



**Environmental
Planning
Commission**

**Agenda Number: 10
Project Number: 1001620
Case #11EPC-40019
May 12, 2011**

Staff Report

Agent	City of Albuquerque Planning Department
Applicant	City of Albuquerque Planning Department
Request	Text Amendment to the Comprehensive Zoning Code, Section 14-16-2-16(A)(7) and 14-16-2-16(A)(8) to allow and encourage residential dwelling units in appropriate locations in C-1 Neighborhood Commercial and C-2 Community Commercial zones
Location	City-wide

Staff Recommendation

That a RECOMMENDATION OF APPROVAL of Case #11EPC-40019 be forwarded to the City Council, based on the Findings beginning on Page 12, and subject to the Conditions of Approval beginning on Page 13.

Staff Planner

Lorena Patten-Quintana, Planner

Summary of Analysis

This is a request to amend the text in Section 14-16-2-16(A)(7) and 14-16-2-16(A)(8) to allow and encourage residential dwelling units in appropriate locations in C-1 Neighborhood Commercial and C-2 Community Commercial zones. The purpose of the text amendment is to encourage higher density residential development in activity centers, metropolitan redevelopment areas, and along transit corridors.

The Planning Department proposes the subject text amendments to allow residential land uses in C-1 and C-2 zones with the option to have it as part of a mixed-use development, but not as a requirement.

The proposed text amendment furthers the intent of the Zoning Code and applicable Comprehensive Plan Goals and Policies. Staff recommends approval of the request.

City Departments and other interested agencies reviewed this application from 04/04/11 to 04/15/11. Agency comments used in the preparation of this report begin on page 14.

I. INTRODUCTION

Request

The attached text amendments are submitted by the Planning Department to change the provisions of sections 14-16-2-16(A)(7) and 14-16-2-17(A)(8) ROA 1994, to allow and encourage higher density, residential dwelling units in appropriate locations in C-1 NEIGHBORHOOD COMMERCIAL and C-2 COMMUNITY COMMERCIAL zones.

Council Bill O-06-53, commonly referred to as the “Big Box Ordinance,” last amended the above listed sections of the Zoning Code. The language was changed to allow “residential” as a permissive rather than a conditional use in the C-1 and C-2 zones. The City’s intent was to encourage mixed-use development on large retail sites by removing the obstacle of having to obtain a conditional use application for the residential portion.

The Planning Department has not observed any higher density residential and/or mixed-use development over the past five years in C-1 or C-2 zoned sites. Higher density residential development is desirable in locations such as transit corridors and activity centers and should not necessarily have to be part of a mixed-use development to support or be supported by transit service.

The Planning Department wants to encourage this type of use in appropriate locations, such as activity centers, metropolitan redevelopment areas, and along transit corridors. The Planning Department proposes the subject text amendments to allow higher density residential uses in C-1 and C-2 zones with the option to have it as part of a mixed-use development, but not as a requirement.

History

In 2007, City Council passed Bill O-06-53, which amended several sections of the City’s Code of Ordinances to establish new procedures and design regulations for large-scale retail development. City Council found that it is beneficial to the City of Albuquerque to require additional design and location requirements for large retail facilities, particularly “big box” development that tends to create adverse effects related to traffic congestion, architectural scale, and compatibility with adjoining neighborhoods.

The regulations were developed by a Council appointed Task Force, comprised of architects, planners, realtors, neighborhood association representatives, the development community, Council staff, and Planning staff.

One component of the original ordinance was a requirement for Large Retail Facilities to incorporate residential uses in the site development, which was intended to mitigate traffic congestion. This requirement was later changed to an advisory statement that “strongly encourage[s]” residential uses.

In order to preserve the mixed-use component of the original legislation and to facilitate this type of development, members of the working group made a recommendation to allow R-3 residential uses permissive in the C-1 and C-2 zones. At the time, residential uses were conditional uses in the C-1 and C-2 zones. This change was limited to sites that are over five acres, and it required the residential uses be part of a vertical mix of uses that was between 20% and 60% of the gross floor

area. Sites over five acres are required to have a site development plan approved by the EPC, according to the shopping center regulations.

Definitions

FLOOR AREA RATIO. The heated gross floor area divided by the area of the premises.

GROSS FLOOR AREA. The total floor area, including basements, mezzanines, and upper floors, if any, expressed in square feet measured from the outside surface of outside walls.

HOUSE. A single-family, detached dwelling unit; a building containing only one dwelling unit.

NONCONFORMING. A structure or use of structure or land which does not conform to this article and which was in conformity with any zoning ordinance in effect at the time it was created.

USABLE OPEN SPACE. An area on the same lot with a dwelling, in relation to which it serves to permanently provide light and air, as well as visual, psychological, and recreational needs for open space. Usable open space may include, but is not limited to, lawns, decorative plantings, native plants, open balconies, covered patios open on at least two sides, walkways, active and passive recreational areas, fountains, swimming pools, wooded areas, and water courses. Usable open space does not include public right-of-way, parking lots, off-street parking, driveways, other private vehicular surfaces, or buildings other than swimming pool rooms. Such space shall be available for entry and use by the residents involved.

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

Zoning Code Section 14-16-1-3, Intent states:

(A) This article is intended to help achieve Article IX of the Charter of the City of Albuquerque and the city's master plan; in particular the master plan documents which comprise the Albuquerque/Bernalillo County Comprehensive Plan. This article is intended to create orderly, harmonious, and economically sound development in order to promote the health, safety, convenience, and general welfare of the citizens of the city. These regulations are necessary to provide adequate open spaces for light and air including solar access; to avoid undue concentration of population, to secure safety from fire, panic, and other dangers; to help control congestion in the streets and public ways; to control and abate unsightly use of buildings or land; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewer, schools, and parks; to encourage the most appropriate use of land; to properly channel flood water runoff; to conserve and stabilize the value of property; and to enhance the appearance of the landscape.

The proposed text amendments meet the intent of the Zoning Code (Section 14-16-1-3) by allowing for the creation of orderly, harmonious, and economically sound development while promoting the health, safety, convenience, and general welfare of the citizens of the City.

Allowing this type of development in metropolitan redevelopment areas (MRA's) will provide another strategy to help mitigate the unsightly use of buildings and promote economic development.

Higher density residential development along transit corridors and activity centers promotes and increases the demand for public transit, reduces vehicle dependence, and facilitates adequate provisions for more convenient mass transit.

Higher density residential development in locations such as activity centers, metropolitan redevelopment areas, and along transit corridors will encourage the most appropriate use of land, conserve and stabilize the value of property as well as enhance the appearance of the landscape.

Albuquerque / Bernalillo County Comprehensive Plan

The Comprehensive Plan is the Rank I planning document for the City, containing goals and policies that provide a framework for development and service provision.

The goals and policies are the yardstick for evaluating all significant public and private development proposals. They are the means by which individuals and local government officials will guide the pace, intensity, and direction of the metropolitan area's growth.

As land use decisions are made, air and water quality, noise, waste handling, cultural and visual resources and effects of change must be evaluated. Likewise, it is important to minimize the costs of new growth to public services, transportation and energy use, and to maximize its benefits in terms of housing opportunity, human services, education, public safety, and economic development.

Air quality policies support standards which measure air quality. Emphasis in air quality improvement is placed on reducing automobile generated pollutants through provision of travel alternatives; thoughtful placement of employment and services; and traffic engineering techniques to minimize unnecessary traffic delays. The Transportation and Transit and the Energy policies also addresses the importance of reducing automobile use.

Applicable goals and policies include:

II.B.7. ACTIVITY CENTERS

The Goal is to expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

Policy II.B.7a: “Existing and proposed Activity Centers are designated by a Comprehensive Plan map (see Figure 30 attached), where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services.”

Policy II.B.7i: Multi-unit housing is an appropriate use in Neighborhood, Community and Major Activity Centers.

Policy II.B.7j: The City will structure capital expenditures and land use regulations in support of creating multi-use Activity Centers, and will promote ongoing public/private cooperation necessary for private market conditions that support the development and functioning of Activity Centers.

The Activity Center Goal and Policies II.B.7a, i and j are furthered by allowing multi unit housing in the C-1 and C-2 zones within an Activity Center. Allowing higher density residential uses on sites 0.5 acres or more will facilitate private development and redevelopment of mixed-use concentrations of housing and employment that supports transit and pedestrian activity. Infill development on small lots within Metropolitan Redevelopment areas will be encouraged and will promote public/private partnerships.

II.C.1: AIR QUALITY

The Goal is to improve air quality to safeguard public health and enhance the quality of life.

Policy II.C.1b: Automobile travel’s adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

This request furthers the air quality goal and Policy II.C.1b by encouraging development of higher density housing along Transit Corridors and within Community and Major Activity Centers where mass transit is more readily available.

II.D.4: TRANSPORTATION AND TRANSIT

The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy II.D.4a:

This policy presents ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section. Each corridor will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation. (See Table 11 attached.)

Policy II.D.4b: The City will structure capital expenditures and land use regulations in support of creating additional housing and jobs within Major Transit and Enhanced Transit Corridors, and will promote ongoing public/private cooperation necessary to create private market conditions that support intensified development of jobs and housing in these corridors.

Policy II.D.4c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

The Transportation and Transit Goal and Policies II.D.4.a, b and c are furthered by promoting a development form that meets the housing density targets listed on Table 11 (attached), Corridor Policies in the Comprehensive Plan. These amendments promote land use regulations in support of creating additional housing within Transit Corridors that would encourage the use of mass transit. This request would help create private market conditions that support intensified development of jobs and housing along Major Transit corridors.

II.D.6: ECONOMIC DEVELOPMENT

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy II.D.6f: The City and the County should remove obstacles to sound growth management and economic development throughout the community.

Policy II.D.6g: Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

The Economic Development Goal and Policies II.D.6.f and g are furthered by allowing residential uses on lots 0.5 acres in size rather than limiting those uses to lots 5 acres and greater.

Encouraging housing production within activity centers would help to balance jobs with new housing and reduce the need to travel. Encouraging housing production along Transit Corridors promotes the use of mass transit.

III. ANALYSIS AND SUGGESTED REVISIONS TO THE PROPOSED TEXT AMENDMENTS

The proposed text amendments are to §14-16-2-16(A)(7), C-1 Neighborhood Commercial Zone and §14-16-2-17(A)(8), C-2 Community Commercial Zone, ROA 1994. New language is [+underlined and bracketed+]. Deleted language is [underlined, bracketed and struck through].

Explanations are in ***bold italics***. Page references are to the proposed legislation (see attachment).

A) Albuquerque Code of Ordinances, Chapter 14- Zoning, Planning & Building, Article 16- Zoning Code, Section 2-16(A)(7), C-1 Neighborhood Commercial Zone

1. Page 1, Lines 11- 12:

“(7) Residential uses permissive in the R-3 Zone with the following [+requirements and+] exceptions:

This proposed addition will add requirements to locate permissive residential uses in appropriate locations.

2. Page 1, Lines 13- 16:

(a) [~~Houses are not allowed~~] [+Site shall be located along a Transit Corridor or within a Community or Major Activity Center as designated by the Comprehensive Plan, or be located within a designated Metropolitan Redevelopment Area (MRA)+];

“Houses are not allowed” was moved to (7)(b) to give priority to the requirement that sites be located along Transit Corridors, Activity Centers and Metropolitan Redevelopment Areas. This proposed requirement better reflects the goals and policies of the Activity Centers, Air Quality, Transportation and Transit, and Economic Development sections of the Comprehensive Plan.

The City of Albuquerque Transit Department commented that the transit corridors on the Centers and Corridors map are just lines, with no boundaries, which calls into question what “located along” can mean.

The Transit Department suggests giving those lines form by defining them as “encompassing any premises wholly or partly within the area defined by a line set 660 feet from the nearest right-of-way line of the arterial or collector road denominated as a “transit corridor”, including intervening rights-

of-way". On Central Avenue, for instance this would set the entitlement at about two city blocks deep. Transit believes this distance is appropriate in that it would [1] allow the assembly of properties of sufficient depth to warrant redevelopment and [2] would allow development with direct connectivity to the transit corridor to be of sufficient size as to generate usable ridership potential.

Transit also recommends application of these amendments to the Major and Enhanced Corridors. Referencing the Centers and Corridors map (attached), the Express Corridors are very long and pass areas of radically different intensity.

Staff agrees with the Transit Department's above recommendations and incorporated those to the CONDITIONS OF APPROVAL on page 13. See Transit Department's full comments on page 15.

3. Page 1, Lines 17- 19:

(b) ~~[No less than 20% and no more than 60% of the gross floor area of the structures on the site shall be developed with residential uses]~~ [+Houses are not allowed+];

This amendment allows higher density residential development without a mixed use requirement. "Houses are not allowed" was moved from (7)(a).

4. Page 1, Lines 20- 21:

(c) Residential uses ~~[shall]~~ [+may+] be part of a vertical mix of uses (e.g. residential over commercial or residential over office).

This proposed change continues to allow a vertical mix of uses, but removes the requirement in order to provide development flexibility.

5. Page 1, Lines 22- 24:

(d) Where residential uses are proposed, the following regulations shall apply:

1. Area: minimum of [+0.+]5 acres.

This proposed amendment would encourage increased high density residential infill development on smaller lots and public/private partnerships in metropolitan redevelopment areas.

6. Page 1, Line 25:

2. Height: Pursuant to the R-3 Zone.

No change is proposed.

7. Page 2, Lines 1- 3:

3. Density: The total square footage of all buildings shall achieve a minimum floor area ratio of 0.3 ~~[-]~~ [+but shall have no more than 40 dwelling units per acre.+]

While the minimum floor area ration remains the same, this proposed amendment increases the allowable permissive density from 30 dwelling units per acre to 40 dwelling units per acre.

To provide consistency with the language in § 14-16-2-12 R-3 Residential Zone, staff recommends changing "... dwelling units per acre." To "... dwelling units per net acre." This change appears in the CONDITIONS OF APPROVAL on page 13.

8. Page 2, Lines 4- 6:

4. Usable open space: Pursuant to the R-3 Zone. At least 50% of the required open space shall be provided in the form of shared or aggregate open space.

No change is proposed.

9. Page 2, Lines 7- 9:

5. ~~[Shared p]~~ [+P+]arking [+requirements and allowances+]: [As provided in § 14-16-3-1(E)(6)(b) except that parking for residential uses is eligible for a shared parking exception.]

This proposed change introduces requirements and allowances for residential uses in appropriate locations and removes the provisions of § 14-16-3-1(E)(6)(b) Mixed use shared parking reductions. (Shared parking reductions are addressed in item 11.)

10. Page 2, Line 10:

[+a. 1 space/unit;

This proposed amendment changes the parking requirement of 1 space per bath as provided in § 14-16-3-1 to 1 space per unit to allow for additional density.

11. Page 2, Lines 11- 13:

b. Shared Parking: As provided in § 14-16-3-1(E)(6)(b) except that parking for residential uses is eligible for a shared parking exception.

The provisions § 14-16-3-1(E)(6)(b) Mixed use shared parking reductions are moved from §14-16-2-16(A)(7)(d)(5) to §14-16-2-16(A)(7)(d)(5)(b) adding that residential uses is eligible for the shared parking reduction.

12. Page 2, Lines 14- 15:

c. On-street parking credit: 1 space per available, adjacent on-street parking space.+]

This proposed amendment increases the on-street parking credit from one half of available spaces as provided in § 14-16-3-1(E)(6)(d) to one space per available on-street parking space.

13. Page 2, Lines 16- 19:

6. Approval process: Site development plan approval by the Environmental Planning Commission [+for sites 5 acres in size and larger. Site development plan approval by the Planning Director or his/her designee for sites under 5 acres in size+].”

Because the proposed amendment changes the minimum acreage from 5 acres to .5 acres, language was added to include the approval process for sites under 5 acres.

14. Page 2, Lines 20- 25:

[+7. Special Buffer Landscaping/Screening Requirements. Where a residential use is developed and it abuts a nonresidential use or zone, special buffer landscaping is required within the perimeter of the residential area to minimize noise and site impact of the non-residential activities in the residential use. Special buffer landscaping/screening requirements are as per section 14-16-3-10(E)(4)(a), (b), and (c).+]

§14-16-3-10(E)(4) of the Zoning Code requires developing commercial that abuts a residential zone to provide special buffer landscaping. The current requirement applies zone to zone. This proposed amendment would require developing residential uses that abut commercial uses or zones to provide special buffer landscaping.

B)Albuquerque Code of Ordinances, Chapter 14- Zoning, Planning & Building, Article 16- Zoning Code, Section 2-17(A)(8), C-1 Neighborhood Commercial Zone

1. Page 2 Lines 27 – 32, Page 3 Lines 1 – 33, Page 4 Lines 1-3

Note that the changes proposed to this section are identical to the changes proposed in the C-1 zone, therefore analysis is the same.

IV. COMMENTS

AGENCY CONCERNS

There were no adverse comments. The Mid Region Council of Governments is in full support of this request as the proposed amendment conforms to the 2035 MTP goals for the Albuquerque Metropolitan Planning Area (AMPA).”

The Transit Department is in full support and commented that consideration should be given to: better defining Transit Corridors; requiring connectivity with the buffering requirements; and, removing the upper cap on dwelling units per acre.

The pre-hearing discussion meeting was held on March 16, 2011. Agency comments begin on page 14.

NEIGHBORHOOD CONCERNS

The Office of Neighborhood Coordination (ONC) notified the affected neighborhoods by email. Notification was also provided in the Neighborhood News. Staff has not received any comments from the public regarding this matter.

V. CONCLUSION

The proposed text amendments are to §14-16-2-16(A)(7), C-1 Neighborhood Commercial Zone and §14-16-2-17(A)(8), C-2 Community Commercial Zone, ROA 1994. The proposed text amendments would apply to C-1, C-2 zones along Transit Corridors, within Activity Centers, or located within designated Metropolitan Redevelopment Areas. The EPC's role is to make a recommendation to the City Council.

The purpose of the text amendment is to encourage higher density residential development in appropriated locations such as Transit Corridors, Activity Centers, and Metropolitan Redevelopment Areas without the mixed use, 5 acre requirement.

The Planning Department proposes the subject text amendments to allow residential land uses in C-1 and C-2 zones with the option to have it as part of a mixed-use development, but not as a requirement.

The proposed text amendments were announced in the Neighborhood News and e-mailed to neighborhood representatives. No inquiries or comments have been received as of this writing.

Staff finds that the proposed text amendments further applicable Goals and policies. However, the suggested conditions for recommendation of approval will help to ensure that applicable Goals and policies are furthered, clarify the proposed legislation and remedy inconsistencies. Staff recommends that an approval recommendation, with conditions, be forwarded to the City Council.

RECOMMENDED FINDINGS- 11EPC-40019, May 12, 2011- Zoning Code Text Amendments

1. This is a request to amend the text in Section 14-16-2-16(A)(7) and 14-16-2-16(A)(8) to allow and encourage residential dwelling units in appropriate locations in C-1 Neighborhood Commercial and C-2 Community Commercial zones.
2. The purpose of the text amendment is to encourage higher density residential development in activity centers, metropolitan redevelopment areas, and along transit corridors.
3. The EPC's task is to make a recommendation to the City Council regarding the proposed text amendments. The City Council is the City's Zoning Authority and will make the final decision. The EPC is a recommending body.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Comprehensive Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The proposed text amendments meets the intent of the Zoning Code (Section 14-16-1-3) by creating orderly, harmonious, and economically sound development while promoting the health, safety, convenience, and general welfare of the citizens of the City.
6. The proposed text amendments further the following, applicable Comprehensive Plan Goals and policies:
 - A. Activity Centers. The proposed amendments would further the goals and policies of Activity Centers by allowing multi unit housing in the C-1 and C-2 zones within an Activity Center. Allowing higher density residential uses on sites 0.5 acres or more will facilitate private development and redevelopment of mixed-use concentrations of housing and employment that supports transit and pedestrian activity. Infill development on small lots within Metropolitan Redevelopment areas will be encouraged and will promote public/private partnerships. (Policies II.B.7a, i and j.)
 - B. Air Quality. The proposed amendments would further Air Quality goals and policies by encouraging development of higher density housing along Transit Corridors and Community and Major Activity Centers where mass transit is readily available. (Policy II.C.1b.)
 - C. Transportation and Transit. The proposed amendments would further Transportation and Transit goals and policies by promoting a development form that meets the housing density targets listed on Table 11, Corridor Policies in the Comprehensive Plan (Table 11 attached). This amendment promotes land use regulations in support of creating additional housing within Transit Corridors that would encourage the use of mass transit. This request would help create private market conditions that support intensified development of jobs and housing in Major Transit corridors. (Policies II.D.4.a, b and c.)

D. Economic Development. The proposed amendments would further Economic Development goals and policies by allowing residential uses on lots .5 acres rather than limiting those uses to lots 5 acres and greater. Encouraging housing production within activity centers would help to balance jobs with housing and reduce the need to travel. Encouraging housing production along Transit Corridors promotes the use of mass transit. (Policies II.D.6.f and g.)

7. The Office of Neighborhood Coordination (ONC) notified the affected neighborhoods by email. Notification was also provided in the Neighborhood News. Staff has not received any comments from the public regarding this matter.
8. The Transit Department offered suggestions to improve the proposed text amendments; all have been considered and some have been incorporated into the proposed Conditions for Recommendation of Approval.

RECOMMENDATION- 11EPC-40019, May 12, 2011- Zoning Code Text Amendments

That a RECOMMENDATION OF APPROVAL of 11EPC-40019, a Text Amendment to the Zoning Code, be forwarded to the City Council, based on the preceding Findings and subject to the following conditions:

CONDITIONS OF APPROVAL: 11EPC-40019, May 12, 2011- Zoning Code Text Amendments

1. Page 1 Lines 13-16, Page 2 Lines 31- 32:

Change “along a Transit Corridor” to “within 660 feet from the right-of-way line of a Major or Enhanced Transit Corridor”...

2. Page 2 Lines 2 – 3, Page 3 Lines 13- 14:

Change “40 dwelling units per acre” to “40 dwelling units per net acre”.

Lorena Patten-Quintana
Staff Planner

Attachments: Table 22: Policy a: Type of Activity Centers (Albuquerque/Bernalillo County Comprehensive Plan)

Figure 30: Development Areas with Activity Centers and Transportation Corridors (Albuquerque/Bernalillo County Comprehensive Plan)

Table 11: Policy a: Corridor Policies (Albuquerque/Bernalillo County Comprehensive Plan)

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

If the intention is to remove the minimum area requirements of five acres, the proposed amendments will need to reflect that change. This proposed amendment will also allow residential uses within the C-3 zone.

Office of Neighborhood Coordination

4/4/11 – Article to be included in the next issue of the Neighborhood News newsletter and e-mail message to NA representatives

Long Range Planning

This request will support infill housing projects and offer property owners more development options. The proposal would only allow housing in these zones along transit corridors and in Designated Activity Centers; this provision will prevent inappropriate density in predominantly single-family areas.

CITY ENGINEER

Transportation Development Services

Reviewed, no comments.

Hydrology

The Hydrology section has no objection to the Zoning Code Amendment.

DEPARTMENT OF MUNICIPAL DEVELOPMENT

Transportation Planning

Reviewed, and no comments regarding on-street bikeways or roadway system facilities.

Traffic Engineering Operations

No comments received.

Street Maintenance

No comments received.

New Mexico Department of Transportation (NMDOT):

No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT
and NMDOT:**

Conditions of approval for the proposed Zone Code Amendment shall include:

1. None

WATER UTILITY AUTHORITY

Utility Services

ABCWUA has no comment on any of the cases scheduled for the May 12th EPC hearing.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Open Space Division

Open Space has no adverse comments

City Forester

POLICE DEPARTMENT/Planning

No Crime Prevention or CPTED comments concerning the proposed Amendment to Zoning Code request at this time.

SOLID WASTE MANAGEMENT DEPARTMENT

Approved. Must comply with SWMD Ordinance.

FIRE DEPARTMENT/Planning

No Comments

TRANSIT DEPARTMENT

This proposed text amendment could lead to intensification in Activity Centers and along Transit Corridors. Such intensification lies at the core of increasing modal split to transit, with the concomitant effect on SOV travel and by extension, control of VMT and greenhouse gas emission growth in the future.

But as we discussed there are areas in which the proposed language can be clarified and strengthened. Because it is already in Council format, we will rely on the page/line numbers of the draft you e-mailed to us on this date.

Question #1: On page 1/line13, and again on page 2/line 31 – “What is a “transit corridor”?”

The Activity Centers of the Centers and Corridors plan are mapped – digging into AGIS will actually reveal “hard” boundaries. The Transit Corridors on the Centers and Corridors map are just lines, with no boundaries, which calls into question what “located along” can mean.

We would suggest giving those lines form by defining them as “encompassing any premises wholly or partly within the area defined by a line set 660 feet from the nearest right-of-way line of the arterial or collector road denominated as a “transit corridor”, including intervening rights-of-way”. On Central Avenue, for instance this would set the entitlement at about two city blocks deep. We feel this distance is appropriate in that it would [1] allow the assembly of properties of sufficient depth to warrant redevelopment and [2] would allow development with direct connectivity to the transit corridor to be of sufficient size as to generate usable ridership potential and [3] if left un-gated and un-walled allow peripheral connectivity from areas farther away from the transit corridor. (In this regard, see our comments regarding “special buffer landscaping”.)

We would apply this change to the Major and Enhanced Corridors. As you can see by looking at the Centers and Corridors map, the Express Corridors are very long and pass areas of radically different intensity. It would be desirable to expand the number of Activity Center “nodes” along the Express Corridors and apply the rules within those centers. We understand that mapping new Activity Centers is not in the purview of this text amendment.

Another consideration would be that, often, Activity Centers are congruous with Sector Plans. While it is normal for the more prescriptive rules to apply when two standards apply to the same property, we would hope that the desire for more density is seen as being the more prescriptive. It is demonstrable that with careful attention to urban context it is possible to develop residential projects with moderately lower parking and open space standards... that by treating such developments as part of an urban context rather than a “single use on a single site” it is possible to balance uses, share parking, and supply common open space to achieve more land use intensity.

Question #2: On page 2/line 20, and again at page 3/line 31 - “Why buffer?”

In both instances, it would appear the purpose is to buffer the new residential development against the effects of non-residential uses and zones. We submit this is the wrong approach – we don’t want to put housing next to a commercial use (say a grocery store – and then wall them off from each other. We would more clearly understand that the interface between development fostered by this language and existing single-family neighborhoods might be desirable. But by requiring such buffering against non-residential uses simply means that persons living on the transit corridor might then be separated by the buffer from jobs, schools, basic community services.

Consequently, this language should take the approach that the buffer, while required, would encourage pathways and points of connection with surrounding properties and uses outside the “transit corridor”.

Question #3: On page 2/line 2 and again on page 3/line 13,” - “Why 40 DU per acre?”

The proposed intensity limit is a “minimum floor area ratio of 0.3” and a density of “no more than 40 dwelling units per acre”. It would be quite possible, on the minimum five acre site, to do a rather conventional suburban project of about 65 small townhouses based on these standards. Higher intensity and density is demonstrably feasible. “Downtown at 700 2nd Street”, for instance, weighs in at an FAR of 1.26, and 99 dwelling units per acre. Please note too that the way in which this is written today, while a minimum FAR is required, we believe the maximum would run afoul of 14-16-2-12.F. The upper cap needs to be removed.

The future success of transit lies in creating ridership in close proximity. We would strongly recommend a minimum of FAR 0.50 and 60 DU/acre along the transit corridors, and 100 DU/acre in all Major and Community Activity Centers. Higher densities can be more readily achieved if parking ratios are lowered, and if on-site usable open space is allowed to be aggregated, perhaps on rooftops. Desirably, open space on site would be extremely limited, such as it is in Edo. The street itself should be an active place – open space opportunities off-site will help get people into the public realm of the street, and hence to the realm of transit.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

ALBUQUERQUE PUBLIC SCHOOLS

This proposal will have impacts to the APS district, as it will bring more students to impacted areas.

MID-REGION COUNCIL OF GOVERNMENTS

The Mid Region Metropolitan Planning Organization (MRMPO) staff has reviewed the proposed amendment in regards to the impact on transportation planning. MRMPO is in full support of the proposed text amendment to the zoning code, which allows permissive residential uses for C-1 and C-2 zoning along transit corridors, major activity centers and within designated MRAs. From a transportation standpoint, the proposed amendment conforms to our 2035 MTP’s goals and vision for the Albuquerque Metropolitan Planning Area (AMPA).

The proposed amendment serves as a step in the right direction for the AMPA, which has faced and will continue to face challenges in rapid population growth, residential land consumption, congestion on river crossings, and an increase in traffic on roadways. Growth in the

metropolitan area is largely inevitable. The challenge lies in planning for how this growth will be distributed and the proposed amendment is a key for addressing the challenges ahead.

Permissive residential uses in appropriate areas will be beneficial because the text amendment promotes the opportunity for increased infill and land use patterns that could significantly impact how well major transportation corridors will function in the future. This amendment also facilitates opportunities for individuals to live closer to work, services and transit routes, which promotes and provides opportunities for alternative modes of transportation.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has no comments based on information provided to date.