

§ 14-16-1-3 INTENT.

- (A) This article is intended to help achieve Article IX of the Charter of the City of Albuquerque and the city's master plan; in particular the master plan documents which comprise the Albuquerque/Bernalillo County Comprehensive Plan. This article is intended to create orderly, harmonious, and economically sound development in order to promote the health, safety, convenience, and general welfare of the citizens of the city. These regulations are necessary to provide adequate open spaces for light and air including solar access; to avoid undue concentration of population, to secure safety from fire, panic, and other dangers; to help control congestion in the streets and public ways; to control and abate unsightly use of buildings or land; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewer, schools, and parks; to encourage the most appropriate use of land; to properly channel flood water runoff; to conserve and stabilize the value of property; and to enhance the appearance of the landscape.
- (B) Any use not designated a permissive or conditional use in a zone is specifically prohibited from that zone, except as otherwise provided herein.
- (C) Approval of a zone or a plan which is required pursuant to a zone does not commit the city to provide water or sewer service more rapidly than is programmed by the city.

('74 Code, § 7-14-2) (Ord. 80-1975; Am. Ord. 62-1980)

§ 14-16-1-4 INTERPRETATION.

- (A) **General.** The provisions of this article shall be held to be minimum requirements to meet the intent expressed in § 14-16-1-3. Where the provisions of this article impose greater restrictions than those of any other ordinance or resolution the provisions of this article shall prevail. Where the provisions of any other ordinance, resolution, or covenant impose greater restrictions than those of this article, the provisions of such other ordinance, resolution, or covenant shall prevail.
- (B) **Uses within Structures.** Unless a different intent is indicated herein or in an adopted city plan, uses allowed under the terms of this article shall be understood to be allowed within structures only if they are constructed according to the city Building Code and other technical codes adopted in § 14-1-3, as of the date of the structure's construction.
- (C) Public utility structures, as herein defined, are regulated by this Zoning Code. Other public utility installations located in public rights of way or utility easements, including but not limited to lines and poles, are not regulated by the Zoning Code; however, such installations are controlled by the city if it is the utility or if it has governing adopted plans.

('74 Code, § 7-14-4) (Ord. 80-1975; Am. Ord. 80-1986; Am. Ord. 47-1990)