



***Environmental
Planning
Commission***

***Agenda Number:
Project Number: 1008098
Case #: 13EPC-40087
March 14, 2013***

Staff Report

<i>Agent</i>	City of Albuquerque Planning Department
<i>Applicant</i>	City of Albuquerque
<i>Request</i>	Sector Development Plan Text Amendment
<i>Location</i>	Downtown Area – located within boundaries of Marble Ave. and Slate Ave. between Los Tomases and the Railroad on the north; the Railroad and Broadway north of Coal Ave. on the east; Coal Ave. between the Railroad and Tenth Ave. on the south; Tenth Ave. and Eighth Ave. between Coal Ave. and Tijeras, and Seventh Ave. between Tijeras and Marble Ave. on the west.
<i>Current Zoning</i>	SU-3 Housing Focus, Warehouse Focus, Mixed-Use Corridor, Government/Financial/Hospitality Focus, Arts & Entertainment Focus
<i>Proposed Zoning</i>	No Change Proposed

Staff Recommendation

That a recommendation of APPROVAL of 13EPC-40087 be forwarded to the City Council, based on the Findings on Page 9.

Staff Planner

Chris Glore, AICP - Planner

Summary of Analysis

The City of Albuquerque City Council proposes to amend the text of the Downtown 2010 Sector Development Plan (DTSDP) to amend the requirements for lighting in existing non-conforming Commercial Surface Parking Lots (CSPLs). Requirements for landscaping, paving and buffering of existing non-conforming CSPLs would not be changed.

The purpose of the text amendment is to allow existing light standards and fixtures in non-conforming CSPLs to be used to the end of the fixture's useful life, instead of the current requirement that all of the light standards and fixtures be replaced before the November 1, 2013 deadline.

New CSPLs would continue to be prohibited. Existing CSPLs would continue to be legal, non-conforming uses, and compliance with the landscaping, buffering and paving requirements would be due on or before November 1, 2013.

The request is consistent with applicable goals and policies of the Comprehensive Plan and the Downtown 2010 Sector Development Plan.

Adjacent neighborhoods were notified. Notice was published in the Neighborhood News and posted on the Planning Department's website.

The EPC is charged with reviewing the proposal and forwarding a recommendation to the City Council, which has authority to amend the Sector Development Plan.

Staff recommends that a recommendation of approval be forwarded to the City Council.

City Departments and other interested agencies reviewed this application from 02/04/2013 to 02/15/2013. Agency comments used in the preparation of this report begin on Page 11.

I. INTRODUCTION

Request

This request is for a text amendment to the Downtown 2010 Sector Development Plan (DTSDP). The purpose of the proposed text amendment is to amend the requirements for lighting in existing non-conforming Commercial Surface Parking Lots (CSPLs). All other established requirements regarding landscaping, paving and buffering for existing non-conforming CSPLs will be unchanged.

This request is to amend the text of the Downtown 2010 Sector Development Plan to change the time period within which lighting fixtures on any existing non-conforming CSPL within the Downtown 2010 Plan area, that are non-conforming as to height and/or lumens (lighting brightness), must be replaced on or before November 1, 2013. A City Council Resolution (R-13-126) initiated the proposed text amendment. The City Council Resolution stipulates that the last sentence of the seventh paragraph on page 4 of the DTSDP first amendment (R-2010-141) shall be revised to read (added text underlined):

7. Adequate lighting at commercial surface parking lots is a public safety issue and, therefore, shall be provided within one year of the effective date of this amendment to the Downtown 2010 Sector Development Plan. There shall be no extension of the one-year compliance timeframe except for parking lots with existing on site lighting that exceeds the allowable pole height and/or meets or exceeds the maximum lumens shall be allowed to remain for the life of the fixture.

The current requirements in regard to lighting for any CSPL within the area subject to the DTSDP include the following:

B. Lighting Requirements for Legal Non-Conforming Commercial Surface Parking Lots:

1. A commercial surface parking lot which qualifies as a legal non-conforming use shall provide adequate lighting for safety and visibility at night.
2. Adequate lighting requires that commercial surface parking lots shall be illuminated with a minimum maintained one half (0.5) foot-candle of light at ground level during the hours of darkness, maximum to minimum uniformity ratio lighting in parking areas shall be 15:1. This means that when the minimum is at 0.5 footcandle of light, the maximum footcandle level shall not be higher than 7.5 footcandles.)
3. Landscaping shall not be planted so as to obscure required light levels.
4. Parking lot lights shall be designed and arranged in such a manner so that light is reflected away from adjoining residential properties and streets.
5. All light poles, standards and fixtures shall not exceed a height of twenty feet (20') above grade level.
6. All commercial surface parking lots shall comply completely with the illumination requirements in section 14-16-3-9 (A) and (C) of the Area Lighting Regulations of the City's Zoning Code.
7. Adequate lighting at commercial surface parking lots is a public safety issue and, therefore, shall be provided within one year of the effective date of this amendment to the Downtown 2010 Sector Development Plan. There shall be no extension of the one-year compliance time frame.

If the proposed text amendment is approved, new CSPLs, currently prohibited in the DTSDP, would continue to be prohibited. CSPLs that existed prior to DTSDP adoption would still be allowed to continue as legal, non-conforming uses and the proposed text amendment to lighting requirements would apply to them.

History

The City Council adopted the Downtown 2010 Sector Development Plan by Resolution (Council Bill R-21) in 2000. On November 1, 2010, the City Council adopted text amendments to define and regulate commercial surface parking lots (R-2010-141). The amendments prohibited new CSPLs, and made existing lots legal, non-conforming uses that had to meet landscaping, lighting, buffering and paving requirements already contained within the DTSDP before November 1, 2013.

Context

The following definitions from the Zoning Code (*Zoning Code §14-16-1-5(B)*) are relevant to the proposed text amendment:

COMMERCIAL SURFACE PARKING LOT. An area of land used to provide parking, as a commercial enterprise, for four or more motor vehicles for a fee. Such a parking lot is not primarily associated with any other use. The term does not include a commercial parking garage which is a building primarily used for the provision of parking for a fee.

LUMINANCE. The brightness of an object, expressed in terms of foot-lambert, determined from a point five feet above grade on another premises or the public right-of-way, but no closer than 20 horizontal feet from the object measured.

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.

PARKING LOT. An area or structure used for temporary parking of automobiles and pickup-sized trucks, providing four or more parking spaces, not within the public right-of-way, none of which are required off-street parking.

Purpose/Intent

The proposed text change is intended to allow existing non-conforming parking lot lighting fixtures to be utilized to the end of the fixture's useful lifetime, rather than the current DTSDP requirement that the existing non-conforming poles and fixtures be replaced immediately. This will lower the costs otherwise incurred by owners of the existing non-conforming CSPLs, including a cost savings of approximately \$100,000 to the City.

The following language relevant to the proposed text amendment exists in the DTSDP by virtue of the text amendments adopted in November, 2010 (cited completely above):

2. Adequate lighting requires that commercial surface parking lots shall be illuminated with a minimum maintained one half (0.5) foot-candle of light at ground level during the hours of darkness, maximum to minimum uniformity ratio lighting in parking areas shall be 15:1. This means that when the minimum is at 0.5 footcandle of light, the maximum footcandle level shall not be higher than 7.5 footcandles.)

5. All light poles, standards and fixtures shall not exceed a height of twenty feet (20') above grade level.

7. Adequate lighting at commercial surface parking lots is a public safety issue and, therefore, shall be provided within one year of the effective date of this amendment to the Downtown 2010 Sector Development Plan. There shall be no extension of the one-year compliance time frame.

The proposed new text for the DTSDP is to be inserted at the end of Section 7 of the prior text amendment legislation, as follows (added language is underlined):

There shall be no extension of the one-year compliance time frame except for parking lots with existing on site lighting that exceeds the allowable pole height and/or meets the minimum lumens shall be allowed to remain for the life of the fixture.

Environmental Planning Commission (EPC) Role

The EPC is a recommending body with review authority. 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. Pursuant to §14-16-2-23 (SU-3 Special Neighborhood Zone) the EPC must make a recommendation to the City Council on a proposed Sector Development Plan amendment affecting an area exceeding one block.

II. ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Note: Policy citations are in regular text; *Staff analysis is in bold italics.*

CHARTER OF THE CITY OF ALBUQUERQUE

The Citizens of Albuquerque adopted the City Charter in 1971. Applicable articles include:

Article I, Incorporation and Powers

“The municipal corporation now existing and known as the City of Albuquerque shall remain and continue to be a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or charter. Unless otherwise provided in this Charter, the power of the city to legislate is permissive and not mandatory. If the city does not legislate, it may nevertheless act in the manner provided by law. *The purpose of this Charter is to provide for maximum local self government.* A liberal construction shall be given to the powers granted by this Charter.” (emphasis added)

This Article provides clarification that a sector development plan, and any amendment thereto, is an exercise in local self-government and falls within the City’s powers (City Charter, Article I).

Article IX, Environmental Protection

“The Council (City Commission) in the interest of the public in general shall protect and preserve environmental features such as water, air and other natural endowments, ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment. To affect these ends the Council shall take whatever action is necessary and shall enact ordinances and shall establish appropriate Commissions, Boards or Committees with jurisdiction, authority and staff sufficient to effectively administer city policy in this area.”

Amending regulations regarding lighting in existing CSPLs generally expresses the Council’s desire to ensure the proper use and development of land, and promote and maintain a humane urban environment (City Charter, Article IX).

ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN

The Comprehensive Plan, the Rank I planning document for the City, contains goals and policies that provide a framework for development and service provision. The Plan’s goals and policies serve as a means to evaluate development proposals and requests for text amendments such as this.

The Downtown 2010 Core area is located within the Comprehensive Plan’s designated Central Urban, which is a portion of the Established Urban area. Goals and policies for both the Central Urban and Established Urban areas apply. Applicable goals and policies include:

Central Urban Area Goal: The Goal is “to promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.”

The proposed text amendment would not adversely affect ongoing efforts to help promote the Central Urban area. The proposed text amendment would allow property owners of existing non-conforming CSPLs to utilize lighting already in place, while not absolving the property owners from the responsibility of making all of the required improvements, including installing lighting if

none currently exists. The proposed text amendment will not adversely affect the Central Urban Area Goal.

Developing and Established Urban Areas Goal: The Goal is “to create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

The current requirements of the DTSDP for aesthetic improvements to existing non-conforming CSPLs in the Downtown will not be affected by the proposed text amendment. The request allows for owners of these parking lots to make more efficient use of existing lighting poles and fixtures if already present. The proposed text amendment will not adversely affect the Developing and Established Urban Area Goal.

Policy II.B.5.1: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

The proposed text amendment will not affect new development. If the text amendment is approved, policy will be made that the existing CSPL lighting is appropriate to the Plan area.

Policy II.B.5.m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

The proposed text amendment will not affect site design or unique vistas. The request will not rescind any requirements for parking lot improvements, but will allow property owners of existing non-conforming CSPLs more time to utilize lighting already in place. The proposed text amendment is not contrary to Policy II.B.5.m.

Policy II.B.5.o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

The proposed text amendment will not affect redevelopment within the DTSDP area. The proposed text amendment is not contrary to Policy II.B.5.o because it will enable owners of non-conforming CSPLs, if any remain, to focus on paving and landscaping improvements.

CENTRAL URBAN AREA

Goal: To promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.

The proposed text amendment will not hinder efforts to promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities. The proposed text amendment is not contrary to this Goal.

Policy II.B.6.b: Upgrading efforts in neighborhoods within the Central Urban Area should be continued and expanded and linkages created between residential areas and cultural/arts/recreation facilities.

The current requirements of the DTSDP for aesthetic improvements to existing non-conforming CSPLs with improved lighting, landscaping, paving and buffering will not be affected by the

proposed text amendment. The request would allow owners of these parking lots to make more efficient use of existing lighting poles and fixtures if already present. The proposed text amendment will not affect linkages between residential areas and cultural/arts/recreation facilities and will not adversely affect Policy II.B.6.b.

RANK 2, RANK 3 OR MRA PLANS

DOWNTOWN 2010 SECTOR DEVELOPMENT PLAN

The Downtown 2010 Sector Development Plan (DTSDP) focuses on the Downtown core area, which is approximately 321 acres bound by Marble Ave. and Slate Ave. between Los Tomases and the Railroad on the north; the Railroad and Broadway north of Coal Ave. on the east; Coal Ave. between the Railroad and Tenth Ave. on the south; Tenth Ave. and Eighth Ave. between Coal Ave. and Tijeras, and Seventh Ave. between Tijeras and Marble Ave. on the west. The boundaries are shown on Figure 1 in the DTSDP. The Plan sets forth goals and policies regarding land use and community character.

The overarching Goal of the DTSDP is “to make Downtown Albuquerque the best mid-sized downtown in the USA”. To achieve this goal, the Plan seeks to implement a “Park Once and Pedestrian First” concept that will reinforce the commitment to Downtown revitalization. The Plan contains policies and implementation actions for 10 topics, such as Transportation and Parking, Land Use/Design, Urban Housing, Urban Retailing and Employment. There are regulations by building type and design standards, including design standards specific to Surface Parking. Applicable policies and implementation actions of the DTSDP are as follows:

Transportation & Parking (p. 7)-

Policy: Make Downtown a “pedestrian-first, park once” place with excellent pedestrian, transit and bicycle facilities.

The requirements for improved lighting, landscaping, paving and buffering for existing CSPLs support the “Park Once and Pedestrian First” concept by improving the parking and walking experience in Downtown. The proposed text amendment will not eliminate these requirements, but will extend the period of time allowed for compliance with lighting requirements for existing CSPLs. The request will not adversely affect the Transportation & Parking policy.

Land Use & Design (p. 8)-

Policy: Make Downtown New Mexico’s premier pedestrian-oriented “urban place”.

The required improvements for lighting, landscaping, paving and buffering of CSPLs supports pedestrian activity in Downtown by improving the experience of pedestrians, including motorists who park and become pedestrians. The proposed text amendment will not adversely affect the Land Use & Design policy.

B. Pedestrian Orientation and Parking, Standard 5: Surface Parking (p. 55)-

Intent: Streets and sidewalks lined with buildings rather than parking lots.

The proposed text amendment will not change the current prohibition on new CSPLs (see p. 34 of the Plan), which supports the intent for streets and sidewalks to be lined with buildings rather than parking lots. The text amendment request neither furthers nor hinders the intent of Standard 5.

ALBUQUERQUE COMPREHENSIVE ZONING CODE

Authority and Purpose (summarized): The Zoning Code is Article 16 within Chapter 14 of the Revised Code of Ordinances of Albuquerque, New Mexico, 1994 (often cited as ROA 1994). The administration and enforcement of the Zoning Code is within the City's general police power authority for the purposes of promoting the health, safety, and general welfare of the public. As such, the Zoning Code is a regulatory instrument for controlling land use activities for general public benefit.

Amendment Process (summarized): The City Council is the zoning authority for the City of Albuquerque and has sole authority to amend the Zoning Code. Through the City Charter, the City Council has delegated broad planning and zoning authorities to the Environmental Planning Commission (EPC). The EPC is advisory to the City Council regarding proposed text amendments to the Zoning Code.

The proposed text amendment will generally further the intent of the Zoning Code to promote the health, safety and general welfare of the public because it would affect the timing of one of the requirements to improve existing non-conforming CSPLs. Thus it would affect the parking and walking experience in Downtown in support of the DTSDP's goal of a "Park once, pedestrian first" environment. However, as the zoning authority for the City of Albuquerque, the City Council will make the final determination on the proposed text amendment.

Zoning Analysis

The proposed text amendment to the Downtown 2010 Sector Development Plan is for existing CSPLs within the Downtown Core, zoned SU-3 Housing Focus, Warehouse Focus, Mixed-Use Corridor, Government/Financial/Hospitality Focus, Arts & Entertainment Focus. The City Council adopted the Downtown 2010 Sector Development Plan by Resolution (Council Bill R-21) in 2000.

On November 1, 2010, the City Council adopted text amendments to define and regulate commercial surface parking lots (R-2010-141). The amendments prohibited new CSPLs, and made existing lots legal, non-conforming uses that must meet landscaping, lighting, buffering and paving requirements already contained within the DTSDP, within a period not to exceed three years. The time period for bringing the existing parking lots into compliance will expire on November 1, 2013.

The proposed text amendment would remove the November 1, 2013 deadline for existing light fixtures on existing lots. During the text amendment agency review period, between February 4 and February 15, 2013, Zoning staff was consulted as to the Code definition of a CSPL applied to this proposed text amendment. The opinion of the Zoning Manager and Assistant Manager is that based on the existing definition, CSPLs do not include any surface parking lots providing parking exclusively or primarily for employees. Thus, while several parking lots exist in the Downtown that provide leased parking to employees on a monthly basis, these lots do not meet the definition of a CSPL and are not legally required to be in conformance with the landscaping, lighting, buffering and paving requirements under lots (R-2010-141).

In addition, the requirements made by the prior text amendment (R-2010-141) refer back to the illumination requirements in Section 14-16-3-9 (A) and (C) of the Area Lighting Regulations of the City's Zoning Code. The luminance standard of measurement in Section 14-16-3-9 (foot-lamberts) and the standard of measurement cited in the prior text amendment (foot-candle) are conflicting and CSPL foot-candle luminance cannot be measured by Code Enforcement.

Code Enforcement staff were also consulted during the agency review period. The results of efforts by Code Enforcement to bring existing non-conforming CSPLs into compliance has resulted in one CSPL owner removing the paybox (7th St. and Gold Ave.) thereby removing the lot as a CSPL, two of the existing CSPLs receiving variances to the requirements for lighting (600 Marquette Ave. NW and 615 Marquette Ave. NW/401-411 6th St. NW) following a hearing before the Zoning Hearing Examiner on November 19, 2012, and one existing CSPL (618 Gold Ave.) the subject of a variance application for lighting requirements. All of the other CSPLs within the DTSDP area are already in compliance or working toward November 1, 2013 compliance in conjunction with Code Enforcement staff.

III. CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

Agency comments on the proposed text amendments can be found on pages 11 - 13 of this staff report.

IV. NEIGHBORHOOD/PUBLIC CONCERNS

The proposed text amendments were announced in the Neighborhood News and posted on the Planning Department's web page. The Office of Neighborhood Coordination (ONC) notified the affected neighborhood representatives by mail pursuant to O-92, the Neighborhood Recognition Ordinance.

V. CONCLUSION

The City of Albuquerque City Council has proposed the text amendment to the DTSDP in order to allow more efficient use of existing infrastructure, specifically light poles and fixtures, already located on some existing non-conforming CSPLs. If any of the non-conforming CSPLs lack lighting, they will be subject to enforcement actions if not brought into compliance by November 1, 2013.

The definition for a Commercial Surface Parking Lot (CSPL) adopted with the text amendment approved on November 1, 2010 is to "provide parking, as a commercial enterprise, for four or more motor vehicles for a fee. Such a parking lot is not primarily associated with any other use." Thus, the surface parking lots providing fee parking only or primarily to employees, and not to the general public, are not subject to the CSPL requirements for lighting, landscaping, paving and buffering. The surface parking lots providing free parking for customers of a business or governmental agency are also not subject to the CSPL requirements, although some are in compliance.

Enforcement Implications

Staff consulted with Code Enforcement staff regarding the potential implications of the proposed text amendments, in the interest of minimizing future enforcement difficulties. Code Enforcement stated that they cannot currently measure CSPL lighting for intensity in regard to foot-candle luminance. In addition, Code Enforcement staff has been working with the owners of the existing CSPLs and expect to have all of the CSPLs in compliance with the requirements, including lighting, on or before the November 1, 2013 deadline. The exceptions are three lots that have received, or applied for, variances to the non-conforming CSPL lighting requirements.

Staff recommends an approval recommendation be forwarded to the City Council.

FINDINGS – CASE 13-EPC-40087, MARCH 14, 2013, TEXT AMENDMENT TO THE DOWNTOWN 2010 SECTOR DEVELOPMENT PLAN

1. This is a request to amend the text of the Downtown 2010 Sector Development Plan, to change the timing of when required lighting improvements must be made to existing, non-conforming CSPLs throughout the Downtown Core. The proposed text amendment was initiated by a City Council Resolution.
2. The role of the EPC is to make a recommendation to the City Council regarding the proposed legislation. The City Council is the Zoning Authority for the City of Albuquerque and will make the final decision on the proposed legislation.
3. Adoption of the proposed text amendment will extend the time period for which existing non-conforming CSPL lighting is replaced. Adoption of the text amendment will allow existing CSPL fixtures, possibly brighter than the current maximum, to remain for the life of the fixture. When the lighting fixtures must be replaced, the replacement fixtures and poles will be conforming to current standards.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the Downtown 2010 Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. Approving the Sector Development Plan is an exercise in local self-government (City Charter, Article I). Regulating the timing of compliance with regulations for non-conforming CSPLs regarding lighting expresses the City Council's desire to ensure the proper use and development of land (City Charter, Article IX).
6. The proposed text amendment is consistent with the Comprehensive Plan's Developing and Established Urban Areas goals and Policies II.B.5.1, II.B.5.m and II.B.5.o; and with Central Urban Areas goals and Policies II.B.6.a and II.B.6.b by continuing to require compliance with the existing non-conforming CSPL lighting requirements improvements on a more flexible and efficient schedule.
7. The proposed text amendment meets the Downtown 2010 Sector Development Plan goals and Policy TP1 and Policy LUD1. These policies are to improve streets and sidewalks to focus on serving pedestrians first and to make Downtown New Mexico's premier pedestrian-oriented "urban place".
8. The adjacent neighborhood associations (Barelas Neighborhood Association, Santa-Barbara-Martineztown Association, Downtown Neighborhoods Association, Reynolds Addition Neighborhood Association, Huning Highland Historic District Association, and South Broadway Neighborhood Association) were notified. There is no known opposition to this request.

RECOMMENDATION - CASE 13-EPC-40087, MARCH 14, 2012, TEXT AMENDMENT TO THE DOWNTOWN 2010 SECTOR DEVELOPMENT PLAN

That a Recommendation of APPROVAL of case 13-EPC-40087, to amend the text of the Downtown 2010 Sector Development Plan, be forwarded to the City Council based on the preceding Findings.

Notice of Decision cc list:

Javier Benevidez, 1115 Barelaz SW, Albuquerque NM 87102
Dorothy Chavez, 612 10th St. SW, Albuquerque NM 87102
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Ivan Westergaard, 1008 Calle Garza NE, Albuquerque NM 87113
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Carol Pimentel, 340 Prospect NE, Albuquerque NM 87102
Christina J. Chavez, 517 Marble NE, Albuquerque NM 87102
Grace Gibson, 702 Broadway SE Unit A-6, Albuquerque NM 87102
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Deborah Stover, 100 Gold St. SW Suite 204, Albuquerque NM 87102
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Chris Catechis, 5733 Guadalupe Trail NW, Albuquerque NM 87107
David Wood, 158 Pleasant NW, Albuquerque NM 87107

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

The proposed text amendment regarding the height of light poles is unnecessary since anything erected above ground level that is nonconforming to the height regulations of the zone or the general regulations can remain for the life of the structure. Reference section 14-16-3-4(A)(5)

There are no enforcement actions by this office either past or present anywhere in the City against structures of any kind which are nonconforming to height.

The code enforcement office believes that a proposed amendment to regulate area lighting using foot candles as opposed to foot lamberts to measure brightness could create a conflict with the existing regulations of section 14-16-3-9. We believe this portion of the amendment should be removed all together.

Office of Neighborhood Coordination

Barelas NA (R),
Broadway Central Corridors Partnership, Inc. (R),
Citizen's Information Committee of Martineztown (R),
Downtown NA (R),
Huning Highland Historic District Assoc. (R),
Martineztown Work Group
Raynold Addition NA (R),
Santa Barbara-Martineztown Assoc. (R),
South Broadway NA (R),
Downtown Action Team
North Valley Coalition

Long Range Planning

No comments received.

CITY ENGINEER

Transportation Development Services

Reviewed, no comment.

Traffic Engineering Operations

No comments received.

Hydrology

Reviewed, no objection.

DEPARTMENT OF MUNICIPAL DEVELOPMENT

Transportation Planning

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

Street Maintenance

No comments received.

WATER UTILITY AUTHORITY

Utility Services

No comments received.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

No comments received.

Environmental Services Division

No comments received.

PARKS AND RECREATION

Planning and Design

No comments received.

Open Space Division

No comments received.

City Forester

No comments received.

POLICE DEPARTMENT/PLANNING

No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT

No comments received.

TRANSIT DEPARTMENT

No comments received.

FIRE DEPARTMENT/PLANNING

No comments received.

COMMENTS FROM OTHER AGENCIES

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comments received.

ALBUQUERQUE PUBLIC SCHOOLS

No comments received.

BERNALILLO COUNTY

No comments received.

MID-REGION COUNCIL OF GOVERNMENTS

No comments received.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT):

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

No comments received.