



**Environmental
Planning
Commission**

**Agenda Number: 06
Project #: 2018-001843
Case #: RZ-2020-00048
Hearing Date: February 18, 2021**

Supplemental Staff Report

Applicant City of Albuquerque Planning Department

Request Amendment to the Integrated Development Ordinance (IDO) Text – Small Areas for the 2020 Annual Update

Locations Downtown Neighborhood Area- CPO 3, East Downtown-CPO 4, Los Duranes-CPO 6 Nob Hill/ Highland- CPO 8, Rio Grande Blvd-CPO 11, Sawmill/Wells Park- CPO 12, Volcano Mesa- CPO 13, East Downtown-HPO 1, Coors Blvd-VPO 1, Northwest Mesa-VPO 2, Downtown Area, Downtown Center, Uptown Area and the Mixed-Use Form Based (MX-FB) Zone District.

Staff Recommendation

That a recommendation of APPROVAL of Project 2018-001843, Case RZ-2020-00048 based on the FINDINGS beginning on page 23, and the CONDITIONS FOR RECOMMENDATION OF APPROVAL beginning on page 38, be forwarded to the City Council.

***Staff Planners
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Summary of Analysis

The request is for text amendments to the Integrated Development Ordinance (IDO) pertaining to 14 Small Areas. The revisions were identified as part of the Annual Update process required by IDO Subsection 14-16-6-3(D). These proposed amendments are quasi-judicial.

The request was continued at the January 21, 2021 Environmental Planning Commission (EPC) hearing for a month to the February 18, 2021 hearing. This supplemental Staff report covers the time from the January hearing up until the February hearing; material leading up to the first hearing can be found in the original January 21, 2021 Staff report.

The request to amend the IDO, the primary implementation tool of the Comprehensive Plan, generally furthers several applicable Goals and policies that pertain to community identity, land use, urban design, and economic development.

As of this writing, Staff has received several comments that indicate issues with individual proposed changes, but is not aware of any opposition to the overall request. Staff recommends that a recommendation of approval, subject to conditions, be forwarded to the City Council.

Staff recommends that a recommendation of approval, subject to conditions, be forwarded to the City Council. The proposed conditions, which have been revised since the first hearing, address conflicts with Comprehensive Plan Goals and policies and mitigate unintended consequences while (in most cases) accommodating the proposed amendment.

A map of the affected Small Areas can be viewed at:
<https://tinyurl.com/SmallArea2020>

Comments received before February 8 at 9 am are attached and addressed in this Supplemental Staff Report. Comments received before February 11 at 9 am are attached, but not addressed. Comments received before February 16 at 9 am (after Staff report publication and more than 48 hours before the hearing) are provided to the EPC, but not attached to this report. Comments made less than 48 hours before the hearing can be read into the record at the hearing and/or forwarded to the City Council.

Table of Contents

I. OVERVIEW.....3

II. ANALYSIS OF REQUEST – §14-16-6-7(D) AMENDMENT TO IDO TEXT- Small Areas3

III. ANALYSIS OF ORDINANCES, PLANS, AND POLICIES.....3

IV. KEY ISSUES & DISCUSSION.....3

V. PUBLIC OUTREACH20

VI. NOTICE20

VII. AGENCY & NEIGHBORHOOD COMMENTS.....20

VIII. CONCLUSION21

RECOMMENDED FINDINGS – RZ-2020-00048 – Text Amendment to the IDO.....23

CONDITIONS FOR RECOMMENDATION OF APPROVAL.....38

I. OVERVIEW

The request for various amendments to the Integrated Development Ordinance (IDO) text, pertaining to 14 Small Areas in the City, was heard at the January 21, 2021 Environmental Planning Commission (EPC) hearing and continued for a month to the February 18, 2021 hearing.

The proposed Small Area text amendments are accompanied by City-wide text amendments to the IDO (RZ-2020-00046). These are collectively known as the 2020 IDO Annual Update, or the second annual IDO update.

The proposed text amendments include changes that affect the following Small Areas: Downtown Neighborhood Area- CPO 3, East Downtown-CPO 4, Los Duranes-CPO 6 Nob Hill/ Highland- CPO 8, Rio Grande Blvd-CPO 11, Sawmill/Wells Park- CPO 12, Volcano Mesa- CPO 13, East Downtown-HPO 1, Coors Blvd-VPO 1, Northwest Mesa-VPO 2, Downtown Area, Downtown Center, Uptown Area and the Mixed-Use Form Based (MX-FB) Zone District.

A spreadsheet that explains each proposed change is included as an attachment to this Supplemental Staff report. The spreadsheet has also been available at the ABC-Z Project Website throughout the process: <https://abc-zone.com/ido-annual-update-2020> .

When the Supplemental Staff report is posted, the spreadsheet will be an attachment that will be available here:

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

→ For subsections regarding Applicability and Environmental Planning Commission (EPC) Role, please refer to p. 4 of the January 21, 2021 Staff report.

II. ANALYSIS OF REQUEST – §14-16-6-7(E) AMENDMENT TO IDO TEXT – SMALL AREAS

→ Please refer to p. 4-6 of the January 21, 2021 Staff report for Staff’s analysis of the request pursuant to the review and decision criteria for Amendment to IDO Text-Small Area in IDO Subsection 14-16-6-7(E)(3)(a-c).

III. ANALYSIS OF ORDINANCES, PLANS, AND POLICIES

→ Please refer to p. 7-17 of the January 21, 2021 Staff report for Staff’s analysis of the City Charter and Comprehensive Plan as request to the request.

IV. KEY ISSUES & DISCUSSION

→ Please refer to p. 7-17 of the January 21, 2021 Staff report for Staff’s analysis of the City Charter and Comprehensive Plan as relevant to the request.

→ Please also refer to p. 18-34 of the January 21, 2021 Staff report for a discussion of the proposed text amendments, particularly those with exhibits or were requested via memo (see attachments).

The following section focuses on the proposed text amendments discussed at the January 21, 2021 EPC hearing for which significant comments were provided and/or questions were raised. If a proposed text amendment was not discussed at the hearing and/or wasn't considered to be controversial, please refer to the original Staff report for an explanation. This staff report also covers the 9 written comments submitted after the 48-hour cut off for the first hearing (since 1/19/2021). The discussion and analysis is organized in order that these amendments fall in the IDO.

FORM BASED ZONE DISTRICT – AMENDMENT B – (MEMO - COUNCIL SERVICES)

Explanation: The proposed amendment would reduce the rear setback minimum in the Mixed Use-Form Based Zone District sub-zones (MX-FB-ID, MX-FB-FX, and MX-FB-AC) and would affect the MX-FB sub-zones by allowing where the rear lot line abuts a street or an alley to 0 feet.

Planning Policy Analysis re-cap: Parts of this amendment further Comprehensive Plan policies.

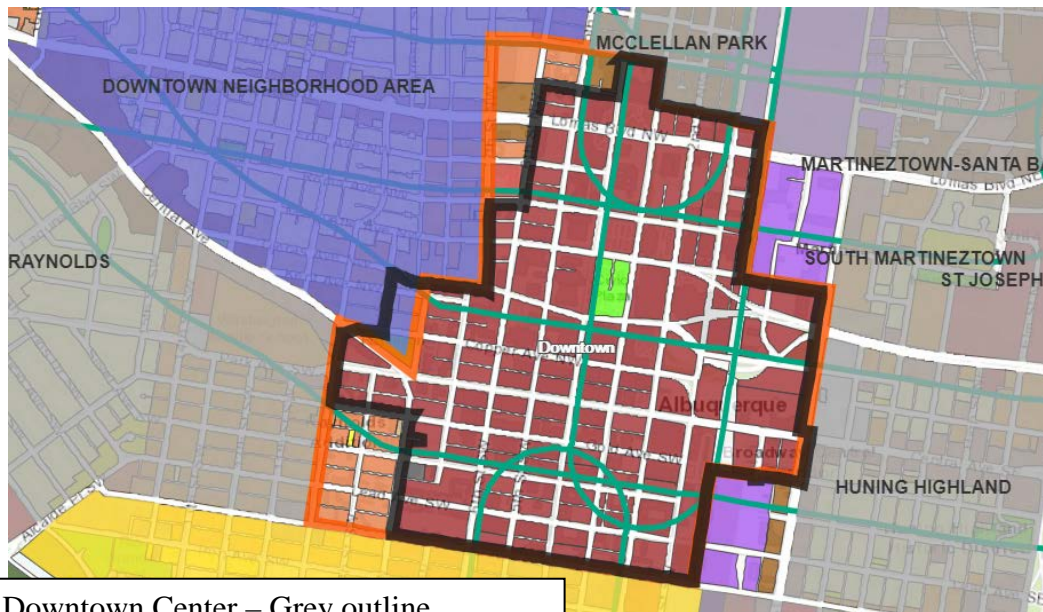
The proposed amendment generally furthers Comprehensive Plan policies, particularly those regarding Identity and Design (Policy 4.1.2), Efficient Development Patterns (Goal 5.3), and Areas of Change (Policy 5.6.2).

→ Please also refer to p. 20-22 of the January 21, 2021 Staff report for a full discussion (see attachment).

Update: A commenter at the January EPC hearing suggested this change be removed, to maintain consistency with the prior sector plan entitlements. This suggestion would allow the parking exemption to apply to more properties, including properties that have existing low density residential uses and that allow redevelopment primarily of multi-family land uses. When the IDO was adopted, multiple properties at the fringes of downtown, many of which were covered by different neighborhood plans prior to 2000, were converted to R-MH to reflect their “housing focus” zoning and allowable land uses. Those locations are more suited to have an off-street parking requirement to serve the residents. Planning Staff recognizes there is value in maintaining prior entitlements where they make sense, but also in applying the right rules in the appropriate location.

See map on next page of locations where the parking exemption would be removed – the portions of the downtown area with an orange boundary beyond the thick grey boundary. On the northwest (Downtown Neighborhood Area and McClellan Park), and the southwest (Raynolds Addition).

Staff recommends no change to the original proposed amendment.



Downtown Center – Grey outline
Downtown Sector Plan – Orange outline

COORS BOULEVARD CPO-2 – AMENDMENT H (MEMO - COUNCIL SERVICES)

Explanation: The proposed amendment would remove the 20% parking reduction available for proximity to the Major Transit Corridor, Coors Boulevard. The Coors Boulevard CPO-2 would be exempted from the reduction in parking.

Planning Policy Analysis re-cap: This amendment generally furthers Comprehensive Plan Goals and policies regarding Placemaking (Policy 4.1.3), walkability (Policies 7.2.1 and 7.2.2), and context-sensitive parking (Goal 7.4).

Update: The proposed amendment to Coors Blvd. CPO-2 was not advertised, and so any amendments to this CPO must take place in a future IDO annual update. This amendment simply served as a cross-reference to the parking amendment to the Coors Blvd. VPO-1, which is analyzed above. Not amending this CPO-2 will have no impact on development, because this reference only applies within the Coors Blvd. VPO-1. Where these two small areas overlap, development must comply with all the regulations in both Overlay zones.

Staff recommends a condition of approval to remove the proposed amendment to Coors Boulevard CPO-2, as being inconsistent with IDO Text Amendment procedures and notification requirements.

DOWNTOWN NEIGHBORHOOD AREA (CPO-3) (SPREADSHEET – SMALL AREA TEXT AMENDMENTS)

Explanation: Carries forward regulations related to garage setbacks adopted in the Downtown Neighborhood Area Sector Development Plan. First submitted with the 2019 Annual Update, which was legislative, but was re-submitted with notice to property owners.

This amendment proposes to add a setback standard for garages that requires garages facing a street to be set back 5 feet behind the façade of the buildings and garages accessed from an alley to be set back 5 feet from the property line, which is consistent with the rescinded Downtown Neighborhood Area Sector Plan. Without this amendment, new garages are required to be set back 15 feet from the rear lot line, which is the citywide standard.

Update: At the January EPC hearing, there was 1 comment in support and 1 comment in opposition to the proposed DNA CPO-3 amendments. The commenter indicated a preference for no required setback for garages that access the alley, instead of the proposed 5-foot setback. There were 5 written comments that expressed similar sentiments – that the setback should be 0-foot from the alley – to be consistent with existing development patterns and for better control over the property limits. Another written comment stated that the amendment would “force my unique neighborhood to confirm to what another neighborhood looks like.”

The current applicable R-1 setback is 15 feet from the rear lot line, which means that a garage that is *attached* to a dwelling would be required to be setback 15 feet from the alley. However, a *detached* garage is considered to be an “accessory building,” which is not required to have any setback. This change would require a larger setback for detached garages than is required in other locations in the city. It is also inconsistent with the existing pattern of development in the area with garages set on the rear property line. The proposed change would reduce the required setback for an attached garage, but increase it for a detached garage.

In order to allow the reduced setback, which is consistent with the DNA CPO-3, but not require a new 5-foot setback that would not apply to detached garages today, staff recommends a condition of approval to clarify these two situations.

NOB HILL (CPO-8) (SPREADSHEET – SMALL AREA TEXT AMENDMENTS)

Explanation: Clarifies what a residential façade is and links the regulation to defined terms.

Revise the building frontage types to allow a storefront or an urban residential frontage. This change clarifies what a residential façade is and links the regulation to defined terms. Currently residential developments also must use the storefront building frontage type, which is not appropriate to that use.

Update: At the January EPC hearing, there were 2 comments in support of the proposed Nob Hill/Highland CPO-8 amendments. One commenter recommended revising the required glazing standards for residential uses from 60% to 40%. Planning staff noted that requiring 60% of the ground floor building façade to be comprised of transparent windows and/or doors effectively results in a storefront window, with glazing between about 3 feet high to the ceiling. Because

there are no design standards or specifications for a “residential façade” in the Nob Hill CPO-8, it seems reasonable to reduce the required windows to support residential uses. Otherwise, the only building façade type allowed really is a storefront type of building frontage. (Example: a 25-foot wide building that has a 12-foot ground floor, would have 300 SF of building façade. If the tenant space has 10-foot tall clear space, counting the walls at 6” in width, and with windows starting at 3 feet from the ground and rising to 9 feet, and a 4-foot wide glass door would have 60% windows on that building façade.)

Planning staff presented these amendments at a Nob Hill Neighborhood Association meeting on 2/8/2021 and this topic was discussed. There was concern that lowering the amount of windows required would result in projects that did not place any common space or office space on the ground floor, because those uses would accommodate more windows. If there are any non-residential uses, they should be located on the ground floor at the street. One attendee mentioned that a townhouse development might not have any common space or office space if they were individually owned units. Another attendee mentioned that if the windows were too large, there would be a disincentive to open the window or curtains to have eyes on the street if the entire private dwelling were visible from the street.

Planning staff proposes a revision to the recommended conditions of approval to allow residential building frontages to have at least 40% of transparent windows and/or doors for any residential portion of the building. This specification substantially addresses the concerns voiced in the meeting. If there is not support for reducing the required glazing at this time, favoring the CPA process as the more appropriate time to review and revise these standards, then Planning staff recommends striking the phrase “residential façade” as being effectively meaningless.

Council Services requested some amendments to this section to address their concern that using the terms “Storefront” and “Urban Residential Façade” might be confusing to implement because they are primarily used in the Form Based zones. They requested the following changes:

- i. On page 98, Subsection 3-4(I)(5)(b)(4)(b) revise as follows: "Be built to function as or appear as a commercial or residential frontage building frontage type."
- ii. Add a new amendment on page 510, Section 7-1, revise the grouping of definitions to read: “Building Frontage Types, Mixed-Use - Form Based (MX-FB) Zones.” Add a new grouping of definitions to read: “Building Frontage Types, General” with the following definitions:
 - a. “Residential frontage. The portion of the ground floor façade of a building where the primary ground floor use is residential.”
 - b. “Commercial frontage. The portion of the ground floor façade of a building where the primary ground floor use is non-residential.”
 - c. In the EDo CPO and Nob Hill CPOs replace the word “storefront” with “commercial frontage.”

Planning staff notes that Code Enforcement has not had trouble applying these terms outside of the MX-FB zone district. This has not presented a barrier in reviewing or approving projects in this area. Planning staff also notes that introducing terms that connect building façade

allowances/requirements to the uses contained within is inherently problematic. In other places, the IDO refers to residential or commercial “uses on the ground floor.” It may be clearer to say that residential uses on the ground floor are not allowed on Central Ave., per Subsection 3-4(I)(5)(b)(1)(a), and that they are allowed on the ground floor on the side streets, per Subsection 3-4(I)(5)(b)(4)(b). Staff notes that residential uses have been approved on the ground floor on Central Avenue, some of which needed variances to the glazing/window requirements. This change would prohibit projects like that in the future and require the non-residential portions of a building to be located on the ground floor, which could include office space, retail or other commercial services, or a parking garage. Where parking garages have been built on the ground floor of buildings on Central, there is a less attractive and engaging pedestrian realm and fewer eyes on the street than residential uses would provide. This change has the potential conflict with adopted policies and the intent of the CPO.

This change also does not address the lack of standards that would inform what a residential building façade is; the Nob Hill Highland SDP did not provide more information on the design specifics either. Staff recommends that further research is done to propose standards that would differentiate the storefront and urban residential building façades, and provide guidance on what the character of those façades entails.

Staff recommends no change to the proposed amendment in response to these comments.

If the EPC or City Council considers these changes, Planning staff recommends replacing the term “commercial” with “non-residential” to be more inclusive of uses that are allowed but do not fall into the commercial category of uses, for example, office and institutional uses are allowed, but do not have a frontage type that describes that category of uses. It would also be helpful to consider if similar changes should be made to IDO Subsection 3-4(I)(5)(b)(1)(a) to clarify if residential uses are allowed on the ground floor or not, and if a residential frontage/façade type is allowed on Central Avenue or not.

SAWMILL/WELLS PARK (CPO-12) (SPREADSHEET – SMALL AREA TEXT AMENDMENTS)

Explanation: Revise the building design standard to apply to all building types in all zones, and to apply based on the proposed use (residential vs. mixed-use/non-residential uses).

Explanation: Revise the building design standard to apply to all building types in all zones, and to apply based on the proposed use (residential vs. mixed-use/non-residential uses).

Explanation: Revise the building façade standards for Mountain Road and adjacent residential zones to require more articulation, which is consistent with the Wells Park Sector Plan.

Update: There was 1 written comment from a Wells Park resident requesting “More Old Town Style Single Story Quality Residences in Wells Park. Less west side style two story cheap quality residences in Wells Park.” The CPO standards and the proposed amendment are intended to maintain the character and design in the area, and as such, no changes are recommended to address this comment.

At the January EPC hearing, there were 3 comments in opposition to the proposed Sawmill/Wells Park CPO-13 amendment. There was 1 additional written comment that addressed these same concerns. The commenters generally focused on the fact that the character, design, and development in Sawmill is substantially different than Wells Park, and that the new development in Sawmill does not and should not try to appear to be in the scale of single-family or townhouse development as the amendment would require. There were recommendations to split the CPO into 2 new ones, to reflect the different characters of these areas. The CPA process would be the appropriate time to explore this option and to determine if the commercial and multi-family development portion of Sawmill should have different design standards.

Planning staff recommends changes to the proposed amendments to address these concerns. The mixed-use and non-residential standard would be revised to read: “For lots abutting Mountain Road east of Old Town Road, street-facing façades on buildings must be designed to appear as a collection of smaller buildings by incorporating variations in massing, building height, or building material at least every 35 feet of facade length.” The residential building design standard would be revised similarly to describe the types of variation and articulation that are required every 35 feet.”

VOLCANO MESA (CPO-13) (SPREADSHEET – SMALL AREA TEXT AMENDMENTS)

Explanation: Clarifies the intent of the garage setback regulations from the Volcano Cliffs Sector Development Plan to require driveway access for corner lots to be from the side of the lot, not the front of the lot

Explanation: Revise the garage standards to apply to 3-car garages that are street-facing.

Explanation: Carries forward an electronic sign prohibition from Volcano Cliffs Sector Plan that was inadvertently omitted and extends it to the entire Volcano Mesa CPO area.

Update: One written comment was received since the first EPC hearing. The commenter did not support changing the building massing to allow cluster developments to have up to 75% of the building to have a second story. This amendment was not included in the EPC application, so no changes are needed to respond to this comment. The second issue raised was the amendment about the three-car street-facing garages and potential impacts to the beauty of the neighborhood. The proposed amendment clarifies that this requirement applies to any street-facing garage with 3 or more doors, which is what will be visible from the street. If a garage is turned to the side and faces the interior of the lot, thereby being less visible and dominant from the street, then it would be allowed to have 3 garage doors in a row without any being setback. Planning staff believe that the amendment as originally proposed is mindful of the attractiveness and character of

development in the area, and that the original Sector Plan regulations were not intended to apply to side-facing garages.

Staff recommends no change to the original proposed amendment.

COORS BOULEVARD VPO-1 (SPREADSHEET – SMALL AREA TEXT AMENDMENTS)

Explanation: The purpose of this amendment is to refine and clarify how the Coors Boulevard height, massing, and bulk regulations are applied and evaluated.

Update: At the January EPC hearing, there was 1 comment in support and 1 comment in opposition to the proposed Coors Boulevard VPO-1 amendments. The opposing commenter stated that the sightlines shouldn't only be at 45° angles because Coors Blvd. curves and that the main view to protect is of the Sandia crest. There were 3 written comments in support of the proposed amendment, 2 from the same commenter. A meeting was held with 2 of the 3 commenters to discuss the proposed amendments. In this meeting, staff reviewed the view preservation regulations and diagrams from the original Coors Boulevard Corridor Plan to identify the prior legislative intent and how the rules were written. There is a diagram in the plan that shows how the sightlines are to be drawn, which is the basis for both of the commenter's concerns.

These illustrations show a clear intent to always take the sight line looking at a 45° angle from the road, even when the views that are included change along the mountain chain. They are not all focused on the Sandia crest. The left side of this image is focused on more northerly views of the mountains (the views are more north-south), while the angle of the road on the right side of this image is focused on more southerly perspective of the mountains (the views are more east-west).

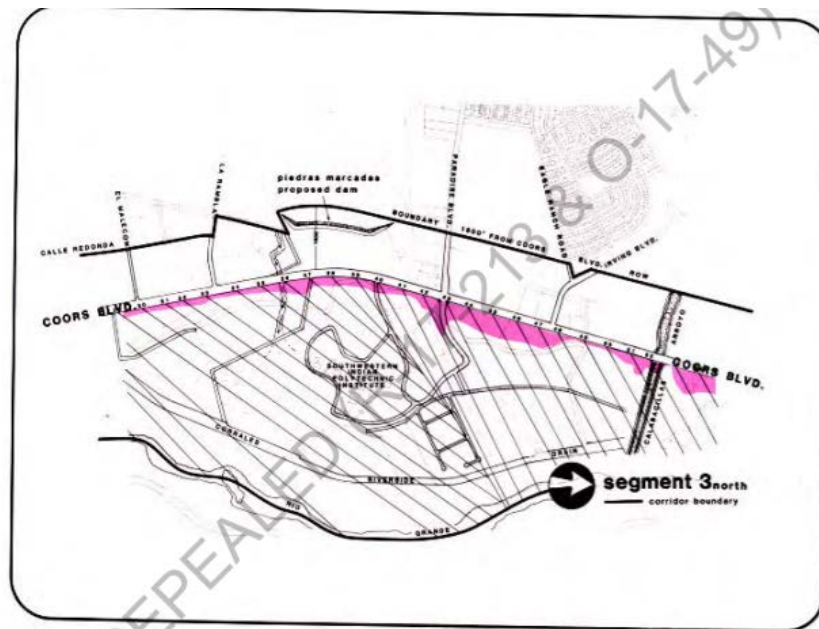


figure 41 view plane and sighting lines

The written comments made a few points: 1) that moving away from the 45° angle would mean that the sightline may not even cross through a building, impacting our ability to do the building height test, 2) the intent of the plan was to preserve different view perspectives to the mountains as a whole, not just the Sandia crest ridgeline, and 3) if the Sandia crest is included in all view frames, then the application of the bulk and massing and ridgeline tests would be altered and result in substantial differences in what could be approved after this amendment.

Because the requested amendment would substantially change the way that the sightlines are drawn, Planning staff recommends no change to the original proposed amendment.

COORS BOULEVARD VPO-1 – AMENDMENT F (MEMO - COUNCIL SERVICES)

Explanation: The purpose of this amendment is to remove the height bonuses for Workforce Housing and Structured Parking along Coors Boulevard, a Major Transit Corridor.

With the adoption of the 2019 IDO Annual Update the Workforce Housing 12-foot Building Height bonus was applied to Major Transit Corridors. Coors is designated a Major Transit Corridor whose boundaries are from Coors Boulevard, along the segment between Western Trail/Namaste Road and Alameda Boulevard, looking toward the Rio Grande Bosque and Sandia Mountains. The Coors Boulevard VPO-1 regulates building placement and height in relation to views. While the VPO-1 regulations would supersede any underlying zoning allowances, this provision makes it explicit that the 12-foot Workforce Housing Bonus is not applicable in the Coors VPO-1.

Planning Policy Analysis: This amendment furthers the following Comprehensive Plan policies:

Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

Policy 5.1.1 - Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

Policy 7.2.2.b: Encourage building and site design that activates the pedestrian environment through building frontage, entrances, parking areas, and gathering spaces.

If approved, the amendment would establish regulations along Coors Boulevard that limit the scale and intensity of building heights and structured parking along Coors Boulevard (VPO-1), a Major Transit Corridor. The amendment would further the Placemaking Policy (4.1.3), Desired Growth Policy (5.1.1), Pedestrian Accessible Design Goal (7.2), Walkability Policy (7.2.1), and Walkable Places (7.2.2). While the encouragement of more intensive development to support transit ridership was the reason for the building height bonus, the suitability of such along a single-occupancy vehicle heavily traversed corridor needs to be considered. The height bonuses may be more appropriate outside of View Protection Overlay zones.

Staff recommends no change to the original proposed amendment.

COORS BOULEVARD VPO-1 – AMENDMENT G (MEMO - COUNCIL SERVICES)

Explanation: The purpose of this amendment is to remove the parking reductions with proximity to Coors Boulevard (VPO-1). With the adoption of the 2019 IDO Annual Update, a 20% reduction in parking in proximity to major Transit was applied. Coors Boulevard is a Major Transit Corridor. This revision would exempt Coors Boulevard VPO-1 from reduction in parking. Reduced parking may result in more dense development patterns that is contrary to the to the intentions of the Coors Boulevard VPO-1.

Planning Policy Analysis: Parts of this amendment further Comprehensive Plan policies, while other parts of the request conflict with Comprehensive Plan policies for walkability and high-quality development.

Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

Goal 7.4 - Context-Sensitive Parking: Design parking facilities to match the development context and complement the surrounding built environment.

If approved, the amendment would establish regulations that remove the parking reductions along Coors Boulevard, a Major Transit Corridor. The amendment would generally further the Placemaking Policy (4.1.3) and the Context Sensitive Parking Goal (7.4). The new parking reduction allowance may result in denser development that is desired in the area. Innovative designs could be implemented in order to allow for parking areas to match the development context. .

The amendment conflicts with the following Comprehensive Plan policies:

Policy 6.1.3 Auto Demand – Reduce the need for automobile travel by increasing mixed-use development, infill development within Centers, and travel demand management (TDM) programs

Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

Policy 7.2.2.b: Encourage building and site design that activates the pedestrian environment through building frontage, entrances, parking areas, and gathering spaces.

Policy 13.4.1 Air Quality – Maintain good air quality that complies with federal standards to safeguard public health and enhance quality of life for all residents.

The proposed amendment would remove the parking reductions available for developments along Coors Boulevard, a designated Major Transit Corridor. Development along Major Transit Corridors is allowed a 20% reduction in parking in order to help create a development pattern that supports a pedestrian-oriented environment near transit, which helps build and support Centers & Corridors.

If approved, this amendment would conflict with the Auto Demand Policy (6.1.3) and Air Quality Policy (13.4.1). Although the intent of the proposed amendment is to reduce density caused by the previously granted parking reductions, it conflicts with the Auto Demand Policy as increasing parking in the area will promote more passenger vehicles and parking throughout Coors Boulevard.

The proposed amendment is contrary to Policy 7.2.1 and 7.2.2. because it would not promote and facilitate walkable places such as commercial districts along Corridors because it would promote automobile travel by removing an incentive to create high-quality, slightly more dense development that generally promotes pedestrian travel and activates the pedestrian environment (Policy 7.2.2.b)- which are important to supporting Transit over the long-term in this designated Major Transit Corridor.

The addition of more parking in the area will only lead to more traffic congestion and emissions from vehicles leading to the conflict with the Air Quality Policy (13.4.1).

Update: There was one comment in support of removing the Major Transit parking reduction for Coors Blvd. The commenter stated that the number of routes and frequency of service is not adequate to support lowering parking requirements at this time.

Staff recommends a condition of approval to remove this proposed amendment because it is inconsistent with a preponderance of Comp Plan goals and policies.

NORTHWEST MESA ESCARPMENT VPO-2 – AMENDMENT E & EXHIBIT A (MEMO - COUNCIL SERVICES)

Explanation: The proposed revisions to the Northwest Mesa Escarpment VPO-2 add a second sub-area in IDO Subsection 14-16-3-6(e)(3) with height restrictions 660 feet from the current sub-area (which is 330 feet from the Petroglyph National Monument, Escarpment, or Major Public Open Space boundary) and extends the use-specific standards in IDO Section 14-16-4-3 that apply next to Major Public Open Space in the current sub-area to the new sub-area. This amendment is

intended to add a transitional area with regulations that decrease the intensity of development near the Escarpment and the surrounding Petroglyph National Monument. The additional area does not include the Volcano Heights Urban Center, which the Comprehensive Plan designates as appropriate for the most intense development and high-density housing.

Within the proposed new Height Restrictions sub-area, building heights would be limited to 30 feet, or the maximum height allowed by the underlying zone district, whichever is lower, and requires more landscaping than would be required by citywide standards. In general, when a property is developed, the land is used for one of three things: parking, buildings/ structures, and landscaping. By increasing the landscaping requirement from 15 percent to 25 percent of the net lot area for both VPO sub-areas in IDO Subsection 14-16-3 ~~411(5)(c)~~ and intensity of a multi-family, mixed-use, or non-residential development is reduced. (This new regulation is proposed to be referenced in the Volcano Mesa Character Protection Overlay (CPO) zone because it has less to do with protecting views per se but rather establishing development limits next to the Petroglyph National Monument and Northwest Mesa Escarpment, but the regulation would apply to the sub-areas established by VPO-2.) This increased landscape area reduces the amount of the property that can be developed with an impermeable surface, which reduces the runoff volumes from each site. The Petroglyph National Monument has expressed concerns over the years about the impact of adjacent development, and runoff is a component of that concern.

Finally, the amendment extends the use-specific standards that limit specific uses next to Major Public Open Space in the current sub-area to apply in the new Height Restriction sub-area, as well.

The amendment furthers the following Comprehensive Plan policies.

Planning Policy Analysis: This amendment furthers the following Comprehensive Plan policies related to Urban Design and Heritage Conservation:

Goal 7.3 - Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.1 - Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

Policy 11.3.1 - Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

Sub-policy 11.3.1.a - Natural and Cultural Features: Minimize negative impacts and maximize enhancements and design that complement the natural environment, particularly features unique to Albuquerque, in development and redevelopment.

Response: If approved, the amendment would establish an additional area where regulations would apply that limit the scale and intensity of development next to a natural and cultural features – the Petroglyph National Monument, Northwest Mesa Escarpment, and Major Public Open Space (7.3, 7.3.1, 11.3.1, 11.3.1a). The regulations require more of a site to be dedicated to landscaping, reducing the hardscape and therefore runoff potential, which negatively impacts the Petroglyph National Monument and Northwest Mesa Escarpment (11.3.1.a). The amendment would limit or prohibit uses that could have negative impacts on the Petroglyph National Monument and Northwest Mesa Escarpment (11.3.1.a).

Staff analysis: If approved, the proposed amendments would further the Sense of Place Goal (7.3), Natural and Cultural Features Policy (7.3.1), Natural and Cultural Features Policy (11.3.1) and sub-policy (11.3.1.a). The IDO includes many protections for Major Public Open Space and Sensitive Lands in Part 14-16-4 and Part 14-16-5. The proposed amendments for IDO Purpose (IDO Section 14-16-1-3) would name this policy intent as a purpose of the IDO, which generally improves awareness and therefore effectiveness of the IDO in implementing this policy.

This proposed amendment would add a second sub-area height restriction of 660 feet from the current sub-area of 330 feet from the Petroglyph National Monument/Escarpment. Building heights are to be limited to 30 feet or the maximum height allowed by the underlying zone district. This amendment would be consistent with the Comp Plan policies that aim to protect and contribute to reinforcing a sense of place and enhancing natural features and views of cultural landscapes. The viewsheds are highly valued community resources. These views contribute to public health safety and contribute to the community's identity and well-being. There is a close correlation between visual quality and high environmental quality. The viewshed protection has strong ties to economic development as it is motivated by a desire to maintain high property values and promote the economy by enhancing the quality of life.

The addition of this second subarea is intertwined with building massing regulations, use limitations and restrictions, environmental protection, protection of community character, and preservation and enhancement of quality of life.

The viewshed protection focuses on the preservation of views to the Petroglyph National Monument/Escarpment with key preservation technique of height limitation and building setbacks.

Update: At the January EPC hearing, there were 2 comments in support of the proposed amendments, and 2 other commenters spoke in opposition to the proposed Northwest Mesa VPO-2 amendments. The comments in opposition asserted that the amendment would disproportionately impact a small number of properties, including their client’s property. Planning staff notes that although the area within 660 feet of the existing height restrictions sub-area is predominantly low-density residential zoning, there are multiple locations of multi-family and mixed-use zoning that this amendment will apply to. The approach of adding a second buffer area to the existing protection area has a rational connection to the goals that are intended, including a height transition, extending the use limitations, and additional landscaping to limit the bulk and intensity of development and the stormwater runoff generated by development. The amendments would still allow two story development, and limit 12 uses that are inconsistent with sensitive and natural landscapes and nearby residential uses.

The 2 written comments further illustrate the verbal comments at the hearing, both in support of the amendments and in opposition.

Staff recommends no change to the original proposed amendment.

NORTHWEST MESA ESCARPMENT VPO-2 (SPREADSHEET – SMALL AREA TEXT AMENDMENTS)

Explanation: Deletes “Two-story,” as this criterion should apply to any construction, not just two-story buildings. First submitted with the 2019 Annual Update, which was legislative, but was re-submitted with notice to property owners.

Purpose: This amendment would apply the existing provision about one of the three appropriate techniques to locate and design taller buildings to preserve views to all construction, not just two-story construction as currently written. Tall one-story buildings would also have to comply with this provision. These techniques are required when a variance is sought from the EPC for a building taller than allowed by the VPO. This change was first proposed in the 2019 IDO Annual Update, which was legislative, but was re-submitted with notice to property owners to be reviewed as quasi-judicial with the Small Area Text Amendments in 2020.

The amendment furthers the following Comprehensive Plan policies.

Planning Policy Analysis: This amendment furthers the following Comprehensive Plan policies related to Urban Design and Heritage Conservation:

Goal 7.3 - Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.1 - Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

Policy 11.3.1 - Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

Policy 11.3.1.a - Natural and Cultural Features: Minimize negative impacts and maximize enhancements and design that complement the natural environment, particularly features unique to Albuquerque, in development and redevelopment.

If approved, the amendment would minimize negative impacts on the Petroglyph National Monument and Northwest Mesa Escarpment by requiring building location and massing to preserve views, reinforce sense of place, and enhance the distinct identity of this community (7.3, 7.3.1, 11.3.1, 11.3.1a).

Staff recommends no change to the original proposed amendment.

NEAR DOWNTOWN CENTER – AMENDMENT C & D (MEMO - COUNCIL SERVICES)

Explanation: These proposed amendments would allow signs in and within 330 feet of Downtown Center and would specify the zone districts where such allowances will be permitted. Rooftop signs are proposed to be allowed. Signs would be allowed in any Mixed-use or Non-residential zone district in the Downtown Center or in any Mixed Use or Mixed-use or Non-residential zone district within 330 feet of the Downtown Center.

Planning Policy Analysis re-cap: The proposed amendments further some Comprehensive Plan policies (ex. regarding Identity and Design) and conflict with others (ex. walkability and high-quality development).

→ Please also refer to p. 22-23 of the January 21, 2021 Staff report for a full discussion (see attachment).

Update: A commenter at the January EPC hearing suggested this change be removed because rooftop signs could block views and conflict with Comp Plan policies related to view preservation. Planning staff notes that the Downtown area and vicinity are where the tallest buildings and most intense development in the city is allowed and encouraged. The design requirements of rooftop signs being primarily open (70% of the sign area), with a limit of only 30% of the sign area as channel letters or symbols. This open sign design will maintain more views of the sky and features beyond the sign.

Staff recommends no change to the original proposed amendment.

UPTOWN AREA – AMENDMENT A – (MEMO - COUNCIL SERVICES)

Explanation: The purposed amendment would allow drive-through facilities for restaurants in the Uptown Area if located within 1,320 feet of the right-of-way (ROW) of I-40. Currently, drive through facilities are prohibited for restaurants in Uptown order to create and foster a walkable, urban environment in this designated Urban Center. Uptown is one of the two designated Urban Centers in the City (the other is Volcano Heights, which has not developed). Drive-throughs are

allowed for banks and pharmacies in Uptown, which generally don't have the volume or high-traffic of fast-food restaurants.

Policy Analysis re-cap: The proposed amendment generally furthers Comp Plan policies regarding efficient development patterns/infrastructure (Goal 5.3) and resilient economy (Policy 8.1.2).

The proposed amendment conflicts with Comprehensive Plan policies regarding: Identity and Design (Policy 4.1.2); Urban Centers (Policy 5.1.4.b); Main Streets (Policy 5.1.9); Auto Demand (Policy 6.1.3); Pedestrian-Accessible Design (Goal 7.2); Walkability (Policy 7.2.1); Walkable Places (Policy 7.2.2 and 7.2.2.b); and Development Quality (Policy 7.3.5)

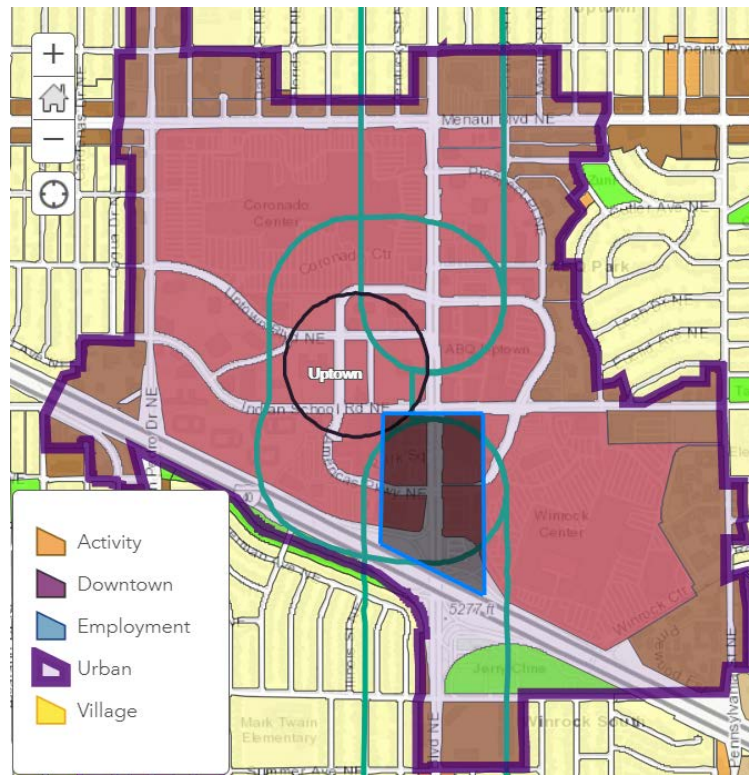
Although the areas in close proximity to I-40 are not walkable due to heavy traffic, adding drive-through uses for 1,320 feet would impact approximately half of the Uptown Urban Center. There are only two urban centers in the City- and the proposed amendment would adversely impact the ability of the Uptown Center to develop a more urban, dense, and pedestrian supportive character.

By their nature, drive-through and drive-up facilities do not promote pedestrian activity, though they can implement some minor improvements (such as colored crosswalks) on the surface to address pedestrian safety issues, they are fundamentally an auto-oriented use and do not belong in the Urban Center and should not encroach into the heart of it. Restaurants in Uptown can still serve customers during the pandemic by providing curbside pickup services; a drive-through is not necessary. Furthermore, there is not likely to be space on the sites of already-built restaurants, so the proposed amendment is more about new development.

Though Planning Staff does not support the proposed amendment, a distance of 660 feet would be more reasonable and would allow the amendment without compromising the main portion of Uptown. Walkability is the most basic mode of transportation and it must be kept in mind that not everyone has a vehicle, especially in the more urban parts of the City. Standards must be kept in place to help address conflicts between pedestrians and vehicles.

Update: There were two comments in support of the proposed amendment, one suggesting to expand it to allow drive throughs in the entire Urban Center. Two other commenters suggested allowing drive throughs through a conditional use approval process. The EPC discussed the potential of narrowing the scope to apply to the area near the I-40 interchange at Louisiana as being the most automobile oriented portion of the center, due to the lack of a frontage road, which would provide more of a nexus than allowing drive throughs along the length of I-40.

Staff analyzed this alternate approach to limit the scope and applicability of this amendment in response to EPC Discussion at the January 21, 2021 hearing. The image below shows a potential area of applicability for drive through restaurants on parcels that are within 330 feet of Louisiana between I-40 and Indian School Road. This location is the least walkable and the most auto-oriented portion of the Urban Center.



This area, shown with a blue outline would not extend to the entire Urban Center, or along Menaul Blvd., though any existing drive throughs in those locations could remain as nonconforming uses. It would exclude the more urban “core” of the Urban Center and the areas of Winrock Center that are intended to be the most walkable type of development. It would also exclude the majority of the Uptown Premium Transit Station area. From a policy perspective, all of these areas are not appropriate for new drive through restaurant uses. Planning Staff discussed this revision with Council Services Staff and this seemed to be an agreeable approach to address the EPC’s concerns and public testimony at the hearing.

If the proposed amendment is regarding a particular site or sites that are not covered by the area recommended above, or a particular national chain characterized by drive-throughs, perhaps it would be possible to grant temporary emergency drive-throughs or drive-ups to respond to the pandemic, if that is the actual concern, rather than compromise the integrity of the Urban Center permanently and for years to come.

Staff recommends a condition of approval to remove this proposed amendment because it is inconsistent with a preponderance of Comp Plan goals and policies, particularly those regarding Centers & Corridors. Staff has prepared alternate conditions to address other options, as discussed here.

V. PUBLIC OUTREACH

→ Please refer to p. 34-35 of the January 21, 2021 Staff report for a full explanation of Meetings and Presentations held regarding the proposed text amendments.

VI. NOTICE

→ Please refer to p. 35-37 of the January 21, 2021 Staff report for a full explanation of Notice requirements regarding the proposed text amendments and how they were fulfilled. This includes neighborhood notice, property owner notice, and additional notice.

VII. AGENCY & NEIGHBORHOOD COMMENTS

→ For a discussion of public comments received prior to the January 21, 2021 EPC hearing, please refer to p. 37-41 of the January 21, 2021 Staff report.

Comments provided at the January 21, 2021 EPC hearing and submitted pursuant to the 48-hour rule for the first hearing are addressed in the Update sections of this supplemental Staff report. The comments, described below by topic, also include material submitted during the supplemental reporting period:

DNA CPO-3. At the January EPC hearing, there was 1 comment in support and 1 comment in opposition to the proposed DNA CPO-3 amendments. There were 5 letters submitted in opposition to this request (by 4 commenters). The proposed change would reduce the required setback for an attached garage, but increase it for a detached garage.

Los Duranes CPO-6. At the January EPC hearing, there was 1 comment in support of the proposed Los Duranes CPO-6 amendments.

Nob Hill CPO-8. At the January EPC hearing, there were 2 comments in support of the proposed Nob Hill/Highland CPO-8 amendments. One commenter recommended revising the required glazing standards for residential uses from 60% to 40%. Staff met with the neighborhood association and notes that the majority of comments discussed at that meeting supported lowering the required glazing for residential uses.

Rio Grande Blvd. CPO-11. At the January EPC hearing, there was 1 comment in support of the proposed Rio Grande Blvd. CPO-11 amendments.

Sawmill/Wells Park CPO-13. At the January EPC hearing, there were 3 comments in opposition to the proposed Sawmill/Wells Park CPO-13 amendment. The commenters generally focused on the fact that the character, design, and development in Sawmill is substantially different than Wells Park, and that the new development in Sawmill does not and should not try to appear to be in the scale of single-family or townhouse development as the amendment would require.

Coors Blvd. VPO-1. View Analysis. At the January EPC hearing, there was 1 comment in support and 1 comment in opposition to the proposed Coors Boulevard VPO-1 amendments. The

opposing commenter stated that the sightlines shouldn't only be at 45° angles because Coors Blvd. curves and that the main view to protect is of the Sandia crest. Three written comments (from 2 commenters) were submitted in support of the proposed amendment.

Coors Blvd. VPO-1. Parking Reduction. At the January EPC hearing, there was 1 comment in support, and 1 comment in opposition to the request to remove the Major Transit parking reduction for Coors Blvd. VPO-1. One written comment was submitted in support of this change.

Volcano Mesa CPO-13. One comment was submitted in opposition to allowing 3 car garages face public streets.

Northwest Mesa VPO-2. At the January EPC hearing, there were 2 comments in support and 2 in opposition of the proposed Northwest Mesa VPO-2 amendments submitted by Council Services. The comments in opposition asserted that the amendment would disproportionately impact a small number of properties, including their client's property. There were 2 letters submitted by 2 of the commenters providing additional detail supporting their positions, pro and con.

Uptown Area Drive-through. At the January EPC hearing, there was 1 comment in support of this amendment and 1 against, and 2 comments in support of allowing drive-throughs as a conditional use.

Downtown Rooftop Signs. At the January EPC hearing, there was 1 comment in opposition to the proposed Downtown rooftop sign amendment. The commenter stated that rooftop signs would obstruct views, which is inconsistent with our community values of view preservation.

Downtown Parking Amendment. At the January EPC hearing, there was 1 comment in opposition to the proposed Downtown parking exemption amendment. The commenter requested that the current parking exemption that applies to the entire area formerly covered by the Downtown 2025 Sector Plan retain the parking exemption.

VIII. CONCLUSION

This request for an amendment to the IDO text-Small Area meets the application and procedural requirements in IDO Subsection 14-16-6-7(E) and is consistent with the Annual Update process established by IDO Subsection 14-16-6-3(D). The Planning Department has compiled recommended changes as a spreadsheet with associated exhibits and memos.

The proposed changes are consistent with Comprehensive Plan policies that direct the City to adopt and maintain an effective regulatory system for land use, zoning, and development review, and are generally consistent with policies to protect and enhance the quality of the City's unique neighborhoods and commercial districts.

Planning Staff held one study session/open house on the proposed changes. The request for the amendment to IDO text was announced in the Albuquerque Journal, on the project webpage, and by email to a project distribution list of over 10,000 addresses. The Planning Department emailed notice to each of the listed neighborhood representatives with email addresses on file with the Office of Neighborhood Coordination and mailed notice to the rest.

Comments submitted by interested parties cover a variety of themes. To the extent possible, these changes have been incorporated in the Recommended Conditions of Approval provided for EPC's consideration.

Staff recommends that the EPC forward a recommendation of approval to the City Council, subject to the recommended findings and conditions of approval listed herein.

RECOMMENDED FINDINGS – RZ-2020-00048, February 18, 2021 – Text Amendments to the IDO, Small Areas

1. The request is for various Small Area amendments to the text of the Integrated Development Ordinance (IDO) for the Annual Update required by IDO Subsection 14-16-6-3(E). The proposed Small-area amendments, when combined with the proposed City-wide amendments, are collectively known as the 2020 IDO Annual Update.
2. These text amendments to specific Small Areas in the City are accompanied by proposed City-wide text amendments, which were submitted separately pursuant to Subsection 14-16-6-7(D) and are the subject of another Staff report (RZ-2020-00046).
3. The Small Area text amendments include proposed changes requested by neighbors, developers, staff, and Council Services that affect the following, fourteen Small Areas: Downtown Neighborhood Area- CPO 3, East Downtown-CPO 4, Los Duranes-CPO 6Nob Hill/ Highland-CPO 8, Rio Grande Blvd-CPO 11, Sawmill/Wells Park- CPO 12, Volcano Mesa- CPO 13, East Downtown-HPO 1, Coors Blvd-VPO 1, Northwest Mesa-VPO 2, Downtown Area, Downtown Center, Uptown Area and the Mixed-Use Form Based (MX-FB) Zone District.
4. The IDO applies City-wide to land within the City of Albuquerque municipal boundaries. The IDO does not apply to properties controlled by another jurisdiction, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities.
5. The EPC's task is to make a recommendation to the City Council regarding the proposed amendments to IDO text. As the City's Planning and Zoning Authority, the City Council will make the final decision. The EPC is a recommending body to the Council and has important review authority. This is a quasi-judicial matter.
6. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. Since April 2010, Staff has collected approximately 100 minor adjustments to language intended to clarify the IDO's original intent and improve implementation of adopted regulations. The proposed amendments respond to challenges in implementing regulations and neighborhood protections and are intended to promote economic growth and investment in the City. Changes in market demands for housing and business, combined with the imperative of protecting existing neighborhoods, sensitive lands, and Major Public Open Space, are also addressed.
8. The request mostly meets the application and procedural requirements in Subsection 14-16-6-7(E) of the IDO, as follows:

- A. The proposed small area amendment is consistent with the health, safety, and general welfare of the city as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

These proposed amendments to the IDO text are consistent with Comprehensive Plan policies that direct the City to adopt and maintain an effective regulatory system. Changes proposed are mostly consistent with adopted policies to protect and enhance the quality of the City's unique views, open spaces, neighborhoods, and commercial districts. Overall, the proposed amendments generally protect the public health, safety, and welfare.

- B. If the proposed small area amendment is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the proposed amendment would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not allow development that is significantly different from that character. The applicant must also demonstrate that the existing zoning regulations are inappropriate because they meet any of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area.
2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The proposed IDO text amendments-Small Areas consist of changes that would result in development that is mostly consistent with Comprehensive Plan Goals and Policies.

The proposed text amendments are more advantageous to the Community overall and would implement desired development patterns and densities. The proposed changes to specific areas (non-residential zone districts and mixed-use zones and subzones) would apply equally in all areas with the same designation.

- C. If the proposed small area amendment is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended), the applicant must demonstrate that the existing zoning regulations are inappropriate because they meet at least one of the following criteria:

1. There has been a significant change in neighborhood or community conditions affecting the small area that justifies this request.
2. The proposed zoning regulations are more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

Criterion 14-16-6-7(E)(3)(c) does not apply because the proposed amendments are not located wholly in an Area of Change.

- D. If the proposed amendment changes allowable uses, the proposed amendment does not allow permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 16-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The proposed amendments include a couple of changes that would result in changes affecting uses. One change would extend use restrictions for Major Public Open Space to the existing Northwest Mesa Escarpment sub-area and a new sub-area to limit intensity of development.

The other change would add drive-through or drive-up facility to the Uptown Urban Center, where the use is currently prohibited for a variety of reasons. Although associated use specific standards are intended to mitigate the impacts of drive-through, the larger issue is the extent to which allowing drive-throughs in the designated Urban Center would harm the integrity of Uptown as a more dense, walkable, urban place. The request partially meets Criterion 14-16-6-7(E)(d).

- E. The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

The small area amendments are not based completely or predominantly on the cost of land or economic considerations, though economic considerations are a primary rationale for the proposed change to allow the drive-through facility use in a portion of the Uptown Urban Center. The request partially meets Criterion 14-16-6-7(E)(3)(e).

9. These proposed Integrated Development Ordinance (IDO) Text Amendments– Small Areas would generally protect public health, safety, and welfare and promote economic growth and investment in the City as a whole as required pursuant to 14-16-6-7(E)(3). However, the request partially meets Criterion D and Criterion E, as explained in Finding 7 above. Conditions for recommendation of approval would help the request better meet Criteria D and E.

10. The request generally furthers the following relevant City Charter articles:

- A. Article I, Incorporation and Powers. Amending the IDO via text amendments is consistent with the purpose of the City Charter to provide for maximum local self-government. The revised regulatory language and processes in the IDO will generally help implement the Comprehensive Plan and help guide future legislation.
- B. Article IX, Environmental Protection. The proposed Small Area text amendments to the IDO will help ensure that land is developed and used properly and that environmental features and natural resources will be better protected and preserved. The IDO is an instrument to help promote and maintain an aesthetic and humane urban environment for Albuquerque's citizens, and thereby promote improved quality of life. Commissions, Boards, and Committees will have updated and clarified regulations to help facilitate effective administration of City policy in this area.
- C. Article XVII, Planning. Amending the IDO through the annual update process is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The IDO will help implement the Comprehensive Plan and ensure that development in the City is

consistent with the intent of any other plans and ordinances that the Council adopts (Section I). Amending the IDO through the annual update process will help the Administration to implement the Comprehensive Plan vision for future growth and development, and will help with the enforcement and administration of land use plans (Section II).

11. The request generally furthers the following, applicable Goal and policies in Chapter 4: Community Identity:

A. Goal 4.1 – Character: Enhance, protect, and preserve distinct communities.

The IDO is intended to make zoning and land use entitlements in our community more transparent, accurate, and contextually compatible in order to enhance, protect, and preserve distinct communities, neighborhoods, and traditional communities. The IDO provides protections for residential neighborhoods through dimensional standards specific to residential zone districts in Part 2, tailored regulations in Overlay zones in Part 3, use-specific standards that require distance separations between non-residential and residential uses and zone districts in Part 4, and development standards that apply to adjacent to residential uses or zone district, especially edge buffers and neighborhood edges in Part 5.

B. Policy 4.1.2 - Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request protects the identity of neighborhoods and commercial districts by clarifying standards and regulations. This will better ensure appropriate scale, design, and location of development. Revisions to the structure and implementation of the Coors VPO-1 and Northwest Mesa Escarpment VPO-2 regulations will help ensure the appropriate scale and location of development that protects views. The proposed new regulations, such as allowing rooftop signs in and near Downtown, are intended to ensure appropriate scale and character of development.

C. Policy 4.1.4 - Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The request enhances, protects, and preserves neighborhoods and traditional communities by clarifying standards and regulations. This will improve the implementation of the original goals and intent of the regulations as adopted through Sector Development Plans and the IDO. The proposed new regulations, including expanding the height restriction area and adding new use restrictions in the Northwest Mesa VPO, are intended to protect and enhance the established character of those areas and to facilitate development that is consistent with such character.

12. The request generally furthers the following, applicable Goals and policies in Chapter 5- Land Use:

A. Policy 5.1.2 - Development Areas: Direct more intense growth to Centers and Corridors and use Development Areas to establish and maintain appropriate density and scale of development within areas that should be more stable.

The request generally controls and restricts development in areas near Major Public Open Space and along view corridors, and allows more development intensity in designated centers.

B. Goal 5.3 - Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The intent of many of the proposed changes is to clarify how to read and apply provisions in the IDO, which will result in a more predictable development outcomes and consistent decision-making. The request promotes efficient development patterns by clarifying standards and regulations that are unclear. The request generally directs more intense growth to designated Centers and Corridors and limits development near sensitive lands.

C. Policy 5.3.1 – Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The proposed text amendments, as a whole, would generally help promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land.

D. Goal 5.6 – City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The intent of many of the proposed changes is to clarify how to read and apply provisions in the IDO, which will help reinforce the character and intensity of development Areas of Consistency. The request generally directs more intense growth to designated Centers and Corridors, which are designated as Areas of Change, and limits development near sensitive lands and existing residential neighborhoods and historic districts, which are designated as Areas of Consistency.

E. Policy 5.6.2 – Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

F. Policy 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b. Ensure the development reinforces the scale, intensity and setbacks of the immediately surrounding context.

The proposed text amendments would increase current parking requirements in Areas of Change along Coors Boulevard VPO-1 in order to protect views and character and the determination that parking requirements are not appropriate in the Downtown Area.

G. Goal 5.7 Implementation Process: Employ procedures and processes to effectively and equitably implement the Comprehensive Plan.

The intent of many of the proposed changes is to clarify how to read and apply provisions in the IDO, which will result in a more predictable development outcomes and consistent decision-making.

- H. Policy 5.7.2 - Regulatory Alignment:** Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

The IDO's procedures and processes in Part 6 have been developed to effectively and equitably implement the Comprehensive Plan. In order for the City's land use, zoning, and development regulations to stay up-to-date, the IDO established an annual update requirement into the regulatory framework. Changes proposed are intended to continually improve how the IDO implements the comp Plan by aligning regulations with Comp Plan goals and policies.

- I. Policy 5.7.5 – Public Engagement:** Provide regular opportunities for residents and stakeholders to better understand and engage in the planning and development process.

The IDO Annual Update process was established to provide a regular cycle for discussion among residents, City staff, and decision makers to consider any needed changes that were identified over the course of the year. Changes proposed for Part 6 of the IDO are intended to improve public agency engagement opportunities in the planning and development process.

- J. Policy 5.7.6 – Development Services:** Provide high-quality customer service with transparent approval and permitting processes.

The intent of many of the proposed changes is to clarify how to read and apply provisions in the IDO, which will result in a more predictable development outcomes and consistent decision-making.

13. The request generally conflicts with the following, key Goal from Chapter 5- Land use:

Goal 5.1 – Centers & Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Centers & Corridors are the foundation of the Comprehensive Plan and the key to realizing the larger community vision. The IDO implements the Comprehensive Plan through regulations tailored to the distinct and desired qualities of designated Centers and Corridors. The proposed change to allow drive-throughs along I-40 frontage in Uptown, the only developed Urban Center in the City, conflicts with the established vision for Uptown as a distinct, walkable district and departs from existing development patterns within most of the Center. The proposed change to remove the parking reduction along the Coors Boulevard Major Transit Corridor would not encourage the more mixed-use, pedestrian-oriented environment that is intended to develop along such corridors. Staff's proposed conditions for recommendation of approval address these conflicts.

14. The request generally furthers the following Goals and policies in Chapter 7- Urban Design:

A. Goal 7.1 Streetscapes & Development Form: Design streetscapes and development form to create a range of environments and experiences for residents and visitors.

IDO implements this Comprehensive Plan goal through zoning standards that are appropriate in each zone district (Part 14-16-2); in specific small areas (Part 14-16-3); and in different contexts, such as next to residential neighborhoods, next to major Public Open Space, in Centers/Corridors, or in Areas of Change/Consistency in use-specific standards (Part 14-16-4) and development standards in Part 5. Changes proposed for rooftop signs in and near Downtown, screening of parking garages at the street edge in East Downtown area, and clarifications to the view protection regulations along Coors Boulevard are intended to establish high-quality standards in an appropriate context.

B. Goal 7.3.- Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

C. Policy 7.3.1 – Natural and Cultural Features: Preserve, enhance, and leverage natural features and C. views of cultural landscapes.

The proposed text amendments include changes that would reinforce sense of place through context-sensitive design and would help to preserve and protect natural features and views of cultural landscapes.

D. Policy 7.3.2 – Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

a. Design development to reflect the character of the surrounding area and protect and enhance views.

The intent of the amendments to the 14 small areas is to improve implementation of the design standards that apply in specific small areas to protect and maintain the unique character and differences in those areas that contribute to their distinct identities.

E. Goal 7.4 – Context-Sensitive Parking: Design parking facilities to match the development context and complement the surrounding built environment.

Changes proposed to the East Downtown CPO and HPO address parking structure walls and requires it to be screened or to have a wall that defines the street edge. This rule will result in new development that better complements the surrounding built environment.

F. Policy 7.4.2 – Parking Requirements: Establish off-street parking requirements based on development context.

The proposed amendments include changes that would remove the parking reductions associated with Coors Boulevard in order to maintain the lower intensity of building development and protect views. The proposed text amendments would also make off-street parking exemptions only apply within the Comprehensive Plan designated Downtown Center. Both changes will require more parking that necessary in order to protect views and provide transitions to residential neighborhoods.

G. Policy 7.5.1 - Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

The proposed text amendment would increase required site landscaping for multi-family, mixed-use, and non-residential development in the Volcano Mesa Area, but in a manner consistent with the high-desert climate. The scale and intensity of development would be reduced on the mesa top, which could preserve more of the high-desert landscape and enhance a sense of place.

15. The request furthers and partially furthers the following, applicable policies from Chapter 8- Economic Development:

A. Policy 8.1.1 – Diverse Places: Foster a range of interesting places and contexts with different development intensities, densities, uses, and building scale to encourage development opportunities.

The IDO implements the Comprehensive Plan by establishing zoning standards tailored to different zone districts and different contexts. Proposed changes in Part 14-16-4 and Part 14-16-5 generally furthers this Comprehensive Plan goal and policy.

B. Policy 8.1.2 – Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The proposed text amendment would allow drive-throughs for restaurants within 1,320 feet of I-40 in the Uptown Urban Center to encourage one type of economic development. The proposed quarter mile would capture about half of Uptown and extend further than close to I-40. The use-specific standards would continue to apply to specific sites, but cannot address cumulative effects of multiple drive-throughs on the intent that Uptown be a more urban and walkable area than other parts of town. The request partially furthers Policy 8.1.2-Resilient Economy.

16. The request furthers the following, applicable policy from Chapter 9- Housing:

Policy 9.2.1 – Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its' development context – i.e. urban, suburban, or rural – with appropriate densities, site design, and relationship to the street.

The proposed text amendment includes a change to the building setbacks in Los Duranes and adds duplexes to the dwelling types that require context-sensitive setbacks. The proposed text amendment to the Nob Hill CPO require a ground floor false storefront. Both proposed text amendments will enhance the character of the neighborhood while maintaining compatibility with surrounding development and relationships to the street.

17. The request furthers the following, applicable Goal and policy from Chapter 11- Heritage Conservation:

A. Goal 11.3 – Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

The proposed changes to the View Protection Overlays and Historic Protection Overlay zone are intended to enhance implementation of the intent of these overlays. Many of the changes proposed clarify how to read and apply provisions in the IDO, which will result in better protection and enhancement of our significant cultural landscapes.

B. Policy 11.3.1 – Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

a. Minimize negative impacts and maximize enhancements and design that complement the natural environment, particularly features unique to Albuquerque, in development and redevelopment.

The proposed text amendments would add protections that would facilitate preservation and enhancement of natural characteristics and features, which contribute to distinct identity of communities and cultural landscapes. The protections would help minimize negative impacts to the views of small areas near Major Public Open Space and would add regulatory protections for these natural and cultural landscapes.

18. Council Amendment A furthers the following applicable Comprehensive Plan policies:

A. Goal 5.3 - Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

B. Policy 8.1.2. Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

The amendment would allow drive-throughs for restaurants in the Uptown Urban Center when located 1,320 feet of the public right-of-way of I-40. Currently, drive throughs are prohibited for restaurants in order to create a walkable, more dense, and urban environment. Drive-throughs are allowed for banks and pharmacies. The intent of the regulation was to minimize conflicts between vehicles and pedestrians and to support Uptown as an Urban Center- one of the two designated in the City, while supporting appropriate economic development in an area with existing infrastructure.

19. Council Amendment A (Uptown) conflicts with the following applicable Comprehensive Plan policies:

- A. Policy 4.1.2 - Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.
- B. Policy 5.1.4.b. Urban Centers: Encourage pedestrian-oriented design, transit-oriented development, and infrastructure improvements that make Urban Centers more walkable over time.
- C. Policy 5.1.9 Main Streets: Promote Main Streets that are lively, highly walkable streets lined with neighborhood-oriented businesses.
- D. Policy 6.1.3 Auto Demand: Reduce the need for automobile travel by increasing mixed-use development, infill development within Centers, and travel demand management (TDM) programs.
- E. Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.
- F. Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.
- G. Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.
- H. Policy 7.2.2.b: Encourage building and site design that activates the pedestrian environment through building frontage, entrances, parking areas, and gathering spaces.
- I. Policy 7.3.5 Development Quality: Encourage innovative and high-quality design in all development.

Adding drive-through uses for 1,320 feet would impact almost half of the Uptown Urban Center. There are only two Urban Centers in the City- and the proposed amendment would adversely impact the ability of Uptown to develop a more urban, dense, and pedestrian supportive character. By their nature, drive-through and drive-up facilities do not promote pedestrian activity, though they can implement some minor improvements on the surface to address pedestrian safety issues, they are fundamentally an auto-oriented and auto-promoting use.

20. Council Amendment B (Form Based Zone Districts) furthers the following applicable Comprehensive Plan goals and policies:

- A. Policy 4.1.2 - Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.
- B. Policy 5.1.1 - Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

- C. Goal 5.3 - Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.
- D. Policy 5.6.2 – Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.
- E. Goal 7.1 Streetscapes & Development Form: Design streetscapes and development form to create a range of environments and experiences for residents and visitors.
- F. Policy 7.3.5 Development Quality: Encourage innovative and high-quality design in all development.
- G. Policy 7.3.2 – Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

This amendment reduces the rear setback minimum to 0 feet where the rear lot line abuts a street or alley in the Mixed Use-Form Based Zone District sub-zones (MX-FB-ID, MX-FB-FX, and MX-FB-AC). The MX-FB zone district includes subzones that allow a wide range of residential, commercial, and institutional uses subject to form-based zoning controls to ensure that the buildings they occupy, establish or reinforce a well-defined urban character. Context sensitive development is encouraged on sites in developed areas along streets designated as collectors or arterials. The MX-FB-ID subzone provides opportunities to introduce neighborhood-scale uses to serve nearby residents. MX-FB-FX supports pedestrian-scale mixed-use development in Areas of Change while the MX-FB-AC subzone provides community-scale non-residential and high-density residential development in areas designated as Activity Centers.

- 21. Council Amendments C & D (Near Downtown Center) further the following Comprehensive Plan policies:
 - A. Policy 4.1.2 - Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.
 - B. Policy 5.1.1 - Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.
 - C. Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

The allowance of rooftop signs to the Near Downtown Area is in line with allowances to similar areas in the Downtown Core and appropriate given the character of the area. During the 1910's and 1920's advertising became increasingly focused on automobile traffic, specifically along Central Avenue. Signs in the past have played an important role in the activity of the areas they are located in. The request would further the Identity and Design Policy (4.1.2) by making the use of signs compatible to the area but the while protected by the Development Standards in the IDO related to Small Areas. The proposed amendment Development Standards are similar to the East Downtown CPO-4 and HPO-1 Small Areas.

22. Council Amendment E (NW Mesa Escarpment-VPO 2) furthers the following applicable Comprehensive Plan goal and policy:

A. Goal 7.3 - Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

Policy 7.3.1 - Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

B. Policy 11.3.1 - Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

Sub-policy 11.3.1.a - Natural and Cultural Features: Minimize negative impacts and maximize enhancements and design that complement the natural environment, particularly features unique to Albuquerque, in development and redevelopment.

The amendment would establish an additional area where regulations would apply that limit the scale and intensity of development next to a natural and cultural features – the Petroglyph National Monument, Northwest Mesa Escarpment, and Major Public Open Space (7.3, 7.3.1, 11.3.1, 11.3.1a). The regulations require more of a site to be dedicated to landscaping, reducing the hardscape and therefore runoff potential, which negatively impacts the Petroglyph National Monument and Northwest Mesa Escarpment (11.3.1.a). The amendment would limit or prohibit uses that could have negative impacts on the Petroglyph National Monument and Northwest Mesa Escarpment (11.3.1.a).

23. Council Amendment F (Coors- VPO 1) furthers the following Comprehensive Plan goal and policies:

A. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

B. Policy 5.1.1 - Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

C. Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

D. Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

E. Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

F. Policy 7.2.2.b: Encourage building and site design that activates the pedestrian environment through building frontage, entrances, parking areas, and gathering spaces.

The amendment would establish regulations along Coors Boulevard that limit the scale and intensity of building heights and structured parking along Coors Boulevard (VPO-1), A Major Transit Corridor. While the encouragement of development was the reason for the building height bonus, the suitability of such along a heavily traversed corridor needs to be reconsidered. The height bonuses are more appropriate in mixed-use zones and subzones as there is the potential for stormwater management practices.

24. Council Amendment G (Coors- VPO 1) furthers the following applicable Comprehensive Plan goal and policies (A and B), but conflicts with the following applicable Goals and policies (C-H):

A. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

B. Goal 7.4 - Context-Sensitive Parking: Design parking facilities to match the development context and complement the surrounding built environment.

The amendment would establish regulations that remove the parking reductions along Coors Boulevard, a Major Transit Corridor. The increased development has not encouraged pedestrian activity in neighborhoods as had been anticipated and has resulted in denser development that is inappropriate to the area. Innovative designs could be implemented in order to allow for parking areas to become walkable where it would be ideal to park-once and then walk furthering the Pedestrian-Accessible Design Goal (7.2).

C. Policy 6.1.3 Auto Demand – Reduce the need for automobile travel by increasing mixed-use development, infill development within Centers, and travel demand management (TDM) programs

D. Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

E. Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

F. Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

G. Policy 7.2.2.b: Encourage building and site design that activates the pedestrian environment through building frontage, entrances, parking areas, and gathering spaces.

H. Policy 13.4.1 Air Quality – Maintain good air quality that complies with federal standards to safeguard public health and enhance quality of life for all residents.

The proposed amendment would remove the parking reductions available for developments along Coors Boulevard and would not help create a development pattern that supports a pedestrian-oriented environment near transit. The proposed amendment would not promote and facilitate walkable places such as commercial districts along Corridors because it would promote automobile travel by removing an incentive to create high-quality, slightly more dense development that generally promotes pedestrian travel and activates the pedestrian environment- which are important to supporting Transit over the long-term in this designated Major Transit Corridor.

25. Council Amendment H (Coors-CPO 2) furthers the following Comprehensive Plan goals and policies:

A. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

B. Goal 7.2 Pedestrian-Accessible Design: Increase walkability in all environments, promote pedestrian-oriented development in urban contexts, and increase pedestrian safety in auto-oriented contexts.

C. Policy 7.2.1 Walkability: Ensure convenient and comfortable pedestrian travel.

D. Policy 7.2.2 Walkable Places: Promote high-quality pedestrian-oriented neighborhoods and districts as the essential building blocks of a sustainable region.

E. Policy 7.2.2.b: Encourage building and site design that activates the pedestrian environment through building frontage, entrances, parking areas, and gathering spaces.

F. Goal 7.4 - Context-Sensitive Parking: Design parking facilities to match the development context and complement the surrounding built environment.

The amendment would establish regulations that remove the parking reductions along Coors Boulevard, a Major Transit Corridor. The increased development has not encouraged pedestrian activity in neighborhoods as had been anticipated and has resulted in denser development that is inappropriate to the area. Future development along Coors Blvd should be encouraged as long as it is in areas that do not conflict with the character of the area in order to meet the Goals and Policies of the IDO.

26. In cases of conflict between a proposed text amendment and applicable Comprehensive Plan Goals and/or policies, Staff has provided conditions for recommendation of approval that address the conflicts.

27. For an Amendment to IDO Text, the required notice must be published, mailed, and posted on the web (see Table 6-1-1). A neighborhood meeting was required and held on November 23, 2020 via Zoom. The City published notice of the EPC hearing as a legal ad in the ABQ Journal newspaper. First class mailed notice was sent to the two representatives of each Neighborhood Association and Coalition registered with the Office of Neighborhood Coordination (ONC) as required by IDO Subsection 14-16-6-4(K)(2)(a). Notice was posted on the Planning Department website and on the project website.

28. In addition to the required notice, on December 7, 2020 e-mail notice was sent to the approximately 10,000 people who subscribe to the ABC-Z project update email list. Staff also recorded a line-by-line reading, as requested by a neighborhood representative, of the proposed amendments and posted the recording on the project webpage.
29. On December 17, 2020, the Planning Department hosted a public open house meeting via Zoom to review the proposed 2020 Annual Updates. Planning Staff presented the proposed amendments and hosted breakout rooms, where people could ask questions and discuss with Staff. Both the email notice and the required neighborhood association notification letter included information about the public open house.
30. The EPC held a study session regarding the proposed 2020 IDO amendments on January 14, 2020. This was a publically-noticed meeting.
31. As of this writing, Staff has received multiple comments, expressing support, opposition, and recommended changes. Although some comments express concern regarding individual Tech Edits and Council Amendments, there is general support for this request as a whole. The recommended Conditions of Approval address many of the issues raised in public and agency comments.
32. Public support was expressed for the proposed text amendments pertaining to Los Duranes CPO-6, Rio Grande Blvd. CPO-11, and Nob Hill CPO-8 at the January 21, 2021 hearing and in written comments.
33. Public support and concern was expressed for the proposed text amendments pertaining to DNA CPO-3, Coors Blvd. VPO-1 View Analysis, Coors Blvd. VPO-1. Parking Reduction, Northwest Mesa VPO-2, and Uptown Area Drive-through, at the January 21, 2021 hearing and in written comments.
34. Public concern was expressed for the proposed text amendments pertaining to Sawmill/Wells Park CPO-13, Downtown Rooftop Signs, Downtown Parking Amendment, and Volcano Mesa CPO-13 at the January 21, 2021 hearing and in written comments.

RECOMMENDATION – RZ-2020-00048 – February 18, 2021 - Text Amendment to the IDO – Small Areas

That a recommendation of APPROVAL of Project #: 2018-001843, RZ-2020-00048, a request for Amendment to IDO Text – Small Areas, be forwarded to the City Council based on the preceding Findings and subject to the following Conditions for recommendation of approval.

**RECOMMENDED CONDITIONS FOR RECOMMENDATION OF APPROVAL – RZ-2020-00048 –
February 18, 2021 – Amendment to IDO Text – Small Areas**

1. The proposed amendments included in the spreadsheet “City-wide Text Amendments” (see attachment) shall be adopted, except as modified by the following conditions:
 - A. Regarding Coors Blvd. CPO-2, on page 75, Subsection 3-4(C)(5)(c). Delete this proposed amendment, because Coors Blvd. CPO-2 was not advertised or noticed for amendment in the 2020 IDO annual update.
 - B. Regarding Coors Blvd. VPO-1, on page 133, Subsection 3-6(D)(9). Delete this proposed amendment. Parking reductions associated with proximity to Major Transit shall continue to apply to Coors Boulevard, as they apply to other streets classified as Major Transit.
 - C. Regarding Downtown Neighborhood Area CPO-3, on page 79, Subsection 3-4(D)(5)(a)(1), revise as follows: “The minimum rear yard setback for attached garages accessed off an alley is 5 feet. The minimum rear yard setback for detached garages accessed off an alley is 0 feet.”
 - D. Regarding Nob Hill/Highland CPO-8, to respond to public and staff comments:
 - i. **R:** On page 97, Subsection 3-4(I)(5)(b)(1)(b) and on page 98, Subsection 3-4(I)(5)(b)(4)(c), revise as follows: “Contain a minimum of 60 percent of its surfaces in transparent windows and/or doors, as measured to include the first 12 feet of building height above the sidewalk, with the lower edge of window sills no higher than 30 inches above the finished floor. Residential frontages that are occupied with multi-family residential uses shall provide 40 percent of the ground floor with transparent windows and/or doors.”
 - ii. **O:** On page 98, Subsection 3-4(I)(5)(b)(4)(c), revise to strike the term “residential façade.” This would retain the 60 percent requirement for transparent windows and/or doors, which can only result in a storefront building façade type.
 - iii. **O:** On page 97, Subsection 3-4(I)(5)(b)(1)(a) and on page 98, Subsection 3-4(I)(5)(b)(4)(b), revise as follows: “Be built to function as or appear as a non-residential or residential frontage building frontage type.”
 - a) Add a new amendment on page 510, Section 7-1, revise the grouping of definitions to read: “Building Frontage Types, Mixed-Use - Form Based (MX-FB) Zones.” Add a new grouping of definitions to read: “Building Frontage Types, General” with the following definitions:
 - b) “Residential frontage. The portion of the ground floor façade of a building where the primary ground floor use is residential.”
 - c) “Non-residential frontage. The portion of the ground floor façade of a building where the primary ground floor use is non-residential.”
 - d) In the EDo CPO and Nob Hill CPOs replace the word “storefront” with “non-residential frontage.”

- E. Regarding Sawmill/Wells Park CPO-12, to respond to public and staff comments:
- i. On page 109, Subsection 3-4(M)(5)(b)(8), building design for residential development, revise to read: “Street-facing façades on buildings must be designed to appear as a collection of smaller buildings by incorporating variations in massing, building height, or building material at least every 35 feet of facade length.”
 - ii. On page 109, Subsection 3-4(M)(5)(c)(5), building design for mixed-use and non-residential development, revise to read: “For lots abutting Mountain Road east of Old Town Road, street-facing façades on buildings must be designed to appear as a collection of smaller buildings by incorporating variations in massing, building height, or building material at least every 35 feet of facade length.”
- F. Regarding Volcano Mesa CPO-13, on page 345, Subsection 5-12(H)(2)(f), add a new subsection 5 that reads as follows: “Volcano Mesa – CPO-13, except electronic signs are allowed within the Urban Center.”
- G. Regarding the Uptown Area amendments, to respond to public and staff comments, on page 193, Subsection 4-3(F)(4)(9)(e), revise as follows:
- i. **R:** Delete this proposed amendment. Drive-through or drive-up facilities accessory to a restaurant use remain prohibited within the boundaries of the Uptown Urban Center.
 - ii. **O:** “This use is prohibited in the following mapped area unless accessory to a use other than a restaurant, with the following exception: This use is conditional if accessory to a restaurant within 330 feet of Louisiana Blvd. right-of-way between I-40 and Indian School Road.”
 - iii. **O:** “This use is prohibited in the following mapped area unless accessory to a use other than a restaurant, with the following exception: This use is conditional if accessory to a restaurant within 1,320 feet (1/4 mile) in any direction of the right-of-way of Interstate Highway 40.”
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*Catalina Lehner, AICP
Current Senior Planner*



*Carrie Barkhurst, MCRP
Long Range Senior Planner*

Notice of Decision cc list:

List will be finalized subsequent to the February 18, 2021 EPC hearing

