manner which will protect, preserve, and enhance their existing architectural
 - 18 character and/or residential character. New construction will be compatible in scale, style, and
 - 19 materials with neighboring residential buildings.
 - 20 b. Landscaping compatible with neighborhood landscaping and
 - 21 with the landscaping of the Lomas Pedestrianway will be provided and maintained.
 - 22 c. Signage will not include visible bulbs, interior illumination, neon
 - 23 tubing, luminous paints, plastics, or moving parts and will be compatible in design with the
 - 24 neighborhood character.
 - 25 d. Office development will be for uses which do not generate high
 - 26 levels of traffic, noise, or litter. Examples of offices which would usually be in this category
 - 27 are accountants, architects, business and investment consultants, engineers, geologists,
 - 28 lawyers, physicians, dentists, psychiatrists, psychologists, and realtors. For consideration of
 - 29 such uses the Zoning Hearing Examiner shall impose certain parking requirements or other
 - 30 traffic controls when necessary to accomplish the goals set forth in this plan.
 - 31 e. A Site Development Plan shall be presented to and approved
 - 32 by the Zoning Hearing Examiner with any applications for a conditional use.
 - 33 6. Parking lots are not allowed.
 - 34 Parking lots established prior to the effective date of this
 - 35 amendment are allowed to remain, as regulated by standards for parking lots in the O-1 zone.

1 based upon a site plan submitted for approval of the Zoning enforcement Officer within 60 days
2 of adoption of this amendment, to include landscaping.

3 *Landscaping.* Landscaping shall be installed within 60 days of the site plan
4 approval, and subsequently maintained according to the approved site plan.

5 The MRO, Mixed Residential/Office land use category corresponds to the R-T
6 Residential Zone in the Zoning Code, including any subsequent amendments, and is subject to
7 the same regulations as that zone with the following exceptions:

8 1. The minimum lot area is 2000 square feet.
9 2. The off-street parking requirement is one and one-fourth spaces per
10 dwelling unit for residential development.

11 3. For non-residential development, the Zoning Code parking requirement
12 shall apply. Off-street parking is not permitted between the structures and the adjacent street
13 right-of-way, but it permitted in existing driveways and garages between the structure and the
14 alley.

15 4. The usable open space requirement is 500 square feet per dwelling
16 unit.

17 5. Uses permissive in the O-1 Zone shall be permissive in this zone if the
18 non-residential floor area does not exceed one-half of the gross floor area on the lot, except
19 parking lots are not allowed. Parking lots established prior to the effective date of this
20 amendment are allowed to remain, as regulated by standards for parking lots in the O-1 zone,
21 based upon a site plan submitted for approval of the Zoning Enforcement Officer within 60 days
22 of adoption of this amendment, to include landscaping. Landscaping shall be installed within
23 60 days of the site plan approval, and subsequently maintained according to the approved site
24 plan.

25 6. Signs are permitted as in the RC, Residential/Commercial Zone in the
26 Zoning Code.

27 7. Use of 100% of the floor area of offices is conditional providing the
28 following criteria are met:

29 a. Structurally sound main buildings will be rehabilitated and
30 maintained in a manner which will protect, preserve, and enhance their existing architectural
31 character and/or residential character.

32 b. New construction will be compatible in style, and materials with
33 neighboring residential buildings.

34 c. Signage will not include visible bulbs, interior illumination, neon
35 tubing, luminous paints, plastics, or moving parts and will be compatible in design with the

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1 neighborhood character.

2 d. Office development will be for uses which do not generate high
3 levels of traffic, noise, or litter. Examples of offices which usually would not generate high
4 noise, traffic, or litter levels are architects, business and investment consultants, engineers,
5 geologists, lawyers, physicians, psychiatrists, psychologists, and realtors. For consideration
6 of such uses the Zoning Hearing Examiner shall impose certain parking requirements or other
7 traffic controls when necessary to accomplish the goals set forth in this plan.

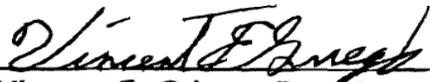
8 e. A Site Development Plan shall be presented to and approved
9 by the Zoning Hearing Examiner with any application for a conditional use.

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1 PASSED AND ADOPTED THIS 1ST DAY OF MARCH, 1999
2 BY A VOTE OF 6 FOR 2 AGAINST 1 ABSTAIN.

3 Yes: 6
4 No: Brasher, McEntee
5 Abstain: Adams

6 
7 Vincent E. Griego, President
8 City Council

9 APPROVED THIS 19th DAY OF March, 1999

10 
11 Jim Baca, Mayor
12 City of Albuquerque

13
14 ATTEST:
15 
16 City Clerk

17 **Bill No. R-148**
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AREA PLAN

A. Land Use

With the adoption of this sector development plan, the Downtown Neighborhood Area is zoned SU-2 Special Neighborhood Zone, Redeveloping Area, as provided in the Comprehensive City Zoning Code, Article XIV Chapter 7 of the Revised Ordinances of Albuquerque, New Mexico, 1974. The land uses in the Downtown Neighborhood Area are governed by the land use plan shown on Map 7.

The Single Family land use shown on the land use plan corresponds to the R-1 Residential Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone with three exceptions:

- (1) The minimum lot width is 50 feet instead of the Code requirement of 60 feet.
- (2) The minimum front yard setback is 10 feet instead of the Code requirement of 20 feet, except that the minimum front yard setback for a garage or carport is 20 feet.
- (3) The area shown on the land use plan as Single Family which is north of Lomas Boulevard and west of 15th Street also is subject to the provisions of the W Wall Overlay Zone in the Zoning Code. The maximum front yard height allowed is eight feet.

The Townhouse land use corresponds to the R-T Residential Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone with four exceptions:

- (1) The minimum lot area is 2,000 square feet instead of the Code requirement of 3,000 square feet.
- (2) The minimum front yard setback is 10 feet instead of the Code requirement of 15 feet, except that the minimum front yard setback for a garage or carport is 20 feet.
- (3) The off-street parking requirement is one and one-fourth spaces per dwelling unit instead of the Code requirement of one space per bath but not less than two spaces per unit.
- (4) The usable open space requirement is 500 square feet per dwelling unit instead of the Code requirement of 750 square feet per unit.

The Low Density Apartment land use corresponds to the R-2 Residential Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone with three exceptions:

- (1) The minimum front yard setback is 10 feet instead of the Code requirement of 15 feet, except that the minimum front yard setback for a garage or carport is 20 feet.
- (2) The off-street parking requirement is one and one-fourth spaces per dwelling unit instead of the Code requirement of one space per bath but not less than one and one-half spaces per unit.

- (3) The usable open space requirement is 300 square feet for each efficiency or one-bedroom dwelling unit, 400 square feet for each two-bedroom unit, and 500 square feet for each unit containing three or more bedrooms.

The Medium Density Apartment land use corresponds to the R-3 Residential Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone with two exceptions:

- (1) The minimum front yard setback is 10 feet instead of the Code requirement of 15 feet, except that the minimum front yard setback for a garage or carport is 20 feet.
- (2) The off-street parking requirement is one space per dwelling unit instead of the Code requirement of one space per bath but not less than one and one-half spaces per unit.

The High Density Apartment land use corresponds to the R-4 Residential Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone with one exception:

- (1) The off-street parking requirement is one space per dwelling unit instead of the Code requirement of one space per bath but not less than one and one-fourth spaces per unit.

The Residential/Commercial land use corresponds to the RC Residential/Commercial Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone with four exceptions:

- (1) The usable open space requirement is 500 square feet per dwelling unit instead of the Code requirement of 750 square feet per unit.
- (2) The minimum lot size is 2,000 square feet.
- (3) The off-street parking requirement is one and one-fourth spaces per dwelling unit for residential use instead of the Code requirement of one space per bath but not less than two spaces per unit. The off-street parking requirement for commercial use is the same as the Code requirement.
- (4) On Lots 1 and 2, Block 44, Perea Addition, wholesaling and storage of motor oil packaged for retail sale will be allowed subject to approval of a site development plan by the Zoning Hearing Examiner, provided that upon termination of this use on the property, the use of the property will be regulated by the provisions of the Residential/Commercial Zone in the Comprehensive City Zoning Code and the exceptions listed above.

The Office/Institutional land use corresponds to the O-1 Office and Institution Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone.

The Neighborhood Commercial land use corresponds to the C-1 Neighborhood Commercial Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone.

The Community Commercial land use corresponds to the C-2 Community Commercial Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone.

The Special Use land use corresponds to the SU-1 Special Use Zone in the Comprehensive City Zoning Code and regulates existing churches. It is subject to the regulations of that zone and adopted development plans. Existing churches' present configurations are to be treated as their development plans.

The Parking land use corresponds to the P Parking Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone.

The Reserve Parking land use corresponds to the P-R Reserve Parking Zone in the Comprehensive City Zoning Code and is subject to the same regulations as that zone.

The Park land use is reserved for public park and recreation use.

The two redevelopment areas shown on Maps 8 and 9 are planned for redevelopment to eliminate pockets of serious housing and environmental deterioration and to encourage other redevelopment in the Downtown Neighborhood Area. These are proposed for public acquisition, possible vacation of streets and alleys (as shown on the maps) then redevelopment, possibly incorporating some existing buildings into the new developments. Mixed residential and commercial redevelopment is foreseen for Redevelopment Area 1 with the residential development to be medium and high density serving mixed income groups. High density apartment redevelopment is foreseen for Redevelopment Area 2. This is consistent with its location on the edge of downtown. Redevelopment activities in these areas will not be initiated until public funds are available and are programmed for these activities.

APPENDIX G

R-4 RESIDENTIAL ZONE

F/S 0-20/47 1990, approved August 31, 1990 Section 28: The R-4 Residential Zone, as set out in the Zoning Code immediately prior to the enactment of this ordinance, continues to have legal existence as to any sector development plan which references it in its regulations. Such R-4 Zone text is hereby legally attached to each such plan: this includes but is not necessarily limited to the Downtown Neighborhood Area Sector Development Plan and the North Barelvas Sector Development Plan.

SECTION 14.A. (R-4)

SECTION 14. R-4 RESIDENTIAL ZONE. – This zone is located only near an Urban Center and provides suitable sites for high density residences and uses incidental thereto to support the Urban Center. This zone shall not be mapped for any area where another residential zone would exist between the R-4 area and nearest SU-3 area.

A. Permissive Uses:

1. Uses permissive in the R-3 or RC zones. Non-residential uses shall not exceed ten percent of the gross floor area on the premises.
2. Antenna.
3. Community residential program except not Community residential corrections program or Community residential program for substance abusers: up to 18 client residents, provided that the standards of Section 40.L. of this Zoning Code are met.
4. Community residential program for substance abusers with up to seven client residents, all of whom shall be under 18 years old, provided that the standards of Section 40.L. of this Zoning Code are met.
5. Parking lot, as regulated in the O-1 zone.

B. Conditional Uses.

1. Uses permissive in the C-2 zone provided the aggregate of non-residential uses does not exceed ten percent of the gross floor area on the premises.
2. Community residential corrections program with up to 10 client residents, provided that the standards of Section 40.L. of this Zoning Code are met.
3. Community residential program for substance abusers with up to 10 client residents, provided that the standards of Section 40.L. of this Zoning Code are met.
4. Emergency shelter with up to 18 clients normally present, provided that the standards of Section 40.M. of the Zoning Code are met.

C. Height. Structure height up to 26 feet is permitted at any legal location. The height and width of

- the structure over 26 feet shall not exceed either:
1. 45-degree-angle planes drawn from the horizontal at the mean grade along the boundary of any privately-owned land zoned R-1 or R-T, or
 2. The normal height allowed in the nearest area zoned SU-3. Exceptions to the above are specified in Sections 40.C. and E. of this ordinance.
- D. Lot Size. No requirements.
- E. Setback. The following regulations apply, except as provided in Section 40.C. of this ordinance:
1. There shall be a front and a corner side-yard setback of not less than five feet and a setback of 11 feet from the junction of a driveway and a public sidewalk or planned public sidewalk location.
 2. Where the site faces or is contiguous to a different residential zone or an SU-3 zone, the setback requirements of the nearby zone apply.
 3. The clear sight triangle shall not be infringed upon.
- F. Density. A floor area ratio of 3.0 is the maximum permitted.
- G. Off-Street Parking. Off-street parking shall be as provided in Section 40.A. of this ordinance.
- H. Usable Open Space:
1. Usable open space shall be provided on-site in an amount equal to 150 square feet for each efficiency or one-bedroom dwelling unit and 200 square feet for each dwelling unit containing two or more bedrooms.
 2. Where an aggregate of two or more dwelling units is constructed on any given lot, the development shall include landscaping of the ground-level usable open space, planted and maintained according to a landscaping plan approved by the Zoning Enforcement Officer.