RESOLUTION

RECEIVING THE PLANNED GROWTH STRATEGY (PGS) REPORT; ACCEPTING THE PLANNED GROWTH STRATEGY AS THE COMPREHENSIVE GUIDE FOR MANAGING CITY OF ALBUQUERQUE URBAN GROWTH; FOSTERING THE ESTABLISHMENT OF NEW NEIGHBORHOODS AND IMPROVING CONDITIONS IN EXISTING NEIGHBORHOODS; IDENTIFYING AND DEFINING IMPLEMENTATION ELEMENTS; AND CREATING A PLANNED GROWTH STRATEGY IMPLEMENTATION ADVISORY STRUCTURE.

WHEREAS, the City has authority to adopt a comprehensive "master" plan as granted under Chapter 3, Article 19, NMSA 1978 and by the City Charter as provided under Home Rule provisions of the Constitution of New Mexico; and

WHEREAS, in response to a variety of concerns expressed by the public and local elected officials with regard to the environmental, economic, social, and fiscal impacts (the costs and benefits) of growth and development in the metropolitan area, and the concern that the Albuquerque/Bernalillo County Comprehensive Plan and other policy and implementation tools in use are not a fully effective growth management system, the City and the County of Bernalillo began a joint effort in 1998 culminating in the two volume Planned Growth Strategy report that was completed in the Fall of 2001; and

WHEREAS, the Planned Growth Strategy report was developed with the assistance of consultants, including Parsons Brinckerhoff; Camp Dresser & McKee; Ch2M-Hill; Wilson and Company; Freilich, Leitner & Carlisle; Friedmann Resources; Growth Management Analysts; Lora Lucero, Esq.; Michael McKee, Ph.D.; and Sites Southwest; and
WHEREAS, the Planned Growth Strategy project was assisted by planning and engineering professionals from City and County government, the Mid-Region Council of Governments, other local governments, and by individual citizens; and

WHEREAS, the Planned Growth Strategy report was guided by the counsel received from participants at Town Hall meetings held in 1998 and 1999 organized by Shared Vision, Inc., and also by the findings of citizen surveys carried out by the City’s Office of Management and Operations Improvement; and

WHEREAS, the Planned Growth Strategy development process was assisted by advice and comments from the PGS Advisory Committee that included representatives of the business community, developers, Albuquerque Public Schools, neighborhood associations, and a planning advocacy group; and

WHEREAS, the Planned Growth Strategy report was reviewed at important junctures by a Policy Committee consisting of elected officials from the Albuquerque City Council and the Bernalillo County Commission, the Bernalillo County Manager, and the Chief Administrative Officer of the City; and

WHEREAS, the Planned Growth Strategy report and associated legislation were also reviewed and commented upon by the Planned Growth Advisory Task Force, an ad hoc committee of City Councilors, members of the development community, neighborhood representatives, an Albuquerque Public Schools representative, and at-large community members; and

WHEREAS, the Planned Growth Strategy report contains a comprehensive and integrated growth management policy analysis and program for the urban area of Bernalillo County, and implementation of the Planned Growth Strategy as defined herein should include coordination with Bernalillo County; and

WHEREAS, the Planned Growth Strategy report found that the Albuquerque area faces critical challenges related to deteriorated infrastructure; back-log of infrastructure rehabilitation and deficiency correction projects; natural resource conservation and preservation related to land, water, and air quality; traffic
congestion; timely provision of infrastructure, parks, schools and other facilities to support new development; and the decline of some older neighborhoods; and

WHEREAS, the existing City/County Comprehensive Plan and sector, redevelopment, and area plans contain valuable policies and vision to guide the City’s actions; and

WHEREAS, there are inconsistencies between adopted community plans and the structure of development regulations, design and infrastructure standards, charges and fees, and approval processes that result in an undesirable gap between conditions and our best aspirations for the community; and

WHEREAS, economic growth and development, i.e., new and well-paid jobs, should remain a priority of the City in order to ensure that the City continues to remain a vibrant and thriving community with opportunities for its citizens now and in the future; and

WHEREAS, recognized comprehensive community-building principles have not been and should be incorporated into the routine planning, standards, and functioning of City departments and into their joint efforts with other governmental agencies and public and private organizations; and

WHEREAS, various work activities identified in the City’s FY 03 Performance Plan are in progress which aim to reform zoning, land use and design requirements in keeping with principles of the Planned Growth Strategy; and

WHEREAS, the Planned Growth Strategy implementation approach shall be based on a concerned, informed and engaged community, an open and dynamic process of improvement, systematic public comment, and confidence that conditions can be made better through local action; and

WHEREAS, in order to achieve the long term goals of the policies described in the Planned Growth Strategy report and the City/County Comprehensive Plan, a number of near- and long-term actions are needed including an overall work program which will guide the prioritization, timing, organization, funding and conduct of the actions.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:
Section 1. DEFINITIONS.

(A) Planned Growth Strategy. For the purposes of this Resolution, the Planned Growth Strategy consists of the adopted provisions of Bill No. F/S O-02-39(2) as amended and/or complemented by subsequent legislation that shall be specifically identified as a part of the Planned Growth Strategy when such legislation is adopted.

(B) Infrastructure and Growth Plan. For the purposes of this Resolution, the Infrastructure and Growth Plan consists of the forecasts of population, housing, and employment, for ten and twenty-five year periods, in total and by subareas, contained in the Planned Growth Strategy report and as adopted by the Council after these forecasts have incorporated the MRCOG 2025 county-wide forecasts for total population, housing and employment. The Infrastructure and Growth Plan should be reviewed, and updated if necessary, every three to five years.

(C) Planned Growth Strategy Implementation Advisory Task Force. The Planned Growth Strategy Implementation Advisory Task Force is the principal citizen advisory group that shall review, comment upon, and make recommendations regarding all of the City’s efforts to implement the Planned Growth Strategy. A number of members equal to at least 60% of the total membership of this Task Force shall also sit on the Impact Fee Committee.

(D) Impact Fee Committee. The Impact Fee Committee shall be the advisory committee pursuant to Section 5-8-37 of the New Mexico Development Fees Act and shall be created according to the provisions of the New Mexico Development Fees Act. The Impact Fee Committee shall also consist of at least 60% of the members of the Planned Growth Strategy Implementation Advisory Task Force.

Section 2. LIMITATIONS. No provision of this Resolution specifically increases or is intended to increase any taxes, rates, or charges, e.g., this Resolution does not establish or change any development impact fee, Utility Expansion Charge, or park fee, nor shall it be interpreted as requiring any such increase. No provision of this Resolution establishes any new zoning categories
or applies new zoning to any parcel of land. No provision of this Resolution changes or revokes any approved Capital Improvement Program appropriation. No provision of this Resolution amends any adopted Rank 1, Rank 2, or Rank 3 Plan, and no part of this Resolution shall be considered as part of the Comprehensive Plan. The intent of this Resolution is to support and protect the integrity of existing adopted Sector Development Plans.

The policies described in this Resolution and those to be adopted in the future shall not have binding force until such policies are incorporated into duly adopted ordinances or resolutions. Those policies shall not be used formally, informally or in any other way in any land use matter pending or which comes before the Planning Department, Environmental Planning Commission, Development Review Board, Zoning Hearing Examiner, [or] Zoning Board of Appeals or City Council, including its Committees, until such time as implementing legislation for the policy is adopted.

Section 3. POLICY GUIDANCE FOR FUTURE PLANNED GROWTH STRATEGY LEGISLATION. The following provisions are intended as policies to guide the development of subsequent legislation and regulations through a process outlined in the first paragraph of Section 3(B) below. These policies are guides, allowing the parties involved in developing future legislation and regulations reasonable discretion in applying their provisions.

(A) Community Oriented Policing, Informal Helping Networks, Neighborhood Economic Development, Community Education, Community Identity and Neighborhood Planning. The vitality and quality of existing neighborhoods is a key element of the Planned Growth Strategy and the City/County Comprehensive Plan. The City shall take an “assets-based” approach to neighborhood, corridor, center, and community development that focuses on utilizing the capacities of Albuquerque’s citizens, organizations, and institutions. The strategic approaches to City service delivery described below are of the highest priority.

(1) Community Oriented Policing. Community Oriented Policing is a strategy for the Albuquerque Police Department, neighborhood residents, and
other governmental and private agencies to work together in full partnership to
identify, prioritize, and solve public safety problems such as crime, drugs, fear
of crime, social and physical disorder, and neighborhood decay. Traditional
criminal justice methods such as the police, courts, and correctional institutions
cannot succeed in isolation from an involved and empowered citizenry.
Community Oriented Policing addresses not only the incidence of crime but the
underlying causes of crime.

(2) Informal Helping Networks. Informal care-givers such as family,
friends, and neighbors are the primary source of assistance for those seeking
and obtaining help. Informal Helping Networks are voluntary, spontaneous,
individualized, flexible, and reciprocal networks that encourage self-reliance and
are based on individuals' abilities and strengths. Such informal helping includes
personal networks, volunteer systems, mutual aid groups, and neighborhood
helping networks. City social and recreational service providers shall identify,
facilitate, enhance, and collaborate with these networks in a partnership among
individuals and professional care givers and agencies.

(3) Neighborhood Economic Development. The principal focus of
Neighborhood Economic Development is on local residents, workers, and
businesses. The creation of well-paying, quality jobs with benefits shall be
encouraged. The emphasis is on job training and placement, support for
business start-ups and the maintenance and expansion of existing businesses.
Types of economic development approaches include employment training,
capital strategies, business retention strategies, technical assistance,
incubators, entrepreneurial training, business enterprises by community
organizations such as Community Development Corporations, creation of
affordable and mixed-income housing, rehabilitation of existing housing, and
similar approaches. Neighborhood scale stores should be available to supply the
minimum daily household needs within or adjacent to neighborhoods. The City
shall develop a Neighborhood Economic Development plan, addressing the
economic development approaches identified in this paragraph and other
complementary ones as determined by a community advisory group to the plan including neighborhood association representatives.

(4) Community Education. The City, to the extent possible, shall integrate its human service activities, especially related to pre-school and school-aged children, through a full partnership with the Albuquerque Public Schools, into a Community Education model. Community Education is a strategy for serving the neighborhood by providing for the educational needs of all its members. Community Education programs may include, among others, preschool activities for children and parents, continuing and remedial education for adults, cultural enrichment, and recreation. More broadly, Community Education uses the local school as a catalyst for bringing neighborhood resources, including those of governmental and private service agencies, to bear on community problems. An objective of Community Education is the greater realization of neighborhood residents' potential. In Community Education, school facilities are used as community centers.

(5) Community Identity and Neighborhood Planning. The City/County Comprehensive Plan objectives for protecting and enhancing unique community identity can be realized in part through neighborhood planning. A Neighborhood Plan, is a written and graphic program for improving the neighborhood, based on the interests and participation of the neighborhood. It includes the following elements: comprehensive description of the neighborhood; goals, strategies, objectives, and programs; identification of different parties' responsibilities; needed resources; and provisions for implementation. A Neighborhood Plan is based on the assumption that neighborhood residents, businesses, churches, agencies, and institutions are responsible primarily for defining and achieving the goals identified. A Neighborhood Plan is a way of empowering local action without which the Plan's long-term goals could not be achieved. Neighborhood planning can improve local physical conditions and increase community awareness and competence in addressing local conditions. The requirements for new and periodic review of sector, neighborhood, and redevelopment plans shall be

(B) Development-related planning, regulations, design and infrastructure standards, fees and charges, and approval processes shall be identified, reviewed and modified as appropriate for consistency with the following principles of the Planned Growth Strategy and the City/County Comprehensive Plan. City staff, with the assistance of other public and private agencies including the County of Bernalillo, consultants, and the PGS Implementation Advisory Task Force shall act expeditiously to develop legislation, regulations, and rules consistent with the following implementation practices recommended in the Planned Growth Strategy report.

(1) Infrastructure and Growth Plan.

(a) The Bernalillo County-wide totals for population, housing, and employment used for the Infrastructure and Growth Plan will be the official forecasts selected by the Mid-Region Council of Governments (MRCOG) based on the work of the University of New Mexico Bureau of Business and Economic Research (BBER). If MRCOG makes available more than one social and economic forecast, the Infrastructure and Growth Plan shall be based on the one that is most consistent with the policies of the Planned Growth Strategy.

(b) The Infrastructure and Growth Plan shall include phased and timed forecasts of population, housing, and employment by subareas within the metropolitan area. The subareas shall include, but not be limited to, the subareas used in the Planned Growth Strategy report, Data Analysis Sub-Zones, and the service areas used for the provision of infrastructure in the Capital Improvement Program. The MRCOG forecast will be modified in accordance with the Planned Growth Strategy goals. The modifications will be summarized and made available for public review prior to adoption by the City Council. The Infrastructure and Growth Plan forecasts shall be adopted for a 25-year period, subdivided into the first ten years and the following fifteen years. The
Infrastructure and Growth Plan shall be reviewed, and revised if necessary, every 3 to 5 years.

(c) The Infrastructure and Growth Plan shall be a basis of, include, and identify the Land Use Measures (LUMs) to be used as part of the air quality conformity determination for the Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP) as made by the Albuquerque/Bernalillo County Air Quality Control Board. A Land Use Measure means a land use action, set of land use actions, or a land use plan used as the basis for air quality credits to achieve air quality conformity. The LUMs shall be submitted, directly and through the Mid-Region Council of Governments, to the Air Quality Control Board for inclusion in the State Implementation Plan. The LUMs adopted as part of the Planned Growth Strategy shall form a basis for seeking air quality credits as part of the air quality conformity process.

(d) The City and the County of Bernalillo, if approved by the County, shall participate in developing and implementing a cross-acceptance process to establish County-level forecasts of population, housing, and employment with the Mid-Region Council of Governments (MRCOG) or its successor MPO.

(2) Zoning Code and Related Revisions and Design Standards.

(a) Zoning Code and Subdivision Ordinance revisions and design standards are key strategic tools for implementing the Planned Growth Strategy and the City/County Comprehensive Plan. Nothing herein shall be construed as a mandate to change the zoning in a particular area, or amend an adopted sector plan, nor shall the enactment of this Resolution be construed as “changed conditions” independently justifying a change in existing zoning pursuant to R-270-1980. Nothing here shall be construed as an amendment of R-270-1980.

(b) Pursuant to applicable City ordinances relating to the amendment of the Zoning Code and Subdivision Ordinance, the zones as described in subparagraphs 1 through 6 will be created as described below as options for new growth areas. The new zones (subparagraphs 1 through 7) may also serve as overlay zones to guide redevelopment and enhance development in
fully or partially developed areas and where vacant land has been subdivided and zoned. Design standards and zoning specifications shall be developed for specific plan areas as appropriate. The following subsections provide general guidance for the creation of new zone categories. More detailed descriptions and regulations shall be drafted for each zone category. The zone categories shall be reviewed by the Planning Department, Environmental Planning Commission and the City Council as provided by existing ordinances and resolutions.

1. Planned Village Development. This zone includes a central plaza, central commercial and public facility area, elementary school, central park/plaza, mixed-density residential with higher densities closer to the central plaza, buildings oriented toward the public realm (e.g., streets and parks), interconnected pedestrian and traffic routes, narrow traffic lanes, short blocks, landscaping and xeriscaping, open space, integration of historic/cultural features of the built and natural environments, design standards, and other elements as needed.

2. Transit-Oriented Development / Corridor. This zone includes minimum densities, an interconnected street system, commercial buildings oriented to the public realm, public spaces, mixed use including higher density residential, on-street parking, pedestrian friendly character, landscaping and xeriscaping, design standards, and other elements as needed.

3. Conservation Subdivision. This zone is used in areas with unique environmental or topographical character. The zone includes: narrow streets, natural drainage and minimal impervious surfaces, limited sidewalk requirements, high minimum passive open space (30%-50%), curvilinear streets, landscaping and xeriscaping, design standards, resource conservation standards, public spaces, historic/cultural elements in the built and natural environments, appropriate integration of town building principles, and others as needed.

4. Commercial Center. This zone includes: pedestrian scale, restricted frontage of building facades, rear parking, buildings oriented to the public realm, an interconnected street system, public spaces, landscaping and xeriscaping, transit, pedestrian and biking compatibility, higher density residential
development, design standards, integration of historic/cultural features, and other elements as needed.

5. Campus. This zone is used for the unified development of office, industrial, institutional and residential uses and includes the following elements: a minimum open space requirement, landscaping and xeriscaping, pedestrian and bicycling linkages, retail and restaurants, transit orientation, possible higher density residential, public spaces, design standards, integration of historic/cultural features of the built and natural environments, and other elements as needed.

6. Employment Zone. This zone provides for industrial uses, manufacturing of products, warehousing and distribution of goods and services necessary to support a vibrant community and to provide meaningful employment for its citizens. This zone should be located near major transit and vehicle movement corridors and provide easy access to other zones within the community.

7. Infill Development Zone. This zone includes, among other elements, waived or reduced front and side setbacks and parking and Adequate Public Facilities Ordinance requirements. In lieu of these requirements, design standards are established related to such factors as spacing between building facades, proportions of windows, doorways, and primary façades, and treatment of entry ways. A center is created or reinforced in an existing neighborhood based upon some combination of the following neighborhood-scale elements: school, park, public facilities, higher density housing, neighborhood serving commercial buildings. Re-creations of historic plazas are encouraged in the North and South Valley as feasible. This zone also authorizes ancillary buildings in existing parking areas of shopping centers and big box retail centers.

8. Design Standards. Design elements shall be developed for use City-wide to include those indicated above and as specified below.
   a. Preservation and compatibility with historic, social, cultural, environmental, and architectural elements.
b. Conduciveness to pedestrian mobility, transit, bicycle, and other multi-modal transportation options; including relaxed street standards.

c. Predominant architectural style or styles.

d. Building forms and materials appropriate to the Southwestern climate; green site development and building elements that reduce water and energy consumption and preserve open space.

e. Compatible building massing.

f. Colors that create visual interest and are complemented by the quality of Southwestern light.

g. Integration of building heights with adjacent facades.

h. Human scale details including pattern and scale.

i. Pedestrian scale lighting and signage.

j. Streetscape design elements.

k. Other elements as needed.

(c) Reduction of development approval time based on consistency with Planned Growth Strategy principles, the City/County Comprehensive Plan, and adopted plans.

1. Development permitted under the new zoning categories or zoning overlays, as described in Section 3(B)(2) herein, when adopted by the City, shall be directed to proceed to building permit application when the development is in an appropriate location and context.

2. No zone map amendment for SU Special Use zoning shall be approved within areas using the zones described in Section 3(B)(2). Instead, parcels shall have zoning specifications based on appropriate permitted uses that expedite development approvals and minimize special hearings and approvals.

(d) The new zones and design standards are encouraged and not mandated in areas that are fully or partially developed, and need not meet the criteria in Section 14-16-2-28(F) ROA 1994. For areas covered by an existing sector development plan area, these zones and design standards may be applied,
in a manner appropriate for neighborhood conditions, through the amendment of a sector development plan. The periodic review of a sector development plan pursuant to Section 14-16-4-3 ROA 1994 should provide an additional opportunity to incorporate the new zones and design standards into existing sector development plans. For areas not covered by an existing sector development plan, the new zones and design standards may be applied through the adoption of a sector development plan or a design overlay zone. The approval of these zones and design standards and the attendant reduction of development approval time as suggested in this section shall only be made after a formal review of the proposed changes by residents, property owners, lessees, businesses and neighborhood associations within the applicable plan area and in accordance with Section 14-16-4-3 ROA 1994. The formal review, including a public meeting, shall be conducted with professional planning staff assistance of the City Planning Department, the School of Architecture and Planning of the University of New Mexico, or private planning professionals as agreed upon by the neighborhood association board and the City Planning Department, or by the City Planning Department if there is no neighborhood association in the area. Notwithstanding this formal review requirement, in the event that existing areas are proposed for rezoning under the above categories, neighborhood associations, adjoining landowners and other parties entitled to notice and opportunity for hearing shall be given such notice and opportunity for hearing as provided under existing ordinances.

(3) Capital Improvement Program.

(a) Infrastructure and facility service areas and tiers shall be the planning areas for infrastructure and facility growth and deficiency correction projects. The tiers are identified in the Planned Growth Strategy report as the Fully Served area, the Partially Served area, and the Unserved area. Smaller service areas within the tier system shall be created, based on reasonable service delivery geographic areas (e.g., water trunks or pressure zones, hydrology basins, traffic sheds.) The level of service standards shall be consistent with the phasing and timing of growth contained in the Infrastructure and Growth Plan and the
policies of the Planned Growth Strategy report and the City/County
Comprehensive Plan. The level of service standards shall be reviewed every five
years and may be modified following the reviews. The figures in Exhibit A shall be
used in initially defining tiers and service areas.

(b) Level of service standards shall be developed for all
infrastructure and facilities within tiers and service areas.

(c) Rehabilitation. A complete assessment of the City’s major
capital assets and a program of needed annual capital expenditures to restore,
replace, and maintain the infrastructure, facilities, vehicles and equipment in
acceptable condition shall be conducted and kept up to date. This shall be the
responsibility of the Office of Capital Improvement Program.

(d) Growth. Specific, defined infrastructure and facility
expansion projects shall be identified in the Capital Improvement Program that
shall enable the level of service standards to be achieved and maintained
consistent with the forecasted population, housing and employment growth
contained in the adopted Infrastructure and Growth Plan.

(e) Deficiency. An assessment of existing infrastructure and
facility capacity in relation to estimates of current population, housing, and
employment shall be used in relation to level of service standards for CIP
deficiency correction. The City shall assume the costs of scheduled deficiency
correction projects. These projects shall be phased over time consistent with the
availability of funds and their locations based upon the development and
redevelopment priorities of the Planned Growth Strategy and the Infrastructure
and Growth Plan growth forecasts.

(f) The beginning assumptions about the annual City funding
requirements for rehabilitation and deficiencies are as identified in the Planned
Growth Strategy report. The street conditions inventory shall be independently
evaluated to confirm the rehabilitation need figures reported in the Planned
Growth Strategy report. Expenditures from all sources for expansion of the bus
fleet should be increased based on a commitment to support operating
expenditures for this expansion from the General Fund, rates, and other revenue
sources. The expenditure needs related to growth and deficiency correction for
street infrastructure contained in the Planned Growth Strategy report shall be re-
evaluated based on the CIP planning approach contained in this Resolution. These
figures represent spending goals for the City that are prioritized and shall be phased in over time, e.g., for a period of 10 to 15 years.

(g) The ten year framework of the Capital Improvement Program shall be as significant as its two year element. The ten year program shall be carried out consistently through the two year CIP cycles. Only minor changes should be made in the already approved portion of the ten year program within the two year CIP funding cycles.

(h) Each project identified in the Capital Improvement Program shall include information related to location and characteristics, service area, level of service standard, existing level of service, population and employment forecasts, level of service after the project is constructed, and capacity created through the project.

(i) Cost-revenue analyses shall be conducted for major infrastructure expansions, as appropriate.

(j) The Planned Growth Strategy Implementation Advisory Task Force and the working groups established for revisions to the Capital Improvement Program shall consider the possibility of linking funding sources for capital projects directly to expenditure categories by law.

(k) Pursuant to the joint powers agreement referenced in Council Bill No. F/S O-02-39(2), and a similar agreement with the County of Bernalillo, the City shall attempt to coordinate and integrate the Capital Improvement Program with the Albuquerque Public Schools’ facility program and the County of Bernalillo’s Capital Improvement Program.

(l) A portion of the City’s Capital Improvement Program shall be used to support the use of APS elementary and middle schools for community centers consistent with Community Education principles and adopted policies, provided, however, that the City recognizes the first priority of APS with regard
to the use of its schools is for school purposes and for the education of its students.

(m) It is the goal, to the extent possible, to use the City’s Capital Improvement Program plan as the capital improvements plan called for in the New Mexico Development Fees Act. The City’s Capital Improvement Program plan should be consistent with provisions of the New Mexico Development Fees Act including: the use of the Land Use Assumptions under the New Mexico Development Fees Act as the Infrastructure and Growth Plan after the adoption of the Land Use Assumptions by the Council, the development of the City’s Capital Improvement Program plan, the plan review by the Impact Fee Subcommittee, and the plan review (including public hearing) and approval by the Council.

(4) Adequate Infrastructure and Facilities. Adequate infrastructure and facility regulations shall be established through a future Adequate Public Facilities Ordinance (APFO). These regulations are a key strategic tool for implementing the Planned Growth Strategy and the City/County Comprehensive Plan.

(a) Adequate Infrastructure and Facilities is a system of regulatory review of infrastructure and facilities either built or in the Capital Improvement Program to determine whether adequate capacity exists or will be provided within a reasonable, established time to support the demand created by proposed development projects. Reasonable time frames should be established in the Adequate Public Facilities Ordinance by taking into consideration the needs of the occupants of new homes and businesses, the estimated cost of building new infrastructure and facilities, and the availability of funds to construct these projects.

(b) The facilities and infrastructure subject to an Adequate Public Facilities Ordinance should include streets, water, wastewater, hydrology, parks, and a plan for current or future capacity for schools. Integration of the City’s Infrastructure and Growth Plan and CIP and the Albuquerque Public Schools’ facility plans pursuant to the provisions of a Joint Powers Agreement shall be sought by the City.
(c) Appropriate service standards, waivers from the APFO requirements, set-asides of infrastructure capacity, and policy-based ranking systems for new development shall be used to encourage desired development in infill and redevelopment areas, population/employment centers, community and village centers, prioritized corridors, etc., as supported by the adopted Planned Growth Strategy and the City/County Comprehensive Plan.

(d) The demand for facility and infrastructure capacity can be reduced based upon efficiency improvements that result from the nature and location of the development. These factors shall be incorporated into the APFO review.

(e) The Adequate Public Facilities Ordinance should identify the types of development subject to APFO review (and those exempt from such review), a simplified preliminary review to establish whether capacity limits may be reached by a proposed development, the timing of the review in the development review process, the issue of reserving infrastructure and facility capacity, provisions for mitigating inadequate facility and infrastructure capacity identified in the review, and other topics as necessary.

(f) Proposed development projects that require more facility or infrastructure capacity than is available or programmed for construction in the Capital Improvement Program within a reasonable time frame, can proceed through private contributions-in-aid with appropriate pay back provisions for capacity constructed.

(g) The following steps must be completed before a future Adequate Public Facilities Ordinance is adopted by the City.

1. The Infrastructure and Growth Plan and Land Use Assumptions under the N.M. Development Fees Act are adopted by the Council.

2. The City Capital Improvement Program is adopted containing the infrastructure and facility expansion projects that will enable the level of service standards to be achieved consistent with the Infrastructure and Growth Plan.
3. City Development Impact Fees are adopted in relation to the City infrastructure and facilities covered by the Adequate Public Facilities Ordinance.

4. The Albuquerque Public School’s facility plan is adopted containing the school expansion projects that will enable level of service standards to be achieved consistent with the Infrastructure and Growth Plan.

5. Funding has been identified and approved for the City’s Capital Improvement Program and the Albuquerque Public Schools facility plan for the infrastructure, facility, and school expansion projects needed consistent with the Infrastructure and Growth Plan. The Adequate Public Facilities Ordinance may only cover the types of infrastructure and facilities for which this condition has been met.

(h) Adequate Infrastructure and Facilities Planning is to be encouraged among the City of Albuquerque, County of Bernalillo, MRCOG, Albuquerque Public Schools, AMAFCA and other governmental or quasi-governmental entities. The City will seek agreements with these entities toward this end.

(i) This Section 4 is not intended to be nor shall be construed as a moratorium on development. The provisions of this Section 4 shall not be used to prohibit the construction of any private development or public or private facility until such time as a future Adequate Public Facilities Ordinance is adopted. Notwithstanding the continued application of already adopted Ordinances, Resolutions, or regulations, the provisions of Section 4 shall not be used as a guide or a review standard until such time as a future Adequate Public Facilities Ordinance is adopted.

(5) Priorities based on the Planned Growth Strategy and the City/County Comprehensive Plan.

(a) The “Centers and Corridors” are priorities for development/redevelopment based on Planned Growth Strategy and City/County Comprehensive Plan policies during the 2000-2010 period.
(b) Incentives and waivers as described in this Resolution may be used to implement the policies and recommendations of all adopted area, sector development, neighborhood, redevelopment, and centers and corridors plans. Incentives and waivers shall be applied through a policy-based ranking system or systems created by the City Planning Department, the Office of Capital Improvement Program, and other City agencies as needed.

(c) Policy-based ranking system(s) upon which incentives and waivers are provided shall be reviewed through at least one public meeting of the proposed system to which residents, property owners, lessees, businesses and neighborhood associations within the applicable area have been notified.

(6) Development Agreements and No Net Expense (Unserved Area).

(a) Development agreements shall be used to establish what on- and off-site infrastructure and other capital facilities will be built, when they will be built, the cost, and the payment and reimbursement provisions. Development agreements shall be used for all developments in the Unserved area as defined by the area outside of the area served with urban water master plan facilities (indicated as Fully Served and Partially Served areas in Exhibit A attached hereto). To the extent allowed by law, development agreements also shall be used in other areas to remedy a situation in which a review indicates that facility and infrastructure capacities required for and by a development are unavailable or are not programmed in the Capital Improvement Program for construction within a reasonable time.

(b) Development in the 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 principles.

1. Public facility and infrastructure costs may be reduced based upon facility and infrastructure efficiencies that result from the characteristics of the development (e.g., Conservation Subdivision and improvement of jobs/housing balance).

2. Approval of the development agreement (and interim development approvals) shall be evaluated based upon sufficient public
funds being appropriated to address the infrastructure and facility rehabilitation
and deficiency correction needs in the existing community. This may be
evidenced by annual appropriations to provide sufficient funds to meet current
needs and to catch up with the back-log of needs consistent with a multi-year
plan to accomplish these goals, as ratified by ordinance. Funding for these
purposes shall not be reduced as a consequence of capital spending for
development subject to the agreement.

3. Large scale development in the Unserved areas
(e.g., new communities of 5,000 to 10,000 acres subject to the current Planned
Communities Criteria) shall be phased and interim approvals provided in the
context of generally stabilized or improved conditions in the established area of
Albuquerque. The Planned Growth Strategy Implementation Advisory Task Force
shall develop these performance measures and standards and submit them to the
Council for approval.

(c) Nothing herein shall be deemed to abrogate any existing
contractual agreements between the City and any developer of a master planned
community.

(d) Nothing herein shall act or be construed as a moratorium on
development in the Unserved Area until such time as specific legislation is
enacted to implement the policy guidelines expressed herein.

(7) Related Legislative and Regulatory Changes. The following
ordinances, policies, regulations, rules, and processes shall be reviewed and
amended as appropriate to be consistent with adopted Planned Growth Strategy
ordinances and the provisions of this Resolution. These include the Development
Process Manual, the Water and Sewer Line Extension Policy, the Subdivision
Ordinance, the Annexation policy, the Planned Communities Criteria and related
City/County Comprehensive Plan policies, the Storm Drainage Ordinance, the
Utility Expansion Charge reimbursement policy, the Comprehensive Zoning Code,
the zone map amendment policy, the building permit process, and the
Neighborhood Association Recognition Ordinance, etc. An Annexation Ordinance,
Transfer of Development Rights Ordinance, and Private Infrastructure District
Ordinance shall be developed for consideration by the Council. The principal
revisions needed include, but are not limited to, the following:

(a) The Water and Sewer Utility Line Extension Policy addresses the distribution of financial costs for system expansion among appropriate parties. The Line Extension Policy shall be amended to include the following laws as adopted: the phasing and timing of urban growth as contained in the Infrastructure and Growth Plan, associated level of service standards, and the Capital Improvement Program as outlined herein. Expansion of urban facilities and infrastructure in the Unserved Area as defined is not prohibited; however, such facilities and infrastructure must be provided in a manner consistent with No Net Expense policies in a development agreement. Utility Expansion Charges and other impact fee reimbursements shall be consistent with the policy summarized [in Section 3(D)(9)(i)] herein.

(b) The Subdivision Ordinance currently addresses the availability of adequate public facilities but does not require the subdivision agreement to specifically address this issue. The Subdivision Ordinance shall be amended to include the following laws as adopted: phasing and timing of urban growth contained in the Infrastructure and Growth Plan, appropriate level of service standards, the Adequate Public Facilities Ordinance, and the Capital Improvement Program as outlined in this Resolution. Provisions for coordinating infrastructure availability with the three-stage sketch, preliminary, and final plat approval shall be established. The design criteria for subdivision approval and design standards in the Development Process Manual also shall be amended to be consistent with the adopted Planned Growth Strategy policies, especially the provisions of Section 3(B)(2)(b)8 herein.

(c) The Storm Drainage Ordinance shall be amended to include the following laws as adopted: phasing and timing of urban growth addressed in the Infrastructure and Growth Plan, appropriate level of service standards, the Capital Improvement Program, and the Adequate Public Facilities Ordinance as outlined in this Resolution.
(d) Requirements for zone map amendments, sector development/neighborhood plans or sector development/neighborhood plan amendments, special exceptions, and plan reviews for Planned Communities in the City/County Comprehensive Plan Rural and Reserve Areas shall be reviewed for consistency with the Adequate Public Facilities Ordinance, when and if adopted, and amended as necessary.

(e) City policies and regulations regarding Planned Communities in the City/County Comprehensive Plan Rural and Reserve Areas shall be considered for revision additionally to include the following.

1. A set of unifying principles as recommended in Section 1.3.4 of the Planned Growth Strategy Report, Part 2 ("Preferences for Albuquerque's Growth and Development"), should be used to guide the development of Planned Communities.

2. The adopted density cap for Planned Communities should be raised to better support mass transit.

3. Existing size requirements of 5,000 to 10,000 acres per Planned Community should be amended to allow smaller Planned Communities that meet the remaining criteria.

(f) The Development Process Manual shall be revised to be consistent with the land use zoning categories and design standards as described in Section 3(B)(2)(b). Infrastructure design standards shall vary by location to be consistent and appropriate for the land use zoning, the community building priorities of the Planned Growth Strategy, natural resource conservation, environmental considerations, the adopted phasing and timing of urban growth in the Infrastructure and Growth Plan, and related level of service standards.

(g) Transfer of Development Rights. Transfer of Development Rights legislation shall be drafted in order to protect environmentally unique or fragile areas from undesired development, overcome problems of antiquated and premature subdivisions, and preserve open space and rural character while encouraging development in areas more suitable to more intensive development.
such as priority centers, corridors, and redevelopment areas, to achieve better
jobs-housing balance, and for other purposes as appropriate.

(h) Development Fee Reimbursements. Development fees
(Utility Expansion Charges, impact fees and other development related charges)
reimbursed to a developer/property owner advancing payment for the public
share of facilities and infrastructure as specified in a development agreement
shall be done in a manner consistent with the following policies, an adopted
Impact Fee Ordinance, and the New Mexico Development Fees Act:

1. All development utilizing capacity of the facilities
and infrastructure constructed as a result of the development agreement,
including those of the developer/property owner advancing payment, shall be
assessed appropriate development fees;

2. The developer/property owner advancing payment
shall be responsible for paying normal development fees and shall not be
reimbursed from these payments. The developer/property owner shall be
reimbursed through the development fees paid by other developers/property
owners utilizing the excess capacity constructed by the facility and infrastructure
payments advanced in the development agreement; and

3. The reimbursements shall be calculated separately
on the basis of the specific facility and infrastructure capacity constructed
through the advanced payments and the development fees paid for these
facilities and infrastructure, e.g., street development fees (and the fund provided
to cover any impact fee waivers) shall be used only to reimburse street system
advance payments.

4. Consideration shall be given in the development
agreement provisions for impact fee reimbursements as to whether the proposed
development will materially change the adopted Infrastructure and Growth Plan.

5. Consideration shall be given as to whether the
development agreement provisions for impact fee reimbursements materially
affect the funding of growth related projects in the Capital Improvement
Program.
(i) **Private Infrastructure Districts.** Private Infrastructure District (PID) agreements shall be consistent with Planned Growth Strategy policies as established in this and future legislation especially related to the following laws as adopted: marginal cost basis of development fees, fee reimbursements and waivers, and No Net Expense policies. The City shall approve the specific infrastructure to be constructed through a PID. The City shall not guarantee PID infrastructure financing and shall not take over the PID at any time in the future.

(j) **Neighborhood Association Recognition Ordinance.** The Neighborhood Association Recognition Ordinance shall incorporate proactive support for Community Oriented Policing, Informal Helping Networks, Neighborhood Economic Development, Community Education, and Neighborhood Planning. The Office of Neighborhood Coordination shall take an “asset-based" approach in this work.

(C) **Management and Oversight.**

(1) The project management of this effort shall be carried out by the City Council Services Department, the City Planning Department, the County of Bernalillo (as approved by the County), and the Albuquerque Public Schools (as approved by the Albuquerque Public Schools). This group shall constitute the Management Committee of the project.

(2) Working groups, with broader public participation, shall be established to assist in implementing portions of the Planned Growth Strategy generally as follows:


(b) The Capital Improvement Program, Level of Service Standards, Adequate Public Facilities Ordinance, and Impact Fees (including Utility Expansion Charges).

(c) Financing, staffing, and strategic partnerships.

(d) Infill development and redevelopment.

(f) Incorporation of the Planned Growth Strategy, as needed, into the City/County Comprehensive Plan.

(g) Others as appropriate, including consistent changes to other laws, regulations, and policies including the City/County Comprehensive Plan.

(3) The Management Committee shall review regularly the progress of implementation of the Planned Growth Strategy and related policies with the Albuquerque–Bernalillo County Government Commission.

(D) Intergovernmental Aspects of Planned Growth Strategy Implementation.

(1) County of Bernalillo. The City shall seek consistency between the laws and regulations of the County of Bernalillo related to urban growth and development and those adopted by the City based on the Planned Growth Strategy, especially related to the phasing and timing of urban growth in the Infrastructure and Growth Plan, zoning, design standards, facility and infrastructure standards, impact fees, Capital Improvement Programs, Adequate Public Facilities ordinances, Transfer of Development Rights ordinances, and others as needed.

(2) Albuquerque Public Schools. The City shall seek consistency between the Albuquerque Public Schools’ facility planning, development, use, and charges and those adopted by the City based on the Planned Growth Strategy, especially related to the phasing and timing of urban growth in the Infrastructure and Growth Plan, facility planning, impact fees, and Adequate Public Facilities Ordinance. Strengthening of the partnership between the Albuquerque Public School and the City is encouraged in a manner consistent with the Community Education model. The partnership should be carried out by way of a Joint Powers Agreement.
Regional Plan. The City shall encourage the establishment of a Regional Plan within the Mid-Region Council of Governments area using the principles outlined in the Planned Growth Strategy report (Chapter 11, Section 4, Part 2, Findings).

State of New Mexico. The City will seek statutory changes to establish consistency requirements for the capital programming and funding of the New Mexico State Highway Department and the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) with the City’s Capital Improvement Program and the Regional Plan.

Intergovernmental Adoption. The City will encourage the compatible adoption of these policies by the County of Bernalillo and intergovernmental bodies as appropriate. Policy changes identified in this legislation that are subject to a joint City-County of Bernalillo body, such as the Albuquerque Metropolitan Area Water and Wastewater Board and the Albuquerque-Bernalillo County Government Commission, shall be submitted to the appropriate process for adoption. The City should enter into a Joint Powers Agreement with the County of Bernalillo to implement the adopted Planned Growth Strategy.

City-County of Bernalillo Consolidated Government. The City shall attempt to incorporate the adopted Planned Growth Strategy policies and implementation mechanisms into the charter and laws of a future consolidated City-County of Bernalillo government. It is suggested to the charter commission that due to the importance of continuity in urban growth management, changes to these adopted policies and implementation mechanisms should require a 2/3 vote in the affirmative of the governing body of a consolidated City-County of Bernalillo government.

Changes to City Government and Strategic Partnerships in Support of the Planned Growth Strategy.

City Government Resources. The Council recognizes that successful implementation of the Planned Growth Strategy policies goes beyond changes in policies, laws, and regulation. Rather than creating new programs and
staffing, the City should implement the Planned Growth Strategy as adopted by using existing staff resources, organized in a more effective way, together with non-City strategic partners. Council recognizes that the City Charter provides the Mayor with the power to organize City government. The following are suggestions regarding how this organizational aspect of implementation might take place.

(a) It is recommended that staff members key to Planned Growth Strategy implementation remain in traditional line departments but also operate as a functional unit under the Chief Operations Officer (Deputy Chief Administrative Officer). It is suggested that this Deputy Chief Administrative Officer sign off on expenditures of the funds identified in subparagraph c below.

(b) Staff members from the following City Departments and programs are recognized as critical to implementation: Planning Department (Community Revitalization, Neighborhood Coordination, Long Range Planning, staff members responsible for the Zoning Code and Development Process Manual); Department of Family and Community Services (Research and Planning, Community Planning, Community Development Block Grant, HOME Administration, Albuquerque Development Services, Tax Increment-Metropolitan Redevelopment, Weed and Seed Program-Neighborhood Programs, Crime Prevention Through Environmental Design, Economic Development Planning); Department of Finance and Administrative Services (Office of Capital Implementation Program); Public Works Department (Neighborhood Traffic Management, street, water, wastewater and hydrology capital planning staff); Albuquerque Police Department (Community Partnerships-Crime Prevention and staff responsible for Community Oriented Policing); Parks and Recreation Department (Community Planning position, staff responsible for capital planning, long range planning and design staff in Planning and Design); Transit Department (route/multi-modal planning staff and staff responsible for capital planning); Cultural Services (capital planning staff); Solid Waste Department (planning and capital planning staff); and other staff members as needed.
(c) The following revenue sources are identified as strategic resources to help implement the adopted Planned Growth Strategy: Community Development Block Grant, Home Investments Partnership Program (HOME), Emergency Shelter Grants Program, Metropolitan Redevelopment Fund, Neighborhood Housing and Community Economic Development Fund, Housing Trust Fund, water and sewer UEC waivers, grants from Federal, State and private non-profit organizations, Capital Improvement Program (CIP) infill development set-aside, CIP City Council - neighborhood set aside, all CIP growth related funds, all CIP deficiency correction funds, a possible new CIP set-aside for Community Education, transfers from the General Fund, Local Law Enforcement Block Grant, and other grants whose uses should be consistent with Planned Growth Strategy policies.

(d) City Strategic Planning. Together with the City/County Comprehensive Plan, adopted Planned Growth Strategy policies shall provide guidance for the development of the City’s five year goals and shorter-term objectives. Implementation of the adopted Planned Growth Strategy and City/County Comprehensive Plan, as appropriate, shall be addressed and incorporated into all Program Strategy and Program Activity plans developed as part of the City’s strategic management and budgeting activities. The Albuquerque Indicators Progress Commission shall develop monitoring and evaluation measures to gauge the success of Planned Growth Strategy implementation in relation to baseline measures.

(2) Strategic Partnerships. The City shall endeavor to establish a strategic partnership with the University of New Mexico to assist in planning efforts related to the Planned Growth Strategy. University schools and programs that might assist in these efforts include, among others, School of Architecture and Planning especially the Design and Planning Assistance Center, School of Public Administration, College of Education, Law School, Bureau of Business and Economic Research, School of Medicine, and Engineering School. The City also shall attempt to establish a formal strategic partnership for this purpose with the Albuquerque Public Schools. As approved by Council, the City may provide seed
operating and capital funding, such as through the CIP and Community
Development Block Grant, to enable these partnerships. The City shall seek cost
saving agreement opportunities with its strategic partners.

(F) Priorities for Implementation. Notwithstanding the importance of
other implementation elements, the following areas shall receive the highest
priority with regard to implementation: the Infrastructure and Growth Plan, the
Capital Improvement Program and Impact Fees/Utility Expansion Charges/ Other
Development Related Charges.

Section 4. WORK PROGRAM. This resolution identifies a myriad of work
actions necessary to implement the goals of the Planned Growth Strategy.
These actions are complex and interdependent, as well as time- and resource-
intensive. Upon approval of this resolution, the project management team
identified in the “Management and Oversight” section will convene and prepare
an overall work program which identifies: 1) specific products, processes
and/or amendments necessary for Planned Growth Strategy implementation, 2)
working groups (and their composition) to be formed for the purposes of
developing and/or amending these products and processes, 3) tasks and
subtasks that will lead to accomplishment of the identified products, processes
and amendments, 4) priorities for which products, processes and/or amendment
work should begin first, with timing of the results identified in relation to other
actions that depend on their completion, and 5) resources needed (personnel
and funding) to carry out each working group’s tasks and subtasks. The
overall work program will be completed by January 31, 2003 and be used by the
Mayor and City Council in the preparation of the annual objectives and budget
performance plan for FY 2004 and subsequent years, until the work actions are
complete.
Hydrology Service

Legend

✓ Fully Served
✓ Partially Served
Unserved

Street Traffic Sheds