



**Environmental
Planning
Commission**

**Agenda Number: 2
Project Number: 1001620
Case #'s: 07EPC 40084
11 September 2008**

Supplemental Staff Report

Agent	City of Albuquerque Planning Department
Applicant	City of Albuquerque City Council
Request	Text Amendment to the Zoning Code
Legal Description	Proposed Section 14-16-3-20
Location	City- Wide
Proposed Zoning Categories	TOD-MAC (Transit Oriented Development – Major Activity Center); TOD-COM (Transit Oriented Development - Community Activity Center); MX (Mixed Use); ID (Infill Development); and PND (Planned Neighborhood Development)

Staff Recommendation

That APPROVAL of 07EPC 40084, be forwarded to the City Council, based on the Findings on pages 4 - 9 and the conditions of approval on page 9.

Staff Planner
Russell Brito, Division Manager

Summary of Analysis

The EPC continued the review of the Form Based Zones (FBZ) text amendment to the Zoning Code at their 14 August 2008 hearing in order to continue public discussion amongst board members. The EPC originally scheduled the FBZ to be heard in February 2008, but the applicant requested deferral to allow for modifications and revisions in response to comments from citizens, community representatives and other stakeholders. This supplemental staff report should be read after review of the previous staff reports and the public record.

The most recent version of the proposal is to create Form Based Zones for mixed-use development in a variety of contexts to encourage a more efficient and sustainable urban form. The FBZ language would become a new article of the Zoning Code, Section 14-16-3-20. The result is a set of design standards and regulations that can be utilized by property owners and developers through a zone map amendment and site development plan review process at a public EPC hearing where neighbors and other interested parties could participate.

The FBZ as submitted is intended to fulfill the directives and guidance of the Planned Growth Strategy (PGS). Additional comments from outside groups, citizens and other interested parties have been and continue to be submitted. Unfortunately, up to date comments from some City departments and other agencies are currently not part of the record. Notable public comment has revealed a varying degree of knowledge and understanding of the current version of the proposal.

Many EPC members have provided helpful and pertinent input to Planning staff regarding possible changes to the proposed language. A recommendation for approval of the FBZ with revisions is now appropriate to forward to the City Council for their final review and action. Staff recommends approval of the submittal with numerous changes as outlined in the accompanying revision attachments.

City Departments and other interested agencies reviewed this application from June 2008 to ONGOING. Agency comments were used in the preparation of this report and begin on page 11.

BACKGROUND, HISTORY AND CONTEXT

This is a proposal to create five new, Form Based Zones (FBZ) 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 Zoning Code, Section 14-16-3-20. The Form Based Zones were introduced at the November 5, 2007 meeting of the City Council per Ordinance 07-116 and then 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. Further deferrals resulted in the first EPC hearing on 24 July 2008.

The EPC deferred the request to 14 August 2008 where there was further opportunity for public comment and ongoing education before public discussion began amongst the board members. The proposed text amendment to the Zoning Code obtained initial review from the EPC before being continued to the 11 September 2008 public hearing. This supplemental staff report should be read after review of the previous staff reports and record.

REQUEST FROM DIRECTOR OF COUNCIL SERVICES

The Director of Council Services, in an attached memo dated 4 September 2008, outlines responses to several issues and comments that have been raised by the EPC and other interested parties throughout the review of the FBZ proposal. The specific request at the end of the memo is for the EPC to send the proposal back to the City Council with a recommendation and findings.

PLANNING STAFF RECOMMENDED CHANGES, CLARIFICATIONS AND AMENDMENTS

On the whole, the proposed text amendment to the Zoning Code to create five new, Form Based Zones (FBZ) is supportable because it fulfills the intents, goals, policies and directives of the City Charter, Comprehensive Plan, Planned Growth Strategy (PGS) and the Zoning Code. (See analysis from 24 July 2008 staff report) The language generally appears to fulfill the specific directives of the PGS, but changes to specific regulations are needed to ensure compatibility with existing neighborhoods while still maintaining the development incentives for FBZ.

Overall, the title of this text amendment should be changed to **Form Based Zones (FBZ)** instead of Form Based Code (FBC) to better describe and impart that this language is not a stand-alone code, but rather an integral part of the existing Zoning Code. The proposed Form Based Zones will be required to have an SU-1 designation and be site development plan controlled with proposed map amendments reviewed at advertised, public hearings as per existing regulations and processes.

Section (A) General Provisions

This first section of the FBZ is brief and speaks to intent and purpose, relationship to existing City regulations, incentives for FBZ development, the development review process, and administration of the FBZ. Though brief, this section is very important and requires several changes and clarifications to make it understandable, implementable and enforceable. Some language choices are unfortunate

and misleading, but can be remedied with additional and/or different language to ensure compatibility with the rest of the Zoning Code.

For example, the use of the word “variance” is not appropriate in this section as it is a term that is already attributed to a type of special exception that falls under the jurisdiction of the Zoning Hearing Examiner (ZHE). This type of use may cause confusion for many parties including City staff, applicants and other interested parties.

Other recommended changes include clarifications of when standards do and do not apply in order to make new development compatible with surrounding, existing development. Reference to specific policies and criteria and clarifications to other Zoning Code sections are added to the process and administration subsections in order to make the FBZ regulations clear and understandable.

See attached revisions for specifics.

Section (B) Zones

Most of the changes proposed for this section are clarifications and expansion of language to ensure that applicants, neighbors and reviewers all understand what is expected and allowed for each Form Based Zone. Specific development parameters and the extent to which they may be modified are necessary to create consistency in their application for disparate sites throughout the City.

Specific revisions are to be distributed to the EPC and available to the public prior to the hearing on 11 September 2008.

Section (C) Building Types, Street Design, Parking, Lighting, Signage, Usable Open Space

The changes and revisions proposed for this section are responses to questions and comments about applicability and redundancy of language. Clarifications and additional language are proposed to help readers understand the development parameters and apply them to specific sites.

Specific revisions are to be distributed to the EPC and available to the public prior to the hearing on 11 September 2008.

CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

Comments on the previous version of the FBC 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.

An additional request for comments on the current version of the FBZ text amendment was sent out, but unfortunately responses are lacking. Comments from other City departments and outside agencies are forthcoming, but will have to be considered by the City Council in their final review and action on the FBZ.

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 (see preceding section on neighborhood comments). Notable public comment was given at the 24 July 2008 EPC hearing and more should be expected at the 14 August 2008 EPC hearing.

Council Services and Planning Department staff should continue education and outreach efforts to the general citizenry to ensure that all interested parties are able to comment on the intent and implementation of the FBZ and to participate in the final City Council review and action process for this important amendment to the Zoning Code.

CONCLUSIONS

The EPC continued the review of the Form Based Zones (FBZ) text amendment to the Zoning Code at their 14 August 2008 hearing in order to continue public discussion amongst board members. The EPC originally scheduled the FBZ to be heard in February 2008, but the applicant requested deferral to allow for modifications and revisions in response to comments from citizens, community representatives and other stakeholders. This supplemental staff report should be read after review of the previous staff reports and the public record.

The most recent version of the proposal is to create Form Based Zones for mixed-use development in a variety of contexts to encourage a more efficient and sustainable urban form. The FBZ language would become a new article of the Zoning Code, Section 14-16-3-20. The result is a set of design standards and regulations that can be utilized by property owners and developers through a zone map amendment and site development plan review process at a public EPC hearing where neighbors and other interested parties could participate.

The FBZ as submitted is intended to fulfill the directives and guidance of the Planned Growth Strategy (PGS). Additional comments from outside groups, citizens and other interested parties have been and continue to be submitted. Unfortunately, up to date comments from some City departments and other agencies are currently not part of the record. Notable public comment has revealed a varying degree of knowledge and understanding of the current version of the proposal.

Many EPC members have provided helpful and pertinent input to Planning staff regarding possible changes to the proposed language. A recommendation for approval of the FBZ with revisions is now appropriate to forward to the City Council for their final review and action. Staff recommends approval of the submittal with numerous changes as outlined in the accompanying revision attachments.

RECOMMENDED FINDINGS – 11 September 2008

1. This is a request to create five new, Form Based Zones (FBZ) and corresponding regulations contained in a new article of the Zoning Code, Section 14-16-3-20, that will allow mixed use development in a variety of contexts to encourage a more efficient and sustainable urban form.
2. The Planned Growth Strategy (PGS) directs the City to create new zones as options for new growth that are both pedestrian and transit oriented as opposed to being wholly automobile oriented.
3. The proposed FBZ are not mandatory, but may be requested through the existing Zone Map Amendment, Sector Development Plan and Site Development Plan review processes at the Environmental Planning Commission (EPC) and/or City Council levels. Requests for Zone Map Amendments to Form Based Zone categories are subject to the zone change policies and criteria of R-270-1980.
4. The FBZ amendment to the Zoning Code further the intent of the City Charter:
 - a. 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.
 - b. 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).
5. The FBZ amendment to the Zoning Code furthers the Comprehensive Plan Goal for Activity Centers and its applicable policies:
 - a. 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. 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. (Activity Centers Goal)

- b.* The submitted text amendments to the City's Zoning Code 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. (Activity Centers Goal, Policy a)
- c.* The FBZ 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). (Activity Centers Goal, Policy b)
- d.* The public review process for changing to a Form Based 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. (Activity Centers Goal, Policy c)
- e.* The criteria of the FBZ for each zone category, such as a distance requirement from transit service, will ensure that more intense development is appropriately located. (Activity Centers Goal, Policy d)
- f.* Changes of zoning and subsequent development as per the FBZ that occurs within a proposed Activity Center may serve as precedence for Activity Center designation and/or expansion. (Activity Centers Goal, Policy e)
- g.* The design standards for the FBZ require transition areas, but community response to the proposed dimensions and requirements for the transition areas may necessitate further altering of the proposal as currently submitted. (Activity Centers Goal, Policy f)
- h.* The submitted FBZ has a variety of zones that can be applied to a specific Activity Center location in appropriate combinations. The site development plan review requirement for changes to FBC zones fulfills the sub-area planning intent. (Activity Centers Goal, Policy g)
- i.* The Form Based Zones may be available outside of designated Activity Centers in a "future" activity center, but should generally be adjacent to or nearby transit service in a linking Corridor. (Activity Centers Goal, Policy h)
- j.* The Form Based Zones allow for a variety of uses, including multi-unit housing. (Activity Centers Goal, Policy i)
- k.* Changes to Form Based 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. (Activity Centers Goal, Policy j)

6. The FBZ amendment to the Zoning Code furthers the Comprehensive Plan Goal for the Developed Landscape and its applicable policies:
 - a. The FBZ and its design standards will give property owners and developers options to implement the intent of the FBZ, which will help to maintain and improve the quality of the natural and developed landscape. (Developed Landscape Goal)
 - b. The FBZ intends to respect the natural and visual environment of the surrounding area as a determinant in development decisions. (Developed Landscape Goal, Policy a)
 - c. 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. The site development plan review requirement in conjunction with a zone change request goes far to ensure compliance with the goals and policies of the Comprehensive Plan and the Planned Growth Strategy. (Developed Landscape Goal, Policies d and e)

7. The Form Based Zones and their accompanying regulations give property owners guidance for planning and design. Site development plan requirements ensure that projects will be compatible with and strengthen the identity of each distinct community. (Comprehensive Plan, Community Identity and Urban Design Goal)

8. The FBZ amendment to the Zoning Code furthers the Comprehensive Plan Goal for Transportation and Transit and its applicable policies:
 - a. The proposed Form Based Zones create a mix of land uses, densities and pedestrian scale development that are appropriate in designated and future transit corridors. This mix of land uses, both horizontally and vertically, will increase the efficiency of existing infrastructure to meet mobility and access needs for a growing, urban population. Building form and placement that emphasize access and circulation for pedestrians, transit users and bicyclists will encourage alternatives to automobile travel. (Transportation and Transit Goal)
 - b. The proposed regulations for each Form Based Zone correlate to the policy objectives outlined in Table 11 for Express Corridors, Major Transit Corridors, Enhance Transit Corridors and Arterial Streets. The General Street Standards of the FBZ contain design elements for local streets, collectors, and various arterials that can be implemented as part of a FBZ development proposal. (Transportation and Transit Goal, Policy a)
 - c. The FBZ is a set of land use regulations that support the creation of additional housing and jobs within and/or in close proximity to Transit Corridors. The FBZ promotes ongoing public/private cooperation to create new and take advantage of existing market conditions to support more intense, mixed use development in these corridors. (Transportation and Transit Goal, Policy b)

- d.* The FBZ is intended to create conditions that are favorable to increase transit ridership while respecting existing area and neighborhood conditions. Destabilization of adjacent neighborhoods will be avoided through the review of site development plan proposals at a public hearing in front of the EPC and/or City Council. (Transportation and Transit Goal, Policy c)
 - e.* The intent of the FBZ is encourage, promote and realize development that is pedestrian scale and that integrates pedestrian access and circulation for individual sites and throughout larger activity center and transit corridor areas. (Transportation and Transit Goal, Policy g)
 - f.* The FBZ regulations and standards for each zone and the general street standards place emphasis on pedestrian and bicycle access, circulation and safety adjacent to and when crossing adjacent and nearby streets. (Transportation and Transit Goal, Policy i)
 - g.* The mixed use concepts inherent in the FBZ will create synergy between jobs and housing that will decrease peak hour demands on the existing transportation system by locating disparate but related uses in closer proximity to each other. (Transportation and Transit Goal, Policy o)
 - h.* The intent of the FBZ is to create development that focuses on pedestrian and bicycle access while still accommodating motorized modes of transportation. (Transportation and Transit Goal, Policy p)
 - i.* The FBZ is intended to be both the “chicken” and the “egg” in terms of transportation investment incentives and direction for future land use and transportation planning and implementation. Pedestrian, transit and bicycle access is emphasized to balance the historical domination of the transportation modes by the automobile. (Transportation and Transit Goal, Policy q)
9. The FBZ amendment to the Zoning Code furthers the Comprehensive Plan Goal for Housing and its applicable policies:
- a.* The FBZ 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).
 - b.* The additional housing choices of the FBZ may give property owners opportunities to create products that are more affordable and/or obtainable to a wider range of residents (Housing Goal, Policy a).
10. The FBZ amendment to the Zoning Code furthers the Comprehensive Plan Goal for Economic Development and its applicable policies:
- a.* The FBZ 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).

- b.* The FBZ and its development options create more opportunities for economic development throughout the community (Economic Development Goal, Policy f).

11. The FBZ amendment to the Zoning Code furthers the Planned Growth Strategy (PGS), its intents and its directives:

- a.* The FBZ fulfills the directive of the PGS to create new zones as options for new growth that further the intent of the PGS. (F/S O-02-39 (2))
- b.* The FBZ 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 Neighborhood Development (PND) corresponds to Planned Village Development
 - Mixed Use Zone (MX) corresponds to Commercial Center
 - Infill Development (ID) corresponds to Infill Development Zone
- c.* The FBZ does not have zone categories that directly correspond to Employment Zone, Campus Zone or Conservation Subdivision, but the building types and five proposed zones will accommodate the intentions of these three PGS zones. (F/S R-02-111 (A))
- d.* The FBZ includes all of the design standards included in the PGS, but ongoing comments may affect the specific requirements based on whether or not they are deemed satisfactory by the City Council 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 and/or City Council levels will ensure compatibility with existing neighborhoods. (F/S R-02-111 (A))

12. The Planned Growth Strategy (PGS) directs the City to include the “new zones” as part of the Zoning Code. The current intent of the FBZ is for it to be a part of the Zoning Code, with specific FBZ proposals subject to the existing map amendment processes of the Zoning Code. (Zoning Code Section 14-16-1-3, Intent)

13. Comments from City departments and other agencies are important to ensure regulatory language that is applicable, understandable and enforceable.

14. Comments from outside groups, citizens and other interested parties continue to be submitted, which may lead to language adjustments at the City Council level that bring about regulations that are more consensus-based and comprehensive.
15. The EPC normally holds at least two hearings on major proposals such as this to ensure that a meaningful recommendation can be made to the City Council. Three public hearings have now been convened and held by the EPC to benefit their recommendation to the City Council.
16. Numerous changes, clarifications, format adjustments and amendments are recommended to help make the proposed FBZ amendment to the Zoning Code better able to meet the needs of future growth while respecting existing neighborhoods and communities.
17. City Council and Planning Department staff should continue education and outreach efforts to the general citizenry to ensure that all interested parties are able to comment on the intent and implementation of the FBZ and to participate in the final City Council review and action process for this important amendment to the Zoning Code.

RECOMMENDATION – 11 September 2008

That APPROVAL of 07EPC 40084, a legislative text amendment to the City's Zoning Code to create new Form Based Zones, contained in a new Section 14-16-3-20, be forwarded to the City Council, based on the preceding Findings and subject to the following Conditions of Approval.

RECOMMENDED CONDITIONS OF APPROVAL - 11 September 2008

1. The changes and amendments to the draft FBZ language contained in the attached revisions should be incorporated into the final version to be reviewed and acted upon by the City Council.
 2. City Council and Planning Department staff should continue education and outreach efforts to the general citizenry to ensure that all interested parties are able to comment on the intent and implementation of the FBZ and to participate in the final City Council review and action process for this important amendment to the Zoning Code.
-

***Russell Brito
Division Manager***

cc: COA/City Council, P.O. Box 1293, Albuquerque, NM 87103
COA/Planning Department, 600 2nd St. NW, Albuquerque, NM 87102
Evelyn Feltner, 2014 Utah St. NE, Albuquerque, NM 87110
Donna Yetter, 2111 Hoffman Dr. NE, Albuquerque, NM 87110
Douglas Heller, AIA Albuquerque, 202 Central Ave. SE, Suite 103, Albuquerque, NM 87102
Wendy Statkus, 1623 Los Tomases Dr. NW, Albuquerque, NM 87102
Peter Armijo, 515 Constitution Ave. NW, Albuquerque, NM 87102
Daniel Laird, 603 Cedar St. NE, Albuquerque, NM 87106
Silvio Dell'Angela
Frank Martinez, 501 Edith Blvd. NE, Albuquerque, NM 87102

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.

New comments for 7/17/08

Transportation Development (City Engineer/Planning Department):

- See Transportation Planning comments.

Hydrology Development (City Engineer/Planning Department):

- Hydrology supports the idea of the alley concept on the west side of Yale to help blend the grades of the properties with the residential behind. This alley will serve as the drainage outfall.

Transportation Planning (Department of Municipal Development):

Findings

- *Page 3-132, Street Type Standards.* The typical street sections shown on pages 3-133 through 3-138 describe only a mid-block condition for the ten (10) different street types. In every case, the mid-block width is the basis for right-of-way standard being proposed. In no case is there a graphic showing the additional right-of-way that will be required to accommodate left and right turning lanes or connections to adjacent access roads (BV-115, BV-125, BV-135A, BV-135B) at the upstream or down stream street intersections. The existing adopted right-of-way standards for collector, minor arterial and principal arterial are based on the width requirements at the intersection NOT at a mid-block location.
- The street type standards section also proposes a standard curb radius for an arterial street between 15 feet and 25 feet. For an arterial street which is expected to accommodate large turning vehicles, such as buses, garbage trucks, moving vans in order to maneuver safely without conflicting with oncoming traffic, a *minimum* curb radius of 25 feet is required.

Conditions

- Provide a clear graphic showing the typical standard right-of-way width for each street type at the intersection location. Amend the table of standards for each street type, as necessary, to designate the required right-of-way based on the intersection location NOT the mid-block location.
- For all arterial street types which are expected to accommodate large turning vehicles, such as buses, garbage trucks, moving vans, a *minimum* 25 foot curb radius will be required, and in exceptional cases, a curb radius greater than 25 feet may be permitted as approved by the City Engineer.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- 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 Form Based Code shall include:

- a. Provide a clear graphic showing the typical standard right-of-way width for each street type at the intersection location. Amend the table of standards for each street type, as necessary, to designate the required right-of-way based on the intersection location NOT the mid-block location.
- b. For all arterial street types which are expected to accommodate large turning vehicles, such as buses, garbage trucks, moving vans, a *minimum* 25 foot curb radius will be required, and in exceptional cases, a curb radius greater than 25 feet may be permitted as approved by the City Engineer.

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.