BERNALILLO COUNTY

BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2022-14

An ordinance amending ordinance #213, Bernalillo County Code, Appendix A, to define shared solar facilities and to allow shared solar facilities to be utilized in the A-1 and R-1 zones.

Section 5. - Definitions

[+Shared solar facility. A small-scale, private solar installation, that multiple individuals lease or co-own, that provides electrical power to no more than five (5) lots, which are owned by the beneficiaries of the electricity generated. +]

Section 7. - A-1 Rural Agricultural Zone.

A. The regulations set forth in this section or set forth in this ordinance, when referred to in this section, are the regulations in the A-1 Rural Agricultural Zone. The purposes of this zone are to preserve the scenic and recreational values in the National Forests and similar adjoining land, to safeguard the future water supply, to provide open and spacious development in areas remote from available public services, and to recognize the desirability of carrying on compatible agricultural operations and spacious home developments in areas near the fringes of urban development. The regulations provide for the protection of these important land uses, and are not intended to unduly restrict or regulate dairying, farming, or ranching operations.

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

1. Prohibited Uses. The following uses are prohibited in this zone:
   a. The open storage of inoperative vehicles or auto parts;
   b. The open storage of trash or junk;
   c. The open storage of large appliances;
   d. Any use not designated a permissive use or conditional use in this zone, unless otherwise authorized by this Code; or
   e. Any use not recognized as customarily incidental to a permitted use in the zone.

2. Permissive Uses:
   [+o. Shared solar facility.+]


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Section 9. - R-1 Single-Family Residential Zone.

A. 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 R-1 Residential Zone. The purpose of this zone is to provide for the development of single-family homes on lots not less than ¼ [of an] acre in area, except that where community water and sewer facilities are made available, the lot size may be reduced consistent with development densities in the Albuquerque/Bernalillo County Comprehensive Plan. The regulations provide for the health, safety and welfare of the residents.

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

1. Prohibited Uses. The following uses are prohibited in this zone:
   a. The open storage of inoperative vehicles or auto parts;
   b. The open storage of trash or junk;
   c. The open storage of large appliances;
   d. Any use not designated a permissive use or conditional use in this zone, unless otherwise authorized by this Code; or
   e. Any use not recognized as customarily incidental to a permitted use in the zone.

2. Permissive Uses:
   [+m. Shared solar facility.+] [+pp. Shared solar facility.+]

Section 15.5. - C-LI Commercial/Light Industrial Zone.

A. 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 Commercial/Light Industrial Zone. The purpose of this zone is primarily for community commercial uses, light manufacturing, light fabricating, warehousing, and wholesale distribution with off-street loading and off-street parking for employees, and with ready access to arterial highways or railroads. The regulations in this zone provide for the health, safety and welfare of the residents. The Commercial/Light Industrial Zone is suitable for mapping in areas adjacent to the M-1 or M-2 zones or in areas defined as commercial, industrial or primary employment centers in adopted Sector Development or Area Plans.

B. Use Regulations:

1. Prohibited Uses. The following uses are prohibited in this zone: Church and any residential use, except that each individual use may provide accommodations for one security resident employed on the premises, provided that such accommodations are not used as rental property. However, mixed use development may be permitted as noted under conditional uses in this section.

2. 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.
   [+pp. Shared solar facility.+]
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY, NEW MEXICO this 9th day of August 2022.

APPROVED AS TO FORM

W. Ken Martinez, County Attorney

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