



**Environmental
Planning
Commission**

**Agenda Number: 13
Project Number: 1001620
Case #'s: 07EPC 40084
21 February 2008**

Staff Report

Agent	City of Albuquerque Planning Dept.
Applicant	City of Albuquerque City Council
Request	Amendment to the Code of Ordinances
Legal Description	Proposed Section 14-20-1-1 et. seq.
Location	City- Wide
Size	N/A
Proposed Zoning Categories	TOD-MAC (Transit Oriented Development – Major Activity Center), TOD-CORCOM (Transit Oriented Develop. – Corridor / Community Activity Center), PVD (Planned Village Development), CAM (Campus Zone), MX (Mixed Use Zone) and ID (Infill Development)

Staff Recommendation

DEFERRAL of 07EPC 40084 for 30 days to the 20 March 2008 EPC hearing, based on the Findings on page 11.

Staff Planners

**Carmen Marrone, Senior Planner
& Russell Brito, Division Manager**

Summary of Analysis

This is a proposal to create a new Form Based Code with zones that allow mixed use development in a variety of contexts to encourage a more efficient and sustainable urban form, contained in a new article of the Code of Ordinances, Section 14-20-1-1 et. seq.

The FBC as submitted is a good start to fulfilling the directives and guidance of the PGS, but additional information such as the allowed uses and the appropriate mix of uses for each new zone is needed. Comments from outside groups, citizens and other interested parties are needed so the submittal can be adjusted to a form that is acceptable and comprehensive.

City Departments and other interested agencies reviewed this application from 5 November 2007 to ONGOING.
Agency comments were used in the preparation of this report and begin on page 13.

BACKGROUND, HISTORY AND CONTEXT

This is a proposal to create a new Form Based Code (FBC) with zones that allow mixed use development in a variety of contexts to encourage a more efficient and sustainable urban form, contained in a new article of the Code of Ordinances, Section 14-20-1-1 et. seq. The Form Based Code was introduced at the November 5, 2007 meeting of the City Council per Ordinance 07-116 and referred to the Environmental Planning Commission for comments and recommendations. The proposal was scheduled to be heard by the EPC on December 20, 2007, but was deferred at the City Council's request to February 21, 2008.

According to the cover memo accompanying the proposal, the intent behind the Form Based Code is to create an alternative to our suburban zones and building code to allow a mixture of uses and the development of areas that are oriented toward pedestrians rather than automobiles. The Form Based Code will not replace the current Comprehensive Zoning Code and does not propose any specific zone map amendments. Rather, the FBC represents an alternative to the current zoning districts, where the emphases is on form rather than use. Any public or private entity that wants to use the FBC will need to apply for a zone map amendment and go through the normal public process.

The details of how the FBC will be applied have not yet been determined. Some suggested approaches include:

- Consider the FBC as recommendations in drafting new or updating existing Sector Development and Corridor Plans.
- Adopt the FBC through Community Activity Center Master Plans tailored to specific locations.
- Adopt the FBC as zone map amendments through the normal approval process.

The Form Based Code identifies a variety of building forms, establishes requirements for how the buildings must be situated on a lot (setbacks, location of parking, access to parking, etc.), regulates the way buildings relate to their neighboring uses (massing, height restrictions within a certain distance of single family development, etc), and regulates construction materials and wall configurations, the positioning of windows and doors, the placement of mechanical equipment and the character of lighting and signage.

In addition, the FBC introduces **six new zones** that allow mixed-use development in a variety of contexts. The new zones are as follows:

TOD-MAC (Transit Oriented Development-Major Activity Center) – This zone provides a compact urban form that is restricted to areas within walking distance (approximately ½ mile) of a major transit center such as the Alvarado Center and other major transit centers that may develop, and uses that are dependent upon, or may generate, a relatively high level of transit usage. This zone mixes intense commercial and residential forms that are highly pedestrian oriented.

TOD-CORCOM (Transit Oriented Development-Corridor/Community Activity Center)
– This zone is appropriate for development along Major Transit Corridors or in Community

Activity Centers that serve a relatively large area. This zone provides a mixture of residential, commercial, entertainment, civic, and employment uses that are restricted to areas within walking distance (1/8 to 1/4 mile) of transit stations, transit stops, and transit corridors, depending on location. Densities are transit supportive, but are smaller in scale than the TOD-MAC zone.

PVD (Planned Village Development) – This zone provides for complete neighborhoods that include a variety of housing types, central park/plaza areas, convenient retail and service uses, and a multi-modal system that connects all of the uses. PVD areas must include at least 15% and no more than 85% in residential building forms and at least 15% in non-residential forms. The zone is appropriate for large, undeveloped sites (160-320 acres) or in developed or partially developed areas. In established areas, the acreage is likely to be smaller. The zone includes separate regulations for Village Center, Village General, and Village Edge development.

MX (Mixed Use) – This zone provides a mixed-use environment with higher density residential, shopping, service, office, and entertainment uses. This zone permits commercial uses in a wider variety of situations than conventional zoning, subject to design standards. This zone is appropriate for establishing commercial mixed-use centers that serve residential neighborhoods, or to redevelop existing shopping centers.

CAM (Campus) – This zone is appropriate for employment, institutional and ancillary retail sites with high density residential uses. The zone includes generous open space and an internal pedestrian/biking network.

ID (Infill Development) – This zone is appropriate for the context-sensitive development of empty lots or the redevelopment of lots in substantially built up areas. In order to encourage infill development, while protecting the neighborhood context, the regulations for this zone include reduced front and side setbacks, reduced parking requirements, design standards and access requirements. A zone change to Infill Development should support the emergence of a Planned Village character in the neighborhood area where the development is taking place.

Public Outreach

Following the introduction of the Form Based Code to the City Council on November 5, 2007, the sponsor of the Bill, Councilor Benton, and council staff have been holding public outreach meetings in each Council District. These meetings have provided an opportunity for the public to be informed and to comment on the proposal. The public has raised many concerns with the proposal, particularly with the hurried pace that is being pursued by the sponsor of the Bill. According to council staff, the FBC will be revised to address the concerns raised by the public. Planning staff has not received a revised version of the FBC nor have we received a summary of the public outreach meetings to determine the general concerns being raised.

ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

The following analysis is a partial review based on the language as submitted. Planning Department staff is awaiting additional comments from some City Departments and outside agencies. Comments from other interested groups, including the local chapters of the American Institute of Architects (AIA) and the National Association of Industrial and Office Properties (NAIOP), have either just been submitted or are to be soon forthcoming. These comments include or will include suggestions for changes to the proposed text of the Form Based Code. Also, the agent for the applicant indicates that other changes may be proposed in the very near future.

City Council staff has been conducting education and outreach meetings in each of the City Council districts. Potential comments from individual citizens and neighborhood groups may further alter the review of and ultimate content of the submitted Form Based Code. A final analysis and recommendation from Planning Department staff will not be possible until all issues, concerns and other input can be compiled and addressed throughout the EPC review process.

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.

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]

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, **insure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment.** To effect 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.” [emphasis added]

The proposed text amendment to the City's Code of Ordinances is an exercise in maximum local government. The City Council has the authority to create development entitlements and associated regulations through legislative action (Article I). The proposed review and development processes will permit applicants to request the proposed land use categories at public hearings, rather than making them mandatory across the City.

The proposed text amendment is intended to further the interest of the public by insuring the proper use of land and promoting and maintaining an aesthetic and humane urban environment. Where appropriate, the proposed land use categories will allow for the proper use and development of land to promote and maintain an aesthetic and humane urban environment. The proposed land use categories are intended to take advantage of infrastructure and services already existing in the developed portions of the City, while striving to maintain surrounding, existing neighborhoods and their identities (Article IX).

Albuquerque / Bernalillo County Comprehensive Plan

The proposed text change to the VHS DP is subject to the *Comprehensive Plan Goals* and applicable policies for Activity Centers, Developed Landscape, Community Identity and Urban Design, Transportation and Transit, Housing and Economic Development.

The Activity Centers "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 a Existing and proposed Activity Centers are designated by a Comprehensive Plan map* 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. Each Activity Center will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation. The following table specifies policy objectives for each type. [See table in hard copy Comp Plan]

The intent of the Form Based Code (FBC) is to give property owners and developers options for land use that will create, and in some cases, strengthen concentrations of mixed land use which help reduce urban sprawl, auto travel and service costs. Specific land uses need to be identified, though, to ensure that a proper mix of appropriate uses are attached to each zone. Furthermore, the ability to customize the mix of uses for individual sites and activity centers, in addition to the general and component design standards, will help to enhance the identity of individual communities within Albuquerque.

The submitted text amendments to the City's Code of Ordinances provide entitlements and regulations for development that will contribute to sustainability, mixed uses and promotion of transit and pedestrian access. Development that occurs within one of the proposed zones will

be able to take advantage of existing City services, which will maximize the cost-effectiveness of the investment already made by the City.

Policy b Net densities above 30 dwelling units per acre should generally be within Major Activity Centers; lower net densities in areas surrounding all types of Activity Centers will serve as a transition to residential neighborhoods.

The FBC includes a variety of zones that allow for the desired densities outlined in this policy, which will give guidance to applicants, Planning staff and the Planning Commission when selecting the appropriate zone category for a given site. The required, public review process will also help to ensure that the ultimate density is compatible with the surrounding, existing neighborhood(s).

Policy c Structures whose height, mass or volume would be significantly larger than any others in their surroundings shall be located only in Major Activity Centers to provide for visual variety and functional diversity in the metropolitan area while preserving pleasing vistas and solar access.

The public review process for changing to a FBC zone will ensure that the appropriate zone is established for each individual site and center. A requirement for site development plan review would make sure that proposed development responds to and reflects the identity of adjacent and nearby neighborhoods and is acceptable to surrounding residents.

Policy d Size, functional diversity, and supporting market area are the primary determinants for designation as an Activity Center. Smaller Activity Centers serving surrounding neighborhoods may be developed, but are not designated or mapped.

The criteria of the FBC for each zone category, such as a distance requirement from transit service, will ensure that more intense development is appropriately located.

Policy e New Activity Centers may be designated and added to the Comprehensive Plan through local government review and approval based upon the following criteria:

- The proposed Activity Center's potential for shaping the built environment, consistent with policies of the Comprehensive Plan.
- Market potential for concentrating activities to higher than average intensities, and potential for promoting infill of vacant land inside the existing urban services boundary.
- Appropriateness of the proposed Activity Center, including location relative to the market area and access/connections including transit service potential.
- Fiscal impact of the proposed Activity Center on City government and the private sector.

- Compatibility of the proposed Activity Center with surrounding neighborhoods.
- Capacity and availability of public services such as transportation, water, and sewer systems to support the Activity Center as proposed.
- Environmental impact of the proposed Activity Center.

Changes of zoning and subsequent development as per FBC zoning that occurs within and nearby a proposed Activity Center may serve as precedence for Activity Center designation.

Policy f The most intense uses in Activity Centers shall be located away from nearby low-density residential development and shall be buffered from those residential uses by a transition area of less intensive development.

The design standards for FBC zones require transition areas, but community response to the proposed dimensions and requirements for the transition areas may necessitate altering the proposal as currently submitted.

Policy g Activity Center locations shown on a Comprehensive Plan map, and their predominate uses in accordance with their unique roles and expected needs of the community, shall be developed in accordance with more specific sub-area planning efforts.

The submitted FBC has a variety of zones that can be applied to a specific Activity Center location in appropriate combinations. Site development plan review should be made a requirement for changes to FBC zones to fulfill the sub-area planning intent.

Policy h Changing zoning to commercial, industrial or office uses for areas outside the designated Activity Centers is discouraged.

The FBC zones will be available outside of designated Activity Centers, but should generally be adjacent to or nearby transit service in a linking Corridor.

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

The FBC zones allow for a variety of uses, including multi-unit housing.

Policy j 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.

Changes to FBC zones may necessitate upgrades to existing infrastructure to accommodate increased traffic, service provision, etc. A pattern and/or trend of changes to FBC zones in a specific area will help the City to plan for and project the need for capital expenditures.

The Developed Landscape “Goal is to maintain and improve the natural and the developed landscape’s quality.” Applicable policies include:

Policy a The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

Policy d Landscaping shall be encouraged within public and private rights-of-way to control water erosion and dust, and create a pleasing visual environment; native vegetation should be used where appropriate.

Policy e In highly scenic areas, development design and materials shall be in harmony with the landscape. Building siting shall minimize alteration of existing vegetation and topography and minimize visibility of structures in scenic vista areas.

The FBC and its design standards will give property owners and developers options to implement the intent of the FBC, which will help to maintain and improve the quality of the natural and developed landscape. The FBC intends to respect the natural and visual environment of the area as a determinant in development decisions. The FBC does not affect the existing requirements for the use of native and/or low water use landscaping and vegetation. The FBC design standards are intended to provide for harmony with the landscape and scenic vistas. But, as previously mentioned, a site development plan review requirement in conjunction with a zone change request would go farther to ensure compliance with the goals and policies of the Comprehensive Plan.

The Community Identity and Urban Design “Goal is to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.”

The FBC zones and accompanying regulations give property owners guidance for planning and design, but a site development plan requirement would ensure that a project would be compatible with and strengthen the identity of each distinct community.

The Housing “Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding and displacement of low income residents; and assure against discrimination in the provision of housing.” Applicable policies include:

Policy a The supply of affordable housing shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

The FBC and its zone categories are intended to create increases in housing as part of mixed use development, which may be more affordable than detached single family and/or townhouse developments (Housing Goal). The additional housing choices of the FBC may give property owners opportunities to create products that are more affordable and/or obtainable to a wider range of residents (Policy a).

The Economic Development “Goal is to achieve steady and diversified economic development balanced with other important social, cultural and environmental goals.” Applicable policies include:

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

The FBC will help to achieve steady and diversified economic development by giving property owners choices for design, development and marketing of various products which can be tailored to specific areas throughout the City (Economic Development Goal). The FBC and its development options create more opportunities for economic development throughout the community (Policy f).

Planned Growth Strategy (F/S R-02-111 (A) and F/S O-02-39 (2))

Both F/S R-02-111 (A) and F/S O-02-39 (2) are attached to this staff report for reference.

The City Council, in 2002, received the Planned Growth Strategy (PGS) report as a comprehensive guide for managing City of Albuquerque urban growth. Several directives of the PGS have been adopted by the City Council via F/S O-02-39 (2), including:

- Amendments to the Comprehensive Plan that detail specific goals and policies for Activity Centers and Transit Corridors;
- Creation, adoption and implementation of impact fees based on land use assumptions; and
- A directive to prepare legislation and regulations to implement the PGS, including the creation of new zones as options for new growth.

The FBC fulfills the directive of F/S O-02-39 (2) to create new zones as options for new growth that further the intent of the PGS. Details about allowed land uses and mixes of compatible uses would benefit the FBC and its intent.

The new zones are described in F/S R-02-111 (A), which requires them to be reviewed by the Planning Department, Environmental Planning Commission and the City Council. The subsections of the Resolution provide general guidance for the creation of the new zone categories, which are listed as:

- Planned Village Development
- Transit-Oriented Development / Corridor
- Conservation Subdivision
- Commercial Center
- Campus
- Employment Zone
- Infill Development Zone

The FBC proposes six zone categories, which correspond to the above “new zones” as follows:

- *Transit Oriented Development - Major Activity Center (TOD-MAC) corresponds to Commercial Center*
- *Transit Oriented Development – Corridor / Community Activity Center (TOD-CORCOM) corresponds to Transit-Oriented Development / Corridor*
- *Planned Village Development (PVD) corresponds to Planned Village Development*
- *Campus Zone (CAM) corresponds to Campus*
- *Mixed Use Zone (MX) corresponds to Commercial Center*
- *Infill Development (ID) corresponds to Infill Development Zone*

The FBC does not have zone categories that directly correspond to Employment Zone or Conservation Subdivision contrary to the guidance of the PGS.

General guidance for Design standards are also part of the Resolution, including:

- Preservation and compatibility with historic, social, cultural, environmental and architectural elements;
- Conduciveness to pedestrians, transit, bicycle and other transportation modes;
- Predominant architectural styles;
- Southwestern building forms and materials and green site development;
- Compatible building massing;
- Colors that create visual interest;
- Integration of building heights with adjacent facades;
- Human scale details;
- Pedestrian scale lighting and signage;

- Streetscape design elements; and
- Other elements as needed.

The FBC includes all of the design standards included in the PGS, but comments from outside groups, citizens and other interested parties will probably affect the specific requirements based on whether or not they are deemed satisfactory when applied City-wide. Additional latitude and discretion for approval of a required site development plan and its components at the time of a change in zone at the Planning Commission would be desirable to ensure compatibility with existing neighborhoods.

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 compromise the Albuquerque/Bernalillo County Comprehensive Plan. . . .”; and

“(B) Any use not designated a permissive or conditional use in a zone is specifically prohibited from that zone, except as otherwise provided herein.”

The PGS directs the City to include the “new zones” as part of the Zoning Code. The current intent of the FBC is for it to be a “parallel code” with the Zoning Code, but subject to the map amendment processes of the Zoning Code. Additional details such as allowed uses and site development plan review requirements are needed to ensure compatibility with surrounding neighborhoods. Until changes are proposed, the status of the FBC in relation to the Zoning Code intent and the City Charter is indefinite.

CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

Comments have been received from the Advanced Planning Division that outline proposed changes to make clarifications and to ensure compatibility with green building codes.

PNM has concerns that should be addressed by the applicant.

NEIGHBORHOOD/PUBLIC CONCERNS

Some inquiries have been received by the Planning Department, but much of the community is not familiar enough with the proposal to give distinct comments about the whole or specific parts.

CONCLUSIONS

The FBC as submitted is a good start to fulfilling the directives and guidance of the PGS, but additional information such as the allowed uses and the appropriate mix of uses for each new zone is needed. Comments from outside groups, citizens and other interested parties are needed so the submittal can be adjusted to a form that is acceptable and comprehensive.

FINDINGS

1. This is a request to create a Form Based Code (FBC) that will allow mixed use development in a variety of contexts to encourage a more efficient and sustainable urban form, contained in a new article of the Code of Ordinances, Section 14-20-1-1.
2. The Planned Growth Strategy (PGS) directs the City to create new zones as options for new growth.
3. The proposed FBC zones are not mandatory, but may be requested through the existing Zone Map Amendment processes.
4. The submitted FBC furthers many Comprehensive Plan goals and policies, but does not adequately respond to some. Additional information is needed, such as allowed uses for each zone and a site development plan review requirement, to ensure that applicable goals and policies are furthered.
5. Comments from outside groups, citizens and other interested parties are needed so the submittal can be adjusted to a form that is acceptable and comprehensive.
6. A deferral of this request will allow additional time for drafting amendments that can respond to comments and ensure compatibility with applicable Master Plan goals and policies.

RECOMMENDATION

DEFERRAL of 07EPC 40084, an amendment to the City's Code of Ordinances to create a Form Based Code, for thirty days to 20 March 2008, based on the preceding Findings.

***Carmen Marrone
Senior Planner***

***Russell Brito
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cc: COA/City Council, P.O. Box 1293, Albuquerque, NM 87103
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Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Office of Neighborhood Coordination

City-wide

11/5/07 – Notice will be e-mailed to all NA contacts w/e-mail and article in the “Neighborhood News” newsletter - siw

Advanced Planning

Bill 0-07-116

- The Bill 0-07-116 requires the Planning Department to administer the Form Based Codes. This will require a staff with design (architecture, urban design and landscape architecture) background.

Form Based Codes

- Page 23, 14-16-2-1 Building Forms - Residential Building Forms (a) Detached single-family dwelling requires parking loading and trash disposal from an alley. The Form Based Code does not specify the size of site it where it may be applicable. In the built up neighborhoods, there may not be an alley if someone is building on a single vacant parcel. Does this assume that a City garbage truck will back into a narrow driveway or 'ribbon driveway'? This comment is also applicable for Side yard Dwelling, Townhouse, Rowhouse, Courtyard Townhouses and maybe other building types, if there is no alley, especially in the older part of the City. It may be necessary to address this and clarify in the Code.
- Page 33, Commercial or Mixed Use Building Form - Flex Building (a) Access and Entry - The main entry to each unit should be 'distinctly' marked. While the Form Based Code requires residential dwelling units, including a single family house to mark their entry with stoops, porches etc, it requires no such distinction for commercial or office type uses. There is no requirement to distinctly identify entry to buildings either under the 'Articulation' title.
- Page 43 and 44, 14-20-2-2 Frontage Types. The sketches should be labeled plan and section views. The sketch for Portal (Arcade) is confusing, a space separation should be provided between the plan and section view.
- Page 51, 14-20-2-5 Building Design (D) Wall Openings. The Form Base Code prohibits windows where horizontal dimension exceed vertical "except where otherwise prescribed in the Form Based Code". It is not clear where they are allowed. This is restrictive. This will provide unnecessary restriction on a warehouse where horizontal windows may be appropriate in some locations. Frank Lloyd Wright houses often have horizontal widows.
- Page 52, 14-20-2-5 Building Design (F) Glazing (1) The required light transmittance factor of glazing is a minimum of 90% for the ground floor and a minimum of 75% on the upper floors in a façade facing 'A' Street. This requirement may be contrary to green building codes which require

energy efficient glazing with an e factor. According to window manufacturer, a 90% transmittance factor may not be possible or desirable to be achieved.

- Page 74, 14-20-3-3 (TODCOM) allows multifamily residential on the ground floor and requires 75% minimum glazing on ground floor up to 8' height. This may not be practical or desirable in a residential development on the ground floor facing a street.

PUBLIC WORKS DEPARTMENT

Transportation Development (City Engineer/Planning Department):

- Reviewed, no comments.

Hydrology Development (City Engineer/Planning Department):

- No comments received.

Transportation Planning (Department of Municipal Development):

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

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

Utility Development (Water Authority):

- No comments received

Water Resources, Water Utilities and Wastewater Utilities (Water Authority):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT,

WATER AUTHORITY and NMDOT:

Conditions of approval for the proposed Amendment to Zoning Code or Subdivision Regulations Text shall include:

- a. None.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

City Forester

PARKS AND RECREATION

Planning and Design

Open Space Division

Open Space has no adverse comments

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No adverse comments.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

The City of Albuquerque is proposing a **City Wide** creation of a new form based code with zones that allow mixed use development in a variety of contexts to encourage a more efficient and sustainable urban form. This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has conducted a preliminary review of the proposed code and has concerns regarding the code. PNM will need more time to conduct a more rigorous analysis of the code and the impact on service to PNM customers. Areas of concern, as an example, include: 14-20-2-8 Mechanical Equipment (A), which indicates the location of franchised utility facilities and 14-20-3-2 Permitted Building Forms – Composite Matrix, which apparently does not include any utility facilities as permitted uses. PNM will be providing more complete and detailed comments to the EPC.