

**ADDITIONAL COMMENTS**

**(Received after the July 22 at 5 pm deadline for consideration in the Staff report, and before the July 27 at 5 pm deadline to be included as an attachment- but not discussed- in the Staff report)**

**Lehner, Catalina L.**

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**From:** Toffaleti, Carol G.  
**Sent:** Wednesday, July 27, 2016 2:40 PM  
**To:** Reed, Terra L; Lehner, Catalina L.  
**Cc:** Renz-Whitmore, Mikaela J.; Barkhurst, Kathryn Carrie  
**Subject:** FW: Comp Plan -Chapter 10 - Parks & Recreation

Terra and Catalin,a  
Please see below agency comments for processing.  
Thanks,  
Carol

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**From:** Dumont, Carol S.  
**Sent:** Wednesday, July 27, 2016 2:31 PM  
**To:** Renz-Whitmore, Mikaela J.  
**Cc:** Barkhurst, Kathryn Carrie; Toffaleti, Carol G.  
**Subject:** Comp Plan -Chapter 10 - Parks & Recreation

Mikaela, Our last minute comments on the Chapter 10 of the Comp Plan draft are as follows:

RE: Policy 10.2.2 Security: Increase safety and security in Parks:  
Please add subtitle : "ACTION" under this Policy.  
Please keep a) and c) but please delete b) "reduce cruising, traffic and drinking in and around parks 17 (A)"  
We do not feel that this adds to the section when a) is really the action we are proposing to do in order to solve b).

Please feel free to call me if you have any questions.

Thank you,

Carol S. Dumont, Senior Planner  
Planning and Design Division  
Parks and Recreation Department  
768-5387

July, 26, 2016

Karen Hudson  
Planning Department  
600 2nd St.  
Albuquerque, NM 87102  
abctoюз@cabq.gov

Dear Karen,

I am writing on behalf of myself and my neighbors on the Westside to suggest a change in the Coors Corridor planning of the ABC-Z proposal.

First, I want to commend the planning team for their consideration of the gigantic traffic/transportation problems which we are, and will be encountering in the years to come as Albuquerque grows. As you are constantly aware, we, and most Western towns, are built around the automobile! This makes retrofitting mass transit very difficult.

I would like to suggest a practical consideration for the Coors Corridor designation. This road (which in my memory was a two lane country rd.) is now, according to various definitions, "a Parkway, a "Scenic Rd Way" and now, the CCP designates Coors Blvd. as a " limited access major arterial (with signals every 1/2 mile and limited drive way access".

Whatever the definition, Coors Blvd. from I 40 to Alameda has been developed with the idea that we respect views, especially in segments 3 and 4 and that we expected Coors to be developed in a way that made it easily drivable w/o many turnouts and extra lights. With the result that businesses, homes, sidewalks etc. have been placed very close to the Blvd. There is a now a mature median (which was promised) in segments 3 and 4, and beautiful vigorous plantings along the sidewalks. There are many homes which abut the sidewalks or the Blvd. and businesses which also abut Coors from I 40 to Alameda. Coors is at this point a very used roadway and still in compliance with the intent of the original plan but poised on the possibility of very difficult changes.

I will suggest that money and planning be concentrated more on Unser, farther west and still very undeveloped. This road should be reasonably considered as a Premium Transit Corridor. I have driven Unser from 550 to I 40 and have discovered vast open spaces, limited businesses, some pockets of median and home development but nothing like the concentration along Coors Blvd. By concentrating on this corridor, businesses, housing, transit can all be planned in advanced w/o the terrible consequences of tearing out what has already been built, and retrofitting an area which was never conceived in this way. An additional bonus, which has yet to be reasonably discussed, is Park and Ride spaces. Reasonably, folks are not going to walk out of their houses and access rapid transit. There needs to be fairly close Park and Ride facilities to any transit system. This has been almost impossible along the Coors Corridor with /out destroying existing structures. This can be possible in many places along Unser.

The growth of Albuquerque seems to be mainly in the West. We are going to need major arterials in this section. Sane planning seems to be encouraging planning and money to be concentrated in areas where there is still unplanned open space and opportunity for real, inventive and effective planning to occur.

I have also driven from Paseo Del Vulcan from 550 to where it ends and gives the option to access Unser, and from I 40 to Double Eagle Airport where it shortly turns East into Paseo Del Norte. I support the plans for extending this Rd. all the way from 550 to I 40. There is endless area of open land for a major arterial and very intentional planning, respecting the fabulous views which identify our land and also providing fast, effective transport. Other communities have done it, so can we!

I urge you to Please look at the practical aspects of growth and change and how this growth can be planned to benefit us all.

Thank You

Respectively Submitted,

Marianne Barlow  
[mombeeluz@comcast.net](mailto:mombeeluz@comcast.net)



**Active Living Partners:**

- Mid-Region Council of Governments
- Health Matters NM
- International District Healthy Communities Coalition
- South Valley Community Partnership/First Choice Healthcare

*Healthy Here represents a collective effort to improve the health of target communities in the South Valley and International District. Healthy Here is funded (in part) through the Centers for Disease Control and Prevention through the Racial and Ethnic Approaches to Community Health (REACH) initiative. The views expressed in these comments do not, necessarily, reflect the official policies of the Department of Health and Human Services.*

<http://bchealthcouncil.org/Healthy-Here>

July 27, 2016

Chair Karen Hudson,  
c/o City Planning Department,  
600 2nd Street NW,  
Albuquerque, NM 87102.

RE: **“Official EPC Comments on the ABC Comp Plan”**

Dear Members of the Environmental Planning Commission,

*The Active Living Partners of Healthy Here: Communities Leading Healthy Change*, a collaboration of the Bernalillo County Community Health Council has submitted comments throughout the drafting of the update to the Albuquerque & Bernalillo County Comprehensive Plan. The EPC Draft appropriately and holistically addresses community health, engagement and equity. We want to thank the staff for providing guidance and for incorporating fully or partially many of the recommendations and revisions submitted by our group. They should be commended for their hard work, strong public engagement skills and professionalism.

To further strengthen the Plan this letter provides general recommendations and specific revisions under the following topics:

1. Community Health
2. Neighborhood Revitalization
3. Neighborhood and Community Engagement
4. Locally Unwanted Land Uses
5. Pedestrian/Bicycle Safety, Access and Comfort

We thank you in advance for your careful review and consideration.

# 1. Community Health

Our strongest recommendation to the members of the Commission is to take a “Health in all Policies”<sup>1</sup>, (HiAP) approach and to review goals, policies and actions through the lens of community health.

To that end we fully support the Vision, page 3-6 particularly as it relates to community health:

***“The City and the County commit to analyzing the health of our communities and the geographic distribution of our public investments and assets. Where gaps are identified, governments will collaborate with communities, nonprofits, public agencies, and private enterprises to address them”.***

The following text, policies and actions are particularly relevant and should be retained:

- *“Challenges to our community health include health disparities among neighborhoods and ensuring access to jobs, housing and services, healthy food, active transportation, and outdoor recreation”.*
- *“Including health indicators in local land use planning efforts to inform policy and regulations, as well as capital planning”*
- **POLICY 13.5.4 Environmental Justice:**
  - *Recognize and work to address adverse environmental impacts that are experienced disproportionately by underrepresented and at-risk communities, in order to help improve the health outcomes of their residents over time.*
- **ACTION 13.5.4.1: Monitor health metrics by Community Planning Area to track changes over time and inform policy and regulatory decision making, including metrics on:**
  - *rates of respiratory diseases, obesity, and cancer rates;*
  - *permits for industrial uses with environmental risks and location of known contaminated sites;*
  - *full-service grocery and farmers’ markets;*
  - *trails, bikeways, and parks and open space within close proximity.*
- **ACTION 13.5.4.2 Coordinate with State Department of Health, UNM, MRCOG, and medical service providers on public health and environmental justice issues related to land use.**
- **ACTION 13.5.4.3 Work with stakeholders to gather information, perform analysis, and recommend policy and regulatory changes, including UNM students from multiple programs and service providers in neighborhoods.**

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<sup>1</sup> HIAP re-affirms a comprehensive approach to bring health, well-being, and equity considerations into the development and implementation of policies, programs and services of traditionally non-health related government systems or agencies. For more information link to: [www.cdc.gov/policy/hiap](http://www.cdc.gov/policy/hiap)

### **General Recommendations:**

To further reinforce the community health aspects of the Vision and goals please incorporate the following recommendations as part of Chapter 4 Community Identity and/ or Chapter 14 Implementation.

- Include policies and actions that incorporate Health Impact Assessments, (HIA), as a tool in the on-going five year cycle of assessments of the Community Planning Areas and to evaluate all Comprehensive Plan Amendments, Zone Map Amendments and Capital Improvement Programs. An HIA is a process that uses data, research and stakeholder input to evaluate the potential health effects of a plan, project or policy before it is adopted, built or implemented. An HIA can provide recommendations to increase positive health outcomes and minimize adverse health outcomes<sup>2</sup>.
- Include policies and actions that tie the local needs that have been discovered through the Community Planning Area Assessment Process to City and County Capital Improvement Programs and other investment programs.

### **Specific Revisions:**

- Under Policy 4.2.1 add and/or revise
  - Action 4.2.1.1  
Conduct Health Impact Assessments as a part of all Community Planning Area Assessments.
  - Action 4.2.1.3  
Identify current and future land uses that are detrimental/beneficial to the health of the community. See Action 13.5.4.1 as a starting point for use in the evaluation of land uses.
- Under Policy 5.7.1 add:
  - Action 5.7.1.3 Use a Health in all Policies, (HiAP), framework to prioritize and ensure investments are addressing community health outcomes and to ensure that all decision-makers are informed about the health consequences of various policy options during the policy development process<sup>3</sup>.

## **2. Neighborhood Revitalization**

We fully support the Vision, page 3-6, particularly as it relates to neighborhood revitalization:

***“Centers and Corridors attract private investment and offer people housing and easy access to services, employment, and arts and entertainment. New development occurs mostly in existing Centers and Corridors, and neighborhood revitalization is focused in areas that have been neglected”.***

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<sup>2</sup> <https://www.cdc.gov/healthyplaces/hia.htm>

<sup>3</sup> <http://www.phi.org/resources/?resource=hiapguide>

**General Recommendation:**

To reinforce this important element of the Vision:

- Revise the Metro –focused Vision Map on page 3-9 to distinguish Centers that are in need of reinvestment/ redevelopment from other Centers. Designate centers, (Downtown, Urban, Activity or Village), as Reinvestment/ Redevelopment centers if they are part of a MRA Designation and/or identified as Reinvestment Centers on the 2040 MTP Activity Centers Map.
- Retain Policy 5.7.1 particularly bullet b) *Prioritize investment in Areas of Change with existing infrastructure that needs to be upgraded.*

### **3. Neighborhood and Community Engagement**

Addressing the often extreme disparities in health outcomes that exist among different neighborhoods cannot be resolved by an equal distribution of resources and access to opportunities. For this reason, public health professionals advocate for tailoring resources to meet community needs in order to achieve more equitable outcomes. We see the Community Planning Area Assessment as an appropriate mechanism to **engage the community in a participatory planning process** in order to appropriately identify community needs, desired outcomes, performance measures and practical solutions.

**General Recommendation:**

- Strengthen policies and actions that reinforce the objective on page 4-4 *“neighborhood-level engagement, in both the city and county, empowers residents and results in recommendations that are practical to implement”*. Components of the community engagement process should include but not be limited to the following:
  - As part of all community engagement processes provide outreach material in appropriate languages consistent with Title VI.
  - Disseminate the purpose and outcomes of the Community Planning Area Assessment Process, seek community input throughout the process and ensure stakeholders have access to all information and results
  - Develop relationships with community based organizations and not wholly rely on neighborhood associations.

**Specific Revisions:**

- Retain action 4.2.1.2 under policy 4.2.1: *Reflect the new the planning framework and geographies by codifying a new planning ordinance as part of the IDO adoption.* (Replace current planning ordinance)
- Under Policy 4.2.1 Community Planning Areas:
  - Add b) Include Health Impact Assessments (HIA) as part of the Community Planning Area Assessments in order to understand the relationship of built environment, mix of land uses, circulation and street profiles to health outcomes.

- Add c) Identify current and future land uses that are detrimental/beneficial to the health of the community.

#### **4. Locally Unwanted Land Uses**

##### **Specific Revisions:**

- Incorporate the following language to policy 5.3.6:
  - Reduce concentrated exposure to alcohol and tobacco.
- Retain all actions under 5.3.6 and add the following actions and sub-actions:
  - Under Action 5.3.6.3: "Coordinate New Mexico Regulation and Licensing Department (RLD) to include public health criteria in the alcohol licensing process", add the following bullets:
    - a) Work with New Mexico Regulation and Licensing Department, (RLD) to limit the number of liquor stores in over-concentrated areas.
    - b) Coordinate with RLD to mandate use of public health criteria in RLD licensing process.
  - Add Action 5.3.6.4: Restrict approvals of new retailers selling alcohol for off-site consumption near high-crime areas, schools and parks.
  - Add Action 5.3.6.5: Incentivize the development of healthy retail outlets in all neighborhoods as an alternative to alcohol exposure.

#### **5. Pedestrian / Bicycle Safety, Access and Comfort**

The EPC Draft appropriately incorporates most of our recommended revisions related to pedestrian / bicycle safety and comfort in Chapter 6: Transportation, Chapter 7: Urban Design and Chapter 14: Implementation.

##### **General Recommendations:**

- Retain all policies, actions and implementation strategies related to Active Transportation and Pedestrian / Bicycle Safety, Access and Comfort.
- Draft and incorporate language either as policies or actions that will ensure discoveries made during the CPA Assessments will inform and as appropriate amend Rank II Area and Facilities Plans, (City and County, and Rank III Sector and Corridor Plans, (County).

## **Lehner, Catalina L.**

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**From:** Reed, Terra L. on behalf of Planning Comp Plan-UDO  
**Sent:** Wednesday, July 27, 2016 5:01 PM  
**To:** Lehner, Catalina L.  
**Cc:** Renz-Whitmore, Mikaela J.; Barkhurst, Kathryn Carrie; Toffaleti, Carol G.  
**Subject:** FW: ABC Comp Plan Comments

Another comment. I will respond and save.

Thanks,  
Terra

-----Original Message-----

**From:** Gary W. Kelly - gMail [<mailto:gary.wynn.kelly@gmail.com>]  
**Sent:** Wednesday, July 27, 2016 4:14 PM  
**To:** Planning Comp Plan-UDO  
**Subject:** Re: ABC Comp Plan Comments

Thank you!

This worked. The formatting on the website is \*not\* screen reader friendly. I did download the PDF file, and still had to run it through an OCR program to read the document.

One point that should be made--the data on millennial desires to live without cars in cities is old and incorrect. The millennial population is moving in record numbers to suburbs--making up to 65% of new purchases in suburbs. They are also buying larger cars with less fuel economy, and are one of the most active populations in the RV market. City dwellers these are not--as they reach 30 years of age and marry. It is more likely that they will add to the traffic congestion of ABQ than live in a downtown community.

Kind Regards,  
Gary

Original message:

> HI Gary,

> That is strange, no one has commented about that so far. But thank you  
> for letting us know!

> The link in the email is the following:

> <https://abc-zone.com/abc-comp-plan-citys-epc-submittal>

> This link has all the information you would need to take a look at the  
> draft, as well as information about the various options for submitting  
> comments.

> Thank you,

> Terra L. Reed, Associate Planner  
> Urban Design & Development/Long Range  
> City of Albuquerque Planning Department  
> 505-924-3475  
> [treed@cabq.gov](mailto:treed@cabq.gov)

> -----Original Message-----

> From: Gary W. Kelly - gMail [<mailto:gary.wynn.kelly@gmail.com>]  
> Sent: Tuesday, July 26, 2016 5:36 PM  
> To: Planning Comp Plan-UDO  
> Subject: Re: ABC Comp Plan Comments

> Hello,

> There are no working links in the email to the referenced document or  
> plan. It looks as though there should have been, but the one embedded  
> link does not work.

> Thank you,  
> Gary

> Original message:

>> Hello Gary,

>> Thank you so much for your comments about the first draft of the ABC  
>> Comp Plan earlier this year.

>> We have been hard at work editing the chapters to improve the content  
>> and respond to public comments. I encourage to take a look at the  
>> latest draft, submitted to the City Environmental Planning Commission  
>> (EPC). In particular, you might be interested in the following chapter:

>> \* · Chapter 6 – Transportation

>> The submitted Draft of the Comp Plan and details on the EPC study  
>> sessions in July and hearing in August are available here  
>> <https://abc-zone.com/abc-comp-plan-citys-epc-submittal>.

>> Please consider re-submitting any Comp Plan comments that we could  
>> not accommodate and/or submitting new comments to the EPC as official  
>> comments for their consideration at the upcoming public hearing on  
>> August 4, 2016.

>> Written comments need to be received by July 27th to be included in  
>> the EPC staff report and no later than August 2 at 1 PM to be

>> considered by the EPC before the hearing.

>> \* · Send written comments by email to [abctoz@cabq.gov](mailto:abctoz@cabq.gov)

>> <mailto:abctoz@cabq.gov?subject=Official%20EPC%20Comments%20on%20the%20ABC%20Comp%20Plan>.

>> Please use "Official EPC Comments on the ABC Comp Plan" in the

>> subject line and address comments to "Chair Karen Hudson."

>> OR

>> \* · Mail comments to Chair Karen Hudson, c/o City Planning

>> Department, 600 2nd Street NW, Albuquerque, NM 87102.

>> You may also present your comments in person by speaking at the EPC hearing.

>> Thanks for your participation and your continued interest in

>> improving the City/County Comprehensive Plan!

>> Terra L. Reed, Associate Planner

>> Urban Design & Development/Long Range

>> City of Albuquerque Planning Department

>> 505-924-3475

>> [treed@cabq.gov](mailto:treed@cabq.gov) <<mailto:treed@cabq.gov>>

>> ABC-ZLogo2 <<http://www.abc-zone.com/>>

**Reed, Terra L.**

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**From:** Susan Michie-Maitlen <sgm150@ymail.com>  
**Sent:** Monday, July 25, 2016 11:21 AM  
**To:** Planning Comp Plan-UDO  
**Subject:** Official EPC Comments on the ABC Comp Plan  
**Attachments:** michie\_letter\_EPC.pdf

Terra,

Please find my comments for the EPC attached.

Thanks,

Susan

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**From:** Planning Comp Plan-UDO <[abcto@cabq.gov](mailto:abcto@cabq.gov)>  
**To:** "[sgm150@ymail.com](mailto:sgm150@ymail.com)" <[sgm150@ymail.com](mailto:sgm150@ymail.com)>  
**Sent:** Tuesday, July 19, 2016 12:12 PM  
**Subject:** ABC Comp Plan Comments

Hello Susan,

Thank you so much for your comments about the first draft of the ABC Comp Plan earlier this year and for your ongoing attention to our process.

We have been hard at work editing the chapters to improve the content and respond to public comments. I encourage to take a look at the latest draft, submitted to the City Environmental Planning Commission (EPC). In particular, you might be interested in the following chapter:

- Chapter 4 – Community Identity
- Chapter 7 – Urban Design

The submitted Draft of the Comp Plan and details on the EPC study sessions in July and hearing in August are available [here](#).

Please consider re-submitting any Comp Plan comments that we could not accommodate and/or submitting new comments to the EPC as official comments for their consideration at the upcoming public hearing on **August 4, 2016**.

Written comments need to be received by **July 27<sup>th</sup>** to be included in the EPC staff report and no later than **August 2 at 1 PM** to be considered by the EPC before the hearing.

- Send written comments by email to [abcto@cabq.gov](mailto:abcto@cabq.gov). Please use "Official EPC Comments on the ABC Comp Plan" in the subject line and address comments to "Chair Karen Hudson."

OR

- Mail comments to Chair Karen Hudson, c/o City Planning Department, 600 2nd Street NW, Albuquerque, NM 87102.

You may also present your comments in person by speaking at the EPC hearing.

Thanks for your participation and your continued interest in improving the City/County Comprehensive Plan!

**Terra L. Reed, Associate Planner**  
Urban Design & Development/Long Range  
City of Albuquerque Planning Department  
505-924-3475  
[treed@cabq.gov](mailto:treed@cabq.gov)

## COMPREHENSIVE PLAN COMMENTS SUBMITTED TO EPC - July 25, 2016

I have attended many outreach meetings for the ABC-to-Z Project and read several drafts of the Comprehensive Plan (CP) and the Integrated Development Ordinance (IDO) modules. I support mass transit and affordable housing for all neighborhoods across the city. I understand and agree that the comprehensive plan and zoning codes need updating, BUT I have the following serious concerns about the current draft of the ABC-to-Z Comprehensive Plan and IDO; and I have included a viable solution to these concerns at the end of this letter.

1. There is plenty of room in Albuquerque for infill development and some areas of the city desperately want it, but this plan forces change in areas where change is neither wanted nor needed in local communities. The plan is based on "areas of change" and "areas of consistency" and those areas were determined without input from the local communities and seem to be set in stone, because requests to change their designations by community members have been mostly ignored. Furthermore, the plan implies that the commercial area of a neighborhood can be changed substantially, without impacting adjacent residential zones or "areas of consistency" and that assumption does not seem realistic.
2. The plan will continue to promote new development and economic policies that have been tried in Nob Hill over the past decade with unintended and undesirable results, including 1) reduced parking policies and credits (up to 100%) that have created hyper-competition for small business owners and undermined a thriving business mix in the commercial district; 2) redevelopment policies that failed to have any positive impact on the MRA area in upper Nob Hill, including mix used zoning that allows multiple family housing, increased building heights up to 4 stories, reduced parking requirements regardless of change in occupancy use (i.e. from retail to restaurant or bar); 3) complete streets policies that have failed to calm traffic on Lead/Coal and Monte Vista Boulevard; and 4) liquor licensing policies that promote violent bar districts without adequate policing.
3. The "Smart Growth" strategies included in this plan are not new. Similar strategies have been implemented for decades in Canada. Vancouver, BC, the poster child for "Smart Growth" supporters is now one of the most traffic congested and unaffordable housing cities in North America. See "[Vancouver: Planner's Dream, Middle Class Nightmare](http://www.newgeography.com/content/001729-vancouver-planner%E2%80%99s-dream-middle-class-nightmare)" <http://www.newgeography.com/content/001729-vancouver-planner%E2%80%99s-dream-middle-class-nightmare> Also, the plan appears to closely follow theories developed by Jeff Speck. Please keep in mind that Mr. Speck is an academic, who is paid to publish and lecture about theories that are unique and different from what has been published in the past. Whether or not these theories can actually be applied successfully in the "real world" is not necessary to his success as a theorist.
4. The plan requires re-zoning of existing zone categories to make the IDO sync with the Comp Plan. Although, the administrators continually claim to be neither up-zoning nor down-zoning existing zones, because Nob Hill is designated as a "Premium Transit Corridor" and "Main Street" our commercial (CCR) and transition (OR) zones are being relabeled and expanded to allow more commercial uses in the OR zone, taller building heights in some areas, fewer design restrictions, and less buffering than other areas of the city. New uses are also being added to R-1 zones. Basically, this seems to be an end around way to up-zone our existing zone categories.
5. The plan seeks to apply blanket, generic zoning policies to commercial corridors that do not take the unique qualities of the surrounding environment into account. For example, applying "downtown" and "urban center" transit and density policies to small commercial "Main Street" districts that do not have the infrastructure, public amenities, public owned land, or space to accommodate these policies. (See DT-UC-MS references throughout the IDO development standards) At the same time, Downtown Sector and MRA plan policies with special zoning referred to as "form-based standards" are included in the plan for Downtown

that will “ensure that the buildings they occupy establish or reinforce a well-defined character” , but similar policies are not being applied to Main Streets (See IDO Pages 26 – 38). Also, the plan does not seem to take into account other entities (i.e UNM) that also plan to increase housing density in the same areas.

6. The plan continues to discriminate against older less prosperous areas of the city by promoting inflexible policies that are designed to keep crime “where it is.” For example, prohibiting street closings in open grid neighborhoods with high crime activity and encouraging on-street multi-family resident parking in nearby R-1 zones that do not have adequate police surveillance or adequate lighting for overnight on-street parking. Along this same line, Goal 7.2.e states that the plan will “Discourage gated and/or walled communities and cul-de- sacs” BUT at the same time the plan seeks to promote multi-family housing on Central Ave which will basically be gated (or more like barricaded communities) See Nob Hill the Place and the Platinum Apartments. What sense of community will this type of development add to communities already beleaguered by crime?
7. The plan seems to foster a negative attitude towards “neighborhoods” and takes power away from the many people who actually live in the local communities and puts it in the hands of a few administrators, planners, and property owners who have little or no ties to the communities they are redesigning for profit. For example, commercial property owners make-up less than 10% of all property owners in our local community, but appear to benefit most from this plan in terms of artificially inflated property values. These are the same commercial property owners who chose to buy 1 or 2 story properties on an historic byway, just like the rest of the people in the community.
8. Although it is understandable that the chapters in this plan have been rewritten several times in this process, it is impossible to tell whether community input is being incorporated or where it has been included because the changes are not tracked for review. Finally, there seems to be no real deadline for giving public input – comments will be accepted even after the public process has started – and thus, it seems that input from the local community may be just a necessary formality that is not being heard by the upper-level administrators of this plan.
9. **Solution:** Overall, the plan seems to promote the vision of a single generation (Millennial) onto the entire city in a very top-down and administrative manner. This vision is overly aggressive for the predicted growth of Albuquerque (now a flight city) and the plan should be more specific in targeting areas (i.e. MRAS) that are in most need of redevelopment. A less aggressive plan that can be adjusted if, or when, population growth actually begins to increase would seem more appropriate. **Otherwise, the most prosperous areas rather than the least prosperous parts of the city will continue to be the target of redevelopment.**

Respectfully,

*Susan Michie*

Susan Michie, Ph.D

Professor of Strategic Management

Nob Hill Resident and Property Owner

Past Chair of the Nob Hill Main Street Economic Development Committee

Past President of the Nob Hill Neighborhood Association

Kitty Richards  
935 Alameda Rd., NW  
Albuquerque, NM 87114

July 27, 2016

Chair Karen Hudson  
Environmental Planning Commission  
c/o City of Albuquerque Planning Department  
600 2<sup>nd</sup> Street, NW  
Albuquerque, NM 87102

**Subject: Official EPC Comments on the ABC Comp Plan**

**Dear Chair Hudson and Members of the Environmental Planning Commission:**

As the primary author of a Health Impact Assessment on the proposed Albuquerque and Bernalillo County Comprehensive Plan (referenced as the Comp Plan herein), owner of a land use and public health consultancy, North Valley resident, and public health advocate, I submit the following comments. Based on numerous factors outlined below, I recommend deferring a decision on the Comp Plan until significant revisions have been made.

**Overview:**

Although I highly respect the individuals who have spent countless hours on the Comp Plan, I have some major concerns. The sheer length of the Comp Plan makes it inaccessible to community members who not only work full-time, but have other obligations as well. As an example, I have spent the greater part of the last few weeks reading and commenting on the Comp Plan. The Comp Plan is unnecessarily long and repetitive, and consequently, one cannot track the salient details that might contribute to significant changes in our built and natural environment. As a comparison, the 2003 Comp Plan (which was amended in 2013) consisted of a total of 199 pages (absent appendices), while this Comp Plan consists of an overwhelming 521 pages (not including the appendices).

I understand the Comp Plan is meant as a guidance document that conveys our vision. The sheer mass and repetitive language of the Comp Plan leads me to believe that the guideposts to achieve our vision, and the vision itself, have not been clearly identified.

Additionally, it is difficult to understand how the Comp Plan's vision contributed to the language contained in the Integrated Development Ordinance (IDO). In areas, the IDO's language appears to directly contradict the intent of the Comp. Plan, particularly, the Comp Plan's stated goal of enhancing community input and meaningful participation. Taken together, it is virtually impossible to reconcile the language contained in the Comp Plan and IDO module documents.

Finally, the Comp Plan appears to be a vision without any basis given our current context. How can we possibly achieve the actions outlined in Chapter 14 when we can't even provide our community with basic public safety?

Table 1 identifies other issues that contradict the stated goals of the Comp Plan to improve the community's health and quality of life, along with the relevant page numbers.

Table 1.

Relevant Pages	Issue
3-6; 3-13; 6-48; 8-10; 13-30	Based on research many neighborhoods that exhibit: 1) health disparities, or 2) decades of poverty are located within <i>areas of change</i> . Existing neighborhood health disparities or impoverishment could become exasperated depending on the type of subsequent development.
1-12	Zoning designations such as <i>Areas of Change</i> and <i>Areas of Consistency</i> result in the loss of protections provided in the 2003 Comp Plan. For example, policy o (page II-30 in the 2003 Comp Plan) provided for the continuation and strengthened redevelopment and rehabilitation of older neighborhoods located in <i>Existing Urban Areas</i> and policy a (page II-33 in the 2003 Comp Plan) provided for new public, cultural and arts facilities and the preservation of existing facilities in the <i>Central Urban Area</i> .
2-12; 5-22; 12-3; 12-5; 12-38; 13-2; 13-25	Language regarding the prioritization of infrastructure and water supply to existing communities over new development within the 2003 Comp Plan has not been carried over resulting in greater infrastructure degradation and uncertain future water supplies for residents living in existing communities.
13-7; 13-24	A strategy to address the inherent conflict between population growth, economic development, and the preservation of agriculture and the acequias used to irrigate has not been presented.
4-33; 5-30; 5-52; 9-3	Proposed language, such as streamlined development approval processes, may assist developers but will be a detriment to community members and prospective home buyers who, like developers, are interested in full disclosure and knowing what potential land uses will be allowed in the vicinity prior to making a home buying decision. Additionally, such proposals undermine the stated goal of the Comp Plan to meaningfully enhance public participation.

9-3	An increased supply of affordable rental units through mixed-use housing may be appealing; however, other strategies that encourage home ownership for low-income residents are necessary since, historically, our wealth has been tied to home equity.
5-3; 5-4; 5-26; 5-29; 5-30; 5-32; 5-48; 6-49; 8-23	Industrial development along freight routes (including I-25, I-40, and the railroad) is in conflict with the stated goal of preserving the character of historical neighborhoods and ensuring a high quality of life since many historical neighborhoods (many of which are also low-income) are located adjacent to these freight routes.
3-10; 3-14; 3-18; 6-26; 6-37; 6-43	Many of the current high use bicycle facilities are located on major commuter corridors creating a conflict between vehicular traffic and pedestrian/bike traffic. Unless addressed this conflict will contribute to an already high injury and fatality rate for vehicular collisions involving bicyclists or pedestrians.
5-22; 5-37; 5-40; 5-43; 5-47;	Language contained in the 2003 Comp Plan's Planned Communities Criteria (pertaining to master planned communities) and Resolution 270-1980 (pertaining to special uses) should be highlighted and carried over in their entirety, with no net expense and legal wet water availability requirements emphasized.
5-6; 11-25	The map illustrating buildable land is misleading because it does not consider barriers to building, such as natural slopes, nitrate contamination of underlying ground water, or an inability to access drinking water supplies through private wells due to depth to water.
Chapter 14 in entirety	Not only do the actions outlined in Chapter 14 seem ineffective, resource intensive, and unmanageable, their necessity seems questionable. This is likely because the needs that these actions attempt to address are not clearly articulated.

The following information references more specific comments by chapter and page:

**Chapter 1, Introduction (29 pgs.)**

Page 1-11:

Priorities listed here should match up with the Challenges mentioned on page 1-4 (water, environmental justice, economic development, housing affordability and connectivity).

Page 1-12:

Zoning designations such as *Areas of Change* and *Areas of Consistency* result in the loss of protections provided in the 2003 Comp Plan. For example, policy o (page II-30 in the 2003 Comp Plan) provided for the continuation and strengthened redevelopment and rehabilitation of older neighborhoods located in *Existing Urban Areas* and policy a (page II-33 in the 2003 Comp Plan) provided for new public, cultural and arts facilities and the preservation of existing facilities in the *Central Urban Area*.

Page 1-13:

It would be helpful to add another table (similar to table 1-1 and 1-2) that illustrates the current development areas (e.g., *Central Urban, Existing Urban, etc.*) and the proposed development areas (e.g., *Areas of Change, Areas of Consistency*).

## **Chapter 2, Factors of Growth (14 pgs.)**

Page 2-9:

What are the enforceable zoning codes to address this? I do not see them in the IDO.

Page 2-12:

The reduced CO2 emissions are minimal even though transit ridership is high. Is this due to increased emissions associated with transit? An explanation is necessary here.

Page 2-12:

Insert the entire Planned Communities Criteria in a pull out box.

## **Chapter 3, Vision (22 pgs.)**

Page 3-5:

It would be good to show how these tie to the challenges expressed in 1-4 and the priorities in 1-11. At present it's difficult to understand the distinction between priorities, challenges, and guiding principles.

Page 3-5:

Include equitable protection from environmental pollutants here.

Page 3-6:

Have these neglected neighborhoods been identified? If this is our policy, we need to include a map illustrating where these neighborhoods are located.

Page 3-6:

Again, a map depicting areas having existing health and income disparities would be helpful to pinpoint investments. These neighborhoods have been identified through prior research publications.

I would also recommend equity overlays. It turns out that many of the neighborhoods experiencing health and income disparities are located in areas of

change. Language is needed to ensure that changes do not exasperate existing disparities in these neighborhoods.

**Page 3-10:**

Unprotected bicycling given the much greater percentages of heavy traffic.

**Page 3-12:**

How about parks and open space. As a long-term resident of ABQ, I notice very few parks on the west side when compared with east side. I think that a certain percentage of developed land should be set aside for a park, playground, etc. to serve the families living there.

**Page 3-13:**

Here you have several areas of change within the same census tracts that experience the greatest health and income disparities. Depending on what the changes consist of - this could contribute to, or detract from, the health of those who are living here, many of whom are lower-income. It would be good to compare this map with the equity map (Place Matters for Health in Bernalillo County and Bernalillo County CINCH Health Assessment) to see how many of the census tracts having high health and income disparities are in the areas of change and to provide extra protections.

**Page 3-14, 3-18:**

This becomes impossible when you have bicycle facilities in high commuter - heavy truck traffic corridors.

**Page 3-20:**

To address what needs? I'm confused as to what this accomplishes without any context as to the reason.

#### **Chapter 4, Community Identity (40 pages)**

**Page 4-3:**

Include environmental impacts as a guiding principle for all sections.

**Page 4-5:**

When looking at inequity issues, land use becomes an important component; for example, access to quality education for those living in neighborhoods that have historically experienced disinvestment.

**Page 4-8:**

Are these boundaries based on NM Dept. of Health small areas?

**Page 4-33:**

I think there should be some specific content here prior to the EPC hearing; otherwise, too much is left up to happenstance.

**Page 4-33:**

Rather than reiterating the same language for each of the CPAs below, I'd just state it, "policies ..., along with actions will apply to all of the following CPAs...".

## **Chapter 5, Land Use (56 pages)**

**Page 5-2:**

What is meant by lower intensity non-residential areas - commercial?

**Page 5-3:**

Environmental justice issue. We need to separate incompatible land uses in low income and minority neighborhoods.

**Page 5-4:**

Why not include distance buffers since pollution does not stop at the boundary. The term physical and visual buffer is broad. What does this mean and what does it look like.

**Page 5-5:**

Again, it is important to align these challenges with what was mentioned at the outset of the Comp Plan on page 1-4.

**Page 5-5:**

Specifically mention water as well.

**Page 5-5:**

This is a center that is on the outskirts of Albuquerque. It is representative of sprawl, not a center.

**Page 5-6:**

Given water resource limitations and widespread nitrate contamination, are these parcels in the East Mountain really buildable? They may be vacant, but that does not mean they are buildable.

**Page 5-7:**

Because supply is exceeding demand and they are far removed from the city center.

**Page 5-9:**

I don't see development area listed in the legend or on the map on the following page.

**Page 5-12:**

I thought you were getting rid of established urban areas as a development area. A map illustrating the locations of development areas would be helpful.

**Page 5-14:**

**Will the results of the community planning areas assessments lead to amendments to this Comp Plan? How will results influence the zoning components or IDO?**

**Page 5-22:**

**Include legal water availability.**

**Page 5-23:**

**Does this include industrial development?**

**Page 5-26:**

**Environmental justice - conflict between industrial and residential.**

**Page 5-26:**

**It really depends on the type of reinvestment - if it is for a waste transfer station proposed for an area of change, instead it would contribute for further disinvestment of the nearby neighborhood in the area of consistency.**

**Page 5-29:**

**Does this include Comanche at Edith? What distance from I-25 and I-40? How will residential uses along I-25 and I-40 be protected from harmful impacts? Industrial development in some employment centers, such as Cottonwood Center, a primarily retail area, would be incompatible.**

**Page 5-30:**

**Which type of transit corridors, premium, major, multi-modal...? Some of these transit corridors are adjacent to single family homes where more intensified development could be undesirable and incompatible.**

**Page 5-30:**

**What type of development? Isn't a single-family home subdivision a development?**

**Page 5-30:**

**I strongly disagree with this as it decreases the opportunity for meaningful community comment and input and is inconsistent with the stated vision of the Comp Plan.**

**Page 5-30:**

**There is a need for parks in higher density areas - this consideration is not discussed.**

**Page 5-31:**

**Public safety issues associated with this. How will they be addressed?**

**Page 5-32:**

**f) seems to contradict e).**

**Page 5-32:**

**This places an inequitable environmental burden on low income, people of color neighborhoods that are typically located adjacent to freight routes, potentially causing even greater burdens than experienced at present.**

**Page 5-32:**

**Why not multi-modal access vs. auto oriented areas.**

**Page 5-33:**

**This would take away from rural lifestyles. Therefore, it seems to be contradictory.**

**Page 5-34:**

**This would take from the rural feel of North Rio Grande Blvd.**

**Page 5-37:**

**Or conversely, and from a preservation orientation, natural resource protection envelopes.**

**Page 5-37:**

**With land set aside for parks/open space. See policy 5.3.4 (c).**

**Page 5-37:**

**Where is language regarding compliance with Planned Communities Criteria?**

**Page 5-38:**

**Analyze demographics, environmental impacts, health impacts, and morbidity/mortality data.**

**Page 5-38:**

**E.g., minimum setbacks.**

**Page 5-38:**

**Polluting industries, etc.**

**Page 5-38:**

**Is this to curtail the blight occurring in some of our under populated newer subdivisions?**

**Page 5-40:**

**Why include planned communities in rural areas when you are attempting to retain the rural lifestyle and character?**

**Page 5-41:**

**Demonstrate wet water availability and legal water rights.**

**Page 5-43:**  
Map is needed to show where these are located.

**Page 5-43:**  
Additional requirement of no net expense.

**Page 5-43:**  
Excellent policy. Where is mention of Resolution 270-1980?

**Page 5-43:**  
Why allow industrial use in rural areas?

**Page 5-44:**  
Not consider, but amend the County Zoning Ordinance.

**Page 5-45:**  
Where is mention of Resolution 270-1980?

**Page 5-47:**  
Is there a Redevelopment Area designation? This is the first time this category comes up. A map showing where these are located should be included.

**Page 5-48:**  
What will the distance buffer be? Unfortunately many low-income neighborhoods are also located adjacent to freight routes setting up a scenario of incompatible land uses (residential/industrial).

**Page 5-48:**  
Surface water runoff, contaminant migration to underlying aquifer.

**Page 5-50:**  
Items a) i-vi can be accomplished by simply meeting the criteria set out in Resolution 270-1980.

**Page 5-50:**  
What about prioritizing investment in blighted neighborhoods that are located in areas of consistency?

**Page 5-51:**  
What is by-right zoning?

**Page 5-52:**  
Where would this occur? In all areas of change? This seems to leave the door wide open for potential uses, including industrial (a non-residential zone).

Page 5-52:

Streamline approval process - this does not lend itself to public engagement.

## **Chapter 6, Transportation (56 pages)**

Page 6-2:

This chapter can be much more concise and succinct. There is little discussion on the impacts of transportation to health in terms of emissions, injuries and fatalities, and the correlation between proximity to major transportation routes and health or environmental impacts.

Page 6-26:

I don't think "unfortunate" adequately describes the loss of life due to pedestrian and bicycle fatalities. This trend will continue to exist absent bicycle and pedestrian protections along major commuter corridors (e.g., Alameda Blvd.) and incompatible land uses along established bicycle facilities (e.g., the co-existence of a proposed waste transfer station and associated heavy truck traffic and the Comanche bicycle facility).

Page 6-32:

Why would you want higher auto speeds in suburban neighborhoods? Doesn't auto throughput and higher auto speeds contradict design aspects such as frequent curb cuts?

Page 6-32:

This seems to contradict the notion that appropriate design will mitigate congestion. I thought this was a goal.

Page 6-33:

Seems to contradict b) above.

Page 6-37:

Seems to be contradictory. I thought this was meant to increase access for autos. Commuter corridors also have established and existing bicycle facilities (e.g., Alameda Blvd.). How will bicyclists be protected from commuter and heavy truck traffic?

Page 6-39:

A very basic need that is not addressed here is lighting and cover (protection from natural elements) at all transit stops.

Page 6-39:

Have carpool lanes been proven to work?

Page 6-40:

Not *considered*, but *required* if you are being true to the ideals of complete streets and improved multi-modal access.

Page 6-40:

It would be nice to incorporate a prioritized capital improvements expenditure system informed by evidence, such as transportation routes exhibiting the greatest pedestrian/bicyclist fatalities. Having lived along Coors Blvd. for a number of years, I witnessed many near misses of pedestrians being hit by vehicles (at Coors and Delaney, Coors and Ellison). Having a disabled son who could not cross Coors within the adequate signal time to access parks west of Coors, we were privileged to be able to move to have more direct and safe access to parks and recreation.

Page 6-41:

This is also in action and seems to be an action rather than a policy.

Page 6-43:

Alameda Blvd. is a much used bicycle facility that needs to be redeveloped to provide greater safety for the bicyclists.

Page 6-48:

This has already been established through health assessments. See Bernalillo County's CINCH health assessment and Place Matters for Health in Bernalillo County publications. Rather than performance measures, why not equity overlays? Also, many of the *Areas of Change* designations include neighborhoods that exhibit high health and income disparities. Protections should be in place to protect these populations.

Page 6-49:

What does this mean? It is a vague statement. What will the impact be to historical neighborhoods adjacent to these commercial corridors, rail, and interstates?

Page 6-50:

This has already been assessed.

## **Chapter 7, Urban Design (30 pgs.)**

Page 7-1:

How will we pay for these suggested design elements?

Page 7-6:

This seems to contradict the very character of "rural".

## **Chapter 8, Economic Development (36 pgs.)**

Page 8-2:

...as well as tax incentives.

Page 8-2:

In addition to regulatory framework, water availability is among the highest priorities for business location or relocation.

**Page 8-4:**

Define adequate wage if you are going to use this term.

**Page 8-8:**

May want to mention technical and renewable energy as emerging economic development trends.

**Page 8-10:**

I don't believe that a strategy to end the decades in poverty in some of our neighborhoods has been discussed. I believe that capital improvements projects and equity overlay zones for these neighborhoods are good strategies to address the problem.

**Page 8-10:**

This table would be better if it included the actual average wage (by household size) baseline or comparison.

**Page 8-10:**

Include living wage baseline (avg. weekly wages) and poverty wage baseline (avg. weekly wages) here instead of in table 8-4. A comparison of these with actual wages is necessary.

**Page 8-20:**

Define class a and class c.

**Page 8-21:**

We need criteria which protects residents from industrial properties such as minimal buffers, mitigation, community based agreements, etc.

**Page 8-23:**

Unfortunately, many of the historical neighborhoods that we want to preserve lie adjacent to rail lines. What are the strategies to protect these neighborhoods and their residents?

## **Chapter 9, Housing (36 pages)**

**Page 9-3:**

Are you referring to rental units via apartment complexes that may be affordable in terms of rental rates, but are un-affordable in terms of attaining home equity, which constitutes the greatest proportion of American's wealth.

**Page 9-3:**

On the other hand, these regulations allow buyers to understand what potential future uses could look like, helping them to make informed decisions. A lack of regulations benefits developments, but creates uncertainty among home buyers.

Page 9-6:

Depending on the details, this could detract from a neighborhood's unique cultural identity and sense of place, particularly in rural areas.

Page 9-6:

What regulatory barriers are being referenced here?

Page 9-8:

Many rental units are owned by out-of-state landlords – an out of state (out of sight) and out of mind mentality results.

Page 9-9:

Why is this (22%) different from 27% reported in text to the left?

Page 9-11:

There is a tremendous backlog of affordable housing sponsored by the City or County. This issue should be incorporated somewhere, along with strategies to increase the quantity of affordable housing.

Page 9-11:

So why put housing at the urban fringe where those who can qualify will pay a greater proportion of income on transportation?

Page 9-13:

Put in number of years backlog.

Page 9-13:

Perhaps, the Sawmill Land Trust could serve as an example of a successful strategy to address this.

Page 9-15:

Compare this with decades of poverty map provided in the publication, "Place Matters for Health in Bernalillo County".

Page 9-19:

What does this look like?

## **Chapter 10, Parks and Open Space (26 pages)**

Page 10-4:

How does this compare with national data?

Page 10-5:

Also, include land trusts. See Trust for Public Lands as a resource.

**Page 10-8:**

Why did we invest limited financial resources for open space that is inaccessible to the majority of our residents when a greater need was demonstrated for parks in already developed areas? I believe this was a political decision. Consequently, a ranking system based on sound criteria should be established to prioritize the acquisition of open space.

**Chapter 11, Heritage (38 pages)**

**Page 11-25:**

Require x% of native vegetation, particularly cottonwoods, to remain as part of development (see ordinance for Scottsdale, AZ). Essentially, reversing the trend of developers to grade existing vegetation in preparation for new subdivisions.

**Chapter 12, Infrastructure, Community Services (42 pages)**

**Page 12-3:**

More emphasis is needed on ensuring equitable access to quality education, jobs, and other public services.

More emphasis is also needed on ensuring existing communities have the needed infrastructure prior to the approval of proposed developments.

**Page 12-5:**

Infrastructure needs are prioritized for existing communities prior to approval of proposed new developments.

**Page 12-6:**

They've exceeded the permit requirements? Isn't that a violation? By how much? What are the consequences?

**Page 12-11:**

Why is the waste transfer station site located in a low-income, minority community that already experiences disparate health outcomes? How is this equitable? Why is there no mention of this proposal?

**Page 12-12:**

Police provision - do you mean police department. Why use jargon here?

**Page 12-12:**

Research suggests the opposite - that illegal dumping occurs proximal to convenience centers, particularly if hours are unusual or they are only open on certain days.

**Page 12-15:**

This is serious. How will Comp Plan address?

**Page 12-15:**

**A land use court is needed.**

**Page 12-21:**

**Do you mean older parts of the city?**

**Page 12-21:**

**I believe this is still in its planning stages - not in the implementation stage.**

**Page 12-21:**

**The County doesn't operate public health clinics; rather, they provide space and maintenance of that space.**

**Page 12-27:**

**Would the waste transfer station be considered an infrastructure system or community facility? It should not be sited at the present site of the SWD's maintenance yard as indicated through the Edith Transfer Station Health Impact Assessment.**

**Page 12-28:**

**Require minimum training to prevent unanticipated sewage outflows to the Rio Grande and to improve compliance record with EPA regulations for surface water discharges.**

**Page 12-29:**

**Not sure if it should go here, but it would be nice to have a statement that allows for flooding along bosque to nourish the cottonwood forest.**

**Page 12-30:**

**Encourage renewable energy by providing tax incentive to homeowners for solar installation.**

**Page 12-31:**

**Why is economic not in here?**

**Page 12-33:**

**Equitably site future solid waste facilities in areas that are protective of human health and prevent disproportionate environmental burdens on low-income or minority communities.**

**Page 12-34:**

**...and timely**

**Page 12-34:**

Develop and implement emergency evacuation plans for communities that host facilities having high emergency activation potential (e.g., areas zoned industrial) to ensure that residents can quickly evacuate.

**Page12-35:**

No actions for substance abuse?

**Page 12-36:**

Open schoolyards for APS schools would help address obesity epidemic.

**Page 12-38:**

Ensure adequate availability and maintenance of existing infrastructure prior to committing to expanded infrastructure to proposed, new developments.

**Page 12-39:**

...and water lines.

### **Chapter 13, Resiliency and Sustainability (34 pages)**

**Page 13-2:**

A similar call-out box defining equity would be helpful when equity is first mentioned in earlier chapters.

**Page 13-2:**

..and quantity for high value species habitats and fisheries.

**Page 13-2:**

Ensure water availability for existing communities first and foremost - prior to water service extensions to proposed developments.

**Page 13-3:**

Strengthening local businesses to create unique shopping experiences.

**Page 13-5:**

...and ensuring those who are the most vulnerable are protected from heat or flood related stresses, illness, or fatality.

**Page 13-6:**

How are "vulnerable areas" defined? A map illustrating vulnerable areas and sensitive environmental areas is needed.

**Page 13-7:**

This is an excellent table. This table and this chapter should be much farther up in the Comp Plan since without water, there are no economic development, population growth, wildlife habitat, etc.

**Page 13-7:**  
...and wildlife.

**Page 13-18:**  
...as a consequence in inequitable access to quality jobs and education.

**Page 13-20:**  
Another bullet: Ensure the meaningful participation of residents who may be adversely impacted by proposed policies, plans, or projects.

**Page 13-20:**  
This is not sourced or cited appropriately.

**Page 13-24:**  
Define vulnerable areas. Are these the same as vulnerable neighborhoods? If so, why would you locate new community facilities, assuming they contribute to access to social services, away from vulnerable neighborhoods?

**Page 13-24:**  
Prioritize water for existing communities and communities located nearer to the urban core.

**Page 13-24:**  
This is inherently difficult given a limited water supply and large demand among different users. How do you prioritize among population growth and retaining agricultural lands? A more thoughtful action is required here.

**Page 13-25:**  
Language is needed on prioritizing water needs (as existed in the prior Comp. Plan) and delineating the legal availability of actual wet water prior to water allotment for future development (again, as existed in the prior Comp. Plan).

**Page 13-28:**  
Huh, is this through greater community participation and engagement? Through written notice in a place of the paper other than the legal notices section? How?

**Page 13-28:**  
Additional action bullet: monitor source emissions on an annual basis to rectify modeled emissions with actual emissions.

**Page 13-29:**  
How about prohibiting development since development is likely to: 1) disrupt wildlife habitats, and 2) contribute to greater likelihood of fire dangers.

**Page 13-30:**

**Additional policy bullet:** Given that many of the areas of change underlie census tracts that experience severe health and income disparities, ensure that development or redevelopment improves, rather than contributes to, existing disparities. See Bernalillo County's CINCH health assessment and Place Matters for Health in Bernalillo County publications.

**Page 13-30:**

**Industrial uses should be located far from residential uses in all cases. What is the distance buffer you are recommending?**

**Page 13-30:**

**Additional action:** conduct a health impact assessment and environmental review prior to approving proposed developments or projects.

**Page 13-31:**

**..and New Mexico Department of Health Small Areas...**

#### **Chapter 14, Implementation (62 pages), 2003 COMP PLAN 9 PAGES**

**Page 14-4:**

**This is simplified? Have you considered the sheer size of the Comp Plan?**

**Page 14-9:**

**Prioritization should be based on neighborhoods exhibiting disparate health outcomes.**

**Page 14-10:**

**Not good.**

**Page 14-10:**

**...or do you mean the Comp Plan's priorities, which may be different from the City's planning priorities?**

**Page 14-14:**

**This doesn't sound like something the community supports.**

**Page 14-17:**

**These metrics don't seem to capture the Comp Plan's intent to improve livability. More appropriate metrics might include chronic disease death rates in neighborhood experiencing health disparities, per capita green space, etc.**

**Page 14-19:**

**Who will be making these rather subjective evaluations?**

**Page 14-19:**

What is the ultimate goal that these actions are attempting to achieve? Once the goal is identified, the next step would be to select the indicators with which to measure progress, followed by the final evaluation of how results impact outcomes.

**Page 14-20:**

What need are you attempting to address through a Citizen's Academy? The answer to this question should inform the rest. Perhaps, a Citizen's Academy is not necessary if there is a more straightforward way to achieve the need.

**Page 14-21:**

These are activities that do not point to any impact such as reduced health risks, improved quality of life, etc. You need indicators to evaluate how these actions are measured.

**In closing, I recommend deferring a decision on the Comp Plan until significant changes have been made. Additionally, I also recommend:**

- 1. Revise the Comp Plan so that it is more concise and focused on clearly articulated and prioritized needs and subsequent actions to address these needs.**
- 2. Allow residents to review relevant Comp Plan chapters (a few at a time) along with relevant IDO chapters and provide a clear pathway referencing Comp Plan policies, based on needs, to IDO zoning.**
- 3. Consider equity overlays to protect neighborhoods that have exhibited many decades of poverty and/or health disparities through proactive and protective policies.**
- 4. Consider limited development in rural areas.**
- 5. Consider conducting health impact assessments on proposed projects, plans or policies that may have a significant negative impact the health or environment of surrounding neighborhoods.**
- 6. Always opt for more, rather than less, community input to develop trust and increase knowledge.**

**Respectfully submitted,**

**Kitty Richards, MPH, MS**

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July 25, 2016

MEMORANDUM

TO: Susan Deichsel

SUBJECT: My comments on draft ABC-Z Plan: Part III: mixed-income housing

This is my third memo about major issues that are basically missing from the draft ABC-Z Comp Plan. They are annexation, Albuquerque Public Schools, and now mixed-*income* housing.

There are numerous references to mixed-*use* housing and some general nods to the need to provide “housing for all income levels,” or similar statements<sup>1</sup> but little direct reference to mixed-*income* – that is, economically integrated – housing. The first explicit mention of mixed-income housing comes 331 pages into the draft plan and I found just three explicit references to mixed-income development.

- 9-18 “Mixed-*income* projects that ensure units at various income levels help establish flourishing neighborhoods in the Albuquerque area.”
- 9-23 “The City’s Family and Community Services Department partners with the City’s Metropolitan Redevelopment Agency and private developers to facilitate and help finance projects that include affordable and mixed-*income* housing.”
- 9-32 “Metropolitan Redevelopment: Identify and prioritize opportunities for catalytic projects that support redevelopment in blighted areas, leverage partnerships with the private sector for projects that the market cannot support, encourage mixed-use and mixed-*income* projects, remediation and redevelopment of brownfield sites, and/or stabilize and serve neighborhoods.”

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<sup>1</sup> Examples would be 3-5 “Equity: All residents have access to good public services, a range of housing options, and healthy places to live, work, learn, and play” or 5-35 “Encourage development that broadens housing options to meet a range of incomes and lifestyles. [ABC]” or 9-3 “Diverse housing options supports complete neighborhoods – including a range of income levels and ages.” or 9-3 “Equity: Ensuring a mix of high-quality housing serves a range of household types at all income levels and helps maintain affordability over time.

More than just punctiliousness about a word (i. e. mixed-income) is at issue because, for example, there are several references to “affordable housing.”<sup>2</sup> My experience is that, without a specific goal to create economically integrated neighborhoods, most new affordable housing simply gets built “on the affordable housing side of town.” That bias seems implicit in Comp Plan statements like [9-22] “City and County housing plans will continue *to target geographic areas with the largest need and greatest opportunity for affordable housing* of various housing types and sizes for households below the area median income.”

Targeting neighborhoods of “greatest need” is an often generously motivated policy that, in the light of actual experience, turns perverse. Poor people become locked into neighborhoods of rising concentrated poverty that are less safe, losing near-at-hand jobs, and, most importantly, have poorly performing neighborhood schools. The priority should be on creating more affordable housing in neighborhoods of “greatest opportunity.” The most proven way of doing so is through inclusionary zoning (IZ).

#### Inclusionary Zoning (IZ): Creating Mixed-Income Neighborhoods

Over 400 cities and counties in the USA have enacted mandatory inclusionary zoning ordinances. The basic concept is that a certain percentage of a new housing development (single family home subdivision or apartment complex) must be affordable to households below a designated income ceiling. The USA’s oldest and largest IZ program is in Montgomery County, MD (which, by no coincidence, was the subject of Dr. Heather Schwartz’s research on economic school integration discussed in my memo II). Enacted in 1973, Montgomery County’s Moderately-Priced Dwelling Unit (MPDU) policy has resulted in over 14,000 affordable housing units – built by for-profit home builders – usually seamlessly integrated into over 90,000 units of market rate housing in what is the USA’s 11<sup>th</sup> highest income county. In my view, Montgomery County’s MPDU ordinance is still a model template for an effective – and fair – mandatory IZ ordinance.

I emphasize “fair” because an effective ordinance must both help meet the community’s need for affordable housing and protect – even enhance – a for-profit home builder’s profitability. (For-profit home builders account for roughly 95% of all housing built in America.) Montgomery County achieves that balance.

Here are the MPDU law’s basic provisions:

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<sup>2</sup> 9-14 “Allowing additional density is another effective way to lower the unit cost of construction, so that less subsidy is needed to provide affordable units. For this reason, subsidies for affordable housing are usually given only for higher-density housing options.”

- The MPDU law is mandatory. If you're going to build housing in Montgomery County, you must meet the law's requirements.
- It applies to any new development of 20 or more housing units ("trigger point").
- It requires that 12.5% to 15% ("set-aside) of the units built must be affordable. The set-aside is halved for multi-story buildings with elevators.
- "Affordability" is defined as affordable to households below 65% of Area Median Income, or AMI ("income ceiling").
- It automatically provides *as of right* a "density bonus" of 15% to 22%, scaled to the size of the set-aside).
- It directs the Housing Opportunities Commission (HOC), its county-wide public housing authority, to purchase one-third of the for-sale MPDUs or to rent one-third of the for-rent MPDUs.
- For non-HOC-owned MPDU units purchased by eligible households, resale prices are controlled for 30 years to assure that a resale MPDU is purchased only by another income eligible household.
- The MPDU law does not provide for "cash in-lieu-of payment" by builders as an alternative to actually building the inclusionary units.

Let me give an example as to how the MPDU law works. (I'll use the top of the set-aside and density bonus ranges.) Suppose you are a home builder and own a plot of land that is conventionally zoned to allow a maximum of 100 housing units. The law requires that 15%, or 15 of these, be MPDUs. However, the law does not intend for you to cross-subsidize the lower-priced MPDUs out of your profits. The law provides an automatic density bonus of 22%; thus, you can build 122 housing units on your property. Of the 22 bonus units, 15%, or 3 units, must also be MPDUs. Thus, your final project is 122 units – 18 MPDUs and 104 market-rate units – *four more market rate units than you could originally have built under the underlying zoning.*

And those four additional market-rate are very profitable because they have no land cost (which is typically about 20-25% of the total production cost). A public policy – the automatic density bonus – has, in effect, created *free land* that both a) helps lower the cost of the MPDUs to their target affordable sales price, and b) makes the four bonus market-rate units very profitable.

Some further discussion:

- Mandatory vs. voluntary. Counties and cities such as Cambridge MA initially enacted voluntary policies and saw little inclusionary housing built (zero units in ten years in Cambridge's case that then switched to a mandatory policy.)

- “Trigger point.” Initially, the MPDU law’s “trigger point” was 50 or more units. As development scale shrunk as the county grew from 522,000 (1970) to 1,040,000 (2015), the county council lowered the “trigger point” first to 35 units and now 20 units. My review of 130 cities and counties with IZ laws (110 in California) shows that a common trigger point is 10 or more units, which is about the minimum size at which a builder can implement any density bonus. Many California cities have trigger points of less – even down to the first market-rate unit built – but my observation is that is largely a mechanism to extort cash in-lieu-of payments from builders (see further discussion below). Rio Vista CA’s IZ law sets the highest trigger point at 400 units (probably created just for a major new subdivision)!
- There is a trade-off between size of the “set-aside” and the “income ceiling.” Hypothetically, a target IZ sales price based on a 20% set aside at 80% AMI income ceiling has the same impact on a builder’s bottom line as a target IZ sales price based on a 10% set-aside at 40% AMI. Around the USA two-thirds of set-asides fall within the 10%-15% range. The highest set-asides are in Davis, CA which requires a 25% set-aside for for-sale housing and a 35% set-aside for rental housing; it seems to be a program targeted mostly to provide off-campus student housing. (Davis is home to the University of California’s largest campus.)
- “Affordability” is always expressed in terms of a percentage of AMI, which is annually estimated for every metro area by HUD. I’ve seen income ceilings as low as 30% AMI and as high (in Miami-Dade County’s case) as 150% AMI. Many California communities, in particular, allocate IZ units among different target groups – e.g. Berkeley CA 1/3 less than 30% AMI; 1/3 30% - 50% AMI; 1/3 51% - 80% AMI. My own suggestion is to set an income ceiling at the highest level at which the local housing market itself is not producing housing (e.g. 65% AMI in Montgomery County) in order to maximize the number of affordable units produced (but always consistent with practical implementation of density bonuses) and use various public subsidies to bring some IZ unit prices down in order to assist much lower income groups (see below).
- “Density bonus” percentages should exceed “set aside” percentages in order to generate additional bonus market-rate units as well as provide free land for IZ units. Montgomery County’s ratio is 1.45 to 1; Fairfax County’s ratio is 1.6 to 1 (20% density bonus for 12.5% set-aside).
- Public housing authority (PHA) purchase of IZ units (such as Montgomery County MD and Fairfax County VA practice) is rare but is the optimum way for IZ to provide housing assistance to much lower income groups. The

PHA buys the IZ unit at the target price and rents it to public housing eligible households (i.e. those below 50% AMI). The PHA-owned unit remains as part of the PHA's permanent inventory.

- Resale price control period. The keys are: how many years? Does the clock re-set if the unit is sold within the price control period? Too short a period (say five or ten years) and a community will find that its stock of IZ units is rapidly cycling out of the inventory. On the other hand, too long a control period and an eligible purchaser will lose the incentive of appreciation of their property. The most common control period is 30 years with the clock resetting if the unit is sold at the controlled price within that period. Rent control periods for rental properties tend to be 50 years or 99 years or perpetual (whatever state law allows) since the proportion of units under rent control is factored into the market value of the apartment property.
- Cash in-lieu-of payments: Many California cities combine low trigger points with large cash in-lieu-of payments to generate revenue for local affordable housing funds; they often encourage builders to make cash in-lieu-of payments even when builders can implement density bonuses. Of course, what typically happens is that the affordable housing funds are then used to build more affordable housing "on the affordable housing side of town – defeating the goal of providing opportunity and upward mobility rather than just affordable shelter. I recommend strongly against such payment a option.
- Other cost offsets. Density bonuses are the economic engine that drives successful IZ laws but cities can also offer builders a broader menu of "cost offsets." (Labeling these as "incentives" is misleading as builders *must* comply with mandatory IZ laws.) Such cost offsets can include lesser off-street parking requirements, subdivision design adjustments such as narrower streets (yielding more buildable land), accelerated development review ("time is money"), reducing or waiving certain fees, etc. These can all be set up as a weighted smorgasbord of cost off-sets among which a builder can pick and choose, but that is too complex to be discussed here.

### What IZ Could Mean for Albuquerque

Sometime in the mid-1990s I gave a talk in Albuquerque on the topic "If I knew Then What I Know Now." It focused on IZ which I first learned about after moving back to Washington, DC next door to Montgomery County in 1991. (The county adopted its pioneering IZ ordinance in 1973 after we moved to New Mexico.) I urged those in the audience to champion local IZ laws. I pointed out that if Albuquerque, Bernalillo County, and Rio Rancho all adopted a common policy, about 85% of all housing starts in the Albuquerque metro area would be covered by mandatory IZ requirements. There were representatives of all three

governments in the audience and expressed interest but, without my being on hand to follow through with them, nothing came of it. In fact, though I have tried fitfully from long distance, I've never been able to recruit a local champion for an IZ law in Albuquerque.

What if those three governments had enacted IZ laws in the mid-1990s. (Santa Fe enacted an IZ ordinance in 1998.) The attached spreadsheet estimates the impact.<sup>3</sup> I have applied Montgomery County's 15% set-aside at a trigger point of 10 units which reduces the effective set-aside to roughly 12% to take into account smaller, not IZ covered projects. Based on an estimated 63,000 new housing units having been built in Albuquerque from 1995-2014, there would be about 7,500 affordable units built as part of new market-rate subdivisions and apartment projects. Adopting Montgomery County's practice, 2,500 units would have been purchased by Albuquerque Housing Services (using capitalized federal Housing Choice Vouchers, the city's Workforce Housing Fund, and perhaps proceeds from municipal housing revenue bonds); these would be rented to public housing eligible housing (i.e. less than 50% AMI). The remaining 5,000 affordable units would have been purchased by city-certified, income eligible households in the 50-65% AMI or 50-80% AMI range. There would have been over 1,300 IZ units in the rest of Bernalillo County and over 2,100 in Rio Rancho. These, of course, are just estimates but give some approximation of IZ's potential.

#### Two Cautionary Notes

**Unaffordable housing markets:** All of the approximately 400 IZ laws nationwide have been enacted by local governments in relatively unaffordable housing markets. The basic reason is that, although a strong IZ law like Montgomery County's MPDU law can help diminish poverty concentration and open paths to life-transforming opportunity for poor households, IZ laws are rarely enacted by city councils and county commissions motivated by a concern with social justice. They act when a broad swath of the middle class is having difficulty securing housing affordable for them. Hence, in relatively affordable housing markets political pressure for IZ laws typically does not achieve critical mass.

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<sup>3</sup> The spreadsheet is based on table B25034 "Year Structure Built" from the Census Bureau's American Community Survey 2010-2014. "Year Structure Built" is based on the "guestimates" of household heads sampled each year (about 1.3% per year) and then grossed up to a city- or county-wide estimate. Such data, of course, can be greatly off the mark, but at least they are readily available for every jurisdiction in the USA. Accurate figures can only be obtained by securing the number of building permits issued by each jurisdiction (or, better yet, the number of occupancy permits issued after construction is complete since some projects never get built).

A technical consideration is that in unaffordable housing markets land costs are high and builders are motivated to put as much housing on available land as they profitably can. Hence, IZ-generated density bonuses are a real incentive as they yield additional, very profitable market rate units. The Albuquerque MSA, however, is a relatively affordable housing market; by my crude measure, metro Albuquerque's affordability index is 101.<sup>4</sup> That means that the median family of four can afford to purchase the median priced home. In theory, builders would not be highly motivated by density bonuses.

In practice, however, as my extensive work for the Baltimore City Task Force on Inclusionary Housing showed (though not a Baltimore resident, I was appointed as a "national expert" to be one of the 13 voting members), there really are three opportunities for applying IZ requirements:

- Category A – development projects that require significant public subsidies, such as free or discounted-price transfer of public land to the developer, major tax exemptions, direct public cash subsidies, public financing at below market-rate interest, etc. Under such circumstances, there's a legitimate opportunity to require inclusionary housing as part of the package. The set-aside and target price (based on income ceiling) are subject to project-by-project negotiation but an IZ law can set a minimum threshold.
- Category B – major zoning upgrades, such as re-zoning brownfield sites for residential or mixed-use redevelopment, re-zoning lower density residential land to higher density residential land, or re-zoning agricultural land for residential purposes. Such a public action is a major profit generator for developers. In many community, such is the political weight of real estate development interests that they treat re-zoning actions as if they were automatically the development community's birthright; local planning commissions are seen as quasi-ATM machines: a developer just sticks in his ATM card and out comes whatever highly profitable re-zoning approval the developer wants. But all re-zonings are discretionary decisions by local governments and they are fully justified to attach realistic IZ requirements to approving such re-zonings. ***This is a major area of opportunity for generating IZ units even within a relatively affordable market like Albuquerque.***
- Category C – land already zoned residential at "appropriate" level. This is where the issue of affordable vs unaffordable/high cost land vs. low cost land comes into play. Simply imposing IZ requirements on existing land

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<sup>4</sup> My affordability index is dividing the median price for single-family home sales as provided by the National Association of Realtors by three times Area Median Income as calculated by HUD. For 2015, the median single family home sales price was \$180,800 and the AMI was \$59,400. Hence, \$180,800 divided by \$178,200 (i.e. 3 x \$59,400) = 1.01 x 100 = an affordability index of 101.

that can be appropriately developed without any further action violates my standard of fairness to developers and raises the possibility of successful legal challenges on the basis of an unconstitutional taking. IZ requirements can still be required but greater reliance will have to be placed on other types of cost offsets than density bonuses. There should be a public procedure in place to grant a reduction or waiver of IZ requirements if the project cannot meet IZ requirements and still maintain reasonable profitability. However, the developer should not be provided the option of simply opting out voluntarily. A waiver of IZ requirements must be based on a detailed review of the project's *pro forma* by city staff or some public body such as a multi-party review panel. That can still be accomplished while maintaining confidentiality of the developer's *pro forma*.

**Segregation in the Albuquerque housing market:** In the interests of full disclosure I must note something that I have long recognized (even before I began crunching numbers as a consultant 25 years ago): Albuquerque is one of the USA's least segregated housing markets. Using a common dissimilarity index as my measure of residential segregation in which 0 = totally integrated (e.g. every census tract has the same percentage of Black and Anglo residents as their region-wide averages) and 100 = total apartheid (e.g. all Blacks and only Blacks live in certain census tracts and all Anglos and only Anglos live everywhere else), here are metro Albuquerque's segregation indices (as of 2010) in comparison with the 115 metro areas over 500,000 population:

Type of segregation	All Age Groups	
	segregation index	relative ranking
Black/Anglo	29.2	4 <sup>th</sup> lowest of 115
Hispanic/Anglo	36.4	25 <sup>th</sup> lowest of 115
--- with 20%-40% Hispanics	"	4 <sup>th</sup> lowest of 22
Asian/Anglo	24.8	6 <sup>th</sup> lowest of 115
Poor/non-poor (2000 census)	32.8	31 <sup>st</sup> lowest of 104
Poor/non-poor (2014 ACS)	30.9	not available <sup>5</sup>
Economic polarization (2009 ACS) <sup>6</sup>	31.7	28 <sup>th</sup> lowest of 115

<sup>5</sup> I calculated myself the poor/non-poor segregation index for 2014 for this memo.

<sup>6</sup> The economic polarization index measures the degree to which the top 10% and the bottom 10% are isolated from everyone else.

Thus, for the four-county Albuquerque MSA, in racial terms, among the 115 most populous metro areas, Black/Anglo and Asian/Anglo segregation is 4<sup>th</sup> lowest and though Hispanic/Anglo segregation is somewhat higher (25<sup>th</sup> lowest) among 22 metro areas with 20-60% Hispanics, Albuquerque is also 4<sup>th</sup> lowest. With regard to economic segregation and economic polarization, though higher, Albuquerque MSA is still with the least segregated or polarized third. Though we can all feel some satisfaction in these statistics, they are also a measure of just how segregated most other metropolitan areas really are.

But wait. As we move down the age scale to focus on school age children and where they attend school, the Albuquerque MSA is more segregated economically. Here are some comparative figures (all from 1999 school reports).

Public elementary school pupils

Type of segregation	segregation index	relative ranking
Black/Anglo	35.7	2 <sup>nd</sup> lowest of 115
Hispanic/Anglo	47.8	36 <sup>th</sup> lowest of 115
Asian/Anglo	28.9	4 <sup>th</sup> lowest of 115
<b>FARM/non-FARM</b>	<b>52.8</b>	<b>36<sup>th</sup> <u>highest</u> of 108</b>

I was shocked when I first saw the high level of economic segregation in metro Albuquerque schools, but (as I recall) I downloaded the data for all elementary schools in the four-county area and confirmed the calculation for whatever later year I did it. (I have not relocated that spreadsheet on my hard disk.)

But it suggests that the Albuquerque community still has some major work to do.

- APS needs to revisit its school assignment and school transfer policies. (Many non-FARM families may transfer their children out of high FARM neighborhood schools to other lower FARM schools.); and
- The City, County, and Rio Rancho must give serious consideration to inclusionary zoning policies focused on getting more FARM families into new subdivisions and their low FARM neighborhood schools.

The Comp Plan notes that [9-14] “Regardless of demand, federal housing assistance continues to decline, challenging local governments to devise innovative solutions.” Inclusionary zoning is just such a solution.

David Rusk

POTENTIAL MPDU PRODUCTION IN ALBUQUERQUE, BERNALILLO COUNTY & RIO RANCHO							
years	Albuquerque MSA	Albuquerque city	Rest of Bernalillo County	Rio Rancho city	Bernalillo County		
total units	377,475	240,961	45,309	34,800	286,270		
2010 -2014	2,830	1,472	176	629	1,648		
2000-2009	72,713	42,799	6,437	13,519	49,236		
1995-1999	34,312	18,731	4,732	3,479	23,463		
1990-1999	68,623	37,462	9,464	6,957	46,926		
total 1995-2014	109,855	63,002	11,345	17,627	74,347		
MPDU @ 12%		7,560	1,361	2,115			
Big Three	83.70%	of all MSA new housing					

**Lehner, Catalina L.**

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**From:** Wilkins, Carla  
**Sent:** Friday, July 08, 2016 3:11 PM  
**To:** Lehner, Catalina L.; Gould, Maggie S.; Quevedo, Vicente M.; Vos, Michael J.; Renz-Whitmore, Mikaela J.  
**Cc:** Anaya, Michael A.; Marez, Adrian; Kenton, Eddie R.  
**Subject:** EPC Comments

**Project#1001195 No Comment**

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