

## B. How to Use This Plan

of project would be pursued by Rio Metro or ABQ RIDE (the City Transit Department) following a similar process used for other potential BRT routes in the metropolitan planning area. One example is the Paseo del Norte High Capacity Transit Study initiated in 2012 by Rio Metro. Such an undertaking involves many steps, including a preliminary feasibility study, public input, environmental and engineering analysis and the securing of funds for design, construction, operation and maintenance.

- iii) Streetscape and Pedestrian-Oriented Improvements along Coors Blvd. The City will identify and prioritize these improvements, and pursue implementation in coordination with the NMDOT (see Chapter D. Section 2.0).
- iv) Public Viewsites. The City will coordinate the provision of public viewsites north of Western Trail/Namaste Rd. within the ROW of Coors Blvd. with NMDOT (see Chapter D. Section 3.0).
- v) Multi-use trail network. As part of the City's program to complete the designated trail network, trail segments and grade separated crossings within the Coors Corridor Plan area will be given due priority, based in part on their contribution to improving non-vehicular travel options on the West Side. Multi-use trail facilities will also be incorporated in roadway projects recommended in this Plan where appropriate, such as at the intersection of Coors Blvd. and Paseo del Norte. (See Chapter E Section 4.0).

### 3.3 Planning and Zoning Authority

The transportation element of the Plan applies to private properties under City of Albuquerque jurisdiction. Albuquerque City Council is the ultimate authority over Planning and Zoning matters pertaining to properties within their jurisdiction.

The Board of County Commissioners is the ultimate authority over Planning and Zoning matters within unincorporated Bernalillo County, including the adoption of land use and transportation plans. Given the small area of the County that now remains within the general area of the Coors Corridor Plan, Bernalillo County has chosen not to adopt the goals and standards set forth in the updated Plan. However, Bernalillo County staff has participated in the development of the transportation and design overlay zone elements of the Plan and has determined the Plan is consistent with and would be addressed by applicable adopted plans, regulations, and standards in Bernalillo County for transportation and design.

### 4.0 Exemptions ~~Exceptions~~ [S] and Deviations

Exemptions and deviations to policies and regulations of the Plan are available to property-owners and developers, depending on the type of application and which regulations apply:

4.1 **Transportation Policies.** The owner of the Coors Blvd./Bypass ROW (currently NMDOT) has authority to review and approve exemptions and deviations to the policies and requirements in Chapter C of the Plan for development within the Transportation sub-area.

#### 4.2 Exemptions ~~Exceptions~~ [S] to Design Overlay Zone, including the View Preservation regulations

- i) Construction that conforms with approved, current site development plans and building permits.
- ii) Building additions that equal less than 25% of the existing square footage, except:
  - a. Development on premises governed by an approved site development plan shall continue to be subject to the procedure for SU-1 plans (see §14-16-2-22(A) SU-1 Special Use in the Zoning Code);

## B. How to Use This Plan

- b. Additions shall not intrude on the landscape buffer/set-back required on Coors Blvd.
- c. Additions on premises in the View Preservation sub-area shall meet its regulations for structure height and mass.

### 4.3 Deviations to Design Overlay Zone, including the View Preservation Regulations

The General Development Regulations and View Preservation Regulations in the DOZ provide design parameters for development in the Corridor. However, it is recognized that site conditions and/or the opportunity to provide a public benefit may justify a deviation from DOZ requirements. The process (see also Table B-2) and application criteria are set out below.

- i) **Minor:** The Planning Director or his/her designee may shall review, approve, or choose to refer to the EPC, the following:
  - a. A deviation from a *non-dimensional standards* or a deviation from any dimensional standard in the General Development Regulation that is less than or equal to 25%.
  - b. A deviation from a *non-dimensional standards*, e.g. relating to trees, in the View Preservation Regulations.
  - c. A deviation of 25% or less from dimensional standards, e.g. structure height and mass, in the View Preservation Regulations for properties north of Paseo del Norte only.
- ii) **Major:** The EPC shall review and approve the following via the site development plan approval process, regardless of the underlying zoning:
  - a. In the General Development Regulations:
    - A deviation from any *dimensional* standard in the General Development Regulations that is over 25% to 50%, except that deviations of over 25% are not allowed to:

- 1. the minimum 15-foot landscape setback/buffer [D.3.3]
- 2. the size and height of free-standing signs [D.3.16 ii) & iii)]

- A request for several multiple deviations if it includes a deviation to structure height or landscape setback/buffer.
- A deviation to dimensional standards of over 50% is not allowed. [S]

#### b. In the View Preservation Regulations:

- A deviation from structure height that is less than or equal to 10%; [xref]
- A deviation from structure mass that is less than or equal to 30%; [xref]
- Except that deviations are not allowed to the following:
  - Structure height under the Base Allowable Height regulations [xref]
  - Maximum structure height established by the Sandia Mountain Ridgeline for a given structure (Reg xref)
  - A deviation that would obstruct a view protected by a view window or pedestrian-oriented viewsite. [Reg xref]

Note: A deviation to structure height or mass is calculated as a percentage of the percentage in the standard. Example: a deviation of 30% to structure mass equals 30% of 50%, or a 15 % increase, resulting in 65% instead of 50% of the view area being obstructed.

B. How to Use This Plan

Type of Standard	Magnitude of Deviation	Process
<b>DOZ Regulations</b> <i>(see Chapter D Section 4.3)</i>		
Non-dimensional	Not Applicable	Planning Director discretion (Administrative Approval or EPC)
Dimensional	≤25% deviation	Planning Director discretion (Administrative Approval or EPC)
	>25%*-50% **deviation	EPC
Multiple Deviations, if a deviation to structure height or landscape setback/buffer is included	(Case by case)	EPC
<i>* Deviations of over 25% not allowed to:</i> <ul style="list-style-type: none"> <li><i>the minimum 15-foot landscape setback/buffer [Xref]</i></li> <li><i>the size and height of free-standing signs [Xref]</i></li> </ul> <i>** Deviations of over 50% to other dimensional standards are not allowed.</i>		
<b>View Preservation Regulations</b> <i>(see Chapter D Section 4.3)</i>		
Non-dimensional	Not Applicable	Planning Director discretion (Administrative Approval or EPC)
Dimensional***		
<ul style="list-style-type: none"> <li>Structure height</li> <li>Structure mass</li> </ul>	≤10% deviation	EPC
	≤30% deviation	EPC
<i>*** Deviations are not allowed:</i> <ul style="list-style-type: none"> <li><i>To Base Allowable Height</i></li> <li><i>To Sandia Ridgeline maximum height</i></li> <li><i>That would obstruct a view protected by a view window or pedestrian-oriented viewsite.</i></li> <li><i>Of over 10% to structure height or over 30% to structure mass.</i></li> </ul>		

**Table B-2: Process for Deviations to DOZ and VP Regulations**

iii) An applicant may seek a variance from the ZHE to provisions in the underlying zoning or general regulations of the Zoning Code that are applicable to the site, or may seek a formal amendment to the Coors Corridor Plan.

- a. A deviation of over 25% to 50% from any dimensional standard in the View Preservation Regulations for properties north of Paseo del Norte.
- b. A deviation of 25% or less to the dimensional standards in the View Preservation Regulations for properties located in the area between Western Trail/Namaste and Paseo del Norte:

**B. How to Use This Plan**

Area	Applicable Regulations	Minor Deviation – Planning Director	Major Deviation – EPC
DOZ sub-area	Dimensional standards in General Regulations	≤25% deviation	>25% – 50% deviation
	Non-dimensional standards in General Regulations	Planning Director (Administrative Approval or EPC)	
VP sub-area	Non-dimensional standards in VP Regulations	Planning Director (Administrative Approval or EPC)	
VP sub-area, North of Paseo del Norte	Dimensional standards in VP regulations *	≤25%	>25% – 50%
VP sub-area, South of Paseo del Norte	Dimensional standards in VP regulations *	Not applicable	≤25%

*\* No deviations allowed to base allowable structure height (see Chapter D Section 4.3) [S]*

iv) Application Requirements for a Deviation.

In order to justify a deviation, the applicant shall comply with the following:

- a. Attend a meeting with the Pre- Application Review Team (PRT) or Design Review Team (DRT) before submitting the request for deviation.
- b. Provide a written statement detailing how the development deviation still meets the intent of the Plan, including its goals and policies.
- c. Demonstrate at least one of the following:
  - **A Hardship:** The site is unique in terms of its inherent physical characteristics and requires the deviation in order to be developed. The site characteristics may include but are not limited to size, shape, topography, or existing infrastructure or drainage channels that constrain grading, slope or drainage, safety issues or site constraints. [S]
  - **A Public Benefit:** The potential benefits are prioritized below (1 being the highest priority) and the

magnitude of the requested deviation(s) should reflect this ranking:

1. The development will provide a significant number of new jobs and/or serve as a catalyst to attract further employment to the Plan area; diversity of land uses in designated Activity Centers in particular.
2. The development will provide a needed service for the local community or the West Side more generally, as identified in a City plan or a needs assessment or market study acceptable to the City.
3. The development will support the use of transit, e.g. through provision of a stop/station or a park & ride within 660 ft. of in close proximity to [16] a Rapid Ride stop or BRT station, subject to approval and acceptance by the transit provider.
4. The project will preserve a historic building, structure, or archaeological site, subject to approval by the appropriate department and/or agency.

## B. How to Use This Plan

5. The proposal includes a public amenity, such as public art, or a public viewsite **outside the View Preservation area**, that is not otherwise required by the Plan or the City. (See recommended locations for public viewsites in Map E-1 through Map E-3.) **Improvements The additional public amenity do not need to be publicly owned, but shall be accessible or visible in perpetuity to the public. They It shall be implemented by the developer and maintained by the property-owner per agreement with the City or, if publicly owned, shall be subject to approval and acceptance by the department or agency responsible for maintenance.**
  - d. Detail how the proposed development relates to its surroundings, including but not limited to any adjacent Major Public Open Space and residential neighborhoods.
  - v) **Approvals of deviations shall accompany the site development plan application for EPC, DRB and/or Building Permit.**
  - vi) In coming to a decision, the EPC or Planning Director or his/her designee shall consider whether the project is of a comparable quality and design as otherwise required by the Plan and ~~will enhance the area.~~

### 5.0 Amending the Plan

- 5.1 Changes to the text or graphics shall be per the amendment and sector development plan procedures in §14-16-4-1 and §14-16-4-3 of the Zoning Code. Changes to the transportation policies and regulations in Chapter C will require consultation with the NMDOT and any other stakeholder agencies, as appropriate.
- 5.2 The City or other government stakeholder may request changes to the boundary of the plan area and regulatory sub-areas so that the

scope and intent of the Plan are upheld. For example, the City may consider that a new or amended site development plan, a replat or an annexation means that land currently outside the Plan area should be included within it so that development is subject to the Plan's policies and regulations.

### 6.0 Glossary

- **ADA:** Americans with Disabilities Act
- **AMAFCA:** Albuquerque Metropolitan Area Flood Control Authority
- **AMPA:** Albuquerque Metropolitan Planning Area
- **BRT:** Bus Rapid Transit
- **CAC:** Community Activity Center
- **CCP:** Coors Corridor Plan
- **COA:** City of Albuquerque
- **CWB:** Concrete Wall Barrier, term for a roadside safety barrier used to protect vehicles from obstacles and/or steep slopes and may also be used to control access.
- **Dimensional Standard:** a standard based on a number, dimension, or a spatial relationship that can be quantified, which relates to elements of a development regulated by the DOZ in this Plan. Examples of measurable standards include: number of parking spaces; sign face area; setback; structure height and mass.
- **DPM:** Development Process Manual, the City of Albuquerque document that compiles development procedures and design criteria.
- **DRT:** Design Review Team, consisting primarily of planners from the City Planning Department, that provides information to applicants on City site design standards and, when appropriate, checks compliance of final drawings.

## B. How to Use This Plan

- **EPC:** (City of Albuquerque) Environmental Planning Commission
- **FHWA:** Federal Highway Administration
- **MAC:** Major Activity Center
- **MRCOG:** Mid Region Council of Governments
- **MRGCD:** Middle Rio Grande Conservation District, which owns and/or is responsible for the area's network of irrigation canals and ditches.
- **MTP:** Metropolitan Transportation Plan. **Adopted every five years by a MRCOG Board comprised of locally elected officials from the counties and municipalities in the region, along with representatives of the New Mexico Department of Transportation (NMDOT), the MTP evaluates growth scenarios with a 20-year horizon and proposes an appropriate future transportation system for the Albuquerque Metropolitan Planning Area. [22]**
- **NMDOT:** New Mexico Department of Transportation
- **Non-dimensional Standard:** **a qualitative standard that relates to elements of a development regulated by the DOZ in this Plan, such as plant type in a landscape plan.**
- **Open Space vs. open space:** When capitalized, refers to City-owned lands that are managed by the Parks and Recreation Department/ Open Space Division (sometimes jointly with other agencies e.g. with the National Park Service) for one or more of the following purposes:
  - Conserve natural and archaeological resources
  - Provide opportunities for outdoor education
  - Provide a place for ~~high and~~ [21] low impact recreation
  - Define the edges of the urban environment.

The majority of Open Space lands are designated Major Public Open Space in the Comprehensive Plan and shown as such on AGIS Map Viewer.

When lower case, is a generic term for any outdoor ground-level area that satisfies visual and psychological needs of the community for light and air, regardless of ownership or management. The quantity and design of open space on development sites is regulated by the underlying zoning and applicable regulations in this Plan.

- **PRT:** Pre-Application Review Team, consisting of City Planning Department staff from different divisions and other Departments as appropriate.
- **PUE:** Public Utility Easement
- **Public ROW:** Area of land deeded, dedicated to or acquired by the City, County or State for the movement of people, goods and vehicles or the conveyance of public utilities and drainage. See also definitions in the Zoning Code §14-16-1-5 and Subdivision Ordinance §14-14-1-6, as appropriate.
- **RMRTD:** Rio Metro Regional Transit District (a.k.a. Rio Metro), the regional transit provider for Bernalillo, Sandoval and Valencia counties and **manager operator** of the New Mexico Rail Runner Express train between Belen and Santa Fe. Governed by **MRCOG**, with a **separate** Board of Directors **comprised of member government officials. [23]**
- **SIPI:** Southwest Indian Polytechnic Institute
- **TIP:** Transportation Improvement Program, a short-term program to fund transportation projects. All projects within the Albuquerque Metropolitan Planning Area that receive federal highway or transit funding must be in the TIP. Updated bi-annually, it sets the schedule for improvements to the region's transportation system over the next six years.
- **VP:** View Preservation