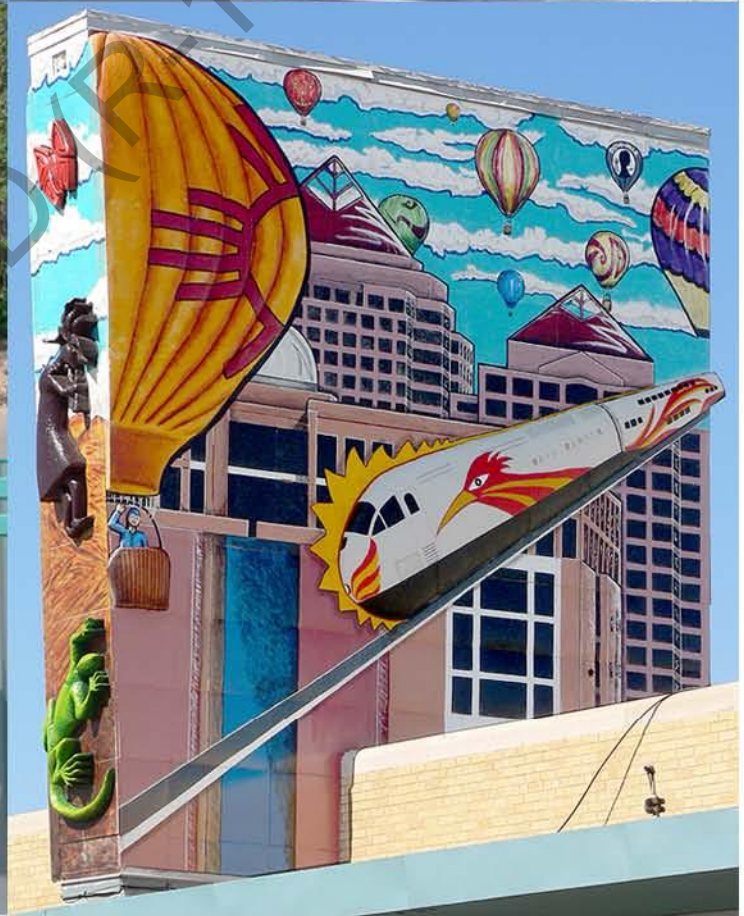


# North Fourth Street Rank III Corridor Plan



**Albuquerque Metropolitan Redevelopment Agency -  
City of Albuquerque Planning Department**



R. 2010-050

**CITY OF ALBUQUERQUE  
CITY COUNCIL**

**INTEROFFICE MEMORANDUM**

3/30/10

**TO: Richard J. Berry, Mayor**

**FROM: Laura Mason, Director of Council Services**

LM/

**SUBJECT: Transmittal of Legislation**

Transmitted herewith is Bill No. R-09-12 Adopting The North 4th Street Corridor Plan As A Rank 3 Plan; For The Area Bordered Generally By The City Limit On The North, The Railroad Tracks On The East, Mountain Road On The South and 5th Street On The West and Establishing Overlay Zone Districts Including The North Fourth Mixed Use District, The North Fourth Transit Oriented Development District and The North Fourth Infill Development District and the Los Alamos Addition Historic District (O'Malley), which was passed at the Council meeting of March 15, 2010, by a vote of 7 FOR AND 1 AGAINST.

Against: Jones  
Excused: Harris

In accordance with the provisions of the City Charter, your action is respectfully requested.

LM:mh  
Attachment

REPEALED  
2010-050  
APR 10 2010  
CITY OF ALBUQUERQUE  
CITY COUNCIL

# CITY of ALBUQUERQUE

## NINETEENTH COUNCIL

COUNCIL BILL NO. R-09-12

ENACTMENT NO. R. 2010.050

SPONSORED BY: Debbie O'Malley

### RESOLUTION

ADOPTING THE NORTH 4<sup>TH</sup> STREET CORRIDOR PLAN AS A RANK 3 PLAN;  
FOR THE AREA BORDERED GENERALLY BY THE CITY LIMIT ON THE NORTH,  
THE RAILROAD TRACKS ON THE EAST, MOUNTAIN ROAD ON THE SOUTH  
AND 5<sup>TH</sup> STREET ON THE WEST AND ESTABLISHING OVERLAY ZONE  
DISTRICTS INCLUDING THE NORTH FOURTH MIXED USE DISTRICT, THE  
NORTH FOURTH TRANSIT ORIENTED DEVELOPMENT DISTRICT AND THE  
NORTH FOURTH INFILL DEVELOPMENT DISTRICT AND THE LOS ALAMOS  
ADDITION HISTORIC DISTRICT.

WHEREAS, the City Council, the Governing body of the City of  
Albuquerque, enacted R-05-242 which called for the creation of a plan for the  
area encompassing what is now referred to as the North Fourth Street Rank III  
Corridor Plan ("the Plan"); and

WHEREAS, the City Council enacted F/S R-07-338 that adopted interim  
design regulations pending the completion of the Plan and prohibited certain  
development approvals in the area if the interim design standards were not met  
and the Council has subsequently extended the effective period by enacting R-  
09-118; and

WHEREAS, there were numerous meetings prior to the Environmental  
Planning Commission's recommendation of the Plan (Project # 1004928/06EPC-  
00767) to the City Council; and

WHEREAS, the Plan was jointly developed by the North Fourth Street  
Merchants Association and representatives of the North Valley neighborhood  
associations; and

1       WHEREAS, the area represented by the Plan is a key element in the overall  
2 economic and community revitalization efforts by the City of Albuquerque to  
3 promote neighborhood stabilization; and

4       WHEREAS, the Environmental Planning Commission, in its advisory role  
5 on all matters relating to Planning Zoning and Environmental Protection, held a  
6 public hearing on February 12, 2009 with respect to adoption of the Plan and  
7 voted (5-1) to recommend approval of the Plan to the City Council subject to  
8 recommendations, Findings and Conditions of Approval; and

9       WHEREAS, the Plan uses a modified form-based approach and creates four  
10 new overlay zone districts which regulate building form and articulation; and

11       WHEREAS, the new overlay zone districts are the following:

12               1. North Fourth Mixed Use (NFMXD) District: the NFMXD is designed  
13 as a pedestrian scale, principally commercial development area that is integral  
14 to a mixed use neighborhood. The NFMXD is located in two areas; parcels  
15 generally on either side of 4<sup>th</sup> Street beginning at Phoenix Avenue NW to Natalie  
16 Avenue NW consisting of primarily C-2 and C-3 zoned properties and the  
17 second area north of Montano NW along Fourth Street to the City limits  
18 consisting of a mix of C-2, C-1, O-1 and parcels categorized as Residential-  
19 Agricultural.

20               2. North Fourth Transit Oriented Development (NFTOD) District: the  
21 NFTOD is designed for the major transit areas of the corridor. The NFTOD is  
22 located in two areas; generally parcels on either side of 4<sup>th</sup> Street from Mountain  
23 Road to Phoenix Avenue NW. The East/West traffic intersections of I-40 and  
24 Menaul NW are contained within the District. The second area is found  
25 generally along 4<sup>th</sup> Street from Berry Road NW north past Montano Road and  
26 east along Montano Road to the Railroad tracks consisting of a C-2, M-1, and M-  
27 2.

28               3. North Fourth Infill Development (NFID) District(s): the NFID is  
29 designed as a buffer and provides a standard to encourage the context  
30 sensitive development of empty lots or the redevelopment of sites in  
31 substantially built up areas. The Districts are found in three areas; the first is  
32 generally on either side of Candelaria Road NW from 4<sup>th</sup> Street to 7<sup>th</sup> Street NW.  
33 The second area is generally east of the Harwood Lateral from Delamar Avenue

1 NW to Sanchez Road NW. The third area is west of the Gallegos Lateral  
2 generally from Hendrix NW to Sanchez Road NW.

3 4. Los Alamos Addition Historic Area LAAHD District: The LAAHD is  
4 designed to establish commercial and mixed-use land uses as well as building  
5 forms that are compatible with the area of 4<sup>th</sup> Street adjacent to the Los Alamos  
6 neighborhood. The uses allowed in this district are at a neighborhood scale and  
7 will serve the residents and commercial property owners on the east side of 4<sup>th</sup>  
8 Street between Gene and Alamosa Streets. The standards are intended to  
9 create a safe pedestrian scale environment along 4<sup>th</sup> Street, orient buildings  
10 toward the public right of way and maintain clear separation between  
11 commercial and mixed uses and residential areas.

12 WHEREAS, the City's Environmental Planning Commission (EPC) held a  
13 public hearing with respect to the adoption of the Plan. The EPC voted (5-1) to  
14 recommend approval of the Plan to the City Council and thus sent the Plan with  
15 recommendations, findings and conditions.

16 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
17 ALBUQUERQUE:

18 SECTION 1. The City Council makes the following findings:

19 1. The North Fourth Street Corridor Plan Overlay Zone supports the  
20 policies listed in the adopted Comprehensive Plan including policies listed  
21 herein. Specifically, the Plan is in compliance with applicable land use goals  
22 and policies for Established Urban Areas as follows:

23 A. Policy II.B.5.a. of the Comprehensive Plan states: "The  
24 Developing Urban and Established Urban Areas as shown by the Plan map shall  
25 allow a full range of urban land uses, resulting in an overall gross density up to  
26 5 dwelling units per acre." The Corridor Plan implements the policy by providing  
27 a variety of zones that allow for residential, commercial or mixed use, and  
28 utilitarian building forms.

29 B. Policy II.B.5.d. of the Comprehensive Plan states: "The  
30 location, intensity and design of new development shall respect existing  
31 neighborhood values, natural environmental conditions and carrying capacities,  
32 scenic resources, and resources of other social, cultural, recreational concern."

1 The newly created zones in the Corridor Plan are tailored to promote economic  
2 vitality and stable land uses while respecting the existing development

3 C. Policy II.B.5.e. of the Comprehensive Plan states: “New  
4 growth shall be accommodated through development in areas where vacant  
5 land is contiguous to existing or programmed urban facilities and services and  
6 where the integrity of existing neighborhoods can be ensured.” The Corridor  
7 Plan area is fully served with urban infrastructure, and new developments will  
8 add to the efficiency of these services.

9 D. Policy II.B.5.h. of the Comprehensive Plan states:  
10 “Higher density housing is most appropriate in designated Activity Centers, in  
11 areas with excellent access to the major street network, in areas where a mixed  
12 density pattern is already established, and in areas where a transition is needed  
13 between single-family homes and much more intensive development.” The  
14 NFTOD, NFMXD, and NFID districts allow for higher density housing, which is  
15 appropriate to the corridor.

16 E. Policy II.B.7.a. of the Comprehensive Plan states:  
17 “Existing and proposed Activity Centers are designated by a Comprehensive  
18 Plan map where appropriate to help shape the built environment in a  
19 sustainable development pattern, create mixed use concentrations of  
20 interrelated activities that promote transit and pedestrian access both to and  
21 within the Activity Center, and maximize cost-effectiveness of City services.”  
22 Further, policy II.B.7.i. states: “Multi-unit housing is an appropriate use in  
23 Neighborhood, Community and Major Activity Centers.” The NFTOD, NFMXD,  
24 NFID and LAAHD districts allow for a mix of multi-family, residential and non-  
25 residential uses.

26 F. Policy II.B.5.k. of the Comprehensive Plan states: “Land  
27 adjacent to arterial streets shall be planned to minimize harmful effects of  
28 traffic; livability and safety of established residential neighborhoods shall be  
29 protected in transportation planning and operation.” In addition, policy II.B.5.l.  
30 states: “Quality and innovation in design shall be encouraged in all new  
31 development; design shall be encouraged which is appropriate to the Plan  
32 area.” Design standards contained in the Corridor Plan will control uses and are  
33 intended to promote a quality environment by the incorporation of design

1 elements for buildings and sites and the encouragement of a pedestrian  
2 environment.

3       **SECTION 2. The City Council makes the following findings as to**  
4 **compliance with R-270-1980 for zone changes with respect to each of the four**  
5 **new overlay zones:**

6               **1. The North Fourth Street Corridor Plan proposes a new Overlay**  
7 **Zone in four new zoning categories. The following Analysis of Resolution 270-**  
8 **1980 (Policies for Zone Map Change Applications) shows that the proposed**  
9 **zoning is justified.**

10               **A. A proposed zone change must be found to be**  
11 **consistent with the health, safety morals and general welfare of the city. The**  
12 **proposed Overlay Zone for the North Fourth Street Corridor is found to be**  
13 **consistent with the health, safety and general welfare of the City: It gives**  
14 **property owners flexibility in the types of uses and buildings they can place on**  
15 **their properties. That flexibility creates a better chance that**  
16 **development/redevelopment will occur in the near future and supports the**  
17 **economic vitality of the area. Current economic conditions are likely to slow**  
18 **investment in development and redevelopment of the North Fourth Street**  
19 **Corridor. With the exception of projects currently underway, it is unlikely that**  
20 **substantial new development will take place until credit markets are stable and**  
21 **confidence returns to the commercial and residential real estate market.**

22               **B. Stability of land use and zoning is desirable; therefore,**  
23 **the applicant must provide a sound justification for the change. The burden is**  
24 **on the applicant to show why the change should be made, not on the City to**  
25 **show why the change should not be made. While the economic and financial**  
26 **health of the North Fourth Street Corridor varies along its 4 1/2 mile length,**  
27 **there are several areas that are struggling to maintain viable commercial**  
28 **activity. In this context, the Overlay Zone offers stability to the corridor by**  
29 **expanding the range and mix of residential, mixed-use and transit-oriented uses**  
30 **to support and take advantage of the expanding, multi-modal forms of**  
31 **transportation along Fourth Street. Additionally, to respond specifically to the**  
32 **timing and demands of the market, the development or redevelopment of**  
33 **properties using the new Overlay Zone is at the discretion of property owners.**



1 However, the Overlay Zone will regulate development through the building  
2 permit process when the following conditions are present:

- 3 1. Construction of a replacement building after voluntary  
4 demolition of existing buildings.
- 5 2. Construction of new buildings on a vacant parcel.
- 6 3. Commencement of a new use that is permissible under  
7 the Overlay Zone but was not permissible on that parcel before the Plan's  
8 adoption.
- 9 4. Change to new Conditional Use under existing zoning  
10 that was not being employed on that parcel before the Plan's adoption. There is  
11 broad community support to adopt and implement the Plan. This resulted from  
12 strong representation on the merchants' and residents' negotiating teams as  
13 well as robust communication during the mediated negotiations held from  
14 September 11<sup>th</sup>, 2007 to December 10<sup>th</sup>, 2007. In addition leaders from both the  
15 merchants' and residents' negotiating teams guided the consultants in rewriting  
16 the June 2006 Corridor Plan over the subsequent six months. The Plan received  
17 supportive and positive feedback during an Open House held on August 19,  
18 2008 at the Los Griegos Community Center. The plan received further support  
19 and positive feedback at a community meeting held on December 10, 2009.

20 C. A proposed change shall not be in significant conflict with  
21 adopted elements of the Comprehensive Plan or other City master plans and  
22 amendments thereto including privately developed area plans, which have been  
23 adopted by the City. The North Fourth Street Corridor Plan furthers applicable  
24 goals and policies of the Comprehensive Plan and promotes a better-served  
25 community: It allows building placement closer to North Fourth Street and  
26 promotes multi-modal transportation. The use of a form-based approach for  
27 building types and establishment of specific design standards ensures quality  
28 and innovation in design, ensures compatibility between residential and non-  
29 residential uses, and provides a balanced circulation system with safe and  
30 convenient pedestrian activity. The following citations show that corridor plan is  
31 not in significant conflict with adopted elements of the Comprehensive Plan or  
32 other City master plans and amendments. The Albuquerque/Bernalillo County  
33 Comprehensive Plan and the Planned Growth Strategy guide the future

[+Bracketed/Underscored Material+] - New  
[-Bracketed/Strikethrough Material-] - Deletion



1. development of the Albuquerque Urban Area. The envisioned development and  
2 redevelopment of the Plan and Overlay Zone are in compliance with the policies  
3 in these planning documents. Applicable policies from the Comprehensive Plan  
4 include: The Comprehensive Plan sets goals and strategies to implement  
5 Activity Centers: “[Activity Centers]... expand and strengthen concentrations of  
6 moderate and high-density mixed land use and social/economic activities which  
7 reduce urban sprawl, auto travel needs, and service costs, and which enhance  
8 the identity of Albuquerque and its communities. A technique for implementing  
9 Activity Centers is to “review Zoning and ordinances for revisions necessary to  
10 facilitate private development and redevelopment of mixed-use concentrations  
11 of housing and employment that supports transit and pedestrian activity.” The  
12 use of the form based Overlay Zone results in implementing the Comprehensive  
13 Plan’s policy on Activity Centers. As stated in the Supplemental Staff Report,  
14 the NFMXD and NFTOD districts in the Overlay Zone support the creation of  
15 multi-use Activity Centers and will promote ongoing public/private cooperation  
16 necessary for private market conditions that support the development and  
17 functioning of Activity Centers. Further, policy B7j states: “The City will  
18 structure capital expenditures and land use regulations in support of creating  
19 multi-use Activity Centers, and will promote ongoing public/private cooperation  
20 necessary for private market conditions that support the development and  
21 functioning of Activity Centers.” The Planned Growth Strategy intends to  
22 achieve the following objective, which is stated in Volume 2, page 4, of the  
23 Preferred Alternatives: “Planned neighborhoods [that] have close proximity to  
24 activity centers that contain businesses that serve basic needs...; be  
25 pedestrian, bicycle, and transit friendly; be located close to employment  
26 opportunities; include a mix of housing types and densities; and incorporate a  
27 satisfying mix of housing types and densities; and incorporate a satisfying built  
28 environment brought about through visually pleasing structures, landscaping,  
29 and physical identity.” In the NFMXD and NFTOD districts, the Plan encourages  
30 a mix of moderate and high-density housing along with commercial, office and  
31 related uses. In Section IV, the Plan promotes pedestrian, bicycle and transit  
32 friendly conditions. By utilizing a form based code, the NFMXD and the NFTOD  
33 districts, together with the NFID and LAAHD districts, incorporate building

1 forms that are visually pleasing and fit the context for redevelopment along the  
2 corridor. The North Valley Area Plan (adopted by R-255, Enactment No. 60-1993)  
3 guides planning and regulatory actions in the plan area, including corridor  
4 plans. Two of the applicable policies from the area plan include the following:  
5 Page 8-2f of the North Valley Area Plan states: "Undertake a planning process  
6 for areas of Mid-North Valley East and Mid-North Valley West to address land  
7 use conflicts, nonconforming uses, redevelopment of vacant land, affordable  
8 housing, transportation, streetscape improvements, cultural sites and other  
9 issues." Page 9-3c of the North Valley Area Plan states: "Promote commercial  
10 development and redevelopment of existing commercially zoned properties."

11 D. The applicant must demonstrate that the existing zoning is  
12 inappropriate because;

13 1. There was an error when the existing zone map pattern was  
14 created, or

15 2. Changed neighborhood or community conditions justify the  
16 change, or

17 3. A different use category is more advantageous to the  
18 community, as articulated in the Comprehensive Plan or other City master plan,  
19 even though (1) or (2) above do not apply. As per policy D (2): The proposed  
20 Overlay Zone in the Plan is justified by "changed neighborhood or community  
21 conditions" as described below for each of the new zones: Neighborhood and  
22 community conditions along North Fourth Street are significantly different from  
23 the conditions that existed when the City approved the existing zoning over fifty  
24 years ago. The zoning that the City of Albuquerque put in place for North Fourth  
25 Street during the 1960s reflected early development conditions and community  
26 connections, particularly the patterns and conditions that existed in the late  
27 1980s. Historically, North Fourth Street had served as a transportation route that  
28 connected Albuquerque to Santa Fe and other towns. During the 1950s, the  
29 agriculture and housing that bordered the street became interspersed with  
30 commercial businesses, many of which catered to automobile traffic. The street  
31 became an eclectic mix of businesses serving local, citywide, and regional  
32 market demands. Later in the 1960s, market conditions changed significantly  
33 when the freeway system drew much of the commercial development to malls

1 sited in the Northeast Heights. The freeways also displaced the out-of-state  
2 traffic from North Fourth. Many businesses, such as motels, gas stations, and  
3 restaurants that had depended on travelers for their primary customer base, lost  
4 a substantial share of their markets. With the rapid growth of the West Mesa  
5 since the 1980s, much of Albuquerque's new development has shifted west of  
6 the Rio Grande. As a result, development near and along North Fourth Street  
7 has slowed, although drivers commuting to and from the West Side discovered  
8 the corridor as a commuting route. Simultaneously, other commercial and retail  
9 development has provided fierce competition for many small businesses. These  
10 market changes over the past five decades have resulted in some businesses  
11 along the corridor surviving, some making a transition and others going out of  
12 business. This has resulted in underutilized property in many locations along  
13 the Corridor with a mixed pattern of old, new, vacant and redeveloped  
14 properties.

15 North Fourth Transit Oriented Development (NFTOD) District:

16 The NFTOD is designed for the major transit areas of the corridor. Two NFTOD  
17 areas are designated within the corridor boundary. Generally, the first District  
18 covers parcels on either side of Fourth Street beginning at Mountain Road NW  
19 to Phoenix Avenue NW. East/West traffic intersections of I-40 and Menaul NW  
20 are contained within the District. Community conditions in the first NFTOD  
21 area, especially south of the freeway, are conducive for revitalization and  
22 transit-oriented neighborhood scale commercial development. The streetscape  
23 includes buildings from the 1940s and 1950s that create a continuous façade of  
24 storefronts and provide community establishments. While the sidewalks are in  
25 need of repair and must be ADA compliant, the scale of the street and the  
26 buildings are appropriate for pedestrian amenities and activities. In the area  
27 north of the freeway to Phoenix Ave, near Menaul, the street widens into four  
28 lanes and accommodates large commercial activities, like the Menaul  
29 Marketplace and other strip commercial development set back from the road.  
30 Older buildings are interspersed and located close to the street. Conditions in  
31 the area have changed sufficiently to allow new development to include higher  
32 densities, including mixed uses and housing. Together with an enhanced  
33 streetscape and pedestrian amenities, it is possible to create a vital living and

1 working neighborhood. The NFTOD District encourages this type of  
2 revitalization to occur. The second NFTOD area in the Montano and Fourth area  
3 at Berry Road, extending along Montano Road to the Rail Road tracks, is  
4 intended to support new development, especially related to development from a  
5 planned transit station. Property in this area includes the intense commercial  
6 activity at Montano and Fourth Street as well as auto related commercial uses  
7 and fast food services south of Montano. These conditions set the stage for  
8 increasing the intensity and mix of uses over time, as the area becomes more  
9 transit oriented and accessible. The area around the railroad tracks is  
10 dominated by large warehousing, repair and storage uses.

11 **North Fourth Mixed Use Development (NFMXD) District:**

12 The NFMXD is designed as a pedestrian scale, principally commercial  
13 development area that is integral to a mixed-use neighborhood. Two NFMXD  
14 areas are designated within the corridor boundary. Generally, the first area  
15 covers parcels on either side of Fourth Street beginning at Phoenix Avenue NW  
16 to Natalie Avenue NW. Conditions in the area from Phoenix to Natalie include  
17 vacant lots, building set back from the street, auto-oriented repairs and  
18 recycling businesses and large and small commercial activities. The area  
19 contained vital economic activity but has transformed from small-scale historic  
20 roadside auto uses of the 1950s and 1960s to large commercial and  
21 construction related businesses. The properties were assembled over time,  
22 from small lots to larger properties accommodating car sales and heavier  
23 commercial uses. As some of the business died out, some of the land has  
24 become underutilized and is prime for redevelopment. The second area begins  
25 generally north of Montano NW along Fourth Street to the City Limits near  
26 Camino Espanol NW. In the second NFMXD area the commercial property is  
27 close to residential areas and the residents have expressed a desire to make the  
28 area safer and more accessible for pedestrians as well as less congested with  
29 traffic. Sidewalks are non-existent in some places and partially complete in  
30 others, so vehicles cross the pedestrian way. In some places there is no curb or  
31 landscaping to separate commercial from vehicular or residential uses.

32 **North Fourth Infill Development (NFID) District.**

1 The NFID serves as a buffer and provides a standard to encourage the context-  
2 sensitive development of empty lots or the redevelopment of sites in  
3 substantially built up areas. The NFID District is found in four areas with the  
4 corridor boundaries. The first is generally either side of Candelaria Road NW  
5 from Fourth Street to 7<sup>th</sup> Street NW. The second area is generally east of the  
6 Harwood Lateral from Delamar Avenue NW to Sanchez Road NW. The third area  
7 is west of the Gallegos Lateral generally from Hendrix NW to Sanchez Road NW,  
8 and the fourth area is generally along Pauline Street NW from Gene NW to  
9 Guadalupe Trail NW. Areas that have been designated as potential for the North  
10 Fourth Infill Development District have generally changed over time from  
11 commercial or vacant land to properties that contain higher density residential  
12 apartments or condominiums. Over time, the land has become more valuable  
13 and amenable to multi-family development and creates the opportunity for a  
14 transition from commercial or other mixed uses to neighborhood scale  
15 development. In some of the areas, there are under-utilized properties or  
16 segments of street frontage with lots that may accommodate future infill of  
17 residential uses. The key in these areas is to provide a transition in density and  
18 intensity of uses so that new infill development buffers the neighborhood from  
19 more intense commercial development. Design and development in the NFID  
20 areas is intended to be sensitive to the surrounding development and act as a  
21 buffer between residential uses and other commercial and mixed use  
22 development along the corridor. The places identified in the district either  
23 currently function in this way or could in the future. As per policy D (3): The  
24 proposed zoning in the North Fourth Street Corridor Plan is “more  
25 advantageous to the community” as described below for each of the  
26 Development Districts:

27 **NFMXD**

28 This district promotes a different approach to development. The prescribed  
29 building forms accommodate a greater range of mixed uses than those allowed  
30 under traditional commercial zoning. The mixed uses in the NFMXD Overlay  
31 District give greater flexibility to the property owner and increase the likelihood  
32 that redevelopment will occur. Further, the added flexibility will make it possible

1 for property owners to fit the scale of the development to the community and  
2 the adjacent properties.

3 **NFTOD**

4 This district promotes development that is pedestrian oriented, accommodates  
5 an expanded range of uses, and enhances an intensifying urban destination.  
6 Inclusion of this transit-oriented development zone is integral to the  
7 community's vision for North Fourth Street and furthers applicable goals and  
8 policies of the Comprehensive Plan by leveraging transportation-related  
9 services to promote and encourage redevelopment. The current use of transit  
10 (and future increase) coupled with increased development of mix of uses  
11 presents an opportunity to promote North Fourth Street as a commercial/transit  
12 corridor. The district recognizes the transportation-oriented development near  
13 the freeway and anticipates it in the vicinity of the future Railrunner Station. An  
14 additional advantage to the community is that this district may attract new  
15 businesses that depend on excellent transportation access.

16 **NFID**

17 The North Fourth Infill Development District provides a buffer between the  
18 mixed-use development and the residential neighborhoods that border the  
19 corridor and is important to realizing the community's vision for the corridor.  
20 This district would allow only limited residential and certain commercial (flex  
21 building) and utilitarian (civic or institutional building) building forms. Thus, this  
22 district would increase the range of allowable land uses and is therefore  
23 advantageous to the community.

24 **LAAHD**

25 Los Alamos Addition Historic Area District is designed to establish commercial  
26 and mixed-use land uses as well as building forms that are compatible with the  
27 area of 4<sup>th</sup> Street adjacent to the Los Alamos neighborhood. The uses allowed  
28 in this district are at a neighborhood scale and will serve the residents and  
29 commercial property owners on the east side of 4<sup>th</sup> Street between Gene and  
30 Alamosa Streets. The standards are intended to create a safe pedestrian scale  
31 environment along 4<sup>th</sup> Street, orient buildings toward the public right of way and  
32 maintain clear separation between commercial and mixed uses and residential  
33 areas.

1       E.   A change of zone shall not be approved where some of the  
2   permissive uses in the zone would be harmful to adjacent property, the  
3   neighborhood or the community. The following paragraph is universally  
4   applicable to areas covered by the Overlay Zone in the Plan. Thus, it is stated  
5   once and applies to all new districts (NFTOD, NFMXD, NFID, and LAAHD): The  
6   districts provide certainty regarding future development by regulating building  
7   types and frontage types and excluding certain “noxious” uses. These  
8   regulations will assure compatibility of adjacent uses and prevent harm to  
9   adjacent properties. The districts have been carefully mapped and negotiated to  
10   reasonably ensure that no harm to adjacent property will occur.

11       F.   A proposed zone change which, to be utilized through land  
12   development, requires major and un-programmed capital expenditures by the  
13   City may be:

- 14           1.   Denied due to lack of capital funds, or
- 15           2.   Granted with the implicit understanding that the City is not  
16   bound to provide the capital improvements on any special schedule. The  
17   following paragraph is universally applicable to areas covered by the Overlay  
18   Zone in the North Fourth Street Corridor Plan. Thus, it is stated once and  
19   applies to all new districts (NFTOD, NFMXD, NFID and LAAHD): The corridor  
20   plan will focus the city by planning capital authorization through priorities  
21   including a capital improvements list for projects that are intended to enhance  
22   the area. Consistent with the qualification in 2 above, these projects are public  
23   investments to be made to increase the functionality of the area and to make  
24   private investment in the area more desirable by private property owners. City  
25   staff will request funding from the Capital Improvements Program, General  
26   Obligation bonds as well as other state and federal revitalization programs.

27       G.   The cost of land or other economic considerations pertaining to the  
28   applicant shall not be the determining factor for a change of zone. The  
29   following paragraph is universally applicable to areas covered by the Overlay  
30   Zone in the North Fourth Street Corridor Plan. Thus, it is stated once and  
31   applies to all new districts (NFTOD, NFMXD, NFID and LAAHD ): The City is  
32   interested in guiding the area’s development and keeping the area an  
33   economically viable part of the community. The area’s commercial development



1 serves the local community as well as acts as a regional market serving  
2 downtown, the Northeast and Southeast Heights, and the developing West Side.  
3 The proposed changes will help to stabilize the North Fourth Street corridor by  
4 enabling a mix of both residential and commercial development.

5 H. Location on a collector or major street is not in itself sufficient  
6 justification of apartment, office, or commercial zoning. The following  
7 paragraph is universally applicable to areas covered by the Overlay Zone in the  
8 North Fourth Street Corridor Plan. Thus, it is stated once and applies to all new  
9 districts: NFTOD, NFMXD, NFID and LAAHD. The City has already designated  
10 North Fourth Corridor a transit corridor. The current use of transit (and the  
11 future increase of bus and rapid transit lines) coupled with increased  
12 development of a mix of uses presents an opportunity to promote North Fourth  
13 Street as a commercial/transit corridor. The modified form-based code  
14 promotes construction of prescribed building forms and corresponding facades  
15 accommodate an expanded range of mixed-uses than those allowed under  
16 traditional commercial zoning.

17 I. A zone change request, which would give a zone different from  
18 surrounding zoning to one small area, especially when only one premise is  
19 involved, is generally called a "spot zone." Such a change of zone may be  
20 approved only when;

21 1. The change will clearly facilitate realization of the  
22 Comprehensive Plan and any applicable adopted sector development plan or  
23 area development plan, or  
24 2. The area of the proposed zone change is different from  
25 surrounding land because it could function as a transition between adjacent  
26 zones; because the site is not suitable for the uses allowed in any adjacent zone  
27 due to topography, traffic, or special adverse land uses nearby; or

28 3. Because the nature of structures already on the premises  
29 make the site unsuitable for the uses allowed in any adjacent zone. The  
30 following paragraph is universally applicable to areas covered by the Overlay  
31 Zone in the North Fourth Street Corridor Plan. Thus, it is stated once and  
32 applies to all new districts (NFTOD, NFMXD, NFID and LAAHD ): The Overlay  
33 Zone is comprehensive in covering the entire corridor, and it treats all property

1 owners equally in its application. The Overlay Zone precludes “spot zoning.”  
2 The Plan’s Overlay Zone covers an area that is greater than 4 1/2 miles in length.  
3 It provides a comprehensive approach for development and revitalization of the  
4 area. The Plan expands categories of appropriate uses through new allowable  
5 building forms as identified in each district, and the Overlay Zone implements  
6 policies contained in the Comprehensive Plan, the North Valley Area Plan, and  
7 the Planned Growth Strategy.

8 J. A zone change request which would give a zone different from  
9 surrounding zoning to a strip of land along a street is generally called “strip  
10 zoning.” Strip commercial zoning will be approved only where:

11 1. The change will clearly facilitate realization of the  
12 Comprehensive Plan and any adopted sector development plan or area  
13 development plan, and

14 2. The area of the proposed zone change is different from  
15 surrounding land because it could function as a transition between adjacent  
16 zones or because the site is not suitable for the uses allowed in any adjacent  
17 zone due to traffic or special adverse land uses nearby. The following  
18 paragraph is universally applicable to areas covered by the Overlay Zone in the  
19 North Fourth Street Corridor Plan. Thus, it is stated once and applies to all new  
20 districts (NFTOD, NFMXD, NFID and LAAHD): The Overlay Zone is part of a  
21 comprehensive planning effort for the entire corridor area, and as such treats all  
22 property owners equally with respect to requirements of the Plan. As mentioned  
23 in I. above, the implementation of the Overlay Zone and corresponding Districts  
24 creates a contiguous area of appropriate uses through allowable building forms  
25 as identified by the Development District. The Development Districts identified  
26 in the Plan are appropriate due to their adjacent transportation facilities and  
27 surrounding land uses - there will be no strip zoning.

28 SECTION 3. All development and redevelopment activities within the area  
29 shall be guided and regulated by the provisions of the North Fourth Street  
30 Corridor Plan, including the recommendation that an engineering study be  
31 conducted prior to any major reconstruction of the street or streets affected by  
32 the Plan.

1       **SECTION 4. The Zone Map, adopted by Article 14-16-4-9 ROA 1994 is**  
2 **hereby amended to reflect the overlay zone districts in the map shown in**  
3 **Attachment A hereto, and the North Fourth Street Rank III Corridor Plans (first**  
4 **volume from Mountain Road to Douglas MacArthur NW and second volume from**  
5 **Douglas MacArthur to Vineyard NW) attached hereto are approved and**  
6 **incorporated herein.**

7       **SECTION 5. EFFECTIVE DATE AND PUBLICATION. This legislation shall**  
8 **take effect five days after publication by title and general summary.**

9       **SECTION 6. SEVERABILITY CLAUSE. If any section, paragraph, sentence,**  
10 **clause, word or phrase of this resolution is for any reason held to be invalid or**  
11 **unenforceable by any court of competent jurisdiction, such decision shall not**  
12 **affect the validity of the remaining provisions of this resolution. The Council**  
13 **hereby declares that it would have passed this resolution and each section,**  
14 **paragraph, sentence, clause, word or phrase thereof irrespective of any**  
15 **provisions being declared unconstitutional or otherwise invalid.**

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[-Bracketed/Strikethrough Material-] - Deletion

1 PASSED AND ADOPTED THIS 15<sup>th</sup> DAY OF March 2010  
2 BY A VOTE OF: 7 FOR 1 AGAINST.

3  
4 Against: Jones  
5 Excused: Harris  
6

7  
8 

9 Ken Sanchez, President  
10 City Council  
11

12  
13 APPROVED THIS 9<sup>th</sup> DAY OF April, 2010  
14

15  
16  
17 Bill No. R-09-12

18   
19 Richard J. Berry, Mayor  
20 City of Albuquerque  
21

22  
23  
24  
25 ATTEST:

26   
27  
28 City Clerk  
29



# City of Albuquerque

RICHARD J. BERRY, MAYOR

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Trudy Jones, Vice President, District 8  
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# TABLE OF CONTENTS

1	Executive Summary .....	1
1.0	Overview .....	1
1.1	Policy and Regulatory Context .....	3
1.2	Major Sections .....	3
1.3	The Planning Process .....	4
2	Introduction & History.....	7
2.0	Introduction .....	7
2.1	History.....	7
2.2	Historic & Architectural Resources .....	11
3	Regulatory Plan .....	13
3.0	Introduction .....	13
3.1	Form- Based Overlay Zone and Districts .....	13
3.2	Overlay Zone General Provisions .....	20
3.3	Overlay Zone General Land Uses .....	24
3.4	Overlay Zone General Standards .....	25
3.5	North Fourth Transit Oriented Development (NFTOD) District .....	40
3.6	North Fourth Mixed Use Development (NFMXD) District .....	44
3.7	North Fourth Infill Development (NFID) District .....	48
3.8	Los Alamos Addition Historic Area (LAAHA)District .....	50
3.9	Building Forms .....	53
3.10	Frontage Types .....	73
3.11	Glossary of Terms .....	76
4	Transportation & Street Design.....	79
4.0	Introduction .....	79
4.1	North Fourth Street From Mountain Road to Douglas MacArthur Road .....	80
4.2	North Fourth Street From Douglas Macarthur To The Village Of Los Ranchos Boundary .....	90
5	Redevelopment Conditions & Opportunities .....	99
5.0	Introduction .....	99
5.1	Metropolitan Redevelopment Act .....	99
5.2	June 2006 Existing Conditions .....	101
5.3	Redevelopment Tools .....	104
5.4	Next Steps.....	108

# TABLE OF FIGURES

Figure 2-1 Area Location Map .....	7
Figure 2-2 Birds Eye View 1886 .....	8
Figure 2-3 New Mexico Route 1 1904 .....	9
Figure 2-4 1938 U.S.G.S. Map .....	10
Figure 2-5 Historic Building.....	11
Figure 3-1 North Fourth Street Form-Based Overlay Zone Map .....	17
Figure 3-2 Map of Existing Zoning .....	19
Figure 3-3 Example of "Teaser Parking" .....	34
Figure 3-4 NFTOD Building Placement.....	43
Figure 3-5 NFMXDD Building Placement .....	47
Figure 4-1 sidewalk Conditions 1 .....	81
Figure 4-2 Sidewalk Condition 2 .....	82
Figure 4-3 Pedestrian Access .....	82
Figure 4-4 Redesign Concept A.....	86
Figure 4-5 Redesign Concept B.....	87
Figure 4-6 Redesign Concept C between I-40 and Mountain Road .....	88
Figure 4-7 Unpaved and Obstructed Sidewalk .....	91
Figure 4-8 Vehicles Obstructing Sidewalk.....	91
Figure 4-9 Existing Signaled Crosswalks.....	92
Figure 4-10 Existing Curb Cuts .....	93
Figure 4-11 Example of Grade-Level Caution Lights .....	94
Figure 4-12 Example of Street Lighting.....	96
Figure 4-13 Example of Neighborhood Gateway.....	96
Figure 4-14 Redesign Concept D between Gene Road and Camino Español NW .....	97
Figure 5-1 Vacant Land .....	102
Figure 5-2 Unsightly Fence .....	102
Figure 5-3 Unsightly Appearance.....	103
Figure 5-4 Abandoned Building .....	103
Figure 5-5 Mobile Homes in Poor Condition .....	104

# 1 EXECUTIVE SUMMARY

## 1.0 OVERVIEW

### Intent

The intent of this plan is to provide a framework for the development and redevelopment of properties along North Fourth Street in order to realize its potential as a multi-modal, major transit corridor. The plan recognizes the importance of existing neighborhoods and businesses while maximizing pedestrian connections and amenities and encouraging a building form that supports and is supported by transit service. The existing right of way with two and four lanes of vehicular traffic plus enhanced pedestrian zones shall serve multiple modes of travel, including trucks, autos, transit, bicycles and pedestrians.

In 2005, the City of Albuquerque began work on development of a Rank III Corridor Plan for Fourth Street located between Mountain Road NW and Solar Road NW to provide a planning and regulatory framework for revitalization. This segment of the historic road extends 4 1/3 miles from the north edge of the downtown to Albuquerque's boundary with the Village of Los Ranchos de Albuquerque at Solar Road and affects a wide area, including adjacent neighborhoods and portions of major streets such as Menaul Boulevard, Candelaria Road., Griegos Road., and Montano Road. This wider area is known by the community as the "North Fourth Street Corridor", (see Area Location Map, page 7).

This document is the resulting North Fourth Rank III Corridor Plan (the Plan). It is based on a plan developed over five months of intensive meetings by a

negotiating group composed of residents, merchants, and city officials. The Plan establishes principles to guide redevelopment of the area, preserves existing zoning, establishes a zoning overlay, and calls for a study to designate North Fourth Street as a Metropolitan Redevelopment Area (MRA). It also provides a framework to guide decision-making about land use, transportation, development regulations, and public investment.

The North Fourth Street Rank III Corridor Plan introduces three regulatory innovations to guide future redevelopment:

- A. Creating a Form Based Overlay Zone (Overlay Zone) that regulates new development for properties in the plan area and may expand the uses and increase intensities of a property's underlying zoning.
- B. Instituting trigger mechanisms to give property owners options as to whether and (if so) when to adopt the Overlay Zone for their individual properties. Existing zoning will remain in effect until individual property owners initiate the Overlay Zone. The intent of the trigger mechanisms is to respond to market conditions and to allow the plan for the corridor to influence new development at the parcel level.
- C. Providing incentives for property owners to utilize the Overlay Zone including an expedited review process, the ability to mix uses and activities within buildings, and permitting higher intensity land development.

In addition, the Plan presents concepts for the redesign of the North Fourth Street right-of-way and pedestrian realm based on the work of the negotiating group. To explore and refine the redesign concepts, the Plan recommends that the City retain a design team to undertake a 30% engineering design. Finally, the Plan establishes the strategy and phasing for capital improvements along the corridor.

The writers acknowledge that the official name of 4<sup>th</sup> Street or 4<sup>th</sup> Street North West is technically correct, however, for purposes of this plan and for descriptive purposes, the portion of Fourth Street that is covered by this plan will be referred to as *North Fourth Street*.

## 1.1 POLICY AND REGULATORY CONTEXT

North Fourth Street has a long history in which the corridor has made a slow transition over time. This plan provides the guidance for another transition anchored in a form-based approach to encouraging new building typologies and mixing uses in existing and new structures. The policy context for adopting the overlay zone in this plan follows City Council Resolution R-270-1980 by responding to long-term changes in the neighborhood character and community conditions along the corridor.

As experience with the form-based approach grows, it is presumed that this plan will be amended to include additional building forms, context-sensitive building typologies and new building technologies. In response to establishing the recommended Metropolitan Redevelopment Area, it is likely that opportunity sites or redevelopment nodes will be designated within the North Fourth Street Corridor. In these cases, it is likely the Plan will be amended by the adoption of a master plan or specific plan for the redeveloping area.

As noted in Section 3, this plan is in conformance with the Albuquerque/Bernalillo Comprehensive Plan by respecting existing neighborhoods, mitigating the harmful effects of traffic and enhancing quality design. The Plan also reflects intent of the North Valley Area Plan with respect to encouraging redevelopment, enhancing transportation systems, promoting streetscape improvements and innovating in land use controls.

## 1.2 MAJOR SECTIONS

There are five (5) major sections that make up this plan. Descriptions of each of the Plan's major sections follow.

Section 1, Executive Summary, summarizes the Plan's policy context and identifies key findings and elements of the Plan.

Section 2, Introduction & History, describes the corridor, provides a brief history of North Fourth Street and defines and identifies architectural and historic resources. It also lists strategies for the retention, adaptive re-use, and rehabilitation of historic buildings.

Section 3, Regulatory Plan, establishes The North Fourth Street Form-Based Overlay Zone (Overlay Zone) and corresponding Districts to regulate lot layout, building form, frontage and use, building articulation, parking, street

designations and standards, block configuration, landscaping, lighting and signage. This comprehensive section identifies the current zoning, presents the form based overlay zone, and provides a guide for using the Plan. Highlighting that the existing zoning is preserved in Plan, the Regulatory Plan identifies conditions under which the Overlay Zone is optional and under which it is required to be used. It describes how increased densities and mixing of uses provide incentives for landowners and property developers to use the Overlay Zone.

Section 4, Transportation & Street Design, contains a vision for redesigning North Fourth Street, identifies existing conditions and issues, and outlines steps to alleviate the conditions. The section identifies key design principles, elaborates several design parameters and identifies design standards for the reconstruction of the street including two representative sketches of varying street sections. The section recommends the implementation of a 30% engineering study to make decisions about the design and configuration of the pedestrian environment and automobile and transit rights-of-way.

Section 5, Redevelopment Conditions & Opportunities, provides an overview of the physical conditions along the corridor and reviews the steps necessary to designate the North Fourth Street Corridor as a Metropolitan Redevelopment Area (MRA).

### 1.3 THE PLANNING PROCESS

This corridor plan is the result of extensive public involvement including mediated negotiations, design charrettes, open houses, public hearings, and public testimony at meetings of the Environmental Planning Commission, the City Council's Land Use Planning and Zoning (LUPZ) Committee, and the full City Council.

In 2005, the City of Albuquerque contracted with two consulting firms to prepare a draft of a sector plan for the North 4th Street corridor. An advisory group participated in the planning process, attended workshops and gave feedback as the plan was prepared. However, when the City of Albuquerque released a "review draft" of the plan in June 2006, it generated considerable controversy.

Next, a mediated negotiation process took place that involved representatives of merchants and neighborhoods along the corridor as well as representatives of the City Metropolitan Redevelopment Agency. Negotiation sessions were

held twice weekly between September 2007 and January 2008. The product was a white paper, which provided the basis for developing a new draft of the plan. The Environmental Planning Commission recommended approval of the plan in March 2009, and the City Council approved the plan in March 2010.

Simultaneously, a planning process was underway for the area from Douglas-McArthur north to Vineyard at the city limits. Building on a visioning process carried out in 2004 that identified major goals and objectives for the area, two design charrettes were held in 2008. The design charrettes invited the neighbors, merchants and the public to participate in developing urban design guidelines as well as redevelopment concepts.

The charrettes resulted in urban design guidelines, changes in the existing zoning and recommendations for investment and redevelopment for the area. These were presented to the public and reviewed in two open houses held in 2008. After several additional meetings and discussions with representatives of property owners and neighborhoods in the area, the planning and design work was integrated into the corridor plan in March 2010.



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## 2 INTRODUCTION & HISTORY

### 2.0 INTRODUCTION

The City of Albuquerque plans to redevelop North Fourth Street as a cohesive, integrated transit corridor that promotes shopping, housing, employment, and services and recognizes and builds on existing and potential centers of activity. Over the past several decades, businesses along the street have struggled to remain viable, while traffic and inadequate street design have made the corridor an unappealing place for area residents to shop or walk.

The revitalization area concentrates on North Fourth Street between Mountain Road NW and Solar Road NW, the City's boundary with Los Ranchos de Albuquerque, a four-and-one-third-mile stretch. The study identifies strategies to make redevelopment possible through public and private investments and policies, as well as public projects that could reinvigorate North Fourth Street and the surrounding area. (See Section 5, Redevelopment Conditions & Opportunities beginning on page 99).

### 2.1 HISTORY

North Fourth Street began around the beginning of the 20th century, at the same time that the automobile made individual travel fast and convenient. Albuquerque had been founded in the area now known as Old Town nearly 200 years before, in 1706. This part of the Rio Grande Valley tended to be swampy and flooded frequently, but over time, families built their homes on higher ground throughout the North Valley, creating small farming villages.

Communities were connected by El Camino Real de Tierra Adentro (The Royal Road to/of the Interior Lands), established in 1598 and extending from Ohkay Owingeh (San Juan Pueblo) to Mexico. El Camino Real, also known

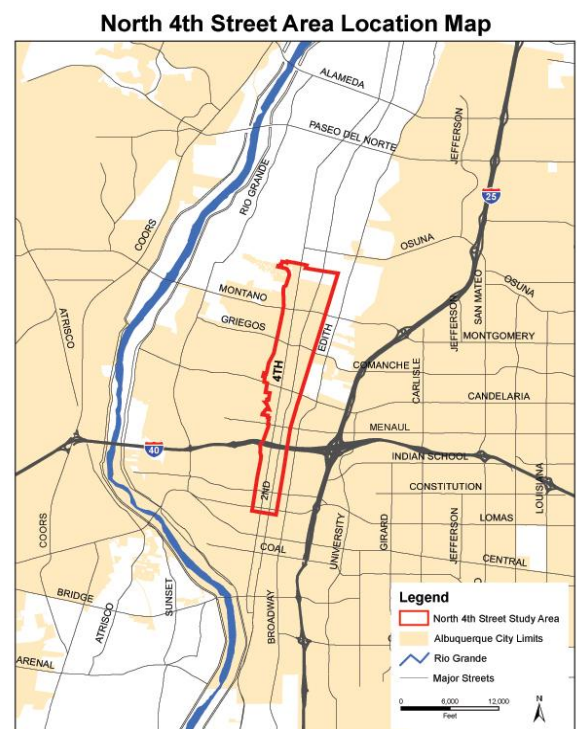


FIGURE 2-1 AREA LOCATION MAP

as the Chihuahua Trail, was the North Valley's first European road. Some historians believe that portions of North Fourth Street were part of the historic Camino Real while others believe the Camino Real had two alternate routes through the North Valley. These were along Edith Boulevard, also known as the Bernalillo Road and through the western portion of the North Valley. Villages including Los Duranes, Los Candelarias and Los Griegos were linked by El Camino Real and residents would have used the road for local travel and regional commerce.



FIGURE 2-2 BIRDS EYE VIEW 1886

*North Fourth Street's development over the course of the early and mid-20th Century is a precursor to the suburban, leapfrog development that characterizes Albuquerque's post WWII growth. The street's uneven historic development pattern has created many of our redevelopment challenges today. Understanding the architectural and planning contexts of the street helps to guide recommendations for physical revitalization.*

The coming of the railroad in 1880 brought new development to the Albuquerque area. As "New Town," was developed a mile to the east of Old Town, streets and blocks were platted in a grid system. Turn-of-the-century maps show the grid, and also how sparsely developed the town actually was within a few blocks north of Central (Railroad) Avenue. New Town was 3.1 square miles in extent, with Mountain Road as its northern boundary. North Fourth Street began to extend outward from New Town with the advent of the automobile and was Albuquerque's first street truly formed by the auto and the dramatic changes it brought. As the early decades of the twentieth century proceeded, once undevelopable areas became agricultural lands as drainage projects were constructed, linked to the Downtown by Fourth Street.

In 1910, Albuquerque had 32 registered cars, with only 470 statewide. By 1920, there were 17,720 cars registered in New Mexico and nearly 84,000 by 1930.

The explosion of car ownership required well-maintained roads, businesses to sell and repair the vehicles, as well as services for the visitors who had the nearly-overnight freedom to travel throughout the U.S.



**FIGURE 2-3 NEW MEXICO ROUTE 1 1904**

The 1904 territorial legislature, having some inkling of the potential for auto travel, designated the first highway, New Mexico Route 1. It followed the Santa Fe Trail from Raton to Santa Fe, then ran south along El Camino Real through Bernalillo and Alameda. It created an extension of Fourth Street north of Albuquerque, continued south on Second Street at Central Avenue to Bridge Street, west to the Barelás Bridge, then south on Isleta Boulevard following El Camino Real toward the south, then following the west bank of the Rio Grande down to El Paso. Recognizing an opportunity to tie this state-long route to the historic heritage of the territory road builders named the new road El Camino Real.

In a short period of time, a journey from Albuquerque to Santa Fe that had once taken three days could be accomplished in less than a day. While Route 1, the new Camino Real, was unpaved for several more decades, its surface was maintained on a regular basis and offered reasonably fast travel. More importantly for Albuquerque, it made possible the extension of urban and suburban development northward from the expanding New Town core.

North Fourth Street had several route numbers and names in the early 20th century, reflecting the developing system of state and national highways, but causing confusion today. Its first official route name was Route 1 and then State Highway 1, named El Camino Real because some parts of the road were on the Camino Real's original alignment. In 1926, North Fourth Street was designated as part of U.S. Highway 85, which extended from El Paso to Santa

Fe. Then from 1926 to 1937, North Fourth Street became part of U.S. Route 66, which originally passed through Santa Rosa to Las Vegas, west to Santa Fe and down to Albuquerque. Routes 85 and 66 were considered part of a U.S. Transcontinental Highway.

Development along North Fourth Street was rarely planned in an orderly, sequential pattern. Some blocks were fully developed, while some had only a few buildings. Some buildings were close to the street, while others were set back. Houses were scattered along the street between commercial structures, including Monkbridge Manor, a grand mansion that stood where the Wells Fargo Bank is located today. Schools, churches, supermarkets, movie theaters, motels, and tourist camps came and went with changes in consumer demand and population increases. Some buildings were demolished, while others remain today, but barely recognizable under decades of remodeling. A single building on North Fourth Street has received State of New Mexico Historic Register status: the Shalit House located at the southwest corner of Douglas MacArthur and North Fourth Street. The house, built in 1940, was converted to Powdrell's Barbecue in the 1980s. It retains its original character and is surrounded by attractive lawns, but was put on the market in 2005, its future uncertain.

*A U.S.G.S. map from 1938 shows the North Valley's major streets, some of which have since been extended, while others have partially disappeared. The map indicates that there was little connection between the Valley and the largely undeveloped Northeast Heights. The map also shows ditches, drains and laterals. While some remain, others appear to have either disappeared or been rerouted.*

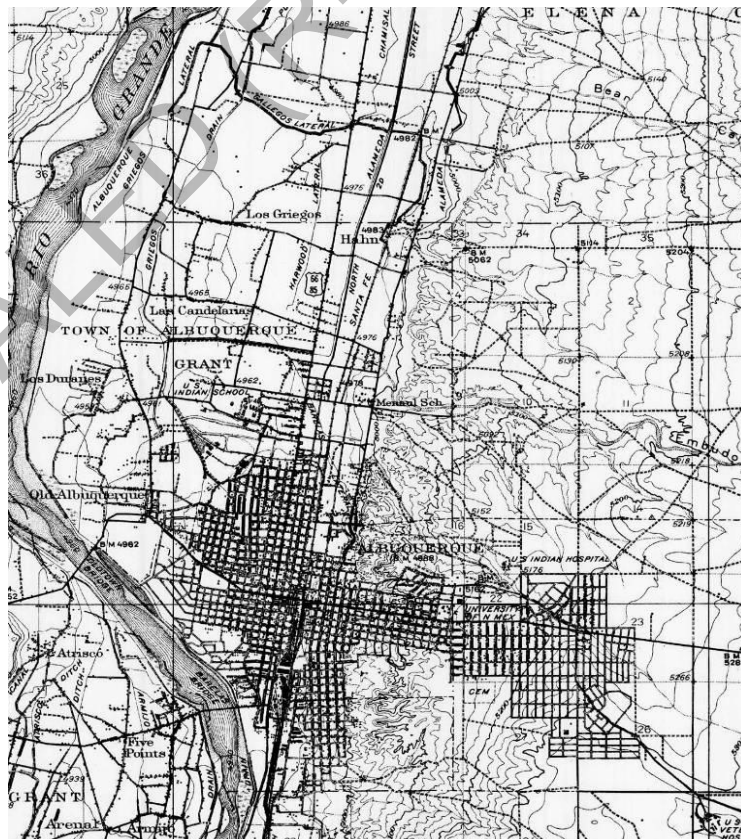


FIGURE 2-4 1938 U.S.G.S. MAP

## 2.2 HISTORIC & ARCHITECTURAL RESOURCES

The success of an area often hinges on bringing the past into the present to change the future.

### 2.2.A INTENT

Numerous commercial and institutional buildings define the historic and architectural character of the Fourth Street NW corridor within the Plan area. So does the nearby Los Alamos Addition Historic District, a swath of which is in the Plan area, and which was listed in the State Register in 2006. The Samuel Shalit House (now Mr. Powdrell's Barbecue House) was listed in the National Register in 1984. Several other commercial buildings along the corridor appear to be eligible for listing. Such listing may improve prospects for their rehabilitation by adding tax credit potential to rehabilitation financing. Historic registration of eligible buildings with owner consent is a goal of the Plan.

Retention, adaptive re-use, and rehabilitation of historic buildings are also goals of the Plan. Retention and rehabilitation can occur whether the buildings remain in original use or other legal uses. The character of the corridor may be protected and enhanced through appropriate controls on rehabilitation projects.

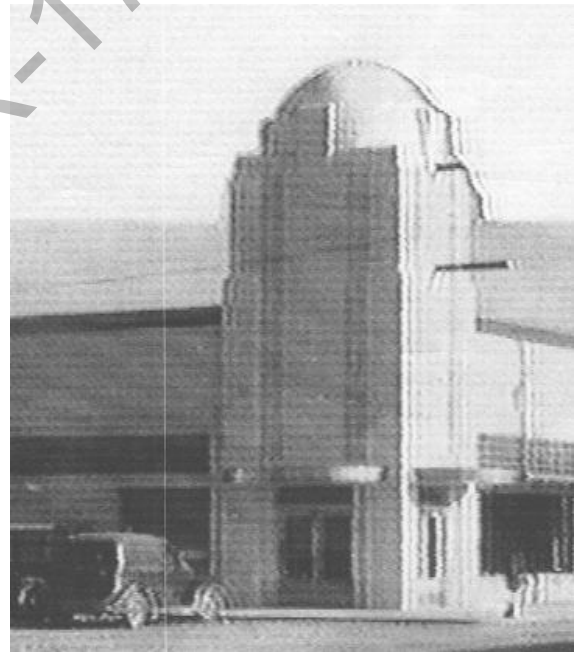


FIGURE 2-5 HISTORIC BUILDING

### 2.2.B HISTORIC BUILDINGS

For the purposes of this plan, **historic building** is defined as in the International Existing Building Code, 2003 Edition, which has been adopted by the City of Albuquerque:

“Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.”

Three buildings in the Plan area meet this definition of historic building:

1. Samuel Shalit House (Mr. Powdrell’s Barbecue House)  
5209 4<sup>th</sup> Street NW  
Listed, State Register of Cultural Properties (#947)  
Listed, National Register of Historic Places
2. House at 321 Sandia Road NW  
Designated “contributing” in the Los Alamos Addition Historic District  
District listed, State Register of Cultural Properties (#1893)
3. House at 313 Placitas Road NW  
Designated “contributing” in Los Alamos Addition Historic District  
District listed, State Register of Cultural Properties (#1893)



## 3 REGULATORY PLAN

*Form-based codes (FBCs) regulate development at the scale of an individual building or lot, encouraging independent development by multiple property owners. The built results of FBCs often reflect a diversity of architecture, materials, uses, and ownership that can only come from the actions of many independent players operating within a communally agreed-upon vision and legal framework.*

### 3.0 INTRODUCTION

This Regulatory Plan establishes The North Fourth Street Form-Based Overlay Zone (Overlay Zone) and corresponding Districts to regulate lot layout, building form, frontage, building articulation, parking, street designations and standards, block configuration, landscaping, lighting and signage. The Overlay Zone provides the regulatory framework necessary for implementing many of the urban design goals for the corridor. The intent is to permit and encourage higher land use intensity with more compact and walkable developments than allowed under current zoning.

### 3.1 FORM- BASED OVERLAY ZONE AND DISTRICTS

The Overlay Zone regulates new development for properties in the Plan area and may expand the uses and increase intensities of a property's underlying zoning. Permissive uses regulated by the underlying zoning and existing conditional uses are allowed to remain whether or not the Overlay Zone applies. If, however, the Overlay Zone applies, the prohibited uses listed on page 25 are not permitted. Trigger mechanisms listed on page 21 will be used to determine when new development is required to build according to the Overlay Zone standards.

The North Fourth Street Form-Based Overlay Zone contains general provisions for the entire zone as well as establishing three distinct Development Districts and a Historic Area District with corresponding regulations that respond to desired development in the context of those districts. Each Development District regulates land development through permitted building forms and establishes standards for setbacks, heights, encroachments, parking, and landscaping. Each Development District may utilize a number of different building forms. But, because the districts differ from one another, not all building forms are suitable for all zones. The Historic Area District regulates land development through permitted uses and design standards for setbacks, heights, parking and landscaping,

Please refer to North Fourth Street Form-Based Overlay Zone Map, page 17, for the locations and boundaries of the Districts. Brief descriptions of the Districts are as follows:

#### **3.1.A NORTH FOURTH TRANSIT ORIENTED DEVELOPMENT (NFTOD) DISTRICT**

The NFTOD District is designed for the major transit areas of the corridor. The District covers parcels in the southern portion of the corridor from Mountain Road to north of Menaul Boulevard and parcels at the northern portion of the corridor along Montano Road and Fourth Street to the Railroad tracks. The intent of NFTOD District is to support and take advantage of transit investments by serving relatively large areas, providing community-serving retail and services and high density housing.

#### **3.1.B NORTH FOURTH MIXED USE DEVELOPMENT (NFMXD) DISTRICT**

The NFMXD District is designed as a pedestrian scale, principally commercial development area that is integral to a mixed use neighborhood. This district establishes commercial and mixed uses that serve residential neighborhoods, and can be used to redevelop existing shopping areas and centers. The area is generally along Fourth Street from Menaul Boulevard to Solar Road.

#### **3.1.C NORTH FOURTH INFILL DEVELOPMENT (NFID) DISTRICT**

The NFID District serves as a buffer and provides a standard to encourage the context-sensitive development of empty lots or the redevelopment of sites in substantially built up areas. It offers relief from rigid zoning, while ensuring that new development respects its surroundings and achieves compact, pedestrian friendly environments. The District is situated in key areas near existing neighborhoods along the northern and middle portion of the corridor.

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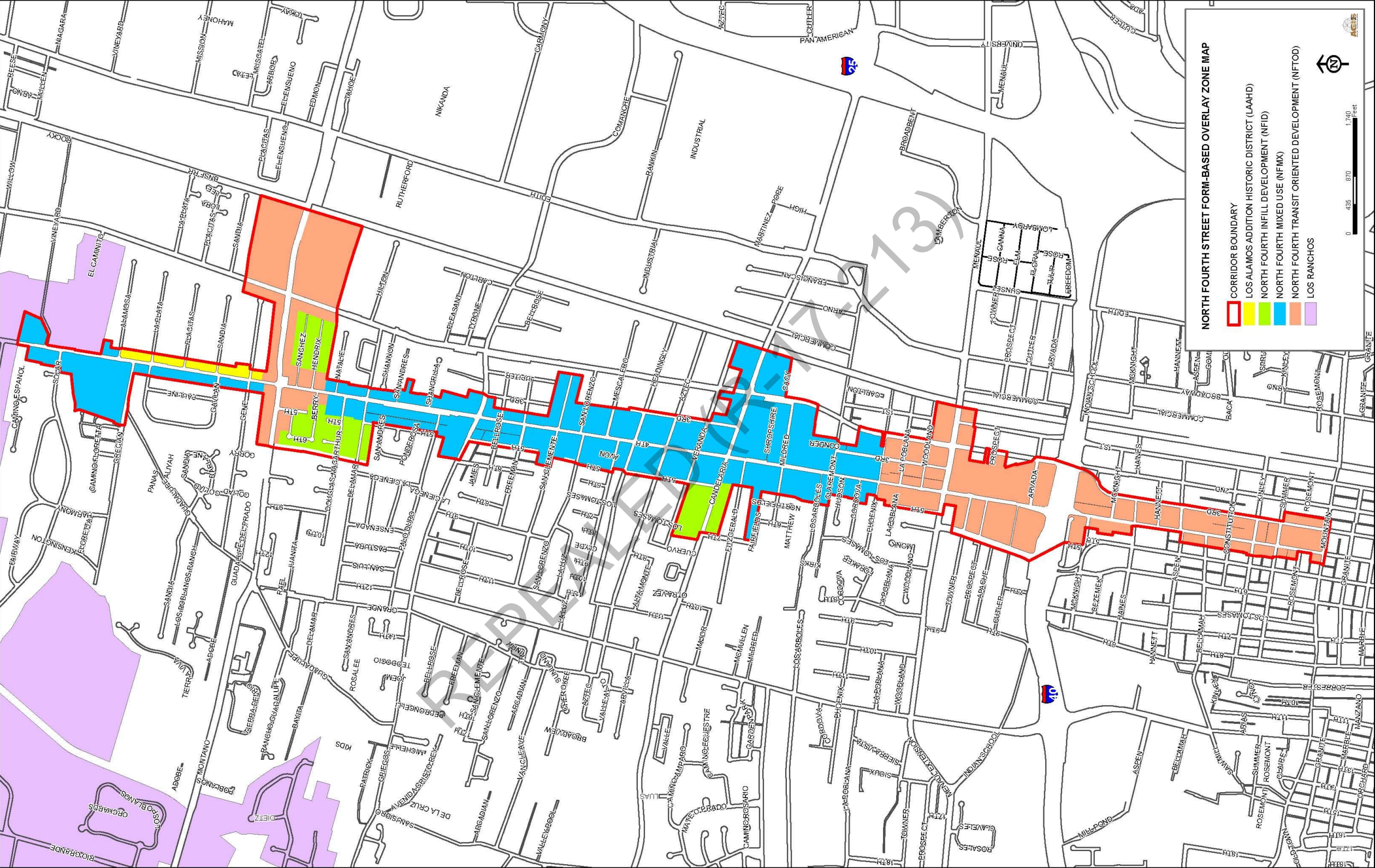
### 3.1.D LOS ALAMOS ADDITION HISTORIC AREA (LAAHA) DISTRICT

The Los Alamos Addition Historic Area District establishes commercial uses that are compatible with the Los Alamos Addition area's historic nature and semi-rural aesthetic. The commercial and mixed uses allowed in this district are neighborhood scale and will serve the LAAHD's residential neighborhoods. The standards are intended to create a safe pedestrian scale environment along Fourth Street, orient buildings toward the public right of way and maintain clear separation between commercial and mixed uses and residential areas. The LAAHD generally covers the parcels along the east side of Fourth Street from Gene Road to Guadalupe Trail.

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FIGURE 3-1 NORTH FOURTH STREET FORM-BASED OVERLAY ZONE MAP

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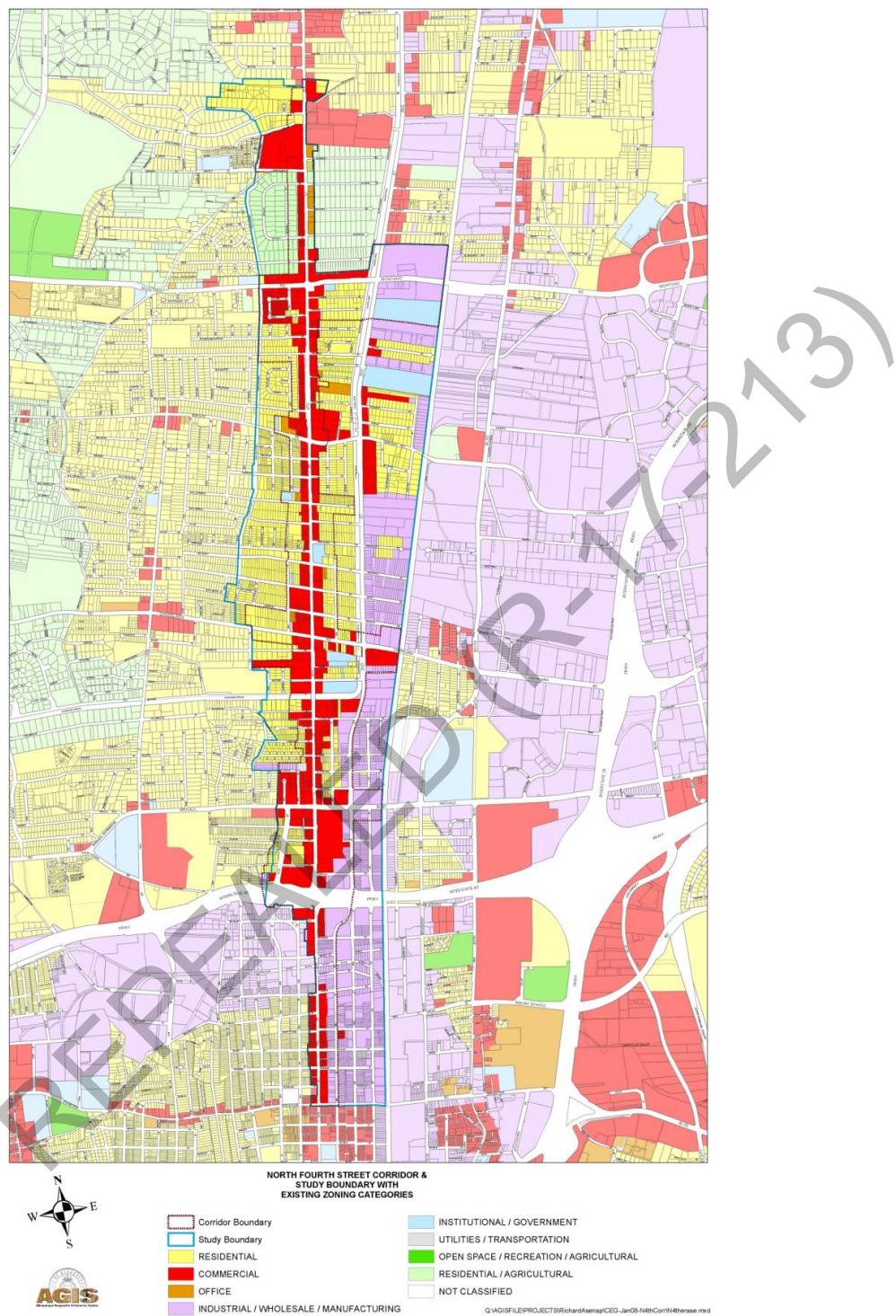


FIGURE 3-2 MAP OF EXISTING ZONING

### 3.2 OVERLAY ZONE GENERAL PROVISIONS

The following provisions apply only to areas of the Plan that are within the boundaries of the Overlay Zone. Development not subject to the Overlay Zone standards will be regulated by the underlying existing zoning including the general regulation of the City Comprehensive Zoning Code (Chapter 14, Article 16, Code of Ordinances).

#### 3.2.A USING THIS DOCUMENT

- 1) Locate property on the North Fourth Overlay Zone Map page 17 and determine which District applies.
- 2) Review application of Overlay Zone and determine if Overlay Zone is required or optional. If required or owner has chosen to apply the Overlay Zone, review corresponding development review process for development on the property. If the Overlay zone is not required or requested by its owner, refer to the City's Comprehensive Zoning Code for existing underlying zoning and omit steps 3 through 8 below.
- 3) Review General Provisions, Land Uses, and Standards, Section 3.2.B, beginning on page 20.
- 4) For property located in the NFTOD, NFMXD, and NFID Districts, review building forms permitted by applicable Development District and select appropriate building form.
- 5) For property located in the LAAHA District, review permitted uses list on page 50.
- 6) Follow General Overlay Zone Standards for solar access, frontages, materials, parking and landscape.
- 7) Follow selected District standards for:
  - a. Densities, Intensities and Height
  - b. Building Frontage and Articulation
  - c. Building Placement
  - d. For development in the LAAHAD: Additional and/or specific standards for street walls, lighting, and parking,
- 8) For development in the NFTOD, NFMXD, and NFID Districts, follow selected Building Form and associated Building Frontage standards.
- 9) For development in the LAAHAD, follow the City's Comprehensive Zoning Code for any additional regulations or standards associated with selected use.



### 3.2.B APPLICATION OF OVERLAY ZONE

The following trigger mechanisms will continue to be used by the Planning Director and/or the Zoning Enforcement Officer and/or their designees to determine when new development is required to build according to the Overlay Zone standards. Development not regulated by the Overlay Zone will be regulated by the underlying existing zoning including the general regulations of the City Comprehensive Zoning Code (Chapter 14, Article 16, Code of Ordinances).

### 3.2.C OVERLAY ZONE STANDARDS ARE REQUIRED AS A RESULT OF:

- 1) Construction of a new building after voluntary demolition of existing building.
- 2) Construction of new building on a vacant premise.
- 3) Additions of greater than 25% of the gross square footage of existing structure.
- 4) Commencement of a new use that is permissible under the Overlay Zone but is not permissible with the underlying zone.
  - a. To encourage adaptive reuse of existing buildings allowed by the underlying zoning that can be reasonably accommodated by the existing building and site will require review and administrative approval by the Planning Director.
- 5) Change to a new Conditional Use under existing zoning that was not being employed on that premise before Corridor Plan adoption.

### 3.2.D OVERLAY ZONE STANDARDS ARE NOT REQUIRED AS A RESULT OF:

- 1) Construction of a replacement building after involuntary damage to or destruction of existing building (such as fire damage).
- 2) Repair or remodeling of the interior or exterior of the existing building including but not limited to changes to comply with current building codes.
- 3) Additions of equal to or less than 25% of the gross square footage of existing structure.
- 4) Change in use to a permissive use allowed by the underlying zoning unless listed as a "prohibited use" under the Overlay Zone General Land Uses, page 25.
- 5) Continuation or recommencement of a conditional use of a premise that was approved before Corridor Plan adoption.
- 6) Change in ownership of a premise.
- 7) Continuation of use on a parcel that was permissive before Corridor Plan adoption.

### 3.2.E DEVELOPMENT REVIEW PROCESS

The development review process under the Overlay Zone provides incentives for its use by simplifying and shortening the review process on projects complying with these regulations; encouraging higher densities and floor area ratios, promoting mixed uses within a building and providing reductions in parking requirements. Tables 3-1 and 3-2 outline the development review process for NFTOD, NFMXD, NFID Districts and the LAAHA District.

NFTOD, NFMXD & NFID Districts		
Building Forms	Approvals	
	Compliant	Major modifications or Non-compliant
Detached single-family dwelling Side-yard Dwelling Townhouse, Rowhouse, Courtyard Townhouse Accessory Unit/Carriage House Duplex, Triplex, Fourplex	<b>Building Permit</b>  <b>Review by Zoning Enforcement Officer</b>	<b>Site Development Plan &amp; Building Permit</b>  <b>Reviewed by DRB or EPC (As determined by Planning Director)</b>
Terrace Apartment Courtyard Apartments Flex Building Live-Work Unit Liner Building Auto Accessed Standalone Commercial Civic or Institutional Building Structured Parking	<b>Site Development Plan &amp; Building Permit</b>  <b>Reviewed By Zoning Enforcement Officer</b>	

TABLE 3-1 NFTOD, NFMXD & NFID DISTRICTS DEVELOPMENT REVIEW PROCESS

LAAHA District		
Permitted Uses	Approvals	
	Compliant	Non-Permissive Use
<ul style="list-style-type: none"> <li>• Single family residential</li> <li>• Townhouses</li> <li>• Doctor's office</li> <li>• Acupuncture clinic</li> <li>• Chiropractor clinic</li> <li>• Law office</li> <li>• Architect/engineer's office</li> <li>• Income tax service</li> <li>• Insurance agency</li> <li>• Real estate brokerage</li> <li>• Art gallery</li> <li>• Picture framing shop</li> <li>• Bookstore</li> <li>• Jewelry store</li> <li>• Tailor shop</li> <li>• Neighborhood Park and/ or Streetscape</li> </ul>	<p><b>Site Development Plan</b></p> <p><b>&amp;</b></p> <p><b>Building Permit</b></p> <p><b>Reviewed by</b></p> <p><b>Zoning Enforcement Officer</b></p>	<p><b>Zone Change</b></p> <p><b>Site Development Plan</b></p> <p><b>&amp;</b></p> <p><b>Building Permit</b></p>

TABLE 3-2 LAAHAD DEVELOPMENT REVIEW PROCESS

- 1) All development of more than 5 acres that is substantially in compliance with the Overlay Zone will require review and administrative approval by the Planning Director.
- 2) Adaptive reuse of an existing building may require review and administrative approval by the Planning Director.
- 3) Overlay Zone interpretations and determinations of substantial compliance are determined by the Zoning Enforcement Officer (ZEO) as per Development Process Manual: Volume 1- Procedure -Chapter 7 Building Permit Process.
- 4) Major Modification or non-compliance will be referred to the EPC or DRB as determined by the Planning Director
- 5) The provisions of Chapter 14, Article 11: Solar Energy; Permits Code of Ordinances, apply to all zones.
- 6) Where this regulating plan conflicts with the Subdivision Regulations (Revised Code of the City of Albuquerque ("ROA") §14-14-1-1 et seq.) or Development Review Manual, this regulating plan prevails.
- 7) All decisions are appealable as outlined in the Zoning Code.

**Site Development Plans** are intended to encourage innovation in planning and design by providing the flexibility to adjust zoning regulations such as setback requirements and height limitations. Site Development Plans must provide enough detail to satisfy the City that the proposed development is compatible with neighboring zones and/or land uses. All Site Development Plans must be accompanied by a Landscaping Plan. Approaches to conservation through landscaping may be shown on the Landscaping Plan.

**Site Development Plan:** an accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies:

- 1) For Subdivision: the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height minimum building setback, and maximum total dwelling units and for non-residential uses, maximum floor area ratio.
- 2) For Building Permits: in addition to information required for subdivision, exact structure locations, structure (including sign) elevations and dimensions, parking facilities, loading facilities, any energy conservation features of the plan, for example, appropriate landscaping, building heights and siting for solar access, provision for non-auto transportation, or energy conservational building (construction), and proposed schedule for development. Similar, related data may be required when relevant to the City's evaluation. (Section 7-14-5.B. R.O.A. 1994).

#### **Submittal Checklist**

In order to clarify and expedite the permitting process, a submittal checklist shall be provided by the Planning Department for all proposed development submitting to the Overlay Zone Standards.

### **3.3 OVERLAY ZONE GENERAL LAND USES**

In the NFTOD, NFMXD and the NFID Districts the Overlay Zone building forms permit different uses including uses assigned to each floor of a mixed use development. Suggested uses, stated in general terms (e.g., retail, residential), are identified for each building form beginning on page 53, but such suggested uses are not mandatory nor do they prohibit other uses of such building forms. In the LAAHA District land use is limited to permitted uses listed under 3.8 A page 50. All other uses are prohibited.

It is the intent of the Overlay Zoning that existing buildings be rehabilitated for adaptive reuse whenever possible, rather than demolition, to meet the form-based regulations.

Application of Overlay Zone Standards shall not change the underlying zoning or existing conditional uses except for the prohibited uses listed in Section 3.3A below.

### 3.3.A PROHIBITED USES

The following uses shall be the only uses specifically prohibited within the Overlay Zone:

- 1) sale of alcoholic liquor for off-premise consumption except at a grocery store (service station convenience store is not considered a grocery store);
- 2) adult amusement establishments, adult bookstores, adult photo studios or adult theaters;
- 3) toxic waste disposal;
- 4) cement plant;
- 5) truck terminal;
- 6) outside storage as a primary use;
- 7) automobile dismantling; and
- 8) rendering plant

## 3.4 OVERLAY ZONE GENERAL STANDARDS

### 3.4.A APPLICABILITY

These standards apply to all new development controlled by the Overlay Zone in all Districts of the North Fourth Street Overlay Zone. If development is not required to follow regulations of the Overlay Zone, the existing underlying zoning continues to apply.

Specific District Standards regulating Permitted Building Forms, Permitted Frontage Types, Densities, Intensities and Height, Building Frontage and Articulation, and Building Placement, begin on page 40.

### 3.4.B MODIFICATIONS OF STANDARDS AND NON-COMPLIANT DEVELOPMENT

The standards of the Overlay Zone provide certainty for applicants, neighborhoods and zoning staff. However, these standards are not intended to limit creativity or to ignore unique site or neighborhood conditions. The standards are intended to allow creativity to provide acceptable alternatives within the framework of the standards.

The standards may be modified and non-compliant plans may be approved if the proposed modification or non-compliant plan is:

- 1) Consistent with the Comprehensive Plan and the Planned Growth Strategy;
- 2) A reasonable accommodation of unique site or neighborhood conditions; and
- 3) Supportive of returning North Fourth Street to a vibrant people oriented boulevard that fosters business in the corridor.

The applicable District regulations may permit additional modifications or non-compliant plan. Standards may also be varied under the variance process for zoning (ROA § 14-16-4-2) or subdivisions (ROA § 14-14-6).

#### 3.4.C TRAFFIC IMPACT

If the proposed development goes through a site planning process and if it will create more than 100 A.M. or P.M. peak hour trips entering or exiting the site, the Environmental Planning Commission or the Development Review Board may require a Traffic Impact Study be submitted.

The following measures must be included as part of the mitigation required as part of the TIS:

- 1) Commercial buildings must provide pedestrian access to adjoining properties, where the adjoining property owner has allowed access to the property.
- 2) A building's onsite circulation system shall connect to existing or proposed streets, access-ways and driveways, or be stubbed out to adjoining property if the adjoining property is undeveloped.
- 3) Buildings must provide direct pedestrian connections between transit stops and building entrances.

#### 3.4.D STREET DESIGNATIONS

Building frontage, access and parking regulation found in the Building Form standards often reference and are determined by the types of streets bordering the site. All streets on or bordering a site, excluding alleys, shall be designated a "Pedestrian/Transit Oriented" Street or a "Side" Street, as follows:

"Pedestrian/Transit Oriented" streets include Fourth Street, Candelaria Road, Menaul Boulevard, Griegos Road and Montano Road. "Side" streets include all streets except those defined as "Pedestrian/Transit Oriented" streets above.

### 3.4.E BUILDING FORMS

The North Fourth Street Form-based Overlay Zone establishes 18 building forms beginning on page 53, which regulate the following components to ensure compatibility between uses:

- 1) Access and Entry
- 2) Parking
- 3) Frontage
- 4) Building Width
- 5) Massing
- 6) Exposure to Light and Air
- 7) Building Length
- 8) Articulation
- 9) Open Space
- 10) Placement and Massing
- 11) Orientation and Composition

The NFTOD, NFMXD and NFID Districts permit a distinctive array of building forms. Permitted building forms for each of these Districts are listed in Table 3-3. Building forms that exist at the time of the adoption of this plan with existing conforming uses are legal, non-conforming building forms.

The LAAHA District does not use a form based approach, and all new development will follow district standards as outlined in Section 3.8 beginning page 50.

NFFBOZ Building Forms	Districts			
	NFTOD	NFMXD	NFID	LAAHAD
p= permitted by right				
<b>RESIDENTIAL BUILDING FORMS</b>				
Detached Single-Family Dwelling			p	N/A
Side-yard Dwelling			p	N/A
Townhouse, Rowhouse, and Courtyard Townhouse	p	p	p	N/A
Accessory Unit / Carriage House	p	p	p	N/A
Duplex, Triplex and Fourplex	p	p	p	N/A
Terrace Apartment	p	p	p	N/A
Courtyard Apartments	p	p		N/A
<b>COMMERCIAL OR MIXED USE BUILDING FORMS</b>				
Flex Building	p	p	p	N/A
Live-Work Unit	p	p	p	N/A
Liner Building	p	p		N/A
<b>UTILITARIAN BUILDING FORMS</b>				
Auto Accessed	p	p		N/A
Standalone Commercial	p	p		N/A
Civic or Institutional Building	p	p	p	N/A
Structured Parking	p	p		N/A

TABLE 3-3 PERMITTED BUILDING FORMS



### 3.4.F FRONTAGE TYPES

All Frontage Types as illustrated and described beginning on page 73 may be used in the NFTOD, NFMXD and NFID Districts as prescribed by the corresponding Building Forms. These Frontage Types include:

- 1) Forecourt
- 2) Front Yard
- 3) Portal (Arcade)
- 4) Porch
- 5) Shop Front
- 6) Stoop

### 3.4.G BUILDING MATERIALS

Building materials should reflect and complement the traditional materials and techniques of New Mexico. They should express the construction techniques and structural constraints of traditional, long-lasting building materials and the specific climate of Albuquerque. Simple configurations and solid craftsmanship are favored. All building materials to be used shall express their specific properties. Prohibited materials include: unpainted and unfinished metal paneling as the major façade material; smooth faced concrete block as the major façade material.

### 3.4.H STREET WALLS

Permitted street wall materials include native/regional stone and equivalent imitation stone; metal (wrought iron, welded steel and/or aluminum), brick, stucco, and a combination of up to 3 of these materials. Painted concrete block, painted concrete, light gage sheet metal, barbed wire and razor ribbon are prohibited. Configurations and techniques are consistent with those identified above for Building Materials.

Within the LAAHA District, walls along Fourth Street such as screening walls and street walls shall reflect the Los Alamos Addition area's historic nature.

Appropriate construction materials shall include adobe, stabilized adobe, rammed earth, and earth toned plaster and stucco. Metal accents and arched openings/gates in walls are also encouraged.

### 3.4.I GLAZING

In structures adjacent to "Pedestrian/Transit Oriented" streets, glass or similar surfaces shall possess a minimum of 75% light transmittance factor on the ground floors fronting "Pedestrian/Transit Oriented" streets and a minimum of 60% light transmittance factor on floors above, as indicated by the manufacturer's specifications.

### 3.4.J SIGNAGE

#### Purpose and Intent

The standards in this section apply to all development and parcels controlled by the Overlay Zone standards. The standards are intended to ensure that signs are clear, informative to the public and weather well. Signage is desirable for advertising shops and offices, and as decoration. Signs should be scaled (reduced in size) to the desired nature of the district. Signage that is glaring or too large creates distraction, intrudes into and lessens the visual experience, and creates clutter. This section generally regulates only the sign structure or copy design, and not the sign's content.

Signs not regulated by this section will be regulated by the General Sign Regulations 14-16-3-5 and shall follow applicable zoning requirements of the City Comprehensive Code. If this section and a portion of the General Sign Regulations conflict, this section applies. This section does not apply to political signs or any other sign displaying a noncommercial message. Any sign authorized in this Article is allowed to contain noncommercial copy in lieu of any other copy.

- 1) Sign Configurations for Flex Buildings, Live-Work, Auto Accessed, Standalone Commercial Buildings, Liner Buildings, Civic or Institutional Buildings, and Structured Parking:
  - a. Wall signs are permitted within the area between the second story floor line and the first floor ceiling, within a horizontal band not to exceed 2 feet in height.
  - b. Signs shall not come closer than 2 feet to an abutting private lot line.
  - c. Logos, names or noncommercial messages may be placed within the horizontal band as defined above, or placed or painted within ground floor or second story windows. Logos that fit within a rectangle no larger than 8 square feet and are located within the span of the top story are permitted.
  - d. A masonry or bronze plaque may be placed in the building's cornice or a parapet wall or under the eaves, and above the upper story windows. The plaque shall be no larger than a rectangle of 18 square feet.
  - e. Street addresses may be placed at between 6 feet and 12 feet above grade using 6 to 10 inch tall, non-cursive type lettering.
  - f. Refurbishment of historic wall signs and neon signs is permitted and encouraged.
- 2) Projecting Signs:
  - a. may be hung below the third story level, perpendicular to the ROW;
  - b. may be supported from an overhang or awning;

- c. shall not project more than 4 feet, perpendicular to the ROW and beyond the façade;
- d. may not exceed 8 feet in area; and,
- e. must be located so as to permit at least 9 feet clear in height above the sidewalk.

3) Prohibited Signs

The following signs are prohibited for development and parcels controlled by the Overlay Zone standards:

- a. Off-premise signs
- b. Pole signs
- c. LEDs are prohibited as wall signs.

4) Special Signage

No flashing, traveling, animated, or intermittent lighting shall be visible on the exterior of any building in the North Fourth Infill Development District.

### 3.4.K LIGHTING

#### Purpose and Intent

The standards in this section apply to all development and parcels controlled by the Overlay Zone standards. Appropriate lighting is desirable for nighttime visibility, crime deterrence, and decoration. However, lighting that is too bright or intense creates glare, hinders night vision, and creates light pollution. All lighting shall be fully and permanently shielded by way of full cut-off fixtures or other means that allows light to be focused on where it is needed but prevents the light source itself from being visible. Lighting shall be positioned only in permanent configurations and in such a way that no direct, exterior illumination trespasses into any adjacent or nearby residential property.

Light poles and fixtures in the LAAHD shall have a historic/retro look, and shall be directed downward to minimize fugitive lighting of the surrounding area. To increase pedestrian safety, all bus stops and other outdoor seating areas shall also be well lighted.

Generally, site lighting shall be of a design and height and shall be located so as to illuminate only the lot. Up-lighting is not permitted. An exterior lighting plan must be consistent with these standards.

1) Exterior Building Lights

- a. On the street front elevation, exterior lights shall be mounted between 6 feet and 14 feet above adjacent grade.

2) Alleys

- a. All lots with alleys shall have lighting fixtures between 8 and 12 feet in height that illuminates the alley but are shielded or aimed in such a way that they do not shine into abutting lots.

3) Lighting Elements

- a. Lighting elements shall be compact fluorescent, metal halide or halogen only. No HID or fluorescent tube lights (excepting compact fluorescent bulbs) may be used on the exterior of buildings.

4) Floodlights and Directional Lights

- a. Floodlights or directional lights may be used to illuminate alleys, parking garages and working (maintenance) areas, but must be shielded or aimed in such a way that they do not shine into other lots or the street.

#### 3.4.L MECHANICAL EQUIPMENT

The following shall not be stored or located within any street ROW, and shall be screened from view from the street ROW and adjoining lots: air compressors, mechanical pumps, exterior water heaters, water softeners, , garbage cans, storage tanks, and similar equipment. Roof mounted equipment shall be screened from view from the street ROW contiguous to the lot and all adjoining lots.

1) Roof-mounted mechanical equipment shall be screened by parapet walls or structural features. The minimum height of the parapet walls or structural features shall be as follows:

- a. 42" if the roof top equipment is within 10 feet of the building wall;
- b. 30" if the roof top equipment is within 20 feet of the building wall;
- c. 18" if the roof top equipment is beyond 20 feet of the building wall.

2) Wall-mounted mechanical and electrical equipment on major facades is discouraged. If used, it shall be screened by dense evergreen foliage or by other acceptable screening devices. Wall-mounted mechanical equipment on non-major facades shall be painted to match the color of the subject building or screened by other acceptable screening devices.

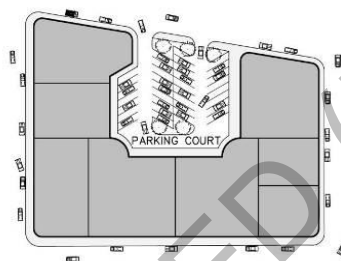
- 3) Ground-mounted mechanical and electrical equipment, excluding transformers, adjacent to a major facade shall be screened through use of walls, earth berms, dense evergreen foliage or other acceptable screening devices. New development should provide adequate clearance of ten feet in front of the equipment and at least five feet on the remaining three sides surrounding all ground-mounted equipment for safe operation, maintenance and repair purposes.

REPEALED (R-17-213)

### 3.4.M GENERAL PARKING STANDARDS

The standards in this section apply to all development and parcels controlled by the Overlay Zone. In addition to the parking location standards prescribed for each of the Building Forms, the following general standards apply:

- 1) Within the NFTOD, NFMXD and NFID Districts, off street parking shall be primarily located behind or under the principal structure. A common parking area may be located interior to the block.
- 2) Within the LAAHA District, all off street parking shall be located in front, or on the side of the principal structure. No auto uses, including alleys, parking, and drive aisles shall be located between the principal building and abutting residential properties.
- 3) Teaser parking and side parking with visibility and frontage on Fourth St could be utilized with screening by a building or combination of 3' high minimum wall and landscaping elements.



**FIGURE 3-3 EXAMPLE OF "TEASER PARKING"**

- 4) Teaser Parking is permitted for commercial or mixed use building forms with at least 200 ft frontage. Teaser parking is a small parking court located in front of the building, and enclosed on three sides by the building, to provide visible parking to retail uses without impacting pedestrian comfort. Maximum 30% of total parking requirement can be met in a teaser parking area. Building forms frontage minimums can be reduced by 50% along the public street. Permitted Frontage types include shop fronts, portals and forecourts.
- 5) Existing alleys in the NFTOD, NFMXD, and NFID Districts shall remain and where possible extended to provide access for parking, loading and trash collection.
- 6) New alleys or access easements shall be required where possible and shall follow regulations in Chapter 23 Traffic & Street Standards section 2-1A.
- 7) On street parallel parking is permitted and encouraged along all street frontages except at transit stops. Diagonal on-street parking is only permitted on "Side" streets. On-street parking provisions will be defined by the 30% Fourth Street Corridor Design.

- 8) A 5 foot pedestrian access path shall be maintained between building and parking area. For all parcels that front Fourth Street north of Douglas MacArthur Road to the city limits; a 6 foot pedestrian access path shall be maintained between building and parking area at all times.

### 3.4.N PARKING SPACE REQUIREMENTS

#### Applicability

The minimum vehicle parking space requirements and reduction factors of the § 14-16-3-1(A) (Off-Street Parking Regulations) apply to all development or parcels controlled by the Overlay Zone, except as follows.

- 1) Projecting Demand  
For individual uses, the minimum number of parking spaces required for individual uses is calculated by using Table 3-4 Parking Projected Demand and by applying reduction factors for mixed-use development and proximity to transit (subsections 2 and 4 below).

Use of Building Form	Peak Demand
Amusement enterprises	1 space per 4 occupants
Banquet halls	1 space per 4 seats
Cultural facilities	1 space per 3 seats
Cinemas, theaters & auditoriums	1 space per 3 seats
Community & Recreation Facilities	1 space per employee plus 1 space per 1000 square feet, plus curbside drop-off
Office	3 spaces per 1,000 square feet (net leasable area)
Retail liner building, less than 30 feet deep and one story in height	Exempt from parking requirements
Liner building, more than 30 feet deep or more than one story	3 spaces per 1,000 square feet (net leasable area)
Personal services	3 spaces per 1,000 square feet (net leasable area)
Professional services	3 spaces per 1,000 square feet (net leasable area)
Residential and Live-Work	1.5 spaces per 1 bedroom & studio 1.5 spaces per 2 bedrooms 1.5 spaces per 3+ bedrooms
Residential Accessory Units	1 space per unit
Restaurant	Per § 14-16-3-1 ROA 1994 "Restaurant; bar": one space for each four seats for establishments without a full service liquor license; otherwise one space per three persons of permitted fire occupancy load.
Retail trades	3 spaces per 1,000 square feet (net leasable area)
Warehouse	1 space per 2,000 square feet (net leasable area)

TABLE 3-4 PARKING PROJECTED DEMAND

## 2) Reduction Factors:

Parking reductions from § 14-16-3(1) (a) apply, along with the following:

- a. Uses within the NFTODD may factor a 10% reduction in parking.
- b. Uses within 650 feet of Bus Rapid Transit Stops, the Rail Runner platform or Streetcar stations may factor a 20% reduction in parking requirements.

Reduction factors may be added together but the total shall not exceed 40% reduction.



## 3) Calculating Supply

Parking requirements shall be met by considering the sum of all:

- a. on-site parking (at surface and in structures), plus
- b. on-street parking contained within or immediately abutting the project, plus
- c. contributions made by off-site parking facilities available to uses of the building within 660' (including joint use facilities).

## 4) Shared Parking

The required minimum parking requirement may be reduced where parking is shared between uses that have different peak parking periods, as calculated below:

Locate the shared parking reduction ratio for the shared parking use in the table below. Calculate the adjusted minimum parking requirement by dividing the required combined minimum parking for the individual uses for which there is shared parking (from subsections A and B above), by the shared parking reduction ratio in the Table 3-5 below.

Type of Use	Residential	Lodging	Office	Retail
Residential		1.1	1.4	1.2
Lodging	1.1		1.7	1.3
Office	1.4	1.7		1.2
Retail	1.2	1.3	1.2	

TABLE 3-5 SHARED PARKING

## 3.4.O SCREENING REQUIREMENTS

The following screening standard applies to parcels that front Fourth Street north of Douglas MacArthur Road to the city limits. The intent is to provide adequate separation between commercial and residential areas by requiring screening walls between commercial uses along Fourth Street and abutting residential properties.

1. Screening walls shall be at least 6 feet high from the highest grade/ elevation and constructed from permitted material.

### 3.4.P GENERAL LANDSCAPING STANDARDS

The standards in this section apply to all development and parcels controlled by the Overlay Zone. In addition to the landscape location standards prescribed for each of the Building Forms, the following general standards apply:

#### 3.4.P.1 LANDSCAPE

Landscape standards shall be per the City of Albuquerque Zoning Code (§14-16-3-10) with the following exceptions:

- 1) The mature spread of a tree's canopy may count towards the 75% Required Vegetative Ground Cover (§14-16-3-10(G)(3)) for landscape areas up to 100sf.
- 2) The use of tree grates is permitted for all tree wells.
- 3) Building setbacks not used for pedestrian activity shall have a minimum landscape area of 50%.
- 4) Asphalt is not a permitted material within the setback area.
- 5) Landscaping on roof decks may be counted toward the required area landscaping.

#### 3.4.P.2 LANDSCAPE BUFFERS:

- 1) Front Landscape Buffers: Where parking areas front on a public or private street, a minimum three foot deep landscaped area with a four foot high screen wall adjacent to the parking area shall be maintained between the parking area and the street.
- 2) Side/Rear: A minimum landscaped buffer six feet deep with a minimum four foot high screen wall adjacent to the parking area shall be required between parking areas and abutting residential zones. The landscape buffer shall be planted primarily with evergreen trees or tall shrubs capable of screening the parking area from the abutting residential zone.

- 3) Off-street Parking Area Landscaping per Zoning Code §14-16-3-10, with the following exceptions:
  - a. One tree is required for every 8 spaces;
  - b. No parking space may be more than 50 feet from a tree trunk

#### 3.4.Q GENERAL UTILITY STANDARDS

Infrastructure will need to be coordinated as appropriate with all affected utility companies. Public utility easements (PUEs) of adequate width and appropriate location should be established to accommodate the extension of public utility facilities and to ensure the safety of the public as well as the utility crews who maintain and repair the facilities. Transmission facilities are not included in PUEs. Utilities and their related facilities are allowed in all zones.

REPEALED (R-17-213)

### 3.5 NORTH FOURTH TRANSIT ORIENTED DEVELOPMENT (NFTOD) DISTRICT

All uses are allowed with the exception of the prohibited uses listed on page 25 of this plan. The NFTOD District covers parcels in the southern portion of the corridor from Mountain Road to north of Menaul Boulevard and parcels at the northern portion of the corridor along Montano Road and Fourth Street to the Railroad tracks. The intent of NFTOD District is to support and take advantage of transit investments by serving relatively large areas, providing community-serving retail and services and high density housing. See Overlay Zone Map page 17.

Development not regulated by the Overlay Zone will be regulated by the underlying existing zoning including but not limited to the general regulations of the City Comprehensive Zoning Code (Chapter 14, Article 16 Code of Ordinances).

Within North Fourth TOD District, any new multistory buildings are encouraged to include the following uses along at least 50% of their frontage at the street level:

- 1) Multifamily dwellings or their lobbies
- 2) Hotels and their lobbies
- 3) Retail Establishments
- 4) Food Store, Bakery, Shops, Ice Cream, General Business Services
- 5) Movie Theaters
- 6) Museums, Art Galleries or Libraries
- 7) Offices
- 8) Personal Service Establishments
- 9) Professional Services
- 10) Restaurants and Bars

#### 3.5.A PERMITTED BUILDING FORMS:

The following Building Forms as described beginning on page 53, are allowed in the NFTOD District:

- 1) Residential Building Forms:
  - a. Townhouse, Rowhouse, and Courtyard Townhouse
  - b. Accessory Unit / Carriage House
  - c. Duplex, Triplex & Fourplex
  - d. Terrace Apartment
  - e. Courtyard apartments
- 2) Commercial or Mixed Use Building Forms:

- a. Flex Building
- b. Live-Work Unit
- c. Liner Building

3) Utilitarian Building Forms:

- a. Auto Accessed
- b. Standalone commercial
- c. Civic or Institutional Building
- d. Structured Parking

### 3.5.B PERMITTED FRONTAGE TYPES

All six Frontage Types as described on beginning page 73, are permitted as prescribed by the Building Form.

### 3.5.C DENSITIES, INTENSITIES AND HEIGHT

- 1) The following minimums are encouraged but not mandatory:

a) Minimum Average Residential Density	General : 20 dwelling units per acre Within ¼ mile radius of transit station area or major bus transfer point: 24 dwelling units per acre Distance is measured from the boundary of the station area or transfer point; should equate to a five minute walk.
b) Minimum FAR	1.0
c) Minimum Height	2 stories or 26 feet on at least 60% of the block face

TABLE 3-6

- 2) Maximum height in the NFTOD District is limited to the following:

a) Maximum Height	4 stories with a maximum of 52 feet with 3 stories with a maximum of 40 feet on at least 20% of any block face. A 5th story with a maximum of 66 feet is allowed with a 20 ft minimum set back with the following exception: Building area within 75 feet or 1/3 of the site's lot depth, whichever is less, of the property line of a single family residential zoned parcel: 2 stories with a maximum of 26 feet
-------------------	--

TABLE 3-7

### 3.5.D BUILDING FRONTAGE AND ARTICULATION

1) Glazing of ground floor frontage	75% minimum glazing of ground floor width to a height of at least 8 feet above the floor level.
2) Ground story clear height	A ground floor story shall include a minimum 10 foot clear height.
3) Building entryways on streets	40 feet on center minimum or as provided in the Building Form regulations.
4) Articulation on streets	40 feet on center minimum or as provided in the Building Form regulations.

TABLE 3-8

### 3.5.E BUILDING PLACEMENT

1) Front setback	<p>Maximum 10 feet Minimum 0 feet Premises with less than 75 feet of frontage:</p> <p>Maximum 60 feet Minimum 0 feet</p>
2) Side street setback	<p>Maximum 10 feet Minimum 0 feet</p>
3) Side yard setback	<p>Minimum 0 feet From abutting existing single family development: minimum 5 feet</p>
4) Rear setback (shall include rear alley widths)	<p>Minimum 5 feet From abutting existing single family development : minimum 10 feet</p>

TABLE 3-9

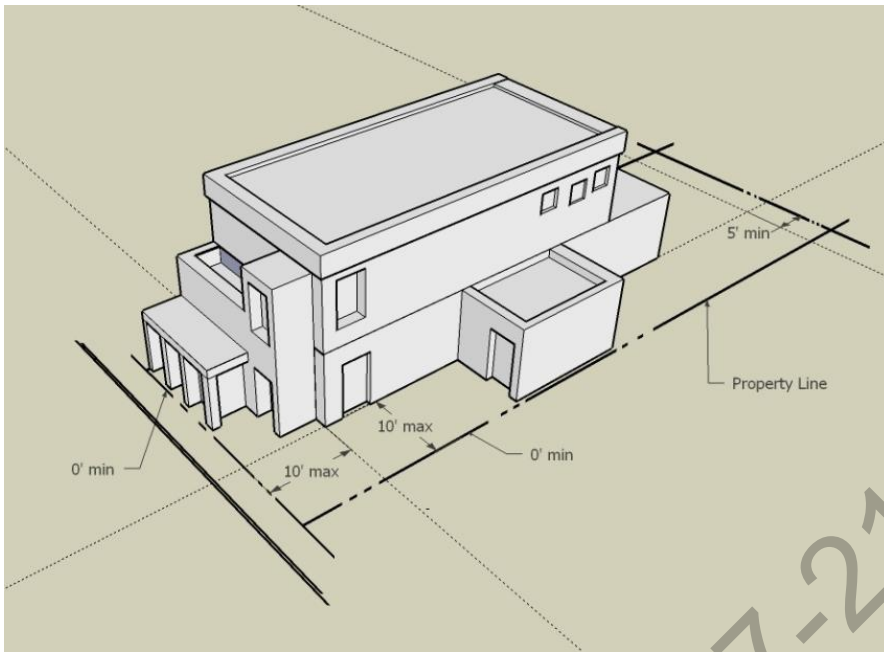


FIGURE 3-4 NFTOD BUILDING PLACEMENT

REPEALED (R-17-213)

### 3.6 NORTH FOURTH MIXED USE DEVELOPMENT (NFMXD) DISTRICT

All uses are allowed with the exception of the prohibited uses listed on page 25 of this plan. The NFMXD District is designed for locations within walking or biking distance of residential areas and connected to them by pedestrian and biking paths. This district establishes commercial and mixed uses that serve residential neighborhoods, and can be used to redevelop existing shopping areas and centers. The standards are intended to provide pedestrian scale streetscapes and buildings oriented to the public realm. It generally covers parcels in the corridor located along Fourth Street and fronting major cross streets from the mid-block south of Candelaria Road to Solar Road. For location see Overlay Zone Map page 17.

#### 3.6.A PERMITTED BUILDING FORMS

The following Building Forms as described beginning on page 53, are allowed in the NFMXD District:

- 1) Residential Building Forms
  - a. Townhouse, Rowhouse, and Courtyard Townhouse
  - b. Accessory Unit / Carriage House
  - c. Duplex, Triplex & Fourplex
  - d. Terrace Apartment
  - e. Courtyard apartments
- 2) Commercial or Mixed Use Building Forms
  - a. Flex Building
  - b. Live-Work Unit
  - c. Liner Building
- 3) Utilitarian Building Forms
  - a. Auto Accessed
  - b. Standalone commercial
  - c. Civic or Institutional Building
  - d. Structured Parking

#### 3.6.B PERMITTED FRONTAGE TYPES

All six Frontage Types as described on beginning page 73, are permitted as prescribed by Building Form.



### 3.6.C DENSITIES, INTENSITIES AND HEIGHT

- 1) The following minimums are encouraged but not mandatory:

a. Minimum Average Residential Density	General : 12 dwelling units per acre Within 75 feet of the property line of a developed single family residential area: 10 dwelling units per acre
b. Minimum FAR	.5
c. Minimum Height	2 stories or 26 feet on at least 60% of the block face

TABLE 3-10

- 2) Maximum height in the NFMXDD is limited to the following:

a. Maximum height	<p>4 stories with a maximum of 52 feet with 3 stories with a maximum of 40 feet on at least 20% of any block face. A 5th story with a maximum of 66 feet is allowed with a 20 feet minimum set back with the following exceptions:</p> <p>Building area within 75 feet of the property line of a single family residential zoned parcel: 2 stories with a maximum of 26 feet</p> <p>For all parcels in the NFMXD north of Douglas MacArthur Road: 3 stories with a maximum height of 40 feet with the following exception:</p> <p>Building area within 75 feet of the property line of a developed single family residential zoned property.</p>
-------------------	--

TABLE 3-11

### 3.6.D BUILDING FRONTAGE AND ARTICULATION

1) Glazing of ground floor frontage	40%-90%; Retail uses fronting "Pedestrian/ Transit Oriented streets are required to have a 75% minimum glazing of ground floor width to a height of at least 8 feet above the floor level.
2) Ground story clear height	A ground floor story shall include a minimum 10 foot clear height.
3) Building entryways on streets	40 feet on center minimum or as provided in the Building Form regulations.
4) Articulation on streets	40 feet on center minimum or as provided in the Building Form regulations.

TABLE 3-12

### 3.6.E BUILDING PLACEMENT

1) Front setback	Maximum 10 feet Minimum 0 feet Premises with less than 75 feet of frontage: Maximum 60 feet Minimum 0 feet
2) Side street setback	Maximum 10 feet Minimum 0 feet
3) Side yard setback	Minimum 0 feet From abutting existing single family development: minimum 5 feet
4) Rear setback (shall include rear alley widths)	Minimum 5 feet From abutting existing single family development : minimum 10 feet

TABLE 3-13

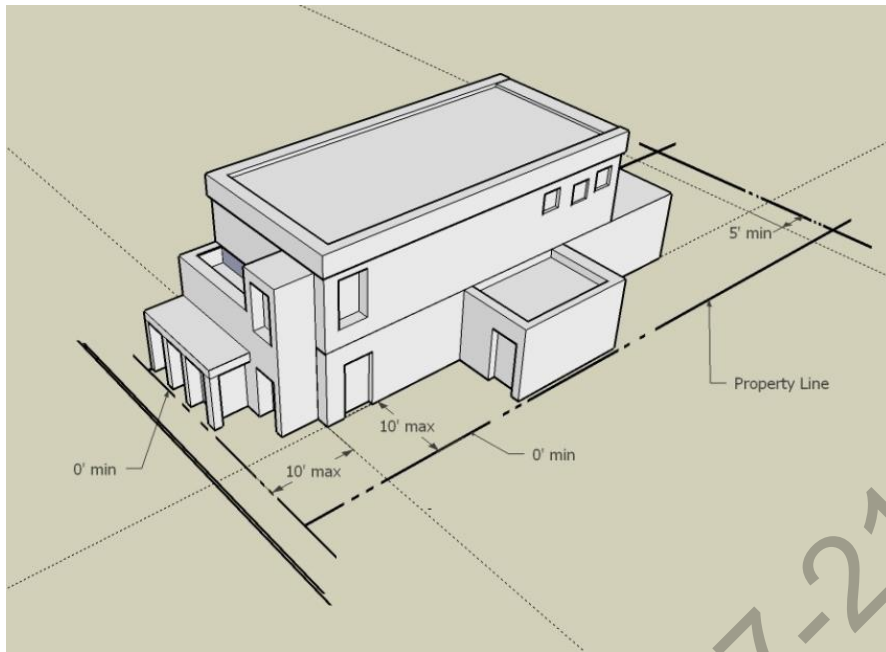


FIGURE 3-5 NFMXDD BUILDING PLACEMENT

### 3.7 NORTH FOURTH INFILL DEVELOPMENT (NFID) DISTRICT

All uses are allowed with the exception of the prohibited uses listed on page 25 of this plan. The NFID District serves as a buffer and provides a standard to encourage the context-sensitive development of empty lots or the redevelopment of sites in substantially built up areas. It offers relief from rigid zoning, while ensuring that new development respects its surroundings and achieves compact, pedestrian friendly environments. The District is situated in key areas near existing neighborhoods along the northern and middle portion of the corridor. For location see Overlay Zone Map page 17.

#### 3.7.A BUILDING PLACEMENT, HEIGHT AND FRONTAGE

##### 1) General Standards

In the case of new structures, additions and alterations, the height, and scale of other buildings on the block shall be substantially maintained; “substantially maintained” means that the front façade of new structures does not exceed the average width of principal structures within three hundred (300) feet of the proposed structure by more than twenty percent (20%) and the height does not exceed the average height of principal structures within three hundred (300) feet of the proposed new structure, addition, alteration by more than one (1) story.

The building setbacks shall be substantially maintained to preserve the pattern of building fronts and setbacks from the street. Substantially maintained means that the building setback is within, plus or minus, 5 feet of the average setback of existing buildings on the block.

##### 2) Additions

Additions do not need to follow a particular building form. However additions shall comply with the standards below:

- a. Oriented to the front street ROW or to the alley.
- b. Related to the rest of the building in scale, mass, and shape.
- c. Compatible with the original structure in window design.
- d. Compatible with the original structure in terms of roof slope and shape

### 3.7.B PERMITTED BUILDING FORMS

The following Building Forms as described beginning on page 53, are allowed in the NFID District:

- 1) Residential Building Forms:
  - a. Detached Single-Family Dwelling
  - b. Townhouse, Rowhouse, and Courtyard Townhouse
  - c. Accessory Unit / Carriage House
  - d. Duplex, Triplex & Fourplex
  - e. Terrace Apartment
- 2) Commercial or Mixed Use Building Forms:
  - a. Flex Building
  - b. Live-Work
- 3) Utilitarian Building Forms:
  - a. Civic or Institutional Building

REPEALED (R-17-213)

### 3.8 LOS ALAMOS ADDITION HISTORIC AREA (LAAHA) DISTRICT

The Los Alamos Addition Historic Area District establishes uses that are compatible with the Los Alamos Addition area's historic and semi-rural nature. The uses allowed in this district are neighborhood scale and will serve the LAAHD's residential neighborhoods. The standards are intended to create a safe pedestrian scale environment along Fourth Street, orient buildings toward the public right of way and maintain clear separation between commercial and residential areas. The LAAHD generally covers the parcels along the east side of Fourth Street from Gene Road to Guadalupe Trail. For location of the LAAHD, please refer to the Overlay Zone Map on page 17.

#### 3.8.A PERMITTED USES

The following uses shall be allowed in the LAAHD, all other uses are prohibited:

- Single family residential
- Townhouses
- Doctor's office
- Acupuncture clinic
- Chiropractor clinic
- Law office
- Architect/engineer's office
- Income tax service
- Insurance agency
- Real estate brokerage
- Art gallery
- Picture framing shop
- Bookstore
- Jewelry store
- Tailor shop
- Neighborhood Park and/ or Streetscape

### 3.8.B DENSITIES, INTENSITIES AND HEIGHT

- 1) The following minimums are encouraged but not mandatory:

a. Minimum Average Residential Density	General : 12 dwelling units per acre Within 75 feet of the property line of a developed single family residential area: 10 dwelling units per acre
b. Minimum FAR	.5
c. Minimum Height	1 story with a minimum of 10 feet

TABLE 3-14

- 2) Maximum height in the LAAHA District is limited to the following:

a. Maximum height	1 story with a maximum of 16 feet
-------------------	-----------------------------------

TABLE 3-15

### 3.8.C BUILDING FRONTAGE AND ARTICULATION

1) Glazing of ground floor frontage	40%-90%; Retail uses fronting "Pedestrian/ Transit Oriented streets are required to have a 75% minimum glazing of ground floor width to a height of at least 8 feet above the floor level.
2) Ground story clear height	A ground floor story shall include a minimum 10 foot clear height.
3) Building entryways on streets	40 feet on center minimum.
4) Articulation on streets	40 feet on center minimum.

TABLE 3-16

3.8.D BUILDING PLACEMENT

1) Front setback	Maximum 10 feet Minimum 0 feet Premises with less than 75 feet of frontage:  Maximum 60 feet  Minimum 0 feet
2) Side street setback	Maximum 10 feet Minimum 0 feet
3) Side yard setback	Minimum 0 feet From abutting existing single family development: minimum 5 feet
4) Rear setback (shall include rear alley widths)	Minimum 5 feet From abutting existing single family development : minimum 15 feet

TABLE

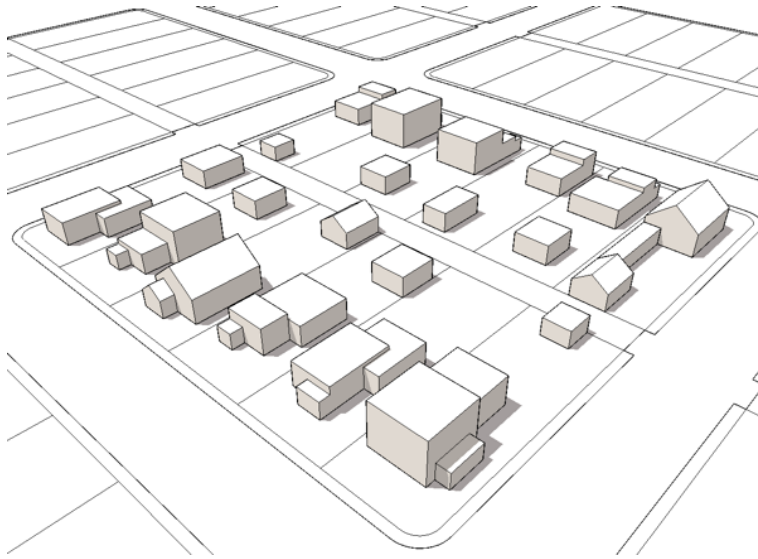
3-17



### 3.9 BUILDING FORMS

Detached Single-Family Dwelling	54
Side-yard Dwelling	55
Townhouse, Rowhouse, and Courtyard Townhouse	56
Accessory Unit / Carriage House	57
Duplex, Triplex and Fourplex	58
Terrace Apartment	59
Courtyard Apartments	60
Flex Building	62
Live-Work Unit	63
Liner Building	64
Auto Accessed	66
Standalone Commercial	67
Civic or Institutional Building	69
Structured Parking	71

### 3.9.A DETACHED SINGLE-FAMILY DWELLING



*Description:*

*Single family detached dwelling units with useable front and rear yards and oriented to the street.*

1) Access and Entry

The Principal Entry to each dwelling shall have direct access from a porch, stoop or private patio to the street. Parking, loading and trash disposal must be accessed from an alley, narrow driveway, ribbon driveway, or a circular driveway with a porte cochere.

2) Parking

Parking shall be located in the side or rear yard. Garages may be attached, detached, or connected by a breezeway. Attached garages shall be set back from street-facing façades by a minimum of 10'. Detached and breezeway garages must be located in the side or rear yard.

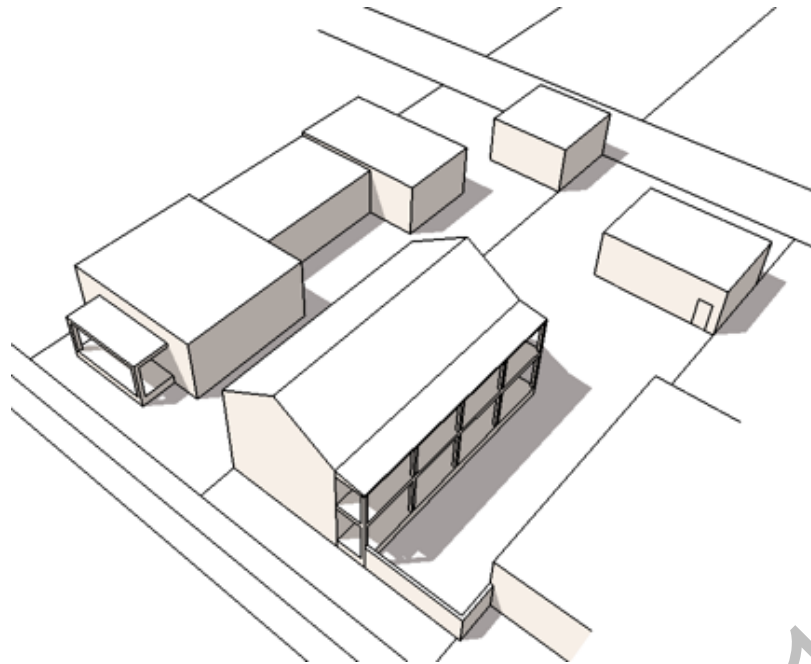
3) Frontage

Each dwelling must include a stoop, porch, or private patio.

4) Exposure to Light and Air

Each dwelling shall have all sides exposed to the outdoors.

### 3.9.B SIDE-YARD DWELLING



*Description:*

*Single family detached dwelling units that are aligned with one building wall on a side lot line and a setback or side yard easement along the other side lot line.*

1) Access and Entry

The Principal entrance to each dwelling shall have direct access from an individual stoop, porch or private patio that shall front the street and may also front the side-yard. For lots that back to functioning alleys, parking, loading and trash disposal must be accessed from an alley.

2) Parking

Parking shall be located behind each building. Parking may be half-level underground, surface, or garage and may be accessed from an alley, narrow driveway, or ribbon driveway. A common parking court may be provided interior to the block.

3) Frontage

Each dwelling must include a stoop, porch or private patio.

4) Building Width

Buildings facing a public street may not be wider than forty feet (40') along the street frontage.

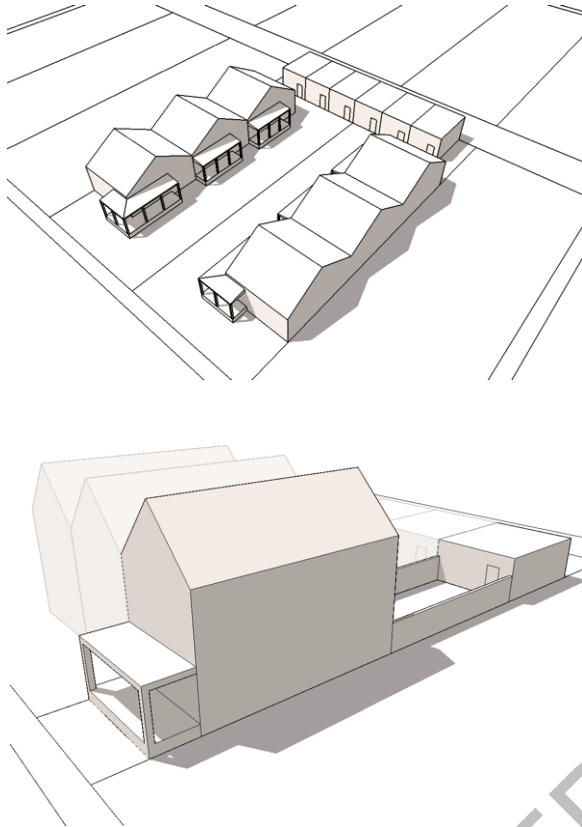
5) Massing

Habitable attics are permitted.

6) Exposure to Light and Air

Each unit shall have at least three sides exposed to the outdoors.

### 3.9.C TOWNHOUSE, ROWHOUSE, AND COURTYARD TOWNHOUSE



#### *Description:*

*One of a group of attached dwellings divided from each other by common walls. Each must have a separate entrance leading directly to the outdoors at ground level. A townhouse building may be one type of an apartment. This form can be done as a zero lot line dwelling and may be constructed as “half” a Courtyard Townhouse development.*

#### 1) Access and Entry

The Principal Entry to each dwelling shall have direct access to the street or to a Courtyard if it is a Courtyard Townhouse building form. For lots that back to functioning alleys; parking, loading and trash disposal must be accessed from an alley.

#### 2) Parking

Parking shall be located behind each building. Parking may be half-level underground, surface, or garage. A common parking court may be provided interior to the block.

#### 3) Frontage

Each dwelling must include a stoop or porch fronting the street and a public sidewalk or a common green or fronting a Courtyard if a Courtyard Townhouse building form is used.

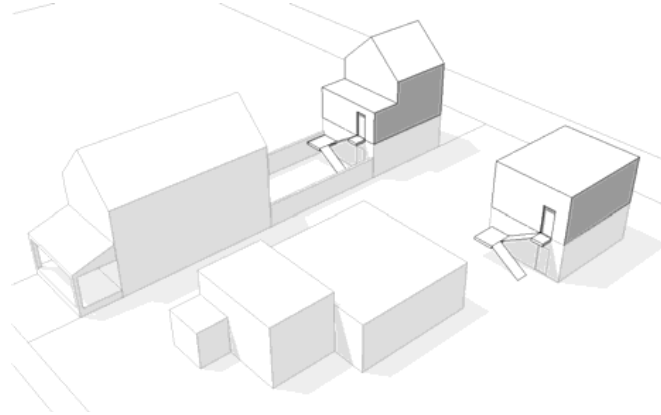
#### 4) Building Width

Buildings facing a public street may not be wider than forty feet (40') along the street frontage

#### 5) Exposure to Light and Air

Each unit shall have at least 2 sides exposed to the outdoors.

### 3.9.D ACCESSORY UNIT / CARRIAGE HOUSE



*Description:*

*An accessory unit is a building type typically consisting of a stacked dwelling unit or work space of 600 square feet or less over a garage. It is located on an alley or at the back 1/3 of a lot that includes a Principal building.*



1) Access and Entry

The Principal Entry to the unit shall be accessed from the side or rear yard or alley.

For lots that back to functioning alleys; parking, loading and trash disposal must be accessed from an alley.

2) Parking

Parking shall be located below or beside the unit and accessed from an alley or side driveway.

3) Building Width

A 5' minimum passageway to the alley shall be maintained along one side.

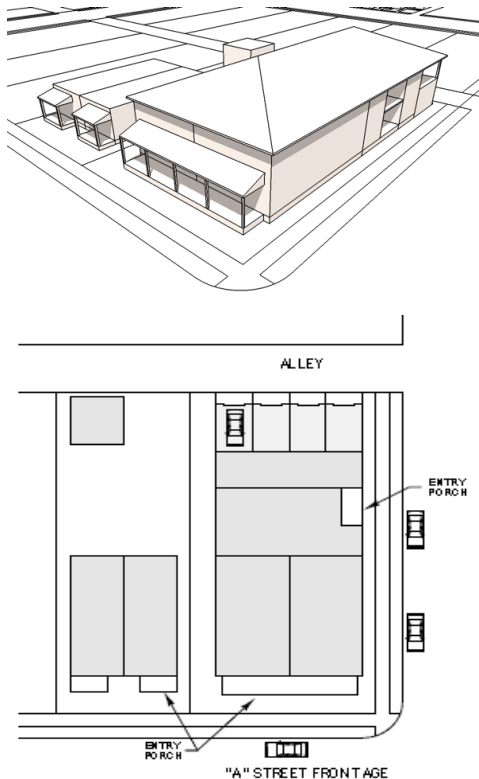
4) Massing

Accessory units may be located above garages.

5) Exposure to Light and Air

Each unit shall have a minimum of three sides exposed to the outdoors

### 3.9.E DUPLEX, TRIPLEX & FOURPLEX



#### *Description:*

*Duplexes, triplexes, and fourplexes are multiple dwelling forms that are either architecturally presented as large single-family houses in their typical neighborhood setting or as duplex/triplex/fourplex vernacular forms compatible with the surrounding neighborhood. These building forms are permitted for residential uses, offices, or studios that are accessory to residential uses.*

#### 1) Access and Entry

The Principal Entry to each dwelling or each common entrance, if designed as stacked flats shall have direct access from a porch, a common porch, or stoop facing the street. For lots that back to functioning alleys, parking, loading and trash disposal must be accessed from an alley.

#### 2) Parking

Parking - Parking shall be located in the rear portion of the lot. Parking shall be accessed from an alley or a narrow driveway. A common parking court may be provided interior to the block.

#### 3) Frontage

Each dwelling must include a stoop or porch, either individually or in common with an adjoining dwelling.

#### 4) Building Width

Buildings facing a public street may not be wider than fifty feet (50') along the street frontage

#### 5) Massing

Duplexes, triplexes, and fourplexes may be articulated as large single family houses consistent with the vernacular building form in the surrounding neighborhood.

Duplexes, triplexes, and fourplexes may also be designed as stacked flats, abutting townhouses, courtyards, side-yard/courtyard townhouses or other vernacular forms compatible with the surrounding neighborhood. Attic spaces may be used as habitable space.

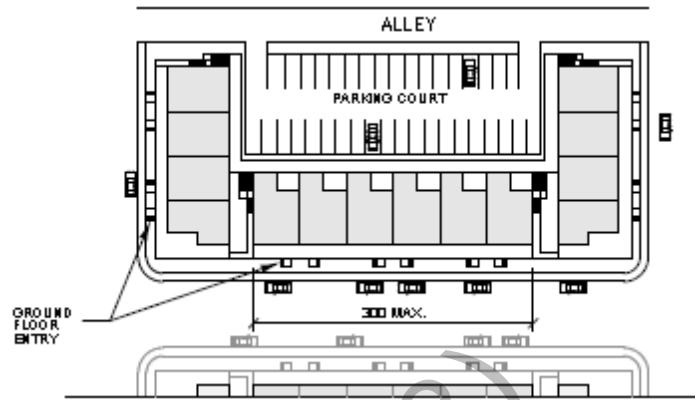
#### 6) Exposure to Light and Air

Each unit shall have a minimum of two sides exposed to the outdoors

### 3.9.F TERRACE APARTMENT

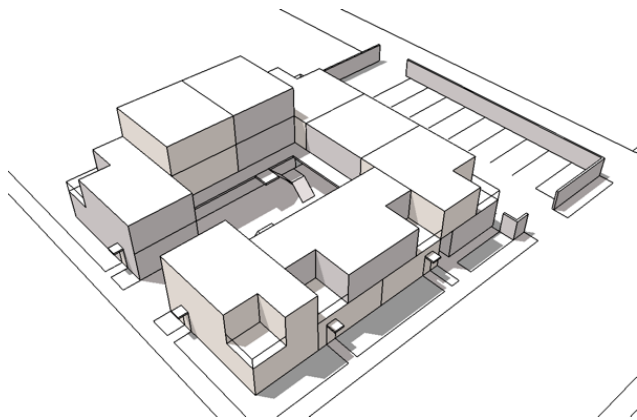
*Description:*

*Terrace Apartments can take a number of forms, including stacked flats, townhouses, or flats over townhouses.*



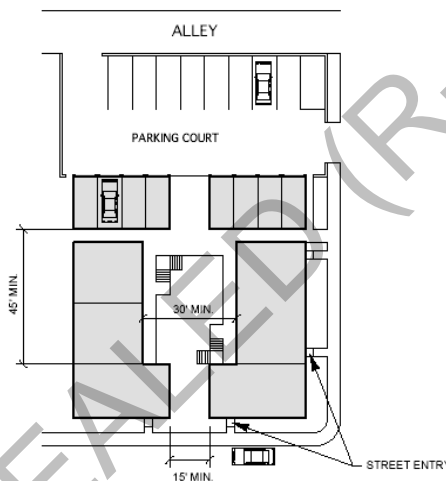
- 1) Access and Entry  
The Principal Entry to each individual dwelling on the ground floor must have direct access from a permitted frontage type and abut the street.
- 2) Parking  
Parking shall be located behind or under the principal building. A common parking area may be located interior to the block.
- 3) Frontage  
Frontage types along the street must include stoops, porches, or forecourts.
- 4) Building Length  
Buildings facing a public street may not be longer than 300 feet along the street frontage.
- 5) Articulation  
The façades of buildings facing a public street that are longer than sixty feet (60') must be articulated a maximum of every forty feet (40') along the street frontage.

### 3.9.G COURTYARD APARTMENTS



*Description:*

*Courtyard apartments are building form consisting of dwelling units that can be arranged as townhouses, flats over townhouses, or flats. These are arrayed to form a shared courtyard that is partly or wholly open to the street.*



1) Access and Entry

Each individual ground floor unit must have direct access from a porch, common porch or stoop facing the courtyard or facing the street. No more than 4 dwellings shall be accessed per stair.

The courtyard shall have a common street entrance at least 15' wide. For lots that back to functioning alleys, parking, loading and trash disposal must be accessed from an alley.

2) Parking

Parking shall be located in rear portion of lot or under the building(s) or in a common parking court interior to the block. Parking lots shall be screened by a minimum 5 foot wide landscape buffer and 4 foot high wall from the court. Pedestrians shall have access to parking through the courtyard.

3) Open Space

Courtyards shall be a minimum of 35 feet wide and a minimum of 45 feet long. Porches may protrude into the courtyard space. Courtyards shall be Full Courtyards or Partial Courtyards.



(COURTYARD APARTMENTS continued)

Partial courtyards abutting to parking lots shall be screened by a minimum 5 foot wide landscape buffer consistent with § 14-16-3-10(E)(3). Courtyards shall be visible from the street. An opening may include a pattern that is constructed into the façade or created using see-through tubular steel, wrought iron bars, or other grillwork. Fences and gates separating the courtyard from the street and/or parking courts must comply with the design standards of § 14-16-3-19.

Courtyards shall be landscaped with at least one tree (minimum 11/2 inch caliper) for every 1000 square feet of courtyard area.

4) Frontage

Frontage types along the street shall be porches or common porches and front yards. Frontage types along the courtyard shall be porches, a common porch or stoops. Private patios may be located in the courtyard if the courtyard is at least 60 feet in width. A patio wall shall not exceed 36" in height.

5) Massing

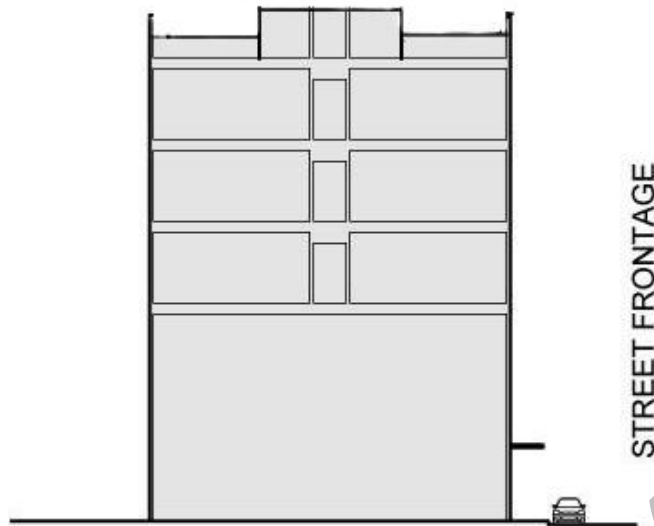
All dwellings may be incorporated into one house form or be articulated into vertical modules.

Attics may be used as habitable space. Buildings shall be located as to provide for the reach of sunlight into courtyards between 11am and 1pm in the winter solstice.

6) Exposure to Light and Air

Each unit must have two sides exposed to the outdoors.

### 3.9.H FLEX BUILDING



*Description:*

*A flex building contains at least one (1) distinct story above the ground floor, with Shop Fronts on the ground floor. The building may contain any combination of residential, hotel, office and commercial uses. Retail should occur on the ground floor, but is not mandatory. The building may evolve over time through many combinations of these uses.*

1) Access and Entry

The Principal Entry to each individual unit on the ground floor must have direct access from a permitted frontage type facing and abutting the street. For lots that back to functioning alleys, parking, loading and trash disposal must be accessed from an alley.

2) Parking

Off-street parking shall be located behind or under the principal building. A common parking area may be located interior to the block. On-street parking is encouraged along all street frontages except at transit stops.

3) Frontage

Frontage types along the street shall include Shop Fronts. Portals and Forecourts may be added. Forecourts shall not exceed 20% of the block space.

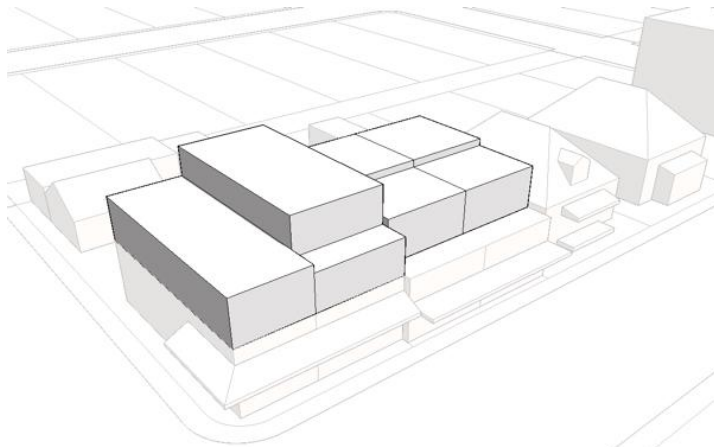
4) Placement and Massing

Buildings facing a public street may not be longer than 300 feet along the street frontage. The required ground floor clear height is a minimum of 10'.

5) Articulation

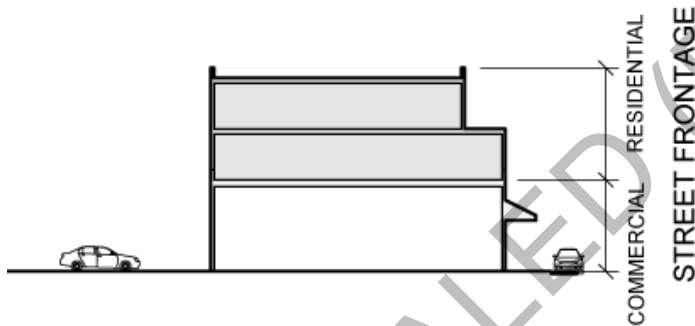
The façades of buildings facing a public street which are longer than fifty feet (50') must be articulated at a maximum of every forty feet (40') along the street frontage. Entryways are required at least every 40 feet.

### 3.9.I LIVE-WORK UNIT



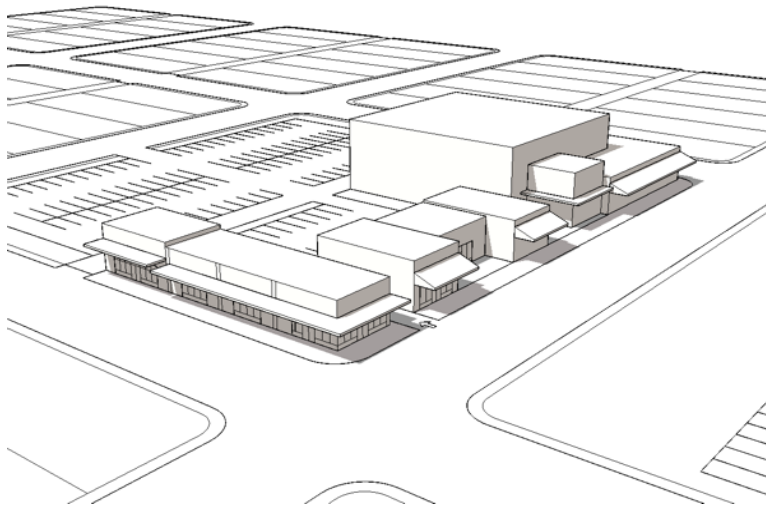
*Description:*

*Live-Work units are low rise multistory buildings that can be used flexibly for work/live, work/work, and live/live purposes. A variety of uses in the buildings is encouraged. Dwelling units can be located above the ground floor, attached to the rear of a Shop Front, or detached and located in the rear or side yard. The first floor is a Shop Front frontage type.*



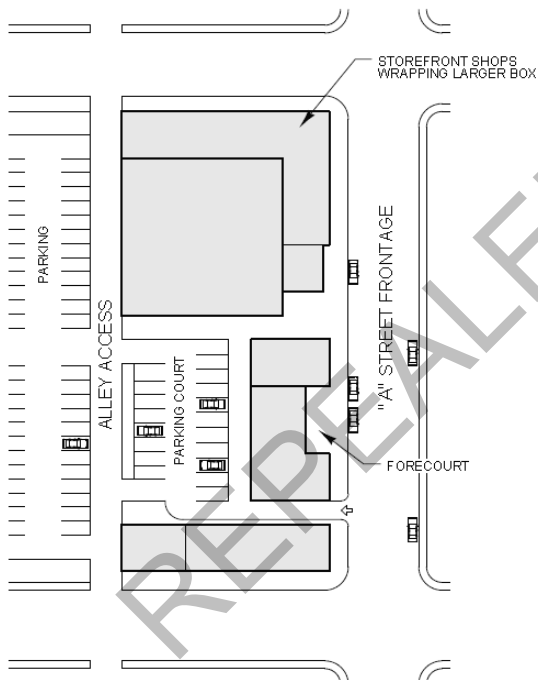
- 1) Access and Entry  
Direct access must be provided from the street to the Principal Entry of each Shop Front and common entry to upper level units.  
For lots that back to functioning alleys, parking, loading and trash disposal must be accessed from an alley.
- 2) Parking  
Parking areas shall be located in rear portion of lot or a common parking area located interior to the block and shall not abut the street frontage.
- 3) Frontage  
Each ground floor use shall have an entrance for each 40' of building frontage at a minimum. Permitted frontage types are Shop Fronts, Forecourts or Portals.
- 4) Building Width  
Buildings facing a public street may not be wider than forty feet (40') along the frontage line unless designed to appear as separate Shop Fronts no wider than 40'.

### 3.9.J LINER BUILDING



#### Description:

*A building specifically designed to mask and enliven the edge of a parking lot, parking garage, public assembly or large retail facility (big box) along a public frontage.*



#### 1) Access and Entry

The Principal Entry to each individual unit on the ground floor must have direct access from a permitted frontage type facing and abutting the street.

(LINER BUILDING continued)

2) Parking

Parking shall be located behind or under the principal building, or in one or more common or public parking areas located interior to or within 660 feet of the block. On-street parking is encouraged along all street frontages.

3) Frontage

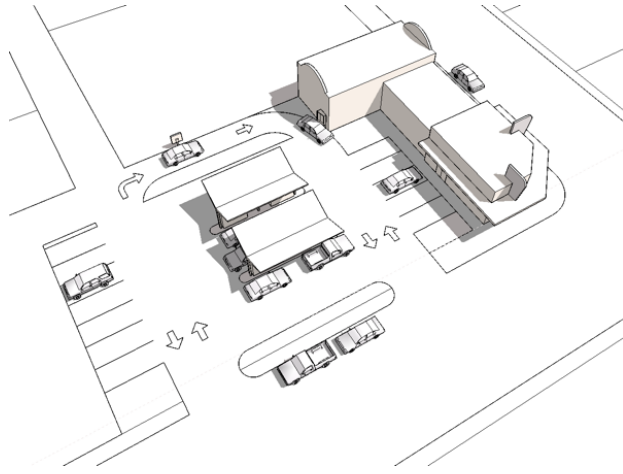
Frontage types along the street must include Portals, Forecourts or Shop Fronts.

4) Placement and Massing

Minimum frontage build-out is 60%. Minimum liner building depth is 16 feet. The façade along the ground floor on a Public Frontage must change visibly at an average of at least forty feet (40') in height, setback, materials, or colors along the street frontage and with no module exceeding 75 feet in length. An entryway must be provided on the ground floor every 40 feet at a minimum. Courtyards or forecourts shall not exceed 10% of the street frontage.

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### 3.9.K AUTO-ACCESSED



*Description:*

*Auto-Accessed building forms include office building with drive-through facilities, shop or store building with drive-through facilities, and restaurant buildings. Utilitarian building forms can accommodate, for example, the following building types: gasoline station, automobile repair and service structure, and car care centers (includes car wash). These building types provide needed neighborhood services, but can disrupt pedestrian flows and impair the aesthetics of the commercial and residential streetscapes, corridors and districts.*

1) Access and Entry

The Principal Entry to the building must have direct access from a permitted frontage type facing and abutting the street.

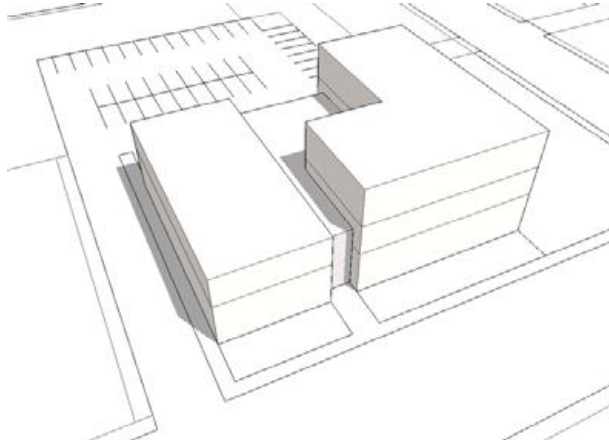
2) Parking and Service Drives

Parking shall be located behind or under the principal building, or in one or more common or public parking areas located interior to or within 660 feet of the block. Drive-through lanes must include access to a "Side" street, an alley, or shared parking area to the rear of the principal building. Supplemental ingress from an "Pedestrian/Transit Oriented" street is allowed. On-street parking is encouraged along all public frontages.

3) Frontage and Placement

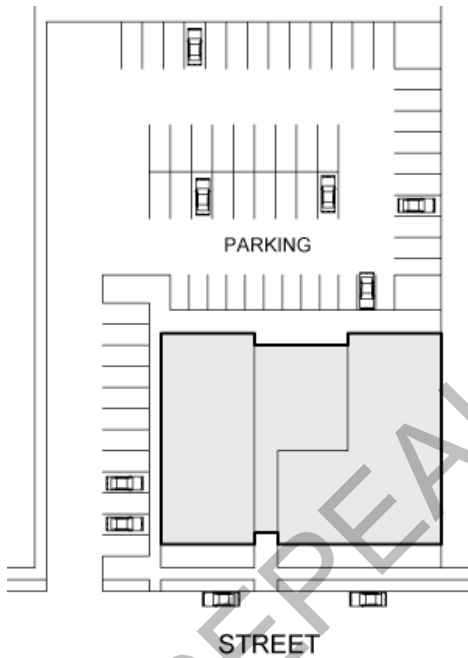
The façade of buildings on a Public Frontage shall change visibly at a maximum of every sixty feet (60') in height, setback, materials, or color along the street frontage. A 4' foot high street wall shall screen service area at lot perimeter with openings for vehicular access. Development fronting an "Pedestrian/Transit Oriented" Street shall be built out a minimum of 60%.

### 3.9.L STAND ALONE COMMERCIAL/OFFICE BUILDING



*Description;*

*This building form accommodates larger building floor plates that may require large surface parking areas. These regulations accommodate a limited number of building forms, in order, to provide anchor tenants and neighborhood services; but restricts them in order to maintain the integrity of the plan's design principles.*



1) Access and Entry

The Principal Entry to each individual unit on the ground floor must have direct access from a permitted frontage type facing the street.

2) Parking

Parking shall be located behind, under, or to the side of the principal building, or in one or more common or public parking areas located interior to or within 660 feet of the block. Parking areas to the side of the principal building: (1) are limited to 100 feet in depth, (2) have a total width no more than 32 feet, and (3) must have a landscaped buffer facing the street with a minimum depth of 10 feet, or a street-wall with a landscaped buffer that has a minimum depth of 5 feet.

(STAND ALONE COMMERCIAL/OFFICE BUILDING continued)

3) Frontage

Frontage types along the street must include Portals, Forecourts or Shop Fronts.

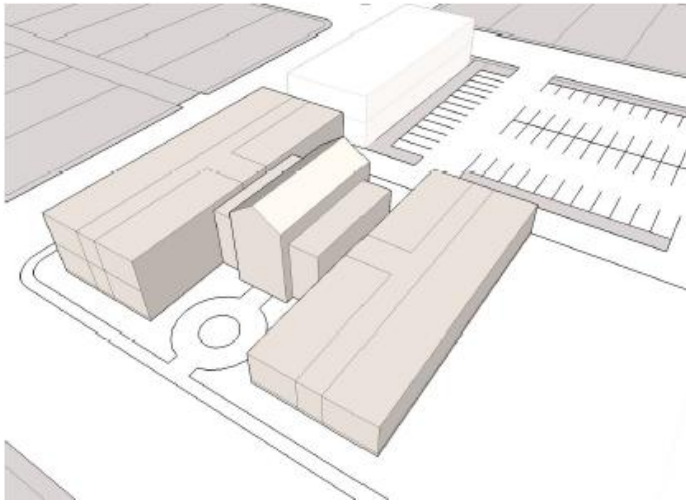
4) Articulation

The façade of buildings on a Public Frontage must change visibly at a maximum of every forty feet (40') in height, setback, materials, or color along the street frontage. An entryway must be provided to the ground floor every forty feet (40') at a minimum. Buildings either shall be double-fronted or the back walls shall be 30% glazed.

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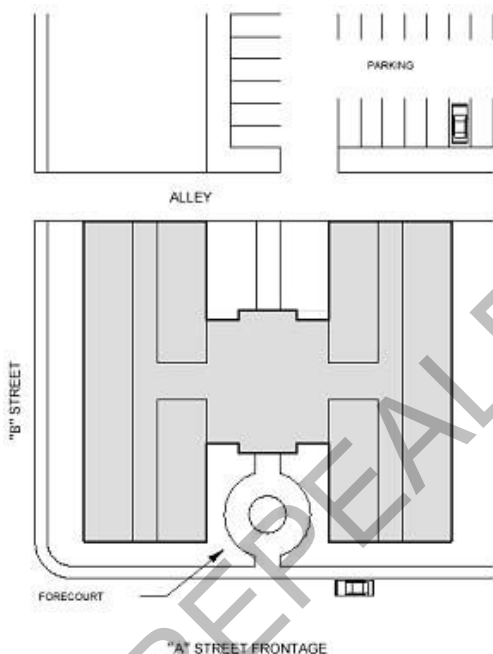


### 3.9.M CIVIC OR INSTITUTIONAL BUILDING



#### Description:

*Institutional buildings can accommodate offices, classrooms, or civic uses. These buildings range from large floor-plates and multiple levels to smaller, more intimately scaled structures. A variety of architectural styles is acceptable. Civic buildings can accommodate a variety of arts, culture, education, recreation, government and public assembly uses.*



#### 1) Access and Entry

Pedestrian entry is through a common lobby or multiple entrances. The building has at least one entrance to a public street, courtyard, forecourt, or a common lawn.

Street-facing entrance(s) shall be built to within 30 feet of a street right-of-way.

#### 2) Parking

Parking shall be located in common surface parking areas behind the building, garages underneath buildings, and/or in parking garages. On-street diagonal parking may be located on a "Side" street.

(CIVIC AND INSTITUTIONAL continued)

3) Frontage

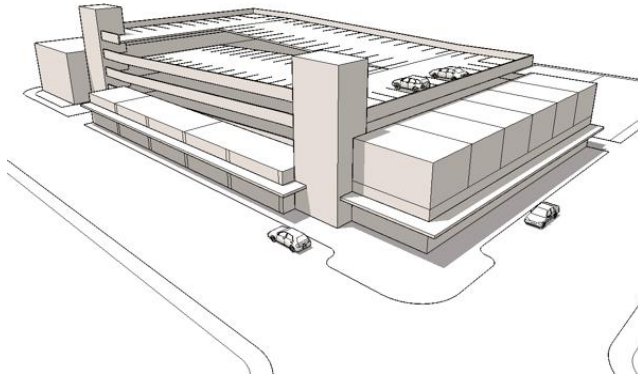
Permitted frontage types include forecourts, courtyards, yards, stoops, or portals.

4) Massing

These types can be designed as a single compositional unit or with distinct horizontal modulation of a base, middle and cap where the ground floor is visually distinct from the upper floors.

Street-facing entrances shall be accompanied by additional building height for visual emphasis. Street-facing entrances shall be positioned to accentuate vistas (or directed views) such as at the end of streets or where streets turn.

### 3.9.N STRUCTURED PARKING



*Description:*

*Structured parking is encouraged because it consumes less land area and the structure is wrapped by residential or commercial uses. This section encourages several different types of structured parking forms.*

1) Orientation and Composition

In order to orient parking structures to the interior of the block rather than the street, parking garages shall:

- a. Include residential dwelling units or Liner Buildings, which conform to the design regulations in the Overlay Zone, along at least the first floor; or
- b. Be located behind buildings with the principal uses described above so that the ground level parking is not visible from the street, except for the entryway. The garage entryway must not exceed 30 feet in width along the building façade; and
- c. Shall be screened with ornamental grillwork, artwork, or similar architectural features above the street-facing residential or commercial wrapper buildings.

2) Massing

Parking structures should consider surrounding context in terms of scale, height and design. Parking structures are considered compatible in scale if the height does not exceed the average height of principal structures within three hundred (300) feet of the proposed structure by more than one (1) story. If the Liner Buildings do not exceed such average heights, the garage itself may exceed the Liner Building height by two stories.

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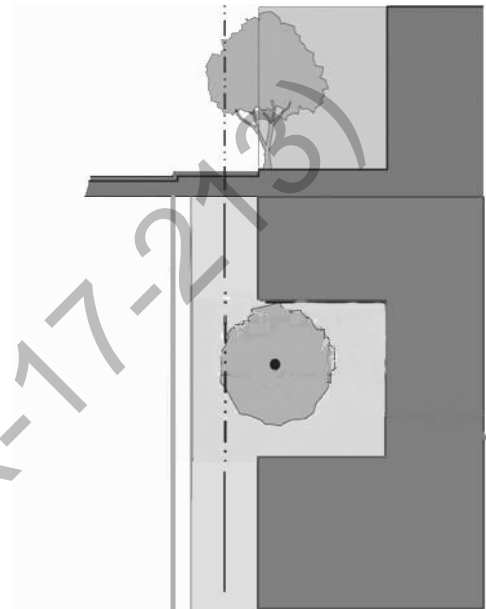
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### 3.10 FRONTAGE TYPES

Various frontage types are established in order to implement the North Fourth Street Overlay Zone and Districts. The building form regulations describe the situations where each frontage type is required. The frontage types are:

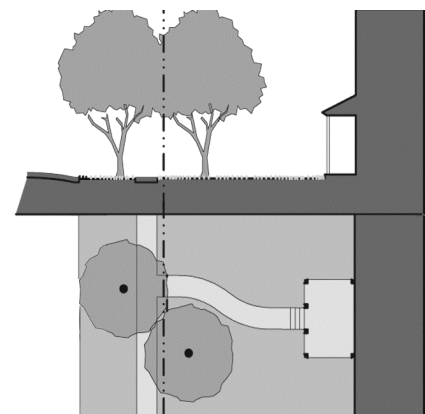
#### 3.10.A FORECOURT

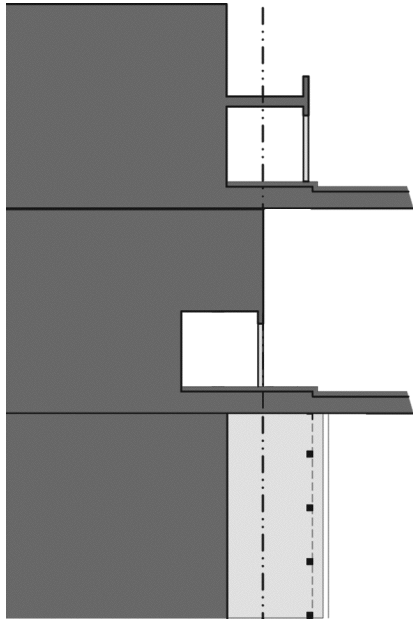
A portion of the facade is close to the frontage line and the central portion is set back. The forecourt created may be used for vehicular drop-offs. Large trees within the forecourts may overhang the sidewalks. Forecourts must be used in conjunction with stoops, shop fronts, or portals.



#### 3.10.B FRONT YARD

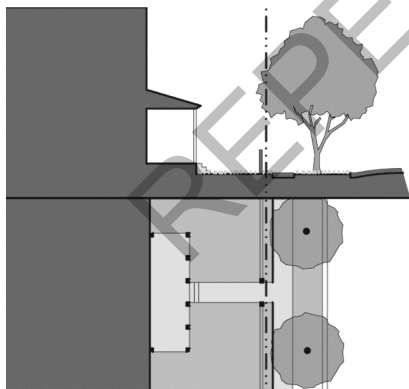
A planted frontage wherein the façade is setback from the frontage line. An encroaching porch may also be attached to the façade. A fence or wall at the property line may be used to define the private space of the yard. The wall may be no higher than 36" unless the residence fronts a street with ADT greater than 3,000, in which case the wall may be no higher than five feet. Individual parcel walls may not be constructed so that when taken together they create a walled development.





### 3.10.C PORTAL (ARCADE)

A portal is a covered porch supported by evenly spaced columns and is attached to the front building façade. It may overlap the sidewalk to within 2 feet of the curb. Portals may include a balcony for the floor above. If the portal includes conditioned space on the floor above, it may not encroach beyond the property line. Commercial portals must have eight feet clear width. This type is conventional for retail use. A portal is an important element of New Mexican vernacular architecture.

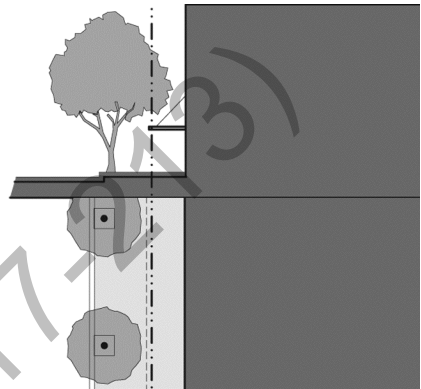


### 3.10.D PORCH

A planted frontage wherein the façade is set back from the frontage line with an attached porch permitted to encroach. Porches shall be no less than 5 feet deep. A porch may be screened but not glazed. A fence at the frontage line is required.

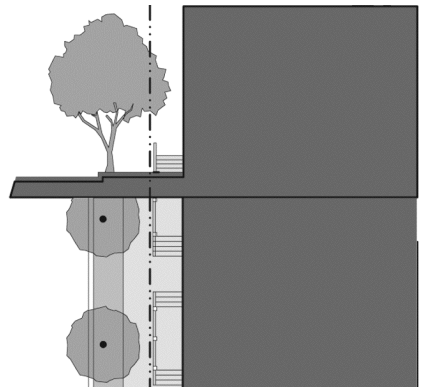
### 3.10.E SHOP FRONT

A frontage wherein the facade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that should overlap the sidewalk. Syn: Retail frontage.



### 3.10.F STOOP

A Frontage wherein the Façade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is an exterior stair and landing. The stair may be a perpendicular or parallel to the sidewalk. This type is recommended for ground-floor Residential use in an urban environment.



### 3.11 GLOSSARY OF TERMS

**Additions:** Any structure attached or detached from the main building on the same lot.

**Adaptive Reuse:** Using an existing building for a new use.

**Major bus transfer point:** A bus stop where at least two bus routes intersect allowing passengers to transfer from one bus to another.

**Major modification:** Applicant has selected a permitted building form but due to site limits must modify structure or site plan to the point that it is no longer substantially compliant with general standards.

**Non-compliant:** Applicant has selected a building form, parking, setbacks, height, and density not listed as permitted in the district or overlay zone.

**Compliant:** The selected building form, corresponding frontage type and, if required, site development plan are in compliance with the building forms and general standards of the Overlay Zone and corresponding Development District.

**Personal and professional service:** For the purposes of determining parking requirements; personal and professional services include but are not limited to the following:

- Accountants
- Actuaries
- Appraisers
- Archaeologists
- Architects
- Attorneys
- Brokerage firms
- Business consultants
- Business development managers
- Copywriters, engineers
- Law firms, physicians
- Performing artists
- Public relations professionals
- Recruiters
- Researchers
- Real estate brokers
- Translators and web designers
- Automobile, bicycle and motorized bicycle (moped) repairing
- Banking, lending money including pawn
- Barber, beauty salons
- Day care center
- Dry cleaning, laundry, clothes pressing, provided only nonflammable or noncombustible materials are used in the cleaning process, and/or the number of persons employed in the establishment is limited to three, excluding pressers, office, clerical or delivery personnel
- Health gymnasiums
- Instruction in music, dance, fine arts, crafts, modeling, training of dogs that are not boarded on the premises
- Interior decorating
- Medical or dental laboratory
- Pet grooming
- Photography, photocopy except adult photo studio
- Repair of shoes, household equipment
- Small animal clinic
- Tailoring, dressmaking
- Taxidermy



**Remodeling:** To update, replace or alter elements of a building.

**Repair:** To restore or replace elements of a structure that are broken.

**Teaser parking:** A small parking court located in front of the building, and enclosed on three sides by the building, to provide visible parking to retail uses without impacting pedestrian comfort.

**Transit station:** A location that has been set up for buses and/or trains to facilitate transfers for the passengers.

**Transit stop:** A location that has been set up for buses or trains to pick up or drop off passengers.

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## 4 TRANSPORTATION & STREET DESIGN

### 4.0 INTRODUCTION

North Fourth Street is a major arterial serving the North Valley. It extends north from downtown, through the portion of the Valley within the City of Albuquerque, continuing through the Village of Los Ranchos de Albuquerque to Alameda Boulevard and unincorporated portions of Bernalillo County. Over time, North Fourth Street has functioned as both a local street connecting a grid of arterial and collector cross streets as well as a major transportation route in and out of Albuquerque.

Today the street serves as major route for commuters, local residents and business interests. It is a major carry of traffic both east and west and north and south. It is in need of repair, reinvestment and redesign to initiate its long-term transition into a corridor that serves auto and transit-accessible commercial needs as well as providing a pleasant and safe environment for local residents and pedestrians.

This section addresses North Fourth Street in the following two subsections:

4.1 North Fourth Street from Mountain Road NW to Douglas MacArthur Road NW

4.2 Douglas MacArthur Road NW to Village of Los Ranchos Boundary

Both subsections describe how the street improvements should be guided in conjunction with Frontage Types described in Section 3.10.

## 4.1 NORTH FOURTH STREET FROM MOUNTAIN ROAD TO DOUGLAS MACARTHUR ROAD

### 4.1.A VISION

Redesign and reconstruct North Fourth Street to improve safety, aesthetics, and functionality for both pedestrians and motorists along its entire length; and optimize public transportation service; and maintain four lanes of vehicular traffic from I-40 to Douglas MacArthur Road.

### 4.1.B EXISTING CONDITIONS AND ISSUES

The actual design and construction of improvements to North Fourth Street are integral to development of the entire area. However, the programming of improvements should be based upon a full understanding of the barriers to the corridor's redevelopment. The June 2006 Draft North Fourth Street Rank III Corridor Plan identified major issues that remain problematic, some of which are described below. However, additional input from area leaders identified a framework to implement reconstruction of the street, tied to private redevelopment together with public investment and on-going public involvement.

### 4.1.C FINDINGS OF THE 2006 STUDY

The findings of the North Fourth Street Redevelopment Study include the following:

Traffic volume varies along the approximately four-mile stretch of North Fourth Street considered by this plan. According to 2005 figures from the Mid Region Council of Governments (MRCOG), traffic flow varies from 9,000 vehicle trips per day to 28,000 trips per day depending on what portion of the street the counts were taken. They were lowest on the southern end and highest at Griegos Road. However, a recent traffic study showed that traffic had not increased substantially on North Fourth Street from 1994 to 2004.

West Side traffic contributes approximately 50% of the vehicles on North Fourth Street according to MRCOG. The agency's modeling analysis that was generated at a network level estimates that West Side traffic is southbound in morning peak traffic hours and northbound in the afternoon peak hours. Crossings occur equally between the Montano Road and Alameda Boulevard bridges.

North Fourth Street and North Second Street are “paired streets” that are relatively close to each other. Their connectivity allows drivers to choose one or the other to reach the same destination. The paired streets carry roughly the same volume of traffic north of I-40 even though the capacity of North Second Street is greater.

Turn lanes and on-street parking vary along the corridor. Four moving lanes are available north of I-40 and two lanes exist south of I-40.

#### 4.1.D KEY CONDITIONS

Other conditions found on North Fourth Street are:

- 1) Sidewalks are crumbling or not even paved in specific locations
- 2) Sidewalk links are missing along the corridor and on a number of side streets in adjoining neighborhoods
- 3) Obstructions in sidewalks include power poles and other utility installations
- 4) ADA compliance issues exist due to obstructions in sidewalks and crosswalks



*Curbs are broken and crumbling in many places along the street*

**FIGURE 4-1 SIDEWALK CONDITIONS 1**

*The sidewalk is not ADA compliant and the foundation is crumbling*



FIGURE 4-2 Sidewalk Condition 2

*The location of the utility poles makes pedestrian access virtually impossible.*



FIGURE 4-3 Pedestrian Access

In some instances, the varying widths of the street itself are a problem. The rights-of-way widths are as little as 55 feet in some areas and as wide as 200 feet in others. As a result, some sidewalks are only a few feet wide and/or obstructed in many blocks. In other areas, the street may provide greater

capacity than necessitated for vehicular traffic creating the possibility of increased speeding violations and traffic accidents.

Additionally, both sides of the street have several driveway pads, which can make it hazardous for cars to enter and exit the street. Also, the driveway pads slope at varying slopes and are of differing widths causing pedestrians to walk on uneven surfaces for some distance. At best, the surface of the street and sidewalk is inconsistent adding to a sense of unpredictability for pedestrians.

Public feedback about the conditions outlined above resulted in a process to correct the problems. Paramount was the decision that a set of value statements should be adopted to guide the street's design and construction. Secondly, additional data and information was needed, such as an Engineering Study, before additional programming of the street's reconstruction could occur.

#### 4.1.E STEPS TO ALLEVIATE CONDITIONS

To guide the street's reconstruction the following value statements should be adopted:

#### 4.1.F DESIGN PRINCIPLES

The redesign of North Fourth Street from Mountain Road to Douglas MacArthur Road shall:

- 1) Emphasize and ensure the safety of all street users, including pedestrians, motorists, transit riders and trucks
- 2) Create a highly walkable, livable and distinctive place within Albuquerque
- 3) Create a roadway friendly to various forms of transportation and commerce
- 4) Provide a supportive environment for urban revitalization and private investment conducive to high-quality, convenient access for vehicular traffic and parking
- 5) Enable high-quality, time-competitive, reliable and safe public transportation service
- 6) Enable high-quality, convenient access for vehicular traffic and parking
- 7) Ensure that local businesses can continue to ship and receive deliveries by truck

- 8) Maximize opportunities for landscaping throughout the corridor

#### 4.1.G DESIGN PARAMETERS

The North Fourth Street Corridor Plan recognizes the differing conditions along the corridor. Opportunities to enhance the street for pedestrians should be programmed using the following design parameters in the public right-of-way from Mountain Road to Douglas MacArthur Road as guidance:

- 1) From I-40 to Douglas MacArthur, maintain four lanes of traffic and sidewalks on both sides meeting ADA requirements. Within the areas of limited ROW, inside traffic lanes may be narrowed to allow for safety and pedestrian enhancements
- 2) Create the very best pedestrian environment and automobile/transit access with four lanes of traffic north of I-40 and two lanes of traffic south of I-40
- 3) Increase the Right-of-Way (ROW) to add sidewalks wider than ADA requirements including buffers
- 4) Widen the Right-of-Way (ROW) where necessary by acquiring property and/or negotiating easements
- 5) Increase the ROW to add landscaped medians, on-street parking, pedestrian crossing refuges, other pedestrian enhancements, and turn bays

#### 4.1.H CONCEPTUAL STREET CROSS-SECTIONS

- 1) Reconstruct both sides of the street to create a streetscape consistent with the minimum design elements shown in Redesign Concepts.
- 2) Construct safe and highly visible pedestrian crossings, approximately every 1/8-mile.
- 3) Install pairs of local bus stops approximately every 1/8 mile.
- 4) Install Rapid Ride stops at major transfer points and development nodes.
- 5) Bury new distribution power lines on both sides of the street or route to new utility ROW.
- 6) Provide pedestrian-scaled street lighting along the entire length of North Fourth Street.
  - a. From Mountain Road to Douglas MacArthur Road: Pedestrian street lights shall be located between thirteen (13) feet and sixteen (16) feet above grade with a maximum average spacing (per block face) of 60 feet on center on "Pedestrian/Transit Oriented" streets and 75 feet on center on "Side" streets. Pedestrian street lights must be placed two

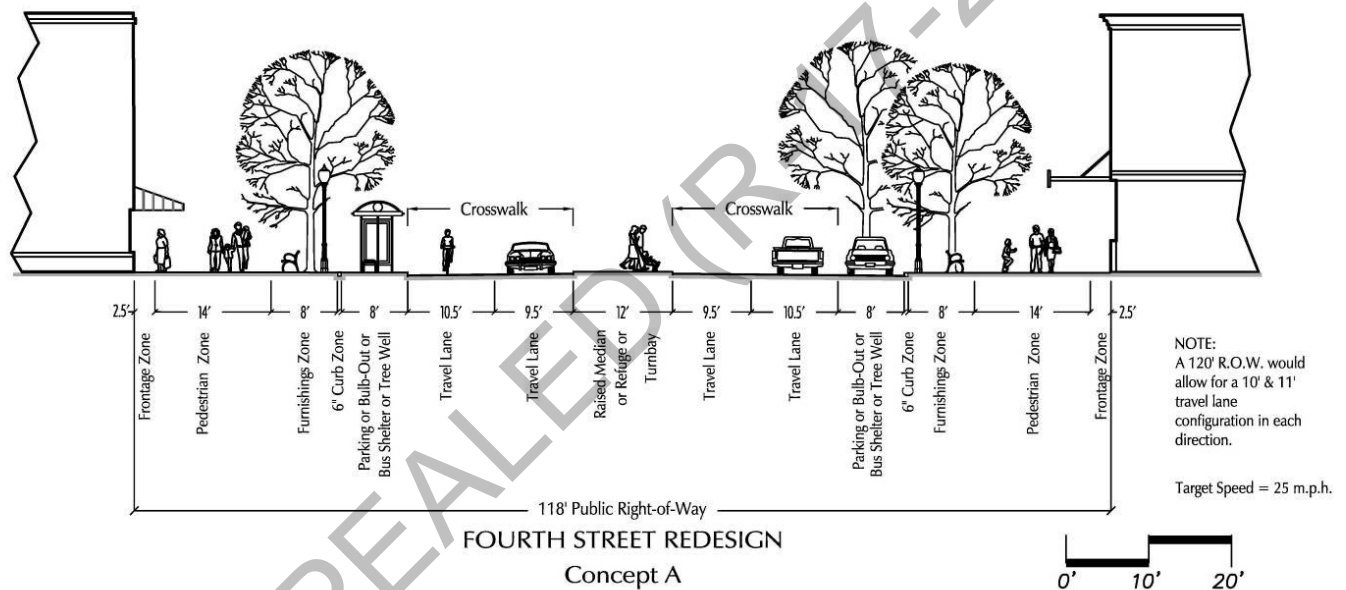


(2) feet from the back of curb on each side of the street and travel lanes, unless otherwise indicated. Street lighting and street trees should not conflict.

- 7) Create greater connectivity to adjacent side streets including providing circle-back routes in the first block off of North Fourth Street.
- 8) Allow on-street parking to substitute for allowable off-street parking; allow and encourage shared parking and minimize curb cuts.
- 9) Provide left-turn breaks and left-turn lanes in medians. Consult fully with adjacent owners about median and median break placement.
- 10) Provide significant landscaping in medians with pedestrian refuges.
- 11) Install pedestrian shade structures and low water use trees at frequent intervals without interfering with signage.
- 12) Ensure that landscaping is high-quality, meets “green” standards and is sustainable.
- 13) Recognize that Fourth Street south of I-40 holds distinctly different development opportunities than the area north of I-40.
- 14) The typical location for new public utility easements (PUEs) should be at the front of private properties, along the edge of the public right of way. Ideally, dry utilities (electric, gas, communications) should be afforded a 10’-wide PUE along the front of each private property, but the final width will have to be determined on a case-by-case basis as individual properties develop and/or redevelop. Alleys, designated as City-owned public right of way, may be another possibility for new PUEs, but will require the involvement of the City.

- 1) Concept A, 118 feet minimum R.O.W. required
  - a. Frontage zone (2.5 feet)
  - b. Pedestrian zone (14 feet)
  - c. Furnishing zone (8 feet)
  - d. Curb zone (.5 feet)
  - e. Parking or Bus Shelter or Bulb-out zone (8 feet) Including tree wells where possible
  - f. Travel Lanes (10.5 feet outside and 9.5 feet inside each)
  - g. Raised Median/Turn-Lane/Refuge (12 feet)

FIGURE 4-4 Redesign Concept A



- 2) Concept B, 90 feet minimum R.O.W. required
  - a. Pedestrian zone (6 feet)
  - b. Furnishing zone (3 feet)
  - c. Raised Median/Turn-Lane/Refuge (10 feet)

FIGURE 4-5 Redesign Concept B

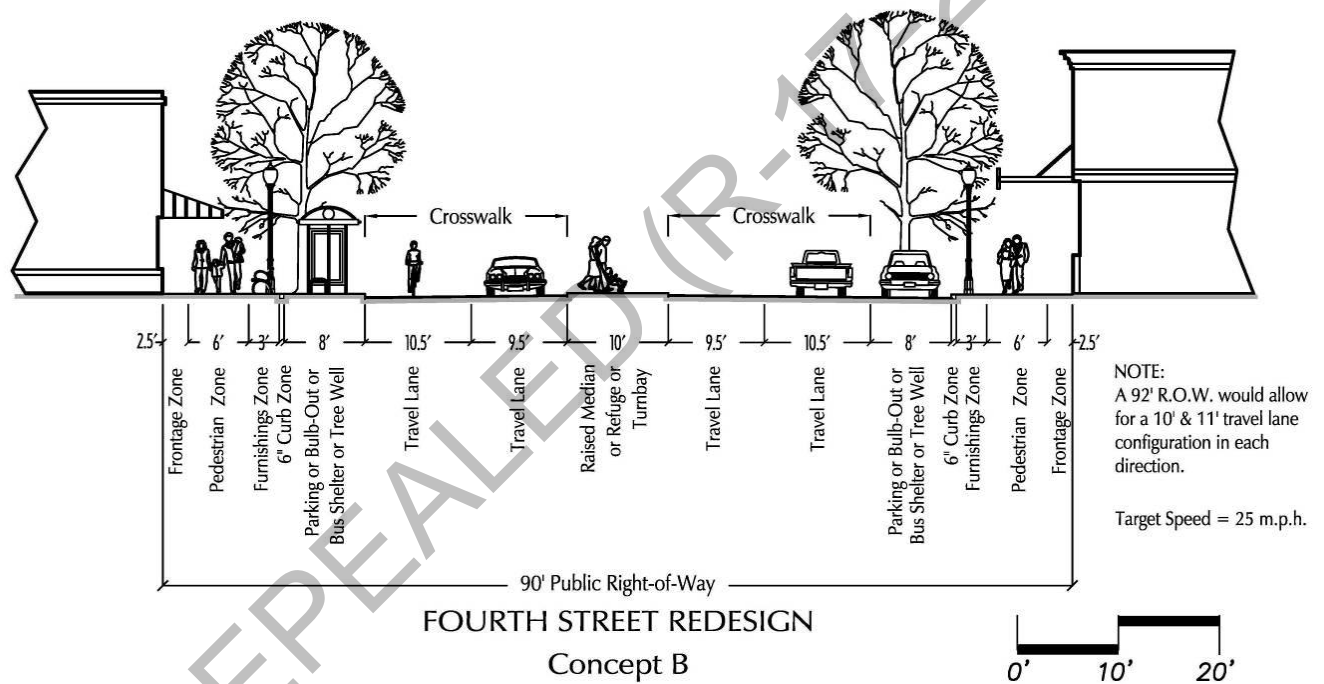
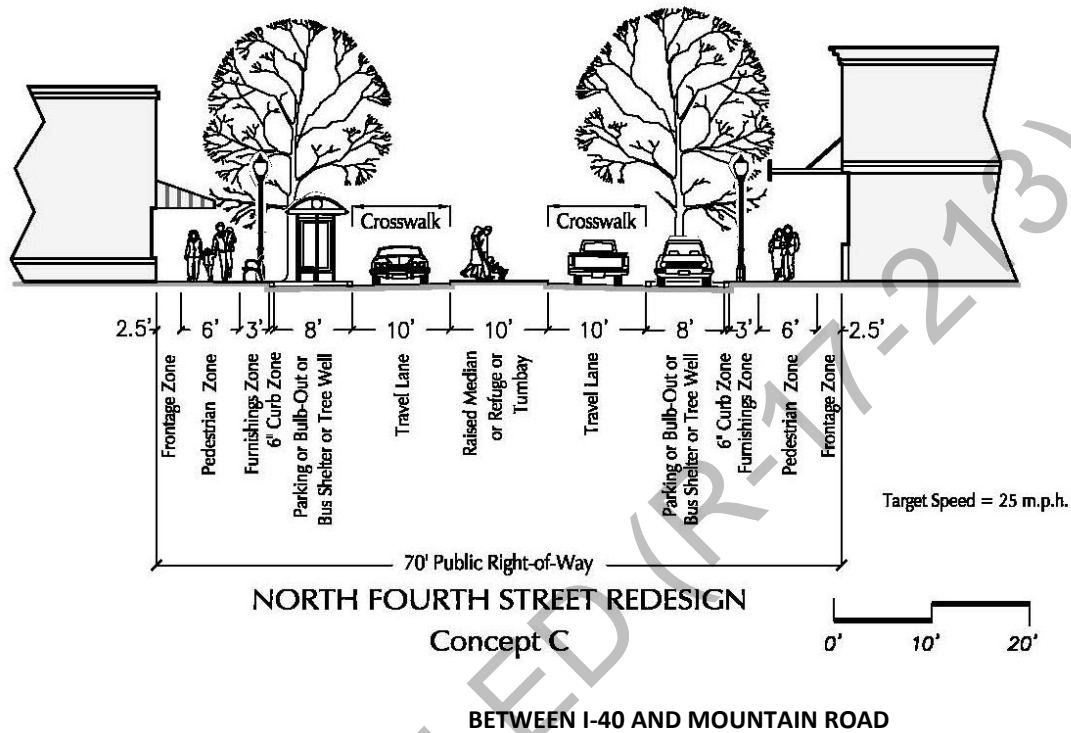


FIGURE 4-6 Redesign Concept C between I-40 and Mountain Road



- 3) Concept C Between I-40 and Mountain Road, 70 feet minimum R.O.W. required
  - a. Pedestrian zone (6 feet)
  - b. Furnishing zone (3 feet)
  - c. Raised Median/Turn-Lane/Refuge (10 feet)

#### 4.1.I RECOMMENDATIONS

An important element of the street's reconstruction is the requirement that an engineering study of the entire corridor be conducted. An initial engineering study should encompass at least 30% of the requirements for complete construction documents and adopt the Design Principles, Parameters and Standards outlined in this chapter. The study will aid in the further design and reconstruction of the street, as implementation phases are planned.

#### 4.1.J ENGINEERING STUDY

The engineering study shall:

- 1) Evaluate any conflicting parameters and design standards and suggest alternatives.
- 2) Explore options to modify the roadway to avoid condemnation costs.
- 3) Consider, in areas of limited ROW; that inside traffic lanes may be narrowed to allow for adequate pedestrian amenities.
- 4) Review roadway alignment and recommend where appropriate obtaining additional ROW necessary to construct improvements; also evaluate the modification of the roadway alignment to improve traffic safety.
- 5) Institute fast track permitting and inspections processes for projects that conform to the design overlay.
- 6) Prioritize and implement "catalyst development" projects in several locations.
- 7) Provide incentives for and explore creative ROW acquisition strategies.

#### 4.1.K TRANSIT STUDY

In conjunction with the Engineering Study a transit study should be conducted to assess existing and future transit options and provide recommendations to increase ridership and improve access.

#### 4.1.L PLANNING AND CONSTRUCTION

The engineering design and construction of the street should include significant public input and involvement. A steering committee should be formed to guide the study and the selection of a contractor that would include abutting property owners and representatives of the neighborhoods as well as involving the broader public through design workshops or charrettes.

The City should work in tandem with existing and proposed private development on the parcels fronting Fourth Street as opportunities for demonstration projects emerge.

- 1) An Access Plan should be created during construction to minimize business disruption. This phase should incorporate timelines with incentives and penalties in the construction contracts for Fourth Street's reconstruction.
- 2) The City should prioritize a capital plan with a budget and timeline to implement the redevelopment of the corridor.
- 3) The planning and construction phase should involve exploring opportunities for the City and State to pay for public ROW improvements, as well as cost sharing between the City and property owners for improvements located outside the ROW.

## 4.2 NORTH FOURTH STREET FROM DOUGLAS MACARTHUR TO THE VILLAGE OF LOS RANCHOS BOUNDARY

### 4.2.A VISION

The Vision for redesigning North Fourth Street is threefold: 1) Fourth Street shall be redesigned and reconstructed along its entire length to improve safety, functionality, and aesthetics for both pedestrians and motorists; 2) All redesign and improvement efforts shall optimize public transit service; and 3) Four lanes of vehicular traffic shall be maintained from Douglas MacArthur to the Village of Los Ranchos boundary.

### 4.2.B EXISTING CONDITIONS AND ISSUES

The design and construction of improvements are critical to the revitalization of the study area. Thus, the programming of improvements should be based upon a full understanding of the barriers to the corridor's redevelopment.

#### 4.2.B.1 TRAFFIC VOLUME

According to 2008 data from the Mid Region Council of Governments (MRCOG), the traffic flow in the .92 mile stretch between Douglas MacArthur Road NW and the northern City limit was 21,900 vehicle trips per day, with a range of 12,500 to 29,500 within the various subsections of the overall area. This volume of traffic is 1.2% lower than the 2005 traffic volume, which was an average of 22,166 trips per day.

#### 4.2.B.2 KEY CONDITIONS

The overall Corridor Plan lists a number of conditions along the entire length of Fourth Street in Subsection 4.1 B page 80. This Section lists a few additional

observations that are specific to the area north of Douglas Macarthur Road NW. They are as follows:

1. Sidewalks are crumbling and unpaved in numerous locations. There are numerous obstructions in sidewalks, including power poles, other utility installations, and parked vehicles.
2. There are only four signaled crosswalks within the entire .92 mile study area, this equals an average of one crosswalk for nearly every quarter-mile. Figure 4.9 on the next page 92 shows the location of crosswalks in the study area.
3. The presence of numerous curb cuts along Fourth Street frequently obstructs sidewalks, making them discontinuous throughout much of the area. Figure 4.10 page 93 illustrates the prevalence of curb cuts within the study area.



FIGURE 4-7 Unpaved and Obstructed Sidewalk



FIGURE 4-8 Vehicles Obstructing Sidewalk



FIGURE 4-9 Existing Signaled Crosswalks



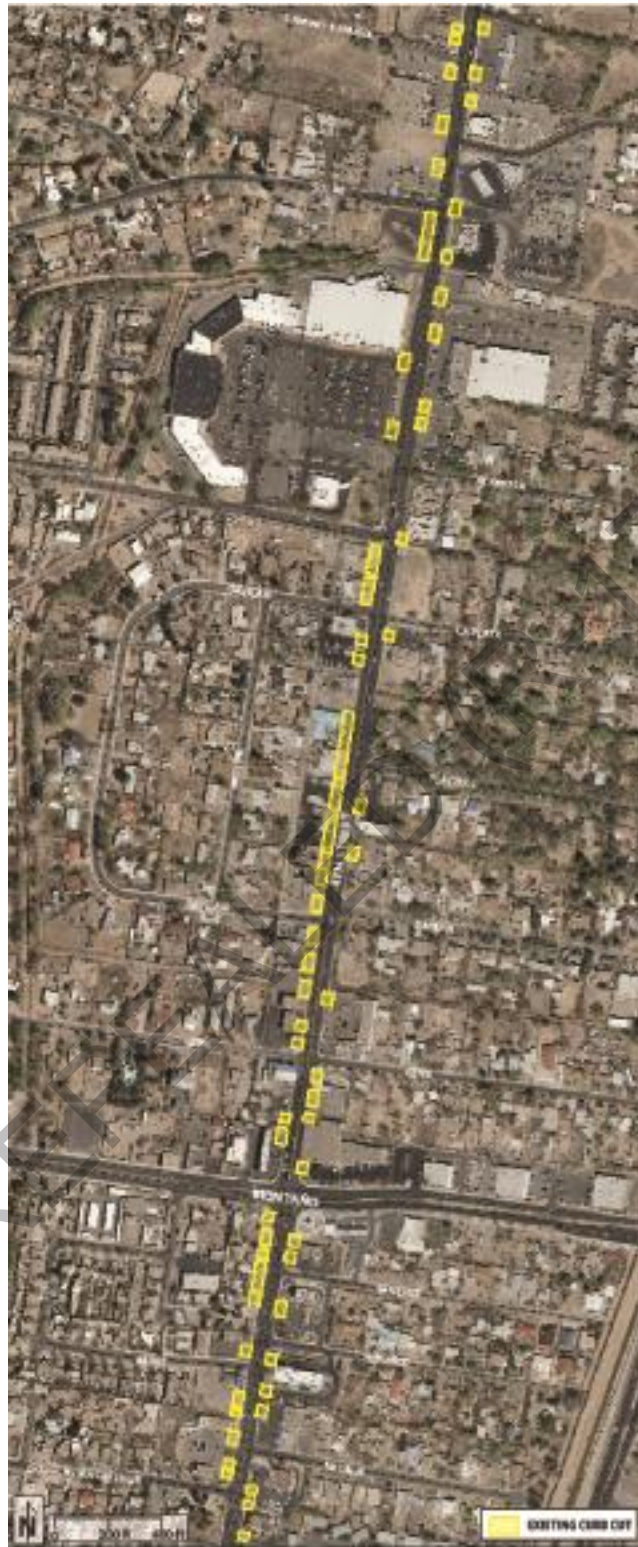


FIGURE 4-10 Existing Curb Cuts

#### 4.2.B.3 STEPS TO ALLEVIATE CONDITIONS

To guide North Fourth Street's reconstruction in a manner that addresses the existing conditions and remains consistent with the goals detailed in the 2004 Community Visioning Report, the following design principles shall be adopted:

1. Emphasize and ensure the safety of all street users, including pedestrians, motorists, transit riders and trucks
2. Create a highly walkable, livable and distinctive place within Albuquerque
3. Create a roadway friendly to pedestrians
4. Provide a supportive environment for urban revitalization and private investment
5. Maintain convenient access for vehicular traffic and parking
6. Maximize opportunities for landscaping throughout the corridor

#### 4.2.B.4 DESIGN PARAMETERS

Opportunities to enhance the street for pedestrians should be programmed using the following design parameters in the public right-of-way from Douglas MacArthur Road to the northern City limit:

1. Maintain four lanes of traffic and continuous sidewalks on both sides meeting ADA requirements. Within the areas of limited ROW, inside traffic lanes may be narrowed to allow for safety and pedestrian enhancements
2. Create an optimal pedestrian environment and automobile/transit access with four lanes of traffic
3. Widen the Right-of-Way (ROW) where necessary by acquiring property and/or negotiating easements
4. Add landscaped medians, pedestrian crossing refuges, street trees, other pedestrian enhancements, and turn bays.



FIGURE 4-11 Example of Grade-Level Caution Lights

#### 4.2.B.5 CONCEPTUAL STREET CROSS SECTION

1. Reconstruct both sides of the street to create a streetscape consistent with the minimum design elements shown in Figure 4-14 Redesign Concept D page 97 .
2. Construct safe and highly visible pedestrian crossings, approximately every 1/8 mile.

3. Install local bus stops along both sides of the street approximately every 1/8 mile.
4. Install Rapid Ride stops at major transfer points and development nodes.
5. Bury new distribution power lines on both sides of the street or route to new utility ROW.
6. Provide pedestrian-scaled street lighting along the entire length of North Fourth Street. Bus stops and other seating areas shall also be well lighted.
  - a. Pedestrian street lights shall be located between thirteen (13) feet and sixteen (16) feet above grade with a maximum average spacing (per block face) of 60 feet on center on North Fourth Street and 75 feet on center on “side” streets. Pedestrian street lights must be placed two (2) feet from the back of curb on each side of the street and travel lanes, unless otherwise indicated. Street lighting and street trees should not conflict.
  - b. Pedestrian street lights shall be directed downward to minimize fugitive lighting of the surrounding area.
  - c. Light poles and fixtures shall have a historic/retro look to give the North Fourth Street area a unifying look.
7. Provide left-turn breaks and left-turn lanes in medians. Consult fully with adjacent owners about median and median break placement.
8. Provide significant landscaping along the street and in medians with pedestrian refuges.
9. Within the LAAHD, construct neighborhood gateways that narrow a portion of the street so as to discourage non-residential traffic.
10. Allow and encourage shared parking and minimize curb cuts. Within the LAAHD, no curb cuts will be allowed along residential streets.
11. Install pedestrian shade structures and low water use trees at frequent intervals without interfering with signage.
12. Ensure that landscaping is high-quality, meets “green” standards and is sustainable.

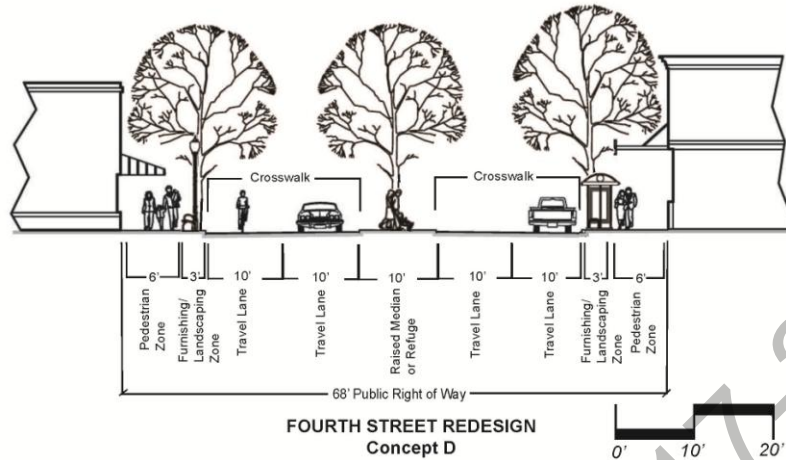


FIGURE 4-12 EXAMPLE OF STREET LIGHTING



FIGURE 4-13 EXAMPLE OF  
NEIGHBORHOOD GATEWAY

FIGURE 4-14 Redesign Concept D between Gene Road and Camino Español NW



#### North Fourth Street Redesign Concept D

Between Gene Road and Camino Español NW, 68 feet minimum R.O.W required

- a. Pedestrian Zone (6 feet)
- b. Furnishing Zone (3 feet)
- c. Raised Median (10 feet)
- d. Turn Lane (10 feet)
- e. Refuge (10 feet)
- f. Inside and Outside Travel Lanes (10 feet each)

#### 4.2.B.6 PLANNING AND CONSTRUCTION

The engineering design and construction of the street should include significant public input and involvement. A steering committee should be formed to guide the study and the selection of a contractor that would include abutting property owners and representatives of the neighborhoods as well as involving the broader public through design workshops or charrettes.

The City should work in tandem with existing and proposed private development on the parcels fronting Fourth Street as opportunities for demonstration projects emerge.

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REPEALED (R-17-213)

## 5 REDEVELOPMENT CONDITIONS & OPPORTUNITIES

### 5.0 INTRODUCTION

This plan proposes that steps be taken to designate portions of the North Fourth Street corridor as a Metropolitan Redevelopment Area (MRA). The proposed MRA boundaries would be all the real property fronting North Fourth Street NW from Lomas Boulevard to Gene Street , NW just north of Montaña Road. An MRA designation report will be presented to the City Council for approval of the MR boundary.

Physical improvements alone cannot resolve all of North Fourth Street's problems. Transformation of the area can be enhanced if the design and renovation improvements are supported by redevelopment tools that cover initial and on-going funding, combined with a coordinated, consistent management approach.

### 5.1 METROPOLITAN REDEVELOPMENT ACT

A significant redevelopment tool that should be used to begin transforming North Fourth Street is establishing a Metropolitan Redevelopment Area (MRA) as authorized under the State's Metropolitan Redevelopment Code.

The Metropolitan Redevelopment Code (3-60A-1 to 3-60A-48 NMSA 1978) provides municipalities in New Mexico with powers to correct conditions within their jurisdictions that "substantially impairs or arrests the sound growth and economic well being of a municipality or an area which retards the provisions of housing accommodations or constitutes an economic or social burden..."

To be eligible for designation, an “Existing Conditions Assessment” study must be completed to show evidence of blight, including poorly constructed buildings, faulty planning, lack of open space, deteriorated properties, and improper uses of land. In an MRA, public investment is used to stimulate private investment. In Albuquerque, 13 MRAs are currently designated including the Downtown 2010 Core, Old Albuquerque High area, Sawmill/Wells Park, and Los Candelarias Village Center.

To designate an MRA, the City Council acts on recommendations of the Albuquerque Development Commission and the Planning Department. The Commission and Planning Department, guided by a community-based committee, define the geographic area and identify desired improvements and catalytic projects. The MRA plan, as adopted by City Council, is implemented by the Planning Department using a variety of funding sources. The community-based committee guides the planning and implementation of key investments and redevelopment projects.

#### 5.1.A DESIGNATION

The designation of the North Fourth Street MRA would be based upon existing conditions predominate in the area. According to state and local law, the criteria for a finding of “blight”, is a necessary precondition to any redevelopment efforts using the Metropolitan Redevelop Code’s powers. A “blighted area” (as defined by 3-60A-4 of the Code), for example, means an area that meets one or more of the following:

- 1) The presence of a substantial number of deteriorated or deteriorating structures,
- 2) Predominance of defective or inadequate street layout,
- 3) Faulty lot layout in relation to size, adequacy, accessibility or usefulness,
- 4) Deterioration of site or other improvements,
- 5) Lack of adequate housing facilities in the area or an area that retards the provisions of housing accommodations,
- 6) Obsolete or impractical planning and platting,
- 7) Presence of a significant number of commercial or mercantile businesses that have closed or significantly reduced their operations due to the economic losses or loss of profit due to operating in the area,
- 8) Low levels of commercial or industrial activity or redevelopment, or

The code also states that any combination of factors as that above or others that substantially impair or arrest the sound growth and economic health and



well being of municipality or locale within a municipality may also constitute blight.

## 5.2 JUNE 2006 EXISTING CONDITIONS

As described in the *“June 2006, North Fourth Street Redevelopment Study: Rank III Corridor Plan – Review Draft,”* North Fourth Street was in poor condition. While some new development and redevelopment had occurred, including the new courthouses near downtown, and businesses like the El Mesquite Market and Menaul Marketplace, much of North Fourth Street had stretches of empty lots and buildings, and many properties were not at their highest and best use.

Some businesses were only open on a limited basis. A market analysis of the trade area, a quarter mile either side of Fourth Street, found that a majority of expenditures from local residents were spent outside of the area, real estate prices were 30% lower than the rest of the City, especially North of I-40 and rental rates were substantially lower than other retail corridors.

Other limitations of the area include the street itself. Physically, the street varies in width due to improper lot lines, with some portions of the corridor that do not have paved sidewalks. Other areas have sidewalks, but they are not wide enough to permit more than one person to safely walk because they too narrow. Utility poles and other obstructions are in the way. These conditions present a danger to pedestrians, including school age children, who in some cases, are forced to walk on the street to get to their destinations.

### 5.2.A PHOTO DOCUMENTATION OF BLIGHTED CONDITIONS ON NORTH FOURTH STREET

This section contains a number of photos illustrating typical conditions that were found along North Fourth Street in 2006. As shown, only a very few blocks of the street were without evidence of blight.

*This photo illustrates an underutilized lot, with an abandoned car, trash, a deteriorating fence, and weeds.*



**FIGURE 5-1 Vacant Land**

*An unsightly and forbidding fence guards this weedy and underutilized property.*



**FIGURE 5-2 Unsightly Fence**



*This car lot shares similarities with others along North Fourth Street: clutter, unsightly appearance.*

**FIGURE 5-3 Unsightly Appearance**



*This block sits abandoned, the building boarded up, the site deteriorated.*

**FIGURE 5-4 Abandoned Building**

*This mobile home park is nearly empty after being temporarily shut down by the City in 2005. Remaining units are in poor condition.*



**FIGURE 5-5 Mobile Homes in Poor Condition**

### 5.3 REDEVELOPMENT TOOLS

In addition to the designation of an MRA, many tools for redevelopment, already in use in other parts of Albuquerque, may be appropriate in the revitalization of North Fourth Street. Examples include:

- A. Tax Increment Financing (TIF)
- B. Tax Increment Development District (TIDD)
- C. A Community Development Corporation (CDC)
- D. A Voluntary Business Improvement District (BID)
- E. Façade Improvement Programs
- F. The State MainStreet Program
- G. Capital Improvement Program and G.O. Bond funds
- H. State Legislative funding
- I. Federal funding

#### 5.3.A TAX INCREMENT FINANCING

Tax Increment Financing (TIF) is implemented by state enabling legislation to help local governments to improve economically sluggish areas. The focus of a TIF is to create new development/business and also to retain and improve existing businesses, with resulting additional private investment. An attractive feature of a TIF is that

local governments can make improvements and provide incentives without tapping into general funds or raising taxes.

A tax increment is the difference between the value of property before district designation and after designation. If improvements are made to the MRA, the new increment of value is put into an MRA Fund for specific use for the area. The increment can also be based on simple inflation.

When a TIF project is set up, a base year is specified and locked in. Money from the increment increases as district conditions improve. The Albuquerque Development Commission and City Council make decisions for projects based on community input. The TIF stream of income can continue for up to 20 years. The City can bond against it as amounts increase.

#### 5.3.B TAX INCREMENT DEVELOPMENT DISTRICT

Like TIF financing, a TIDD is a district formed for the purpose of carrying out tax increment development projects to pay for development costs such as land acquisition and site improvements. The state Tax Increment Development Act allows cities and counties to create TIDDs that can leverage the future gross receipts tax and property tax revenues within a defined area to finance the sale of public bonds. Bond dollars are then allocated to the project developer to pay the infrastructure costs of the new development.

#### 5.3.C BUSINESS IMPROVEMENT DISTRICT

A Business Improvement District (BID) is a special district that assesses additional property or gross receipts taxes on an area to finance services and improvements. Authorized under State law, only those properties that directly benefit are taxed. The assessment is on commercial properties only, not residential or non-profit.

BID funds augment services that a City normally provides, e.g., clean-up, special events, security patrols. To establish a North Fourth Street BID, the City and businesses must realistically plan the types of services that will best improve the area and community perceptions about it. To establish a BID would require a community board and staffing.

#### 5.3.D COMMUNITY DEVELOPMENT CORPORATION

A Community Development Corporation (CDC) is a non-profit organization focused on a project or area for redevelopment. An effective CDC has a strong community board, a focused mission statement and dedicated paid staff. Typically CDCs generate strong community support for and involvement in the redevelopment and development projects they undertake. CDCs typically receive funding from HUD, federal sources, and limited funding through the City.

#### 5.3.E THE STATE MAINSTREET PROGRAM

MainStreet areas are designated and provided with technical expertise and funding from the State of New Mexico. Albuquerque's Nob Hill is New Mexico's original MainStreet program and was initially funded by a federal program of the mid-1980s.

MainStreet communities receive state funding, seek grants and capital funding for infrastructure improvements, as well as for cooperative promotion of businesses, e.g., signage, banners, advertising, special events. They must hire a program coordinator at least halftime. Requirements for becoming a certified MainStreet community include signing a memorandum of understanding to comply with the National Trust's MainStreet four point approach that includes design, organization, promotion and economic positioning as well as participation in statewide meetings and training workshops, meeting program requirements, submitting reports, and stimulating community volunteer efforts.

#### 5.3.F CITY OF ALBUQUERQUE CAPITAL IMPLEMENTATION PROGRAM AND GENERAL OBLIGATION BONDS

The City's CIP provides capital funding through a multi-year schedule of public physical improvements. The CIP administers funds for acquiring, constructing, replacing, upgrading and rehabilitating Albuquerque's built environment. For Albuquerque's redeveloped areas, the most visible changes may be seen in streetscape projects, but improvements also may include expansion of public safety facilities, libraries, parks and trails, senior and community centers. The main source of CIP funding is through passing General Obligation Bond Funds. City residents go to the polls every two years to vote on a new package of projects, most of which are approved. By ordinance, 1% of G.O. Bond funds are earmarked for public art projects.



Other major funding sources for capital improvements are: Enterprise Funds, primarily for the Aviation Department and for Water/Wastewater. Additional sources of funding include: Metropolitan Redevelopment Funds, Urban Enhancement Trust Funds for citizen-initiated cultural and capital projects.

#### 5.3.G STATE LEGISLATIVE FUNDING

State legislators from the North Valley have been extremely effective in securing capital projects for North Fourth Street. They respond to citizens' requests for capital projects and planning, which are funded by the State Capital Outlay Program. City staff also meets with legislators to develop project lists that result in a package of capital projects. The MRA can form the basis for requests to legislators in order to ensure ongoing, consistent project implementation.

#### 5.3.H FEDERAL FUNDING

Community Development Block Grant (CDBG) funds remain a major source of funding for projects and programs. The City of Albuquerque receives several million dollars per year from Housing and Urban Development (HUD) to pay for housing, commercial development, homeless programs, and some Capital Improvement Programs. The Albuquerque Citizens Team (ACT), an appointed citizen advisory group, allocates the federal funds using five-year plans that are updated each year through a community hearing process.

In 2006 a grant application for a senior housing project at the old Larry's Drive-in site, now owned by the City, was underway. If successful, the project would provide 60 apartments for low-income seniors, using funds from HUD's Section 202 Supportive Housing for the Elderly program.

Other federal funds come from Economic Development Administration (EDA) grants from the Commerce Department. The community identifies specific public projects, and then goes through an application process that requires planning and preliminary design processes.

#### 5.3.I FAÇADE IMPROVEMENT PROGRAMS

In 2006, the United South Broadway Corporation had a contract to work with businesses along North Fourth Street up to Griegos Road. Funds came from two programs: UDAG money was used for the area up to San Lorenzo, NW and CDBG money was used for the area from San Lorenzo, NW to Griegos Road, NW.

Both programs provided small grants to business for improvements to facades - \$2,000 to \$3,000. They both also provide matching fund loans for \$10,000 to \$20,000, an amount that may be forgiven if the business operates at that location for five years.

Extending façade improvement programs along additional areas of North Fourth Street would benefit the overall appearance of the corridor and help businesses. In addition, the façade projects would work with implementing pedestrian and transportation improvements and design of the corridor.

## 5.4 NEXT STEPS

The programs and funding sources under consideration for North Fourth Street revitalization will require different levels of hands-on community support and on-going commitment.

### 5.4.A INITIAL ACTIONS

- 1) Complete an existing conditions assessment;
- 2) Confirm boundaries for the redevelopment area;
- 3) Seek designation of the corridor as a Metropolitan Redevelopment Area;
- 4) Use City-funded G.O. Bonds for specific projects such as streetscape and property acquisition;
- 5) Continue to use State capital funds for specific projects; and
- 6) Continue with existing façade improvement programs and access other funding for façade improvements.



#### 5.4.B FOLLOW-UP ACTIONS

As the redevelopment process gets under way, merchants, property owners and residents should continue to organize to redevelop the area. Follow-up actions to support the redevelopment process may include:

- 1) Establishing a TIF or TIDD district
- 2) Instituting a voluntary BID
- 3) Participating in the State MainStreet program
- 4) Expanding the facade programs

Should local commitment to North Fourth Street redevelopment remain strong, a Community Development Corporation could be considered, possibly covering an area beyond North Fourth Street.

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