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## OFFICIAL NOTIFICATION OF DECISION

February 19, 2021

City of Albuquerque  
Planning Department  
Urban Design & Development  
600 2<sup>nd</sup> St. NW, 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

**Project #2018-001843**  
RZ-2020-00048 – Amendment to the Integrated Development Ordinance (IDO) Text – Small Areas for the 2020 Annual Update

### LEGAL DESCRIPTION:

The above action to amend the text of the Integrated Development Ordinance (IDO). This second annual update includes changes requested by neighbors, developers, staff, and Council Services to the standards applicable to the following, 14 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 – 14-16-5-5(B)(2)(a)(1),  
Downtown Center – 14-16-5-12(E)(4)(d),  
Uptown Area – 14-16-5-5(I)(2), and the  
Mixed-Use Form Based (MX-FB) Zone District –  
14-16-2-4(E)(3)(d).

Staff Planners: Catalina Lehner and Carrie Barkhurst

On February 18, 2021 the Environmental Planning Commission (EPC) voted to forward a recommendation of Approval of Project 2018-001843/RZ-2020-00048, Text Amendments to the IDO- Small Areas, based on the following Findings and subject to the following Conditions for recommendation of Approval.

### Findings:

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. The request was heard at the January 21, 2021 EPC hearing and was continued for a month to the February 18, 2021 EPC hearing.

3. 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).
4. 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-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.
5. The IDO applies to 14 small areas 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.
6. 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.
7. 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.
8. Since April 2010, Staff has collected approximately 14 small areas regulations 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.
9. 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 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).

10. 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.

11. 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).

12. 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.

13. 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.

14. 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.

15. 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 text amendments would 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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).

24. 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.

25. Council Amendment G (Coors- VPO 1) furthers the following applicable Comprehensive Plan goal and policies (A and B):

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).

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-12, Downtown Rooftop Signs, Downtown Parking Amendment, and Volcano Mesa CPO-13 at the January 21, 2021 hearing and in written comments.
35. Public commentary indicated that the residential uses in the Sawmill area may also be more appropriately designed with larger massing than would be appropriate in the Wells Park portions of Mountain Rd. The EPC recommends further consideration of the building frontage amendments at City Council.

Conditions:

1. The proposed amendments included in the spreadsheet “Small Area 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:
    - i. On page 131, Subsection 3-6(D)(3)(d), revise the words: “A view point is set at the east edge of the east driving lane on Coors Boulevard...” to read: “A view point is set at the east edge of the eastern-most through lane on Coors Boulevard...” for greater specificity.
    - ii. On page 132, Subsection 3-6(D)(5)(b)(1) and (2) revise the words “a structure” to read: “the structure” for greater specificity.

- 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 and EDo CPO-4, to respond to public and staff comments:
- i. Regarding CPO-8, on page 97, Subsection 3-4(I)(5)(a)(2), revise as follows: “Each ground floor façade facing Central Avenue shall do all of the following: a. ~~Be built to function as or appear as storefronts.~~ Place the primary pedestrian entrance at sidewalk grade at or close to the front or street-side lot line. b. Contain a minimum of 60 percent...”
  - ii. Regarding CPO-8, on page 98, Subsection 3-4(I)(5)(b)(4), revise as follows: “On streets that intersect Central Avenue, each ground floor street-facing façade within 150 feet of or to the first alley or street from Central Avenue, whichever occurs first, shall do all of the following: a. Have at least 1 entrance within 40 feet of Central Avenue. b. ~~Be built to function as or appear as storefronts or residential façade.~~ c. Where any portion of the ground floor of a building is occupied with dwelling units, a minimum of 60 percent of that portion of the ground floor façade is required to be transparent windows and/or doors and the remaining portion of the façade shall provide a minimum of 60 percent of that area as transparent windows and/or doors.
  - iii. Regarding CPO-8, replace all other instances of the word “storefront” in this CPO-8 with the word “establishment.”
  - iv. Regarding CPO-4, EDo, on page 83, Subsection 3-4(E)(5)(b): Each ground floor façade facing Central Avenue between Arno and High Streets ~~shall be built to function as or appear as storefronts, and shall place the primary pedestrian entrance at sidewalk grade at or close to the front or street-side lot line~~ shall 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. Delete Subsection 3-4(E)(5)(b)(4) as already governed by site setbacks.
- 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: “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.”
- H. Strike the proposed amendment Exhibit A.

Sincerely,

Brennon Williams  
Planning Director

BW/CL

cc: COA Planning Department, Attn: Catalina Lehner, 600 2<sup>nd</sup> St. NW, 3<sup>rd</sup> Fl., ABQ, NM 87102  
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See attachment for list of Neighborhood Association Representatives who will receive this notice via mail or email.