



Legislation Text

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CITY of ALBUQUERQUE
SEVENTEENTH COUNCIL

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

SPONSORED BY: Isaac Benton and Sally Mayer

ORDINANCE

F/S Amending ROA 1994, the City of Albuquerque Comprehensive Zoning Code to Regulate Front Yard Parking For Single Family Development (Mayer, Benton)

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

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

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

“(F) Off-Street Parking.

- (1) Off-street parking shall be as provided in § 14-16-3-1 of this Zoning Code.
- (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 wider.
- (3) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.”

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

“(F) Off-Street Parking.

- (1) Off-street parking spaces shall be as provided in § 14-16-3-1 of this Zoning Code.
- (2) Maximum front yard setback area that can be an improved parking and maneuvering area: 75%, but no more than 27 feet in width or the width of the front of the garage, whichever is wider, perpendicular to the curb.
- (3) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.”

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

“(F) Off-Street Parking.

- (1) Off-street parking spaces shall be as provided in § 14-16-3-1 of this Zoning Code.
- (2) Maximum front yard setback area that can be an improved parking and maneuvering area: 85%, but no more than 22 feet in width or the width of the front of the garage, whichever is wider, perpendicular to the curb.
- (3) Parking on any portion of a front yard setback area, other than the improved parking and maneuvering areas, is prohibited.”

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

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

- (a) For each dwelling not covered by another item of this division (24): one space per bath but not less than two spaces.
- (b) For each dwelling with net leasable area of less than 1,000 square feet and which is not covered by either divisions (c) or (b) of this division (24): one space per bath but not less than one and one-half spaces.
- (c) Vehicle parking and maneuvering areas in the front yard setback area shall be either a dust free surface consisting of concrete, cement, brick, or sealed aggregate pavement; or three inches of crushed rock or crusher fines over a four inch compacted subgrade.
- (d) For each house or townhouse on a lot designated with the suffix "p1" on the subdivision plat (on streets 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.
- (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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