



**CITY OF ALBUQUERQUE**  
Albuquerque, New Mexico  
Office of the Mayor

Mayor Richard J. Berry

**INTER-OFFICE MEMORANDUM**

December 10, 2015

**TO:** Dan Lewis, President, City Council

**FROM:** Richard J. Berry, Mayor *RJB*

**Subject:** **Project# 1001620/15EPC-40022.** The Environmental Planning Commission (EPC) forwards a recommendation of APPROVAL to the City Council regarding text amendments to the Zoning Code regarding the General Landscaping and Off-Street Parking Regulations. These changes are directly related to the Street Tree Ordinance. City-wide. Staff Planner: Vicente M. Quevedo.

**Request**

This request is for a recommendation to City Council regarding amendments to Zoning Code Sections 14-16-3-10 (Landscaping Regulations) and 14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.

**Intent & Scope**

The driving force behind the proposed amendments is recognition that the existing Landscaping Regulations contained within the Comprehensive Zone Code do not fully achieve the stated intent of providing visually attractive streetscapes within the city. This is mainly due to the fact that according to the City Forester, the city is experiencing a loss of tree canopy coverage and the 75% live ground cover requirement contained within the existing Landscaping Regulations cannot be realistically achieved given New Mexico's high desert environment.

The proposed legislation would clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, re-focus the vegetative coverage requirement to encourage tree canopy, update standard landscaping buffer requirements, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance.

## **Background**

City Staff met with private sector Landscape Architects and designers in February and March of 2015. Planning Staff then drafted text amendments, based on feedback from the meetings, for the Zoning Code's Landscaping Regulations. The working team identified areas for improvement within the current landscaping standards required by the code and worked to calibrate an updated set of regulations that are more realistic given Albuquerque's arid environment and micro-climates.

## **Public & Agency Comments**

Staff drafted and submitted an article to the June/July edition of the Neighborhood News published by the Office of Neighborhood Coordination outlining the proposed amendments, contact information for the assigned staff planner for public comments and the date and time for the EPC Public Hearing when the proposed text amendments will be heard. Staff received written public comments from members of the Landscape Architecture business community outlining minor updates and points of clarification to the proposed text amendments to the Zoning Code.

Agencies reviewed the proposed text amendments from June 1, 2015 to June 12, 2015. Several agency comments were received and reviewed by Planning Staff, which are reflected in the current draft of the proposed text amendment language.

In response to the agency comments submitted by the Planning and Design Division of the Parks and Recreation Department, The Planning Department instead recommended a 30 day deferral to the August 13, 2015 EPC public hearing, and met with Parks and Recreation Department Staff to discuss their agency's recommendations. As a follow up to this meeting, The Planning Department revised the proposed text amendment language to reflect the tangible feedback provided by the Parks and Recreation Department.

## **EPC Decision**

At its August 13, 2015 hearing, the EPC voted unanimously to forward a recommendation of approval to the City Council. The EPC heard public testimony from members of the private sector Landscape Architect community stating that they would like to provide additional input regarding the finalization of the proposed amendments to the Zoning Code. The EPC subsequently chose to include an additional finding indicating that the Planning Department and Council Staff will continue to work with stakeholders to address their concerns.

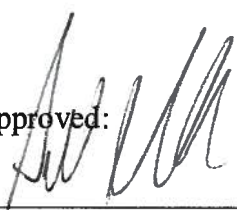
In response to this condition imposed by the EPC, the Planning Department has held 3 additional meetings to develop the final draft that is being forwarded to City Council for consideration. The EPC did not include any additional conditions of approval.

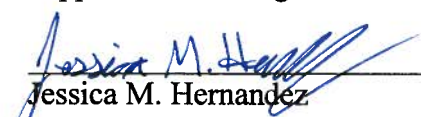
## **Conclusion**


The proposed text amendments to the Zoning Code would clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, re-focus the vegetative coverage requirement to encourage tree canopy, update standard landscaping buffer

requirements, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance. The proposed text amendments would apply City-wide.

**TITLE/SUBJECT OF LEGISLATION: Project# 1001620/15EPC-40022. The Environmental Planning Commission (EPC) forwards a recommendation of APPROVAL to the City Council regarding text amendments to the Zoning Code regarding the General Landscaping and Off-Street Parking Regulations. These changes are directly related to the Street Tree Ordinance.**

Approved:   
\_\_\_\_\_  
Robert J. Perry                      12/21/15  
Chief Administrative Officer                      Date

Approved as to Legal Form:  
  
\_\_\_\_\_  
Jessica M. Hernandez                      12/15/15  
City Attorney                      Date



Recommended:

  
\_\_\_\_\_  
Suzanne Lubar                      12-11-15  
Director                      Date

## FISCAL IMPACT ANALYSIS

### Adoption of Landscaping & Off-Street Parking Regulation Amendments to the Zoning Code

R:                      O:  
FUND:

DEPT: Planning

- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	2016	Fiscal Years 2017	2018	Total
Base Salary/Wages	-	-	-	-
Fringe Benefits at	-	-	-	-
Subtotal Personnel	-	-	-	-
Operating Expenses		-	-	-
Property		-	-	-
Indirect Costs            8.52%	-	-	-	-
<b>Total Expenses</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<input type="checkbox"/> Estimated revenues not affected				
<input type="checkbox"/> Estimated revenue impact				
Amount of Grant	-	-	-	-
City Cash Match				
City Inkind Match				
City IDOH *8.52%	-	-	-	-
<b>Total Revenue</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

These estimates do not include any adjustment for inflation.  
\* Range if not easily quantifiable.

Number of Positions created            0

**COMMENTS ON MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:**


No Fiscal Impact from the adoption of these codes.

**COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:**

This request is for a recommendation to City Council regarding amendments to Zoning Code Sections 14-16-3-10 (Landscaping Regulations) and 14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.


PREPARED BY:


APPROVED:


  
FISCAL ANALYST                      (date)  
Debra Dombroski

  
PLANNING DIRECTOR                      (date)  
Suzanne Lubar

REVIEWED BY:

  
BUDGET OFFICER                      (date)  
Gerald Romero                      11-4-15

  
EXECUTIVE BUDGET ANALYST                      (date)  
Lorraine Turrieta

  
CITY ECONOMIST                      (date)  
Jacques Blair

**Cover Analysis**  
**Project 1001620–15EPC-40022**

**1. What is it?**

Text amendments to the Albuquerque Comprehensive Zoning Code Sections 14-16-3-10 (Landscaping Regulations) and 14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.

**2. What will this piece of legislation do?**

Clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, re-focus the vegetative coverage requirement to encourage tree canopy, update standard landscaping buffer requirements, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance.

**3. Why is this project needed?**

To provide clarity and remove the possibility of unintended consequences that may hamper desired development.

**4. How much will it cost and what is the funding source?**

These text amendments to the Albuquerque Comprehensive Zoning Code have no cost associated with their implementation. (See attached Fiscal Impact Analysis)

**5. Is there a revenue source associated with this Plan? If so, what level of income is projected?**

This legislation only amends the text of the Albuquerque Comprehensive Zoning Code. There is no cost associated with implementation, and therefore no associated revenue source needed.

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**Environmental  
Planning  
Commission**

**Agenda Number: 09  
Project Number: 1001620  
Case #: 15EPC-40022  
August 13, 2015**

**Staff Report**

<b>Agent</b>	City of Albuquerque Planning Department
<b>Applicant</b>	City of Albuquerque Planning Department
<b>Request</b>	Amending Zoning Code Sections 14-16-3-10 (Landscaping Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.
<b>Location</b>	City-wide

**Staff Recommendation**

*That a recommendation of APPROVAL of 15EPC-40022 be forwarded to the City Council based on the Findings beginning on Page 10.*

**Staff Planner**  
**Vicente M. Quevedo - Planner**

**Summary of Analysis**

This request is for a recommendation to City Council regarding amendments to Zoning Code Sections 14-16-3-10 (Landscaping Regulations) and 14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.

The amendments were initiated by the Planning Department following meetings that took place in February and March of 2015 between City Staff, private sector Landscape Architects and designers. These meetings resulted in proposed amendments to clarify the intent and purpose of the overall regulations, the creation of an official plant palette and sizing list, refocusing the vegetative coverage requirement to encourage trees canopies, changes to the standard landscaping buffers, updating the installation plant size requirements, permit the limited installation of artificial turf and improved coordination with the Off-Street Parking Regulations and Street Tree Ordinance.

However, it should be noted that the Environmental Planning Commission only has the authority to make a recommendation regarding the proposed amendments to the Landscaping and Off-Street Parking Regulations. Amendments to the Street Tree Ordinance must be sponsored by a member of the Albuquerque City Council. The proposed amendments to the Street Tree Ordinance are included within this request for reference purposes only.

Staff finds that the proposed text amendments generally further applicable goals and policies and would lead to the creation of an Official Albuquerque Plant Palette and Sizing List which would calibrate the realistic mature diameter of plants and tree canopy in order to acknowledge and more appropriately respond to Albuquerque's high desert environment and its many existing microclimates.

City Departments and other interested agencies reviewed this application from 6/1/2015 to 6/12/2015. Agency comments used in the preparation of this report begin on Page 13.

## **I. INTRODUCTION**

### ***Request***

This request is for a recommendation to City Council regarding amendments to Zoning Code Sections §14-16-3-10 (Landscaping Regulations), §14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections §6-6-2-4 (Required Street Trees), §6-6-2-5 (Street Tree Policies), §6-6-2-6 (Street Tree Programs), §6-6-2-7 (More Detailed Regulations) and §6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.

### ***Purpose***

The purpose of the proposed text amendments are to clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, re-focus the vegetative coverage requirement to encourage trees canopy, update standard landscaping buffer requirements, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance.

### ***Environmental Planning Commission (EPC) Role***

The task of the Environmental Planning Commission (EPC) is to make a recommendation to the City Council for the proposed text amendments with regard to the Landscaping and Off-Street Parking Regulations of the Zoning Code. The Street Tree Ordinance has been included as part of the exhibit for this request, because this ordinance must also be amended in order to allow for adequate implementation of the updated Landscaping Regulations.

However, the EPC does not have review and approval authority over the Street Tree Ordinance. The Street Tree Ordinance is located within Part 2 (Trees, Vegetation and Landscaping) of the City's Water, Sewers and Streets Code. Amendments to the Street Tree Ordinance must be sponsored by a member of the Albuquerque City Council. The City Council is the City's Zoning Authority and will make the final decision on all parts of this request. This is a legislative matter.

## **II. OVERVIEW**

### ***Background & History***

City Staff met with private sector Landscape Architects and designers in February and March of 2015. Planning Staff then drafted text amendments, based on feedback from the meetings, for the Zoning Code's Landscaping Regulations. The working team identified areas for improvement within the current landscaping standards required by the code and worked to calibrate an updated set of regulations that are more realistic given Albuquerque's arid environment and micro-climates.

## **III. ANALYSIS OF APPLICABLE LAWS, ORDINANCES & PLANS**

### ***Charter of the City of Albuquerque***

The Citizens of Albuquerque ratified 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)

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 the Landscaping, Off-Street Parking and Street Tree regulations is an exercise in local self-government (City Charter, Article 1). Clarifying the intent and purpose of the Landscaping Regulations and calling for the coordination of the Street Tree Ordinance requirements with the Landscaping Regulations, 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 Comprehensive Zoning Code***

***Definitions §14-16-1-5***

***LANDSCAPING.*** The planting of live plants including trees, shrubs, ground cover, flowers, or other low-growing plants that are native or adaptable to the climatic conditions of the Albuquerque area. In addition, the landscaping design may include some natural and manufactured materials including but not limited to rocks, fountains, reflecting pools, works of art, screens, walls, fences, benches and other types of street furniture.

***LANDSCAPING PLAN.*** An accurate plan, typically at a scale of at least 1 inch to 50 feet, which covers at least one lot and which specifies:

- (1) For Subdivision. Areas to be used for conveyance of floor waters; existing significant trees and shrubs to be preserved or to be removed; proposed perimeter trees and shrubs.
- (2) For Building Permits. In addition to information required for division (1) above, the information required by §14-16-3-10.

***Authority, Purpose and Role of Land Use Boards***

Applicable ordinances, plans, and policies are in regular text followed by Staff analysis in ***bold italics***.

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.

Role of Land Use Boards (aka Amendment Procedure, 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 application for proposed text amendments was filed in accordance with Zoning Code requirements. The proposed text amendments generally further the Zoning Code goal of promoting the health, safety and welfare of the citizens by seeking to establish standards that enhance, improve and maintain the quality of the public environment. As the zoning authority for the City of Albuquerque, the City Council will make the final determination regarding the proposed amendments.*

#### ***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 provisions. The Plan's goals and policies serve as a means to evaluate development proposals and text amendment requests. Applicable goals and policies include:

#### ***C. Environmental Protection & Heritage Conservation***

II.C.8. Developed Landscaping Goal: The Goal is to maintain and improve the natural and the developed landscapes' quality.

*The proposed text amendments seek to improve the natural and developed landscapes' quality by prescribing landscaping regulations that appropriately respond to Albuquerque's high desert environment and its many existing microclimates. The request furthers the Developed Landscaping Goal of the Comprehensive Plan.*

Policy II.C.8.a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

*The proposed text amendments respect the natural and visual environment by recognizing that sustainable desert landscapes are a vital component toward enhancing Albuquerque's overall appearance. The request furthers Policy II.C.8.a.*

Policy II.C.8.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.

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*The proposed text amendments ensure the use of native and or adapted, low water use or xeric species that are regionally appropriate to conserve water resources, as well as regulating landscaping design to prevent water erosion. The request furthers Policy II.C.8.d.*

II.C.9. Community Identity and Urban Design Goal: 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 proposed text amendments preserve and enhance the natural and built characteristics of Albuquerque and Bernalillo County by establishing consistent, attractive streetscapes that generate a sense of continuity and a positive City image. The request furthers the Community Identity and Urban Design Goal of the Comprehensive Plan.*

Policy II.C.9.b.(2): In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon the following:

- 2) Built environment
  - Landscaping materials, both planting and hardscape

*The proposed text amendments address strategic and neighborhood planning, development and redevelopment and their relationship to the built environment by improving the aesthetic appearance of commercial, industrial and multi-family residential development and enhancing public/private investments. The request furthers Policy II.C.9.b(2).*

#### **IV. ANALYSIS & DISCUSSION OF PROPOSED TEXT AMENDMENTS**

##### ***Existing Regulations***

##### ***Landscaping Regulations***

Existing landscaping regulations are located under Section §14-16-3-10 of the City of Albuquerque Comprehensive Zoning Code. The landscaping regulations under this section apply to apartment and non-residential development. All newly constructed apartments and non-residential development, including additions of more than 200 square feet, are required to provide landscaping per the Code. Generally, 15% of the site area that is not occupied by a building must be landscaped. The required landscaping should provide buffering on the sides of the off-street parking area as well as break up large areas of paved parking.

Special buffer landscaping and screening are required when a non-residential development abuts a residentially zoned lot. All landscaped areas 36 square feet in area or larger must include live ground cover over at least 75% of the area and this applies to all landscaped areas. Trees, often including street trees, are also required along pedestrian walkways and arterial and collector street frontages. In addition, parking lot trees are required in and around off-street parking areas at a rate of one tree per ten parking spaces and no parking space is allowed to be more than 100 ft. from a tree trunk. A formal landscaping plan must be submitted and receive final approval by the Zoning Enforcement Office before a building permit can be issued unless the site is zoned SU-1 or additional requirements are cited in an approved sector development plan.

*Off-Street Parking Regulations*

Section §14-16-3-1 deals with off-street parking regulations. Parking requirements for specific uses are identified in this section and are based upon minimum standards according to use which are outlined in detail within the Zoning Code. Bicycle and handicap accessible parking regulations are also found in this section. All required parking areas must be paved with a surface equal to, or superior to, asphalt.

*Street Tree Regulations*

Street Tree Regulations are located under §6-6-2-1 through §6-6-2-9 of the Albuquerque Code of Ordinances and are intended to secure objectives contained within the Comprehensive Plan, such as control of water erosion and dust, absorb atmospheric pollutants and stabilize soil. Street Tree policies are also intended to enhance the appearance of the city's major streets and provide shade for pedestrians along walkways within street corridors.

Per Section §6-6-2-5 (Street Tree Policies) of the Code of Ordinances any person who constructs a new building or a new building addition over 200 feet is required to provide a street tree plan where the lot is adjacent to a major street. Street tree spacing is generally determined by calculating the length of a land parcels street frontage and dividing that dimension by 30 ft. (Fractions are rounded up to the nearest whole number). Trees shall be placed between the curb, public sidewalk and parkway.

***Proposed Text Amendments (See Attachment A for full text)***

*Landscaping Regulations*

The driving force behind the proposed amendments is recognition that the existing Landscaping Regulations contained within the Comprehensive Zone Code do not fully achieve the stated intent of providing visually attractive streetscapes within the city. This is mainly due to the fact that according to the City Forester, the city is experiencing a loss of tree canopy coverage and the 75% live ground cover requirement contained within the existing Landscaping Regulations cannot be realistically achieved given New Mexico's high desert environment.

Therefore, the emphasis of the proposed text amendments to the existing Landscaping Regulations is on updating the intent and purpose of the Landscaping Regulations (See attached proposed amendments Section §14-16-3-10(B)), allowing mature tree canopy to count toward the on-site vegetative coverage requirements and reducing the ground cover requirement within the Net Lot Area of a site to 30%.

In addition to clarifying the intent and purpose of the Landscaping Regulations, the following modifications along with new proposed regulatory language for the Landscaping Regulations section of the Zoning Code are outlined below:

Landscaping Plan:

- ✓ §14-16-3-10(C)(2) - Requires trees and shrubs be planted so as not to interfere with existing gas mains, gas service lines, and underground utility lines.
- ✓ §14-16-3-10(C)(3)(a) – Requires both the common and botanical name of plants to be delineated on a Landscaping Plan.

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Landscaping Area Requirements:

- ✓ §14-16-3-10(E)(1) - Further clarifies the definition of the term “NET LOT AREA”
- ✓ §14-16-3-10(E)(1)(c) & (d) - New requirement for installation of a valve cut-off with a separate meter for the landscape area within the public right-of-way or a separate valve at the property line to facilitate maintenance by the City of the landscape area within the right-of-way if needed. Also prohibits the use of artificial turf and drip irrigation systems within the public right-of-way. Lastly, this section clarifies that the use of the term “total landscaped area” refers to the 15% of net lot area landscaping requirement.
- ✓ §14-16-3-10(E)(2)(a) through (d) – This new section is entitled Required Vegetative Coverage and reduces the minimum amount of required live vegetative ground cover from 75% to 30% for any landscape area 36 sf in size or larger. The mature canopy of trees can now be counted toward the updated ground coverage requirements. Lastly, if the landscape plan of any site development or building permit set meets all necessary requirements, required street trees may also be utilized to fulfill parking lot tree requirements.
- ✓ §14-16-3-10(E)(3) – This section clarifies that clear sight areas shall be designed per the Development Process Manual specifications rather than to the satisfaction of the Planning Director.
- ✓ §14-16-3-10(E)(4)(a)(1) through (3) – The Standard Landscape Buffers have been updated to encourage more buildings to be developed closer to the public sidewalk and thereby creating more development flexibility with regard to the Landscaping Regulations.
- ✓ §14-16-3-10(E)(4)(b) & (c) – Ensures that the 6 foot side landscape buffer will be maintained and that street trees are appropriately located within the side buffer and also removes the requirement for a rear 6 foot rear landscape buffer. However, a 5 foot landscape buffer (to help reduce heat island effect) will be required around Dumpster Enclosures but should not interfere with the functionality of refuse collection.
- ✓ §14-16-3-10(E)(5)(b) & (c) – Clarifies that where a conflict between tree placement requirements and utilities and/or easements exist, trees may be grouped to minimize these conflicts. In addition, letter (c) creates flexibility with regard to the minimum 6 foot high wall or fence requirement where parking or vehicle circulation areas are adjacent to a landscape strip by allowing a 25% reduction of the landscape area if the parking or vehicle circulation area surface is of a permeable material. This must be approved by the Planning Director or his/her designee.

Plant Palette and Plant Sizes:

- ✓ §14-16-3-10(F) – Provides clarification as to who is responsible for creating the Official Albuquerque Plant Palette and Sizing List and clarifies tree caliper and height requirements for Deciduous and Evergreen Trees.

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Special Landscaping Standards:

- ✓ §14-16-3-10(G)(1)(c) – Requires an increase in the size of tree planters within off-street parking areas from 36 sf to 80 sf, but does allow flexibility for this requirement if the parking or vehicle circulation area surface is of a permeable material.
- ✓ §14-16-3-10(G)(2) – Clarifies that street trees must meet the requirements of Section H of the amended Landscaping Regulations which provide more detail than the current Street Tree Regulations.
- ✓ §14-16-3-10(G)(3)(a) & (b) – Allows for artificial turf / grass as an accent and only up to 5% of the required landscape area for ground cover. Artificial turf/grass cannot be counted as living vegetative material and therefore cannot be counted toward any vegetative ground coverage requirements. Also sets minimum material standards by requiring that the surface material consist of “green lifelike individual blades” and an 8 year manufacturer’s warranty. Installation and maintenance standards are also outlined such as anchoring, restrictions for installation near existing trees.

Street Trees:

- ✓ §14-16-3-10(H)(1)(a) through (f) – A new Section H entitled - Street Trees has been added to the Landscaping Regulations and contains similar language as the existing Street Tree Ordinance with some slight modifications including:
  - References to the new Official Albuquerque Plant Palette and Sizing List;
  - Planting requirements for small, medium and large growth trees in order to avoid conflicts with overhead electric utility lines as well as underground utility lines.
- ✓ §14-16-3-10(H)(2)(a) through (e) – This section outlines additional requirements for street trees planted on private property adjacent to the public right of way and states that the policies are applicable for all street trees. This section also reduces the minimum square footage of planting area for each tree from 100 sf to 80 sf, and allows planting areas with over 800 sf of un-compacted soil to increase tree spacing up to 35 feet (the previous language stated that planting areas with over 1000 sf would be allowed spacing flexibility).

This section cross-references Section §14-16-3-10(E)(2)(a) through (d) and allows the mature canopy of trees to be counted toward the updated ground coverage requirements and required street trees may also be utilized to fulfill parking lot tree requirements if the off-street parking area is located along the street frontage of a site in possible addition to the street tree and coverage requirements.

Lastly, this section creates more flexible planting schemes for areas that require street trees where the sidewalk is located at the curb. An example is the option for planting street trees in a cutout in the sidewalk if the sidewalk is 6 feet wide or wider. Alternate planting schemes can be approved administratively by the Planning Director or his/her designee and outlines planting to genera ratios.

- ✓ §14-16-3-10(H)(3),(4),(5) & (6) – These sections clarify that all requirements of this section of the Landscaping Regulations must conform to the requirements of Section §6-6-2-1 (Street Tree Ordinance) and that the Mayor or his/her designee can approve waivers.

*Off-Street Parking Regulations*

The only proposed amendment to the Off-Street Parking Regulations are to Section §14-16-3-1(H)(1) – Pedestrian Connections. The intent of the pedestrian connections portion of the Off-Street Parking Regulations is to “accommodate inter-related movement of vehicles, bicycles and pedestrians safely and conveniently, both within the proposed development and to and from the street and the surrounding areas, and to contribute to the attractiveness of the development”.

The regulations state that pedestrian walkways shall be a minimum width of 6 feet and must be lined with adjacent shade trees. The proposed amended language allows the mature shade tree canopy of those required shade trees to be counted toward the Required Vegetative Coverage requirements of the Landscaping Regulations, provided the shade trees are selected from the Official Albuquerque Plant Palette and Sizing List, and that the Landscaping Plan still conforms to the 75% landscape area, minimum 30% ground-level coverage, and that a minimum of 5 species of vegetative materials are used on the site.

*Street Tree Regulations*

Generally, the proposed amendments to the Street Tree Regulations are identical to Section §14-16-3-10(H) of the Landscaping Regulations as outlined above. The cross-reference between the Landscaping Regulations and the Street Tree Regulations is meant to fulfill the goal of improved coordination between the two sets of regulations.

**V. AGENCY & NEIGHBORHOOD CONCERNS**

*Reviewing Agencies*

Agencies reviewed the proposed text amendments from June 1, 2015 to June 12, 2015. Several comments were received and reviewed by Planning Staff, which are reflected in the current draft of the proposed text amendment language.

In response to the agency comments submitted by the Planning and Design Division of the Parks and Recreation Department, The Planning Department instead recommended a 30 day deferral to the August 13, 2015 EPC public hearing, and met with Parks and Recreation Department Staff to discuss their agency’s concerns. As a follow up to this meeting, The Planning Department revised the proposed text amendment language to reflect the tangible feedback provided by the Parks and Recreation Department.

*Neighborhood / Public*

The requested text amendments are being made to the Comprehensive City Zoning Code and are considered a City-Wide initiative. According to the Office of Neighborhood Coordination, an article within the Neighborhood News Publication which is accessible online by the public and each registered neighborhood association within the Albuquerque City Limits adequately fulfills the notification requirements for this request. Staff drafted and submitted an article outlining the proposed amendments, contact information for the assigned staff planner for public comments and the date and time for the EPC Public Hearing when the proposed text amendments will be heard (see attached June/July edition of the Neighborhood News publication for additional detail). To date, no specific public comments have been received.

## **VI. CONCLUSION**

This request is for a recommendation to City Council regarding amendments to Zoning Code Sections 14-16-3-10 (Landscaping Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.

The purpose of the proposed text amendments are to clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, re-focus the vegetative coverage requirement to encourage trees canopy, changes to the standard landscaping buffers, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance.

The proposed text amendments were announced in the Neighborhood News and posted to the Planning Department's web page.

Staff finds that the proposed text amendments generally further applicable Goals and policies. The driving force behind the proposed amendments is recognition that the existing Landscaping Regulations contained within the Comprehensive Zone Code do not achieve their stated intent of providing visually attractive streetscapes within the city. This is mainly due to the fact that the city is experiencing a loss of tree canopy cover and the 75% live ground cover requirement contained within the existing Landscaping Regulations cannot be realistically achieved given New Mexico's high desert climate.

The emphasis of the proposed text amendments to the existing Landscaping Regulations is on updating the intent and purpose of the regulations Section §14-16-3-10(B), modifying the ground cover requirement to 30% and allowing tree canopy to count toward the on-site vegetative coverage requirements. Additionally, the proposed text amendments create administrative remedies that allow for more landscaping coverage flexibility to better achieve the stated intent of the proposed amendments. Staff recommends that a recommendation of approval be forwarded to the City Council.



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***RECOMMENDED FINDINGS- 15EPC-40022, August 13, 2015- Zoning Code Text Amendments***

1. The request is for a recommendation to City Council regarding text amendments to amend the City's Comprehensive Zoning Code §14-16-3-10 (Landscaping Regulations) and §14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections §6-6-2-4 (Required Street Trees), §6-6-2-5 (Street Tree Policies), §6-6-2-6 (Street Tree Programs), §6-6-2-7 (More Detailed Regulations) and §6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. The proposed text amendments are being requested by the Planning Department.
2. The purpose of the proposed text amendments are to clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, re-focus the vegetative coverage requirement to encourage trees canopy, update standard landscaping buffer requirements, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance.
3. The coordination of the Landscaping Regulations, Off-Street Parking Regulations and the Street Tree Ordinance acknowledges that street trees may be accommodated provided that on a site immediately abutting the public sidewalk, on private property and that these trees may be counted towards the vegetative coverage requirements (§14-16-3-1 and §14-16-3-10).
4. The task of the Environmental Planning Commission (EPC) is to make a recommendation to the City Council for the proposed text amendments with regard to the Landscaping and Off-Street Parking Regulations of the Zoning Code.
5. The Street Tree Ordinance is located within Part 2 (Trees, Vegetation and Landscaping) of the City's Water, Sewers and Streets Code. The Street Tree Ordinance will need to be amended to reference the Official Albuquerque Plant Palette and Sizing List, tree planting requirements to avoid conflicts with overhead and underground utility lines and to allow administrative approval of alternative planting schemes. Amendments to the Street Tree Ordinance must be sponsored by a member of the Albuquerque City Council. The City Council is the City's Zoning Authority and will make the final decision on all parts of this request.
6. Intent of the City Charter: Amending the Landscaping, Off-Street Parking and Street Tree regulations is an exercise in local self-government (City Charter, Article 1). Clarifying the intent and purpose of the Landscaping Regulations and calling for the coordination of the Street Tree Ordinance requirements with the Landscaping Regulations, 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).

7. Intent of the Zoning Code (§14-16-1-3): The application for proposed text amendments was filed in accordance with Zoning Code requirements. The proposed text amendments generally further the Zoning Code goals of promoting the health, safety and welfare of the citizens and enhancing the appearance of the landscape.
  
8. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Comprehensive Zoning Code are incorporated herein by reference and made part of the record for all purposes.
  
9. The request furthers the following, applicable Comprehensive Plan Goals and Policies:
  - A. Developed Landscaping Goal: The Goal is to maintain and improve the natural and the developed landscapes' quality. The proposed text amendments seek to improve the natural and developed landscapes' quality by prescribing landscaping regulations that appropriately respond to Albuquerque's high desert environment and its many existing microclimates.
    - i. Policy II.C.8.a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

*The proposed text amendments respect the natural and visual environment by recognizing that sustainable desert landscapes are a vital component toward enhancing Albuquerque's overall appearance. The request furthers Policy II.C.8.a.*
    - ii. Policy II.C.8.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.

*The proposed text amendments ensure the use of native and or adapted, low water use or xeric species that are regionally appropriate to conserve water resources, as well as regulating landscaping design to prevent water erosion. The request furthers Policy II.C.8.d.*
  - B. Community Identity and Urban Design Goal: The 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 proposed text amendments preserve and enhance the natural and built characteristics of Albuquerque and Bernalillo County by establishing consistent, attractive streetscapes that generate a sense of continuity and a positive City image.
    - i. Policy II.C.9.b.(2): In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon the following:
      - 2) Built environment
        - Landscaping materials, both planting and hardscape

*The proposed text amendments address strategic and neighborhood planning, development and redevelopment and their relationship to the build environment by improving the aesthetic appearance of commercial, industrial and multi-family residential development and enhancing public/private investments. The request furthers Policy II.C.9.b(2).*

10. Agencies reviewed the proposed text amendments from June 1, 2015 to June 12, 2015. Several comments were received and reviewed by Planning Staff, which are reflected in the current draft of the proposed text amendment language.
11. In response to the agency comments submitted by the Planning and Design Division of the Parks and Recreation Department, Planning Department Staff met with Parks and Recreation Department Staff to discuss their agency's concerns. As a follow up to this meeting, The Planning Department revised the proposed text amendment language to reflect the tangible feedback provided by the Parks and Recreation Department.
12. The proposed text amendments were posted on the Planning Department's main web page and were announced in the June/July 2015 issue of the Neighborhood News, published by the Office of Neighborhood Coordination (ONC). There is no known neighborhood opposition to this request.

***RECOMMENDATION***

**That a recommendation of APPROVAL of Text Amendments to Zoning Code Sections §14-16-3-10 (Landscaping Regulations) and §14-16-3-1 (Off-Street Parking Regulations) to establish standards that enhance, improve and maintain the quality of the public environment be forwarded to the City Council based on the preceding Findings.**

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*Vicente M. Quevedo  
Planner*

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### **Zoning Enforcement**

There are a couple of concerns within the Code Enforcement Division with regards to the use of adjacent and abutting which are not defined within the Zoning Code, abutting typically means two properties that are directly connected and we would interpret the use of abutting in this manner should that work best for your uses, we would prefer that be used throughout the document for consistency.

Also there is concern with the complete removal of the rear yard landscaping buffer 14-16-3-10(E)(3)(c), the only concern would be that if a property abuts a public right of way on the rear of a property there would be no separation between the parking lot and the public.

#### **Office of Neighborhood Coordination**

Citywide, article submitted regarding proposed amendments for June/July Neighborhood News publication.

#### **Long Range Planning**

These amendments were initiated per the request of the development community to clarify the intent of the Landscaping Regulations and update the standards for successful landscapings in a desert environment. The proposed amendments seek to modify the method of calculating the required landscaping to include tree canopy in the required 75% ground-cover. The amendments would also allow artificial turf, which is a lower water use landscaping element.

The request supports the Comprehensive Plan Community Identity and Urban Design Goal “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.”

These regulations may be further amended as part of the Integrated Development Ordinance. If approved, the proposed amendments could be tested over the next year to see if the outcome is consistent with the intent of the amendments.

Long Range staff was involved in this project and supports these changes.

#### **Metropolitan Redevelopment Agency**

No comments received.

***CITY ENGINEER***

**Project # 1001620 COA Planning Department, Landscaping Requirements  
15EPC-40020 Text Amendment to the Zoning Code/Landscaping Regulations**

Any proposed landscaping requirements shall be in compliance with COA sight distance requirements for driveways and intersections as shown in the Development Process Manual, Chapter 23.

***DEPARTMENT of MUNICIPAL DEVELOPMENT***

**DMD Transportation Planning:**

No objection to the request.

***WATER UTILITY AUTHORITY***

**Utility Services**

Reviewed, no adverse comments

***ENVIRONMENTAL HEALTH DEPARTMENT***

***PARKS AND RECREATION***

**Planning and Design**

Project #1001620 – Citywide 15EPC-400229 –Text amendment to Zoning Code/Landscaping regulations

The Parks & Recreation Department requests a 90 day deferral to address some issues regarding proposed Parks & Recreation Department responsibilities.

**Open Space Division**

Reviewed, no adverse comments.

**City Forester**

No comments received.

***POLICE DEPARTMENT/Planning***

EPC 1001620 – This is a Citywide project.

Section E, proposed 5, page 3-64 – Special Buffer Landscaping/Screening Requirements.

- Suggest including verbiage to address plantings immediately adjacent to available street lighting. Trees should not be planted near existing or proposed street pole lights. Once trees become mature they will interfere and otherwise reduce the available illumination.

- No other Crime Prevention or CPTED comments concerning the proposed Site Plan of Subdivision request at this time.

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

No vegetation that creates a canopy, or any overgrowth that hinders refuse enclosure access. Please clarify landscaping surrounding refuse enclosure 14-16-3-10(E)(4)(c)

***FIRE DEPARTMENT/Planning***

Reviewed, no adverse comments.

***TRANSIT DEPARTMENT***

Reviewed, no adverse comments.

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

No comments received.

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

Reviewed, no adverse comments.

***ALBUQUERQUE PUBLIC SCHOOLS***

Reviewed, APS does not oppose this proposal.

***MID-REGION COUNCIL OF GOVERNMENTS***

The adoption of the 2040 Metropolitan Transportation Plan includes Appendix H, the Long Range Transportation System Guide (LRTS Guide). The LRTS Guide includes multi-modal conceptual roadway design recommendations. The COA Landscaping Regulations provides the additional detail in support of the LRTS Guide. (The LRTS Guide can be accessed online at <http://www.mrcog-nm.gov/transportation/metro-planning/long-range-mtp?start=1>)

**There are a few areas where MRCOG would like additional language to be considered:**

***Section B.2***

Section B.2 describes many benefits to landscaping and trees. MRCOG recommends including language that street trees have a positive effect on reducing the frequency and severity of crashes and provide significant improvements for pedestrian comfort.

Section B.2.e mentions various benefits regarding storm water. Addressing water pollution is an additional benefit that was not mentioned.

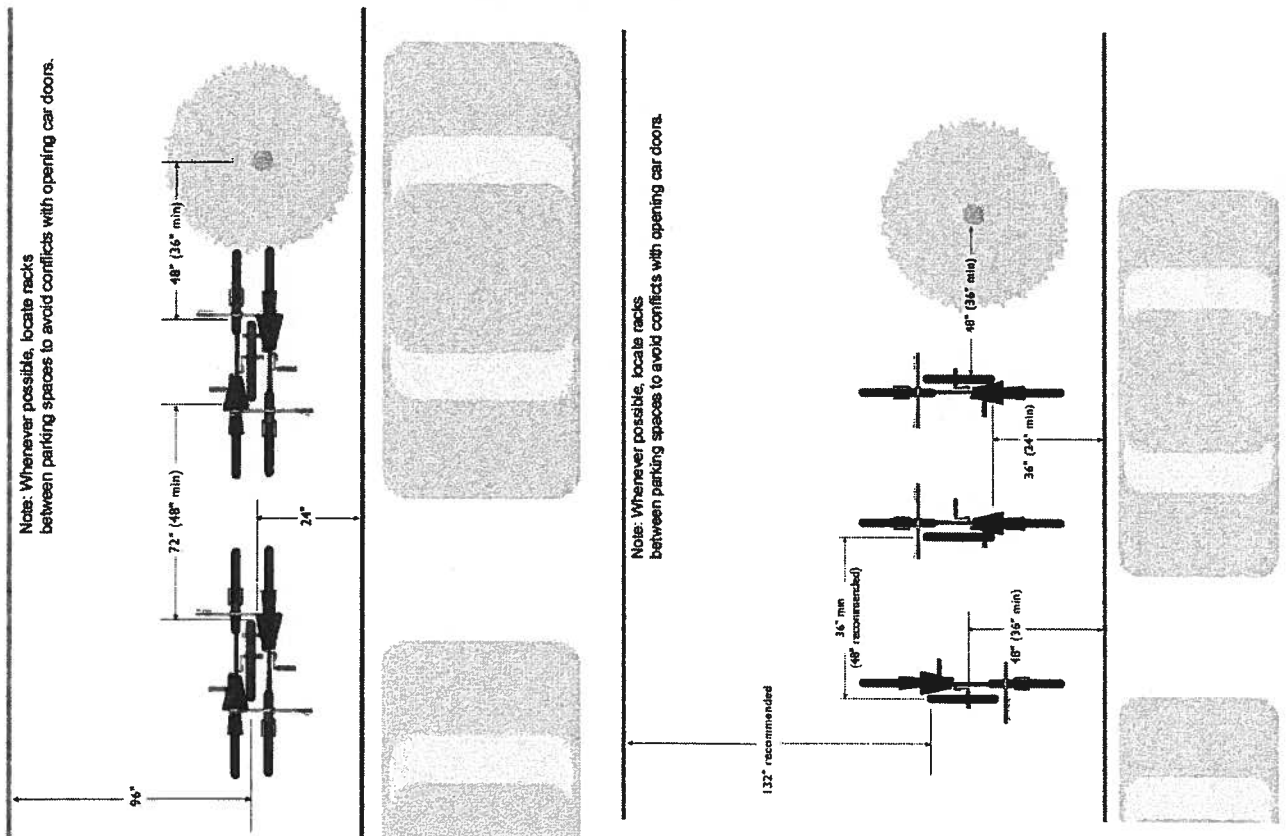
*Section G*

Section G includes Bicycle Parking Standards. To build upon these very good standards, MRCOG recommends considering including that the bicycle rack be located at a minimum distance from the main entrance.

To give a little more guidance in Section G.2, please consider modifying the description:

“Racks shall be so designed that both wheels and the frame of a bicycle can be locked securely to it with a U-lock, heavy chain, cable, or padlock. Rack designs that are inverted U’s are recommended as well as racks that are comprised of a post with a ring. Each of these rack designs allow for two bicycles to be locked to a single rack. Recommended spacing of racks comes from the Association of Pedestrian and Bicycle Professionals (APBP) Bicycle Parking Guidelines:”

Following are some examples of recommended rack spacing:



*Stormwater Runoff Opportunities*

Section B.2.e mentions stormwater retention, however there does not seem to be detailed guidance in the regulations. Providing this detail may be well beyond the scope of this update, however, we hope the City of Albuquerque is open to developing more ways to allow streets to provide this benefit through landscaping design.

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**Finally, MRCOG would like to highlight a few areas where the current regulation and updates support the LRTS Guide:**

Section E.4.a calls for a minimum of 25'-30' for spacing of street trees. When calculating multi-modal level of service, MRCOG uses a simplified version using 20' spacing. These two measurements seem reasonably similar and would not require us to change our simplified model.

Section E.4.a.1 and Section E.4.b calls for a landscaped buffer of 10'-6' depending on whether the landscaped buffer is between the street and either the front or side of the building. We are relieved that these are either more generous or similar to the recommendations provided by the Institute of Transportation Engineers Walkable Urban Thoroughfares document that recommends 6'-7' for landscaped buffers. The LRTS Guide recommendations follow the Walkable Urban Thoroughfares document.

Although not part of the edited text, we were happy to see that Section H.1 describes street trees requirements adjacent to a major street or major local street. This goes beyond the LRTS Guide recommendation for street trees in activity centers along all streets that are a collector or above. Finally, section H.2.b describes the street tree location as being between the curb and the public sidewalk, which provides the best location for pedestrian comfort.

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

No comments received.

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

**Conditions for Approval for Project #1001620 Text Amendment to the Zoning Code/Landscaping Regulations 15EPC-40022**

1. §14-16-3-10 (C) (2):

Revise as follows:

Prior to design, the existence of underground utility lines shall be verified. Underground utility lines to be checked are as follows: water and sewer, traffic signal, fire alarm, gas, telephone, electric and cable television. Planting must be located so as to not interfere, either at the time of installation or later, with the function of such underground lines; trees and shrubs ~~should~~ shall be planted not less than three feet from existing gas mains or gas service lines and underground electric utility lines.

2. §14-16-3-10 (E) (5) (b):

Revise as follows:

The buffer landscaping shall consist primarily of trees, which trees shall be at least eight feet high at time of planting and capable of reaching a height at maturity of at least 25 feet. Spacing of the trees shall be equal to 75% of the mature canopy diameter of the trees; Where utilities and/or utility easements may ~~interfere with~~ preclude tree placement and/or growth, the number of trees may be reduced and/or the trees may be grouped to avoid ~~minimize~~ conflicts with utilities and/or utility easements. Conflicts can occur with large trees near overhead electric utility lines. The larger the tree, the farther it must be from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. Locate medium growth trees at least



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15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines will be trimmed back to prevent any growth into the lines.

3. §14-16-3-10 (H) (1) (new section f):  
Insert the following language into a section (f):

f. Conflicts can occur with large trees near overhead electric utility lines. The larger the tree, the farther it must be from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. Locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines will be trimmed back to prevent any growth into the lines.

4. §6-6-2-5 (a):  
General comment: numbering should start with "1."

5. §6-6-2-5 (1) (a):  
Insert the following language in new section (d):

"(d) Conflicts can occur with large trees near overhead electric utility lines. The larger the tree, the farther it must be from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. Locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines will be trimmed back to prevent any growth into the lines.

6. §6-6-2-5 (2) (c):

This section is in conflict with §14-16-3-10 (E) (5) (b).

Notwithstanding the other provisions of this section, trees planted adjacent to the public right-of-way or in easements for underground utilities should be located so as not to interfere, either at the time of installation or later, with the function of overhead and underground utility lines. Where this is not feasible, street trees shall be planted near but off the public right-of-way. Reasonable location is the responsibility of the person preparing the street tree plan and the person planting the tree. The City Forester may approve alternative planting schemes if it can be shown that the resulting tree canopies will still provide adequate shading for the sidewalk. Where utilities and/or utility easements may interfere with preclude tree placement and/or growth, the number of trees may be reduced and/or the trees may be grouped to avoid minimize conflicts with utilities and/or utility easements.

## ZONING

Refer to Section 14-16-3-10 of the Zoning Code for specifics regarding the Landscaping Regulations and 14-16-3-1 for specifics regarding the Off-Street Parking Regulations.

APPLICATION INFORMATION



Supplemental Form (SF)

<p><b>SUBDIVISION</b></p> <p><input type="checkbox"/> Major subdivision action</p> <p><input type="checkbox"/> Minor subdivision action</p> <p><input type="checkbox"/> Vacation</p> <p><input type="checkbox"/> Variance (Non-Zoning)</p> <p><b>SITE DEVELOPMENT PLAN</b></p> <p><input type="checkbox"/> for Subdivision</p> <p><input type="checkbox"/> for Building Permit</p> <p><input type="checkbox"/> Administrative Amendment (AA)</p> <p><input type="checkbox"/> Administrative Approval (DRT, URT, etc.)</p> <p><input type="checkbox"/> IP Master Development Plan</p> <p><input type="checkbox"/> Cert. of Appropriateness (LUCC)</p> <p><b>STORM DRAINAGE (Form D)</b></p> <p><input type="checkbox"/> Storm Drainage Cost Allocation Plan</p>	<p><b>S Z ZONING &amp; PLANNING</b></p> <p><input type="checkbox"/> Annexation</p> <p><b>V</b> <input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)</p> <p><b>P</b> <input checked="" type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations</p> <p><b>D</b> <input type="checkbox"/> Street Name Change (Local &amp; Collector)</p> <p><b>L A APPEAL / PROTEST of...</b></p> <p><input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other</p>
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PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

Professional/Agent (if any): \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL: \_\_\_\_\_

APPLICANT: COA PLANNING DEPT. PHONE: (505) 924-3866

ADDRESS: 600 2<sup>ND</sup> STREET NW FAX: (505) 924-3339

CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: \_\_\_\_\_

Proprietary interest in site: \_\_\_\_\_ List all owners: \_\_\_\_\_

**DESCRIPTION OF REQUEST:** AMEND THE ZONING CODE TO DEFINE AND REGULATE LANDSCAPE REQ. THAT ENHANCE, IMPROVE, AND MAINTAIN THE QUALITY OF THE

Is the applicant seeking incentives pursuant to the Family Housing Development Program?  Yes.  No. PUBLIC ENVIRONMENT

**SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.**

Lot or Tract No. CITY WIDE Block: \_\_\_\_\_ Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed zoning: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): \_\_\_\_\_ UPC Code: \_\_\_\_\_

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_ etc.): \_\_\_\_\_

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? \_\_\_\_\_

No. of existing lots: \_\_\_\_\_ No. of proposed lots: \_\_\_\_\_ Total site area (acres): \_\_\_\_\_

LOCATION OF PROPERTY BY STREETS: On or Near: \_\_\_\_\_

Between: \_\_\_\_\_ and \_\_\_\_\_

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE [Signature] DATE 5/28/15

(Print Name) VICENTE M. QUEVEDO Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

<p><input type="checkbox"/> INTERNAL ROUTING</p> <p><input type="checkbox"/> All checklists are complete</p> <p><input type="checkbox"/> All fees have been collected</p> <p><input type="checkbox"/> All case #s are assigned</p> <p><input type="checkbox"/> AGIS copy has been sent</p> <p><input type="checkbox"/> Case history #s are listed</p> <p><input type="checkbox"/> Site is within 1000ft of a landfill</p> <p><input type="checkbox"/> F.H.D.P. density bonus</p> <p><input type="checkbox"/> F.H.D.P. fee rebate</p>	<p>Application case numbers</p> <p><u>15EPC-40022</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Hearing date <u>July 9, 2015</u></p>	<p>Action</p> <p><u>TA</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>S.F.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Fees</p> <p>\$ <u>0</u></p> <p>\$ _____</p> <p>\$ _____</p> <p>\$ _____</p> <p>Total</p> <p>\$ <u>0</u></p>
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Revised: 11/2014

5-28-15 Project # 1001620

Staff signature & Date 22

**FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS**

**ANNEXATION (EPC08)**

- Application for zone map amendment including those submittal requirements (see below).  
*Annexation and establishment of zoning must be applied for simultaneously.*
  - Petition for Annexation Form and necessary attachments
  - Zone Atlas map with the entire property(ies) clearly outlined and indicated  
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
  - Letter describing, explaining, and justifying the request  
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
  - Letter of authorization from the property owner if application is submitted by an agent
  - Board of County Commissioners (BCC) Notice of Decision
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

- SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
  - SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
  - SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)
  - Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
  - Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
  - Zone Atlas map with the entire plan area clearly outlined and indicated
  - Letter describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
  - Traffic Impact Study (TIS) form (for EPC public hearing only)
  - Fee for EPC final approval only (see schedule)
  - List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.* Your attendance is required.

- AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)**
  - Zone Atlas map with the entire property clearly outlined and indicated
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
  - Letter of authorization from the property owner if application is submitted by an agent
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
  - Sign Posting Agreement form
  - Traffic Impact Study (TIS) form
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

- AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)**
  - AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)**
  - Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
  - Plan to be amended with materials to be changed noted and marked
  - Zone Atlas map with the entire plan/amendment area clearly outlined
  - Letter of authorization from the property owner if application is submitted by an agent (map change only)
  - Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
  - Letter briefly describing, explaining, and justifying the request
  - Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
  - Traffic Impact Study (TIS) form
  - Sign Posting Agreement
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

- AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)**
  - Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
  - Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
  - Letter describing, explaining, and justifying the request
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.* Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

VICENTE QUEVEDO  
 \_\_\_\_\_  
 Applicant name (print)  
 \_\_\_\_\_  
 Applicant signature & Date



Checklists complete  
 Fees collected  
 Case #s assigned  
 Related #s listed

Application case numbers  
 15EPC - 40022  
 \_\_\_\_\_  
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 \_\_\_\_\_  
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Revised: June 2011  
 \_\_\_\_\_  
 Staff signature & Date  
 Project # 1001620



May 28, 2015

**Peter Nicholls, Chair, Environmental Planning Commission  
C/O Planning Department  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102**

**RE: Project # 1001620, 15EPC-40022,**

I am pleased to submit for the Environmental Planning Commission's review and recommendation to the City Council updated language for the Zoning Code's Landscape Regulations. These proposed text amendments were drafted in collaboration with City Staff and private sector landscape architects and designers.

The proposed amendments:

1. Clarify the intent and purpose of the Landscape Regulations;
2. Call for the creation of the Official Albuquerque Plant Palette and Sizing List which calibrates the realistic mature diameter of plants and tree canopies. This would be completed as a joint effort by the City Forester, other appropriate City Staff and private sector landscape architects and local nurseries;
3. Allow tree canopy to be counted toward the 75% live vegetative coverage requirement and set a minimum of 30% of the overall landscape coverage to be achieved by ground-level plants;
4. Change to the standard landscape buffers:
  - a. Allows the front buffer to be reduced or eliminated if a building (s), forecourt(s) and/or frontage(s) are located within ten (10) feet of the front property line as allowed by underlying zoning;
  - b. Allows for the elimination of side buffers unless the side yard is adjacent to and/or fronts a street or a residential zone;
  - c. Eliminates the rear buffer requirements unless adjacent to a residential zone;
  - d. Includes the addition of a refuse enclosure buffer;
5. Update plant size requirements at time of installation;
6. Provide minimum materials, installation and maintenance standards for artificial turf;
7. Call for the coordination of the Street Tree Ordinance requirements with the Landscape Regulations.

PO Box 1293

Albuquerque

New Mexico 87103

[www.cabq.gov](http://www.cabq.gov)

These changes are intended to acknowledge and more appropriately respond to Albuquerque's high desert environment and its many existing microclimates.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne Lubar". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Suzanne Lubar  
Planning Department Director

**PROPOSED AMENDMENTS TO  
LANDSCAPING REGULATIONS  
RED-LINE & CLEAN DRAFTS**



**§ 14-16-3-10 LANDSCAPING REGULATIONS.****APPLICABLE TO APARTMENT AND NONRESIDENTIAL DEVELOPMENT.**

- (A) **Basic Requirement.** Landscaping is required for all apartment development and all nonresidential development in accordance with the regulations of this section.
- (B) **Intent and Purpose.** ~~The intent of the regulations in this section is to provide visually attractive landscape buffers around the perimeter of developments, provide a visually attractive streetscape, intersperse trees throughout off-street parking areas to provide shade and reduce large expanses of pavement and parked cars, provide landscaped areas around apartments, and reduce impacts of nonresidential uses on residences.~~
- (1) The intent of these regulations is to establish landscape standards that enhance, improve and maintain the quality of the public environment by providing visual relief from urbanization while enriching Albuquerque's character and quality of life.
- (2) The purpose of this section is to define and regulate landscape requirements that establish visually attractive, sustainable desert landscapes that aid in the creation of a quality public realm. The City recognizes landscaping as a vital component to quality environments that enhance Albuquerque's overall appearance and provides public benefit through:
- (a) Providing visual relief from urbanization;
- (b) Establishing a consistent, attractive streetscape that generates a sense of continuity and a strong, positive City image;
- (c) Improving the aesthetic appearance of commercial, industrial and multi-family residential development thereby protecting and enhancing public/ private investments and property values;
- (d) Ensuring the use of native and/or adapted, low water-use or xeric species, regionally appropriate, sustainable design and maintenance techniques to conserve water resources; and
- (e) Contributing to the processes of air purification, oxygen regeneration, ground water recharge, and storm water runoff retention. Landscaping should be designed to retain soil moisture, prevent erosion and help encourage the growth of abutting plantings, and mitigate urban, heat-island effects whilst aiding in the abatement of air and water pollution, dust, noise, heat and glare.
- (f) Street trees should have a positive effect on reducing the frequency and severity of automobile accidents and provide significant improvements for pedestrian comfort.
- (C) **Landscaping Plan.** See also the definition of this term in § 14-16-1-5 of this Zoning Code.
- (1) As to apartment and nonresidential developments, all applicants for building permits for construction of a new building or building addition over 200 square feet shall submit and have approved by the Planning Director a landscaping plan prior to issuance of a related building permit; however, foundation permits may be issued on the basis of simple designation of appropriate areas of the site to be landscaped.
- (2) Prior to design, the existence of underground utility lines shall be verified. Underground utility lines to be checked are as follows: water and sewer, traffic signal, fire alarm, gas,

telephone, electric, and cable television. Planting must be located so as to not interfere, either at the time of installation or later, with the function of such underground lines; trees and shrubs ~~shall should~~ be planted no less than three feet from existing gas mains or gas service lines and underground electric utility lines.

- (3) The landscaping plan shall show:
- (a) The common names and botanical name of the plants to be used; if there is no common name ~~or if that name does not clearly indicate the species,~~ only the botanical name shall be used;
  - (b) Topography in the form of finished contour lines;
  - (c) The type of watering system;
  - (d) The parties responsible for maintenance of the landscaping;
  - (e) The square footage for each separate area of landscaping and also a total for all landscaping on the site; dimensions of each landscaping area shall be provided, along with the quantities of trees and shrubs, and their mature height and spread.

**(D) Installation and Maintenance.**

- (1) Landscaping shall be installed according to the approved plan; installation shall be completed within 60 days of the related building's occupancy.
- (2) Any damage to utility lines resulting from the negligence of the abutting landowner, his agents, or employees in the installation and maintenance of the landscaped area in the public right-of-way shall be the responsibility of such landowner. Any damage to utility lines resulting from the growth of plant materials, which have been approved by the applicable public utility as part of a plan for landscaping on the public right-of-way, shall be the responsibility of such public utility. If a public utility disturbs a landscaped area in the public right-of-way, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless some plant materials die, it is the obligation of the abutting landowner to replace the plant materials.
- (3) Landscaping shall have adequate maintenance. Landscaping which dies shall be replaced by the owner as expeditiously as possible, but in no case longer than 60 days after notification.

**(E) Landscaping Area Requirements.**

- (1) ~~The total landscaped area required~~ for each development that is required to include landscaping shall not equal equal not less than 15% of the net lot area. For the purposes of this section, NET LOT AREA is defined as ~~means~~ the total area of the lot minus the following:
  - (a) The area of the lot covered by buildings;
  - (b) The portions of the lot that are not required for off-street parking or a parking lot and which are fully screened from view from any ~~adjacent-abutting~~ lot or public right-of-way by an opaque wall or fence at least six feet high, in which no landscaping will be required except required buffer landscaping; chain link fence with slats does not constitute acceptable full screening; and

- (c) The area of any approved landscaping that the property owner installs and maintains in the ~~adjacent~~ abutting public right-of-way, exclusive of the area of any existing or planned public sidewalk, shall include the installation of an adequate irrigation system that meets the minimum technical requirements of the City of Albuquerque with a separate meter for the landscape area in the public right-of-way, or a separate valve at the property line allowing isolation of the irrigation to the landscaping within the public right-of-way. Drip irrigation systems and artificial turf shall not be allowed within the public right-of-way.
- (d) For the purposes of this section, "total landscaped area" is defined as 15% of net lot area
- (2) Required Vegetative Coverage. All landscape areas 36 square feet in size or larger shall be covered with living, vegetative materials, such as trees, grasses, vines, shrubs, or flowers. To minimize water consumption, the use of vegetative ground cover other than turf grass is encouraged. Coverage will be calculated from the realistic, mature spread of the plants, including the mature canopies of trees, all calibrated for Albuquerque's desert climate/environment, and as follows:
- (a) The total landscaped area shall have at least 75% coverage by living, vegetative materials.
- (b) A minimum of 30% of the total landscaped area shall be achieved by ground-level plants (shrubs, groundcover, grasses, etc.).
- (c) A minimum of five (5) species must be used on the site to have a mix of living vegetative materials represented in understory plantings.
- (d) Trees selected from the Official Albuquerque Plant Palette and Sizing List and included on a landscape plan contained within a Site Development Plan or a Building Permit set that satisfy the requirements of the landscape regulations contained within Section 14-16-3-10, subsections (E) - Landscape Area Requirements, (G) - Special Landscape Standards and (H) - Street Trees may also be counted provided that the provisions of section 14-16-3-10(E)(1)(a)(b) and (c) are met. Any street trees required by the City that are planted within 20-feet of the back of curb of the abutting street may be used to help fulfill section 14-16-3-1(H) and landscaping regulations for off-street parking areas abutting a street frontage, street tree and coverage requirements.
- (3 2) Clear sight areas ~~satisfactory to the Planning Director~~ as specified in the DPM shall be maintained at all exits of parking areas. The clear sight triangle (at street corners), as defined in ~~Chapter 8~~ Section 8-2-2-15, Traffic Code, and also in § 14-16-1-5 of this Zoning Code, shall be kept clear.
- (4 3) Standard Landscape Buffers. Landscape buffer areas are required to separate off-street parking and circulation areas from front, side, and rear boundaries of premises. On sites controlled by the shopping center regulations (§ 14-16-3-2) and planned development areas controlled by site development plans, these requirements shall be based on the entire area of the planning site unless otherwise approved by the Planning Commission. Landscape buffers may be crossed by driveways connecting to ~~adjacent~~ abutting land. No parking is permitted within a required landscape buffer area. Landscaping approved within ~~adjacent~~ the abutting public right-of-way may be counted toward this requirement if there is no existing or planned public sidewalk between such landscaping and the premises, but in no case shall the width of the on-site landscape buffer be less than five feet. Specific required landscape buffer locations and minimum widths shall be as follows:

- (a) ~~Ten feet for sites of three acres or less, increasing at the rate of one foot in width per two-acre increase in site size to a maximum required width of 20 feet.~~
1. Ten feet, if there is/are no building(s) or forecourt(s) within ten (10) feet of the front property line;
  2. The landscape buffer can be reduced or eliminated if the building(s), forecourt(s) and/or frontage(s) are located within ten (10) feet of the front property line as allowed by underlying zoning;
  3. Adequate room and spacing for required Street Trees (§14-16-3-10(H)) may be accommodated/provided in the public right-of-way and/or on the site immediately abutting the public sidewalk: minimum 100 sq. ft. planting area for each tree; and maximum of 25 - 30 feet spacing on-center. For planting areas with over 1,000 CF of uncompacted soil, tree spacing may be increased to up to 35 feet on-center.
- (b) ~~Side - Six feet. The landscape buffer may be relocated if the lot line is within a common access easement. Six (6) feet, where the side yard of a property abuts and/or fronts a street. Street trees are appropriately located in this landscape buffer area.~~
- (c) ~~Rear - Six feet. The landscape buffer may be relocated if the lot line is within a common access easement. Around Dumpster Enclosures Five (5) feet. Landscaping should not interfere with the functioning of the enclosure gates or the refuse collection service.~~
- (5 4) Special Buffer Landscaping/Screening Requirements. Where a nonresidential zone is developed after April 2, 1990 for a nonresidential purpose and the site abuts a residential zone, special buffer landscaping is required to minimize noise and sight impact of the non-residential activities in the residential area:
- (a) ~~The standard buffer landscaping shall be a landscaping strip at least ten feet wide where located along the residential/nonresidential boundary. The required landscaped setbacks specified in division (3) above may be utilized for this purpose;~~
  - (b) The buffer landscaping shall consist primarily of trees, which trees shall be have a 2.0 inch caliper for deciduous trees or a height of 6 feet for Evergreens at time of planting and capable of reaching a height at maturity of at least 25 feet. Spacing of the trees shall be equal to 75% of the mature canopy diameter of the trees; where utilities and/or utility easements may interfere with tree placement and/or growth, the number of trees may be reduced and/or the trees may be grouped to minimize conflicts with utilities and/or utility easements. Trees shall not be planted near existing or proposed street pole lights. Conflicts can occur with large trees near overhead electric utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines;
  - (c) ~~Where parking or vehicle circulation areas are adjacent to abut the landscaping strip, a minimum six foot high opaque wall or fence shall also be required to visually screen the parking or circulation area from the adjacent abutting residential zone; chain link fence with slats shall not constitute acceptable screening; the landscape area may be~~

reduced by up to 25% if the surface of the parking or vehicle circulation area is of a permeable material and approved by the Planning Director or her/his designee.

- (d) This division (4) requirement does not apply to lots which were entirely developed as of January 1, 1976.
- (5) Special Screening Requirements for Certain Uses. In addition to the above requirements in division (4), an additional screening requirement applies where a principal business is:
- (a) A mobile home sales lot; or
- (b) Outdoor vehicle storage where the vehicles are typically not moved for one week or more: if the site is so developed after April 2, 1990, and abuts a residential zone or is separated only by public right-of-way from a residential zone, a minimum eight foot high opaque wall or fence shall be required to visually screen the parking or display area from the ~~adjacent~~abutting residential zone; chain link fence with slats shall not constitute acceptable screening.
- (F) ***Plant Palette and Plant Sizes.*** The Planning Director or his/her designee, appropriate staff and entities such as the ABCWUA, the local chapter of the American Society of Landscape Architects, local landscape maintenance firms, and local nurseries, shall create an official, Albuquerque-specific tree and plant palette (Official Albuquerque Plant Palette and Sizing List). Except as otherwise specified in this section, the minimum acceptable sizes of plants or amounts of seed, at the time of planting, are as follows:
- (1) Trees.
- (a) Deciduous Trees: Two inches in caliper measured six inches above grade;
- (b) Evergreen Trees: six feet in height.
- (2) Shrubs ~~and low growing evergreens~~: one gallon;
- (3) Ground cover ~~and turf~~: adequate to provide general ground coverage within one growing season after planting.
- (G) ***Special Landscaping Standards.***
- (1) Off-Street Parking Area Landscaping. Trees are required in and around off-street parking areas to provide shade and relieve the adverse visual impact of large expanses of pavement and parked cars. Quantity and distribution of trees shall be as follows:
- (a) One tree is required per ten parking spaces;
- (b) No parking space may be more than 100 feet from a tree trunk;
- (c) The minimum size of tree planters within off-street parking areas shall be ~~36~~ 80 square feet per tree; the tree planter area may be reduced if the surface of the parking or vehicle circulation area is of a permeable material;
- (d) At least 75% of the required parking area trees shall be deciduous canopy-type shade trees, capable of achieving a mature canopy diameter of at least 25 feet.
- (2) Street Trees. Street trees meeting the requirements of §§ ~~6-6-2-1 et seq.~~ 14-16-3-10(H), Street Trees, are required along all arterial and collector street frontages.

- ~~(3) Required Vegetative Ground Cover. All required landscape areas 36 square feet in size or larger shall be covered with living, vegetative materials, such as grasses, vines, spreading shrubs, or flowers, over at least 75% of the required landscape area. Coverage will be calculated from the mature spread of the plants. To minimize water consumption, the use of vegetative ground cover other than turf grass is encouraged. Any non-living ground cover areas not intended as mulch around spreading plants must be clearly delineated on the landscaping plan.~~
- (3) Artificial turf/grass. Artificial turf/grass may be allowed, but only as an accent and only up to 5% of the total landscaped area referenced under §14-16-3-10 (E)(1)(d) above. Artificial turf/grass shall not be counted as living vegetative material or to meet the Required Vegetative Coverage Requirements section referenced under §14-16-3-10 (E)(2) above. Artificial/turf grass will help provide water savings and drought tolerant options for landscape purposes.
- (a) Minimum material standards for artificial turf/grass:
- (i) Artificial turf/grass shall consist of green lifelike individual blades of grass that emulate natural turf in look and color for the duration of its use.
  - (ii) All artificial turf/grass shall have a minimum eight-year manufacturer's warranty that protects against color fading and a decrease in pile height.
  - (iii) Artificial turf/grass shall be lead free.
- (b) Installation and maintenance standards for artificial turf/grass:
- (i) All artificial turf/grass installations shall be anchored.
  - (ii) An appropriate solid barrier device (e.g., concrete mow strip, bender board) is required to separate artificial turf/grass from soil and live vegetation.
  - (iii) Precautions for installation around existing trees shall be monitored and may be restricted to ensure tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised.
  - (iv) Turf/grass shall be maintained in good condition, shall present a healthy, neat, and orderly appearance, and shall be free from refuse and debris. (must be replaced at the end of life span – talk to Legal about how to phrase)
  - (v) Artificial turf/grass shall not interfere with the drainage of the site.
- (5-4) Tree Requirements for Multi-Family Residential Developments. In addition to the above requirements, multi-family residential sites must provide trees in areas around residential structures as follows:
- (a) Trees shall be provided at not less than the rate of one tree per ground floor dwelling unit and one tree per two second-story dwelling units. No additional trees are required for units above the second story;
  - (b) At least 50% of the required trees shall be deciduous canopy-type shade trees or coniferous trees capable of attaining a mature canopy diameter of at least 25 feet.

**(H) Street Trees.****(1) Required Street Trees.**

- (a) All applicants for building permits for construction of a new building or building addition of over 200 square feet shall submit a street tree plan for those parts of the lot abutting a major street, a major local street, or another street where street trees are required.**
- (b) Any person who constructs a new building addition of over 200 square feet or who paves a parking lot or required off-street parking area for apartments and/or non-residential development on a lot abutting to a major street, a major local street, or another street where street trees are required shall plant street trees according to a street tree plan approved by the Mayor or his/her designee. Such planting shall occur no later than 30 days after the completion of construction and shall occur before final inspection as required in the Building Code.**
- (c) Street trees shown on an approved street tree plan and required to meet the requirements of §6-6-2-1 et seq. shall be maintained alive and healthy. Maintenance and trimming of street trees and replacement of dead trees are the responsibility of the owner of the lot abutting or on which the tree is located.**
- (d) The Parks and Recreation Department shall maintain a list of trees, as part of the Official Albuquerque Plant Palette and Sizing List, generally suitable for use as street trees in Albuquerque. This Street Tree List shall include a description of the physical characteristics and horticultural requirements of each species.**
- (e) City Staff, in coordination with appropriate local private sector input, shall develop and make available information regarding the required soil volume for trees of a given mature size; the Planning Director shall make this available.**
- (f) Conflicts can occur with large trees near overhead electric utility lines and/or underground utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those fewer than 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines.**

**(2) Street Tree Policies Abutting the Public Right of Way.**

**The following city policies govern the placement of all street trees which are planted on private property, abutting the public right-of-way, or which are required to be planted near streets pursuant to city plans, policies and ordinances; the policies are applicable for all street trees:**

- (a) Size of the trees at maturity should be in proportion to the planting space provided for them. Spacing between evenly spaced street trees should be no greater than the diameter of the tree canopy at maturity, per the Official Albuquerque Plant Palette and Sizing List. Smaller species of trees will require closer spacing, and larger trees will require greater spacing. Spacing shall be approved as part of the plan approval process.**
  - a. Adequate room and spacing for Street Trees (subsection citation) shall be accommodated/provided: minimum 80 sq. ft. planting area for each tree; and**

- maximum of 25 feet spacing on-center. For planting areas with over 800CF of un-compacted soil, tree spacing may be increased to up to 35 feet on-center.
- b. The planting hole shall be twice as wide as the root ball of the tree being planted, but only as deep as the distance from the bottom of the root ball to the top of the highest first-order root in the root ball.
  - c. On sites where evenly-spaced street trees are not possible or do not conform to the overall design objectives of the site, random clustering of street trees may be acceptable, provided that the number of trees planted equals or exceeds the number that would be required if the trees were evenly-spaced.
- (b) Where less than three feet of space exists between the curb and the public sidewalk, street trees shall not be planted into the parkway strip. Any street trees required by the City shall be planted within 20-feet of the back of curb of the abutting street. In addition to fulfilling the street tree requirement, such trees can be included in the calculation described in 14-16-3-10.E.2. Furthermore, if an off-street parking area is located along the frontage of the site, these trees may be used concurrently to fulfill the landscaping regulations for these areas, in possible addition to the street tree and coverage requirements.
- (c) Where the sidewalk is at the curb, preferably street trees shall be planted at least two feet beyond the property-side edge of the sidewalk;
- (d) Notwithstanding the standards in division (1) above, the location of street trees shall be determined by the Development Review Board if the standards of division (1) above would result in a tree being located less than eight feet from the face of the street curb. In making decisions on tree location, the Development Review Board shall balance traffic safety with the appearance of the streetscape. The Board shall consider the purposes of §14-16-3-10(H) as well as traffic speed and other relevant traffic aspects which may impact public safety.
1. Street trees shall be selected from the species in the Official Albuquerque Plant Palette and Sizing List. The most appropriate species will depend upon the conditions of the particular site.
  2. Street trees shall be at 2.0 inches in caliper at the time of planting.
  3. Notwithstanding the other provisions of this section, trees planted ~~in~~ abutting the public right-of-way or in easements for underground utilities should be located so as not to interfere, either at the time of installation or later, with the function of overhead and underground utility lines. Where this is not possible, street trees shall be planted near but off the public right-of-way. Reasonable location is the responsibility of the person preparing the street tree plan and the person planting the tree. The Planning Director or his/her designee may approve alternative planting schemes.
  4. As it is desirable to have a mix of species and genera represented in the urban forest in order to protect against the loss of trees due to disease, insects or environmental conditions, the following guidelines shall be used:
    - a. Plantings of five (5) or fewer trees may all be of the same genus;



- b. Plantings of six (6) to ten (10) trees must use at least two different genera, with roughly equal numbers of each;
- c. Plantings of more than ten (10) trees shall use no more than 30% of trees in any one genus.

(e) One of every three street trees planted may be an accent tree per the Official Albuquerque Plant Palette and Sizing List, provided the guidelines in (G) 1, above, are met.

(3) Street Tree Programs.

- (a) The Mayor or his/her designee shall prepare, distribute, and continue to keep available to the public a booklet or other printed material encouraging street trees, indicating recommended species, city regulations, appropriate street tree locations, and tree care.
- (b) The Mayor or his/her designee shall, through the Capital Improvements Program, cause street trees to be planted near the street frontages of all city-owned lots, at least meeting the requirements of §6-6-2-1 et seq.
- (c) The Mayor or his/her designee shall propose to the City Council appropriate major streets for special assessment districts for the planting and maintenance of street trees. The Mayor shall designate appropriate city staff to administer such supports.
- (d) Whenever a city project on the public right of way removes or kills one or more street trees, the Mayor shall replace each such tree with one of the same species in approximately the same location, unless the species or location is contrary to §6-6-2-1 et seq. or to related regulations or plans, in which event each such tree shall be replaced with a tree of conforming species and location.

(4) More Detailed Regulations.

Regulations detailing the provisions of §6-6-2-1 et seq. should be enacted in coordination with and through the Parks and Recreation Department, and be amended by the Environmental Planning Commission at an advertised public hearing.

(5) Waivers.

The Mayor or his/her designee, upon application of land owners, may waive or modify requirements of §6-6-2-1 et seq., if it is found that:

- (a) Street trees would necessarily contribute to unsafe conditions on the public right-of-way;
- (b) The lot frontage is sufficiently forested to be in general compliance with the intent of §6-6-2-1 et seq. or
- (c) Alternative landscaping plans, in harmony with the surroundings and meeting the intent of §6-6-2-1 et seq. are proposed.

(6) Appeals.

Appeals from the decision of the Mayor or his/her designee on requests for waivers may be taken to the Environmental Planning Commission by filing written notice with the Planning Division within 15 days after the request for a waiver has been denied.

(74 Code, §7-14-40J, §8-5-4; §8-5-5, §8-5-6, §8-5-8, §8-5-9) (Ord. 54-1981; Am. Ord. 19-1986; Am. Ord. 44-1989; Am. Ord. 12-2004; Am. Ord. 40-2004; Am. Ord. 19-2008)

**§ 14-16-3-10 LANDSCAPING REGULATIONS.****APPLICABLE TO APARTMENT AND NONRESIDENTIAL DEVELOPMENT.**

- (A) **Basic Requirement.** Landscaping is required for all apartment development and all nonresidential development in accordance with the regulations of this section.
- (B) **Intent and Purpose.**
- (1) The intent of these regulations is to establish landscape standards that enhance, improve and maintain the quality of the public environment by providing visual relief from urbanization while enriching Albuquerque's character and quality of life.
  - (2) The purpose of this section is to define and regulate landscape requirements that establish visually attractive, sustainable desert landscapes that aid in the creation of a quality public realm. The City recognizes landscaping as a vital component to quality environments that enhance Albuquerque's overall appearance and provides public benefit through:
    - (a) Providing visual relief from urbanization;
    - (b) Establishing a consistent, attractive streetscape that generates a sense of continuity and a strong, positive City image;
    - (c) Improving the aesthetic appearance of commercial, industrial and multi-family residential development thereby protecting and enhancing public/ private investments and property values;
    - (d) Ensuring the use of native and/or adapted, low water-use or xeric species, regionally appropriate, sustainable design and maintenance techniques to conserve water resources; and
    - (e) Contributing to the processes of air purification, oxygen regeneration, ground water recharge, and storm water runoff retention. Landscaping should be designed to retain soil moisture, prevent erosion and help encourage the growth of abutting plantings, and mitigate urban, heat-island effects whilst aiding in the abatement of air and water pollution, dust, noise, heat and glare.
    - (f) Street trees should have a positive effect on reducing the frequency and severity of automobile accidents and provide significant improvements for pedestrian comfort.
- (C) **Landscaping Plan.** See also the definition of this term in § 14-16-1-5 of this Zoning Code.
- (1) As to apartment and nonresidential developments, all applicants for building permits for construction of a new building or building addition over 200 square feet shall submit and have approved by the Planning Director a landscaping plan prior to issuance of a related building permit; however, foundation permits may be issued on the basis of simple designation of appropriate areas of the site to be landscaped.
  - (2) Prior to design, the existence of underground utility lines shall be verified. Underground utility lines to be checked are as follows: water and sewer, traffic signal, fire alarm, gas, telephone, electric, and cable television. Planting must be located so as to not interfere, either at the time of installation or later, with the function of such underground lines; trees and shrubs shall be planted no less than three feet from existing gas mains or gas service lines and underground electric utility lines.

- (3) The landscaping plan shall show:
  - (a) The common names and botanical name of the plants to be used; if there is no common name, only the botanical name shall be used;
  - (b) Topography in the form of finished contour lines;
  - (c) The type of watering system;
  - (d) The parties responsible for maintenance of the landscaping;
  - (e) The square footage for each separate area of landscaping and also a total for all landscaping on the site; dimensions of each landscaping area shall be provided, along with the quantities of trees and shrubs, and their mature height and spread.

**(D) Installation and Maintenance.**

- (1) Landscaping shall be installed according to the approved plan; installation shall be completed within 60 days of the related building's occupancy.
- (2) Any damage to utility lines resulting from the negligence of the abutting landowner, his agents, or employees in the installation and maintenance of the landscaped area in the public right-of-way shall be the responsibility of such landowner. Any damage to utility lines resulting from the growth of plant materials, which have been approved by the applicable public utility as part of a plan for landscaping on the public right-of-way, shall be the responsibility of such public utility. If a public utility disturbs a landscaped area in the public right-of-way, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless some plant materials die, it is the obligation of the abutting landowner to replace the plant materials.
- (3) Landscaping shall have adequate maintenance. Landscaping which dies shall be replaced by the owner as expeditiously as possible, but in no case longer than 60 days after notification.

**(E) Landscaping Area Requirements.**

- (1) The area for each development that is required to include landscaping shall not equal less than 15% of the net lot area. For the purposes of this section, NET LOT AREA is defined as the total area of the lot minus the following:
  - (a) The area of the lot covered by buildings;
  - (b) The portions of the lot that are not required for off-street parking or a parking lot and which are fully screened from view from any abutting lot or public right-of-way by an opaque wall or fence at least six feet high, in which no landscaping will be required except required buffer landscaping; chain link fence with slats does not constitute acceptable full screening; and
  - (c) The area of any approved landscaping that the property owner installs and maintains in the abutting public right-of-way, exclusive of the area of any existing or planned public sidewalk, shall include the installation of an adequate irrigation system that meets the minimum technical requirements of the City of Albuquerque with a separate meter for the landscape area in the public right-of-way, or a separate valve at the property line allowing isolation of the irrigation to the landscaping within the public right-of-way.

Drip irrigation systems and artificial turf shall not be allowed within the public right-of-way.

- (d) For the purposes of this section, “total landscaped” area is defined as 15% of net lot area
- (2) Required Vegetative Coverage. All landscape areas 36 square feet in size or larger shall be covered with living, vegetative materials, such as trees, grasses, vines, shrubs, or flowers. To minimize water consumption, the use of vegetative ground cover other than turf grass is encouraged. Coverage will be calculated from the realistic, mature spread of the plants, including the mature canopies of trees, all calibrated for Albuquerque’s desert climate/environment, and as follows:
- (a) The total landscaped area shall have at least 75% coverage by living, vegetative materials.
- (b) A minimum of 30% of the total landscaped area shall be achieved by ground-level plants (shrubs, groundcover, grasses, etc.).
- (c) A minimum of five (5) species must be used on the site to have a mix of living vegetative materials represented in understory plantings.
- (d) Trees selected from the Official Albuquerque Plant Palette and Sizing List and included on a landscape plan contained within a Site Development Plan or a Building Permit set that satisfy the requirements of the landscape regulations contained within Section 14-16-3-10, subsections (E) - Landscape Area Requirements, (G) - Special Landscape Standards and (H) - Street Trees may also be counted provided that the provisions of section 14-16-3-10(E)(1)(a)(b) and (c) are met. Any street trees required by the City that are planted within 20-feet of the back of curb of the abutting street may be used to help fulfill section 14-16-3-1(H) and landscaping regulations for off-street parking areas abutting a street frontage, street tree and coverage requirements.
- (3) Clear sight areas as specified in the DPM shall be maintained at all exits of parking areas. The clear sight triangle (at street corners), as defined in Section 8-2-2-15, Traffic Code, and also in § 14-16-1-5 of this Zoning Code, shall be kept clear.
- (4) Standard Landscape Buffers. Landscape buffer areas are required to separate off-street parking and circulation areas from front, side, and rear boundaries of premises. On sites controlled by the shopping center regulations (§ 14-16-3-2) and planned development areas controlled by site development plans, these requirements shall be based on the entire area of the planning site unless otherwise approved by the Planning Commission. Landscape buffers may be crossed by driveways connecting to abutting land. No parking is permitted within a required landscape buffer area. Landscaping approved within the abutting public right-of-way may be counted toward this requirement if there is no existing or planned public sidewalk between such landscaping and the premises, but in no case shall the width of the on-site landscape buffer be less than five feet. Specific required landscape buffer locations and minimum widths shall be as follows:
- (a) Front -
1. Ten feet, if there is/are no building(s) or forecourt(s) within ten (10) feet of the front property line;

2. The landscape buffer can be reduced or eliminated if the building(s), forecourt(s) and/or frontage(s) are located within ten (10) feet of the front property line as allowed by underlying zoning;
  3. Adequate room and spacing for required Street Trees (§14-16-3-10(H)) may be accommodated/provided in the public right-of-way and/or on the site immediately abutting the public sidewalk: minimum 100 sq. ft. planting area for each tree; and maximum of 25 - 30 feet spacing on-center. For planting areas with over 1,000 CF of un-compacted soil, tree spacing may be increased to up to 35 feet on-center.
    - (b) Side - Six (6) feet, where the side yard of a property abuts and/or fronts a street. Street trees are appropriately located in this landscape buffer area.
    - (c) Around Dumpster Enclosures Five (5) feet. Landscaping should not interfere with the functioning of the enclosure gates or the refuse collection service.
- (5) Special Buffer Landscaping/Screening Requirements. Where a nonresidential zone is developed after April 2, 1990 for a nonresidential purpose and the site abuts a residential zone, special buffer landscaping is required to minimize noise and sight impact of the non-residential activities in the residential area:
- (a) The standard buffer landscaping shall be a landscaping strip at least ten feet wide where located along the residential/nonresidential boundary.
  - (b) The buffer landscaping shall consist primarily of trees, which trees shall have a 2.0 inch caliper for deciduous trees or a height of 6 feet for Evergreens at time of planting and capable of reaching a height at maturity of at least 25 feet. Spacing of the trees shall be equal to 75% of the mature canopy diameter of the trees; where utilities and/or utility easements may interfere with tree placement and/or growth, the number of trees may be reduced and/or the trees may be grouped to minimize conflicts with utilities and/or utility easements. Trees shall not be planted near existing or proposed street pole lights. Conflicts can occur with large trees near overhead electric utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines;
  - (c) Where parking or vehicle circulation areas abut the landscaping strip, a minimum six foot high opaque wall or fence shall also be required to visually screen the parking or circulation area from the abutting residential zone; chain link fence with slats shall not constitute acceptable screening; the landscape area may be reduced by up to 25% if the surface of the parking or vehicle circulation area is of a permeable material and approved by the Planning Director or her/his designee.
  - (d) This division (4) requirement does not apply to lots which were entirely developed as of January 1, 1976.
- (5) Special Screening Requirements for Certain Uses. In addition to the above requirements in division (4), an additional screening requirement applies where a principal business is:
- (a) A mobile home sales lot; or

- (b) Outdoor vehicle storage where the vehicles are typically not moved for one week or more: if the site is so developed after April 2, 1990, and abuts a residential zone or is separated only by public right-of-way from a residential zone, a minimum eight foot high opaque wall or fence shall be required to visually screen the parking or display area from the abutting residential zone; chain link fence with slats shall not constitute acceptable screening.

(F) **Plant Palette and Plant Sizes.** The Planning Director or his/her designee, appropriate staff and entities such as the ABCWUA, the local chapter of the American Society of Landscape Architects, local landscape maintenance firms, and local nurseries, shall create an official, Albuquerque-specific tree and plant palette (Official Albuquerque Plant Palette and Sizing List). Except as otherwise specified in this section, the minimum acceptable sizes of plants or amounts of seed, at the time of planting, are as follows:

- (1) Trees.
  - (a) Deciduous Trees: Two inches in caliper measured six inches above grade;
  - (b) Evergreen Trees: six feet in height.
- (2) Shrubs: one gallon;
- (3) Ground cover: adequate to provide general ground coverage within one growing season after planting.

(G) **Special Landscaping Standards.**

- (1) Off-Street Parking Area Landscaping. Trees are required in and around off-street parking areas to provide shade and relieve the adverse visual impact of large expanses of pavement and parked cars. Quantity and distribution of trees shall be as follows:
  - (a) One tree is required per ten parking spaces;
  - (b) No parking space may be more than 100 feet from a tree trunk;
  - (c) The minimum size of tree planters within off-street parking areas shall be 80 square feet per tree; the tree planter area may be reduced if the surface of the parking or vehicle circulation area is of a permeable material;
  - (d) At least 75% of the required parking area trees shall be deciduous canopy-type shade trees, capable of achieving a mature canopy diameter of at least 25 feet.
- (2) Street Trees. Street trees meeting the requirements of §14-16-3-10(H), Street Trees, are required along all arterial and collector street frontages.
- (3) Artificial turf/grass. Artificial turf/grass may be allowed, but only as an accent and only up to 5% of the total landscaped area referenced under §14-16-3-10 (E)(1)(d) above. Artificial turf/grass shall not be counted as living vegetative material or to meet the Required Vegetative Coverage Requirements section referenced under §14-16-3-10 (E)(2) above. Artificial/turf grass will help provide water savings and drought tolerant options for landscape purposes.
  - (a) Minimum material standards for artificial turf/grass:

- (i) Artificial turf/grass shall consist of green lifelike individual blades of grass that emulate natural turf in look and color for the duration of its use.
  - (ii) All artificial turf/grass shall have a minimum eight-year manufacturer's warranty that protects against color fading and a decrease in pile height.
  - (iii) Artificial turf/grass shall be lead free.
- (b) Installation and maintenance standards for artificial turf/grass:
- (i) All artificial turf/grass installations shall be anchored.
  - (ii) An appropriate solid barrier device (e.g., concrete mow strip, bender board) is required to separate artificial turf/grass from soil and live vegetation.
  - (iii) Precautions for installation around existing trees shall be monitored and may be restricted to ensure tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised.
  - (iv) Turf/grass shall be maintained in good condition, shall present a healthy, neat, and orderly appearance, and shall be free from refuse and debris. (must be replaced at the end of life span – talk to Legal about how to phrase)
  - (v) Artificial turf/grass shall not interfere with the drainage of the site.
- (5) Tree Requirements for Multi-Family Residential Developments. In addition to the above requirements, multi-family residential sites must provide trees in areas around residential structures as follows:
- (a) Trees shall be provided at not less than the rate of one tree per ground floor dwelling unit and one tree per two second-story dwelling units. No additional trees are required for units above the second story;
  - (b) At least 50% of the required trees shall be deciduous canopy-type shade trees or coniferous trees capable of attaining a mature canopy diameter of at least 25 feet.

**(H) Street Trees.**

- (1) Required Street Trees.
- (a) All applicants for building permits for construction of a new building or building addition of over 200 square feet shall submit a street tree plan for those parts of the lot abutting a major street, a major local street, or another street where street trees are required.
  - (b) Any person who constructs a new building addition of over 200 square feet or who paves a parking lot or required off-street parking area for apartments and/or non-residential development on a lot abutting a major street, a major local street, or another street where street trees are required shall plant street trees according to a street tree plan approved by the Mayor or his/her designee. Such planting shall occur no later than 30 days after the completion of construction and shall occur before final inspection as required in the Building Code.



- (c) Street trees shown on an approved street tree plan and required to meet the requirements of §6-6-2-1 et seq. shall be maintained alive and healthy. Maintenance and trimming of street trees and replacement of dead trees are the responsibility of the owner of the lot abutting or on which the tree is located.
  - (d) The Parks and Recreation Department shall maintain a list of trees, as part of the Official Albuquerque Plant Palette and Sizing List, generally suitable for use as street trees in Albuquerque. This Street Tree List shall include a description of the physical characteristics and horticultural requirements of each species.
  - (e) City Staff, in coordination with appropriate local private sector input, shall develop and make available information regarding the required soil volume for trees of a given mature size; the Planning Director shall make this available.
  - (f) Conflicts can occur with large trees near overhead electric utility lines and/or underground utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those fewer than 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines.
- (2) Street Tree Policies Abutting the Public Right of Way.

The following city policies govern the placement of all street trees which are planted on private property, abutting the public right-of-way, or which are required to be planted near streets pursuant to city plans, policies and ordinances; the policies are applicable for all street trees:

- (a) Size of the trees at maturity should be in proportion to the planting space provided for them. Spacing between evenly spaced street trees should be no greater than the diameter of the tree canopy at maturity, per the Official Albuquerque Plant Palette and Sizing List. Smaller species of trees will require closer spacing, and larger trees will require greater spacing. Spacing shall be approved as part of the plan approval process.
  - a. Adequate room and spacing for Street Trees (subsection citation) shall be accommodated/provided: minimum 80 sq. ft. planting area for each tree; and maximum of 25 feet spacing on-center. For planting areas with over 800CF of un-compacted soil, tree spacing may be increased to up to 35 feet on-center.
  - b. The planting hole shall be twice as wide as the root ball of the tree being planted, but only as deep as the distance from the bottom of the root ball to the top of the highest first-order root in the root ball.
  - c. On sites where evenly-spaced street trees are not possible or do not conform to the overall design objectives of the site, random clustering of street trees may be acceptable, provided that the number of trees planted equals or exceeds the number that would be required if the trees were evenly-spaced.
- (b) Where less than three feet of space exists between the curb and the public sidewalk, street trees shall not be planted into the parkway strip. Any street trees required by the City shall be planted within 20-feet of the back of curb of the abutting street. In addition to fulfilling the street tree requirement, such trees can be included in the calculation described in 14-16-3-10.E.2. Furthermore, if an off-street parking area is located along the frontage of

the site, these trees may be used concurrently to fulfill the landscaping regulations for these areas, in possible addition to the street tree and coverage requirements.

- (c) Where the sidewalk is at the curb, preferably street trees shall be planted at least two feet beyond the property-side edge of the sidewalk;
  - (d) Notwithstanding the standards in division (1) above, the location of street trees shall be determined by the Development Review Board if the standards of division (1) above would result in a tree being located less than eight feet from the face of the street curb. In making decisions on tree location, the Development Review Board shall balance traffic safety with the appearance of the streetscape. The Board shall consider the purposes of §14-16-3-10(H) as well as traffic speed and other relevant traffic aspects which may impact public safety.
    - 1. Street trees shall be selected from the species in the Official Albuquerque Plant Palette and Sizing List. The most appropriate species will depend upon the conditions of the particular site.
    - 2. Street trees shall be at 2.0 inches in caliper at the time of planting.
    - 3. Notwithstanding the other provisions of this section, trees planted in abutting the public right-of-way or in easements for underground utilities should be located so as not to interfere, either at the time of installation or later, with the function of overhead and underground utility lines. Where this is not possible, street trees shall be planted near but off the public right-of-way. Reasonable location is the responsibility of the person preparing the street tree plan and the person planting the tree. The Planning Director or his/her designee may approve alternative planting schemes.
    - 4. As it is desirable to have a mix of species and genera represented in the urban forest in order to protect against the loss of trees due to disease, insects or environmental conditions, the following guidelines shall be used:
      - a. Plantings of five (5) or fewer trees may all be of the same genus;
      - b. Plantings of six (6) to ten (10) trees must use at least two different genera, with roughly equal numbers of each;
      - c. Plantings of more than ten (10) trees shall use no more than 30% of trees in any one genus.
  - (e) One of every three street trees planted may be an accent tree per the Official Albuquerque Plant Palette and Sizing List, provided the guidelines in (G) 1, above, are met.
- (3) Street Tree Programs.
- (a) The Mayor or his/her designee shall prepare, distribute, and continue to keep available to the public a booklet or other printed material encouraging street trees, indicating recommended species, city regulations, appropriate street tree locations, and tree care.
  - (b) The Mayor or his/her designee shall, through the Capital Improvements Program, cause street trees to be planted near the street frontages of all city-owned lots, at least meeting the requirements of §6-6-2-1 et seq.

- (c) The Mayor or his/her designee shall propose to the City Council appropriate major streets for special assessment districts for the planting and maintenance of street trees. The Mayor shall designate appropriate city staff to administer such supports.
  - (d) Whenever a city project on the public right of way removes or kills one or more street trees, the Mayor shall replace each such tree with one of the same species in approximately the same location, unless the species or location is contrary to §6-6-2-1 et seq. or to related regulations or plans, in which event each such tree shall be replaced with a tree of conforming species and location.
- (4) More Detailed Regulations.

Regulations detailing the provisions of §6-6-2-1 et seq. should be enacted in coordination with and through the Parks and Recreation Department, and be amended by the Environmental Planning Commission at an advertised public hearing.

- (5) Waivers.

The Mayor or his/her designee, upon application of land owners, may waive or modify requirements of §6-6-2-1 et seq., if it is found that:

- (a) Street trees would necessarily contribute to unsafe conditions on the public right-of-way;
  - (b) The lot frontage is sufficiently forested to be in general compliance with the intent of §6-6-2-1 et seq. or
  - (c) Alternative landscaping plans, in harmony with the surroundings and meeting the intent of §6-6-2-1 et seq. are proposed.
- (6) Appeals.

Appeals from the decision of the Mayor or his/her designee on requests for waivers may be taken to the Environmental Planning Commission by filing written notice with the Planning Division within 15 days after the request for a waiver has been denied.

('74 Code, §7-14-40J, §8-5-4; §8-5-5, §8-5-6, §8-5-8, §8-5-9) (Ord. 54-1981; Am. Ord. 19-1986; Am. Ord. 44-1989; Am. Ord. 12-2004; Am. Ord. 40-2004; Am. Ord. 19-2008)

**PROPOSED AMENDMENTS TO  
OFF-STREET PARKING  
REGULATIONS  
RED-LINE & CLEAN DRAFTS**

- (13) Where a single customer entrance to a building is provided, customer loading areas shall not be located in front of the customer entrance or within 15 feet of the entrance.
- (G) **Bicycle Space Standards.** Required bicycle spaces shall comply with the following:
- (1) Paving is not required, but the outside ground surface shall be paved or planted in a way which avoids mud or dust.
  - (2) Bicycle spaces shall be racks or lockers anchored so that they cannot be easily removed. Racks shall be so designed that both wheels and the frame of a bicycle can be locked securely to it with a heavy chain, cable, or padlock. Lockers shall be so designed that an unauthorized person cannot remove a bicycle from them.
  - (3) Fixed objects which are intended to serve as bicycle racks but not obviously intended for such purposes shall be clearly labeled as available for bicycles.
  - (4) If a room or common locker not divided into individual lockers or rack spaces is used, one bicycle per 12 square feet of floor area is assumed.
- (H) **Pedestrian Connections. Intent:** The intent of the regulations in this subsection is to accommodate the inter-related movement of vehicles, bicycles, and pedestrians, safely and conveniently, both within the proposed development and to and from the street and the surrounding areas, and to contribute to the attractiveness of the development.
- (1) Pedestrian walkways within a site shall be a minimum of six feet in width, unobstructed, and clearly demarcated by the use of techniques such as special paving, grade separation, or pavement marking of a permanent nature, except that clear width may be reduced to 4 feet 6 inches at planting areas for a maximum distance of 10 feet. Pedestrian walkways shall also be lined with adjacent shade trees spaced approximately 25 feet on center and placed within defined planting areas that have a minimum interior dimension of ~~36~~ 80 square feet ~~and a minimum width of four feet~~, these trees may also be counted toward Section §14-16-3-10 (E)(2) of the Landscape Regulations provided that the provisions of Section §14-16-3-10(E)(1)(a)(b) and (c) are met.
  - (2) Pedestrian walkways shall be provided from all street sidewalks to the principal customer entrance(s) of the nearest building(s) on a site.
  - (3) All buildings within a site shall be connected to each other with pedestrian walkways. The connections shall be as direct as possible.
  - (4) Where building facades abut parking areas, pedestrian sidewalks, no less than eight (8) feet in width, shall be provided adjacent to and along the full length of the building. A minimum width of six feet shall remain clear and unobstructed at all times for pedestrian use.
  - (5) Parking areas shall be visually and functionally segmented into smaller subareas separated by landscaping and/or pedestrian walkways. No single subarea shall exceed 150 parking spaces.
  - (6) Parking subareas shall be linked to the main pedestrian walkway(s) leading to the main entrance(s) of the building(s) by means of pedestrian walkways.

('74 Code, § 7-14-40A) (Am. Ord. 50-1993; Am. Ord. 36-2002; Am. Ord. 51-2003; Am. Ord. 2-2006; Am. Ord. 17-2007)

- (13) Where a single customer entrance to a building is provided, customer loading areas shall not be located in front of the customer entrance or within 15 feet of the entrance.

**(G) Bicycle Space Standards.** Required bicycle spaces shall comply with the following:

- (1) Paving is not required, but the outside ground surface shall be paved or planted in a way which avoids mud or dust.
- (2) Bicycle spaces shall be racks or lockers anchored so that they cannot be easily removed. Racks shall be so designed that both wheels and the frame of a bicycle can be locked securely to it with a heavy chain, cable, or padlock. Lockers shall be so designed that an unauthorized person cannot remove a bicycle from them.
- (3) Fixed objects which are intended to serve as bicycle racks but not obviously intended for such purposes shall be clearly labeled as available for bicycles.
- (4) If a room or common locker not divided into individual lockers or rack spaces is used, one bicycle per 12 square feet of floor area is assumed.

**(H) Pedestrian Connections. Intent:** The intent of the regulations in this subsection is to accommodate the inter-related movement of vehicles, bicycles, and pedestrians, safely and conveniently, both within the proposed development and to and from the street and the surrounding areas, and to contribute to the attractiveness of the development.

- (1) Pedestrian walkways within a site shall be a minimum of six feet in width, unobstructed, and clearly demarcated by the use of techniques such as special paving, grade separation, or pavement marking of a permanent nature, except that clear width may be reduced to 4 feet 6 inches at planting areas for a maximum distance of 10 feet. Pedestrian walkways shall also be lined with adjacent shade trees spaced approximately 25 feet on center and placed within defined planting areas that have a minimum interior dimension of 80 square feet, these trees may also be counted toward Section §14-16-3-10 (E)(2) of the Landscape Regulations provided that the provisions of Section §14-16-3-10(E)(1)(a)(b) and (c) are met.
- (2) Pedestrian walkways shall be provided from all street sidewalks to the principal customer entrance(s) of the nearest building(s) on a site.
- (3) All buildings within a site shall be connected to each other with pedestrian walkways. The connections shall be as direct as possible.
- (4) Where building facades abut parking areas, pedestrian sidewalks, no less than eight (8) feet in width, shall be provided adjacent to and along the full length of the building. A minimum width of six feet shall remain clear and unobstructed at all times for pedestrian use.
- (5) Parking areas shall be visually and functionally segmented into smaller subareas separated by landscaping and/or pedestrian walkways. No single subarea shall exceed 150 parking spaces.
- (6) Parking subareas shall be linked to the main pedestrian walkway(s) leading to the main entrance(s) of the building(s) by means of pedestrian walkways.

('74 Code, § 7-14-40A) (Am. Ord. 50-1993; Am. Ord. 36-2002; Am. Ord. 51-2003; Am. Ord. 2-2006; Am. Ord. 17-2007)

**PROPOSED AMENDMENTS TO  
STREET TREE REGULATIONS  
RED-LINE & CLEAN DRAFTS**

## § 6-6-2-4 REQUIRED STREET TREES

### (1) Required Street Trees.

- (a) All applicants for building permits for construction of a new building or building addition of over 200 square feet shall submit a street tree plan for those parts of the lot ~~adjacent to~~ abutting a major street, a major local street, or another street where street trees are required.
- (b) Any person who constructs a new building addition of over 200 square feet or who paves a parking lot or required off-street parking area for apartments and/or non-residential development on a lot ~~adjacent to~~ abutting a major street, a major local street, or another street where street trees are required shall plant street trees according to a street tree plan approved by the Mayor or his/her designee. Such planting shall occur no later than 30 days after the completion of construction and shall occur before final inspection as required in the Building Code.
- (c) Street trees shown on an approved street tree plan and required to meet the requirements of §6-6-2-1 et seq. shall be maintained alive and healthy. Maintenance and trimming of street trees and replacement of dead trees are the responsibility of the owner of the lot ~~adjacent to~~ abutting or on which the tree is located.
- (d) The Parks and Recreation Department shall maintain a list of trees, as part of the Official Albuquerque Plant Palette and Sizing List, generally suitable for use as street trees in Albuquerque. This Street Tree List shall include a description of the physical characteristics and ~~cultural~~ horticultural requirements of each species.
- (e) City Staff, in coordination with appropriate local private sector input, shall develop and make available information regarding the required soil volume for trees of a given mature size; the Planning Director shall make this available.
- (f) Conflicts can occur with large trees near overhead electric utility lines and/or underground utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines.

### § 6-6-2-5 STREET TREE POLICIES.

The following city policies govern the placement of all street trees which are planted on private property, abutting the public right-of-way, or which are required to be planted near streets pursuant to city plans, policies and ordinances; the policies are ~~recommended~~ applicable for all street trees:

- (1) Size of the trees at maturity should be in proportion to the planting space provided for them. Spacing between evenly spaced street trees should be no greater than the diameter of the tree canopy at maturity, per the Official



Albuquerque Plant Palette and Sizing List. ~~For most typical street trees, the spacing should be about 30 feet. Smaller species of trees will require closer spacing, and larger trees will require greater spacing. Spacing shall be approved as part of the plan approval process. A tree well shall be a minimum of one and one half times as deep as the root ball and twice as wide as the root ball. The bottom of the tree well should be convex and a minimum of four inches of mulch should be placed on the top of the well.~~

- a. Adequate room and spacing for Street Trees (subsection citation) shall be accommodated/provided: minimum ~~100~~ 80 sq. ft. planting area for each tree; and maximum of 25 feet spacing on-center. For planting areas with over ~~1,000~~ 800CF of un-compacted soil, tree spacing may be increased to up to 35 feet on-center.
  - b. The planting hole shall be twice as wide as the root ball of the tree being planted, but only as deep as the distance from the bottom of the root ball to the top of the highest first-order root in the root ball. Details and specifications for planting holes shall be developed by the City Forester.
  - c. On sites where evenly-spaced street trees are not possible or do not conform to the overall design objectives of the site, random clustering of street trees may be acceptable, provided that the number of trees planted equals or exceeds the number that would be required if the trees were evenly-spaced. ~~Every lot over 20 feet wide shall have at least one street tree.~~
- (a) Street trees shall be placed between the curb and the public sidewalk and in the parkway, unless traffic safety requires different locations of trees, as specified in division (2) of this division (b).
1. The standard setback of trees located between the curb and the public sidewalk depends on the relationship of the sidewalk to the curb.
    - a. Where more than four feet of space exists between the back of curb and the sidewalk, street trees shall be planted with their centerline two feet from the sidewalk.
    - b. ~~Where three to four feet of space exists between the back of curb and the sidewalk, street trees shall be planted two feet from tree centerline to back of curb.~~
    - be. ~~Where some space but less than three feet of space exists between the back of curb and the sidewalk, street tree placement will vary depending on the space available. A solution shall be selected which meets the following criteria: Where less than three feet of space exists, street trees shall not be planted into the parkway strip. Any street trees required by the City shall be planted within 20-feet of the back of curb of the abutting street. In addition to fulfilling the street tree requirement, such trees can be included in the calculation described in 14-16-3-10.E.2. Furthermore, if an off-street parking area is located along the frontage of the site, these~~

trees may be used concurrently to fulfill the landscaping regulations for these areas, in possible addition to the street tree and coverage requirements.

- ~~1. The minimum distance between the back of curb and centerline of the tree shall be two feet;~~
- ~~2. The minimum distance between the centerline of the tree and the property side edge of the sidewalk shall be four feet;~~
- ~~3. If divisions (a) and (b) of this division (B)(1) cannot be met simultaneously, then street trees shall be planted at least two feet beyond the property side edge of the sidewalk.~~

cd. Where the sidewalk is at the curb, two planting schemes are possible:

- i. ~~If the sidewalk is less than six feet wide~~ Preferably, the tree shall be planted at least two feet beyond the property-side edge of the sidewalk; or
- ii. If the sidewalk is six feet wide or wider, street trees ~~shall~~ may be planted in cutouts in the sidewalk, and the sidewalk shall be laid over structural soils or soil vault systems which provide the minimum soil volume requirement per the City Forester. The centerline of the tree shall be at least two feet from the back of curb, and at least four feet from the property-side edge of the sidewalk. If the remaining clear sidewalk space between the tree well and the property-side edge of the sidewalk is less than four feet, a grate shall be used to cover the planting hole. The grate shall be of a size and design approved by the City Forester. In all cases, the minimum effective clear sidewalk width (including grate overlap) shall be four feet to allow for wheelchair access.

d. Conflicts can occur with large trees near overhead electric utility lines and/or underground utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines.

2. Notwithstanding the standards in division (1) above, the location of street trees shall be determined by the Development Review Board if the standards of division (1) above would result in a tree being located less

than eight feet from the face of the street curb. In making decisions on tree location, the Development Review Board shall balance traffic safety with the appearance of the streetscape. The Board shall consider the purposes of §6-6-2-1 et seq. as well as traffic speed and other relevant traffic aspects which may impact public safety.

- (a) Street trees shall be selected from the species in the ~~Street Tree List~~ Official Albuquerque Plant Palette and Sizing List. The most appropriate species will depend upon the conditions of the particular site.
- (b) Street trees shall be at 2.0 inches in caliper at the time of planting.
- (c) Notwithstanding the other provisions of this section, trees planted ~~in~~ abutting the public right-of-way or in easements for underground utilities should be located so as not to interfere, either at the time of installation or later, with the function of overhead and underground utility lines. Where this is not ~~possible~~ feasible in an acceptable place on the public right-of-way, street trees shall ~~normally~~ be planted near but off the public right-of-way. Reasonable location is the responsibility of the person preparing the street tree plan and the person planting the tree. The Planning Director or his/her designee may approve alternative planting schemes.
- (d) Street trees should normally be deciduous. Adequate vertical clearance below the branches must be maintained for pedestrians, cars, and bicyclists. The minimum height to the lowest permanent branch overhanging a sidewalk shall be seven (7) feet; the lowest height of a permanent branch overhanging a street shall be 14 feet. Coniferous trees may be used as street trees only when the minimum required vertical clearance over streets and sidewalks can be maintained throughout the life of the tree and only where they will not at maturity block solar access to ~~adjacent~~ abutting buildings.
- (e) As it is desirable to have a mix of species and genera represented in the urban forest in order to protect against the loss of trees due to disease, insects or environmental conditions, the following guidelines shall be used:
  - 1. Plantings of five (5) or fewer trees may all be of the same genus;
  - 2. Plantings of six (6) to ten (10) trees must use at least two different genera, with roughly equal numbers of each;
  - 3. Plantings of more than ten (10) trees shall use no more than 30% of trees in any one genus.

- (f) One of every three street trees planted may be an accent tree per the Official Albuquerque Plant Palette and Sizing List, provided the guidelines in (G) 1, above, are met.

**§ 6-6-2-6 STREET TREE PROGRAMS.**

- (a) The Mayor or his/her designee shall prepare, distribute, and continue to keep available to the public a booklet or other printed material encouraging street trees, indicating recommended species, city regulations, appropriate street tree locations, and tree care.
- (b) The Mayor or his/her designee shall, through the Capital Improvements Program, cause street trees to be planted near the street frontages of all city-owned lots, at least meeting the requirements of §6-6-2-1 et seq.
- (c) The Mayor or his/her designee shall propose to the City Council appropriate major streets for special assessment districts for the planting and maintenance of street trees. The Mayor shall designate appropriate city staff to administer such supports.
- (d) Whenever a city project on the public right of way removes or kills one or more street trees, the Mayor shall replace each such tree with one of the same species in approximately the same location, unless the species or location is contrary to §6-6-2-1 et seq. or to related regulations or plans, in which event each such tree shall be replaced with a tree of conforming species and location.

**§ 6-6-2-7 MORE DETAILED REGULATIONS.**

Regulations detailing the provisions of §6-6-2-1 et seq. should be enacted in coordination with and through the Parks and Recreation Department, and be amended by the Environmental Planning Commission at an advertised public hearing.

**§ 6-6-2-8 WAIVERS AND VARIANCES.**

The Mayor or his/her designee, upon application of land owners, may waive or modify requirements §6-6-2-1 et seq., if it is found that:

- (a) Street trees would necessarily contribute to unsafe conditions on the public right-of-way;
  - (b) The lot frontage is sufficiently forested to be in general compliance with the intent of §6-6-2-1 et seq. or
  - (c) Alternative landscaping plans, in harmony with the surroundings and meeting the intent of §6-6-2-1 et seq. are proposed.
- (6) Appeals.

Appeals from the decision of the Mayor or his/her designee on requests for waivers or variances may be taken to the Environmental Planning Commission by filing

written notice with the Planning Division within 15 days after the request for variance has been denied.

('74 Code, §7-14-40J, §8-5-4; §8-5-5, §8-5-6, §8-5-8, §8-5-9) (Ord. 54-1981; Am. Ord. 19-1986; Am. Ord. 44-1989; Am. Ord. 12-2004; Am. Ord. 40-2004; Am. Ord. 19-2008)

#### **§ 6-6-2-4 REQUIRED STREET TREES**

- (1) Required Street Trees.
  - (a) All applicants for building permits for construction of a new building or building addition of over 200 square feet shall submit a street tree plan for those parts of the lot abutting a major street, a major local street, or another street where street trees are required.
  - (b) Any person who constructs a new building addition of over 200 square feet or who paves a parking lot or required off-street parking area for apartments and/or non-residential development on a lot abutting a major street, a major local street, or another street where street trees are required shall plant street trees according to a street tree plan approved by the Mayor or his/her designee. Such planting shall occur no later than 30 days after the completion of construction and shall occur before final inspection as required in the Building Code.
  - (c) Street trees shown on an approved street tree plan and required to meet the requirements of §6-6-2-1 et seq. shall be maintained alive and healthy. Maintenance and trimming of street trees and replacement of dead trees are the responsibility of the owner of the lot abutting or on which the tree is located.
  - (d) The Parks and Recreation Department shall maintain a list of trees, as part of the Official Albuquerque Plant Palette and Sizing List, generally suitable for use as street trees in Albuquerque. This Street Tree List shall include a description of the physical characteristics and horticultural requirements of each species.
  - (e) City Staff, in coordination with appropriate local private sector input, shall develop and make available information regarding the required soil volume for trees of a given mature size; the Planning Director shall make this available.
  - (f) Conflicts can occur with large trees near overhead electric utility lines and/or underground utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines.

#### **§ 6-6-2-5 STREET TREE POLICIES.**

The following city policies govern the placement of all street trees which are planted on private property, abutting the public right-of-way, or which are required to be planted near streets pursuant to city plans, policies and ordinances; the policies are applicable for all street trees:

- (1) Size of the trees at maturity should be in proportion to the planting space provided for them. Spacing between evenly spaced street trees should be no greater than the diameter of the tree canopy at maturity, per the Official

Albuquerque Plant Palette and Sizing List. Smaller species of trees will require closer spacing, and larger trees will require greater spacing. Spacing shall be approved as part of the plan approval process.

- a. Adequate room and spacing for Street Trees (subsection citation) shall be accommodated/provided: minimum 80 sq. ft. planting area for each tree; and maximum of 25 feet spacing on-center. For planting areas with over 800CF of un-compacted soil, tree spacing may be increased to up to 35 feet on-center.
  - b. The planting hole shall be twice as wide as the root ball of the tree being planted, but only as deep as the distance from the bottom of the root ball to the top of the highest first-order root in the root ball. Details and specifications for planting holes shall be developed by the City Forester.
  - c. On sites where evenly-spaced street trees are not possible or do not conform to the overall design objectives of the site, random clustering of street trees may be acceptable, provided that the number of trees planted equals or exceeds the number that would be required if the trees were evenly-spaced.
- (a) Street trees shall be placed between the curb and the public sidewalk and in the parkway, unless traffic safety requires different locations of trees, as specified in division (2) of this division (b).
1. The standard setback of trees located between the curb and the public sidewalk depends on the relationship of the sidewalk to the curb.
    - a. Where more than four feet of space exists between the back of curb and the sidewalk, street trees shall be planted with their centerline two feet from the sidewalk.
    - b. Where less than three feet of space exists, street trees shall not be planted into the parkway strip. Any street trees required by the City shall be planted within 20-feet of the back of curb of the abutting street. In addition to fulfilling the street tree requirement, such trees can be included in the calculation described in 14-16-3-10.E.2. Furthermore, if an off-street parking area is located along the frontage of the site, these trees may be used concurrently to fulfill the landscaping regulations for these areas, in possible addition to the street tree and coverage requirements.
    - c. Where the sidewalk is at the curb, two planting schemes are possible:
      - i. Preferably, the tree shall be planted at least two feet beyond the property-side edge of the sidewalk; or
      - ii. If the sidewalk is six feet wide or wider, street trees may be planted in cutouts in the sidewalk, and provide the minimum soil volume requirement per the City Forester. The

centerline of the tree shall be at least two feet from the back of curb, and at least four feet from the property-side edge of the sidewalk. If the remaining clear sidewalk space between the tree well and the property-side edge of the sidewalk is less than four feet, a grate shall be used to cover the planting hole. The grate shall be of a size and design approved by the City Forester. In all cases, the minimum effective clear sidewalk width (including grate overlap) shall be four feet to allow for wheelchair access.

- d. Conflicts can occur with large trees near overhead electric utility lines and/or underground utility lines. The larger the tree, the farther it should be located from an electric utility line. Small growth trees (those under 25 feet high at maturity) can be near the electric utility lines. If possible, locate medium growth trees at least 15 feet away from the electric utility lines and locate large growth trees at least 25 feet from electric utility lines. Trees that grow into or near electric lines may be trimmed back to prevent any growth into the lines.

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- (b) Street trees shall be at 2.0 inches in caliper at the time of planting.
- (c) Notwithstanding the other provisions of this section, trees planted abutting the public right-of-way or in easements for underground utilities should be located so as not to interfere, either at the time of installation or later, with the function of overhead and underground utility lines. Where this is not possible, street trees shall be planted near but off the public right-of-way. Reasonable location is the responsibility of the person preparing the street tree plan and the person planting the tree. The Planning Director or his/her designee may approve alternative planting schemes.
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Coniferous trees may be used as street trees only when the minimum required vertical clearance over streets and sidewalks can be maintained throughout the life of the tree and only where they will not at maturity block solar access to abutting buildings.

- (e) As it is desirable to have a mix of species and genera represented in the urban forest in order to protect against the loss of trees due to disease, insects or environmental conditions, the following guidelines shall be used:
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- (c) The Mayor or his/her designee shall propose to the City Council appropriate major streets for special assessment districts for the planting and maintenance of street trees. The Mayor shall designate appropriate city staff to administer such supports.
- (d) Whenever a city project on the public right of way removes or kills one or more street trees, the Mayor shall replace each such tree with one of the same species in approximately the same location, unless the species or location is contrary to §6-6-2-1 et seq. or to related regulations or plans, in which event each such tree shall be replaced with a tree of conforming species and location.

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NOTIFICATION &  
NEIGHBORHOOD INFORMATION

# Neighborhood News

A Publication of the Office of Neighborhood Coordination

June/July 2015



*Richard J. Berry*  
**Mayor of Albuquerque**

## **Freedom 4th**

Come celebrate this Fourth of July with the City of Albuquerque at the Balloon Fiesta Park on July 4 from 4 p.m. - 10 p.m.! This **FREE**, all ages event hosts one of the largest firework shows in the state. Have fun with live entertainment featuring national headliner Thompson Square, taste food from over 25 food vendors, cool off with a drink at the Microbrew Garden, walk through a car show and enjoy **FREE** kids' activities. Don't miss a special dinner with a spectacular view of the main stage and fireworks at the exclusive Firecracker Café.

Beat the traffic and utilize the ABQ Ride Park & Ride Service with locations on the Eastside at Coronado Mall and Westside at Cottonwood Mall. Ride your bike and leave it at the Bike Valet provided by Esperanza Bike Shop located along the North Diversion Channel Bike Path near the Balloon Museum.

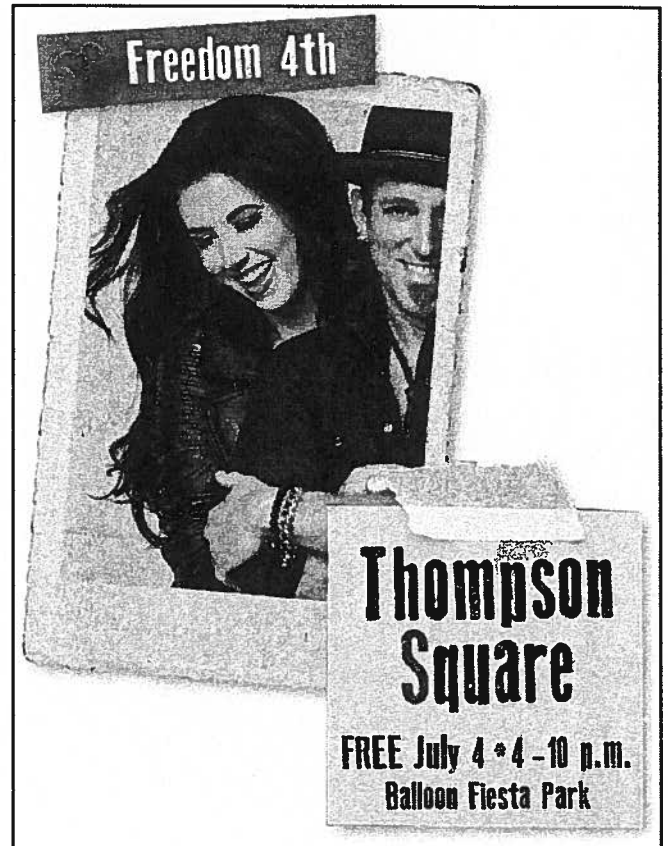
## **Firecracker Café**

Spend the 4th of July in style at the Firecracker Café! New and improved this year, the Café will provide you an experience you won't forget. Indulge in a fabulously prepared meal while enjoying premium seating at Balloon Fiesta Park with great views of the Main Stage and Fireworks. Doors open at 4 p.m. Food will be served 5 p.m. - 7 p.m.

Tickets are \$50 for adults. \$25 for children ages 4-12.

Included with your ticket:

- A catered meal by Taste of the Wild Catering featuring a buffet with a Gourmet Burger Bar, Foot Long Chili Cheese Dogs, Salad Bar, Grilled Corn on the Cob and a Brownie Dessert Bar. Nonalcoholic drinks are included. Local beer and wine are available for purchase.
- Parking pass with exclusive access road to and from event to avoid main traffic.
- Access to premier front row stage viewing area.
- Access to hospitality tent with view of firework show and stage. Includes private, indoor restrooms, shade, premier concert sound and air conditioning.



To purchase tickets and for more information call 311 or visit <[CultureABQ.com](http://CultureABQ.com)>.



**APD Crime Prevention**  
*Submitted by Steve Sink*



**How To Start A Neighborhood Watch**

1. You or a neighbor decide to host an initial Neighborhood Watch meeting.
2. Whoever is going to host the meeting calls the APD Crime Prevention Office at **505-244-6644** to provide their name, address and phone number. After making the call, the Crime Prevention (CP) Office will send a "starter packet" that will include, among other items, a form to collect information from your neighbors.
3. The host or designee goes up and down the block contacting the neighbors and recording their name, address and phone number on the form. (Note: At least 50% of the homes on the block must be represented at the Neighborhood Watch meeting to qualify for sign placement.)
4. The host then sends the completed list back to the CP Office in the self-addressed envelope provided in the starter packet.
5. After the CP Office receives the list from the interested party, a Crime Prevention Specialist will contact the host to set up a date and time for the Neighborhood Watch meeting.
6. The CP Specialist will then assist you with invitations for each person whose name appears on the list. Fliers will also be given to the host to be distributed to neighbors as a "last minute" reminder.
7. At the meeting, the host provides chairs and simple refreshments.
8. The Crime Prevention Specialist will conduct the meeting and towards the end, facilitate the group's selection of a Block Captain who will function as the neighborhood leader and will serve as a contact person for the Albuquerque Police Department.

9. The Block Captain is responsible for contacting new neighbors and for providing updated information to the Crime Prevention Office (Block Captain replacement, etc).
10. The block is now organized and may collectively purchase Neighborhoods Organized Against Crime (NOAC) Street Signs. The signs may be ordered (by the Block Captain only) through the Crime Prevention Office. The Block Captain may also join the Albuquerque Block Captains Association (ABCA). The block can also officially participate in the annual National Night Out celebration held the first Tuesday of August each year.

**ABQtodo**

*Submitted by Kittie Blackwell*

**Do You Know What There Is To Do In ABQ?**

<ABQtodo.com> is an arts and culture site that strives to post every event possible in the city. You can find arts, culture, science, sports, food, wine, music, theater, children's, senior, special events and so much more. You can also read about upcoming shows and events, along with reviews on recent events in the city through our blog. Use the site to your advantage and post classifieds for jobs, volunteers and auditions. Promote your Art by creating your own artist profile on our site. The most amazing thing about ABQtodo is that it does all this for you at absolutely no cost. ABQtodo is entirely **FREE** to the public! We work to bring the city to you in one amazing website. Check us out at <ABQtodo.com> and don't forget to follow us on Facebook and Twitter!



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## Department of Senior Affairs

Submitted by Joy Klotz

### YOU Can Make A Difference In A Senior's Day!

The Senior Companion Program (SCP) "Seniors Helping Seniors," is looking for seniors who are interested in helping other seniors in their homes:

SCP volunteers provide friendly visits, companionship and develop friendships with their clients; volunteers assist clients with paying bills, light housekeeping and can provide limited transportation for grocery shopping, errands and medical appointments. Senior Companions also provide respite service to family caregivers, giving them a much needed break. You don't need special skills or training to be a Senior Companion Volunteer; all you need to know is how to be a friend.

The assistance Senior Companions provide to clients and their caregivers oftentimes allows recipients to remain in their home, alleviates loneliness and helps to maintain a connection to their community.

#### Senior Companions:

- Are 55 years of age or older.
- Volunteer 20-40 hours a week.
- Work with frail, at-risk and/or isolated/homebound elderly.
- Agree to a background check.

#### Benefits include:

- Stipend for those who are income eligible.
- Mileage reimbursement.
- Meals reimbursement.
- Supplemental accident and liability coverage while on duty.
- Annual recognition event.
- Initial and monthly training.

We are recruiting SCP volunteers throughout the city; we are particularly in need of volunteers in the far Northwest quadrant and the South Valley.

Call **505-764-1612** for more information.

YOU Can Be a Senior Helping Seniors!



## Planning Department

Submitted by Vicente Quevedo

The City of Albuquerque Comprehensive Zoning Code contains landscape regulations. The intent of these regulations is to establish landscape standards that enhance, improve and maintain the quality of the public environment by providing visual relief from urbanization while enriching Albuquerque's character and quality of life. These proposed text amendments were drafted by City Staff with private sector landscape architects and designers. The proposed text amendments are to acknowledge and more appropriately respond to Albuquerque's high desert environment and its many existing microclimates.

1. Clarify the intent and purpose of the Landscape Regulations;
2. Call for the creation of the Official Albuquerque Plant Palette and Sizing List which calibrates the realistic mature diameter of plants and tree canopies;
3. Allow tree canopy to be counted toward the 75% live vegetative coverage requirement and set a minimum of 30% of the overall landscape coverage to be achieved by ground-level plants;
4. Change to the standard landscape buffers:
  - a. Allows the front buffer to be reduced or eliminated if a building(s), forecourt(s) and/or frontage(s) are located within ten (10) feet of the front property line as allowed by underlying zoning;
  - b. No requirement for side buffers unless the side yard is adjacent to and/or fronts a street or a residential zone;
  - c. No requirement for the rear buffer unless adjacent to a residential zone;
  - d. Includes the addition of a refuse enclosure buffer;
5. Update plant size requirements at time of installation;
6. Provide minimum materials, installation and maintenance standards for artificial turf;
7. Coordinate the Street Tree Ordinance requirements with the Landscape Regulations.

The proposed text amendments are scheduled to be heard before the Environmental Planning Commission (EPC) on Thursday July 9, 2015, in the Planning Hearing Room, Room 160, Plaza Del Sol Building, Basement Level. The EPC has authority to make a recommendation of approval or denial to the Albuquerque City Council regarding the Landscape and Off-Street Regulations. The proposed amendments to the Street Tree Regulations will be forwarded to the Albuquerque City Council for review and approval.

You may access an electronic copy of the proposed text amendments at <<http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports>>.

Public comments regarding the proposed text amendments can be sent electronically to Vicente Quevedo, Staff Planner at **505-924-3357** or <[vquevedo@cabq.gov](mailto:vquevedo@cabq.gov)> or mailed to: Planning Department, 600 Second Street NW, 3rd Floor, Albuquerque, NM 87102.

Department of Family and  
Community Services  
Submitted by Marie Chavez



Home Owner Rehabilitation Program  
700 4th Street SW, Suite 'A'  
Albuquerque, New Mexico 87102  
505-767-5825

If you are a homeowner and your home is in need of repair, the City of Albuquerque may be able to help. As you prepare for the warmer weather, it is a good time to take a look at the condition of your cooling system, roofs, plumbing, etc. Many homeowners are struggling to make necessary repairs to their homes that can result in serious structural damage or health and safety hazards. Most repairs, if not addressed immediately, end up costing us more money and require additional repairs that could have been avoided.

The Home Owner Rehabilitation Program provides 0% interest loans to qualified homeowners. These loans allow homeowners to address code violations that make homes unsafe, unhealthy and sometimes unlivable. Some of these loans are forgivable and some may need to be paid back depending on the homeowner's level of income.

**What Home Improvements are Eligible?**

Repairs include, but are not limited to:

- Electrical, heating or plumbing installations
- Roofs
- Structural damage
- Handicap accessible bathrooms
- Hot water heaters
- Replacement Windows
- Insulation

**Who is Eligible?**

Generally, you may qualify for a housing rehabilitation loan if:

- You own and occupy a home within the municipal boundaries of the City of Albuquerque and you have lived in the house as your primary residence for at least one year prior to application.
- Your home has code violation(s).
- Your property taxes are paid up-to-date.
- Your household income does not exceed the federal guidelines.

Family Size	2015 Income
1.....	\$33,250
2.....	\$38,000
3.....	\$42,750
4.....	\$47,500
5.....	\$51,300
6.....	\$55,100
7.....	\$58,900
8.....	\$62,700

**If your income falls within these limits, you may qualify for the City of Albuquerque's Home Owner Rehabilitation Program!**



The Office of Neighborhood Revitalization staff will examine your income and property to determine if you and your house qualify for housing rehabilitation loan assistance.

Funds are currently available; however, they are limited. In order to obtain an application, you must attend an Orientation Meeting. Orientations are normally held four times a year. Please contact our office for dates and times of upcoming meetings. Orientations are held at the Office of Neighborhood Revitalization. We can be reached at 505-767-5825.

**Albuquerque Housing Authority**  
*Submitted by Brian Eagan*



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## ALBUQUERQUE HOUSING AUTHORITY

### **Seeking To Volunteer To Improve Our Community? Apply For Appointment As The New Resident Commissioner On AHA Board – Come Meet The Board!**

Help Wanted! Now seeking a community minded tenant to help lead our city into the future!

The Albuquerque Housing Authority (AHA) is governed by the five member AHA Board of Housing Commissioners. One member of the Board is the Resident Commissioner. The AHA is currently seeking to fill the position of Resident Commissioner. The position needs to be filled by an AHA Public Housing unit resident. If you know of a trust worthy city resident who wants serve the public good, please ask them to volunteer to serve on the AHA Board. They could make a difference in the community as an AHA Board member. The Board oversees the AHA and adopts the policies and budget for AHA. Board members are unpaid volunteer public officials that attend one Regular Meeting of the Board each month (usually on the 3rd Wednesday of the month at the AHA office at 12 noon to 1 p.m.), plus Special Meetings of the Board (if any), as needed. The Board members serve a five year term of public office, for up to two terms in a row (ten years). They are appointed to serve the City by the Mayor and are subject to a vote of confirmation by the City Council.

If you are interested in volunteering and making a difference in our community by serving on the AHA Board or for more information on the AHA Board of Housing Commissioners, please contact Mundy Boen at <[MBoen@abqha.org](mailto:MBoen@abqha.org)> or call her at the AHA office at **505-764-3915** and see the AHA Board webpage at <<http://abqha.org/board-of-housing-commissioners.aspx>> to view Resolutions and Rules. The Meetings are open to the public and media. The Board listens to public comments at regular meetings.

**Meeting Date Change:** The next Regular Meeting of the AHA Board will be on Monday, June 29, 2015 (instead of on the usual 3rd Wednesday of the month, which would have been June 17) at 12 noon to 1 p.m. at the AHA office at 1840 University Boulevard SE (just north of Gibson Boulevard SE). The Board will meet in the Manuel Cordova Conference Room. The public is invited to attend. And any AHA Public Housing unit resident or Section 8 Housing resident that is considering applying to become the next person to serve as Resident Commissioner is strongly encouraged to come meet the current Board members at this meeting and to observe how the AHA Board operates and to ask questions after the meeting ends. The annual operating budget for AHA will be debated by the Board and adopted at the Regular Meeting of the AHA Board on June 29, 2015. The current members of the AHA Board of Housing Commissioners are:

Mr. Stephen Vogel, Chairperson  
Mr. D. Todd Clarke, Vice-Chairperson  
Ms. Janet McHard, Commissioner  
Ms. Roxanne Rivera-Wiest, Commissioner  
Ms. Rebecca Chavez, Resident Commissioner



## ABQ Ride

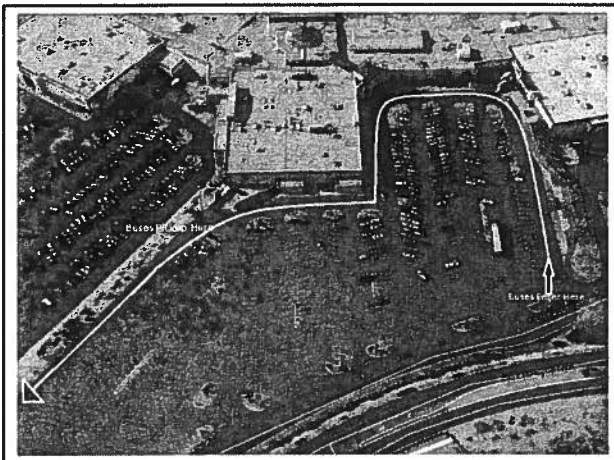
Submitted by Rick De Reyes

### ABQ RIDE Changing Its Westside Park and Ride Location for the July 4th- Freedom Fourth Celebration

*New Cottonwood Mall Location Complements Traditional  
Eastside Park and Ride at Coronado Center*

Regular ABQ RIDE fixed route bus or Sun Van service won't be available on Saturday, July 4, 2015. However, ABQ RIDE is still your best transportation option to the City of Albuquerque's Freedom Fourth celebration at Balloon Fiesta Park. What's changing this year is the new Park and Ride location from Albuquerque's Westside for Freedom Fourth.

The new Westside Park and Ride is now at Cottonwood Mall, just off 7 Bar Loop Road NW. This is the parking area on the north side of the mall, between Old Navy and Regal Cinema Cottonwood 16. There is no longer parking at St. Pius X. High School or St. Joseph on the Rio Grande.



The traditional Eastside parking location will continue at Coronado Center (west of Dick's Sporting Goods on San Pedro Drive NE, south of Menaul Boulevard NE).

"Once again I urge people to take the Park and Rides to Freedom Fourth and leave the fireworks to the professionals," said Mayor Richard J. Berry. "It helps reduce fireworks-related problems on a very busy night for firefighters."

Bus service to Freedom Fourth will start at 3 p.m. and end at 8 p.m. Return trips to the two Park and Ride locations at Coronado Center and Cottonwood Mall will begin immediately after the conclusion of the fireworks show with the last bus leaving Balloon Fiesta Park at 11 p.m.

Round-trip cost for riding the bus is:

- \$1 for adults.
- 35 cents for honored citizens (62 years and older and disabled) and students ages 10-18 years.
- Children nine and under ride FREE.

•Cash only.

•Exact change is needed and bus passes will not be honored for this event.

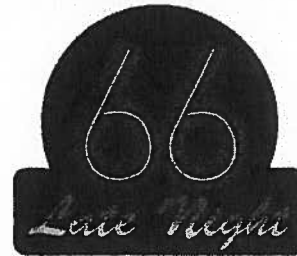
#### The following is allowed at Balloon Fiesta Park and on the Park and Ride buses:

Sealed plastic containers, blankets, strollers, umbrellas, picnic food and small compact chairs. Coolers and picnic baskets are subject to search prior to loading onto the Park and Ride buses.

#### The following will not be allowed at Balloon Fiesta Park or on the Park and Ride buses:

Pets, alcoholic beverages, glass containers, weapons, fireworks and open containers. You also cannot bring B-B-Q grills, camp stoves or other cooking devices or pop-up tents.

"Driving in and out of Balloon Fiesta Park in your own car and paying \$10 for parking can be a hassle," said Bruce Rizzieri, Director of ABQ RIDE. "Let ABQ RIDE give you a quicker, more inexpensive alternative."



Starting on Friday, June 5, 2015, service on Route #66 Central was extended by one hour with the last trips ending at approximately 1:30 a.m. on Fridays and Saturdays until September 19, 2015.

**66 Late Night** uses Route #66 Central buses, which run from Tramway Boulevard all the way to the Central Avenue and Unser Transit Center. Riders along Central Avenue can access four of Albuquerque's main entertainment districts along Central: Old Town, Downtown, Nob Hill and East Central by using the #66 and do so at later hours.

**66 Late Night** runs every 30 minutes with the last pickups through Downtown at about 1 a.m. The fare is \$1 per trip.

Also, ABQ RIDE is still looking for individuals who are interested in being considered for a three year term on one of two advisory boards: Paratransit Advisory Board (PTAB) or the Transit Advisory Board (TAB). The PTAB is the advisory board for the paratransit service (Sun Van) and the TAB is the advisory board for the fixed-route service.

For the PTAB, an individual must either be mobility impaired or represent an agency that works with the mobility impaired.

Applicants need to apply on the city website <[www.cabq.gov](http://www.cabq.gov)>, click on "A to Z"; click on "Boards and Commissions", and then go to either "Paratransit Advisory Board" or "Transit Advisory Board", and click on "Apply to Serve". We appreciate your service to our community.

**AFD**

*Submitted by Melissa Romero*

**Independence Day**

*Stay safe by attending public firework shows*

Although celebrating July 4th with a loud bang may sound like the patriotic thing to do this upcoming Independence Day weekend, Albuquerque Fire Department leaders are encouraging you not give in to the temptation to put on your own show. Fireworks can cause serious injuries, including burns, lacerations, eye injuries, vision loss, dismemberment and even death.

According to a study by the Consumer Product Safety Commission (CPSC), there were eight deaths related to fireworks accidents in the United States in 2013, adding to the 86 fireworks-related deaths recorded since 2000. Illegal and homemade fireworks were involved in all eight deaths. In addition, approximately 11,400 people sustained injuries related to fireworks in 2013; 65 percent of these injuries occurred in the 30 days around July 4, 2013 (June 21-July 21).

Sadly, children and young adults were the most frequently affected by fireworks accidents that required emergency room treatment. According to the U.S. Consumer Product Safety Commission, on average of 240 people were admitted to the emergency room due to fireworks-related injuries in the month around July 4, 2014. Many of those injuries weren't caused by the big stuff either. In fact, most young children injured by fireworks suffered burns from sparklers, which are often mistakenly considered safe for kids.

Fire Department leaders are encouraging Metro Area residents to celebrate in the safest way possible by letting the professional's discharge fireworks at a public firework displays. The city sponsored Freedom 4th event is one example of a high quality, enjoyable and safe event.

"If you must buy fireworks, buy local to ensure they are legal," said Albuquerque Fire Chief David Downey. "Remember that no fireworks of any kind are allowed to be discharged in the Bosque, Open Space areas or city parks."

**Firework Guidelines**

The following fireworks are illegal:

- Ground audible devices: Chasers and Fire Crackers.
- Aerial devices: including Aerial shell kits and Reloadable tubes, Aerial spinners, Helicopters, Mines, Missile-type, etc.

Once ignited aerial and ground audible devices take an unpredictable flight path and pose a significant fire hazard to structures and vegetation. They also possess a significant injury potential to the user and innocent bystanders. These devices are also disturbing to public peace.

The following fireworks are legal and may be used:

- Cone Fountains, Crackling Devices, Cylindrical fountains and Flitter sparklers.

- Ground Spinners, Illuminating torches, Toy smoke devices and Wheels.

**Firework Hotline**

- To report illegal fireworks on July 3rd and 4th from 7 p.m. - 1 a.m. call **505-833-7335**.
- To report illegal fireworks any other time, call **505-833-7390**.

Units from the Albuquerque Fire Department will be patrolling on July 3rd and July 4th inspecting local firework vendors and will be in your neighborhoods looking for illegal fireworks. Those who are caught WILL be cited and will have a mandatory court appearance.

**Penalties**



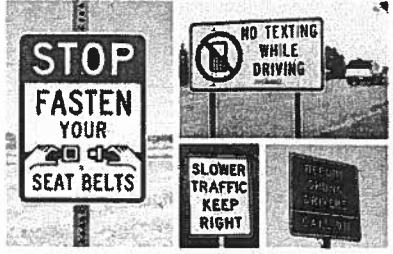
Anyone who is caught with illegal fireworks will be cited, have their fireworks confiscated, must go to court and could face up to a \$500 fine and/or 90 days in jail.

**Firework Safety**

If you must use fireworks, please follow these firework safety tips:

- Fireworks should not be used on "Red Flag Warning" days, as these days indicate extreme risk for fires. To keep current, go to <[www.weather.gov](http://www.weather.gov)>.
- What and where to buy - Always buy fireworks from local vendors.
- Have a water source available close by.
- Supervision - Always have an adult present and never allow children to use fireworks.
- Use caution - Always use fireworks outdoors on a paved area clear from homes, trees, vegetation and other combustible materials.
- Follow directions - Always read and follow directions carefully. Only light one firework at a time then move away quickly.
- Disposal - Dispose of used fireworks in a bucket of water.
- Do not attempt to make your own fireworks. Homemade fireworks (for example, ones made of the powder from several firecrackers) can lead to dangerous and unpredictable explosions.



21 - 30	1 - 3	4 - 16	17 - 31
<b>Sunday, June 21</b> 	<b><u>NO MEETINGS IN JULY FOR:</u></b> • AHA • City Council • DRB - July 1 (only) • District 4 Coalition • District 7 Coalition	<b>Tuesday, July 7</b> • SWAN - 6 p.m.  <b>Wednesday, July 8</b> • DRB - 9 a.m. • LUCC - 3 p.m.	<b>Wednesday, July 17</b> • East Gateway Coalition - 6:30 p.m.  <b>Tuesday, July 21</b> • ZHE - 9 a.m.
<b>Monday, June 22</b> • City Council - 5 p.m.	<b>Wednesday, July 1</b> • Westside Coalition - 7 p.m.	<b>Thursday, July 9</b> • EPC Public Hearing - 8:30 a.m. • South Valley Coalition - 6:30 p.m.	<b>Wednesday, July 22</b> DRB - 9 a.m.
<b>Tuesday, June 23</b> • BOA - 9 a.m.	<b>Thursday, July 2</b> • EPC Case Distribution - 3 p.m.	<b>Wednesday, July 15</b> • DRB - 9 a.m.	<b>Thursday, July 23</b> • District 8 Coalition - 7 p.m.
<b>Wednesday, June 24</b> • DRB - 9 a.m.	<b>Friday, July 3</b> • City Offices Closed - Independence Day 	<b>Thursday, July 16</b> • AAB - 8:15 a.m.	<b>Tuesday, July 28</b> • BOA - 9 a.m.
<b>Monday, June 29</b> • AHA - 12 p.m. 			<b>Wednesday, July 29</b> • DRB - 9 a.m.

**2015 CALENDAR/LEGEND**

- AAB** - Airport Advisory Board, Albuquerque International Sunport, 3rd Floor, Aviation Department Administrative Office Conference Room, 2200 Sunport Boulevard SE
- AHA** - Albuquerque Housing Authority, Carnis Salisbury Building, Manuel Cordova Conference Room, 1840 University Boulevard SE, 505-764-3915
- BOA** - Board of Appeals, Plaza del Sol Hearing Room Basement Level, 600 Second Street NW
- City Council** - Vincent E. Griego Council Chambers, Basement Level, City Hall
- District 4 Coalition** - North Domingo Baca Multigenerational Center, Community Room, 7521 Carmel Avenue NE
- District 7 Coalition** - Grant Middle School, Library, 1111 Easterday NE
- District 8 Coalition** - Holiday Park Community Center, 11710 Comanche Road NE
- East Gateway Coalition** - Manzano Mesa Multigenerational Center, 501 Elizabeth Street SE
- EPC** - Environmental Planning Commission, Plaza del Sol Hearing Room, (Basement Level), 600 Second Street NW
- EPC Case Distribution** - Planning Department, Plaza del Sol, Hearing Room, (Basement Level), 600 Second Street NW
- LUCC** - Landmarks and Urban Conservation Commission, Plaza del Sol, Hearing Room, (Basement Level), 600 Second Street NW
- SVCNA** - South Valley Coalition of Neighborhood Associations, Sheriff's Department South Area Command, 2039 Isleta Boulevard SW
- SWAN** - South West Alliance of Neighbors, Alamosa Multi-Purpose Center, 6900 Gonzales Road SW
- Westside Coalition** - Don Newton/Taylor Ranch Community Center, 4900 Kachina Drive NW
- ZHE** - Zoning Hearing Examiner Office - Plaza del Sol Building, 3rd Floor, 505-924-3894; ZHE Hearing are held in the Plaza del Sol Hearing Room, (Basement Level), 600 Second Street NW

EPC Hearing Notice

Neighborhood Alert - Be aware that public comments at EPC Meeting have a time limitation due to the length of the EPC Hearings. The 48-Hour Rule of the EPC: All written materials and other documents shall be submitted to the Planning Department no later than 9 a.m. on the 2nd Tuesday of the Public Hearing Week. For an Appeal Hearing - no communication with EPC is allowed within five days of the Public Hearing.

In order to make maximum use of the following information - please note:

- Scan the entire list to see if your neighborhood association has a case this month.
• The name and phone number of the developer/agent is listed so that you can easily contact them should you have any questions.
• The assigned staff planner is identified with each agenda item should you need additional information (i.e., check on the actual placement of your case on the agenda). All staff may be reached at 505-924-3860.
• On the day of the EPC Public Hearing, call the Planning Department at 505-924-3860 and the receptionist will give you the status of the EPC Public Hearing.
• Staff Reports are available at the Planning Department beginning at 3 p.m. on the 1st Thursday prior to the EPC Public Hearing.

On the 1st Thursday of each month, the EPC has a Case Distribution to review the applications scheduled for the all-day Public Hearing which occurs on the 2nd Thursday of each month.

As with the Public Hearing, the public is invited to attend the Case Distribution, however, Case Distributions do not provide an open forum. Discussion is limited to staff and the EPC. Case Distributions regularly begin at 3 p.m. in the Planning Department Hearing Room, Plaza Del Sol Building. Please call the Planning Department at 505-924-3860 to confirm the Case Distribution schedule will happen at the times listed as time adjustments are made occasionally.

The EPC Public Hearing will be held on Thursday, July 9, 2015 at 8:30 a.m. in the Planning Department Hearing Room. (basement level), 600 Second Street NW for the following case:

Citywide

All Neighborhood and/or Homeowner Associations and Coalitions; 15EPC-40022, Project #1001620; City of Albuquerque, Planning Department at 505-924-3880; request the referenced/ above action for Amending the Zoning Code to define and regulate landscape requirements that enhance, improve and maintain the quality of the public environment; see page 3 of newsletter for detailed information on this EPC Project; Vicente Quevedo at 505-924-3357, e-mail: <vquevedo@cabq.gov>.

Northeast

Alameda North Valley, North Valley Coalition, District 4 Coalition of NA's (neighborhood/homeowner association/coalition); 15EPC-40021, Project #1005517 (case #'s); Approximately 7.1472 acres located on the west side of Jefferson Street NE between Osuna Road NE and Ellison Street NE (location of request); E-17 (zone atlas page #); Tierra West, LLC at 505-858-3100, agent for Argus Jefferson Partners, LLC, Jeff Jesionowski (applicant or agency and phone #); Requests an Site Development Plan for Subdivision to develop retail pads for restaurants, banks and general retail and develop the rear (or western portion) of the property as multistory office use (action requested); Catalina Lehner at 505-924-3935, e-mail: <clehner@cabq.gov>. (City staff planner)

Southwest

Stinson Tower, Westgate Heights, South Valley Coalition of NA's, South West Alliance of Neighbors (SWAN), Westside Coalition of NA's; 15EPC-40020, Project #1008203; Approximately 3.48 acres located on the east side of Unser Boulevard SW between Sage Road SW and Arenal Road SW; M-10; Richard Dineen at 505-452-6857, agent for Unser & Sage, LLC; Requests a Zone Map Amendment from C-1 to SU-1 for C-2 Uses to provide a greater variety of uses to serve the needs of the area than those presently allowed in the C-1 zone; Maggie Gould at 505-924-3910, e-mail: <mgould@cabq.gov>.

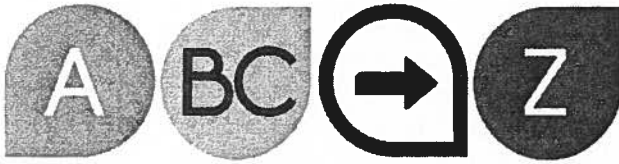
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The City of Albuquerque does not discriminate on the basis of race, color, religion, national origin or ancestry, disability, age, gender, Vietnam Era or disabled veteran status, sexual orientation or medical condition in employment or in the profision of servies. If you have a disability and will need special assistance to benefit from any of the meetings, hearings or workshops, etc., appearing in the newsletter contact the office sponsoring the event two weeks prior to the date of the meeting you plan to attend Whenever possible, TTY phone numbers will be listed. TTY users may call any phone number listed in this publication via Relay New Mexico at 1-800-659-8331.

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Planning Department  
Submitted by Mikaela Renz-Whitmore



IMPROVING PLACE FROM PLANNING TO ZONING

**ABC-Z UPDATE**

“ABC to Z” is an ambitious project to update the Albuquerque/Bernalillo County Comprehensive Plan (“ABC Comp Plan”) and overhaul the City’s zoning and development framework.

**Comp Plan Update**

**May Community Workshops**

In May over 150 people attended one of two community workshops and a focus group for design professionals to update the ABC Comp Plan. Led by Fregonese Associates, the workshops included a presentation of demographic and transportation trends, an instant poll (mirroring the online survey available here: <<http://abc-zone.com/abc-z-community-survey-1>>), and a small-group visioning exercise.

Tables of 6-10 people placed stickers on a base map representing all the expected growth to 2040 (127,000 jobs and 132,000 housing units) in different development patterns. Participants could also indicate areas they did not want to see change or develop and they drew in additional roads, bike lanes or other infrastructure they thought was needed. Each table presented a map to the whole audience at the end of the workshop.



*Focus Group: May 20*



*Comp Plan Workshop: May 20*



*Comp Plan Workshop: May 21*

Many thanks to the Los Griegos Health & Social Services Center and to Hiland Theater for hosting these workshops and big kudos to all who participated, including folks from these neighborhood associations:

- Albuquerque Meadows
- Los Duranes
- Inez
- Nob Hill
- Santa Barbara/Martineztown
- North Eastern Association of Residents
- Alvarado Gardens
- Quigley Park
- Classic Uptown
- Highland
- Sandia High School Area

**Next Steps – June Community Workshops**

Fregonese Associates is compiling all the maps and will present initial results at the next series of workshops Tuesday, June 23 through Thursday, June 25. The next four workshops will focus in more detail on the types of development you want to see and where. See event details and RSVP here: <<http://abc-zone.com/events/upcoming>>.

**Important Note:** While each workshop will focus on one quadrant of the City/County, the project team will be prepared

continued on page 11





**ABC-Z Update - continued from page 10**

to accommodate discussion on any quadrant at any workshop. If you cannot attend "your" quadrant, please pick a workshop that works with your schedule!

Maps from all six workshops will be used to create potential scenarios for how future growth should happen in the County/City, which will guide updates to goals, policies and implementation priorities in the ABC Comp Plan.

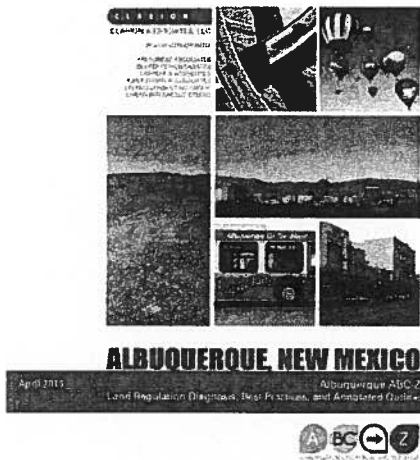
**Integrated Development Ordinance (IDO)**

**Zoning Diagnosis**

On June 11, Clarion Associates led two meetings to walk people through the Zoning Diagnosis, a document that identifies problems with our current regulatory framework, discusses best practices and recommends improvements for the IDO. The document is available for review and comments on the project webpage: <<http://abc-zone.com/ido-zoning-diagnosis-best-practices-and-outline-public-draft-review>>. We need stakeholders to give feedback, recommend any changes they would like to see and alert the consultant to important issues to consider moving forward.

**Next Steps**

The next step in the IDO process is to propose base zoning districts that would replace the current zoning categories and basic standards for buildings and site development. **Watch for public meetings about this in early fall 2015.**



**Learn More**

For more information and to sign up for updates please visit the project webpage: <[www.abc-zone.com](http://www.abc-zone.com)> or visit us on Facebook at <<https://www.facebook.com/abctozoning>>.

Answers to FAQs are at <<http://www.abc-zone.com/faq-page>>.

Even more questions? Contact Mikaela Renz-Whitmore, Project Planner, by e-mail <[mrenz@cabq.gov](mailto:mrenz@cabq.gov)> or by calling 505-924-3932.

**NM State Association of Parliamentarians  
Submitted by Janice Strand**

**Unanimous Consent**

In cases where there seems to be no opposition in routine business or on questions of little importance, time can often be saved by the procedure of unanimous consent. Action in this manner is in accord with the principle that rules are designed for the protection of the minority and generally need not be strictly enforced when there is no minority to protect. Under these conditions, the method of unanimous consent can be used either to adopt a motion without the steps of stating the question and putting the motion to a formal vote or it can be used to take action without even the formality of a motion.

To obtain unanimous consent in either case, the chair states that (example) "If there is no objection, the meeting will recess for ten minutes." The chair then pauses and if no member calls out, "I object." the chair announces, "There being no objection, the meeting will recess for ten minutes."

If a member objects, the chair must state the question on the motion, allow any desired debate (unless it is an undebatable motion) and then put the question to a vote in the regular manner. Members should not object merely for dilatory purposes.

This procedure can be used when approving minutes of the last meeting. The chair can state, "If there are no corrections (or no further corrections), the minutes are approved as printed (or corrected). This procedure is also referred to as an assumed motion.

Unanimous consent can, in principle, satisfy the requirement for a two-thirds vote. When no one objects, more than two-thirds are in agreement.

If a subsidiary motion is made to refer a main motion to a committee for further study and no committee is specified, the chair can ask, "To what committee shall the question be referred?" If only suggestion is made, the chair assumes that this is the will of the assembly and states that it is inserted in the motion to commit by stating, "If there is no objection, the motion will state that this motion will be referred to the \_\_\_\_\_ committee." After a pause, the chair states the question inserting the name of the committee and proceeds to ask for debate and calls for a vote.

Adapted from Robert's Rules of Order Newly Revised, 11th Edition, (RONR) pages 54-56 and 173.

Parliamentary Pointers will appear each month. If you have a parliamentary question that could be covered or would like a "Smart Meeting" presentation on a specific topic at your meeting (by an NMSAP member, for a negotiated fee) contact Jan Strand, PRP, Treasurer of the New Mexico State Association of Parliamentarians at 505-821-5227 or <[jan\\_str@msn.com](mailto:jan_str@msn.com)>.



**NEIGHBORHOOD NEWS**  
A Publication of the Office of  
Neighborhood Coordination

*Neighborhood News* is published monthly by the Office of Neighborhood Coordination (ONC), a division of the Planning Department, City of Albuquerque. Articles and information from neighborhood associations and others are welcome.

***ONC reserves the right to edit and/or reject any submissions.***

<b>Please Share With Your Neighbors</b>
<b>Route To:</b>

**City of Albuquerque**

Richard J. Berry, *Mayor*  
Robert J. Perry, *Chief Administrative Officer*

**Planning Department**

Suzanne Lubar, *Planning Director*  
Brennon Williams, *Acting Associate Director*

**Office of Neighborhood Coordination Staff**

Stephani Winklepleck, *Neighborhood Liaison*  
Dalaina Carmona, *Senior Administrative Assistant*

**Newsletter Editor: Dalaina Carmona**  
(Please send submissions as e-mail attachments in a word document to: [dcarmona@cabq.gov](mailto:dcarmona@cabq.gov) and [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov)).

**Questions or Comments - direct them to:**  
City of Albuquerque Planning Department  
Office of Neighborhood Coordination, Room 440  
Plaza del Sol Building, 600 Second Street NW  
Albuquerque, NM 87102  
Phone: 505-924-3914  
1-800-659-8331 (TTY)  
Fax: 505-924-3913  
City of Albuquerque website: [www.cabq.gov](http://www.cabq.gov)

**Related ONC Links**

- URL for printable Annual Report Form (pdf):**  
<[www.cabq.gov/planning/documents/ONCAAnnualReportForm0413.pdf](http://www.cabq.gov/planning/documents/ONCAAnnualReportForm0413.pdf)>
- URL for neighborhood association individual maps:**  
<<http://data.cabq.gov/community/neighborhoods/pdf/>>
- URL for "Neighborhood News" ONC newsletter:**  
<[www.cabq.gov/planning/residents/neighborhood-newsletter](http://www.cabq.gov/planning/residents/neighborhood-newsletter)>
- URL for current Department Directors List:**  
<[www.cabq.gov/planning/documents/DeptDirectorsList060613.pdf](http://www.cabq.gov/planning/documents/DeptDirectorsList060613.pdf)>
- URL for Important Telephone Numbers List:**  
<[www.cabq.gov/planning/documents/ImpTeleph060613.pdf](http://www.cabq.gov/planning/documents/ImpTeleph060613.pdf)>
- URL for On-going Sector Plans and other Planning Projects:**  
<[www.cabq.gov/planning/our-department/urban-design-and-development/planning/residents/sector-development-plan-updates](http://www.cabq.gov/planning/our-department/urban-design-and-development/planning/residents/sector-development-plan-updates)>
- URL for Building and Safety Permit/Application Information:**  
<[www.cabq.gov/planning/our-department/building-safety](http://www.cabq.gov/planning/our-department/building-safety)>

Upon request, the *Neighborhood News* is available in alternative formats. The *Neighborhood News* can be accessed at the City's Website: [www.cabq.gov/planning/residents/neighborhood-newsletter](http://www.cabq.gov/planning/residents/neighborhood-newsletter). (Available in HTML/PDF files, including archived editions.)

# CITY OF ALBUQUERQUE



PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

August 14, 2015

City of Albuquerque  
Planning Department  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102

**Project# 1001620**  
15EPC-40022 Text Amendment to the Zoning Code

### LEGAL DESCRIPTION:

The above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.

Staff Planner: Vicente Quevedo

PO Box 1293

On August 13, 2015, the Environmental Planning Commission (EPC) voted to forward a **RECOMMENDATION OF APPROVAL** to City Council regarding Project #1001620/15EPC-40022, Text Amendment to the Zoning Code, based on the following findings:

### FINDINGS:

1. The request is for a recommendation to City Council regarding text amendments to amend the City's Comprehensive Zoning Code §14-16-3-10 (Landscaping Regulations) and §14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections §6-6-2-4 (Required Street Trees), §6-6-2-5 (Street Tree Policies), §6-6-2-6 (Street Tree Programs), §6-6-2-7 (More Detailed Regulations) and §6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. The proposed text amendments are being requested by the Planning Department.
2. The purpose of the proposed text amendments are to clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, re-focus the vegetative coverage requirement to encourage trees canopy, update standard landscaping buffer requirements, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance.

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3. The coordination of the Landscaping Regulations, Off-Street Parking Regulations and the Street Tree Ordinance acknowledges that street trees may be accommodated provided that on a site immediately abutting the public sidewalk, on private property and that these trees may be counted towards the vegetative coverage requirements (§14-16-3-1 and §14-16-3-10).
4. The task of the Environmental Planning Commission (EPC) is to make a recommendation to the City Council for the proposed text amendments with regard to the Landscaping and Off-Street Parking Regulations of the Zoning Code.
5. The Street Tree Ordinance is located within Part 2 (Trees, Vegetation and Landscaping) of the City's Water, Sewers and Streets Code. The Street Tree Ordinance will need to be amended to reference the Official Albuquerque Plant Palette and Sizing List, tree planting requirements to avoid conflicts with overhead and underground utility lines and to allow administrative approval of alternative planting schemes. Amendments to the Street Tree Ordinance must be sponsored by a member of the Albuquerque City Council. The City Council is the City's Zoning Authority and will make the final decision on all parts of this request.
6. Intent of the City Charter: Amending the Landscaping, Off-Street Parking and Street Tree regulations is an exercise in local self-government (City Charter, Article 1). Clarifying the intent and purpose of the Landscaping Regulations and calling for the coordination of the Street Tree Ordinance requirements with the Landscaping Regulations, 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).
7. Intent of the Zoning Code (§14-16-1-3): The application for proposed text amendments was filed in accordance with Zoning Code requirements. The proposed text amendments generally further the Zoning Code goals of promoting the health, safety and welfare of the citizens and enhancing the appearance of the landscape.
8. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Comprehensive Zoning Code are incorporated herein by reference and made part of the record for all purposes.
9. The request furthers the following, applicable Comprehensive Plan Goals and Policies:
  - A. Developed Landscaping Goal: The Goal is to maintain and improve the natural and the developed landscapes' quality. The proposed text amendments seek to improve the natural and developed landscapes' quality by prescribing landscaping regulations that appropriately respond to Albuquerque's high desert environment and its many existing microclimates.
    - i. Policy II.C.8.a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions.

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*The proposed text amendments respect the natural and visual environment by recognizing that sustainable desert landscapes are a vital component toward enhancing Albuquerque's overall appearance. The request furthers Policy II.C.8.a.*

- ii. Policy II.C.8.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.

*The proposed text amendments ensure the use of native and or adapted, low water use or xeric species that are regionally appropriate to conserve water resources, as well as regulating landscaping design to prevent water erosion. The request furthers Policy II.C.8.d.*

- B. Community Identity and Urban Design Goal: The 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 proposed text amendments preserve and enhance the natural and built characteristics of Albuquerque and Bernalillo County by establishing consistent, attractive streetscapes that generate a sense of continuity and a positive City image.

- i. Policy II.C.9.b.(2): In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon the following:

2) Built environment

- Landscaping materials, both planting and hardscape

*The proposed text amendments address strategic and neighborhood planning, development and redevelopment and their relationship to the built environment by improving the aesthetic appearance of commercial, industrial and multi-family residential development and enhancing public/private investments. The request furthers Policy II.C.9.b(2).*

10. Agencies reviewed the proposed text amendments from June 1, 2015 to June 12, 2015. Several comments were received and reviewed by Planning Staff, which are reflected in the current draft of the proposed text amendment language.

11. In response to the agency comments submitted by the Planning and Design Division of the Parks and Recreation Department, Planning Department Staff met with Parks and Recreation Department Staff to discuss their agency's concerns. As a follow up to this meeting, The Planning Department revised the proposed text amendment language to reflect the tangible feedback provided by the Parks and Recreation Department.

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12. The proposed text amendments were posted on the Planning Department's main web page and were announced in the June/July 2015 issue of the Neighborhood News, published by the Office of Neighborhood Coordination (ONC). There is no known neighborhood opposition to this request.
13. Planning and Council Staff will continue to work with stakeholders to address their concerns.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **AUGUST 28, 2015**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

**ZONE MAP AMENDMENTS:** Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

**SITE DEVELOPMENT PLANS:** Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

**DEFERRAL FEES:** Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

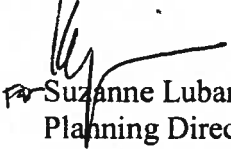
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Sincerely,

  
Suzanne Lubar  
Planning Director

SL/VQ

cc: COA, Planning Dept, 600 2<sup>nd</sup> St. NW Albuquerque, NM 87102  
Jackie Fishman, 302 8<sup>th</sup> St. NW, Albuquerque, NM 87102  
Chris Green, 302 8<sup>th</sup> St. NW, Albuquerque, NM 87102  
Jennifer Dann, 1220 S. Saint Francis, Santa Fe, NM 87505

**9. Project# 1001620**  
15EPC-40022 Text Amendment to the Zoning Code

COA Planning Department requests the above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.

Staff Planner: Vicente Quevedo (Deferred from July 9, 2015 hearing)

**A motion was made by Commissioner Peck and Seconded by Commissioner Bohannan that this matter be Forward to City Council with a Recommendation of Approval based on the recommended findings. The motion carried by the following vote:**

**For: 8 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Bohannan, Peck and Beserra**

CHAIR NICHOLLS: And I think we're now ready for our last case, but I do rely on my fellow Commissioners to make sure that I don't ring the school bell immediately after this. We do have other matters. Make sure I cover those. Ok, Mr. Quevedo, we're ready for item #9.

MR. QUEVEDO: All righty. Good afternoon. I got that right, this time. This is agenda item #9, project 1001620, 15EPC-40022.

This is a request for a recommendation to the City Council regarding amendments to the Zoning Code Sections 14-16-3-10 (Landscaping Regulations) and 14-16-3-1 (Off-Street Parking Regulations). These changes are directly related to Sections 6-6-2-4 through 6-6-2-8 of the Street Tree Ordinance).

The City Council is the City Zoning Authority and will make the final decisions on all parts of this request. This is a legislative matter.

For some brief background City Staff met with private sector landscape architects and designers in February and March of 2015 this year. Planning Staff then drafted text amendments, based on feedback from those meetings for the Zoning Code Landscape Regulations. The purpose of the proposed text amendments are to clarify the intent and purpose of the overall regulations, create an official plant palette and sizing list, refocus the vegetative coverage requirements to encourage tree canopy, update standard landscape buffer requirements, update the installation plant size requirements, permit the limited installation of artificial turf and improve coordination with the Off-Street Parking Regulations and Street Tree Ordinance.

The proposed amendments to the Street Tree Ordinance have been included simply as an exhibit for this request. And while they also need to be amended in order to allow for adequate implementation of these proposed amendments the EPC does not have review and approval authority for or over the Street Tree Ordinance, specifically Amendments to that Ordinance must be sponsored by a member of the City Council.

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Agencies reviewed this application from June 1<sup>st</sup> through June 12<sup>th</sup>. We did receive several agency comments, which were reviewed and the majority of those comments have been reflected in the current text. You recall that this was deferred for 30 days prior to being heard today, that was to allow time for that.

And...let's see. Staff did receive public comments, however, they were received after the 48 hour rule deadline and those were received from a member of the ... a private sector design firm that did participate in some of those early discussions, so we did encourage them to come today and report to you their comments and I believe somebody is here to do that.

And the proposed text amendments were announced in the June and July addition of the Neighborhood News Publication and posted on the city's ... the Planning Departments Web page to fulfill public notification requirements, since it's a city wide initiative. And staff is recommending approval - - I'm sorry, that a recommendation of approval of the proposed text amendments to the Zoning Code be forwarded to City Council.

CHAIR NICHOLLS: Questions for staff? It looks like you're off the hook.

MR. QUEVEDO: All right.

CHAIR NICHOLLS: Do we have anyone from Council Services, at all?

MR. QUEVEDO: Once again I believe Andrew Webb was here earlier, but was unable to...

CHAIR NICHOLLS: Ok. All right.

MR. QUEVEDO: Ya, that was the same answer as before. He's not available, but was here earlier.

CHAIR NICHOLLS: So, do we have anyone else who's giving testimony on this? Oh, Oh. Do we have anyone signed up from the public? Three, ok, all right. I just want to be sure where we're going and Mr. Brito, if you'd state your name and address for the record?

MR. BRITO: Good afternoon Mr. Chair, Commissioners. I'm Russell Brito. I'm the manager of the Urban Design and Development Division in the City Planning Department.

CHAIR NICHOLLS: And you swear to tell the truth?

MR. BRITO: And I affirm to tell the truth.

CHAIR NICHOLLS: Good, go ahead.

MR. BRITO: I just wanted to give a little bit more background about why the Planning Department is proposing these text amendments to the Zoning Code as well as to the Street Tree Regulations. It started off with a monthly development discussion that the Planning Director and Staff have with the local design community, developers, engineers. And there was a request to allow artificial turf to be counted as landscaping and so we sat together - - around together internally, and we thought that's probably not a good idea, because artificial turf actually creates heat in our environment by absorbing it, and retaining it, and it's hard to keep clean, it's hard to maintain. And it just led to a larger discussion about our General Landscape Regulations that were written back at the time when the city

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thought we were sitting on top of an aquifer the size of Lake Michigan. We now know that's not the case. We do live in a desert, a high desert environment and we felt that we needed to proffer some suggestions to reflect that in our code. And we're looking at landscaping around the city and we noticed that a lot of the landscaping that's installed is not maintained and what you end up with are large expanses of gravel with spindly little trees trying to survive the heat in these seas of gravel.

And what we also found is that the city has actually lost tree canopy over the past decade, and you know when you plant a tree you're not planting it for the current generation you're really planting it for the next generation and we wanted to make sure that going forward that we leave a good legacy for the next generations in the form of tree canopy's that provide shade and help with our micro climates that we have within the city. We have different micro climates in the valley, in the mesa's, in the foothills. They're all slightly different, but they could all benefit from more shade and so, working with Private Sector Designers, the City Forester, Parks and Recreation Staff we came up with some proposals to not only require more trees, but to encourage them by allowing a designer, a developer, a property owner, a business to triple count their trees if they're in a particular location. And that would mean you could count a tree canopy for your general landscape coverage. You can count the tree canopy for your street trees if it's close enough to the street and if you have a parking lot that's close to the street. It could also be a parking lot tree. So you get a three for one for trees in parking lots that are close to the sidewalk.

We did have some bits and starts getting the language together and though we're trying to use the current format of the Landscaping Regulations, so it's like the current regulations, not especially easy to read. We are going through the ABC to Z project right now that will update the Comprehensive Plan and create an integrated development ordinance with an updated landscaping regulation, but we felt that we needed to do something more immediately. And we have general support from the design community and we're happy to listen to all suggestions from them and from the commission, so with that we can send up the best possible language to City Council for their review.

CHAIR NICHOLLS: Any questions? I have one. In your opening remark, there when you were talking about artificial turf, there's a tradeoff. Yes, I can understand why it might retain heat, but it doesn't require water. Is that a reasonable trade off?

MR. BRITO: Mr. Chair, we did consider that in our drafting and we did include an allowance for use of artificial turf as an accent for landscaping designs.

CHAIR NICHOLLS: I believe Commissioner Mullen is about to...

COMMISSIONER MULLEN: I have to chime in, thank you Mr. Chair. In addition to that, and actually Mr. Brito had covered this very well, and many of my concerns you addressed. Although I do have a couple of additional comments you won't be surprised. But in regards to the artificial turf, there are a couple of other issues with that. You know when you get a good rainfall artificial turf does not help replenish the ground at all. It tends to react more like concrete or asphalt and so you get a lot of runoff going into our storm drains as opposed to back into the ground to our ground levels. A lot of the reasons why our larger trees are dying off is because you know major water comes to your trees not near the trunk. And now we know more and more it's even the drip line it tends to be 30 feet and I'm not even a landscape architect or arborist, but the drip line may be even 30 feet beyond and so, you need permeable ground cover and preferably ground cover that is giving something back, like wood chips or other vegetative matter for the rain and other water to come through, go into the ground, hit



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those roots at the little teeny tiny fingers, so that it carries out and supports the tree, which in turn is giving us shade and dare I say oxygen. And you know, so I think artificial turf beyond being ugly and disgusting and something I would never put my child on. I would be comfortable in saying that it's just outlawed and is offensive.

CHAIR NICHOLLS: Ok well, that puts me in my place. I appreciate that. No, but I needed to ask the question simply because I'm not a landscape architect. I don't have astro turf or whatever they call it; actually I don't have any turf of any sort. So, you know as an immigrant, if you will, to a high desert area; it just makes me want to ask those questions you know for my education.

COMMISSIONER MULLEN: And water is a valid concern, as well. So I didn't mean to dismiss that, but I think there's a lot of misconceptions in terms of what xeriscaping is? What landscaping is and you know, and where we should and shouldn't put our resources in water and so, I didn't mean to attack on that, but there is so much more we could be doing. You know, and maybe my one comment on this is I think we should require more, period. More trees, people have to plant more trees.

CHAIR NICHOLLS: Commissioner Gonzalez?

COMMISSIONER GONZALEZ: Ya, I just want to - - I agree with Commissioner Mullen's. Also, I hate playing soccer on artificial turf, so...

CHAIR NICHOLLS: Anything else for Mr. Brito? Thank you, sir. Who do we have signed up?

MS. HENRY: Jackie Fishman followed by Chris Green, followed by Jennifer Dann.

CHAIR NICHOLLS: Ok. Ms. Fishman, please.

MS. FISHMAN: Thank you, Mr. Chair, Commissioners.

CHAIR NICHOLLS: Good afternoon, again.

MS. FISHMAN: Ya, I just wanted to make a few general comments. I'm a participant in the monthly development discussion lunches. The last couple of years it was actually our office too that brought some concerns over the Landscape Ordinance and the Requirements to the attention of the Planning Director. And specifically as the Zone Code requires the seventy five percent coverage and doesn't allow you to count the canopy of trees, so we - - and our landscape plans always say that we reached seventy five percent coverage. That's a lot of coverage and a lot of plans, especially at the same time when there's all these city goals and policies about not putting in a lot of turf. It's easy to get to seventy five percent with turf; not so easy if it's all shrubs and just the trunks of trees. So that was a lot of the impetus that we had to getting some of these regulations changed and we worked with Mr. Brito and staff in February, March time to come up with the amendments. We haven't done a thorough review of where it is today, because there has been some changes per the City Forrester and Parks and Rec and while I would like to urge you to act today I would also - - would ask some consideration for a continuance on this issue, so that some of the other landscape architects, including Chris who's gonna speak after me, has more of an opportunity to review where we are today.

CHAIR NICHOLLS: Any questions or comments for Ms. Fishman? Thank you. Who's next?



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MS. HENRY: Chris Green followed by Jennifer Dann.

CHAIR NICHOLLS: Ok. Good afternoon sir, if you'd state your name and address for the record please?

CHRIS GREEN: Chris Green. 302 8<sup>th</sup> Street NW, Albuquerque 87102.

CHAIR NICHOLLS: And you swear to tell the truth under penalty of perjury?

MR. GREEN: I do.

CHAIR NICHOLLS: And who you representing this afternoon?

MR. GREEN: Basically I'm a landscape architect representing the landscape architectural community. Not necessarily representing our ASLA formerly or anything like that, but I have received comments from several other landscape architects who were involved in the meetings with City Staff and who have gone through these proposed modifications.

So to start with, I'd just want to thank City Staff. I think you've done a fantastic job and I appreciate you picking up the ball and finally running with this, because this is something that some of the beggars and the ordinance over the years, in the last twenty years of preparing landscape plans that had to deal with this ordinance. There's a lot of frustration, so it's nice to see this moving forward.

I guess I would just agree with Jackie that although we've made some progress, I think there's still a number of inconsistencies, in the language to date and some confusion on terms and such, again based on new information provided by Parks and Recreation and the City Forrester. So I would again recommend that we have another chance to sit down with Planning Staff and kind of go through some of these questions, so that can send as clean an Ordinance to City Council as possible.

CHAIR NICHOLLS: So, are you recommending that we continue this or is this something a discussion that can take place off line?

MR. GREEN: I - - well my preference would be to sit with city staff and go through this and present it back to you again, whatever format that needs to be. Whether that's a continuance and we come back at some other date.

CHAIR NICHOLLS: That would need to be a continuance, yes. That being - - well do we have any questions? Ok. Go ahead, first of all Commissioner Peck then Commissioner Bohannan. (Inaudible) Oh, ok then, Commissioner Peck.

COMMISSIONER PECK: Thank you Mr. Chair. Mr. Green, as somebody referring to myself who has inherited and or planted a ton of trees in commercial properties; the one thing I seem to run into is when the new trees go in everybody likes to kind of space them maybe not quite as far apart as they should be when there 15, 20 years old and taking out a tree gets really pricy. The only reference I see in here on any kind of spacing was "tree planners within off street parking should be 80 square feet per tree." As a designer and architect do you - - is there anything in the way this is being presented that could clarify that a little bit better?

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MR. GREEN: Well that Commissioner Peck, relating to that I mean that really doesn't get into quantity of trees. It gets into the space that you're providing for the trees. So really the Off-Street Parking Ordinance is what dictates the number of trees. 1 for 10 is the typical, so that - - so you really can't - - it's based on quantity of parking spaces to quantity (inaudible). So the eighty square feet really refers to the planting island and as a Landscape Architecture we would always like to have more, but in reality is that are 'you able to do that?'

COMMISSIONER PECK: It always looks really good when the projects brand new. We have all these nice trees that are spaced 15 feet apart and 20 years later when you're taking every other tree out, because they've overgrown into each other and they're fighting for the same water.

MR. GREEN: That's correct. Typically that doesn't happen in a parking lot, so I think you typically put the tree in the parking lot and you probably get a quarter of the growth then the normal growth out of a tree.

COMMISSIONER PECK: Ok.

CHAIR NICHOLLS: Any other questions? Thank you, sir and our last speaker?

DORA HENY: Jennifer Dann.

CHAIR NICHOLLS: Good afternoon ma'am if you'd state your name and address for the record please?

JENNIFER DANN: My name is Jennifer Dann. I work for New Mexico State Forestry and I'm the Urban and Community Forestry Program Manager.

CHAIR NICHOLLS: And you swear to tell the truth under penalty of perjury?

MS. DANN: Yes I do.

CHAIR NICHOLLS: Go ahead ma'am.

MS. DANN: Mr. Chair and Commissioners. I wanted to just lend general support to the efforts and thanks to both the City Staff and the professional community that have been involved in trying to strengthen and grow you're Albuquerque Street Tree and Landscaping Ordinance.

I want to clarify that I have not been involved in the details developing the proposed revisions and so don't feel comfortable commenting on them. But the urban forest and other green infrastructures support so many of our community's goals. That it's important to undertake efforts like this. In turn the urban forest and green infrastructure needs strong policy to support it and we've shown over and over that the Albuquerque Urban Forrest is in decline. So I just wanted to lend my support. I feel like this a very critical time for Albuquerque. You're in a very aggressive planning mode right now with the ABC to Z efforts and this is the ideal time to make sure that your Street Tree and Landscaping Ordinances are strong and support the overall city goals.

CHAIR NICHOLLS: Commissioner Bohannan. Did you have a question? (Inaudible) Ok. Are there any questions for... Yes, Commissioner Mullen?

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COMMISSIONER MULLEN: Sorry and as I raise my hand, you know I appreciate your comments, but I also realize you just said you hadn't read the wording specifically. I was gonna have you chime in on whether a continuance felt like the right thing to do at this point and maybe it is. Just so that people like yourself can have a chance to read it and chime in or just to help us gage you know, do we push forward now or is that potentially weakening long term goals.

MS. DANN: I have read and I agree with the two previous commenters that there's probably some clarification needed in the roles of the City Forester, the Planning Department and the Mayor's Office. It might just to make sure that your strong (audible) might be worth your time. But I certainly would defer to the Planning Department on that.

CHAIR NICHOLLS: I think what I'm hearing is that there is a little bit more work to be done. But this represents something that doesn't in a sense affect us today, but it affects us for ten, twenty, maybe many more years down the road. And I think that may point us in the direction of a continuance. But I'm prepared obviously, to hear what my other Commissioner's say. I wanted to just put that on the record right now. Mr. Quevedo do you have anything for us in closing? And if you would in your closing remarks, and maybe Mr. Brito, you want to comment as well. On whether we should go for a continuance?

MR. QUEVEDO: Chairman Nicholls, Commissioner's. I can tell you that we have vetted out a lot of agency comments regarding these amendments and have taken the time to try to address the majority of those even already requesting a deferral for 30 days through the Planning Department to do so. So I'll say that, and I believe Mr. Brito would like to comment, additionally on that, so.

MR. BRITO: Mr. Chair, Commissioner's. The Planning Departments not opposed to a continuance to work with the stake holders, the landscape architects and designers who have concerns about the language. But the case has already been deferred once and we have been coordinating with Council Staff and Andrew Webb has let me know that he's very willing to work not only with Planning Staff, but landscape architects. As this progresses to the City Council through the Land Use Planning and Zoning Sub-committee and then back to City Council to address these issues. He said it's not necessary for the Planning Commission to send up a perfect set of proposals and we're willing to work with that or a continuance if that's your pleasure.

CHAIR NICHOLLS: So, if I hear you right. As we've known in the past with other cases that have had a recommendation from the EPC to City Council. And I think we've heard a number of times that there's always more work to be done before the final vote, if you will, at City Council. So, I'm not in any way opposed to us going ahead, because I think my concerns of what I was trying to say is that yes we're setting some important ground work. But that doesn't mean necessarily that we should hold it up at this point, because clearly some of the other issues that need to get resolved will get resolved at further discussions before Council makes a final decision on it. So, I'm comfortable with going ahead. And do you have anything else for us? Who are we pointing at?

COMMISSIONER BOHANNAN: I was going to chime in after he closes the floor, which is where this is heading.

CHAIR NICHOLLS: Alright, anything else.

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MR. BRITO: Nothing else, Chair.

CHAIR NICHOLLS: Thank you, Mr. Brito. Then let's go ahead and close the floor and Commissioner Bohannon you're champing at the bit there.

COMMISSIONER BOHANNAN: I would be in agreement with moving this forward as a lot of the request for continuance I've heard have to do with small little details that I feel can be vetted out during that process. If there was opposition and request for whole sale changes to portions then I would be more inclined to do a continuance, but since no one seems to be asking for that I'm comfortable moving it forward as is.

COMMISSIONER GONZALEZ: It could be the part of about the plastic grass right...

CHAIR NICHOLLS: And Commissioner Peck?

COMMISSIONER PECK: Thank you Mr. Chair. I agree with Commissioner Bohannon. I think it sounds like there's just some tweaks and a few things that need to be ironed out. I think this is a really important thing for our city. It pains me to drive up and down Central Boulevard and just see the total lack of trees in really what is our major boulevard and the Journal just had a really good article on our declining urban forest. And it's important that we address this. The city took some really great steps a few years ago to get rid of some of the types of trees that we we're planting and now that we're looking at some more native things, which are really a little bit more drought tolerant. I support sending this up to City Council.

CHAIR NICHOLLS: Anyone else? Then hearing no further discussion is there a Commissioner willing to make a motion on this project? Commissioner Peck?

COMMISSIONER PECK: Thank you, Mr. Chair. Matter of Agenda #9, Project #1001620, Case #15EPC-40022, I make a recommendation of approval to City Council, based on the recommended findings 1 through 12, and this is noted in the staff report.

CHAIR NICHOLLS: Is there a second?

COMMISSIONER BOHANNAN: Second.

CHAIR NICHOLLS: We have a second - - motion and a second. Any discussion on the motion? Commissioner Gonzalez?

COMMISSIONER GONZALEZ: Just because what's been raised and maybe I should have said this before we got into a motion making, because I still have a little bit of (inaudible). But I'm just wondering if it would be possible to put in a finding, in sending it up to City Council, that says, "There are people, stake holders, architects, designers who have concerns." Just to - - just to a little flag going up to City Council letting them know that there are things that need to be worked out. That we're not just sending it whole heartedly (inaudible)

CHAIR NICHOLLS: Does the maker of the motion agree with that?

EPC ACTION SUMMARY

August 13, 2015

Page 9 of 9

COMMISSIONER PECK: I would agree. I believe staff can and will, are currently working on something for that.

CHAIR NICHOLLS: And again, the maker of the motion do we need an additional finding to that effect?

COMMISSIONER PECK: I would agree with Commissioner Gonzalez. I think I want to make sure that all the stakeholders are being heard and that City Council knows that it's out there.

CHAIR NICHOLLS: And therefore, we need some language, I think language is appearing before me as we speak. Oh yes. (Inaudible)

CHAIR NICHOLLS: And I think that's sufficiently open ended to hopefully cover all bases rather than tie anyone down to anything specific.

COMMISSIONER PECK: Is that kind of what you're looking for Commissioner Gonzalez?

COMMISSIONER GONZALEZ: Yes.

COMMISSIONER PECK: Ok. Then maker of motion agrees.

CHAIR NICHOLLS: Second agree.

COMMISSIONER BOHANNAN: Second agrees.

CHAIR NICHOLLS: We have a motion and a second. Any further discussion on the motion? Hearing none. Those in favor say "Aye" and raise your hand.

ALL COMMISSIONER'S: "Aye"

CHAIR NICHOLLS: Those against say "No" and raise your hand. Motion carries unanimously. Thank you.



**ENVIRONMENTAL PLANNING COMMISSION  
ACTION SUMMARY**

**Thursday, August 13, 2015  
8:30 a.m.**

**Plaza Del Sol Hearing Room, Lower Level  
600 2<sup>nd</sup> Street NW**

**MEMBERS**

**Peter Nicholls, Chair  
Karen Hudson, Vice-Chair**

**Maia Mullen  
Bill McCoy  
James Peck**

**Moises Gonzalez  
Derek Bohannon  
Victor Beserra**

\*\*\*\*\*

**NOTE: A LUNCH BREAK AND/OR DINNER BREAK WILL BE ANNOUNCED AS NECESSARY**

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are also reviewed at the beginning of the hearing. Applications with no known opposition that are supported by the Planning Department are scheduled at the beginning of the agenda; these cases are noted with an asterisk (\*). Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. However, interested parties can monitor the progress of the hearing by calling the Planning Department at 924-3860. All parties wishing to address the Commission must sign-in with the Commission Secretary at the front table prior to the case being heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff – 5 minutes; Applicant – 10 minutes; Public speakers – 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested. Applicants and members of the public with legal standing have a right to cross-examine other persons speaking per Rule B.12 of the EPC Rules of Conduct.**

All written materials – including petitions, legal analysis and other documents – should ordinarily be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing.

**NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.**

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**Call to Order: 8:38**

- A. Pledge of Allegiance
- B. Announcement of Changes and/or Additions to the Agenda

**The applicant requested a 30 day deferral to the September 10, 2015 EPC Hearing for each of the following cases:**

**2. Project# 1010521**  
15EPC-40024 Sector Development Plan Map  
Amendment (Zone Change)

DAC Zoning & Land Use Services, agent for Shakeel Rizvi dba Nazish LLC, requests the above action for Lot 12, Block 3, Tract 2, Unit 3, North Albuquerque Acres, zoned SU-2/O-1 to R-D 5 DU/acre, located on Oakland Ave. NE, between Eagle Rock Ave. NE and Alameda Blvd. NE, containing approximately 1 acre. (C-19)  
Staff Planner: Catalina Lehner

**7. Project# 1005517**  
15EPC-40021 Site Plan for Subdivision

Tierra West LLC, agent for Argus Jefferson Partners, LLC, requests the above action for Lots 2-A-1 and 2-A-2, Tract B, Plat of Lots 2-A-1 and 2-A-2, Envirco Tract (being a replat of Lot 2-A, Tract B), zoned M-1, located on Jefferson Street NE, between Osuna Road NE and Ellison Street NE, containing approximately 7.2 acres. (E-17)  
Staff Planner: Catalina Lehner

**C. Approval of Amended Agenda**

**A motion was made by Commissioner Peck and Seconded by Commissioner Hudson to approve the amended agenda. The motion carried by the following vote:**

**For: 6 - Nicholls, Hudson, McCoy, Peck, Bohannan and Beserra**

**D. Swearing in of City Staff**

**COMMISSIONER MULLEN &  
COMMISSIONER GONZALEZ  
ARRIVE**

**FINAL ACTIONS**

**1. Project# 1010520**  
15EPC-40023 Sector Development Plan Map  
Amendment (Zone Change)

DAC Zoning & Land Use Services, agent for Abbas Akhil, requests the above action for Fire Station Site #19, City of Albuquerque, zoned SU-2/O-1 to R-D 7 DU/acre, located on Louisiana Blvd. NE, between Wilshire Ave. NE and Signa Ave. NE, containing approximately 1.5 acres. (C-19)  
Staff Planner: Catalina Lehner

**A motion was made by Commissioner Hudson and Seconded by Commissioner Beserra that this matter be continued to the September 10, 2015 Hearing. The motion carried by the following vote:**



**For: 8 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Bohannon, Peck and Beserra**

**3. Project# 1001370**  
15EPC-40025 Site Development Plan for  
Subdivision (Extraordinary Facility in Major  
Public Open Space

Hunt and Davis, PC, agent for Juan Tabo Hills West, LLC, requests the above action for all or a portion of Tract 1-A-1, Juan Tabo Hills, Unit 2, zoned SU-1 for Open Space, located on Juan Tabo Hills Boulevard SE, between Open Space/Tijeras Arroyo and Gallant Fox Road SE, containing approximately 13.4 acres. (M-21)  
Staff Planner: Maggie Gould

**A motion was made by Commissioner Bohannon and Seconded by Commissioner Hudson that this matter be Approved based on findings and conditions. The motion carried by the following vote:**

**For: 8 Nicholls, Hudson, Mullen, Gonzalez, McCoy, Bohannon, Peck and Beserra**

**4. Project# 1003450**  
15EPC-40029 Site Development Plan for  
Building Permit Amendment

Cherry/See/Reames Architects P.C., agent for City of Albuquerque Police Department, requests the above action for all or a portion of Parcel 2-A Plat of Parcels 2-A & 2-B, Van Buren School Lands of Board of Education, zoned SU-1 for Police Substation, located on Louisiana Blvd. SE, between Kathryn Ave. and Continental Loop, containing approximately 1.8 acres. (L-19)  
Staff Planner: Carol Toffaleti

**A motion was made by Commissioner Peck and Seconded by Commissioner Bohannon that this matter be Deferred to the November 12, 2015 EPC Hearing. The motion carried by the following vote:**

**For: 8 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Bohannon, Peck and Beserra**

**COMMISSIONER BOHANNAN RECUSED  
HIMSELF**

**5. Project# 1009090**  
15EPC-40026 Site Development Plan for  
Building Permit

Dekker/Perich/Sabatini, agents for Albuquerque Airpark Partners, requests the above action for all or a portion of Tract 2, Plat of Tracts 1 & 2, Capstone Subdivision, zoned SU-1 for IP Uses & Student Housing, located on Transport St. east of Interstate 25 and west of Mulberry St., containing approximately 8.4 acres. (M-15)  
Staff Planner: Vicente Quevedo

**A motion was made by Commissioner Hudson and Seconded by Commissioner Peck that this matter be**

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**Approved based on findings and conditions. The motion carried by the following vote:**

**For: 7 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Peck and Beserra**

**COMMISSIONER BOHANNAN RETURNS**

**6. Project# 1003658**  
15EPC-40028 Site Development Plan for Building Permit Amendment

Myers, McCready & Myers, PC, agents for Reposado, LLC, requests the above action for all or a portion of Lot D-4-I, Seven Bar Ranch, zoned SU-1/IP, located on Alameda Blvd., between Corrales Rd. and Ellison Rd., containing approximately 1.7 acres. (A-14)

Staff Planner: Maggie Gould

**COMMISSIONER MULLEN RETURNS**

**A motion was made by Commissioner Beserra and Seconded by Commissioner Peck that this matter be Approved based on findings and conditions. The motion carried by the following vote:**

**For: 7 - Nicholls, Gonzalez, McCoy, Peck, Beserra and Bohannan**

**Against: 1 - Hudson**

**8. Project# 1010536**  
15EPC-40027 Amendment to an Adopted Rank 3 Plan

City of Albuquerque Planning Department, agent for City of Albuquerque Council Services, requests to amend the Northwest Mesa Escarpment Plan to allow luminaires (light poles) up to 80 feet tall and allow brighter luminaries than those currently allowed, not to exceed a brightness of 200 footlamberts measured from any private property in a residential zone, for Parcels C-2-A, C-3-A and C-3-C, Westland North, zoned SU-2 for Town Center Village, located south of Arroyo Vista Boulevard, north of Tierra Pintada Boulevard NW, and east/north of 118<sup>th</sup> Street NW, approximately 81.0 acres. (J-7 + J-8)

Staff Planner: Catalina Lehner

**A motion was made by Commissioner Gonzalez and Seconded by Commissioner Peck that this matter be Approved based on findings and conditions. The motion carried by the following vote:**

**For: 8 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Bohannan, Peck and Beserra**

**9. Project# 1001620**  
15EPC-40022 Text Amendment to the Zoning Code

COA Planning Department requests the above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.  
Staff Planner: Vicente Quevedo (Deferred from July 9, 2015 hearing)

**A motion was made by Commissioner Peck and Seconded by Commissioner Bohannan that this matter be Forward to City Council with a Recommendation of Approval based on the recommended findings. The motion carried by the following vote:**

**For: 8 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Bohannan, Peck and Beserra**

**10. OTHER MATTERS:**

A. Approval of June 11, 2015 Revised Minutes

**A motion was made by Commissioner Hudson and Seconded by Commissioner Peck that this matter be approved. The motion carried by the following vote:**

**For: 7 - Nicholls, Hudson, Mullen, Gonzalez, McCoy, Peck and Beserra**

**Abstained: 1 - Bohannan**

B. Approval of July 9, 2015 Minutes

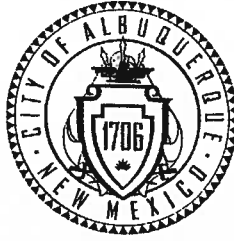
**A motion was made by Commissioner McCoy and Seconded by Commissioner Peck that this matter be approved. The motion carried by the following vote:**

**For: 7 - Nicholls, Hudson, Bohannan, Gonzalez, McCoy, Peck and Beserra**

**Abstained: 1 - Mullen**

**11. ADJOURNED: 2:35 P.M.**

**NOTE: For Notice of Decision please refer to <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports>**



## ENVIRONMENTAL PLANNING COMMISSION AGENDA

Thursday, August 13, 2015  
8:30 a.m.

Plaza Del Sol Hearing Room, Lower Level  
600 2<sup>nd</sup> Street NW

### MEMBERS

Peter Nicholls, Chair  
Karen Hudson, Vice-Chair

Maia Mullen  
Bill McCoy  
James Peck

Moises Gonzalez  
Derek Bohannan  
Victor Beserra

\*\*\*\*\*  
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941

**Call to Order:**

- A. Pledge of Allegiance
- B. Announcement of Changes and/or Additions to the Agenda
- C. Approval of Amended Agenda
- D. Swearing in of City Staff

**1. Project# 1010520**

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DAC Zoning & Land Use Services, agent for Abbas Akhil, requests the above action for Fire Station Site #19, City of Albuquerque, zoned SU-2/O-1 to R-D 7 DU/acre, located on Louisiana Blvd. NE, between Wilshire Ave. NE and Signal Ave. NE, containing approximately 1.5 acres. (C-19)  
Staff Planner: Catalina Lehner

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Staff Planner: Vicente Quevedo

as

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Staff Planner: Maggie Gould

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Staff Planner: Catalina Lehner (Deferred from July 9, 2015 hearing)

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15EPC-40027 Amendment to an Adopted  
Rank 3 Plan

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Staff Planner: Catalina Lehner

**9. Project# 1001620**  
15EPC-40022 Text Amendment to the Zoning  
Code

COA Planning Department requests the above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.  
Staff Planner: Vicente Quevedo (Deferred from July 9, 2015 hearing)

**10. OTHER MATTERS:**

- A. Approval of June 11, 2015 Revised Minutes
- B. Approval of July 9, 2015 Minutes

**11. ADJOURNED:**

**ENVIRONMENTAL PLANNING COMMISSION  
SIGN-IN SHEET**

**AGENDA ITEM NO:9**      **DATE: August 13, 2015**

**CASE #: 1001620 15EPC-40022 – Txt Amendment to Zoning Code**

**PLEASE PRINT CLEARLY**

<p>✓ 1. Name: <u>JACKIE FISHMAN</u></p> <p>Address: <u>302 EIGHTH ST NW</u></p> <p><u>ABQ</u>                      <u>NM</u>                      <u>87102</u> City                                      State                                      Zip</p>	<p>6. Name: _____</p> <p>Address: _____</p> <p>_____ City                                      State                                      Zip</p>
<p>✓ 2. Name: <u>CHRIS GREEN</u></p> <p>Address: <u>302 EIGHTH ST. NW</u></p> <p><u>ABQ</u>                      <u>NM</u>                      <u>87102</u> City                                      State                                      Zip</p>	<p>7. Name: _____</p> <p>Address: _____</p> <p>_____ City                                      State                                      Zip</p>
<p>✓ 3. Name: <u>Jennifer Dann</u></p> <p>Address: <u>1226 S. Saint Francis</u></p> <p><u>Santa Fe</u>                      <u>NM</u>                      <u>87505</u> City                                      State                                      Zip</p>	<p>8. Name: _____</p> <p>Address: _____</p> <p>_____ City                                      State                                      Zip</p>
<p>4. Name: _____</p> <p>Address: _____</p> <p>_____ City                                      State                                      Zip</p>	<p>9. Name: _____</p> <p>Address: _____</p> <p>_____ City                                      State                                      Zip</p>
<p>5. Name: _____</p> <p>Address: _____</p> <p>_____ City                                      State                                      Zip</p>	<p>10. Name: _____</p> <p>Address: _____</p> <p>_____ City                                      State                                      Zip</p>



**Environmental  
Planning  
Commission**

**Agenda Number: 03  
Project Number: 1001620  
Case #: 15EPC-40022  
July 9, 2015**

**Staff Report**

<b>Agent</b>	COA Planning Department
<b>Applicant</b>	COA Planning Department
<b>Request</b>	Amending Zoning Code Sections 14-16-3-10 (Landscaping Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.
<b>Location</b>	City-wide

**Staff Recommendation**

**DEFERRAL of Case # 15EPC-40022 for 30 days to the August 13, 2015 EPC Hearing based on the Findings below.**

**Staff Planner  
Vicente M. Quevedo - Planner**

**Summary of Analysis**

This request is for a recommendation to City Council regarding amendments to Zoning Code Sections 14-16-3-10 (Landscaping Regulations), 14-16-3-1 (Off-Street Parking Regulations). These changes are related to Sections 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment.

The task of the Environmental Planning Commission (EPC) is to make a recommendation to the City Council for the proposed text amendments with regard to the Landscaping and Off-Street Parking Regulations of the Zoning Code.

The Planning Department requests a 30-day deferral to the August 13, 2015 EPC Hearing. A 30 day deferral will allow the Planning Department additional time to address the agency comments received during the month of June 2015.

- Findings**
1. This request is to amend the text of the Landscaping and Off-Street Parking Regulations. These changes are related to specific sections of the Street Tree Ordinance.
  2. The Planning Department requests a 30-day deferral to the August 13, 2015 EPC Hearing.
  3. A 30 day deferral will allow the Planning Department additional time to address the agency comments received during the month of June 2015.

City Departments and other interested agencies reviewed this application from 06/01/15 to 06/12/15.

**Quevedo, Vicente M.**

---

**From:** Brito, Russell D.  
**Sent:** Wednesday, July 01, 2015 12:09 PM  
**To:** Quevedo, Vicente M.; Dicome, Kym  
**Cc:** Lubar, Suzanne G.  
**Subject:** Paroject # 1001620 - Landscape Regulations and General Parking Regulations

Vicente and Kym,

Please accept this email as a formal request to defer Project # 1001620 for 30 days to the 14 August 2015 EPC hearing. We need additional time to fully address agency comments and minimize issues related to implementation and staff duties.

Thank you,

**Russell Brito, Planning Manager**  
Urban Design & Development Division  
City of Albuquerque Planning Department  
[rbrito@cabq.gov](mailto:rbrito@cabq.gov)  
505.924.3337 w  
505.924.3339 fax

*"If you don't know where you are going, you'll end up someplace else."*  
- Yogi Berra



# CITY OF ALBUQUERQUE



PLANNING DEPARTMENT  
URBAN DESIGN & DEVELOPMENT DIVISION  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

July 9, 2015

City of Albuquerque  
Planning Department  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102

**Project# 1001620**  
15EPC-40022 Text Amendment to the Zoning Code

### LEGAL DESCRIPTION:

The above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.

Staff Planner: Vicente Quevedo

PO Box 1293

Albuquerque, New Mexico 87103  
On July 9, 2015, the Environmental Planning Commission (EPC) voted to DEFER Project #1001620/15EPC-40022, Text Amendment to the Zoning Code, based on the following findings:

### FINDINGS:

New Mexico 87103

1. This request is to amend the text of the Landscaping and Off-Street Parking Regulations. These changes are related to specific sections of the Street Tree Ordinance.

www.cabq.gov

2. The Planning Department requests a 30-day deferral to the August 13, 2015 EPC Hearing.
3. A 30 day deferral will allow the Planning Department additional time to address the agency comments received during the month of June 2015.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JULY 24, 2015**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is

OFFICIAL NOTICE OF DECISION

Project #1001620

July 9, 2015

Page 2 of 2

required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

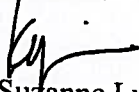
You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,

  
for Suzanne Lubar  
Planning Director

SL/VQ

cc: COA, Planning Dept, 600 2<sup>nd</sup> St. NWABQ, NM 87102

101

**PERSONS PRESENT TO SPEAK IN REFERENCE TO THIS REQUEST:**

**FINAL ACTION TAKEN:**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission (EPC), voted to DEFER Project #1005517/15EPC-40021, a Site Development Plan for Subdivision, based on the following findings:

**FINDINGS:**

1. This request is for a site development plan for subdivision with design standards.
2. The applicant requests a 30-day deferral to the August 13, 2015 EPC hearing in order to allow additional time to work on the design standards.

MOVED BY COMMISSIONER PECK

SECONDED BY COMMISSIONER MCCOY

MOTION PASSED 5 to 0

**3. Project# 1001620**

15EPC-40022 Text Amendment to the Zoning Code

COA Planning Department requests the above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.

Staff Planner: Vicente Quevedo

**STAFF PRESENTING CASE:**

Vicente Quevedo

**PERSONS PRESENT TO SPEAK IN REFERENCE TO THIS REQUEST:**

MS. DICOME: As well as item 3, Project 1001620, the applicant has requested a 30 day deferral to the August 13<sup>th</sup> hearing.

CHAIR NICHOLLS: Those are the only changes? We have a motion to approve the amended agenda.

COMMISSIONER PECK: So moved.

COMMISSIONER MCCOY: Second.

CHAIR NICHOLLS: We have a motion and a second. Those in favor say 'Aye'?

ALL COMMISSIONERS: 'Aye'.

CHAIR NICHOLLS: Those against say 'No'.

**FINAL ACTION TAKEN:**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission (EPC), voted to DEFER Project #1001620/15EPC-40022, a Text Amendment to the Zoning Code, based on the following findings:

**FINDINGS:**

1. This request is to amend the text of the Landscaping and Off-Street Parking Regulations. These changes are related to specific sections of the Street Tree Ordinance.
2. The Planning Department requests a 30-day deferral to the August 13, 2015 EPC Hearing.
3. A 30 day deferral will allow the Planning Department additional time to address the agency comments received during the month of June 2015.

MOVED BY COMMISSIONER PECK  
SECONDED BY COMMISSIONER MCCOY

MOTION PASSED 5 to 0

**1. Project# 1008203**  
15EPC-40020 Amendment to Zone Map  
(Zone Change)

Richard Dineen, agent for Unser & Sage, LLC, requests the above action for all or a portion of Tracts A-2, A-3 & A-4, Unser & Sage Marketplace, zoned C-1, to SU-1 for C-2 Uses, located on Unser Boulevard SW, between Sage Road SW and Arenal Road SW, containing approximately 3.5 acres. (M-10)  
Staff Planner: Maggie Gould

**STAFF PRESENTING CASE:**

Maggie Gould

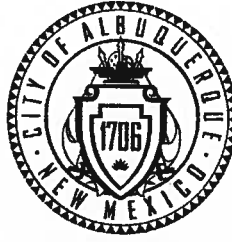
**PERSONS PRESENT TO SPEAK IN REFERENCE TO THIS REQUEST:**

**FINAL ACTION TAKEN:**

NOW, THEREFORE, BE IT RESOLVED THAT the Environmental Planning Commission (EPC), voted to APPROVE Project #1008203/15EPC-40020 Amendment to Zone Map (Zone Change), based on the following findings and conditions:

**FINDINGS:**

1. This is a request for a zone map amendment for tracts A-2, A-3, A-4 of Unser Sage Marketplace located on Unser Boulevard SW, between Sage Road SW and Arenal Road SW and containing approximately 3.5 acres from C-1 to SU-1 for C-2 Uses excluding the sale of distilled spirits, as defined in the New Mexico Liquor Control Act, in any package that contains less than 450 milliliters and fortified wines with a volume of alcohol of more than 13.5%.



**ENVIRONMENTAL PLANNING COMMISSION  
ACTION SHEET**

**Thursday, July 9, 2015  
8:30 a.m.**

**Plaza Del Sol Hearing Room, Lower Level  
600 2<sup>nd</sup> Street NW**

**MEMBERS**

**Peter Nicholls, Chair  
Karen Hudson, Vice-Chair**

**Maia Mullen  
Bill McCoy  
James Peck**

**Moises Gonzalez  
Derek Bohannon  
Victor Beserra**

\*\*\*\*\*  
**NOTE: A LUNCH BREAK AND/OR DINNER BREAK WILL BE ANNOUNCED AS NECESSARY**

Agenda items will be heard in the order specified unless changes are approved by the EPC at the beginning of the hearing; deferral and withdrawal requests (by applicants) are also reviewed at the beginning of the hearing. Applications with no known opposition that are supported by the Planning Department are scheduled at the beginning of the agenda; these cases are noted with an asterisk (\*). Applications deferred from a previous hearing are normally scheduled at the end of the agenda.

There is no set time for cases to be heard. However, interested parties can monitor the progress of the hearing by calling the Planning Department at 924-3860. All parties wishing to address the Commission must sign-in with the Commission Secretary at the front table prior to the case being heard. Please be prepared to provide brief and concise testimony to the Commission if you intend to speak. **In the interest of time, presentation times are limited as follows, unless otherwise granted by the Commission Chair: Staff – 5 minutes; Applicant – 10 minutes; Public speakers – 2 minutes each. An authorized representative of a recognized neighborhood association or other organization may be granted additional time if requested. Applicants and members of the public with legal standing have a right to cross-examine other persons speaking per Rule B.12 of the EPC Rules of Conduct.**

All written materials – including petitions, legal analysis and other documents – should ordinarily be submitted at least 10 days prior to the public hearing, ensuring presentation at the EPC Study Session. The EPC strongly discourages submission of written material at the public hearing. Except in extraordinary circumstances, the EPC will not consider written materials submitted at the hearing. In the event the EPC believes that newly submitted material may influence its final decision, the application may be deferred to a subsequent hearing.

**NOTE: ANY AGENDA ITEMS NOT HEARD BY 8:30 P.M. MAY BE DEFERRED TO ANOTHER HEARING DATE AS DETERMINED BY THE PLANNING COMMISSION.**

**Call to Order: 8:33 a.m.**

- A. Pledge of Allegiance
- B. Announcement of Changes and/or Additions to the Agenda
- C. Approval of Amended Agenda
- D. Swearing in of City Staff

**1. Project# 1008203**

15EPC-40020 Amendment to Zone Map  
(Zone Change)

Richard Dineen, agent for Unser & Sage, LLC, requests the above action for all or a portion of Tracts A-2, A-3 & A-4, Unser & Sage Marketplace, zoned C-1, to SU-1 for C-2 Uses, located on Unser Boulevard SW, between Sage Road SW and Arenal Road SW, containing approximately 3.5 acres. (M-10)  
Staff Planner: Maggie Gould (**APPROVED**)

**2. Project# 1005517**

15EPC-40021 Site Plan for Subdivision

Tierra West LLC, agent for Argus Jefferson Partners, LLC, requests the above action for Lots 2-A-1 and 2-A-2, Tract B, Plat of Lots 2-A-1 and 2-A-2, Envirco Tract (being a replat of Lot 2-A, Tract B), zoned M-1, located on Jefferson Street NE, between Osuna Road NE and Ellison Street NE, containing approximately 7.2 acres. (E-17)

Staff Planner: Catalina Lehner (**DEFERRED TO THE AUGUST 13, 2015 HEARING**)

**3. Project# 1001620**

15EPC-40022 Text Amendment to the Zoning Code

COA Planning Department requests the above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.

Staff Planner: Vicente Quevedo (**DEFERRED TO THE AUGUST 13, 2015 HEARING**)

**5. OTHER MATTERS:**

- A. Approval of June 11, 2015 Minutes
- B. ART Update from Transit Department

**6. ADJOURNED: 10:48 A.M.**



**ENVIRONMENTAL PLANNING COMMISSION  
AGENDA**

**Thursday, July 9, 2015  
8:30 a.m.**

**Plaza Del Sol Hearing Room, Lower Level  
600 2<sup>nd</sup> Street NW**

**MEMBERS**

**Peter Nicholls, Chair  
Karen Hudson, Vice-Chair**

**Maia Mullen  
Bill McCoy  
James Peck**

**Moises Gonzalez  
Derek Bohannon  
Victor Beserra**

\*\*\*\*\*  
**NOTE: A LUNCH BREAK AND/OR DINNER BREAK WILL BE ANNOUNCED AS NECESSARY**

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**Call to Order:**

- A. Pledge of Allegiance
- B. Announcement of Changes and/or Additions to the Agenda
- C. Approval of Amended Agenda
- D. Swearing in of City Staff

**1. Project# 1008203**

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(Zone Change)

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Staff Planner: Maggie Gould

**2. Project# 1005517**

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Tierra West LLC, agent for Argus Jefferson Partners, LLC, requests the above action for Lots 2-A-1 and 2-A-2, Tract B, Plat of Lots 2-A-1 and 2-A-2, Envirco Tract (being a replat of Lot 2-A, Tract B), zoned M-1, located on Jefferson Street NE, between Osuna Road NE and Ellison Street NE, containing approximately 7.2 acres. (E-17)  
Staff Planner: Catalina Lehner

**3. Project# 1001620**

15EPC-40022 Text Amendment to the Zoning Code

COA Planning Department requests the above action to amend the Zoning Code Sections 14-16-3-10 (Landscape Regulations), 14-16-3-1 (Off-Street Parking Regulations), 6-6-2-4 (Required Street Trees), 6-6-2-5 (Street Tree Policies), 6-6-2-6 (Street Tree Programs), 6-6-2-7 (More Detailed Regulations) and 6-6-2-8 (Waivers and Variances) to establish standards that enhance, improve and maintain the quality of the public environment. City-Wide.  
Staff Planner: Vicente Quevedo

**4. OTHER MATTERS:**

- A. Approval of May 14, 2015 Revised Minutes
- B. Approval of June 11, 2015 Minutes
- C. ART Update from Transit Department

**5. ADJOURNED:**