



# **CHAPTER 3 ZONING**

### 3.1 HOW TO USE THIS PLAN

#### **Achieving the Santolina Vision**

The vision of the Santolina Master Plan is to be a community in which jobs and educational opportunities are plentiful and locally accessible; where desirable housing responds to changing demographics and market preferences; where open space and quality of life are preserved and enhanced; and where a true “live, work, learn, and play” community is created for residents.

In order to implement the broad vision themes in the Master Plan Level A Plan, the Level B Plan introduces zoning and design regulation. The regulatory framework provided in this chapter is intended to be flexible, allow creativity through design, while also firm in other criteria therefore requiring standards be followed in order to achieve the overall Master Plan vision.

#### **Relationship between Land Use, Zoning, and Design Standards**

Each zone in this chapter, identifies which land uses are allowed to be built by right, which land uses may require a special or conditional use permit, and which land uses may require a special exception. Zone district regulations also specify the minimum lot size, minimum setbacks from property lines, maximum building height, maximum building floor-area-ratio (FAR), maximum impervious area, and minimum off-street parking. Additionally, this chapter also regulates signs, site design, landscaping, and architectural standards. Design standards are laced throughout the zoning chapter. Primarily, the Level B design standards are located in Section 3.6 of this Chapter, but are, in some cases, specific to zones and included in the zone district in Section 3.4.

#### **Horizontal versus Vertical Mixed-Use**

Santolina, like many other communities, embraces the need to allow for walkable neighborhoods as represented in the vision. Allowing mixed uses is an essential component for achieving walkability because compatible land uses, public amenities, and utilities can be layered at various scales and intensities. The variety of uses allows for people to live, work, learn, play, and shop in one general area achieved through adjacency. However, mixed-use can take on many forms.

Two mixed-use categories are used in this plan (1) vertical mixed-use buildings, and (2) horizontal mixed-use blocks or neighborhoods. A vertical mixed-use building combines different uses in the same building. Lower floors should have more public uses with more private uses on the upper floors. Horizontal mixed-use blocks or neighborhoods combine single-use buildings on distinct parcels in a range of land uses within one block. The Santolina Level B Zoning chapter refers to both types of mixed-use. For clarity, if a single zone, such as the Urban Center Zone, allows mixed-use as a permissive use, then this zone allows vertical mixed-use. In general, the Santolina Level B Plan is a mixed-use community because it allows horizontal mixed use such as the Residential Village Center Zone which allows both retail and high density uses within one neighborhood or block.

#### **Relationship to Other Plans and Codes**

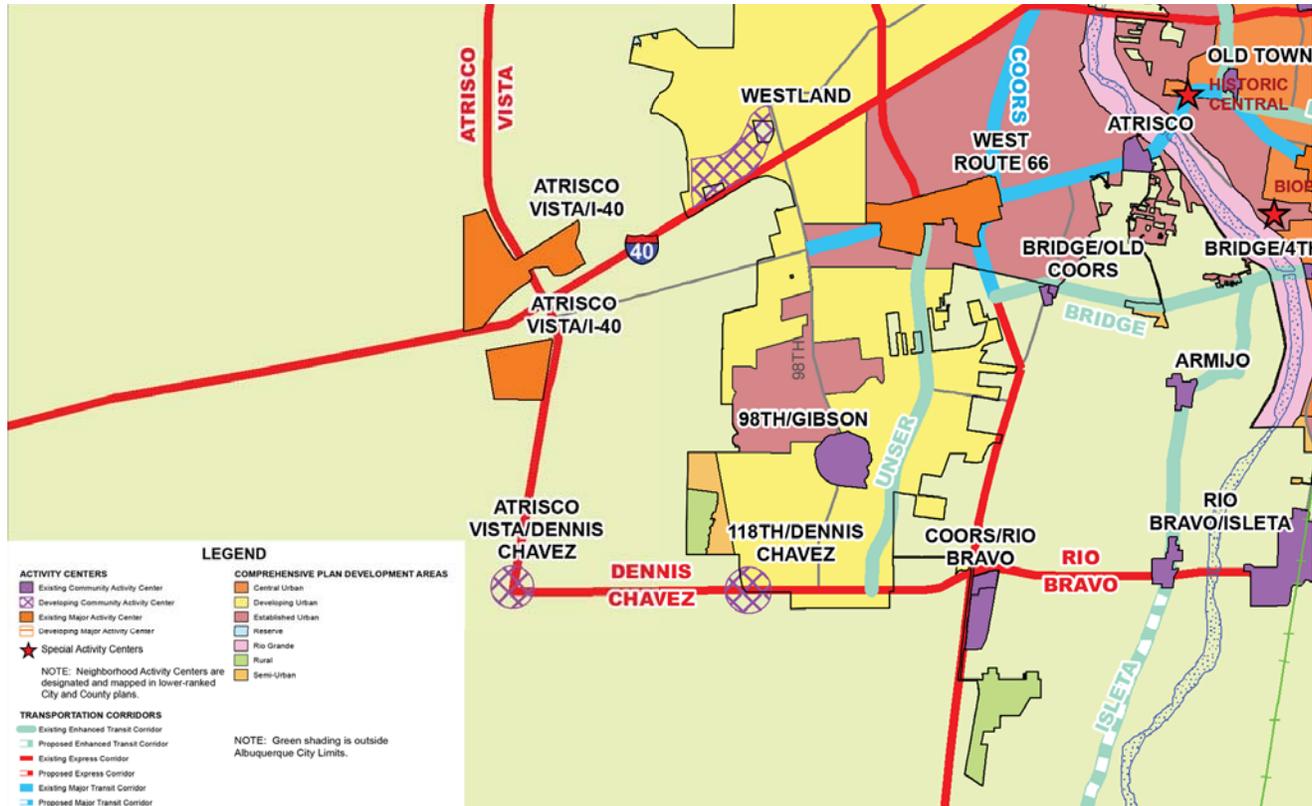
##### **Albuquerque/Bernalillo County Comprehensive Plan**

The City of Albuquerque and Bernalillo County Comprehensive Plan is the Rank I governing plan for all long-range and current development in the City of Albuquerque and Bernalillo County. The Santolina Master Plan Level A Plan is the guiding Rank II plan in this area of the County and complies with the Comprehensive Plan. Santolina Level B Plan area is inside the Comprehensive Plan designated Reserve area. The Reserve area in the southwest mesa includes one Major Activity Center and one Developing Community Activity Center. The Major Activity Center, located west of Atrisco Vista Boulevard and near Interstate-40, corresponds with the Santolina Town Center Zone allowing large retail commercial, highway commercial, neighborhood commercial, and some high density residential uses. The Developing Community Activity Center, located at the intersection of Atrisco Vista Boulevard and Dennis Chavez Boulevard, corresponds with the Urban Center Zone allowing neighborhood commercial, office and institutional, and high density residential uses.

##### **Bernalillo County Zoning Code**

Santolina Level B zoning is administered, regulated, and enforced by the Bernalillo County Planning and Development Department. Zones in this Chapter are structured in such a way that the most closely related Bernalillo

County zone is used as a foundation and customized to implement specific Santolina Level A intent and vision. There are several references in this Chapter to the Bernalillo County Zoning Code. Where the Santolina zoning regulations conflict, the Santolina regulations shall prevail. Where the Santolina zoning regulations are silent, the Bernalillo County Zoning Code shall be enforced.



Requests to change the zoning of a parcel within the Santolina Master Plan area follow standard procedures for County Rank III Sector Plan amendments. Applicants will be expected to address any applicable goals and policies of this Plan in their justification for rezoning, along with those of other relevant plans.

### Development Process

- To Be Determined based on future conversations with the County Planning Staff and Zoning Administrator
- Cluster Housing will be approved by the ZA and Public Works will review prior to approval.

**3.2 SPECIAL USE PERMIT REGULATIONS.** See *Bernalillo County Code of Ordinances, Zoning Section 18*. Special Use Permits may authorize uses with the exception of:

- Airport.
- Amusement Park.
- Asphalt and Batching Plant.
- Auction Yard.
- Cemetery.
- Contractor's yard.
- Drive-in theater.
- Feedlot.
- Golf Course.
- Foster group home; penal, correctional or mental institution.
- Mining, excavating, removing, processing, stockpiling, or distribution of rock, sand gravel, clay, pumice, scoria, decomposed granite, or similar materials, or batching plant.

- Mobile home/manufactured home park.
- Ore reduction, smelting.
- Overnight Campground.
- Pet Cemetary.
- Racetrack for Autos.
- School Bus Operation and Parking Lot.
- Storage facility for hazardous waste materials.

### 3.3 DEFINITIONS

**ACCESSORY LIVING QUARTERS.** Living quarters within an accessory building containing one bedroom, one living room, one bathroom, one closet, one mechanical room, no kitchen facilities and to be occupied by no more than two persons, shall not be rented or otherwise used as a dwelling unit and does not exceed 500 square feet in area.

**CHURCH.** A church or other place of worship, including the usual incidental facilities. Incidental uses allowed include but are not limited to an emergency shelter or day care facility operated by the church on the church's principal premises which is used regularly for public worship.

**CLUSTER HOUSING.** Allows Homes to be grouped together while the remaining land is reserved for open space. Such siting of homes allow for preservation of views and open space. The pattern may allow for growth but also preserves land as well as infrastructure. Developers are allowed to develop at a higher density as an incentive to develop cluster communities. Clustering also allows the developer to save on the cost of streets, water, and sewer lines and other infrastructure because of the reduced distances between structures and lots. Cluster housing may require formation of a homeowners association or other strategies to manage the open space or other areas owned in common.

*BERNALILLO COUNTY CODE OF ORDINANCES (CURRENT DEFINITION)*

*Cluster Housing Development. A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, unless otherwise permitted by a policy adopted as part of an Area Plan, Sector Development Plan, or Master Plan and the remaining land area is devoted to open space, active recreation, or preservation of environmentally sensitive areas or agriculture.*

**COURTYARD HOUSING.** Housing that includes a clearly defined courtyard open space provided to serve as the focus for the housing units.

**FOOD CART/TRUCK.** Any wagon, truck, push cart, or vehicle self-propelled or otherwise movable from place to place from which any person sells, offers for sale, or gives away, beverages, food, or any food product for human consumption.

**HEIGHT.** When applied to a building, means the vertical distance above the grade at each façade of the building, considered separately, to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the average height between the plate and the ridge of a gable, hip, or gambrel roof. The height of a stepped or sloped building means the maximum height above grade of any distinct segment of the building, which segment constitutes at least 10% of the gross floor area of the building.

**HOME OCCUPATION.** Any occupation or activity clearly incidental and secondary to use of the premises for a dwelling.

**LARGE RETAIL FACILITY.** A single tenant structure with at least 75,000 square feet of net leasable area for the purpose of retailing. A shopping center site with a main structure of 75,000 square feet or more is a LARGE RETAIL FACILITY.

**MOTOR COURT HOUSING.** Housing with up to six single dwellings may share a single drive lane access to a public street through the use of a motor court layout.

**SECONDARY DWELLING UNITS.** *Living quarters with an accessory building containing a kitchen, provided:*

- A. The Secondary Dwelling Unit is clearly located in a separate structure and incidental to the primary dwelling unit. In no case can the Secondary Dwelling Unit be larger than the primary dwelling unit.
- B. There shall be no more than either one Secondary Dwelling Unit or one Accessory Living Quarters per premise. In no case shall both be allowed on one premise.
- C. Occupancy: The property owner or beneficiary of an ownership trust described in a deed to the property must occupy either the primary or secondary dwelling unit. Upon request by the County, the property owner or beneficiary of an ownership trust shall provide proof of occupancy. A current government-issued photo identification with an address matching the property shall constitute proof of residency for purposes of this ordinance.
- D. If such use is approved, the property owner shall record the terms of the approved Conditional Use Permit, together with a signed acceptance of such terms, with the County Clerk prior to occupancy of the SDU.

**SIGN, ELECTRONIC DISPLAY/BOARD PANEL.** A sign which presents information that is transmitted in various visual forms and includes types such as: flat screen, active display matrix, or any electronic display capable of displaying multiple communications, images, graphics in mono, tri and/or full color. Such displays include but are not limited to current and future technology such as: Light Emitting Diodes (LED), Liquid Crystal Display (LCD), Plasma Display Panels (PDP), 3D Holography, pixel or subpixel technology, other fiber optics or illumination devices within the display area. The electronic control allows for programmable, electronic changing messages used primarily for the purpose of advertising, marketing messages, display of time-sensitive and other updatable information.

**For additional Definitions reference Bernalillo County Code of Ordinances.**

### 3.4 ZONING

The Approved Santolina Level A Master Plan established a PC Zoning framework for future Level B plans. The Level A Master Plan established seven land use districts including:

- A. Low Density Residential Zone
- B. Medium Density Residential Zone
- C. High Density Residential Zone
- D. Residential Village Center Zone
- E. Urban Center Zone
- F. Town Center Zone
- G. Business Park Zone
- H. Industrial and Business Park Zone
- I. Office and Institutional Zone
- J. Commercial Zone

This Level B Plan provides more detail concerning specific uses, standards and available sub-land use districts. The permissive uses within these sub-land use districts fall within the identified general permissive uses as specified within the Level A Master Plan. Unless otherwise specified, terms shall be as defined in the Bernalillo County Zoning Ordinance in effect at the time of approval of this Level B Plan.

This Level B Plan has been designed to be consistent with the intent and framework established by the Approved Santolina Level A Master Plan. As envisioned by the PCC, the Level B Plan is a refinement to the Level A Master Plan providing more detail concerning land uses, transportation, zoning and other design elements. This Level B Plan sets the stage for future Level C Plans that are the implementation of these plans in the form of subdivisions, site plans and ultimately the construction of structures. Ensuring flexibility in the implementation of these plans is critical to the success of the Santolina Master Planned Community.

## Residential Village Zones

The Level B Plan includes portions of three of the Residential Villages as identified in the Level A Master Plan. This Level B Plan defines the specific land uses within the Residential Villages. These uses are consistent with the Site Characteristic section of the approved Santolina PC Zone. The Santolina PC Zone set more intense uses along major roadway corridors and less intense uses interior to the Residential Villages. At this time, the Residential Villages within this Level B Plan include the following **Residential Village Zones** and their permissive and conditional uses:

- A) Low Density Residential Zone
- B) Medium Density Residential Zone
- C) High Density Residential Zone

## Design Standards for Residential Village Zones

- A. Height. *See Section 3.3 Definitions above for how to measure height.*
  - 1. In the Low Density Residential Zone - structures shall not exceed 26 feet in height.
  - 2. In the Medium Density Residential Zone – Structures shall not exceed 50 feet in height.
  - 3. In the High Density Residential Zone – Structures shall not exceed 78 feet in height.
- B. Lot Size.
  - 1. In the Low Density Residential Zone:
    - a. Minimum lot area of 5,000 square feet and a minimum lot width of 50 feet.
  - 2. In the Medium Density Residential Zone:
    - b. For a townhouse, minimum lot area shall be 2,200 square feet per dwelling unit; minimum lot width shall be 22 feet per dwelling unit.
    - c. For a townhouse, motor court, cluster or townhouse, minimum lot area shall be 1,760 square feet; minimum lot width shall be 18 feet.
    - d. For a house, minimum lot area shall be 3,600 square feet per dwelling unit; minimum lot width shall be 36 feet.
  - 3. In the High Density Residential Zone:
    - a. No minimum lot size, minimum lot width and depth shall be 150 feet **for apartments**.
- C. Setback.
  - 1. There shall be a front yard setback of not less than 15 feet.
  - 2. On a corner lot, the side yard setback adjacent to the side of the street shall be as follows:
    - a. If the rear yard abuts the front yard of a residential zoned lot, not less than 20 feet.
    - b. In no case shall it be less than ten feet.
  - 3. Side yard setbacks which are interior, i.e., measured from side lot lines which are not adjacent to streets, shall be either:
    - a. Not less than five feet on each side **or, side yard setback shall provide 10 feet of separation between buildings.**
  - 4. There shall be a rear yard setback of not less than 15 feet.
- D. Off-Street Parking.
  - 1. Off-street parking shall be as provided in the Bernalillo County Zoning Ordinance.
  - 2. Maximum front yard setback area that can be an improved parking and maneuvering area: 60%, but no more than 30 feet wide or the width of the front of the garage, whichever is narrower.
  - 3. Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.

## E. Usable Open Space.

1. Usable open space shall be provided on-site in an amount equal to 200 square feet for each efficiency or one-bedroom dwelling unit, 250 square feet for each two-bedroom dwelling unit and 300 square feet for each dwelling unit containing three 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 an approved landscape plan.

## F. Materials. Barbed tape, razor wire, barbed wire or similar materials are prohibited.

**A LOW DENSITY RESIDENTIAL ZONE**

## A. Permissive Uses.

1. House, one per lot.
2. Accessory use:
  - a. Accessory structures (non-commercial), maximum of 2 per lot shall be limited to an area of 600 sq. ft. or less. However, greenhouses are limited to 25% of the rear plus side yard areas in addition to other types of accessory structures. (Bernalillo County Section 9.B.2.c)
  - b. Antenna (non-commercial), up to 65 feet in height.
  - c. Home occupation.  
There shall be no exterior display, no exterior storage of materials, no nuisances emitted from the premises and no other exterior indication of the home occupation or variation from the residential character of the main building. The home occupation shall not be open to the public (clients, customers, patients, patrons, or similar individuals or groups) unless specifically approved as a Conditional Use. Only members of the residing family are employed, unless approved as a Conditional Use for a single, additional employee. Not more than 25 percent of the floor area is devoted to the home occupation, nor more than 600 square feet of accessory building and sign identifying the activity, (Refer to signage guidelines for residential uses) provided:
    - (1) The activity is clearly incidental and secondary to use of the premises for a dwelling.
    - (2) Only members of the residing family are employed at such location.
    - (3) One related on premise sign is permitted, provided:
      - (a) It does not exceed one square foot in area.
      - (b) It is a non-illuminated wall sign.
  - d. Recreational vehicle, boat, or boat and boat-trailer parking as follows:
    - (1) Inside parking;
    - (2) Outside parking in the side yard or the rear yard, provided no part of the unit extends over the public sidewalk; and not parked in clear site triangle (must be screened)
  - e. Sign, wall mounted and monument signage shall be permitted for individual neighborhoods and shall be approved as part of the subdivision plat.
3. Garage Sale
4. Public or private Park.
5. Public or private school, Where children are given a general education equivalent to any of the first twelve grades of public schools.
6. Public utility structure.
7. Real estate office and an incidental sign in connection with a specific development, provided

it is not used as living quarters during the time it is used as an office and further provided that it is limited to a period of one year unless the time is extended through approval from the Zoning Administrator.

8. Wireless Telecommunications Facility which is concealed or located on a public utility structure. (Refer to Section 22.5 of the Bernalillo County Code of Ordinance)

#### B. Conditional Uses

1. Cluster Housing Development. (CHD)
  - b. Allowed for tracts with a minimum of 2 acres.
  - c. The number of dwelling units permitted in a CHD is determined by dividing the site area by the minimum lot size permitted rounded to the nearest whole number. However, the number of dwellings in a CHD may not be more than 50.
  - d. The dwelling units may be houses or townhouses or any combination thereof.
  - e. The minimum setbacks are as follows:
    - (1) Front – 15 feet except driveways shall not be less than 20 feet long.
    - (2) Rear – 15 feet for houses and townhouses unless adjoining R-1, RA-1, RA-2, or RO-1 zoned land, in which case the setback for townhouses shall be 25 feet.
    - (3) Side – there shall be no required side yard setback except that there shall be a minimum setback of five feet for all side yards contiguous with the CHD boundary.
  - f. A minimum of 30% of the gross area of a CHD or 100% of the area gained through lot size reductions, whichever is greater, shall be set aside as Open Space.
  - g. The CHD may be used for agriculture, landscaping, recreation, open space 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. Land used for streets, driveways, parking, sidewalks and private yards may not be counted as part of a CHD. No buildings or structures are permitted in a CHD except those necessary for the operation and maintenance of the CHD. A CHD may have underground easements. The CHD shall be set aside by the developer either as a Private or Public CHD. A Private CHD shall be created, subject to a finding of suitability by the Zoning Administrator, through a land use easement acceptable to the Zoning Administrator. A Public CHD may be created by dedication of land to the County.
  - h. Allowed as a condition use in the Low Density Residential zone if sewer is available.
2. Secondary Dwelling Units. Living quarters with an accessory building containing a kitchen, provided:
  - a. Size. The footprint of a Secondary Dwelling Unit shall not exceed:
    - (1) Maximum 650 net square feet for lots 5,000 square feet or less.
    - (2) Maximum 800 net square feet for lots greater than 5,000 10 square feet but not greater than 10,000 square feet.
    - (3) Maximum 1,000 net square feet for lots greater than 10,000 12 square feet.
    - (4) A garage or shed attached to the Secondary Dwelling Unit shall not count towards the square footage limitation. The garage or shed shall not exceed 50% of the size of the 16 secondary dwelling unit.
    - (5) All accessory buildings, including Secondary Dwelling Units, must comply with County height and area requirements for low density residential zones
  - b. Setbacks: Secondary dwelling units shall be located to the rear of the primary dwelling unit except on irregularly-shaped lots where side yards are larger than rear yards, in which case a secondary dwelling unit may be located in the side yard provided required setbacks are met. There shall be a minimum of 10 feet separation between the primary dwelling unit and the secondary dwelling unit. In addition to the building separation requirement, the following minimum setbacks from the property line shall apply:
    - (1) Side: 5 feet

- (2) Rear: 5 feet
- (3) On corner lots, the street side setback shall be a minimum of 10 feet.
- c. Height: Secondary dwelling units shall not exceed one story and 18 feet 2 in height, with the following exception:
  - (1) Where a property is accessed by an alley, a Secondary Dwelling Unit may be built over a garage, provided the garage is accessed only from the alley and the total height of the structure does not exceed 22 feet or the height of the primary dwelling unit, whichever is shorter.
- d. Parking: One off-street space per unit.
- e. Design: The design of the secondary dwelling unit shall relate to the design of the primary dwelling unit by use of similar exterior wall materials or finishes, architectural style and elements, including but not limited to roofing materials and roof pitch.

## **B MEDIUM DENSITY RESIDENTIAL ZONE**

This zone provides suitable sites for attached or detached housing and uses incidental hereto.

### **A. Permissive Uses.**

- 1. Uses permissive in the Low Density Residential Zone
- 2. Houses, not limited to one per lot and provided that there are not over 15 dwelling units per net acre.
- 3. Townhouses,
- 4. Cluster housing (as defined above)
- 5. Courtyard housing.
- 6. Motor court housing.

## **C HIGH DENSITY RESIDENTIAL ZONE**

This zone provides suitable sites for the highest density housing outside of Urban Centers. It is most appropriately mapped adjacent to commercial, office, or employment centers, where primary access to a major street is available.

### **A. Permissive Uses.**

- 1. Uses permissive in the Medium Density Residential Zone, provided there are not over 30 dwelling units per net acre, unless the property is located on a collector or arterial where the density may increase to not over 50 du/acre.
- 2. Uses incidental to an apartment such as day care center, news, cigar, or candy stand, delicatesse, personal-service shop and the like, are permitted with an apartment development.

### **Conditional Uses in all Residential Zones**

**All conditional uses shall be filed with the Zoning Administrator on a form and accompanied by such data and information as the Zoning Administrator may prescribe.**

- 1. Accessory living quarters.
- 2. Animal keeping, commercial.
- 3. Construction office in connection with a specific construction project provided it is limited to a period of one year unless the time is extended through a new conditional use.
- 4. Health care, including physicians, massage, therapy, etc. in association with a senior housing project.
- 5. Public library.
- 6. Public utility structure which is not permissive.
- 7. Recreational facility, such as community center, swimming pool, tennis club (owned by

- government, HOA or non-profit).
8. Walls, fences and retaining walls, in a setback area where height is normally limited to three feet, up to five feet high when less than ten feet from the property line and up to six feet high when ten or more feet from the property line, provided it is attractive and in harmony with its site, the style of the wall or fence blending architecturally with the adjacent residences and with the general streetscape.
    - a. A wall or fence shall not be approved unless the Traffic Engineer finds that the specific plan approved would not be a hazard to traffic visibility.

#### **D. RESIDENTIAL VILLAGE CENTER ZONE**

At this time, the Level B Plan includes portions of three of the Residential Villages identified in the Level A Master Plan. As an important component of the Residential Villages, small neighborhood commercial and public facilities are needed. These neighborhood services are located within Residential Village Centers. At this time, this Level B Plan defines the specific land uses allowable within the Residential Village Centers. These uses are consistent with the Site Characteristic section of the PC zone that proposed more intense land uses along the major roadway corridors and at major intersections. The Residential Village Centers include the following **sub-land use categories** and their permissive and conditional uses:

- 1) Village Center **Use Category**
- 2) Office Institutional **Use Category**
- 3) High Density Residential **Use Category**

##### **1) Village Center Commercial Use Category**

The purpose of this **use category** is to provide for retail business and services serving primarily the residents of the surrounding neighborhoods and to minimize any adverse effects on nearby residential development.

##### **A. Permissive Uses:**

1. Retail sales of goods and services, including package liquor sales in conjunction with a full service drug or grocery store.
2. Bakery goods shop or confectionery store wherein a majority of the products are sold on the premises and at retail.
3. Bank.
4. Beauty and barber shop.
5. Community garden.
6. Church
7. Mixed use development both horizontal or vertical with residential and non-residential uses combined in the same building or buildings. The non-residential uses are limited to those allowed as permissive or conditional in the Village Center Commercial Zone, plus incidental activities such as the creation of arts and craft items for resale or similar activities.
8. Medical Clinic.
9. Interior decorating shop.
10. Photography studio.
11. Shoe repair shop, shoeshine stand.
12. Dwelling, provided that it has a minimum density of 20 du/acre and a maximum density of 30 du/acre.
13. Drive-in/Drive-thru establishment such as a bank, drugstore, restaurant, food store, coffee shops, refreshment stand provided that a solid wall or fence at least six feet high is erected along the side of all areas abutting or contiguous to any residential zone and further provided that there is adequate on-site space for vehicle queuing and the vehicle movement plan is approved by the County.
14. Farmers Market, provided the event is issued a Special Event's permit by Bernalillo County.

15. Food Carts/Trailers are permitted to operate on private non-residential property, provided:
  - a. The Food Carts/Trailers and any associated tables, chairs, displays, umbrellas, or the like, must not physically occupy or obstruct access to any parking stalls necessary to meet the minimum parking requirements for the on premise land uses (if any), except that this requirement does not apply if the mobile food unit is operating outside of the hours of operation of the on premise uses.
  - b. The Food Carts/Trailers and any associated tables, chairs, displays, umbrellas, or the like, must not obstruct any designated ingress or egress from the property, or any designated drive-aisle.
  - c. The Food Carts/Trailers has written permission from the property owner for use of the site, a copy of which shall be kept and maintained in the mobile food unit and made available for review by any County inspector at all times during operation of the mobile food unit at the site.
  - d. The Food Carts/Trailers operator must provide receptacles for disposal of all food truck generated refuse.
  - e. Every Food Carts/Trailer is subject to, and must comply with, the general noise restrictions prescribed by Section 30-116 of the Bernalillo County Code of Ordinance, and all other relevant requirements and restrictions of local, state, and federal law.
15. Food Carts/Trailers are permitted to operate on private residential property, provided
  - a. The Food Carts/Trailers has written permission from the property owner for use of the site, a copy of which shall be kept and maintained in the Mobile Food Unit and made available for review by any City inspector at all times during the operation of the Mobile Food Unit at the site.
  - b. Food Carts/Trailers may not operate on the same residential property more than 12 days per year.
  - c. The Food Carts/Trailers operator must provide receptacles for disposal of all food truck generated refuse.
16. This section establishes land use regulations pertaining to Food Carts/Trailers. Food Carts/Trailers shall comply with all other applicable requirements of the traffic code. Other aspects of Mobile Food Units are regulated in other parts of the County Code of Ordinances. Please refer to Chapter 82 and Chapter 42 Health and Sanitation.
17. Laundry, laundromat with or without drive thru (without on-site dry cleaning facility)
18. Mixed use development both horizontal or vertical with residential and non-residential uses combined in the same building or buildings. The non-residential uses are limited to those allowed as permissive or conditional in the Village Center Commercial Zone, plus incidental activities such as the creation of arts and craft items for resale or similar activities.
19. Office.
20. Restaurant with full service liquor license.
21. Service Station, including the sale of liquefied petroleum gas for consumption but not for resale:
  - a. Any tube or tire repairing, minor auto repair or battery charging shall be conducted within a completely enclosed building.
  - b. If any lubricating, storage or washing is done outside a building, a solid wall or fence six feet high shall be maintained between such activity and any abutting residential property.

B. Prohibited Uses:

1. Any use not designated a permissive use or conditional use in this zone, unless otherwise authorized by the approved Level A or Level B Plan; or
2. Any use not recognized as customarily incidental to a permitted use in the zone.

C. Conditional Uses:

The following uses may be permitted if approved by the Zoning Administrator in accordance with the procedures and under the conditions set forth in the Bernalillo County Zoning Ordinance.

1. Amateur radio antenna/tower 65 to 100 feet as measured from grade.
2. Dry cleaning (clothes) agency or clothes pressing establishment provided that:
  - a. All activities are conducted within an enclosed building.
  - b. Not more than three persons are engaged, exclusive of pressers and office, clerical or delivery personnel.
  - c. The establishment is operated principally as a retail business and
  - d. That portion of the building in which any cleaning process is done shall be at least 50 feet from any residential zone.
3. Garage for automotive repair provided it complies with the following:
  - a. Any automotive repair shall be conducted within a completely enclosed building located at least 20 feet from any residential property.
  - b. Storage of not more than five automobiles awaiting repair shall be permitted provided that the outdoor area in which such cars are stored shall be enclosed by a solid wall or fence at least six feet high.
4. Studio for instruction in music or dance.
5. Wireless facilities. (Please refer to Section 22.5 of the Bernalillo County Code of Ordinances.)

**2) Permissive and Conditional Uses as permitted in the Office and Institutional Zone**

**3) Permissive and Conditional Uses as permitted in the High Density Residential Zone**

**E. URBAN CENTER ZONE**

The Level B Plan includes the eastern half of the Urban Center as identified in the Level A Master Plan. The Urban Center is a dynamic, high-density core where office, recreation, commercial, civic, educational, multi-family residential, retail and entertainment uses come together and serves as a destination for residents to “live, work, shop and play”. The eastern portion of the Urban Center is anticipated to have an education focus. The Urban Center includes the following sub-land use categories and their permissive and conditional uses:

- 1) Permissive and Conditional Uses as permitted in the Commercial Zone
- 2) Permissive and Conditional Uses as permitted in the Office and Institutional Zone
- 3) Permissive and Conditional Uses as permitted in the High Density Residential Zone

**F. TOWN CENTER ZONE**

The Town Center has excellent access off Interstate 40 and is anticipated to facilitate large retail facilities, entertainment, hotels, office, auto sales, lodging, hospitals, office, mixed-use and high density residential. The Town Center consists of a single use category:

The regulations set forth in this section, or set forth elsewhere in this ordinance, when referred to in this section, are the regulations in the Town Center Commercial Use Category. The purpose of this use category is to provide for commercial uses and to regulate such uses in such a manner as to provide for appropriate community commercial uses.

Use Regulations. A building or premises shall be used only for the following purposes. All uses customarily incidental to the building and premises shall be maintained on site.

- A. Permissive Uses:

Any permissive and conditional use allowed and as regulated in the Neighborhood Commercial Zone, with ~~the exception of apartments and multiple single family dwellings and~~ the following permissive uses:

1. Garage for automotive repair.
2. Hotel or motel.
3. Apartments and senior living as regulated in the High Density Residential Zone.
- ~~Indoor amusement enterprise (including auditorium)†.~~
4. Retail store business, or shop in which products may be manufactured, compounded, processed, assembled, or treated, incidental to the retail operation including carpentry, ceramics, fabric cutting and sewing, furniture making, upholstering, sign painting, making of rubber or metal stamps, interior decorating, catering, baking, confectionery making, weaving, or jewelry or curio making, provided it complies with the following requirements:
  - a. All activities shall be conducted within a completely enclosed building and any outside storage shall be enclosed by a six-foot solid wall or fence.
  - b. Any such store shall be operated principally as a retail business.
  - c. Activities or products shall not be objectionable due to odor, dust, smoke, noise, vibration, or other cause.
5. Large retail stores and distribution facilities.
  - a. Responsibilities of Applicants and Developers, shall apply to the following, as determined by the County Planning Commission (CPC):
    - (1) New construction of a large retail facility;
    - (2) Change of use from a non- large retail facility to a large retail facility defined as: A single tenant structure with at least 75,000 square feet of net leasable area for the purpose of retailing;
    - (3) Building expansion of more than 50% of the existing square footage.
  - b. Building expansion of 10% to 50% of the existing square footage of an existing large retail facility shall be subject to the following requirements:
    - (1) Pre-application meeting.
    - (2) Compliance with the large retail facilities design regulations as determined by the CPC. The CPC before issuing final design regulations shall request input from neighborhood associations with boundaries that are within 200 feet of the proposed project.
  - c. Building expansion up to 10% of the existing square footage and building renovation of an existing large retail facility shall comply with the design regulations in this section to the extent possible as determined by the Planning Director.

**Location and Access of Large Retail Facility.** The following regulations manage the location and design of large retail facilities. These regulations are necessary for the proper functioning and enjoyment of the community. They protect the quality of life within surrounding residential areas, support efficient traffic flows, and provide consistent regulations for such facilities. Large retail facilities shall be located to secure adequate street capacity to transport pedestrians and vehicles to and from large retail facilities, and discourage traffic from cutting through residential neighborhoods. The regulations result in efficient and safe access for both vehicles and pedestrians from roadways in the Metropolitan Transportation Plan to neighborhoods in the vicinity of large retail facilities. The Planning Director, after initial review of a large retail facilities proposal, may require the site to comply with the next level of large retail facilities regulations.

- a. Large retail facilities containing 75,000 to 90,000 sq. ft. net leasable area are:

- (1) Required to be located adjacent to and have primary and full access to a street designated as at least a collector in the Mid-Region Council of Governments' Metropolitan Transportation Plan and having at least two through traffic lanes.
- b. Large retail facilities containing 90,001 to 124,999 sq. ft. net leasable area are:
- (1) Required to be located adjacent to and have primary and full access to a street designated as at least a collector in the Mid-Region Council of Governments' Metropolitan Transportation Plan and having at least four through traffic lanes.
- c. Large retail facilities containing 125,000 square feet or greater of net leasable area are:
- (1) Required to be located within 1,200 feet (1/4 mile) of the intersection of two roadways, both of which are designated as at least a collector street in the Mid-Region Council of Governments' Metropolitan Transportation Plan and shall have full access to these roadways. One of the adjacent roadways shall have at least four through traffic lanes and the other adjacent roadway shall have at least six through traffic lanes or is designated a limited access principal arterial in the Mid-Region Council of Governments' Metropolitan Transportation Plan and have a minimum of four lanes.
  - (2) If an arterial or collector street has yet to be built to its full cross-section and does not have the required number of lanes, the large retail facility may have access onto the roadway if the roadway is identified on the Metropolitan Transportation Plan as having the required number of lanes at full build-out.
  - (3) If access control policies prohibit access onto one of the adjacent roadways, a local road may be used as access if it has direct access to at least two roadways that are identified on the Long Metropolitan Transportation Plan, does not pass directly through a residential subdivision and at least one of the intersections is signalized.
  - (4) If access to a location fulfills the criteria of this section but control policies outside the city jurisdiction prohibit access onto one of the adjacent arterial or collector streets, the remaining arterial or collector street may serve as the sole access if it has direct access to two intersections with an arterial and the intersections are signalized.
  - (5) If warrants are met, the intersection of the primary driveway and the arterial street shall be signalized, unless prohibited by the City Traffic Engineer for safety reasons, at the expense of the applicant. The applicant may place the name development on the mast-arm of the signal.
- 6. Retailing of any consumer product and provision of any customer, personal, or business service, provided it is not listed as a conditional use in this zone.
  - 7. Automobile, truck, trailer, recreational vehicle, motorcycle and all-terrain vehicle sales, provided that any such area be surfaced with higher-type paving and a solid wall or fence six feet high shall be maintained along any side of such are abutting or contiguous to any residential zone.
  - 8. Auto, trailer, recreational vehicle, motorcycle and all-terrain vehicle and truck rental, service, or storage, provided the lot is graded and surfaced.
  - 9. Drive-in restaurant or refreshment stand, provided the site is enclosed by a solid wall or fence six feet high on all sides abutting or contiguous to residential property, provided there are no audible devices.
  - 10. Furniture, hardware, or home appliance store.
  - 11. Hospital for animals, kennels.
  - 12. Lumberyard and building material sales (retail) provided all storage is within a building or

enclosed by a six-foot solid wall or fence on all sides and provided further that products, items or materials stored on the site are not stacked to a height above the height of the required wall or fence.

13. Printing, publishing, lithographing, blueprinting or photostating establishment.
  14. Rental or sale of household, yard and garden equipment, provided all storage is contained within an enclosed building or enclosed by a six-foot high solid wall or fence on all sides abutting residential property.
  15. Restaurant with full service liquor license.
  16. Indoor storage of household goods.
  17. Medical and hospital uses.
  18. Mixed use development both horizontal or vertical with residential and non-residential uses combined in the same building or buildings. The non-residential uses are limited to those allowed as permissive or conditional in the Village Center Commercial Zone, plus incidental activities such as the creation of arts and craft items for resale or similar activities.
  19. Education facilities.
  20. Amusement enterprise (**indoor and outdoor**), provided any lighting shall be so located, screened or shaded so as not to reflect off the premises as follows:
    - a. Baseball batting or archery range, provided the area shall be fenced or otherwise designed to prevent any balls or arrows from going off the premises.
    - b. Miniature golf course.
    - c. Swimming pool operated as a commercial enterprise including commercial activities specifically related to such use, such as the sale or rental of swimming equipment and the usual concession stands, provided any such use shall be enclosed by a wall or fence at least eight feet high. The hours of operation shall be limited to 6:00 a.m. to 11:00 p.m.
  21. Bar and Lounge.
    - a. Outdoor live entertainment.
- B. Height Regulations Non-residential. 100 feet. *See Section 3.3 Definitions above for how to measure height.*
- C. Area Regulations:  
(Please see *Design Standards for Residential Village under the High Density Residential Zone.*)
1. Front Yard. There shall be a front yard **setback** having a depth of not less than 10 feet.
  2. Side Yard. No side yard **setback** is required.
  3. Rear Yard. There shall be a rear yard **setback** having a depth of not less than 15 feet.
  4. Off-Street Parking Spaces, Loading and Unloading Spaces. Off-street parking spaces and loading and unloading spaces shall be provided in accordance with requirements for specific uses set forth in the Off-Street Parking, Loading and Unloading Regulations Section of the Bernalillo County Zoning Ordinance.
- D. Landscape and Buffer Landscaping. As required by the Landscaping and Buffer Landscaping Section of the Bernalillo County Zoning Ordinance.

## G. BUSINESS PARK ZONE

~~At this time,~~†The Level B Plan includes the eastern portion of the Business Park as identified in the Level A Master Plan. It is envisioned to house large job generators such as emerging technologies, research and development, light manufacturing, educational campuses and/or healthcare industries. The Business Park consists of a single **use category**:

The regulations set forth in this section, or set forth elsewhere in this ordinance, when referred to in this section are the regulations in the Business Park Zone. The purpose of this zone is primarily for community

commercial uses, light manufacturing, light fabricating, warehousing and wholesale distribution, general office and business uses, research and development and educational uses, with off-street loading and off-street parking for employees, with ready access to arterial roadways and highways. The regulations in this zone provide for the health, safety and welfare of the residents.

A. Permissive Uses.

A building or premises shall be used only for the following purposes. All uses customarily incidental to the building or premises shall be maintained on site.

1. Amateur Radio Antenna/Tower up to 65 feet as measured from grade.
2. Automobile, motorcycle, bicycle, motorized bicycle (moped), all-terrain vehicle and small engine repairing, but no bodywork. Repairing shall be done within a completely enclosed building at least 20 feet from any Low or Medium Density Residential Zone. Storage of not more than five automobiles awaiting repair shall be permitted provided that the outdoor area in which such cars are stored shall be enclosed by a solid wall or fence at least six feet high.
3. Auto parts and supply retail sales.
4. Banking and loaning money.
5. Bicycle and motorized bicycle (moped) sales and rental, provided that outdoor display is permitted only 50 feet or more from any Low or Medium Density Residential Zone.
6. Bottling plant.
7. Cold storage plant.
8. Delivery service.
9. Drive-thru facilities such as banks, drugstores, dry cleaners, restaurants and similar uses provided there is adequate on-site space for vehicle queuing and the vehicle movement plan is approved by the County.
10. Drug store.
11. Dry cleaning, laundry, clothes pressing, ~~dyeing works (including rug works and rug and carpet cleaning)~~, provided: Only nonflammable or noncombustible materials are used in the cleaning process.
12. Foundry, casting of nonferrous metal, provided there shall be no fumes or odors discernible beyond the premises.
13. Health gymnasium.
14. Ice plant (wholesale).
15. Jewelry sales, manufacture and supplies.
16. Laboratory (experimental or testing).
- ~~16. Laundry, cleaning, or dyeing works, including rug works and rug and carpet cleaning.~~
17. Office.
18. Paint store (Retail).
19. Photographic equipment sales and/or service.
20. Public utility structure and public building including fire and police stations.
21. Radio and/or television station and/or motion picture industry activities.
22. Restaurant with full service liquor license.
23. Sales and display rooms or buildings for wholesalers, distributors.
24. Service station, including the sale of liquefied petroleum gas, but not for resale, provided any tube or tire repairing, minor auto repair or battery charging shall be conducted within a completely enclosed building.
25. The following uses must be conducted within a completely enclosed building or within an area enclosed on all sides by a wall or fence at least six feet high, which must be solid along the sides of the site facing or abutting land zoned residential and provided further that products, items or materials stored on the site are not stacked to a height above the height of the required wall or fence:
  - a. Machine shop, blacksmith shop, ornamental iron shop, welding shop.

- b. Manufacturing, compounding, assembling, or treatment of articles made from the following materials: Bone, shell, cellophane, cork, fiber, fur, glass, horn, leather, precious or semiprecious metals or gems, paint (not involving a boiling process), paper, plastics, textiles, yarn, tobacco, or wood.
  - c. Manufacturing, compounding, processing, packaging, treating, assembling, maintaining, repairing, overhauling, or rebuilding of the following products: bakery goods, candy, cosmetic goods, toiletries, dairy products, drugs, pharmaceutical goods, electrical appliances, mechanical devices, electronic instruments and devices, radios or phonographs, musical instruments, pottery, figurines, ceramics provided only previously pulverized clay and kilns fired by electricity or gas shall be used, signs, including electric or neon, billboards, commercial advertising structures, toys and novelties.
  - d. Sheet metal working (light), including the making of heating or ventilating products or equipment, cornices and eaves.
  - e. Warehouse.
  - f. Food processing.
26. One residence (single family dwelling or area within a business where a single person/ caretaker resides) per business for a security resident employed on the premises provided that such accommodations are not used as rental property.
27. Wireless Telecommunications Facility, provided that it satisfies the requirements of the Bernalillo County Zoning Ordinance and as specifically allowed below:
- a. Face-mounted wireless telecommunications facility.
  - b. Roof-mounted wireless telecommunications facility, up to 6 feet above the parapet of the building on which it is placed.
  - c. Concealed wireless telecommunications facility.
  - d. Wireless telecommunications facility for which all antennas are mounted on an existing vertical structure.

B. Conditional Uses.

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

- 1. Amateur Radio Antenna/Tower 65 to 100 feet as measured from grade.
- 2. Mixed use development with residential and non-residential uses combined in the same building or buildings. The non-residential uses are limited to those allowed as permissive or conditional in the Business Park Zone, plus incidental activities.

C. Height Regulations. 100 feet.

D. Area Regulations:

(Please see Design Standards for Residential Village under the High Density Residential Zone.)

- 1. Front Yard. There shall be a front yard setback having a depth of not less than 10 feet.
  - 2. Side Yard. None required except on the side of a lot abutting a Low or Medium Density Residential Zone, in which case there shall be a side yard setback of not less than five feet in width.
  - 3. Rear Yard.
- E. Off-Street Parking and Loading and Unloading Spaces. Off-street parking spaces and loading and unloading spaces, shall be provided in accordance with requirements for specific uses set forth in the Off-Street Parking, Loading and Unloading Regulation Section of the Bernalillo County Zoning Ordinance.

**H. INDUSTRIAL & BUSINESS PARK ZONE**

The Industrial and Business Park is ideally situated to provide sites for large industrial users, power generating and heavy industrial users not suitable for smaller business park or in close proximity to the residential neighborhoods. The northern portion of this area is included in the Level B Plan. The Town Center consists of a single **use category**:

At this time, the purpose of this **use category** is primarily for light manufacturing, light fabricating, warehousing and wholesale distribution with off-street loading and off-street parking for employees and with access to arterial highways or railroads.

**A. Permissive Uses.**

A building or premises shall be used only for the following purposes. All uses customarily incidental to the building or premises shall be maintained on site:

1. Any permissive or conditional use listed and as regulated in the Business Park Zone except as qualified above.
2. Bottling plant.
3. Cold storage plant.
4. Feed or fruit storage or sales (wholesale), provided all outside storage is enclosed by a solid wall or fence six feet high on all sides abutting residential property.
5. Foundry, casting of lightweight, nonferrous metal, provided there shall be no fumes or odors discernible beyond the premises.
6. Ice plant (wholesale).
7. Laboratory (experimental or testing).
8. Laundry, cleaning, or dyeing works, including rug works, including rug and carpet cleaning.
9. Any permissive or conditional use listed in the Business Park Zone.
10. Boiler works.
11. Iron or steel foundry or fabrication plant, forging, rolling, or heavy weight casting.
12. Manufacture of the following:
  - a. Acetylene gas.
  - b. Alcohol.
  - c. Asphalt.
  - d. Brick, tile, terra cotta.
  - e. Chemicals.
  - f. Paint, oil (including linseed), shellac, turpentine, lacquer, varnish.
  - g. Petroleum byproducts.
  - h. Plastics.
  - i. Soap.
  - j. Sodium compounds.
  - k. Tar products.
13. Milling, manufacturing and related processing of cement.
14. Salvage yard for storage and sale of used materials such as metal, rope, paper, glass, leather, rags, lumber, plastic and equipment made of these materials, provided the yard is enclosed by a solid fence or wall at least six feet high on all sides facing or abutting land zoned residential .
15. Uses which must be conducted within a completely enclosed building or within an area enclosed on all sides by a wall or fence at least six feet high and which must be solid along the sides of the site facing or abutting land zoned low or medium density and provided further that products, items or materials stored on the site are not stacked to a height above the height of the required wall or fence:
  - a. Building material storage and sales.
  - b. Concrete or cement products manufacturing, batching plant, gravel or sand removal activity, stockpiling, processing or distribution provided it complies with

the following requirements:

- (1) Any gravel removal activities shall be conducted in accordance with sound engineering practices.
  - (2) Depleted land shall be rehabilitated by grading or backfilling with non-noxious, nonflammable, noncombustible solids.
  - (3) Depleted land shall be graded or backfilled so as not to collect or permit stagnant water to remain therein.
  - (4) Depleted land shall be so graded or backfilled that it will result in topography in substantial conformity to the land immediately surrounding it and which will minimize erosion caused by rainfall and runoff.
  - (5) Concrete or cement products manufacturing, batching plant, or processing of stone shall be conducted in accordance with current environmental pollution controls.
- c. Contractor's equipment storage, rental, or sale; contractor's yard.
  - d. Fuel storage or sales (wholesale).
  - e. Machine shop, blacksmith shop, ornamental iron shop, welding shop.
  - f. Manufacturing, compounding, assembling, or treatment of articles made from the following materials: Bone, shell, cellophane, cork, fiber, fur, glass, horn, leather, precious or semiprecious metals or gems, paint (not involving a boiling process), paper, plastics, textiles, yarn, tobacco, or wood.
  - g. Manufacturing, compounding, processing, packaging, treating, assembling, maintaining, repairing, overhauling, or rebuilding of the following products: Bakery goods, batteries, candy, cosmetic goods, toiletries, dairy products, drugs, pharmaceutical goods, electrical appliances, electronic instruments and devices, radios or phonographs, musical instruments, pottery, figurines, ceramics provided only previously pulverized clay and kilns fired by electricity or gas shall be used, signs, including electric or neon, billboards, commercial advertising structures, toys and novelties.
16. Sheet metal working, including the making of heating or ventilating products or equipment, cornices and eaves.
  17. Truck terminal, tractor, trailer, or truck storage, including maintenance facilities.
  18. Warehouse.
  19. Food processing.
  20. Auction of livestock.
  21. Auto dismantling yards, junkyards, storage and salvage yards and yards used for the open storage of materials, provided they are enclosed on all sides by a wall or fence at least six feet high, which must be solid along the sides of the site facing or abutting land zoned residential and provided further that inoperative automobile bodies, or parts thereof, are not stacked to a height above the height of the required wall or fence.
  22. Accessory uses to any of the foregoing.
  23. Solar, wind or biofuel power generating facility.
  24. Asphalt batching plant provided the site is enclosed by a solid wall or fence six feet high on all sides abutting residential property.

B. Prohibited Uses:

1. Any use not designated a permissive use or conditional use in this zone, unless otherwise authorized by the approved Level A or Level B Plan; or
2. Any use not recognized as customarily incidental to a permitted use in the zone.

C. Height Regulations. 150 feet. *See Section 3.3 Definitions above for how to measure height.*

D. Area Regulations:

1. Front Yard. There shall be a front yard having a depth of not less than 20 feet.
2. Side Yard. None required except on the side of a lot abutting a Low or Medium Density Residential Zone, in which case there shall be a side yard of not less than five feet in width.
3. Rear Yard. There shall be a rear yard having a depth of 15 feet.
4. Off-Street Parking and Loading and Unloading Spaces. Off-street parking spaces and loading and unloading spaces shall be provided in accordance with requirements for specific uses set forth in the Off-Street Parking, Loading and Unloading Regulation Section of the Bernalillo County Zoning Ordinance.

**I. OFFICE AND INSTITUTIONAL ZONE**

The purpose of this use category is to provide sites suitable for office, business, service and institutional uses.

Use Regulations. A building or premises shall be used only for the following purposes. All uses customarily incidental to the building or premises shall be maintained on site:

A. Permissive Uses:

1. Beauty shop, barber shop.
2. Church, or other place of worship, including the usual incidental facilities.
3. Day spa.
4. Incidental uses within a building most of which is occupied by offices and/or dwelling units such as news, cigar or candy stand, restaurant, personal service shop, and the like, provided the incidental uses comply with the following:
  - a. The use is intended primarily for the use of the occupants of the structure.
  - b. At least 10,000 square feet of floor area are contained in the structure.
  - c. The use is limited to a maximum of ten percent of the total floor area.
5. Institution, including library, museum, nursing or rest home, day care center and family day care center.
6. Medical supplies and services, such as drug prescription and supply shop, physical therapy office, or shop for fabricating and fitting prosthetic or correction devices, or medical or dental laboratory.
7. Medical Clinic or offices, imaging centers.
8. Office.
9. Photocopy, photography studio, (except adult photo studio).
10. Public safety facilities including fire and police stations.
11. Public utility structure (such as a transformer, switching, pumping, or similar technical installation) essential to the operation of a public utility.
12. Radio or television studio.
13. School and related facilities.
14. Wireless Telecommunications Facility as specifically allowed below:
  - a. Freestanding wireless telecommunications facility, up to 65 feet in height.
  - b. Collocated freestanding wireless telecommunications facility, up to 75 feet in height.
  - c. Face-mounted wireless telecommunications facility.
  - d. Roof-mounted wireless telecommunications facility, up to 6 feet above the parapet of the building on which it is placed.
  - e. Concealed wireless telecommunications facility.
  - f. Wireless telecommunications facility for which all antennas are mounted on an existing vertical structure.
15. Farmers Market, provided the event is issued a Special Event’s permit by Bernalillo County.
16. Community Garden.
17. Senior Housing (independent or assisted living).

B. Conditional Uses:

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

1. Roof-Mounted Wireless Telecommunications Facility, up to 20 feet above the parapet of the building on which it is placed.
- C. Height Regulations. 78 feet unless adjacent to an arterial in which case the maximum height should be 100 feet. *See Definitions above for how to measure height.*
- D. Area Regulations:
1. Front Yard. There shall be a front yard having a depth of not less than 10 feet.
  2. Side Yard. A side yard is required only on the side of a lot abutting a Low or Medium Density Residential Zone, in which case there shall be a side yard of not less than six feet.
  3. Rear Yard. There shall be a rear yard having a depth of not less than 15 feet.
  4. Off-Street Parking Spaces, Loading and Unloading Spaces. Off-street parking spaces and loading and unloading spaces shall be provided in accordance with the requirements for specific uses set forth in the Bernalillo County Zoning Ordinance.

## J. COMMERCIAL ZONE

The regulations set forth in this section, or set forth elsewhere in this ordinance, when referred to in this section, are the regulations in the Neighborhood Commercial Zone. The purpose of this zone is to provide suitable sites for office, service, institutional, civic, education, recreation and limited commercial uses to satisfy the day-to-day needs of nearby residential areas and to minimize any adverse effect on nearby residential development for those commercial properties located outside of a village center.

Use Regulations. A building or premises shall be used only for the following purposes. All uses customarily incidental to the building or premises shall be maintained on site.

### A. Permissive Uses:

Any permissive use allowed and as regulated in the Office and Institutional Zone and the following:

1. Banking and loaning money.
2. Wireless Telecommunications Facility, provided it satisfies section 22.5 of the County Code of Ordinances.
3. Drugstore.
4. Health gymnasiums.
5. Medical clinic.
6. Mixed use development both horizontal or vertical with residential and non-residential uses combined in the same building or buildings. The non-residential uses are limited to those allowed as permissive or conditional in the Village Center Commercial Zone, plus incidental activities such as the creation of arts and craft items for resale or similar activities.
7. Retail sales of the following goods, plus incidental retailing of related goods and incidental service or repair, provided it is not listed as a conditional use in this zone, and with the following limitations:
  - a. Arts and crafts objects retail sales, supplies plus their incidental creation, provided there is little or no reproduction of substantially identical objects.
  - b. Auto parts and supply retail sales.
  - c. Bakery goods shop or confectionery store wherein a majority of the products are

- sold on the premises and at retail costs.
  - d. Bicycle and motorized bicycle (moped) sales and rental, provided that outdoor display is permitted only 50 feet or more from any residential zone.
  - e. Books, magazines, newspapers, stationery for retail sales, but not an adult bookstore.
  - f. Clothing, shoes, dry goods for retail sales.
  - g. Cosmetics, notions, hobby supplies for retail sales.
  - h. Feed store (retail) provided all outside storage is enclosed by a solid wall or fence six feet high on all sides abutting A-1, A-2, R-1, R-2, or M-H property.
  - i. Flowers and plants, including minor and incidental outdoor sales.
  - j. Grocery store.
  - k. Hardware store.
  - l. Jewelry sales and incidental service and repair
  - m. Musical instruments and supplies.
  - n. Nursery or greenhouse provided all outside storage other than plant material is enclosed by a six-foot high solid wall or fence on all sides.
  - o. Package Liquor Store.
  - p. Paint store.
  - q. Pet shop and/or pet grooming, provided there are no outside pens.
  - r. Photographic equipment.
  - s. Sporting goods.
  - t. Service station, including the sale of liquefied petroleum gas, but not for resale, provided any tube or tire repairing, minor auto repair or battery charging shall be conducted within a completely enclosed building.
  - u. Tailoring, dressmaking.

7. Jewelry:

- 8. Restaurant with full service liquor license.
- 9. Farmers Market, provided the event is issued a Special Event’s permit by Bernalillo County.
- 10. Community Garden.

**B. Conditional Uses:**

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

- 1. Amateur radio antenna/tower 65 to 100 feet as measured from grade.
- 2. Hospital for human beings provided traffic and ambulance noise will not have an adverse effect on residences in the neighborhood.
- 3. Temporary storage building or yard for equipment, material or activity incidental to a specific construction project but not to exceed one year, unless the time is extended by the Zoning Administrator.
- 4. Roof-mounted wireless telecommunications facility, up to 20 feet above the parapet of the building on which it is placed, provided that it satisfies the requirements of the Bernalillo County Zoning Ordinance.
- 5. Mixed-use development with residential and non-residential uses combined in the same building or buildings. The non-residential uses are limited to those allowed as permissive or conditional in the Village Center Commercial Use Category.

**C. Area Regulations:**

- 1. Front Yard. There shall be a front yard having a depth of not less than 30 feet.
- 2. Side Yard. No side yard is required except for buildings or parts of buildings hereafter erected or structurally altered for residential use, in which case, the side yard regulations of the R-1 zone shall apply. In all other cases, a side yard is required only on the side of a

- lot abutting an A-1, A-2, R-1, R-2, or M-H zone, in which case there shall be a side yard of not less than six feet.
3. Rear Yard. Except as hereinafter provided in the Supplementary Height and Area Regulations Section of this ordinance, there shall be a rear yard having a depth of not less than 15 feet.
  4. Off-Street Parking Spaces, Loading and Unloading Spaces. Off-street parking spaces and loading and unloading spaces shall be provided in accordance with requirements for specific uses set forth in the Off-Street Parking, Loading and Unloading Regulations Section of this ordinance.

### 3.5 SIGNAGE REGULATIONS

#### 1) Non-residential Signage:

##### D. Sign, on-premises provided:

1. Location Criteria. It is located on private property and advertises, identifies, or directs to a use currently conducted on the same premises. The location of such signs must comply with the following requirements:
  - a. One freestanding, two-sided sign no higher than 16 feet for each street frontage.
2. Number of Signs. Not more than one sign is permitted for any one premises with street frontage of 50 feet or less. A composite group of small signs integrated into one framed unit shall constitute one sign.
3. Size of Signs:
  - a. The total area of any one sign face shall not exceed: 75 feet if located on a local street; 100 feet if located on a collector, arterial, or freeway.
  - b. The total aggregate of all faces of signs or combination of signs allowed for the property on which the use is located shall not exceed 150 square feet of sign area.
4. Exceptions:
  - a. Signs having less than four square feet in area per sign face and manufacturer's product display racks are considered as exceptions to subsection (17)(b) and (c) supra, provided no customer service area shall extend closer than ten feet to the nearest right-of-way line of a public street.
  - b. On-premises signs without advertising, directing on-premises customer traffic or directing to specific customer service areas, shall be allowed in excess of the number and sign face square footage limitations in Subsection (17)(b) and (c) supra, provided the aggregate area of such signs shall not exceed 20 square feet per business.
5. Illuminated Signs. Illuminated signs, except illuminated clocks, thermometers, and illuminated signs within a building, shall be turned off at 11:00 p.m. or closing, whichever is later. No illuminated signs shall be so located as to shine directly into adjacent conforming residential property.
6. Blinking and Revolving Signs. No flashing or blinking signs except time and temperature signs shall be allowed within 200 feet of any residential zone. Revolving signs shall not revolve at speeds exceeding eight RPM. No power pack units shall be allowed.
7. Electronic display/board/panels.
 

The additional provisions of this section apply to all signs allowed in a residential zone or within 40 feet of a residential zone. In the case of a nonresidential zone within 40 feet of a residential zone, the more restrictive of these regulations or the regular sign regulations in the nonresidential zone shall apply.

  - a. No portion of an illuminated sign shall have a luminance greater than 200 foot lamberts at night.
  - b. Electronic signs shall not exceed an illumination level of 0.3 foot candles above ambient light as measured using a foot candle meter at a preset distance depending on sign area, measured as follows:

Area of Sign Sq. Ft.	Measurement Distance
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100

- c. No signs shall be erected or maintained on a house, townhouse, mobile home used as a residence, or vacant land.
  - d. For signs with an area in square feet other than those specifically listed in the above table the measurement distance may be calculated with the following formula: Measurement Distance = The Square Root of the following: The Area of Sign Sq. Ft. x 100.
  - e. Electronic signs shall include a photo cell to control brightness. Any previously permitted electronic sign shall be turned off from sunset to sunrise until the sign is brought into compliance for brightness.
  - f. No electronic sign shall move, flash, or rotate, or change its message or picture at a rate more often than once each eight seconds, with the exception of wind devices, the motion of which is not restricted. No sign or part of a sign shall change its illumination more than once an hour.
  - g. No sign shall include motion of the message or image. Transition between messages or images on an electronic sign shall not exceed one second and shall not include any visual effects.
  - h. No more than one sign per premises shall be illuminated, apart from the general illumination of the premises, between 10:00 p.m. and 7:00 a.m.; provided however that this provision shall not apply to signs that only display gasoline prices at establishments for retail sales of gasoline, oil, and liquefied petroleum.
  - i. Illuminated signs with a 360 degree display are prohibited.
  - j. If a premise meets the requirements for a free standing electronic sign, with at least 100 feet of street frontage, then the premise is prohibited from having an electronic sign that is a wall sign or canopy sign. If a premise does not meet the requirements for a free standing sign, that premise shall be permitted one electronic sign that can be a wall sign or canopy sign.
- 8. Audible devices. No sign shall have audible devices.
  - 9. Amortization. See Nonconforming Uses.

10. Determination of Sign Size. The sign area shall be measured as follows:
    - a. Square or Rectangular Sign. Length times the height of the face of the sign.
    - b. Irregularly-shaped Sign. Area of rectangles, circles, ovals, triangles, or a combination thereof, necessary to enclose the face of the sign.
    - c. Sign Made of Individual Cutout Letters. Sum of the area of the rectangles or triangles necessary to enclose each letter.
  11. Sign, Off-premises :
    - a. Off-premise signs are not permitted.
  12. Sign, Building Mounted:
    - a. A building-mounted sign on premises or joint sign premises where there is no free-standing on- or off- premise sign shall not exceed the following:
      - (1) Twenty percent of the area of the façade to which it is applied, if the sign is not wholly visible from an abutting arterial or collector street or freeway; or
      - (2) Twenty-five percent of the area of the façade to which it is applied, if the sign is wholly visible from an abutting arterial or collector street or freeway.
- E. Residential Sign regulations:
1. Residential project signs shall be limited to wall mounted signs and free standing monument signs. Wall mounted signs shall be integrated into the landscape and shall not interfere with clear sight triangle requirements. All monument signs must be on private property. Monument signs shall be limited to 4 feet in height.
    - a. The primary community entry sign shall be part of a larger wall / landscape entry, and shall identify the project with wall-mounted lettering. Active adult residential signs, neighborhood signs, facility signs (i.e., private parks, trails, trailheads), and directional signs shall be monument-style. Entry monument signs for Watershed and each subdivision shall be placed on both sides of the entry road, where practical.
  2. Entryway signage shall be developed for each residential area to foster a unique sense of neighborhood identity.
    - a. Monument-type signs are the preferred alternative for entryways. Landscape materials should be provided at the base of monuments.
    - b. Residential entryway signage is not allowed in the ROW and may not be larger than fifty (50) square feet or ten (10) feet tall.

### 3.6 SANTOLINA LEVEL B DESIGN STANDARDS

The Santolina Level B Plan recognizes the importance of creating design guidelines that promote and foster a sense of cohesiveness within the community while remaining consistent with affordable housing efforts City- and County-wide. The purpose of these design guidelines is to provide a flexible framework for community design with specific objectives that encourage innovative and creative solutions, rather than setting a rigid set of requirements that all site development plans must adhere to. The desired character of design features common to the community such as grading, landscape, signage, lighting, walls, and architecture are expressed in these guidelines. A Design Review Committee selected by Western Albuquerque Land Holdings c/o Garrett Development Corporation will evaluate how well each site development plan submitted for approval meets these objectives. Bernalillo County and/or COA will have final review per site standards.

The design guidelines listed below have been established to set standards for development of community systems and private land uses within the Plan Area. These guidelines will be administered by the Design Review Committee.

#### A. Site Design

A primary focus in site design will be the creation of a community that is pedestrian oriented. Site development plans shall include complete streets for pedestrians and bikes, circulation diagrams that illustrate pedestrian circulation within the site, pedestrian connections from adjacent sites, multi-modal opportunities to reduce auto trips, and coordination with vehicular circulation systems with the intent of minimizing potential conflicts.

The relationship of building to street contributes to how the environment is perceived and experienced and as such is an important design issue to consider in site planning for all types of land uses.

#### 1) Commercial and Industrial

All buildings shall be oriented to pedestrian movement and the public right-of-way except in cases where the development creates an interior pedestrian plaza. At least one continuous pedestrian walkway shall be provided between the sidewalk adjacent to the roadway and building entry. Providing enhanced paving treatments connecting parking areas to main building entries is encouraged for visually denoting crosswalks to approaching vehicles. Sketch

- A. With the exception of shopping centers, the use of the front yard area for primary off-street parking is discouraged. Locating primary parking, service, storage, and loading area to the rear of buildings is encouraged. If located in the front yard area, these uses shall be screened from view with landscaping and/or walls, at least three feet in height, and . Walls shall be designed to be compatible with the building's architectural style, color, and materials.
- B. Structures should be clustered whenever possible. Clustering of structures creates pedestrian plazas and other types of "outdoor rooms" that are particularly well-suited to New Mexico's temperate climate. These "outdoor rooms" should provide pedestrian amenities such as shade, benches, fountains, bike racks, trash receptacles, etc. Sketch
- C. Entries to the site from major arterials should be located on side streets in order to minimize pedestrian/vehicular conflicts. Whenever possible, shared entries to commercial businesses are encouraged. The number of vehicular access points to parking lots should be limited to the minimum necessary to provide adequate circulation.
- D. Expansive areas of asphalt or concrete paving in parking lots should be avoided. In large developments, dividing the parking into a series of smaller connected lots is preferred over one expansive parking lot. Additionally, strategic landscaping every ten spaces can provide an alternative to smaller connected lot.
- E. No refuse storage/collection areas will be allowed to be sited between any street or building front. Refuse collection areas shall be enclosed within a six (6) foot tall masonry enclosure which is large enough to contain all refuse generated between collections. The design of the enclosure shall be compatible with the architectural theme of the site.
- F. Entries to the site from major arterials should be located on side streets in order to minimize pedestrian/

vehicular conflicts. Whenever possible, shared entries to commercial businesses are encouraged. The number of vehicular access points to parking lots should be limited to the minimum necessary to provide adequate circulation.

- G. Expansive areas of asphalt or concrete paving in parking lots should be avoided. In large developments, dividing the parking into a series of smaller connected lots is preferred over one expansive parking lot. Additionally, strategic landscaping every ten spaces can provide an alternative to smaller connected lot.
- H. No refuse storage/collection areas will be allowed to be sited between any street or building front. Refuse collection areas shall be enclosed within a six (6) foot tall masonry enclosure which is large enough to contain all refuse generated between collections. The design of the enclosure shall be compatible with the architectural theme of the site.
- I. A variety of building and parking setbacks should be provided in order to avoid long, monotonous building facades.
- J. Buffers shall be provided where industrial uses are adjacent to non-industrial uses. Buffering techniques using a combination of setbacks, landscaping, walls, and grade changes will help mitigate the negative impact of industrial operations. Plant materials used for buffering should be predominantly evergreen species.
- K. Large commercial parking fields shall be shared with other users such as government uses, churches, etc.

## 2) Town Center

The design guidelines for the Town Center includes the commercial design guidelines in the preceding section and the guidelines detailed below.

The Town Center will be the heart of the Santolina community. The most positive aspects of the development will be focused into this centralized area. Mixed use housing shall be encouraged in the Town Center. Residents living in the Town Center will not need to travel far to satisfy many of their basic needs. Civic services including a library, post office, schools, churches, synagogue, and meeting hall should be located in the Town Center. Medical facilities including an urgent care center, grocery stores, financial institutions, and daycare centers should be located close by. Restaurants, theaters, and a small outdoor amphitheater will offer evening entertainment to the residents and other visitors.

- A. Power centers and standalone retail boxes shall be discouraged in the Town Center. These uses are more appropriate in M-1 zone.
- B. Drive-thru services shall be discouraged in the Town Center.

## Plaza

The Town Center will be developed with a traditional Spanish plaza area. This area is intended to be an enjoyable place to visit for residents and visitors alike. It will be developed on an eight to ten (8-10) acre site, with one (1) acre dedicated to a centralized plaza/park. The plaza should be heavily vegetated and provide opportunities for small gatherings and outdoor performances. The buildings in this area should be oriented inward towards the plaza.

- A. The design of the plaza area shall be very pedestrian oriented. The goal is to separate pedestrians from vehicular circulation and parking. Sidewalks in the main pedestrian corridors shall be a minimum of eight (8) feet in width. Courtyards, placitas, cafes, and other types of passive outdoor spaces should be provided.
- B. Streets should be laid out with one predominant orientation, perpendicular to the main pedestrian corridors. Narrow, irregular street alignments is one technique to help slow traffic flow through this area.
- C. The buildings in the plaza area should be small scale and predominately one (1) and two (2) stories. Residential uses on the second floor of retail buildings are encouraged. Building fronts should incorporate portals for pedestrian comfort. Interior walkways between buildings should also be created through careful site planning.
- D. The plaza area shall be densely vegetated with thirty percent (30%) of the net site area allocated to

landscaping.

### 3) Residential

Site plans for residential subdivisions should provide variety and visual interest in the streetscape. Pedestrian connections between neighborhoods should be planned for efficient pedestrian movement. Residential builders will be required to participate in the Home Builders Association of Central New Mexico (HBA CNM) program Build Green NM.

Build Green NM encourages homebuilders to use technologies, products, and practices that will:

- A. Provide greater energy efficiency and reduce pollution;
- B. Provide healthier indoor air;
- C. Reduce water usage;
- D. Preserve natural resources; and
- E. Improve durability and reduce maintenance.

Additional guidelines include:

- A. On long, straight roads, knuckles or cul-de-sac are encouraged to provide variety and visual interest in the streetscape.
- B. Uniform front yard setbacks in residential areas should be avoided. Varied setbacks add visual interest and avoid creating a tunnel effect. No more than three (3) structures in a row should have the same front yard setback.
- C. Varying the placement and orientation of garages also helps to avoid the creation of a monotonous streetscape visually dominated by garage doors. The visual impact of garage doors may be minimized by placing them even with the house fronts, rather than projecting out from the house. Side-entry garages may be used for wide lots (including corner lots) or on narrow lots if the garage is extended in front of the home creating an “L” shape. No greater than three (3) houses in a row should have the garage doors parallel to the street.
- D. Pedestrian and bicycle access openings at the end of cul-de-sacs or openings in perimeter walls are simple techniques that can be used to achieve connection between subdivisions or commercial areas.

#### B. Views

The Santolina properties offer spectacular views of the Sandias, and the Rio Grande Bosque. Significant visual features, identified in this Plan, should be retained and enhanced through the methods described below.

- 1) The visual impact of built forms on the natural landscape should be minimized. Though not required, buildings with flat roofs are encouraged because they will help preserve views in addition to being more Southwestern in style. Rooftop mechanical equipment shall be screened from street view (See Architectural Style section for specific guidelines).
- 2) On-site utilities, including electrical, telephone, and communication wires and equipment shall be installed and maintained underground. Transformers, utility pads, cable TV, and telephone boxes shall be located out of view from public rights-of-ways or visually screened with vegetation, fences, or walls.

#### C. Lighting

One of the attributes of the West Side most appreciated by residents is its “dark sky”. The objective of the lighting guidelines therefore is to preserve the “dark sky” while providing lighting that enhances the safety, security, and visual aesthetics of the area.

Careful attention to lighting detail will contribute to the sense of a cohesive community image. Lighting design and features will differ according to the land use. In all cases, light fixtures and standards shall conform to state and local safety illumination standards.

#### 1) Street Lighting

- A. Lighting should be located to enhance the safety of pedestrian and vehicular flows at key points along roadways. Light shall be concentrated at intersections and pedestrian crosswalks. The maximum height of street light fixtures shall be thirty (30) feet, unless otherwise required by the County and/or Engineer.
- B. Excessive light spillage on adjacent properties shall not be allowed. Light fixtures shall be recessed or shielded.
- C. Cobra head fixtures should not be used for street lighting. Metal halide or low-pressure sodium lights are recommended.

## 2) Parking Lot and Building Exterior Lighting

Lighting shall be used to provide illumination for the security and safety of on-site areas such as parking, loading, service, and pathways. Providing attractive lighting for building exteriors is an effective, yet subtle way to enhance the design of the structure.

- A. The design of the lighting fixtures should be compatible with the architectural features of the main structures on-site.
- B. Lighting fixtures shall be recessed or shielded to prevent light spread outside of the site boundary. The maximum height of parking lot lights in industrial areas shall be 30 feet and in other areas shall be 20 feet
- C. Building entrances should be well lighted.

## 3) Pedestrian Lighting

Lighting should be pedestrian oriented in districts with high pedestrian movement, such as the Plaza area. Bollard or wall pocket lighting is encouraged along Plaza sidewalks and other public areas.

- A. Pedestrian lighting should not exceed fifteen (15) feet in height.
- B. Bollard material and design shall be compatible with the adjacent buildings. Bollards should be no greater than three (3) feet in height. Shatter-proof coverings should be provided for bollards and other types of low-level lighting.
- C. Lighting may be used to accent certain landscape features. This type of lighting should be of a low-level intensity and only illuminate the intended landscape feature.

## D. Landscape

The key to creating a truly liveable and high quality environment will be the development of an overall landscape master plan. The environmental, as well as aesthetic, value of landscaping in an arid region cannot be overestimated. Landscaping should be used to frame views, as a buffer from noise or undesirable views, to break up large expanses of parking, to provide wind protection, shade, and relief from the heat and glare generated by development, to control soil erosion, and enhance pedestrian and vehicular traffic and safety.

This section provides design standards guiding environmentally smart landscaping principles, standards, and plant pallet. Recognizing the increased public awareness of water conservation, this Plan promotes the use of native and naturalized plant species that perform well in an arid environment. Major arterials shall be landscaped with native species and will serve as a demonstration project to the rest of the community. Plan standards address the need for water conservation in outdoor landscaping with a focus on meeting the 135 gallons per person per day (GPCD) 2024 ABCWUA Water Conservation Plan goal. A Plant Palette and xeriscape principals of design are included in the appendices.

Special attention shall be given to landscaping the major entries to the Santolina Community. Plant materials should be used to highlight these key areas with the intent of reinforcing the community image. Where this section and Bernalillo County Code of Ordinances differ, the Code of Ordinances shall prevail.

- A. Site development plans for commercial, industrial, office, and multi-family areas shall include a landscape plan that comprises twenty percent (20%) of the net site area.
- B. Minimize impervious and paved area on each site, especially in surface parking areas and low density residential zones to increase opportunities for infiltration and reduce water runoff flow.
- C. Use shared driveways whenever possible to decrease impervious areas.
- D. Where possible, street design shall maximize water harvesting for landscaping.
- E. Use driveway and parking materials which reduce runoff such as pervious pavers or gravel.
- F. Carefully locate impervious areas and roof drains so that they drain to natural systems, vegetated buffers, natural resource areas, or pervious zones and soils.
- G. Proposed landscape plans should have limited to no turf area. Turf should be generally located in high pedestrian use areas. It should not be planted on slopes greater than 3:1. Turf shall not be allowed in any street medians within the Plan Area.
- H. If turf is to be used in non-pedestrian areas, it should be one or a combination of the drought tolerant grass species.
- I. EPA WaterSense program labeled products will be considered for indoor and outdoor use.
- J. Install water meters for each housing unit in a multi-family housing development using ABCUA incentive program rather than master meters in such developments.
- K. Additional Santolina area specific LID practices can be found in Chapter 5, Section 5.7 Terrain Management Plan.
- L. For additional landscape and buffering regulations see Bernalillo County Code of Ordinances Appendix A Section 19.
- M. For additional water conservation requirements see Bernalillo County Code of Ordinances Article VII: Water Conservation Requirements with special attention to Section 30-249 Design and Construction Regulations for New Development.
- N. In locations where residential lots do not face the street, street trees shall be provided along public rights-of-way with either even spacing or in random clusters. The spacing of evenly spaced street trees shall be no greater than the diameter of the street tree canopy at full maturity (i.e, smaller trees require closer spacing than larger trees). Where street trees are randomly clustered, the number of street trees shall be equal to or exceed the number required if trees were evenly spaced; however, gaps between randomly spaced street trees that exceed 50 feet are prohibited.
- O. Within residential subdivisions, street trees shall be provided at a rate of one tree per residential lot. Street trees shall be planted within 12 feet of the curb.
- P. Individual residential lot owners will be responsible for the installation and maintenance of the landscape on their property. All plant material, including trees, shrubs, groundcovers, turf, wildflowers, etc. shall be maintained by the lot owner in a living, attractive condition.

## **E. Streetscapes**

Streetscape design is another key factor in determining neighborhood quality and liveability. Providing streetscape amenities such as landscaping and street trees, benches, bus shelters, bike racks, and trash receptacles will help create an attractive community for residents and visitors. Ideally, Bernalillo County and/or COA is the entity to maintain the streetscape and its assorted amenities. This will be handled on a case-by-case basis.

### **1) Non-residential Streetscape**

- A. Streets that are unduly wide serve as a barrier for pedestrian movement. Tapered intersections may be used as a technique to slow traffic as well as decrease the distance a pedestrian must cross to get from one side of the street to the other. In addition to increasing safety, this technique provides an opportunity for locating a cluster of street trees, benches, and other pedestrian amenities.
- B. Generally, sidewalks on residential streets shall be a minimum of four (4) feet wide. Sidewalks along arterials or adjacent to solid walls shall be a minimum of six (6) feet wide.
- C. A minimum landscaped area of ten (10) feet between the back of curb and the sidewalk shall be provided along all major arterials. The required landscaped area width may vary only where meandering sidewalks are planned. The landscaped area may be reduced to six (6) feet from the back of curb to the

sidewalk if the sidewalk is designed to meander.

- D. Benches shall be provided along certain designated public rights-of-way in the Town Center to encourage pedestrian activity. They shall be amply shaded with trees and/or trellising. Metal mesh or wrought iron are the recommended construction materials for benches because they discourage graffiti vandals.
- E. One (1) street tree shall be planted for every thirty (30) linear feet along public right-of-ways. Street trees may be planted either in random clusters or uniformly placed along the street edge. Gaps between street trees that exceed fifty (50) feet are discouraged.
- F. As development of the Santolina Community progresses, an attempt should be made to coordinate new street trees with existing street trees.
- G. The use of bicycles as an alternative mode of commuter transportation is promoted. Striped bicycle lanes, four (4) feet wide, should be provided on all minor arterials and collector streets.

## 2) Residential Streetscapes

A consistent landscape theme in residential areas will reinforce community identity. Providing large canopied street trees in residential areas will soften the streetscape and provide the feeling of an established neighborhood as the trees reach maturity.

- A. One (1) street tree per lot is required in all residential subdivisions (see Plant Palette for Street Trees in Residential Areas).
- B. Street trees shall be planted within twelve (12) feet of the back of curb.

## 3) Parking Lots

- A. Parking lots shall be screened from view by providing a landscape strip between parking lots and public rights-of-way. The landscape strip provided shall be at least ten (10) feet in width. For large scale commercial development, the landscape strip may be required to be up to fifteen (15) feet wide with six (6) foot sidewalks.
- B. Screening material shall be one or a combination of plant materials, walls, or earthen berming and shall be a minimum of three (3) feet in height.
- C. Where practical, lowering the grade of the parking lot from the existing street elevation may aid in screening views of automobiles while enhancing the view of architectural elements of the structures beyond.
- D. A landscaped island shall be provided for every ten (10) parking spaces. Six (6) feet is the recommended minimum width to provide adequate planting space for trees and shrubs or parking lot lighting.
- E. One shade tree shall be provided for every ten (10) parking spaces, with no space being more than one hundred (100) feet from a tree.
- F. Seventy-five percent (75%) of the required parking lot trees shall be deciduous and have a minimum mature height and canopy of twenty-five (25) feet.
- G. For additional parking requirements such as number of spaces see Bernalillo County Code of Ordinances Section 82-53.

## 4) Sidewalks, Trails, and Pedestrian Crossings

Sidewalks and trails are intended to lessen the need for vehicular use and provide connectivity to create a pedestrian-oriented community. Individual development phases should ensure off-road pedestrian and bicycle access to the various park facilities as applicable.

- A. All sidewalks and ramps within public rights-of-way shall meet County standards and be designed to be handicapped accessible (see Americans with Disabilities Act Criteria for Barrier-Free Design), except where topography makes this unfeasible.
- B. Sidewalks on local residential streets shall be a minimum of 4 feet in width. Sidewalks along collectors or major local streets shall be a minimum of 6 feet in width. Where sidewalks are planned on one side only of the collector or major local street, that sidewalk shall be a minimum of 8 feet in width.

- C. Trails shall be designed for multi-use and accommodate pedestrians, runners, and bicyclists, except the perimeter trail shall prohibit bicycles due to soil conditions and erosion potential. Connections shall be made from individual neighborhoods to the community trail system via trails and/or sidewalks as determined in the subdivision phase.
- D. Trails shall use Barrier-Free Design to accommodate physically challenged individuals as trail users, where feasible.
- E. All private trails shall be concrete, asphalt, or stabilized crusher fines and have a minimum width of 8 feet.
- F. Pedestrian crossings shall be clearly demarcated with colored, textured paving where they cross vehicular entrances and streets.

## **F. Architectural Styles**

The goal of the architectural guidelines are not to limit design creativity, but to provide the framework for high quality design. While architectural style is not restricted, certain common elements should be complementary to and enhance the community image. Generic franchise design shall be discouraged. Building design shall be contextual to land forms, adjacent buildings and the overall design guidelines of the master plan.

### **1) Building Materials and Colors**

- A. The use of similar roof materials and colors aids continuity. Compatibility in roof design with adjacent buildings is encouraged.
- B. Metal may be used as a roofing material for commercial and residential structures. Metal roof shall be corrugated or standing seam and non-reflective. Roof colors shall be in shades of red, green, or silver.
- C. Exterior building materials shall be predominantly contextual in nature. Stucco (or similar material such as dryvit), natural stone, or split face CMU of earth tone colors should be required for sixty-five percent (65%) of the building surfaces. Wood, stone, or brick may be used to accent architectural features. Glass will not be considered a finishing material for the purpose of these design guidelines.
- D. Exterior colors shall predominantly be in warm desert earth tones such as ranges of orange, red, copper, brown, or beige. Other colors may be used to accent architectural features such as entryways, window trim, fascias, and other traditional southwestern architectural features. Metallic and high intensity colors will not be permitted.

### **2) Residential**

The prospective home buyer should be offered a choice in architectural styles. The use of a single style within neighborhoods is discouraged. Individual dwelling units should be distinguishable from each other.

- A. Residential structures shall not exceed two (2) stories and are limited to a maximum height of twenty-six (26) feet. The height shall be measured from the established grade three (3) feet from the structure to the highest point of the parapet on a flat roof, the highest point on a pitched roof or to the average height between the plane and the ridge of a gable, hip, or gambrel roof.
- B. The second story should be limited to sixty-five percent (65%) of the building footprint and shall be set back at least 18 inches from the front façade of the first story to eliminate the appearance of a two (2) story wall.

### **3) Commercial and Industrial**

- A. Massive building forms are discouraged in favor of buildings which incorporate stepped floor elevations. Buildings should be designed that are more horizontal in nature than vertical.
- B. Rooflines visible from street view should not run in a continuous plane for more than fifty (50) linear feet without offsetting or jogging the roof plane. Mansard roofs should wrap around the entire perimeter of the structure.
- C. Long, uninterrupted exterior walls (longer than 50 feet) should be avoided on all structures. Staggering

of planes along an exterior wall provides relief from monotonous, uninterrupted expanses of wall. If a building is less than 75,000 square feet, wall staggering shall be every 50 feet. If a building is more than 75,000 square feet, wall staggering shall be every 100 feet.

#### 4) Walls

A consistent approach to wall design will provide an element of visual continuity in the Santolina Community. Walls within a residential or commercial site shall be considered an integral part of the site/building design.

- A. The style, materials, and color of the wall should be complementary to the architecture of the building it is attached to.
- B. Masonry and stucco are the recommended primary building materials for walls in residential areas within public view from the roadway. Brick, wood, or ornamental iron may be used as an accent feature. Other fencing materials, such as chain link, welded wire, unfinished concrete, wood, and colored block may be used as long as they are not visible from the public roadway.
- C. To soften the horizontal mass of a continuous wall, the wall may be set back from the adjacent sidewalk with the space left between the wall and sidewalk used for landscaping. If this method is used, the wall should be set back from the sidewalk at a distance equal to its height. For example, if a six (6) foot wall is to be constructed adjacent to a sidewalk it should be set back from that sidewalk six (6) feet. The setback may not be any less than five (5) feet.

#### 5) Prohibited Design Elements

- A. Large, blank, unarticulated wall surfaces
- B. Large, block like structures
- C. Chain link fencing parallel to a public street or in the front yard setback
- D. Concertina or barbed wire fencing
- E. Metal or aluminum siding
- F. Highly reflective materials and finishes
- G. Exposed, untreated precision block walls within street view
- H. Roofs that are illuminated or have highly reflective surfaces
- I. Scale, height, and architectural style incompatible with adjacent or abutting development.
- J. Repetitive facades or buildings lacking articulation appear boxlike and out-of-scale.
- K. Untreated and/or non-landscaped buffer zone in sidewalk and in parking lots.

#### 6) Mechanical Equipment

- A. Mechanical equipment, including but not limited to cooling and heating systems, ventilation, antenna and other reception devices, shall be screened from street view through the use of parapets or other architectural elements of the same nature as the building's basic design, material, and color. The height of a screening element such as a parapet should be uniform around the entire structure.
- B. Mechanical equipment may be installed on the rear side of pitched roofs with the requirement that it is not visible from the roadway. The highest point of the equipment shall be equal to or below the roof ridge height.
- C. Mechanical equipment mounted on the ground shall be screened from street view with landscaping or fencing materials and shall not be taller than the primary structure.

#### G. Antenna and Towers

Freestanding cellular antenna and cell towers shall be discouraged. Antennas shall be integrated with buildings, light poles, existing utility structures and other public facilities. For additional regulations see Bernalillo County Code of Ordinances Section 22.5.

## H. Grading

The natural topography of the area and significant vegetation should be preserved and incorporated into the site plans whenever feasible to save in grading costs and provide variation in the landscape.

- 1) The transition between new grades and the existing terrain shall be smooth and rounded. All graded slopes shall be revegetated to prevent soil erosion.
- 2) Individual parcels shall be graded in such a way to direct runoff away from buildings and into drainage facilities.
- 3) Grading for new roads shall run with the existing contours whenever feasible. Natural drainage patterns should be maintained to prevent soil erosion.
- 4) Graded slopes, in conjunction with landscape materials and walls, may be used to help screen parking lots.
- 5) Retaining walls may be used as a technique to minimize grading and stabilize slopes. Terracing of walls is encouraged for retaining walls above six (6) feet.
- 6) Rear-lot ponding on lots larger than one quarter (1/4) acre may be also be used to minimize grading and decrease street flows.

## I. Drainage

Due to their predominant west to east orientation, the arroyos in this area present an opportunity for their designated use as scenic corridors with spectacular views of the Sandia and Manzano Mountain Ranges. Arroyos should be viewed as a significant design feature to be incorporated into the site planning for new development. Joint development of drainage ways and detention basins for open space and recreational use is encouraged.

- 1) Arroyos and other natural drainage ways should be preserved in their natural state, whenever possible. The use of rip-rap and native vegetation instead of concrete for lining drainage ways is encouraged when feasible.
- 2) On-site drainage, including rear-lot ponding, is encouraged for decreasing street flows and the need for large, unattractive drainage facilities. Detention ponds and other water harvesting methods can be utilized to supplement landscape irrigation. ABCWUA offers incentives for rainwater harvesting that should be investigated during water and drainage planning.
- 3) The use of rear yard alleys and pedestrian ways may be used for the conveyance of drainage.
- 4) Cut and fill required by drainage and detention facilities shall be rounded whenever possible to avoid steep unnatural slopes.

## J. Transit

Accessibility is the key to encouraging mass transit ridership. Transit stops that are centrally located and convenient to pedestrians should be provided. Pedestrian oriented mixed use developments, including conveniently located shopping, office development, post offices, libraries, parks, recreational facilities, and residential uses, will help create an environment conducive to mass transit systems.

- 1) Transit stops shall provide shelter, comfortable seating, and adequate lighting. Signage shall be provided to illustrate the routes that serve each transit stop.
- 2) Trash containers and public telephones should be conveniently located. Safe and secure bike storage facilities are encouraged.
- 3) The transit stop should be designed to blend with the architecture of the surrounding buildings.
- 4) Transit stops shall be centrally located, easily accessed from neighborhoods, retail, jobs and services, and comfortably designed.