



## CITY OF ALBUQUERQUE CITY COUNCIL

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### INTEROFFICE MEMORANDUM

**TO:** Brennon Williams, Planning Department Director  
Mikaela Renz-Whitmore, Long Range Manager

**FROM:** Stephanie Yara, Director of Council Services

**SUBJECT:** IDO Annual Update 2020 – Application for Amendment to the IDO Text – Amendment requests from the Open Space Advisory Board and Open Space Staff

**DATE:** November 23<sup>rd</sup>, 2020

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Director Williams and Ms. Renz-Whitmore,

In October 2020, the Open Space Advisory Board voted to recommend three changes to the IDO. Those changes are outlined as follows, with associated recommended changes to be included in the 2020 Annual Update labeled as “actions”. City Council planning staff attended the OSAB meeting and worked with the OSAB IDO review sub-committee and for this reason council staff are facilitating the communication to the Planning Department on behalf of the OSAB on this matter. Please include the following Amendments to the IDO Text as a part of the November 2020 submittal application to the Environmental Planning Commission.

#### **Recommendation 1**

The board recommends that staff should investigate the feasibility of including the Open Space Division of the Park and Recreation Department in all early notifications of development actions adjacent to major public open space. *Motion carried unanimously, 6-0*

#### **Action 1 – No IDO Amendment Required**

This request will be addressed administratively by the Planning Department and does not require an amendment to the IDO. Planning Department staff will invite Parks & Recreation and Open Space Division (P&R/OSD) staff to all Pre-Application Review Team Meetings (PRT). P&R/OSD staff will review each PRT request that they receive and will attend these meetings or provide comments if the development is near, or has an implication for parks and open space properties in the City.

**Explanation 1:** This administrative action will allow P&R/OSD staff to communicate with developers at the very first stage of the development process and will allow for early discussions about the potential impact the development may have on parks and open space before an application is even submitted to the City. OSD staff will be able to communicate with the Open Space Advisory Board any PRTs they attend so the board may be aware of development occurring near Major Public Open Space.

### **Recommendation 2**

The board recommends that landscaping on lots to the arroyos shall consist solely of vegetation listed on the official Albuquerque Plant Palette as modified by Open Space Division. *Motion carried unanimously, 6-0*

### **Action 2 – Amendment to IDO recommended**

Amend the IDO as follows to add a new subsection (e):

[Section 5-6(C)(4) Landscaping abutting arroyos shall consist of plants as approved by the Official Albuquerque Plant Palette.

5-2(C)(3) Landscaping abutting arroyos shall be per section 5-6(C)(4)]

**Explanation 2:** This amendment proposes to regulate what types of landscaping are appropriate to be planted abutting arroyos. The IDO defines an arroyo as: *“A watercourse that conducts an intermittent or ephemeral flow, providing primary drainage for an area of land, or a watercourse that would be expected to flow in excess of 1,000 cubic feet per second as the result of a 100-year storm event, as determined by the City Hydrologist.”*

The Open Space Advisory Board and Open Space staff have expressed concern that seeds of invasive species that are planted next to arroyos across the city end up being carried downstream to the Bosque. These seeds take root and then require substantial amounts of funding, staff time, and volunteer time to remove. Regulating the types of vegetation that can be planted near an arroyo will help curb the amount of invasive species that end up sprouting in the Bosque. The proposed amendment will apply where landscaping is required in the IDO, i.e. in multi-family, mixed use, and non-residential development. Separately from this IDO action the OSAB has expressed interest in further refining the Albuquerque Plant Palette to identify plant species that are explicitly appropriate to be planted near Major Public Open Space and arroyos.

### **Recommendation 3:**

The board recommends to add to Subsection 5-2(C)(5) - Development adjacent to steep slopes, escarpments, wetlands and riparian areas shall provide a landscape buffer with a minimum of 50 feet as approved by the Open Space Superintendent consistent with the guidelines incorporated in the facility plan for Major Public Open Space. Landscaping shall consist solely of vegetation listed on the official Albuquerque Plant Palette as modified by Open Space Division; seconded by Tasia Young. *Motion carried unanimously, 6-0*

### Action 3 – Amendment to IDO recommended

Amend the IDO as follows:

1. Add “[Riparian Areas]” to the list of sensitive lands in 5-2(C)(1) in proper alphabetical order and renumber the subsequent sensitive lands as necessary
2. In section 7-1, add a definition of Riparian Areas as follows:  
[Riparian Areas Aquatic ecosystems and the transitional ecosystems surrounding them, as shown on the map maintained by the City Parks and Recreation Department. The transitional riparian ecosystem is characterized by distinctive vegetative communities and soils that are affected by the presence of surface and groundwater, and provides critical habitat, including for endangered species and migratory birds.]
3. In section 5-2(J)(2)(b), add the following text and renumber subsequent text as necessary:  
[5-2(J)(2)(b)(1) Not be located within 50 feet of any steep slopes, escarpments, wetlands, or riparian areas in the Major Public Open Space, excluding any single-loaded street or landscaped buffer per the requirements of 5-2(J)(2)(a)(1).]

**Explanation 3:** These amendments further refine the Sensitive Lands section of the IDO. First, a new type of sensitive land will be added to the list – riparian areas. Include map of Riparian Areas as provided by Open Space Staff. The Open Space Advisory Board and Open Space staff have recommended that the IDO formally identify these places as sensitive lands and offer further protections for them. These areas will be mapped by Open Space staff to be included in the IDO to ensure that a property owner with a riparian area will know exactly if their property is adjacent to or contains a riparian area and subject to additional regulations. If a property contains a riparian area as defined they will need to conduct a Sensitive Lands analysis per 5-2(C) Avoidance of Sensitive Lands.

Next, additional buffering of 50 feet will be required for properties that are five acres or greater, adjacent to Major Public Open Space (MPOS), that contains a steep slope, escarpment, wetland, or riparian area. This additional buffering will help protect not only the sensitive land but the private property as well. There are examples in Albuquerque of development that has occurred very close to these listed sensitive lands that have experienced erosion and drainage issues that have caused property damage and, in some cases, have had to be rectified by the City of Albuquerque using public dollars. It's appropriate to make this provision only applicable to properties greater than 5 acres adjacent to MPOS as these larger sites will be readily able to accommodate a 50-foot buffer. If the City were to make this regulation applicable to all properties regardless of size, there is a chance that the regulation would result in making the lot undevelopable as a smaller lot may not have adequate acreage to accommodate the buffer. This buffer is in addition to any single-loaded street or landscaped buffer that may be required by 5-

2(J)(2)(a)(1), resulting in a total of 95 feet if combined with the landscaped buffer or a total of 86 feet if combined with a single-loaded street.