

§ 14-13-2-3 PLANNED GROWTH STRATEGY.

(A) The City shall prepare amendments and complementary legislation and regulations that, when adopted, in combination with the identified provisions of this Ordinance, shall implement the Planned Growth Strategy. The Planned Growth Strategy, in conjunction with the Albuquerque/Bernalillo County Comprehensive Plan, shall guide the future development of the Albuquerque urban area. The Planned Growth Strategy shall serve as the comprehensive guide for this urban growth management program, but only policies specifically adopted and identified as being a part of the Planned Growth Strategy shall have binding force. One or more Town Hall meetings and other forms of public input shall be used in the process of developing future legislation and regulations pursuant to the direction contained in this legislation as adopted.

(B) Infrastructure and Growth Plan. An Infrastructure and Growth Plan, as defined herein, shall be adopted. The Infrastructure and Growth Plan is a key strategic tool for implementing the Planned Growth Strategy and the City/County Comprehensive Plan.

(1) The Infrastructure and Growth Plan shall be used as the basis of the growth-related element of the Capital Improvement Program (CIP) planning for streets, water, sewer, hydrology, parks, libraries, police, fire and other City facilities. The City shall request the Albuquerque Public Schools to use the Infrastructure and Growth Plan for preparing and implementing the Albuquerque Public Schools' Facility Master Plan. The City should enter into, or modify existing, joint powers agreements with the Albuquerque Public Schools to reflect its request to use the Infrastructure and Growth Plan. The Infrastructure and Growth Plan forecasts shall be used in conjunction with level of service standards for CIP and school planning.

(2) The modification of the Infrastructure and Growth Plan by incorporating the MRGCOG 2025 county-wide forecasts as described in § 14-13-1-2 (Definitions) shall be guided by the following principles and Council Bill No. R-02-111 as adopted:

- (a) Grow efficiently by developing where infrastructure and facilities already exist.
- (b) Take into consideration topological and geological constraints (such as high slopes, poor soils, flood zones), environmental constraints (such as landfills, landfill buffer areas, contaminated sites, leaking underground storage tanks), and aquifer recharge zones.
- (c) Take into consideration market absorption rates in different areas including those in areas with antiquated and/or premature platting and in redevelopment areas.
- (d) Locate more jobs where people reside and locate more residences where jobs exist, so that the demand for streets is reduced by fewer auto trips and shorter trips.
- (e) Grow neighborhoods contiguous to the urban fringe, with each neighborhood ideally containing a school, local serving businesses, park, and pedestrian and bicycle friendly streets.
- (f) Foster community in older and newer neighborhoods.
- (g) Prioritize the needs of the older parts of Albuquerque in terms of vitality and development. Encourage infill and redevelopment.

(h) Support "centers and corridors", especially transit-oriented corridors. This will help create a more effective and efficient transit system.

(i) Protect the character of the North and South Valley including in the more rural parts of the valley and preserve farm land there.

The bases of the Infrastructure and Growth Plan are derived from the consensus recommendations of the two Planned Growth Strategy Town Halls, policies contained in the City/County Comprehensive Plan, Resolution 1998-091 ("Interim Growth Policy"), Resolution 2000-066 ("Centers and Corridors"), Resolution 2000-099 ("Infill Development Task Force"), and City Citizen Satisfaction Surveys, summarized in Sections 1.3.1 through 1.3.4 and described in Chapters 1 through 3 of the Planned Growth Strategy Report, Part 2.

(3) The Infrastructure and Growth Plan shall serve as the basis of the Land Use Assumptions under the New Mexico Development Fees Act. Prior to the final adoption of the Land Use Assumptions by the City Council, the adopted Infrastructure and Growth Plan shall be reviewed and the Council shall obtain advice and assistance from the Impact Fee Committee. Council directs that the review, advice, and assistance of the Impact Fee Committee be based upon the policies of the City/County Comprehensive Plan and those in the "Infrastructure and Growth Plan" as defined herein. The report of the Impact Fee Committee shall be made within 90 days of the Council adoption of the Infrastructure and Growth Plan after the formation of the Impact Fee Committee. The adoption of the Land Use Assumptions by the City Council shall comply wholly with the New Mexico Development Fees Act.

(C) Capital Improvement Program.

(1) The Capital Improvement Program is a key strategic tool for implementing the Planned Growth Strategy and the City/County Comprehensive Plan. The Planned Growth Strategy (as adopted herein and as subsequently amended and expanded) shall provide the comprehensive framework that shall guide all City departments' capital programs by providing the phasing and timing of urban growth in the Infrastructure and Growth Plan, by identifying standards for infrastructure, facilities and design elements (especially, but not exclusively) to achieve the community building goal, and by placing a high priority, in terms of vitality and development, on the developed community as it exists at the time the Capital Improvement Program is adopted.

(2) Funding from various sources shall be prioritized within the capital programs of the City to catch up with the backlog of rehabilitation needs, to address infrastructure deficiencies over time, and to provide basic infrastructure to support urban growth (streets, water, sewer, hydrology, and parks) to reach adopted level of service standards within service areas in reasonable time frames. Funding shall be prioritized for rehabilitation and deficiency correction in all areas of the City regardless of the date on which the area was annexed.

(3) Development Agreements and No Net Expense Policy (Unserved Area). Development in the water pressure zones that are unserved by urban water master plan facilities or existing private water service companies upon the date of the development agreement (Unserved area) will be based on the No Net Expense policy. The existing No Net Expense policy should be further defined to include the following.

(a) Developers of properties in the Unserved Area shall be required to assure fiscal self-sufficiency; that is, the public revenues generated by the new

development must be sufficient to support the costs of facilities and infrastructure needed to serve the new development. Facilities provided must meet the level of service standards adopted in a development agreement signed by the developer and the City. Consistent with this policy, subsequent legislation shall be drafted setting forth a procedure and requiring the developer to transfer to the City sufficient water rights, or cash sufficient for the City to purchase adequate water rights, to support his or her proposed project. This requirement may be phased in keeping with the project's phasing.

(b) Growth related operational and maintenance expenditures for the new development should be roughly equivalent to the public revenues generated by and collected from the development. Otherwise, the developer, property owner, and/or the residents of the development shall assume the additional costs. Nothing herein, however, shall act as or be construed as a moratorium on Planned Communities until such time as specific legislation is enacted to implement the policy guidelines expressed herein.

(4) Planned Communities in the Comprehensive Plan Rural and Reserve Areas. The development of housing, commercial and industrial structures, and supporting public infrastructure shall be sequenced within an approved Planned Community. Development agreements shall require that mixed use development take place in a reasonably concurrent way. Nothing herein, however, shall be deemed to abrogate any existing contractual agreements between the City and any developer of a master planned community.

(5) Related Legislative and Regulatory Changes. The current annexation policy and related provisions in the Development Process Manual, in part, indicate conditions under which an annexation request may be denied by the City. The emphasis in the Planned Growth Strategy report is on the urban growth management conditions under which annexation occurs. Annexation provisions shall be linked to the following laws as adopted subsequent to this Ordinance: urban growth phasing and timing contained in the Infrastructure and Growth Plan, the related facility and infrastructure level of service standards, the Adequate Public Facilities Ordinance, and the Capital Improvement Program contained in the policies set forth and as defined in the Planned Growth Strategy Resolution (Council Bill No. R-02-111). Linking these provisions and policy instruments will provide critical information to the applicant for annexation, to the State Municipal Boundary Commission, the courts, and City officials in order to make decisions regarding the review and approval of annexation applications, and their implications with regard to the timing of access to urban facilities and infrastructure, and the standards under which access will be provided. Nothing herein, however, shall act as or be construed as a moratorium on any annexation request until such time as specific legislation is enacted to implement the policy guidelines expressed herein.

(6) Water Conservation Goal. Conservation is the least expensive water source for the Albuquerque metropolitan area. In addition, benefits are obtained from identifying innovative ways to conserve water, protecting the riparian habitat of the Rio Grande through water flow and maintaining traditional New Mexico water uses in the Albuquerque Basin. The Water Resources Division of the Public Works Department shall evaluate increasing the water conservation goal of the City to approximately 150 gallons per person per day by the year 2005, and develop a preliminary plan with

significant public input. This plan and recommendation shall be submitted to the Council.

(7) Intergovernmental Aspects of Planned Growth Strategy Implementation – Mid-Region Council of Governments (MRCOG).

(a) The adopted Infrastructure and Growth Plan, consisting of the phased and timed forecasts of population, housing, and employment by subareas, and associated Land Use Measures (LUMs), shall serve as the City's official land use assumptions for the MRCOG Metropolitan Transportation Plan and Transportation Improvement Program.

(b) In order to strengthen the Capital Improvement Program and ensure consistency of infrastructure planning, the City's streets, right of way, transit, and multi-modal transportation improvement projects included in the City's Capital Improvement Program shall be those projects proposed for inclusion in the MRCOG Metropolitan Transportation Plan and the Transportation Improvement Program.

(c) The City shall request that MRCOG conduct cost-benefit (including revenue) analyses to support decision-making for all major roadway expansion projects within the MRCOG Regional Planning Area. This approach should be used to evaluate alternative projects. The analysis of alternative projects would consider the impact on traffic congestion and air quality in relation to cost, among other factors. (Ord. 34-2002)