### BCD Business-Capitol District

Purpose

In recognition that the economic health of the city depends on the economic viability of the BCD, the purpose of the BCD is to provide for a mixture of land uses, including *residential* uses, designed to promote the district’s economic well-being while preserving the unique architecture, *townscape* and aesthetics that foster a strong tourist industry and sustain the quality of life, sense of community and historical identity in the district and the city.

**Boundaries**

(a) The BCD is composed of *townscape* subdistricts and redevelopment subdistricts. The district and its subdistricts are defined by the official zoning map.

(b) Changes to boundaries of the *townscape* subdistricts or redevelopment subdistricts, including designations of new *townscape* and redevelopment subdistricts, are considered rezonings and must follow the procedures set forth in Section 14-3.5. Designations of new *townscape* subdistricts are also considered Chapter 14 text amendments and shall comply with the procedures set forth in Section 14-3.3.

**Townscape Subdistricts**

(a) The existing *townscape* subdistricts include: Alameda Street, Barrio de Analco, Cerrillos Road, Don Gaspar, East Marcy/East Palace, Loretto, Marcy, McKenzie Street, Old Santa Fe Trail, Plaza/San Francisco, Rosario Boulevard/NW Paseo de Peralta, Sandoval/Montezuma, State Capitol and Westside.

(b) The *townscape* subdistricts are intended to:

(i) preserve the overall aesthetic quality of the BCD;

(ii) maintain diversity among the various subdistricts; and

(iii) protect the unique features, recognizable historic character and other common identifying characteristics of each subdistrict.

(c) *Property* is eligible for rezoning to a *townscape* subdistrict if the land is located within or adjacent to the BCD and meets all other requirements of Chapter 14.

**Redevelopment Subdistricts**

(a) Purpose

Redevelopment subdistricts are intended to provide for:

(i) *infill* and a limitation of sprawl through the efficient use of land;

(ii) optimum use of public *infrastructure*;

(iii) a mix of land uses, including *residential* uses;

(iv) comprehensive site planning;

(v) *public benefit uses*;

(vi) urban design innovation;

(vii) an enhancement of the economic vitality of the district;

(viii) the preservation and enhancement of the character and quality of the area in which the subdistrict is located through elimination of any potentially significant adverse impacts or potentially irreversible adverse impacts upon the community, surrounding neighborhoods or other approved project plans; and

(ix) redevelopment of areas with weak *townscape* qualities or of areas that are undergoing change.

**Redevelopment Requirements**

(i) The *property* is eligible for rezoning to a redevelopment subdistrict if: 1) the land is located within or adjacent to the BCD and encompasses at least three acres, exclusive of dedicated *streets* and *rights of way*, or a complete city block, whichever is smaller; and 2) the existing *infrastructure* has the capability to support or to be modified to support the allowed floor area ratio set forth in Subsections (ii) and (iii) below.

(ii) The *baseline floor-area ratio* shall be two and five-tenths to one; provided, however, that such a floor-area ratio shall not be allowed if it is judged to be incompatible with an adjacent neighborhood or *townscape* subdistrict.

(iii) Rezoning to BCD-redevelopment subdistricts requires consideration and approval by the planning commission and *governing body* of a master plan or *development* plan for the *property* as provided in Sections 14-3.8 and 14-3.9.

(5) Redevelopment subdistrict *property* is eligible for rezoning to a *townscape* subdistrict provided that:

(a) *development* of the redevelopment subdistrict is substantially complete, which determination shall be made by the *governing body*;

(b) the *property* is located in or adjacent to the *townscape* subdistrict it will become part of if the rezoning is approved, and

(c) all other requirements of Chapter 14 are met.

\*\*Drive-in or drive-through facilities are permitted as principal or accessory uses and structures in the Rosario Boulevard/Northwest Paseo de Peralta, Sandoval/Montezuma and Cerrillos Road Subdistricts, where traffic generated by the use will not substantially interfere with existing vehicular and pedestrian traffic. Drive-in or drive-through facilities are prohibited in the other subdistricts of the BCD.

### BASELINE FLOOR AREA RATIO

As used in the **BCD**, means the maximum permitted floor area ratio subject to the *townscape* standards where applicable, not taking into account allowable land-use intensity credits.

Baseline Land-Use Intensity

For the BCD in general, the *baseline floor area ratio* shall be 2.0:1, except for the Plaza/San Francisco, Alameda, Redevelopment and Loretto subdistricts, where the *baseline floor area ratio* shall be 2.5:1; provided, however, that a *baseline floor area ratio* of 2.5:1 shall not be allowed if it is judged to be incompatible with an adjacent neighborhood or *townscape* sub-district. Areas within a *structure*, the ceiling of which are below average finished grade, and at-grade parking areas, do not count toward the allowable floor area.

Refer to 14-4.3(E) for additional BCD requirements and standards.

***Dimensional Standards by Townscape Subdistrict***

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| **Alameda Street Subdistrict** |   |
| Max Height | 56 - over 36' must step back 1' horizontal for each 2' vertical  |
| Lot Cover | None - except 67% for block between Cathedral Place & Paseo de Peralta |
| Bldg. Placement & Setbacks | None |
| Min Open Space | None - except lots fronting Alameda see 14-7.4(A)-1 |
| Yards Landscape | Lots fronting Alameda - See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | All buildings except those facing Alameda must have 3-foot high stuccoed walls |
| Off-street Parking | No requirements |
| Portals | Prohibited within ROW of Alameda fronting lots |

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| **Barrio de Analco** |   |
| Max Height | West portion 24; east portion 18  |
| Lot Cover | 67% |
| Bldg. Placement & Setbacks | West: Up to 7’ from property line; East: no restrictions |
| Min Open Space | None required |
| Yards Landscape | See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | Up to 8 foot height permitted |
| Off-street Parking | Parking prohibited in required front yards |
| Portals | Permitted within ROW at discretion of Governing Body |

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| **Cerrillos Road** |   |
| Max Height | 45; over 27' must step back 1' horizontal for each 2' vertical – wall step backs min 10 horizontal feet |
| Lot Cover | None |
| Bldg. Placement & Setbacks | 15 min on Cerrillos where abutting residential outside BCD – must meet residential along common property line |
| Min Open Space | None required |
| Yards Landscape | See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | No restrictions |
| Off-street Parking | No restrictions |
| Portals | Prohibited within ROW  |

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| **Don Gaspar** |   |
| Max Height | 24 |
| Lot Cover | No requirements |
| Bldg. Placement & Setbacks | Street 10; Side 5; Rear 15 |
| Min Open Space | None required |
| Yards Landscape | No requirements |
| Walls & Fences (Height) | No restrictions |
| Off-street Parking | Parking prohibited in required front yards |
| Portals | Prohibited within ROW  |

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| **East Marcy/East Palace** |   |
| Max Height | 27 |
| Lot Cover | None |
| Bldg. Placement & Setbacks | Side 5; rear 10; Street See 14-7.4(A)-1 Note 4 |
| Min Open Space | No less than 10% of lot area adjacent to front property line as yard or courtyard |
| Yards Landscape | Required in yards & open space. Trees & landscape in planting strips. No asphalt permitted in planting strip - See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | Walls, fences & hedges up to 4’ high permitted |
| Off-street Parking | Parking prohibited in required front yard |
| Portals | Prohibited within ROW  |

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| **Loretto** |   |
| Max Height | 65 - See 14-7.4(A)-1 Note 5 |
| Lot Cover | No requirements |
| Bldg. Placement & Setbacks | No requirements |
| Min Open Space | None - except lots fronting Alameda see 14-7.4(A)-1 |
| Yards Landscape | See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | Walls, fences not to exceed required 7’ along OSF Trail frontage |
| Off-street Parking | Parking prohibited in required front yards |
| Portals | Prohibited within ROW  |

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| **Marcy** |   |
| Max Height | 42 - over 24' must step back 1' horizontal for each 2' vertical – wall step backs min 10 horizontal feet |
| Lot Cover | No requirements |
| Bldg. Placement & Setbacks | See 14-7.4(A)-1 Note 7 |
| Min Open Space | No less than 10% of lot area adjacent to front property line as yard or courtyard |
| Yards Landscape | Required in yards & open space. Trees & landscape in planting strips. No asphalt permitted in planting strip - See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | 4 maximum |
| Off-street Parking | Parking prohibited in front yards |
| Portals | Prohibited within ROW  |

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| **McKenzie Street** |   |
| Max Height | 24 |
| Lot Cover | No requirements |
| Bldg. Placement & Setbacks | Street 10; Side 5; Rear 15 |
| Min Open Space | No requirements |
| Yards Landscape | See 14-7.4(A)-1 Note 3 & Note 8 |
| Walls & Fences (Height) | No restrictions |
| Off-street Parking | Parking prohibited in required front yards |
| Portals | Prohibited within ROW  |

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| **Old Santa Fe Trail** |   |
| Max Height | 24 |
| Lot Cover | No requirements |
| Bldg. Placement & Setbacks | 10 max from front property line |
| Min Open Space | No requirements |
| Yards Landscape | Landscape treatment required in front yard |
| Walls & Fences (Height) | Walls & fences not exceeding 5’ are required for front yards. Wrought iron fences are allowed. |
| Off-street Parking | Parking prohibited in front yards |
| Portals | Permitted over ROW at discretion of Governing Body  |

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| **Plaza/San Francisco Street** |   |
| Max Height | 36 |
| Lot Cover | No requirements |
| Bldg. Placement & Setbacks | See 14-7.4(A)-1 Note 9 |
| Min Open Space | No requirements |
| Yards Landscape | No requirements |
| Walls & Fences (Height) | If in H District as specified in 14-5.2 |
| Off-street Parking | Parking must be located off site or in rear yard with access from rear |
| Portals | Permitted over ROW at discretion of Governing Body |

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| **Rosario Boulevard and**  |  **NW Paseo de Peralta** |
| Max Height | 36 |
| Lot Cover | 67% |
| Bldg. Placement & Setbacks | North of Paseo de Peralta minimum building setback is 20’; residential district setback applies along common property line where lots abut residential district |
| Min Open Space | None except to meet yard requirements |
| Yards Landscape | See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | No requirement, except to meet landscape treatment requirements |
| Off-street Parking | No restriction |
| Portals | Prohibited within ROW |

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| **Sandoval/Montezuma** |  |
| Max Height | 36 |
| Lot Cover | 67% |
| Bldg. Placement & Setbacks | Where lot abuts residential area, must meet setback requirements for abutting residential district along common property line |
| Min Open Space | No requirements |
| Yards Landscape | Required; See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | No restrictions |
| Off-street Parking | No requirements |
| Portals | Prohibited on lots fronting Guadalupe & Sandoval streets, elsewhere permitted within ROW at discretion of Governing Body |

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| **State Capitol** |  |
| Max Height | 48 |
| Lot Cover | 50% |
| Bldg. Placement & Setbacks | Min setback from street must equal building height; min side yard building setbacks of 5 feet |
| Min Open Space | No requirements |
| Yards Landscape | Required; See 14-7.4(A)-1 Note 3 |
| Walls & Fences (Height) | No walls allowed except for retaining walls, existing walls around parking lots, & walls or fences around delivery or trash areas |
| Off-street Parking | No requirements |
| Portals | Prohibited within ROW |

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| **Westside** |   |
| Max Height | 24 |
| Lot Cover | No requirements |
| Bldg. Placement & Setbacks | Street 10; Side 5; Rear 15 |
| Min Open Space | No requirements |
| Yards Landscape | No requirements |
| Walls & Fences (Height) | No restrictions |
| Off-street Parking | No requirements |
| Portals | Prohibited within ROW |

**Notes Table 14-7.4(A)-1:**

1. Provisions of overlay districts including historic, escarpment or neighborhood districts may override standards in this table. Refer to Article 14-5 Overlay Districts and zoning map.
2. Wall step-backs are expressed as ratio of increased horizontal *setback* required to vertical height increase, above a specified *building* height. Example: 1' Horiz: 2’ Vert. above 36’ means that a wall step-back equivalent to one horizontal foot for each two vertical feet over thirty-six feet is required. The step-back required shall be measured horizontally from the face of the *building* *façade* or *portal*. Wall step-backs shall be measured vertically from grade for all walls except those that directly abut another *zero-lot line* *building*, in which case the vertical measurement may be taken from the roof plane of the abutting *building*; and those to which a *portal* is attached, in which case the vertical measurement may be taken from the roof plane of the *portal*.
3. On-site parking must be separated from public sidewalks by a solid *wall* no less than three feet in height or by a *landscaped* area no less than four feet in width measured from the back of the sidewalk; or, in the absence of a sidewalk, from the *property* line, and planted with plant materials whose mature height is at least three feet six inches. *Landscaping* must be protected from vehicular damage by placement of physical barriers.
4. There is a ten-foot *building* *setback* requirement in the East Marcy/East Palace Subdistrict, except (a) on the north side of Marcy Street between Otero Street and Paseo de Peralta; and (b) both sides of Palace Avenue between Paseo de Peralta and Delgado Street, where a *front required yard* *building* *setback* equal to the average depth of existing *front yards* on the block is required.
5. No portion of a *building* shall exceed sixty-five vertical above a point at grade level at the center of the site. The part of a *building* exceeding thirty-six vertical feet above a point at grade level at the center of the site shall be set back from each abutting public *street* *right-of-way* line at least one foot for each two feet of *building* height above thirty-six feet.
6. No restrictions, except that for a depth of forty feet from the *property* line for that portion of the Old Santa Fe Trail frontage from Water Street to a line drawn directly west from the northern-most wall of Loretto chapel, there shall be no parking.
7. *Front required yard* equal to the average depth of existing *front yards* on the block shall be required for (a) the east side of Washington Avenue between Place Avenue and Paseo de Peralta (Hillside); and the west side of Grant Avenue between Place Avenue and Paseo de Peralta. Elsewhere in the subdistrict there are no *required yards*.
8. *Landscape treatment* required in *required yards* and *open space*. *Street trees* and *landscape treatment* required if *planting strip* exists. The *planting strip* should have a minimum width of three feet. Asphalt or concrete pavement prohibited in *planting strip*.
9. *Buildings* fronting San Francisco Street between Sandoval and Cathedral Place shall be built to the *street* *property* line. *Buildings* elsewhere in the subdistrict should also be built to the *street property* line, but where a *building* is set back from the *street* *right of way*, a solid *wall* shall be built at the *street* *property* line unless at least eighty percent of the yard is paved and designated for public pedestrian use. There are no *required yards* in this subdistrict.