

# CITY of ALBUQUERQUE

## SEVENTEENTH COUNCIL

COUNCIL BILL NO. F/S(2) O-07-61 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Benton and Mayer

### 1 ORDINANCE

2 AMENDING SECTIONS 14-16-2-6(F), 14-16-2-8(F), 14-16-2-9(F) AND 14-16-3-  
3 1(A)(24) R.O.A. 1994, THE CITY OF ALBUQUERQUE COMPREHENSIVE  
4 ZONING CODE TO REGULATE FRONT YARD PARKING FOR SINGLE FAMILY  
5 DEVELOPMENT.

6 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
7 ALBUQUERQUE:

8 SECTION 1. Section 14-16-2-6(F) R.O.A. 1994, R-1 RESIDENTIAL ZONE is  
9 amended to read:

10 “(F) Off-Street Parking.

11 [+(1)+] Off-street parking shall be as provided in § 14-16-3-1 of this  
12 Zoning Code.

13 [+(2) Maximum front yard setback area that can be an improved  
14 parking and maneuvering area: 60%, but no more than 30 feet wide  
15 or the width of the front of the garage, whichever is wider.

16 (3) Parking on any portion of a front yard setback area, other than  
17 the improved parking and maneuvering areas, is prohibited.+]”

18 SECTION 2. Section 14-16-2-8(F) R.O.A. 1994, R-LT RESIDENTIAL ZONE is  
19 amended to read:

20 “(F) Off-Street Parking.

21 [+(1)+] Off-street parking spaces shall be as provided in § 14-16-3-1  
22 of this Zoning Code.

23 [+(2) Maximum front yard setback area that can be an improved  
24 parking and maneuvering area: 75%, but no more than 27 feet in  
25 width or the width of the front of the garage, whichever is wider,  
26 perpendicular to the curb.

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1                   (3) Parking on any portion of a front yard setback area, other than  
2                   the improved parking and maneuvering areas, is prohibited.+]”

3           SECTION 3. Section 14-16-2-9(F) R.O.A. 1994, R-T RESIDENTIAL ZONE is  
4 amended to read:

5           “(F) Off-Street Parking.

6                   [+(1)+] Off-street parking spaces shall be as provided in § 14-16-3-1  
7                   of this Zoning Code.

8                   [(2) Maximum front yard setback area that can be an improved  
9                   parking and maneuvering area: 85%, but no more than 22 feet in  
10                   width or the width of the front of the garage, whichever is wider,  
11                   perpendicular to the curb.

12                   (3) Parking on any portion of a front yard setback area, other than  
13                   the improved parking and maneuvering areas, is prohibited.+]”

14           SECTION 4. Section 14-16-3-1(A)(24) R.O.A. 1994, OFF-STREET PARKING  
15 REGULATIONS is amended to read:

16                   “(24) Residential use, except community residential program and  
17                   emergency shelter, which have separate parking listings under  
18                   this division (A):

19                           (a) For each dwelling not covered by another item of this  
20                           division (24): one space per bath but not less than two  
21                           spaces.

22                           (b) For each dwelling with net leasable area of less than  
23                           1,000 square feet and which is not covered by either  
24                           divisions (c) or (b) of this division (24): one space per bath  
25                           but not less than one and one-half spaces.

26                           [(c) Vehicle parking and maneuvering areas in the front yard  
27                           setback area shall be a either a dust free surface consisting  
28                           of concrete, cement, brick, or sealed aggregate pavement;  
29                           or three inches of crushed rock or crusher fines over a four  
30                           inch compacted subgrade.+]

31                           [-(c)-][+(d)+] For each house or townhouse on a lot designated  
32                           with the suffix "p1" on the subdivision plat (on streets  
33                           classified for Intermittent Parking as provided in the

Subdivision Regulations set forth in Chapter 14, Article 14 of this code):

1. Three spaces if the dwelling has up to two bedrooms; or
2. Four spaces if the dwelling has three or four bedrooms; or
3. Five spaces if the dwelling has five or more bedrooms.

~~[-(d)-]~~~~[(e)+]~~ For each house or townhouse, on lots designated with the suffix "p2" on the subdivision plat (on streets classified for Infrequent Parking as provided in the Subdivision Regulations set forth in Chapter 14, Article 14 of this code):

1. Four spaces if the dwelling has up to two bedrooms; or
2. Five spaces if the dwelling has three or four bedrooms; or
3. Six spaces if the dwelling has five or more bedrooms.

~~[(f) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.+]~~

SECTION 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 6. COMPILATION. This ordinance shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.

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