



**Environmental
Planning
Commission**

**Agenda Number: 01
Project Number: 1001620
Case #: 16EPC-40082
May 15, 2017**

Supplemental Staff Report

Applicant City of Albuquerque Planning Department

Request Adoption of the Integrated Development Ordinance (IDO) to replace the Zoning Code, Subdivision Ordinance, Airport Zone Ordinance, and Landmarks & Urban Conservation Ordinance and include portions of the Planning Ordinance and the Development Process Manual (DPM)

Location City-wide

Zoning See Zoning Conversion Map

Staff Recommendation

APPROVAL of 16EPC-40082, based on the findings beginning on Page 7 and subject to the conditions for recommendation of approval found in Attachment 2 and Attachment 3.

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Summary of Analysis

This request is for a repeal and replacement of the City of Albuquerque Comprehensive Zoning Code (the “Zoning Code”) with the Integrated Development Ordinance, or IDO. The request was continued from Environmental Planning Commission (EPC) hearings on April 6, April 10, April 24, and May 4, 2017.

The IDO is the second part of the ABC-Z project. On March 20, 2017, the City Council adopted the updated Comp Plan, a policy document. The IDO is the implementation mechanism for the Comp Plan.

The IDO includes a revised Zoning Code (§14-16-1-1 et seq.) that incorporates the Subdivision Ordinance (§14-14-1-1 et seq.), the Airport Zone Ordinance (§14-15-1 et seq.), and Landmarks & Urban Conservation Ordinance (§14-12-1 et seq.). Portions of the Planning Ordinance (§14-13-1-1 et seq.) and the Development Process Manual (DPM) are also included. All are consolidated into a single document. Other regulations, currently adopted in many separate, standalone documents, are also incorporated.

The ABC-Z project included extensive public engagement from February 2015 through January 2017. Beginning in October 2015, draft documents have been available on the project website and in hard copy at public libraries and community and senior centers. Notice of the April 6, 2017 hearing for the IDO was published in the Albuquerque Journal, the Neighborhood News, the project website, and on the Planning Department website. Letters were sent to neighborhood organization contacts. Staff has addressed written comments submitted up to April 20 and testimony provided at the April 6 and 10, 2017 hearings.

At the April 24, 2017 hearing, Staff gathered input and guidance from the EPC regarding issues raised in public comments and testimony. The discussion was continued to the May 4, 2017 hearing, when revisions to the draft IDO language were further considered as possible Conditions of Approval. Staff recommends that a recommendation of approval of the IDO, subject to conditions, be forwarded to the City Council.

Comments received before April 12, 2017 at 5 pm were attached to, and addressed in, the first Supplemental Staff report. Comments received up to April 20 at 1 pm (after report publication and more than 48 hours before the hearing) were made available to the EPC but were not attached to that report. *Comments received after April 20 at 1 pm will be transmitted to the City Council for its consideration.*

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I. INTRODUCTION

Overview

This Supplemental Staff report is intended to be read in conjunction with the original, April 6, 2017 Staff report and the April 24 and May 4, 2017 Supplemental Staff reports. Staff reports are available online:

<https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports>

On April 6, 2017, the Environmental Planning Commission (EPC) voted to continue the request to a hearing on April 10, 2017 to provide additional opportunity for public testimony and input. On April 10, 2017, the EPC voted to continue the hearing to April 24, 2017 to have additional time to discuss substantive issues, including issues raised in comments and during public testimony.

At the April 24, 2017 hearing, the EPC voted to continue the hearing to the May 4, 2017, and on May 4, 2017 the EPC voted to continue the hearing to the May 15, 2017 hearing. In both cases, additional time was needed to review recommended Conditions of Approval that address written comments, public testimony, and issues and questions raised by Commissioners.

Approach

At the May 4, 2017 hearing, Staff recommended a continuance to a hearing on May 15, 2017 to allow additional time to draft and coordinate suggested conditions to accompany a recommendation to the City Council. At the May 4, 2017 hearing, Staff continued to gather input and guidance from the EPC regarding concerns raised during public testimony and in written comments. Though the discussion began at the April 24, 2017 hearing, the May 4, 2017 hearing allowed for additional discussion needed so that Staff could develop conditions to revise the draft IDO based on concerns expressed.

In preparation for the April 24, 2017 hearing, Staff spent a great deal of time reviewing and responding to over 850 comments. The project team continues to meet with various stakeholders to discuss concerns and potential changes. The first supplemental Staff report (dated April 24, 2017) contains a discussion of key issues based on comments received and public testimony from the April 6 and April 10, 2017 hearings.

- Please refer to the Staff Response to Comments Spreadsheets (3 total), which were provided as an attachment to the first Supplemental Staff report, for details regarding responses to agency comments, public comments, and conversion map comments.
- Please refer to the original, April 6, 2017 Staff report for full information, including a policy analysis, related to this request.

II. KEY ISSUES & DISCUSSION

Various Topics

The following topics, raised by the public, agency staff, or the project team as warranting further discussion, were addressed at the April 24, 2017 hearing: Alcohol Sales, “Big Box” or Large Retail

Facility (LRF) Regulations, Building Height, Density, Jobs and Housing Balance, Master Development Plans, Review and Approval (Administrative Decisions, Administrative Deviations, and Appeals Process), and Site Design and Sensitive Lands/Open Space.

→ Please refer to the original April 6, 2017 Staff report for details about these topics as drafted in the proposed IDO.

The discussion was continued to the May 4, 2017 hearing. Key topics were considered further as the project team asked the EPC for input and guidance regarding language for draft conditions. For example, conditions were proposed to address separation distances between daytime gathering facilities and between residential and industrial uses that require a certain type of stationary source air quality permit.

The EPC also discussed how to adequately protect open space lands from the adverse effects of development near it. Draft conditions were proposed to limit certain intense uses near Major Public Open Space (MPOS) and to provide appropriate design standards. Another topic was parking and how to promote infill development on small lots (5,000 sf or smaller), which can be exempted from a parking requirement if located in UC (Urban Center), PT (Premium Transit), or MS (Main Street) areas.

Master Development Plans

The IDO addresses plans for development on larger, privately-owned sites approved prior to its effective date, typically for industrial or business park campuses. The existing system refers to these plans as “site development plans for subdivision”, “master plans”, or “master development plans”. The IDO will refer to them consistently as Master Development Plans. Master Plans will refer exclusively to plans for City-owned properties, such as the BioPark or Balloon Fiesta Park.

The IDO will be revised to clarify that, in the future, a zone change to the Non-Residential Business Park (NR-BP) zone for a new industrial or business park must have a minimum of 20 acres and will be required to have a “Master Development Plan” reviewed by the EPC, which makes a recommendation to Council, which will make the final decision. Thereafter, Master Development Plans can be amended by the Development Review Board (DRB).

Existing properties, less than 20 acres and zoned IP, are proposed to convert to NR-BP zoning and could be developed with a Site Plan reviewed administratively or by the DRB. The IDO will ensure that entitlements in existing master development plans are honored and that cohesive development can continue according to approved site layout and design standards.

III. DISCUSSION OF COMMENTS AND RESPONSES

→ Please refer to the April 6, 2017 Staff report and April 24, 2017 Supplemental Staff report for a summary table of public comments and an explanation of responses to comments.

The three Staff Response to Comments Spreadsheets (agency, public, and map conversion comments) respond to written comments from the public and agency staff, public testimony from the April 6 and

10, 2017 hearings, and comments submitted about the IDO Conversion Map. Staff has responded to all comments received by April 20, 2017. The “Change” column indicates staff-recommended conditions as well as items for which EPC direction was requested at the April 24 and May 4, 2017 hearings.

The EPC will be asked for further direction regarding the following discussion items:

- Master Development Plans. See discussion in Section II of this supplemental Staff report and Conditions 19 and 199;
- Additional building height bonus for structured and podium parking, see Condition 111;
- Exemption from parking requirements for infill sites under 5,000 or 10,000 square feet, see Condition 145;
- Maximum parking requirements, see Condition 150;
- Vehicle circulation requirements within the Neighborhood Edge Section 4-8, see Condition 188;
- Nonconformance limits on expansion for large lots, see Condition 246; and
- Zone change criteria for Areas of Change vs. Areas of Consistency, which generally adapts criteria from R-270-1980, see Condition 264.

IV. FINDINGS AND SUGGESTED CONDITIONS

The April 24, 2017 supplemental Staff report contains preliminary findings to support the suggested conditions for revisions to the proposed IDO and the proposed zoning conversion map. The preliminary findings addressed open space protection, building height, exceptional design criteria for EPC site plans, master development plans, industrial uses and air quality permits, community residential facilities, group homes, the Downtown 2025 area, thresholds for administrative approvals, zoning conversion map, and IDO effective date and transition period.

Staff has prepared suggested conditions for the EPC’s consideration, which would be included with a recommendation to the City Council, and would revise the draft language in the proposed IDO. The conditions are based on written comments, public testimony, and input and guidance gathered from the EPC at the April 24 and May 4, 2017 hearings. Attachment 2 and Attachment 3 (attached to this Supplemental Staff report) contain suggested conditions for recommendation of approval, which have been revised and updated since the April 24, 2017 hearing. Attachment 2 contains recommended conditions regarding the IDO document and Attachment 3 contains recommended conditions regarding the zoning Conversion Map. The spreadsheets include information about the type of condition, where it can be found, the text of the recommended condition, the reasoning behind it, and a reference to the relevant public or agency comments.

V. CONCLUSION

This request is for a repeal and replacement of the City of Albuquerque Comprehensive Zoning Code with the Integrated Development Ordinance, or IDO. The Subdivision Ordinance (§14-14-1-1 et seq.), the Airport Zone Ordinance (§14-15-1 et seq.), and the Landmarks & Urban Conservation Ordinance (§14-12-1 et seq.) are included, as are portions of the Planning Ordinance (§14-13-1-1 et seq.) and portions of the Development Process Manual (DPM).

Along with the 2017 Comp Plan update, the IDO is part of the City's larger ABC-Z project, undertaken to confirm the Centers & Corridors vision, update goals and policies, and ensure that regulations implement the vision for growth and development in Albuquerque.

The IDO modernizes the City's development standards and processes, incorporates best practices, and integrates regulations from Sector Development Plans in order to implement the updated Comp Plan. The IDO features new mixed-use zone categories, new zone districts and development standards for each zone, and regulations to protect the character of small areas. The IDO applies citywide to land within the City of Albuquerque municipal boundaries. The EPC's role is to make a recommendation to the City Council.

Staff analysis finds that the request is consistent with the intent of the City Charter and the Albuquerque Code of Ordinances, which contains the Zoning Code, the Subdivision Ordinance, and the Planning Ordinance.

Public engagement was a large part of the IDO effort. A testing session, public study sessions, and a survey were used to gather input. The Office of Neighborhood Coordination (ONC) notified neighborhood representatives by e-mail and via hard copy to those who do not have email. The proposed IDO was announced in the Albuquerque Journal, the Neighborhood News, and on the Planning Department's web page and social media.

Staff received official written comments from agencies and interested parties, such as the ABCWUA, the NMDOT, ABQ Ride, and the City Parks and Recreation Department. Their comments suggest revisions to clarify topics related to each agency's charge.

Comments submitted by interested parties cover a wide variety of topics, such as building heights, sector development plans, density, environmentally sensitive areas, environmental justice, and approval processes. Staff has considered all comments carefully and has responded to them.

Staff recommends that a recommendation of approval of the Integrated Development Ordinance (IDO) and the Conversion Map, subject to conditions that would improve the draft document's text and improve the Conversion Map, be forwarded to the City Council for its consideration.

RECOMMENDED FINDINGS - 16EPC-40082, May 15, 2017- Recommendation Regarding Adoption of the Integrated Development Ordinance (IDO) and the Conversion Map

1. This request is for adoption of the Integrated Development Ordinance, or IDO. The IDO will repeal and replace the City of Albuquerque Comprehensive Zoning Code (the “Zoning Code”, (§14-16-1-1 et seq.), the Subdivision Ordinance (§14-14-1-1 et seq.), the Airport Zone Ordinance (§14-15-1 et seq.), the Landmarks and Urban Conservation Ordinance (§14-12-1 et seq.), portions of the Planning Ordinance (§14-13-2-1 et seq.), and portions of the Development Process Manual (DPM), and incorporate them into a single, consolidated document.
2. Council Bill No. R-14-46 (Enactment R-2014-022), which became effective on May 07, 2014, directed the City to update the Albuquerque-Bernalillo County Comprehensive Plan (the “Comp Plan”) and the land development regulations intended to implement it. The Comp Plan update and the new IDO were developed together through a planning effort called ABC-Z, undertaken to confirm the Centers and Corridors community vision, update goals and policies, and implement the vision and goals through updated regulations and review and approval processes.
3. On March 20, 2017, the City Council adopted the updated Comp Plan (R-16-108) and revised ROA 1994 to refer to Areas of Consistency and Areas of Change (O-16-27), and updated associated terms in annexation policies (R-16-109).
4. The IDO is the implementation mechanism for the City’s land use and policy document, the updated Comp Plan. The Comp Plan contains key elements, such as updated Centers and Corridors designations, updated Development Areas (i.e. Areas of Change and Areas of Consistency) and improved coordination with regional planning efforts, which establish a framework for the IDO and link the documents in a mutually supportive manner.
5. The IDO is a single document that includes a new Zoning Code, an updated Subdivision Ordinance, the Airport Zone Ordinance, and the Landmarks and Urban Conservation Ordinance, portions of the Planning Ordinance, and portions of the Development Process Manual (DPM), which will be clearer and easier to use than the existing documents. The IDO modernizes the City’s development standards and processes, incorporates best practices, and integrates regulations from over 40 adopted sector development plans in order to implement the updated Comp Plan.
6. As directed by the City Council, the updated Comp Plan and the IDO were developed together and are mutually supportive. The new IDO furthers the purpose and intent of the updated Comp Plan, as well as the individual Comp Plan chapters, because it will serve to implement a course of action for harmonious development that will promote and health, safety, and welfare of the community and environment.
7. The IDO applies City-wide to land within the City of Albuquerque (the “City”) municipal boundaries. The IDO does not apply to properties within other jurisdictions, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities.

8. The EPC is a recommending body to the City Council and has important review authority. The City Council, as the City's Planning and Zoning authority, will make the final decision. Adoption of the IDO is a legislative matter.
9. The purpose of the IDO is to:
 - A. Implement the Comp Plan.
 - B. Ensure that all development in the City is consistent with the spirit and intent of other plans and policies adopted by City Council.
 - C. Ensure provision of adequate public facilities and services for new development.
 - D. Protect quality and character of residential neighborhoods.
 - E. Promote economic development and fiscal sustainability of the City.
 - F. Provide efficient administration of City land use and development regulations.
 - G. Protect health, safety, and general welfare of the public.
 - H. Provide for orderly and coordinated development patterns.
 - I. Encourage conservation and efficient use of water and other natural resources.
 - J. Implement a connected system of parks, trails, and open spaces to promote improved outdoor activity and public health.
 - K. Provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health.
 - L. Encourage efficient and connected transportation and circulation systems for motor vehicles, bicycles, and pedestrians.
10. The IDO's new and improved zoning system in has the following important, overarching benefits:
 - A. New zone categories for walkable, urban areas that allow the careful mixing of residential and non-residential uses, with built-in "Neighborhood Edge" provisions to protect nearby residential neighborhoods.
 - B. New zone districts tailored for the City of Albuquerque regarding the uses allowed in each zone and the development standards tied to each zone.
 - C. Many tools within a flexible system, including overlay zones and use specific standards, to address the needs of small areas that differ from the rest of the City.
 - D. Regulations from adopted sector development plans are integrated, by either keeping a sector plan regulation, extending it City-wide, or updating it with more effective best practices City-wide.
 - E. DPM updates are coordinated to reflect the updated Comp Plan, remove conflicts between zoning regulations and technical standards, and provide clearer direction City-wide.

11. After adoption of the IDO, City Planning Staff will initiate an ongoing, proactive engagement and assessment process (Community Planning Area (CPA) assessments) to work with communities throughout the city to understand planning issues and develop solutions to address them. Performance measures will be used to track implementation of action items and progress toward Comp Plan Goals over time.
12. The IDO is consistent with the Constitution of the State of New Mexico, which allows municipalities to adopt a charter to provide for maximum local self-government (see Article X, Section 6- Municipal Home Rule). The City is a home rule municipality and has the authority to adopt a comprehensive plan as granted under Chapter 3, Article 19, Section 9 NMSA 1978 (3-19-9 NMSA 1978) and by the City Charter.
13. The IDO is consistent with the following, applicable articles of the City Charter:
 - A. Article I, Incorporation and Powers: Creating the IDO is an act of maximum local self - government and is consistent with the purpose of the City Charter. The updated regulatory structure and processes in the IDO will help implement the updated Comp Plan and help guide future legislation.
 - B. Article IX, Environmental Protection: The IDO, which will help implement the updated Comp Plan, reflects best practices that will provide for orderly and coordinated development patterns and encourage conservation and efficient use of water and other natural resources. The IDO will help protect and enhance quality of life for Albuquerque's citizens by promoting and maintaining a high-quality and humane built environment. Commissions, Boards, and Committees will have up-to-date procedural guidance to better administer City policy and regulations.
 - C. Article XVII, Planning: The review and adoption of the IDO is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The IDO will help implement the updated Comp Plan and ensure that development in the City is consistent with the intent of other plans and ordinances that the Council adopts (Section 1). The IDO reflects best practices and will help the administration realize the Comp Plan's vision for future growth and development, and will aid in the enforcement and administration of land use plans (Section 2).
14. The IDO furthers the purpose and intent of the Planning Ordinance (Chapter 14- Zoning, Planning & Building, Article 13-Planning Goals and Objectives), which contains the Planned Growth Strategy (§14-13-1), as follows:
 - A. Part I: The IDO addresses the issues in the Planned Growth Strategy (PGS) report, which include deteriorated infrastructure, natural resource conservation and preservation, traffic congestion, infrastructure for new development, and the decline of some older neighborhoods, by: i) supporting the vision and concepts in the updated Comp Plan, and ii) creating a regulatory framework that respects established areas (i.e. neighborhoods and open space), while creating consistent quality for future development through consolidated development standards and a clarified, streamlined review and approval process.

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- B. Part K: The IDO improves the structure of development regulations by removing the pyramid structure of the 1970s Zoning Code, which relied on repeated cross-referencing to find what is allowed—a practice that led to inconsistencies and confusion. The Permitted Use Table in the IDO lists land uses by category and specifies whether they are permissive, conditional, accessory, or temporary within each zone (see Chapter 14-16-3-2, Table 3-2-1). Processes are found in a user-friendly summary table (see Chapter 14-16-5-1, Table 5-1-1).
- C. The IDO incorporates modern best practices for land use planning and zoning. The IDO recognizes that some standards in sector development plans warrant application city-wide. Other standards are characteristic of smaller areas and therefore have been incorporated into overlay zones that protect character, historic status, and views, or into standards for mapped areas related to use, development, or review and approval processes. Application of the IDO regulations over time will implement the updated Comp Plan and minimize the gap between existing conditions and our shared community vision.
- D. Part M: The IDO supports the community-building principles in the updated Comp Plan (i.e. sustainable development, complete communities, agency coordination, and support of small area planning efforts through the CPA process), because it will help them become reality over time by implementing standards for new development, overlay zones to protect designated areas, best practices in planning and zoning, and clarified and streamlined development processes.
15. The IDO furthers the purpose and intent of the Planning Ordinance (Chapter 14- Zoning, Planning & Building, Article 14-Subdivision Regulations, §14-14-1), as follows:
- A. Part A: The overarching purpose of the IDO is to implement the updated Comp Plan and ensure that development is consistent with the intent of other plans, policies, and ordinances adopted by the City Council.
- B. Part B: Topics such as drainage, flood control, and sewer service will continue to be addressed at the DRB. Updated development standards and best practices in the IDO will help ensure provision of adequate light, air, solar access, open spaces, and water.
- C. Part C: The IDO’s updated development standards, incorporation of best practices, use of overlay zones, and clarified and streamlined development processes will help to ensure the harmonious, orderly, and coordinated development of land in the City, and help create efficiency in governmental operations.
- D. Part D: The IDO will help promote the convenient circulation of people, goods, and vehicles while minimizing traffic hazards by better matching land uses to transportation corridors.
- E. Part E: The IDO includes and updates the Subdivision Ordinance, which controls the subdivision of land in the City. Accurate surveying and recording of plats will continue at the Development Review Board (DRB), a technical Staff board.
- F. Part F: The IDO will serve as a framework to help Staff and the public ensure the safety and suitability of land for development.

16. The IDO furthers and implements **Chapter 4- Community Identity**, of the updated Comp Plan because it establishes residential zone districts that correspond to existing, distinct neighborhoods and contains uses and standards that reflect the desire to protect and preserve them (Goal 4.1). The IDO retains existing standards that protect and enhance natural settings and ecosystems, including the Character Protection Overlay (CPO), View Protection Overlay (VPO), and Historic Protection Overlay (HPO) Zones. Development Standards, including Neighborhood Edges standards, will facilitate quality development while protecting residential neighborhoods and open spaces. Community members will be able to plan for their area's distinct character and needs through the CPA process (Goal 4.2 and Goal 4.3). Additional standards are proposed to be added to strengthen protections for Major Public Open Space (MPOS) when adjacent land is developed, which would further implement the concepts in Chapter 4.
17. The IDO furthers and implements **Chapter 5- Land Use**, of the updated Comp Plan because it provides various ways to actualize land use Goals regarding Centers and Corridors (Goal 5.1), Complete Communities (Goal 5.2), and City Development Areas (Goal 5.6) to help the community grow as a network of strong centers connected by multi-modal transportation corridors. The new IDO zones support the Centers and Corridors framework by fostering communities where residents can live, work, learn, shop, and play. Capturing regional growth in Centers will help shape the built environment into a sustainable development pattern, which will help maintain appropriate density and scale in areas where stability is desired. The Use Regulations in the new IDO will serve to support the new zones by allowing a wide range of uses where growth is desired (Areas of Change), and by limiting uses where stability is desired (Areas of Consistency). The Development Standards in the IDO correspond to and support various intentions in the Comp Plan, such as protecting sensitive lands and established neighborhoods (Areas of Consistency), and encouraging growth in Centers and along Corridors (Areas of Change).
18. The IDO furthers and implements **Chapter 6- Transportation**, of the updated Comp Plan because it provides a regulatory framework to support the Centers and Corridors vision by coordinating and integrating transportation infrastructure (Goal 6.1) and addressing the transportation aspects of safety (Goal 6.3), public health (Goal 6.4), equity (Goal 6.5), and economic development (Goal 6.6). In addition to identifying uses and intensities related to various modes, which help implement the Comp Plan concept of versatile corridor types, the IDO includes development standards and dimensional standards that accommodate all transportation modes while minimizing conflicts and maximizing efficient use of the available network (Goal 6.2). The IDO provides a variety of options to promote safe and efficient travel throughout the City and accommodate different modes in appropriate contexts, supported by adjacent and nearby land uses, while protecting existing neighborhoods.
19. The IDO furthers and implements **Chapter 7- Urban Design**, of the updated Comp Plan because it features new zone categories that will help support the Centers and Corridors framework and contains development standards that address dimensions, connectivity, site design, landscaping, solar access, building design, etc., which correspond to various intentions in the Comp Plan (i.e. context-sensitive development, preserving natural features, promoting walkability). The urban design Goals in the Comp Plan for Sense of Place (Goal 7.3), Site Design (Goal 7.5), and

Infrastructure Design (Goal 7.6) focus on ensuring that design and development reflect the surrounding context and preserve natural features. Standards in the IDO will enable right-of-way design that helps create an appropriate balance of land use and transportation for each Center and Corridor type. The Comp Plan addresses parking strategies and options; the IDO, in conjunction with the DPM, provides standards that will minimize conflicts between various modes of transportation on sites.

20. The IDO furthers and implements **Chapter 8- Economic Development**, of the updated Comp Plan because it establishes new zones that foster development of diverse places (Goal 8.1) and encourages economic development efforts that improve quality of life and promote a robust and resilient economy. The MX (Mixed-Use) and NR (Non-Residential) zones promote economic development by allowing a wide variety of uses, while requiring transitions between commercial areas and neighborhoods. Mixed-use development can foster small business creation, promote entrepreneurship, and strengthen and diversify the local economic base (Goal 8.2), while providing more lifestyle choices in appropriate locations (such as Centers and Corridors) and promoting modes of travel other than the automobile. The Permitted Use Table clarifies what uses are allowed, and where, in order to accommodate projected growth (Goal 8.1 and Goal 8.2). New land use categories (ex. Artisan Manufacturing, Farmers Market, Community Garden, and Research or Testing Facility) support economic diversity and sustainability.
21. The IDO furthers and implements **Chapter 9- Housing**, of the updated Comp Plan because it provides varied options for different types of residents and households, from large lot single family homes to multi-family developments (Goals 9.1 and 9.3). Density is encouraged in appropriate places, such as in Centers and along Transit Corridors. More options for multi-family housing, and allowing a mix of uses to accommodate different lifestyles, will help with the provision of affordable and varied housing. The IDO provides a range of single-family housing categories that allow innovative development patterns, such as cluster development and co-housing, to address sustainable housing design (Goal 9.2). The IDO introduces a new use, daytime gathering facilities, to respond to concerns about services and facilities for the homeless (Goal 9.4). The new MX (Mixed-Use) zones will allow more choices for different lifestyles, including location of housing near goods and services to encourage non-auto modes of travel and serve a variety of populations (Goals 9.3 and 9.5). The IDO includes incentives (i.e. a height bonus for workforce housing) to provide more affordable housing options (Goal 9.6).
22. The IDO furthers and implements **Chapter 10- Parks and Open Space**, of the updated Comp Plan because it creates new zone districts, the NR-PO zones, which are specific to different types of parks and open space (Goal 10.3). The IDO furthers Goal 10.1 and Goal 10.2 because the NR-PO zones allow the provision of facilities and parks that meet residents' needs for recreation, education, and cultural activities. The flexibility of these zones promotes co-located facilities on park land and making trail connections to best leverage public investment (Goal 10.4). The IDO strengthens and clarifies development requirements for private property next to Major Public Open Space (MPOS), provides specific regulatory standards (i.e. as Section 14-16-4-2: Site Design and Sensitive Lands), and maintains design requirements from the Northwest Mesa Escarpment Plan and the Unser Blvd. Design Overlay Zone. Facility Plans, such as the Open Space Facility Plan,

are retained and continue to support the Comp Plan (Goal 10.3) and help ensure that operations regarding the MPOS system are coordinated (Goal 10.4).

23. The IDO furthers and implements **Chapter 11- Heritage Conservation**, of the updated Comp Plan because it creates zones specific to different types of parks, open space, and agricultural uses at different scales (ex. the NR-PO zone) and preserves agricultural uses in various zone districts (Goal 11.1, Goal 11.3 and Goal 11.4). Also, the NR zones allow the provision of facilities that meet the needs of traditional communities with opportunities for recreation, education, resource preservation, and cultural activities (Goal 11.5). The IDO standards address what is required of development on private property near MPOS, arroyos, acequias, escarpments, wetlands, rock outcroppings, and archaeological sites, and contains standards regarding Site Design and Sensitive Lands. Other standards, such as overlay zones, will help maintain the historic character of established neighborhoods and a distinct built environment in distinct communities (Goal 11.2).
24. The IDO furthers and implements **Chapter 12- Infrastructure, Community Facilities, & Services**, of the updated Comp Plan because it carries over solar access provisions, addresses drainage, flood control, and energy through standards in the Development Process Manual (DPM) (Goal 12.1), and allows community facilities in multiple zones. Centers & Corridors are the most appropriate places for community facilities, given their central location, access via multiple transportation modes, and possibilities for synergy with other nearby services (Goal 12.2). The updated Comp Plan includes polices to ensure the safety and efficient provision of services; the IDO includes land-uses related to these services in Table 3-2-1 (Goal 12.3). The Comp Plan emphasizes collaboration among departments and agencies to leverage resources and efforts. The CPA assessment process, which gathers information across twelve City areas and emphasizes coordination with multiple departments, will be a key vehicle for implementing this Goal (Goal 12.4).
25. The IDO furthers and implements **Chapter 13- Resilience and Sustainability**, of the updated Comp Plan because it will help promote resource-efficient growth and development. The regulations will foster efficient development patterns and protect open spaces and habitat through context-sensitive development (Goal 13.1). The IDO allows and supports a diverse range of housing options and density patterns, moving the City toward more efficient water management (Goal 13.2). Through incentives to encourage development in appropriate locations (i.e. height and density incentives for land in Centers and along Transit Corridors), land that is prone to flooding and wildfires will have fewer development pressures (Goals 13.3 and 13.4). The IDO separates incompatible uses by zones and provides several standards (i.e. Site Design and Sensitive Lands, Access and Connectivity, Subdivision of Land) to ensure safe and healthy environments for people to live, work, and play (Goal 13.5). The CPA assessment process, codified in the IDO, will provide a rational approach to address the complex issues related to Environmental Justice.
26. The IDO will clarify zoning and general zoning regulations with a use table and development standards that create predictability and consistency. The Permitted Use Table (Table 3-2-1) clearly shows the categories of uses (i.e. residential, commercial) allowed in each zone and the type of use (i.e. permissive, conditional). The Development Standards will provide for quality development

and ensure that new residential development reinforces the scale and character of established residential areas.

27. The IDO will streamline development review processes and make them more efficient and transparent (see Chapter 5- Administration and Enforcement). Because development standards will be stronger and more predictable, administrative review by Staff is appropriate, though public hearings will still be required for larger projects. A pre-application meeting with neighbors will be required for certain requests to ensure earlier input opportunities for the public. The Zoning Hearing Examiner, Landmarks Commission, EPC, Land Use Hearing Officer, and City Council processes and requirements will remain in place.

Findings Regarding Proposed Conditions

28. Major Public Open Space (MPOS) includes sensitive lands that contribute to livability and quality of life, as well as help preserve and protect natural resources and ecosystems. Consistent with the Comp Plan, the IDO includes requirements to protect sensitive lands from development's potential, adverse impacts such as light spillage, pollution, noise, litter, etc. It is appropriate to require design standards that result in quality, context-sensitive development near these environmental features, and to recognize that certain automobile-oriented and industrial uses are incompatible in locations very near MPOS lands. Environmental Planning Commission (EPC) review of larger development proposals adjacent to MPOS is an appropriate use of the body's discretionary authority.
29. *Industrial Use and Air Quality:* Quality of life in some residential areas is disproportionately impacted due to the proximity of industrially-zoned properties. A separation distance requirement for industrial uses that require more than a minor air quality permit is appropriate to protect quality of life for such residential neighborhoods. The distance requirement will contribute to improved quality of life for the City as a whole by helping prevent disproportionate concentrations of industrial uses in one area in the future, and allowing more opportunity for particulate emissions to dissipate over a larger geographic area without unduly affecting economic development opportunities, while respecting the region's unique characteristics.
30. *Building Height Standard:* The IDO allows increased building heights in certain zones and locations in order to implement the Comp Plan Vision to focus development in designated Centers and Corridors and in Areas of Change, while protecting Areas of Consistency and residential areas (i.e. Neighborhood Edge requirements). Rather than angle planes to calculate allowable height, which has proven difficult and cumbersome for stakeholders to apply, the IDO would allow building height to increase after the distance requirement of 100 feet is met on all sides of the lot. This method is straight-forward, predictable, and easy to understand.
31. *Parking Exemption for Small Infill Sites:* The Comp Plan envisions increased infill development in Centers and along Corridors, where Transit Oriented Development (TOD) is desired, especially in areas designated as Premium Transit (PT), Urban Centers (UC), and Main Streets (MS). The Development Standards in the IDO address off-street parking. To support this vision, a minimum

parking requirement for sites 5,000 sf and less is not needed in PT, UC, and MS areas due to the emphasis on improved transit service and non-auto travel.

32. *Exceptional Design criteria for EPC site plans:* The EPC is charged with providing guidance on urban and regional planning as a means of protecting and improving the built and natural environments. The EPC has the expertise to determine, based on specific criteria for exceptional design in the IDO, if a site development plan is exceptional in terms of providing civic or environmental benefits or contributing to resilience and sustainability. Doing so, in exceptional circumstances, will support the Comp Plan's vision to promote land use planning that protects natural resources, minimizes the area's environmental footprint, or contributes to high-quality urban spaces.
33. *Master Development Plans:* Master development plans for new NR-BP (Non-Residential Business Park) zone designations, a minimum of 20 acres, must be reviewed by the EPC and City Council because they are large areas that need to be planned and considered cohesively due to potential impacts on the community and environment. The IDO will ensure that entitlements in existing master development plans are honored and that development can continue according to approved site layout and design standards.
34. *Community Residential Facilities:* The existing RT Residential Townhome Zone (§14-16-2-9) does not allow community residential facilities. Not allowing the Medium Community Residential Facility in the R-T zone of the IDO would be consistent with the current practice and would continue to help protect and preserve neighborhood character- especially in Areas of Consistency.
35. *Group Homes:* The separation distance requirement for Group Homes in the existing Zoning Code has proven effective over time and has helped contribute to a more equitable distribution of these facilities throughout the metropolitan area. In order to maintain the practice that no area or neighborhood has a disproportionate number of group homes, and to protect and maintain neighborhood character as desired in the Comp Plan, a separation distance between group homes and a maximum number of groups homes for each Council District area are appropriate.
36. *MX-FB DT and Downtown 2025 Focus Areas:* The Comp Plan envisions that the Downtown Center will be a regional activity hub, with the area's tallest buildings, greatest walkability, and a variety of mixed uses to create synergy and promote economic development. Distinct geographic boundaries within the Downtown Center (MX-FB-DT zone) should reflect the uses and intents of the focus areas in the Downtown 2025 Plan for consistency.
37. *Administrative Approval Thresholds for Large Projects:* The IDO aims to provide predictability and consistent application of its regulations through a review process that includes administrative (Staff) review. Large projects are often a subject of concern due to their potential to generate impacts such as traffic, noise, and pollution. Therefore, it is appropriate that projects above this size (50,000 sf or more of general retail and 70,000 sf or more of a grocery store) be reviewed by the DRB at a public meeting so that interested parties, such as neighbors, may participate in the process.

38. *Standing*: Chapter 5 of the IDO, Administration & Enforcement, includes regulations related to standing for the purposes of appealing a development decision. These regulations should be consistent with both State of New Mexico law and the City's Neighborhood Recognition Ordinance (commonly known as O-92).
39. *Zoning Conversion Map*: The existing zoning map was used to identify today's zone categories for conversion to the closest match to the new IDO zones, in terms of allowable uses and intended densities/intensities, so that consistency with existing entitlements is maintained. In cases where land use and zoning are mismatched, the proposed IDO and the Conversion Map are not intended to legislatively address this issue. As a subsequent effort after the IDO is adopted, mismatches can be considered as a City-sponsored package of discretionary zone changes for small areas.
40. *Effective Date and IDO Transition Period*: The EPC recommends to City Council that the IDO become effective as soon as possible after adoption, but allowing for a "transition period" of six months after the effective date. This transition period would allow property owners the option of continuing to plan and develop their land pursuant to the superseded Zoning Code or pursuant to the IDO, in order to preserve investments in design services, site preparation, and/or contractual obligations.
41. *R270-1980*: The IDO carries forward the requirements of R270-1980, criteria for evaluating zone change requests, which have served the City and decision-makers well for over 35 years. The criteria in the IDO are updated to reflect and respond to the distinction between Areas of Change and Areas of Consistency, in order to encourage and direct growth where it is expected and desired (Areas of Change) and to provide more protection for areas where stability is desired (Areas of Consistency).
42. The IDO includes requirements related to neighborhood organizations. The requirements should consistently refer to the Neighborhood Association Recognition Ordinance (§14-8-2 of the City Code of Ordinances, commonly known as O-92) and include notification requirements that reflect the existing requirements in that Ordinance.
43. Language that refers to the Zoning Code, the Subdivision Ordinance, the Airport Zone Ordinance, the Landmarks and Urban Conservation Ordinance, the Planning Ordinance, and the Development Process Manual (DPM) are found in various locations of ROA 1994. This language will need to be correspondingly revised with the adoption of the IDO in order to maintain internal consistency in ROA 1994.
44. The proposed IDO was announced in the Albuquerque Journal, the Neighborhood News and on the Planning Department's web page. The Office of Neighborhood Coordination (ONC) sent e-mail notification to neighborhood representatives on December 29, 2016, as required, as part of the EPC application process. On May 5, 2017, Planning Staff sent a re-notification reminder to neighborhood representatives.
45. The public engagement process, which offered a range of opportunities for input, discussion, and consensus-building, featured a series of workshops and public meetings that included daytime

focus groups organized by topic and evening meetings with a more traditional presentation and a question and answer session. The project team was invited to speak at over 100 meetings and local conferences. To reach more people and a broader cross-section of the community, the project team staffed booths and passed out promotional material at community events and farmers markets, and met with individuals and small groups during weekly office hours and periodic “Ask an Expert” zoning clinics.

46. Articles about the ABC-Z project appeared regularly in the City’s *Neighborhood News*, and ads specifically for the proposed IDO were placed in print and social media, as well as on local radio stations. There is also a social media page for the ABC-Z project on Facebook.
47. Staff received official written comments from agencies. Among the agencies that commented are the ABCWUA, the NMDOT, ABQ Ride, the City Parks and Recreation Department, and PNM. Their comments suggest specific revisions to clarify topics related to each agency’s charge. Staff considered all comments carefully and is addressing them.
48. Comments submitted by interested parties cover a variety of topics, including but not limited to, time for public review and comment, annexation, effect on vulnerable populations, and the focus on Centers and Corridors. Some comments express concerns that regulations crafted to address localized issues are applied broadly and that sector plans are being replaced. Staff is considering all comments carefully and addressing them.
49. At the April 6, 2017 EPC hearing, some members of the public provided testimony that expressed general support for the improved clarity and consistency that the proposed IDO would provide. Support was also expressed for the Citizen’s Academy and the idea of directing growth inward, in appropriate locations, rather than continuing the trend of sprawl development.
50. Some members of the public raised concerns that include, but are not limited to, the following: the IDO effort is progressing too quickly, the details of the document are not well understood by the public, increased use of administrative (Staff) approval would limit public input, EPC review would be greatly reduced from what it is currently, allowable building height and density would be too great, view preservation and the environment are insufficiently addressed, the Board of Appeals (BOA) would be eliminated, the sector development plan system would be replaced, more consideration for environmental justice issues is needed, and mixed use (M-X) zones could adversely affect established neighborhoods. Planning Staff and the EPC have considered all of these concerns and addressed them, many via proposed changes and additions to the IDO.
51. The EPC received substantial public testimony at the April 6, 2017 and April 10, 2017 hearings. At the April 10, 2017 hearing, the EPC decided that no further public testimony will be allowed at the April 24, 2017 hearing. At the April 24, May 4 and May 15, 2017 hearings, the EPC discussed a variety of topics, including but not limited to allowed uses, approvals processes, building height, open space, and centers and corridors.
52. Conditions for recommendation of approval are needed regarding the text of the IDO to address topics raised in public comments and agency comments, reflect EPC direction regarding topics

discussed at the public hearings, and further clarify and ensure internal consistency within the document. These are attached to the EPC's recommendation in tabular form (see Attachment 2).

53. Conditions for recommendation of approval are needed to correct errors regarding the zoning conversion map. These are attached to the EPC's recommendation in tabular form (see Attachment 3).

RECOMMENDATION - 16EPC-40082, May 15, 2017

That a recommendation of APPROVAL of 16EPC-40082, adoption of the Integrated Development Ordinance (IDO) and the Conversion Map, be forwarded to the City Council based on the preceding Findings and subject to the following Conditions for recommendation of Approval as found in:

Attachment 2- EPC Recommended Conditions and

Attachment 3- EPC Recommended Map Conditions.

Catalina Lehner

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