

East Downtown Urban Conservation Overlay Zone

IDO East Downtown Character Protection Overlay CPO-3

At the December meeting of the LUCC, it was decided that a review of the proposed IDO, Integrated Development Ordinance, was in order to examine how it affected the influence of the Commission regarding the Edo Urban Conservation Overlay Zone. Under the IDO, the Edo UCOZ will be replaced by the CPO-3 East Downtown Character Protection Overlay and the East Downtown HPO-1 (Historic Preservation Overlay)

The Huning Highland Historic District was established in 1980 for the preservation of the largely turn of the 19th/20th century residential area. As a result, it also encompassed the East Downtown Central Ave. Corridor.

After more than 20 years of regulation within the district, a motion was made by at least 51% of property owners along the corridor to be removed from the Huning Highland Historic District. The reason cited and presented to the LUCC were:

- Lack of distinctive characteristics worthy of conservation**
- Lack of increased economic reinvestment and stabilization of property values as was experienced within the residential areas**
- Central and Broadway corridors reflect much greater diversity and do not reflect a coherent period of historic significance**
- HH HOZ has been ineffective in promoting economic stability and reinvestment**

As a solution to these concerns the LUCC and EPC, followed by City Council Resolution F/S R-04-146, approved the revised Huning Highland district boundaries and the establishment of the East Downtown Urban Conservation Overlay Zone.

With the drafting of the IDO, the intention has been to simplify regulations, streamline approvals where appropriate and improve the overall quality of development standards for the City of Albuquerque. The Edo UCOZ is one such area where these changes are to be implemented. In general, the Edo is to be replaced with the East Downtown – Character Protection Overlay (CPO-3).

This will result in development along the corridor being reviewed by the City permit counter, according to guidelines taken from the EDO UCOZ, rather than by the Architectural Review Committee. All development proposals within the new CPO – 3 will be reviewed for compliance by LUC planning staff.

At the same time, those properties in the Edo UCOZ classified as contributing and significant to the Huning Highland Historic District as well as City Landmarks, will be rezoned as HPO-1. As such, all exterior changes to those buildings shall continue to be reviewed by the LUCC and shall comply with procedures and requirements for building alterations, demolition, and new construction.

The only tangible difference in LUCC review will be that of public right-of-way and streetscape changes. These will no longer heard by the LUCC.

Leslie Najl
Planner

Attachments:

- A-1 IDO HPO-1 guidelines
- A-2 IDO HPO-3 guidelines
- A-3 Map of HPO-1 with HPO-4 (Huning Highland)
- A-4 Map of current HH HOZ & Edo UCOZ
- A-5 Map of original Huning Highland HOZ
- A-6 Resolution R-132-1980 establishing Edo UCOZ

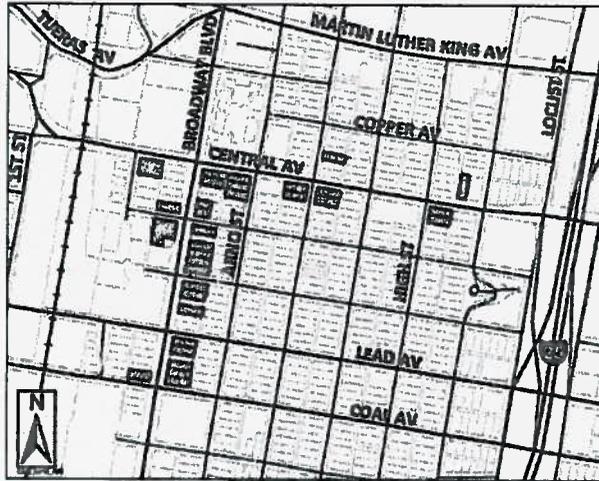
5. Have a relationship to designated landmarks or a historic zone that makes the area's preservation critical.

B. Designated Historic Protection Overlay Zones¹⁴⁰

1. East Downtown HPO-1¹⁴¹

a. Map

The HPO-1 standards and guidelines apply to the specific structures indicated in the mapped area shown.



b. Standards and Guidelines¹⁴²

These standards and guidelines apply to all significant, contributing, and City landmarks. If any of these buildings is also a City Landmark, the Landmark Guidelines shall take precedence over these guidelines. Construction of new structures within the HPO-1 shall comply with the standards in Section 14-16-2-7.2.B.3.

i. General Guidelines

- a. Height, mass, and scale, shall be maintained as is, or as in relationship to other buildings on the block in the case of additions/alterations.
- b. Setbacks shall be maintained as is to preserve the pattern of building fronts and setbacks from the street.
- c. Profiles shall maintain the geometry created by similar shapes and sizes; for example, by pitched roofs.

¹⁴⁰ Each individual historic district, plus the H-1 district, are listed separately. Specific standards (in addition to links to approved standards and guidance documents) may be included for some of these districts. Since Module 1, the EDO/UCOZ area has been removed as a designated historic district, and is instead now regulated as a CPO overlay zone. Individual designated landmarks in the area are still subject to the IDO historic protection regulations and review by the Landmarks Commission.

¹⁴¹ Since module 1, the EDO/UCOZ areas have now been divided into a CPO zone district and an HPO zone. These standards and guidelines are derived from the current EDO historic preservation district standards and guidelines. Staff is continuing to review the combined historic/character protection standards to carry out the intent of the current regulations in a format that is simpler to administer. Content on lighting and signage have been deleted because they are covered by citywide standards since Consolidated Draft. Renamed since the Consolidated Draft to reflect the historic context of Huning Highland.

¹⁴² Revised since Consolidated Draft to delete standards that have proven too vague to apply consistently. Reference to construction on sites of demolished landmarks deleted since Consolidated Draft. Revised since Consolidated Draft to clarify the standards and process required for new construction. After adoption of the IDO, these revised standards will be moved to the Planning website, consistent with the other HPO zones. Last sentence is new since Consolidated Draft.

- d. Exposed materials and features shall comply with the standards in Section 14-16-2-7.2.B.3 (East Downtown – CPO-3).
 - i. If an addition or alteration is made to historic building, all materials shall be compatible with materials on that building.
 - ii. Original exposed materials should not be covered by other materials.
- ii. Existing Residential Building - Rehabilitation/ Renovation/ Alteration
 - a. Significant, Contributing Buildings or City Landmarks listed in the Huning Highland National District on the National Register of Historic Places shall:
 - i. Preserve unusual and irreplaceable architectural details;
 - ii. Keep original building materials (i.e. wood, brick) whenever possible;
 - iii. Avoid the use of inappropriate materials (i.e. plastic, metal);
 - iv. Not necessarily attempt literal duplication of historic architectural styles in additions to existing structures;
 - v. Keep original door, window, and roof shapes and arrangements; use of wooden window elements is encouraged; if metal frames must be used, a shiny metallic appearance must be avoided.
 - b. Additions to these buildings shall be:
 - i. Oriented to the alley or setback from the front facade, if placed on the side.
 - ii. Related to the rest of the building in scale, mass, and shape;
 - iii. Appropriate in material and color;
 - iv. Compatible with the original structure in window design;
 - v. Compatible with the original structure in terms of roof slope and shape.
 - c. Outbuildings

If the outbuildings are listed as significant or contributing, they shall be treated as main buildings. If they are neither significant nor contributing, they shall be treated as non-contributing buildings.
- iii. Existing Commercial Building - Rehabilitation/Renovation/Alteration
 - a. Existing setbacks shall be maintained;
 - b. Storefronts shall be oriented toward the main pedestrian way. Blank façades are not allowed; window openings should encourage and enhance pedestrian traffic.
 - c. On-site parking shall be located in the rear of the property or to the side of the building when adjacent to a side street.
 - d. Altered façades shall closely resemble the architectural style of the original façade. The alteration of façades to resemble architectural styles not common to the era when the structure was built is not allowed.
- iv. Site Design
 - a. Main entrances of buildings shall be oriented to the pedestrian approaching from the sidewalk on the most-used street adjacent to the facade of the building. Parking for cars shall be at the rear of the primary structure.¹⁴³

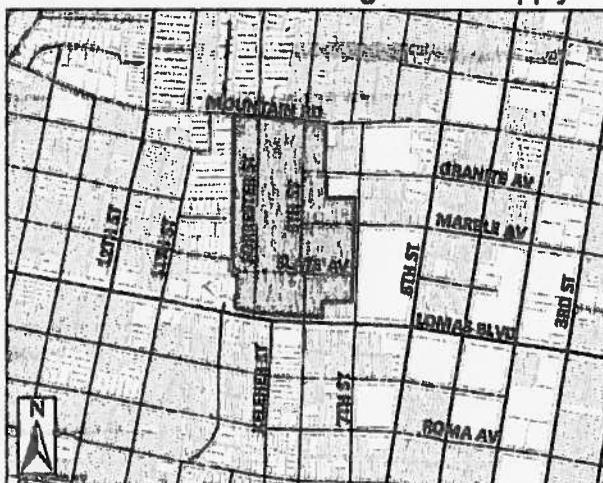
¹⁴³ Missing words "primary structure" added since Consolidated Draft.

- b. Installation of new trees and retention of existing healthy trees is encouraged. New trees should be disease-resistant and similar in shape, type, and size at maturity to those existing in the area.
- c. The patterns of existing walls, steps, and raised entrances shall be maintained. New fences on these properties shall be wood, stone, brick, adobe, or wrought iron. Chain link is not allowed.
- v. **Energy Efficient Design**
 Additions to existing structures of these building types to allow the use of solar energy to increase energy efficiency are allowed. The design of such elements must be integrated into the overall building pattern with particular emphasis on preserving façades and roof slope/shape. The Secretary's Standards for Rehabilitation shall be used.
- vi. **Interiors**
 No interior elements are governed by these HPO standards. However, if the structure is a City Landmark, interior guidelines may be applicable to that structure only, according to the guidelines for that Landmark.

2. Eighth/Forrester HPO-2

a. Map

The HPO-2 standards and guidelines apply in the mapped area shown.



b. Standards and Guidelines

The standards and guidelines applicable in the HPO-2 zone are available online: <http://www.cabq.gov/planning/documents/8forresterdesign.pdf>

3. Fourth Ward HPO-3

a. Map

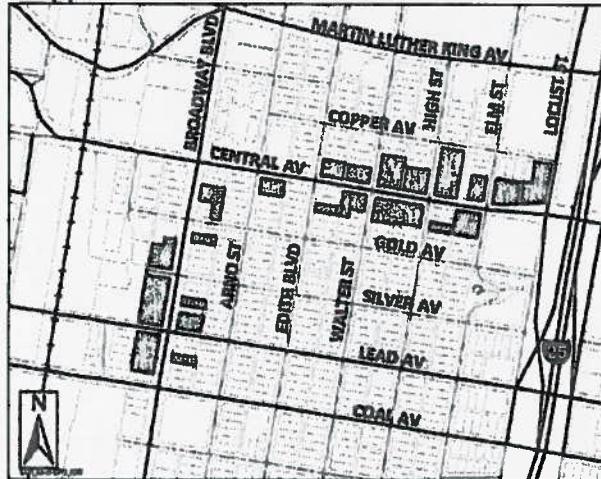
The HPO-3 standards and guidelines apply in the mapped area shown.

- e. Cross-references
 - i. Commercial Surface Parking Lots Prohibited. See Section 14-16-3-3.4.Q.4.
 - ii. Drive-through Facilities Prohibited. See Section 14-16-3-3.6.D.5.
 - iii. Accessory Dwelling Units Allowed. See Section 14-16-3-3.6.E.9.
 - iv. Carports Prohibited. See Section 14-16-4-5.6.B.1.b.i.
 - v. Wall Standards. See Section 14-16-4-6.9.B.6.
 - vi. Second Story Addition Setback. See Section 14-16-4-10.3.
 - vii. Demolition Review. See Section 14-16-5-5.2.C.

3. East Downtown - CPO-3¹¹³

a. Applicability Area

The CPO-3 standards and guidelines apply to the specific parcels on the mapped area shown.



b. Project and Site Standards

Lot size, width, density, and usable open space shall be provided according to the applicable standards listed in Section 14-16-4-1(Dimensional Standards).

c. Setback Standards

- i. Front setback – 0 ft. min.; 1 ft. max.
- ii. Side setbacks – 0 ft. min. for internal lots; 5 ft. min. for side streets.
- iii. Rear setbacks – 5 ft. min.

d. Building Standards

- i. Building Height Edge Standards¹¹⁴
 - a. Within the CPO-3 zone, the maximum building height is 30 feet within 35 feet of a single-family Residential zone district.

¹¹³ Since module 1, the EDO/UCOZ areas have now been divided into a CPO zone district and an HPO zone. Staff is continuing to review the combined historic/character protection standards to carry out the intent of the current regulations in a format that is simpler to administer.

¹¹⁴ Building height provisions from EDO Regulatory Plan have been removed since Consolidated Draft. Building height maximums have been changed for MX-L since the Consolidated Draft within Main Street areas to 55 feet, which would apply to EDO.

- b. Within the CPO-3 zone, the height limit of any structure within 15 feet of a contributing building in the HPO-1 or HPO-4 zone is three stories more than the contributing building, or the maximum height allowed by the base zone district, whichever is less.¹¹⁵
- ii. **Building Articulation**
- a. Façades on the ground floor facing Central Avenue between Arno and High Streets shall be built to function as or appear as shopfronts, and shall have a minimum of 60 percent fenestration, as measured from the floor to ceiling height, with window sills no higher than 30 inches above the finished floor.
 - b. All other façades on the ground floor facing Central Avenue and Broadway Boulevard shall have a minimum of 40 percent fenestration, as measured from the floor to ceiling height, with window sills no higher than 30 inches above the finished floor.
 - c. Façades on the ground floor facing intersecting side streets shall have a minimum of 30 percent fenestration, as measured from the floor to ceiling height, with window sills no higher than 30 inches above the finished floor.
 - d. All window glass shall be clear with at least 90 percent light transmission between exterior and interior on the ground floor and at least 75 percent light transmission between the exterior and interior on upper floors. Modifications of these standards are permitted as necessary to meet any applicable building and energy code requirements.
- iii. **Building Materials¹¹⁶**
- a. Where clearly visible from the public right-of-way, only the following primary materials are permitted: stucco smooth or sand finish only, no roughly textured (including Brocade) finish; brick and tile masonry; native stone or synthetic equivalent; or wood lap siding in a horizontal configuration that is smooth or rough-sawn finish (no faux wood grain).
 - b. Where clearly visible from the public right-of-way, only the following secondary building materials are permitted: terra cotta tiles; pre-cast masonry (for trim and cornice elements only); gypsum reinforced fiber concrete (for trim elements only); metal (for beams, lintels, trim elements, and ornamentation only); split-faced block (for piers, foundation walls, and chimneys only); wood lap siding; or wood trim.
 - c. Brick, block, and stone must be detailed and in appropriate load-bearing configurations, i.e. heavier (masonry) materials support lighter (wood) materials.
 - d. Wall materials shall be consistent horizontally, i.e., joints between different materials must be horizontal and continue around corners, except for panel inserts up to 15 percent of façade, and/or chimneys and piers.

¹¹⁵ Added since Consolidated Draft.

¹¹⁶ Text modified to say that "only" the following primary and secondary materials are permitted. Otherwise these are only recommendations (i.e. other materials are also permitted because you did not prohibit them).

- iv. **Doors and Windows¹¹⁷**
- a. Where clearly visible from the public right-of-way, only the following window materials are permitted: anodized aluminum, wood, clad wood, vinyl, or steel.
 - b. Window screens shall be black or gray, and screen frames shall match window frame material or be dark anodized.
 - c. Where clearly visible from the public right-of-way, the following door materials are permitted: wood, clad wood, steel, and may include glass panes.
 - d. Doors shall not be recessed more than 3 feet behind the shopfront windows and, in any case, shall be clearly visible.
 - e. Wall openings shall not span vertically more than one story; double height entryways are not allowed.
 - f. The following requirements apply to all window configurations:
 - i. Windows may be ganged horizontally if each grouping is separated by a mullion, column, pier or wall section that is at least seven inches wide.¹¹⁸
 - ii. Windows shall be no closer than 30 inches to building corners (excluding bay windows).
 - iii. Exterior shutters, if applied, shall be sized and mounted appropriately for the window (one-half the width), even if inoperable.
 - iv. All upper-story windows shall be double-hung, single-hung, awning, or casement windows.
 - v. Fixed windows are permitted only as a component of a system including operable windows within a single wall opening.
 - g. On residential buildings/floors, panes of glass shall be no larger than 48 inches vertical by 30 inches horizontal.
 - h. The maximum pane size for office uses is 48 inches vertical by 40 inches horizontal.
 - i. Shop-front (ground floor commercial) windows and doors shall:
 - i. Contain single glass panes no larger than eight feet in height by five feet in width.
 - ii. Allow a minimum of 60 percent of window surface view into the building for a depth of at least 20 feet.
 - iii. Have sills of not more than 30 inches above the sidewalk.
 - iv. Locate all window screens, including security screens, bars and other devices, behind the window surface (on the interior).
 - j. Shop-fronts may extend up to 12 inches beyond the façade.
- v. **Roofs and Parapets**
- a. Where clearly visible from the public right-of-way, the following materials are permitted: clay or concrete (faux clay), tile (barrel or flat roman), slate (equivalent synthetic or better), metal (standing seam 5-V crimp, equivalent or better), or dimensional asphalt shingles.
 - b. Cornices and soffits may be a combination of wood, vinyl, and/or metal.

¹¹⁷ Provision requiring wall openings to correspond to interior space was deleted since Consolidated Draft. Provision requiring the horizontal dimension of a wall opening not to exceed the vertical dimension deleted since the Consolidated Draft based on public comment.

¹¹⁸ Provision establishing a maximum of 5 per group deleted since Consolidated Draft.

- c. The following configurations and techniques are permitted for pitched roofs:
 - i. Eaves must overhang 18 to 30 inches on the primary structure.
 - ii. Rakes (gable end) must overhang 12 to 24 inches on the primary structure.
 - iii. Eaves and rakes on accessory buildings, dormers, and other smaller structures must overhang at least 6 inches.
 - iv. Open eaves and simple traditional soffits and fascia are allowed.
 - v. Soffits shall be placed perpendicular to the building wall, not sloping in plane with the roof (except for gable end rakes).
 - vi. Timber eaves, *vigas*, and balcony brackets shall be a minimum of 7.5 inches (nominal 'eight-by') in dimension.
- d. Parapet roofs are allowed only in a configuration where the roof material is not visible from any adjacent public right-of-way.
- e. Buildings without visible roof surfaces and overhanging eaves may satisfy the overhang requirement with a cornice projecting horizontally between six and 12 inches beyond the building walls of the primary structure.
- f. Skylights and roof vents are permitted only on the roof plane opposite the primary street or right-of-way or when shielded from view of the public right-of-way by the building's parapet wall.
- vi. **Awnings and Overhangs**
 - a. Minimum 10 feet clear height above sidewalk, minimum 6 feet in depth out from the building façade and maximum to curb or tree-planting strip, whichever is closer.
 - b. Canvas cloth or equivalent, metal, or glass is permitted. Shiny or reflective material is prohibited.
 - c. No internal illumination through the awning or overhang.
 - d. Lettering on awnings limited to nine inches high on vertically hanging fabric at curb side of awning.
 - e. No one-quarter cylinder configurations.
- e. **Other Development Standards¹¹⁹**
 - i. **Street Walls**

A street wall is a masonry wall that defines outdoor spaces and separates the public right-of-way from the private realm (parking lots, trash cans, gardens, and equipment).

 - a. The street wall shall be set back eight inches or less from the public right-of-way or adjacent building façade-alignment.
 - b. An opaque vehicle entry gate, of a maximum 18 feet wide, and a pedestrian entry gate, of a maximum six feet wide, are both allowed as limited substitutions within any street wall length.
 - c. All street wall façades shall be as carefully designed as the building façade, with the finished side out, i.e. the "better" side facing the street.

¹¹⁹ Section on signs deleted since Consolidated Draft as unnecessary given IDO regulations and based on public comment.

- d. Where clearly visible from the public right-of-way, the following materials are permitted: native/regional stone and equivalent imitation stone, metal (wrought iron, welded steel and/or aluminum electro-statically plated black), brick, stucco, or a combination of materials (e.g. stone piers with brick infill panels).
 - e. Metal work may additionally be treated to imitate a wrought-iron or copper patina.
 - f. Copings shall project between one inch and four inches from the face of the wall.
- ii. **Parking¹²⁰**
- a. Parking areas must be set back:
 - i. From the front lot line a minimum of 30 percent of the lot depth;
 - ii. From other street frontages a minimum of 10 feet;
 - iii. From rear lot lines a minimum of five feet.
 - b. Vehicular access is permitted only from side-street or alley.
 - c. Parking garages shall have liner buildings along all side street frontages and solid three foot minimum high walls or solid landscape at side and rear property lines; provided, however, if the side or rear property line is adjacent to a residentially-zoned lot, the wall of the parking structure must be entirely solid, without opening.
- iii. **Outdoor Lighting**
- a. Lighting elements shall be incandescent, metal halide or halogen only. No HID or fluorescent lights (excepting compact fluorescent bulbs that screw into standard sockets) may be used on the exterior of buildings.
 - b. All lots with alleys shall have lighting fixtures within 5 feet of the alley right-of-way to illuminate the alley.
 - c. No flashing, traveling, animated or intermittent lighting shall be visible on the exterior of any building whether such lighting is temporary or long-term duration.
- f. **Cross-references¹²¹**
- i. Historic Preservation. See Section 14-16-2-7.3.B.1 (East Downtown HPO-1) for historic protection standards.
 - ii. Demolition Review. See Section 14-16-5-5.2.C (Demolition of Non-Designated Structure Outside of HPO) for demolition review requirements.
 - iii. Neon Signs: See Section 14-16-4-11.6.F.1 (Neon Signs along Central Avenue) for applicable standards.
4. **Los Duranes – CPO-4**
- a. **Applicability Area**
The standards of the CPO-(new) 4 apply in the mapped area below.

¹²⁰ Mapped area where on-site parking is allowed deleted since Consolidated Draft.

¹²¹ Cross references added since Consolidated Draft.

HUNING HIGHLAND HISTORIC OVERLAY ZONE HPO-4 & EAST DOWNTOWN HISTORIC OVERLAY ZONE HPO-1



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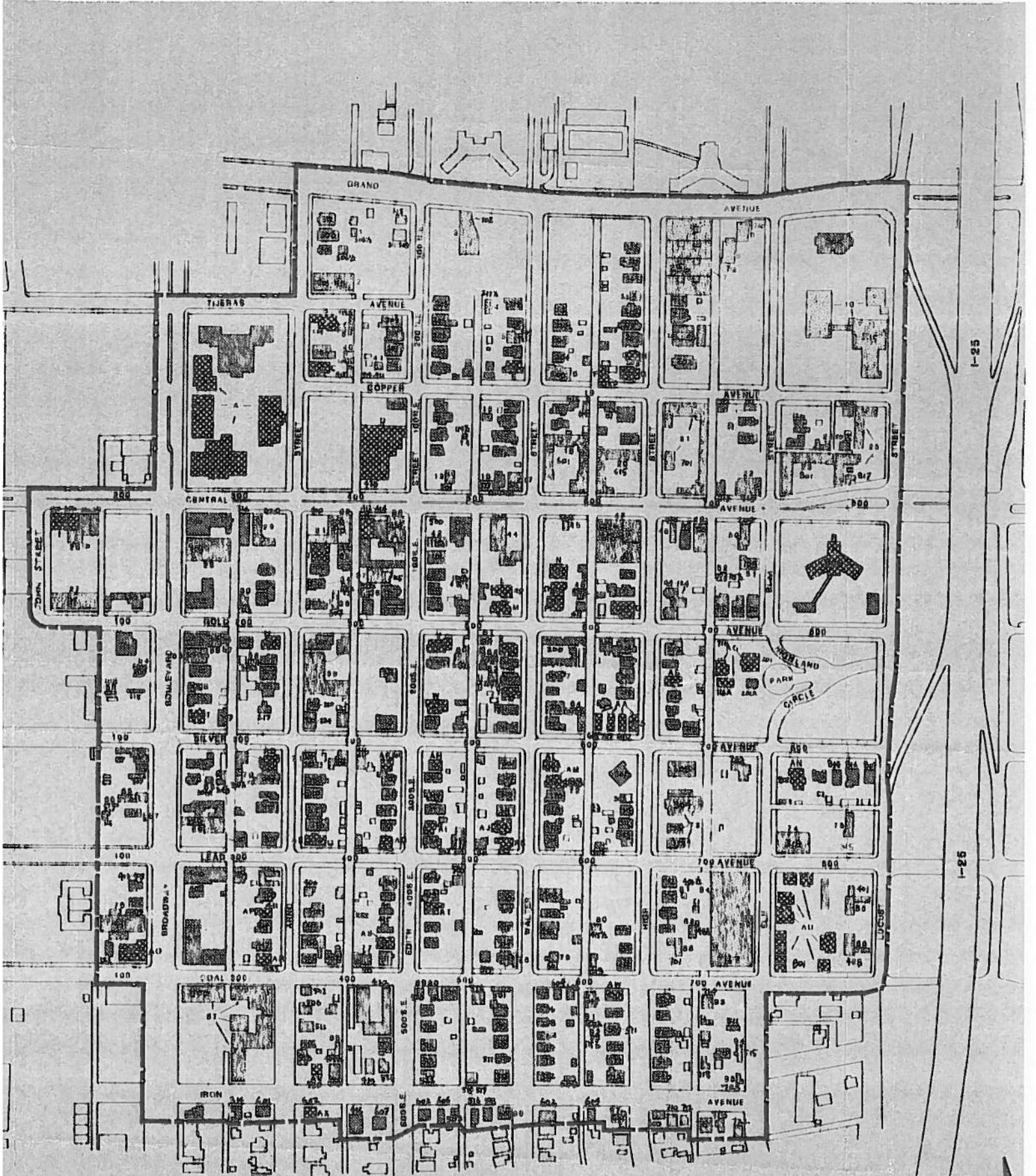
HUNING HIGHLAND HISTORIC OVERLAY ZONE & EDO URBAN CONSERVATION OVERLAY ZONE

Note: Landmarks & Urban Conservation
Commission approval is required
before work begins in Historic Zone

Date: 3/31/2015



A-4



1-25

25

HUNING HIGHLAND HISTORIC DISTRICT

- BOUNDARY
- CONTRIBUTING
- ▨ SIGNIFICANT
- ▨ NON-CONTRIBUTING

A-5

**CITY of ALBUQUERQUE
SIXTEENTH COUNCIL**

COUNCIL BILL NO. 2004 F/S R-04-146 ENACTMENT NO. _____

SPONSORED BY: **ERIC GRIEGO**

1 RESOLUTION
2 AMENDING ENACTMENT NO. ~~R-132-1980~~ WHICH DESIGNATED THE HUNING
3 HIGHLAND HISTORIC OVERLAY ZONE AND APPROVED DESIGN
4 GUIDELINES; ~~AMENDING THE BOUNDARY~~ OF THE HUNING HIGHLAND
5 HISTORIC OVERLAY ZONE; ~~IDENTIFYING DISTINCTIVE CHARACTERISTICS~~
6 AND GENERAL PRESERVATION GUIDELINES FOR THE "EAST DOWNTOWN"
7 AREA; ~~ESTABLISHING THE EAST DOWNTOWN URBAN CONSERVATION~~
8 ~~OVERLAY ZONE~~; AND ADOPTING A REGULATORY PLAN, INCLUDING
9 ARCHITECTURAL STANDARDS, FOR THE EAST DOWNTOWN URBAN
10 CONSERVATION OVERLAY ZONE.

11 WHEREAS, the Council is authorized to establish historic overlay zones
12 and urban conservation overlay zones, to approve an historic overlay zone or
13 an urban conservation overlay zone map change, and to amend or rescind any
14 historic or urban conservation overlay zone it has granted; and

15 WHEREAS, in 1980, the Council designated a Huning Highland Historic
16 Overlay Zone and approved the accompanying design guidelines by adoption
17 of Enactment No. R-132-1980; and

18 WHEREAS, an application for the establishment of an East Downtown
19 Urban Conservation Overlay Zone and for the ~~amendment~~ to the boundaries of
20 the existing Huning Highland Historic Overlay Zone was ~~submitted to the~~
21 ~~Landmarks and Urban Conservation Commission ("LUCC") by more than 51%~~
22 ~~of the property owners in the area covered by the application; and~~

23 WHEREAS, the Lucc conducted a public hearing on the application after
24 providing proper notice, and recommended approval of the application which
25 was submitted to the Environmental Planning Commission; and

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1 WHEREAS, the LUCC recommended the rescission of the designation of a
2 portion of the Huning Highland Historic Overlay Zone, and recommended
3 approval of the East Downtown Urban Conservation Overlay Zone for the
4 same area; and

5 WHEREAS, the LUCC approved and recommended adoption of a
6 Regulatory Plan for the East Downtown Urban Conservation Overlay Zone, to
7 establish design regulations for building alteration, demolition, and new
8 construction within the East Downtown Urban Conservation Overlay Zone;
9 and

10 WHEREAS, the Environmental Planning Commission ("EPC") evaluated
11 and recommended adoption of the East Downtown Urban
12 Conservation Overlay Zone, requiring the rescission of a portion of the Huning
13 Highland Historic Overlay Zone and adoption of the same area as the
14 boundary for the East Downtown Urban Conservation Overlay; and

15 WHEREAS, a segment of Central Avenue from Broadway Boulevard to
16 Locust Street and a segment of Broadway Boulevard from Central Avenue to
17 Coal Avenue is the area recommended by the LUCC and the EPC to be
18 removed from the Huning Highland Historic Overlay Zone and to be placed in
19 the East Downtown Urban Conservation Overlay Zone; and

20 WHEREAS, the proposed East Downtown Urban Conservation Overlay
21 Zone has distinctive characteristics worthy of conservation, but as a whole,
22 lacks sufficient historical significance to continue to be designated as a
23 historic area; and

24 WHEREAS, the proposed overlay zone has recognized neighborhood
25 identity and character and a relationship to the downtown urban center and
26 the Huning Highland Historic District, which makes the area's conservation
27 critical; and

28 WHEREAS, the benefits of increased economic reinvestment and stabilized
29 property values that have occurred in the residential portions of the Huning
30 Highland neighborhood since the adoption of the Huning Highland Historic
31 Overlay Zone have not occurred along the Central Avenue and Broadway
32 Boulevard Corridors; and

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1 WHEREAS, existing development within the residential portions of the
2 Huning Highland neighborhood primarily reflects a cohesive turn-of-the-
3 century period, development along the ~~Central and Broadway corridors~~
4 ~~reflects a much greater diversity~~ in terms of time period and construction type.
5 In contrast to the adjacent residential neighborhood, existing structures along
6 the commercial corridors generally ~~do not reflect a coherent period of historic~~
7 ~~significance,~~ and

8 WHEREAS, reinvestment in some of the residential portions of the Huning
9 Highland Historic Overlay Zone appears to have been hindered by prevailing
10 conditions of blight and under- utilized land within the adjacent Central
11 Avenue and Broadway Boulevard corridors; and

12 WHEREAS, application of the ~~Huning Highland Historic Overlay Zone~~ to
13 properties along and adjacent to the Central Avenue and Broadway Boulevard
14 corridors was inappropriate from a historic preservation perspective and ~~has~~
15 ~~been ineffective in promoting economic stability and reinvestment;~~ and

16 WHEREAS, the rescission of the Huning Highland Historic Overlay Zone for
17 properties along and adjacent to the Central Avenue and Broadway Boulevard
18 corridors provides the opportunity to remove inappropriate land use
19 restrictions that appear to have constricted economic reinvestment and to
20 replace those land use controls with provisions designed to facilitate
21 appropriate redevelopment and reinvestment; and

22 WHEREAS, the ~~East Downtown Urban Conservation Overlay Zone~~ and the
23 ~~design regulations recommended by the LUCC~~ and amended by the Council
24 ~~are intended to encourage revitalization~~ of lots adjacent to Central Avenue
25 between Broadway Boulevard and Locust Street, and on lots adjacent to
26 Broadway Boulevard between Coal Avenue and Central Avenue.

27 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
28 ALBUQUERQUE:

29 SECTION 1. HUNING HIGHLAND HISTORIC OVERLAY ZONE BOUNDARIES
30 AMENDED. The Council accepts the recommendation and approval of the
31 EPC and the LUCC to amend the Huning Highland Historic Overlay Zone
32 boundaries, to exclude the lots described in Section 4 herein.

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1 **SECTION 2. DISTINCTIVE CHARACTERISTICS.** The Council finds that the
2 following distinctive characteristics of the East Downtown area (designated on
3 Exhibit A attached hereto) shall be preserved:

4 **A. ~~A "street wall"~~ that is pedestrian-scaled by the buildings that are**
5 **built to the street or have a setback that responds and relates to a front**
6 **sidewalk.**

7 **B. Buildings that are oriented to the street and respond to pedestrians**
8 **with street level entrances and windows.**

9 **C. Commercial corridors with a mix of offices and retail or service uses.**

10 **D. Traditional construction materials.**

11 **E. The characteristics set forth in the Architectural Standards attached**
12 **as Exhibit B hereto.**

13 **SECTION 3. PRESERVATION OF DISTINCTIVE CHARACTERISTICS.** The
14 distinctive characteristics shall be preserved in accordance with the
15 Regulatory Plan and Architectural Standards attached as Exhibit B hereto.

16 **SECTION 4. URBAN CONSERVATION OVERLAY ZONE ESTABLISHED.**

17 The City Council hereby establishes the East Downtown Urban Conservation
18 Overlay Zone and its associated regulations for the lots adjacent to Central
19 Avenue between John Street and Locust Street and lots adjacent to Broadway
20 Boulevard between Coal Avenue and Central Avenue, and more particularly
21 described as follows:

22 **Block 1, Lots 1-2, 7-12, Brownwell and Lall's Highland Addition**

23 **Block 44, Lots 4-6 and Lots 10-12, Huning's Highlands Addition**

24 **Block 25, Lots 4-6 and Lots 9-12, Huning's Highlands Addition**

25 **Block 22, Lots 5-6, and Lots 10-12, Huning's Highlands Addition**

26 **Block 43, Lots 1-3 and Lots 7-9, Huning's Highlands Addition**

27 **Block 26, Lot A (replat of Lots 1-3 and Lots 7-9), Huning's Highlands Addition**

28 **Block 21, Lots 1-2 and Lots 7-9, Huning's Highlands Addition**

29 **Block 14, Lots 1-2 and Lots 7-8, Huning's Highlands Addition**

30 **Block 9, Lots 1-3 and Lots 7-12, Huning's Highlands Addition**

31 **Block 8, Lots 7-12, Huning's Highlands Addition**

32 **Block 7, Lots 7-12, Huning's Highlands Addition**

33 **Block 6, Lots 7-12, Huning's Highlands Addition**

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- 1 Block 5, Lots 1-6, Huning's Highlands Addition
- 2 The Eastern 160', Lot 1, USFS (the portion of this lot that is currently zoned C-
- 3 2)
- 4 Block 3, Lots A, B, and 3, Huning's Highlands Addition
- 5 Block 2, Lots 1-6, Huning's Highlands Addition
- 6 Lots 1, 2A, 4A, and 5, Union Square Addition.

7 SECTION 5. REGULATORY PLAN ADOPTED. The Regulatory Plan,
8 including the Architectural Standards, attached as Exhibit B hereto, is
9 incorporated herein and shall have the same force and effect as this
10 resolution.

11 SECTION 6. FINDINGS ACCEPTED. The City Council accepts the findings
12 of the LUCG for establishing the East Downtown Urban Conservation Overlay
13 Zone with the following exceptions:

- 14 A. In Finding 4, delete “, and the Planned Growth Strategy
15 enabling legislation for infill development, conservation zones and design
16 standards”.
- 17 B. In Finding 5, delete “Planned Growth Strategy and the”.
- 18 C. In Finding 7, prior to “Contributing”, insert “Significant and”.

19 SECTION 7. MODIFICATIONS ACCEPTED AS AMENDED. The Council
20 accepts the modifications approved by the LUCG establishing the East
21 Downtown Urban Conservation Overlay Zone as further amended by the
22 Council as follows:

- 23 A. The EDO UCOZ Regulatory Plan [Exhibit B to C/S R-04-146] shall
24 remove references to the Architectural Review Committee with regard to
25 procedures for all significant and contributing properties.
- 26 B. All exterior changes of contributing and significant buildings, and
27 City Landmarks in the EDO UCOZ shall comply with current LUCG procedures
28 and requirements for building alterations, demolition, and new construction,
29 and the Regulatory Plan [Exhibit B to CS/R 04-146.]
- 30 C. Add to the EDO UCOZ, page 4, a new definition of the
31 Architectural Review Committee: The Architectural Review Committee shall
32 be a standing advisory committee of the LUCG to review proposals for non-
33 contributing properties. The Architectural Review Committee shall consist of

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1 1 Lucc member and 1 member from each city recognized neighborhood
2 association within the boundaries of the HHZO and the EDO UCOZ. One
3 Lucc staff person shall act as facilitator of the committee. The Lucc staff
4 person shall have the sole authority to render administrative rulings and issue
5 a Certificate of Compliance for approved proposals. The selection of
6 committee representatives and term of service shall be determined by the
7 Lucc.

8 D. Appeals of staff decision shall go to the Lucc. Appeals of staff
9 decisions can be on substantive grounds.

10 E. Applications for non-contributing properties, including Buildings
11 of Note, shall be reviewed by the Architectural Review Committee. Alterations
12 to Buildings of Note should preserve their character-defining features.
13 Demolitions plans for Buildings as Note shall not be approved until a
14 redevelopment plan has been approved which considers incorporating these
15 character-defining features into the proposed new construction if appropriate.

16 F. The definition for Non-contributing buildings shall read:
17 "All properties that are not designated as a significant or contributing
18 property within the Huning Highland Historic District, or have not been
19 designated as a City Landmark or buildings of note."

20 SECTION 8. Lucc CONDITIONS ACCEPTED. The Council accepts the
21 Lucc's conditions of approval establishing the East Downtown Urban
22 Conservation Overlay Zone and states that the design guidelines and
23 procedures for the overlay zone shall be approved within 60 days of the
24 adoption of this resolution and shall be consistent with this resolution and the
25 Regulatory Plan, including the Architectural Standards, attached hereto as
26 Exhibit B.

27 SECTION 9. FINDINGS ACCEPTED. The City Council accepts the EPC's
28 findings and conditions for approval establishing the East Downtown Urban
29 Conservation Overlay Zone, and states further that the material submitted by
30 the Lucc with the evaluation and recommendations from the EPC has been
31 amended and approved by the Council as set forth in the Regulatory Plan and
32 Architectural Standards attached as Exhibit B hereto.

1 **SECTION 10. ENACTMENT AMENDED.** Enactment No. R-132-1980 is
2 amended by this resolution and any language in R-132-1980 that is
3 inconsistent with this resolution is superceded.

4 **SECTION 11. EFFECTIVE DATE AND PUBLICATION.** This legislation shall
5 take effect sixty days after publication by title and general summary.

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

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