

Frequently Asked Questions On Residential Regulations

Although there are several zoning regulations, the following represent those residential regulations most often of concern.

1. **ACCESSORY BUILDINGS**—Accessory buildings, including a storage shed or garage, may be located anywhere in the side or rear yard provided the accessory building is no closer than ten feet to a house, or other living quarters and is no closer than five feet to any other accessory building. An accessory building may be required to be set back ten feet or more from the street side property line.
2. **ACCESSORY LIVING QUARTERS**—An accessory building may be used for living quarters if approved through a conditional use. An accessory building may not contain cooking facilities. Any accessory building that is equipped with both plumbing and heating may be considered an accessory living quarters.
3. **ADDITIONS TO EXISTING BUILDINGS**—All additions to existing buildings must be approved by the Zoning Enforcement office prior to construction. Generally, the building addition is subject to the same use and setback restrictions as the existing structure.
4. **CARPORTS**—A carport may be erected permissively provided that it complies with the same setback standards as those that apply to the dwelling on the lot. If the carport cannot be erected in compliance with the required setbacks, a conditional use may be obtained, allowing the carport in the side or front setback, but no closer than three feet to the side line. The carport may never be enclosed.

Can I build a Carport at my house?
5. **FENCES AND WALLS**—Fences and walls may not exceed three feet in height in the front yard and may not exceed eight feet in height in the side and rear yards. Fence and wall height is measured from lowest grade on either side.
6. **GARAGE SALES**—Garage or yard sales are allowed once every twelve months at a given resi-

dential location. The sale may not exceed three days in length and only normally accumulated household goods may be sold. Advertising signs may not be placed on medians or other city property.



How many Garage or Yard Sales can I hold at my house?

7. **HOME OCCUPATIONS**—Certain businesses may be run from the home as permissive uses. Generally the business must be of a phone or mail operation or a low-key service business. No home business may sell, display or manufacture from the residence.
8. **HORSES, COWS, CHICKENS & OTHER BARN-YARD ANIMALS**—Chickens, ducks, roosters and similar poultry are allowed in most single family residential zones. There is no limit on the number of such animals. Horses, cows, sheep and goats are allowed on lots of at least one half-acre in size, provided there is sufficient open space for each animal. Except in agricultural residential zones, use of the premises as a commercial farm enterprise is not allowed.
9. **INOPERATIVE VEHICLES (JUNK CARS)**—All motor vehicles parked in a residential zone must be operative unless such vehicles are parked inside a building, including a carport. Vehicles covered by tarps or stored in the rear yard must still be in operating condition. Major automotive repair, even of personal vehicles may not be conducted outdoors.
10. **MANUFACTURED HOMES**—Manufactured homes with a minimum size of 24 feet by 36 feet and meeting the HUD standards for construction are treated as any site-built house. A manufactured home, when placed on a permanent foundation as prescribed by the manufacturer or state statute, is allowed in any residential zone. This product and property investment has become quite common.
11. **MOBILE HOMES**—A mobile home may be placed in a residential zone (other than mobile home zoning) only as a temporary residence during the construction of the permanent residence on the same property. Such mobile homes may remain for only six months or until the permanent residence is completed whichever period of time is less.

12. **RECREATIONAL VEHICLES AND BOATS**—Recreational vehicles and boats that are parked in the front yard area must be parked no closer than 11 feet from the face of the curb and must be perpendicular to the street.
13. **RESTRICTIVE COVENANTS**—Only regulations specifically found in the Zoning Code are enforced by the Zoning Enforcement office. Restrictive covenants are not considered in assessing zoning requirements; however, restrictive covenants may be more restrictive than zoning regulations and enforced through civil action.
14. **SEMI-TRUCKS & OTHER COMMERCIAL VEHICLES**—Only those vehicles whose use is incidental to a residential activity are allowed to be stored on a residential property. A non-commercial vehicle has a gross vehicle weight rating of not more than 10,000 pounds and can be legally parked in a standard 8.5 by 20 feet parking space.
15. **SWIMMING POOLS**—Swimming pools must be constructed so that the waters edge is no closer than five feet to any building or lot line. Pools must be enclosed with a wall or fence six feet high.

What are the requirements for a Swimming Pool at my house?
16. **TREES, SHRUBS & OTHER LANDSCAPING**—Landscaping in a single-family residential zone must comply with the Water Waste and Water Conservation Landscape Ordinance.
17. **WEEDS & LITTER**—Any growth of weeds to a height greater than four inches, or any accumulation of weeds and/or debris, is prohibited on occupied and unoccupied land within the city. This includes the area located between the property line and the middle of the alley adjacent to the property, and the area located between the property line and the curb, the area of any curbs or sidewalks located adjacent to the property, and the area located ten feet outside the property line where there is no curb.

CODE ENFORCEMENT INSPECTORS

Matthew Conrad – Lead Inspector; special assignments, residential programs.

Norman Aires –Council District 1

David Rodriguez –Council District 1

Mark Crandall – Council District 2

Rosanna Trujillo - Council District 3

Paulette Mora-Gonzalez– Council District 4

Steve Gebeke. Council District 5

Concetta Trujillo – Council District 6

Lucy Molina – Council District 6

Rudy Rael – Council District 7

Jason Penida – Council District 8 & 9

Ron Vonderhaar –Water Conservation

NEIGHBORHOOD ENHANCEMENT TEAM

Carl Garcia
Cindy Corriz
Robert Pierson

All inspectors may be contacted by calling the main office number at 924-3850. Areas are subject to change to meet current office needs.

ZONING, WEED AND LITTER PROCEDURES

1. Complaint filed in office via telephone, walk-in or web site.
2. Inspect site to verify that a zoning violation exists.
3. Research property ownership.
4. Notify property owner and/or tenant, giving ten days for compliance.
5. Allowance of time to submit application(s) for Special Exception(s), LUCC, etc.
6. Clean and lien the property if vacant, OR court action if necessary.

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT

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CODE ENFORCEMENT DIVISION



GENERAL
INFORMATION
ON ZONING

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