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1 and healthy. Maintenance and trimming of street trees and  
2 replacement of dead trees are the responsibility of the owner of the  
3 lot abutting to or on which the tree is located.

4 (d) The Parks and Recreation Department shall maintain a list of trees,  
5 as part of the Official Albuquerque Plant Palette and Sizing List,  
6 generally suitable for use as street trees in Albuquerque. This Street  
7 Tree List shall include a description of the physical characteristics  
8 and cultural requirements of each species.

9 (e) City Staff, in coordination with appropriate private sector input, shall  
10 develop and make available information regarding the required soil  
11 volume for trees of a given mature size, the Planning Director shall  
12 make this available. This soil volume consists of un-compacted and  
13 irrigated soil. The root space may be long and linear, to match a  
14 parkway size, and/or the space may be created through mechanical  
15 de-compaction, or the use of either structural soils under pavements,  
16 or soil vault systems under pavements.

17 (f) Conflicts can occur with large trees near overhead electric utility  
18 lines. The larger the tree, the farther it should be located from an  
19 electric utility line. Small growth trees (those under 25 feet high at  
20 maturity) can be near the electric utility lines. If possible, locate  
21 medium growth trees (those under 40 feet high at maturity) at least  
22 15 feet away from the electric utility lines and locate large growth  
23 trees (those under 80 feet high at maturity) at least 25 feet from  
24 electric utility lines. Trees that grow into or near electric lines may  
25 be trimmed back to prevent any growth into the lines.

26 § 6-6-2-5 STREET TREE POLICIES.

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

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

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

9 a. Adequate room and spacing for Street Trees (subsection citation)  
10 shall be accommodated/provided: minimum ~~100-80~~ sq. ft. planting  
11 area for each tree; and maximum of 25 feet spacing on-center. For  
12 planting areas with over ~~1,000~~ 800CF of un-compacted soil, tree  
13 spacing may be increased to up to 35 feet on-center.

14 b. The planting hole shall be twice as wide as the root ball of the tree  
15 being planted, but only as deep as the distance from the bottom of  
16 the root ball to the top of the highest first-order root in the root ball.  
17 Details and specifications for planting holes shall be developed by  
18 the City Forester.

19 c. On sites where evenly-spaced street trees are not possible or do not  
20 conform to the overall design objectives of the site, random  
21 clustering of street trees may be acceptable, provided that the  
22 number of trees planted equals or exceeds the number that would be  
23 required if the trees were evenly-spaced. ~~Every lot over 20 feet wide~~  
24 ~~shall have at least one street tree.~~

25 (2) Street trees shall be placed between the curb and the public sidewalk  
26 and in the parkway, unless traffic safety requires different locations of  
27 trees, as specified in division (2) of this division (b).

28 a. The standard setback of trees located between the curb and the  
29 public sidewalk depends on the relationship of the sidewalk to the  
30 curb.

31 i. Where more than four feet of space exists between the back of  
32 curb and the sidewalk, street trees shall be planted with their  
33 centerline two feet from the sidewalk.

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- 1 ~~b. Where three to four feet of space exists between the back of curb~~  
2 ~~and the sidewalk, street trees shall be planted two feet from tree~~  
3 ~~centerline to back of curb.~~
- 4 ~~ii.c. Where some space but less than three feet of space exists~~  
5 ~~between the back of curb and the sidewalk, street tree placement~~  
6 ~~will vary depending on the space available. A solution shall be~~  
7 ~~selected which meets the following criteria: Where less than three~~  
8 ~~feet of space exists, street trees shall not be planted into the~~  
9 ~~parkway strip. Any street trees required by the City shall be~~  
10 ~~planted within 20-feet of the back of curb of the abutting street. In~~  
11 ~~addition to fulfilling the street tree requirement, such trees can be~~  
12 ~~included in the calculation described in 14-16-3-10(E)(2)~~  
13 ~~Furthermore, if an off-street parking area is located along the~~  
14 ~~frontage of the site, these trees may also be used to fulfill the~~  
15 ~~landscaping regulations for these areas, in possible addition to~~  
16 ~~the street tree and coverage requirements.~~
- 17 ~~1. The minimum distance between the back of curb and centerline of~~  
18 ~~the tree shall be two feet;~~
- 19 ~~2. The minimum distance between the centerline of the tree and the~~  
20 ~~property-side edge of the sidewalk shall be four feet;~~
- 21 ~~3. If divisions (a) and (b) of this division (B)(1) cannot be met~~  
22 ~~simultaneously, then street trees shall be planted at least two feet~~  
23 ~~beyond the property-side edge of the sidewalk.~~
- 24 ~~iiid. Where the sidewalk is at the curb, two planting schemes are~~  
25 ~~possible:~~
- 26 ~~i. If the sidewalk is less than six feet wide Preferably, the tree~~  
27 ~~shall be planted at least two feet beyond the property-side~~  
28 ~~edge of the sidewalk; or~~
- 29 ~~ii. If the sidewalk is six feet wide or wider, street trees shall may~~  
30 ~~be planted in cutouts in the sidewalk, and ~~the sidewalk shall~~~~  
31 ~~be laid over structural soils or soil vault systems which~~  
32 ~~provide the minimum soil volume requirement per the City~~  
33 ~~Forester. The centerline of the tree shall be at least two feet~~

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

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

17 3. Notwithstanding the standards in division (1) above, the location of  
18 street trees shall be determined by the Development Review Board if the  
19 standards of division (1) above would result in a tree being located less  
20 than eight feet from the face of the street curb. In making decisions on  
21 tree location, the Development Review Board shall balance traffic safety  
22 with the appearance of the streetscape. The Board shall consider the  
23 purposes of §6-6-2-1 et seq as well as traffic speed and other relevant  
24 traffic aspects which may impact public safety.

25 (a) Street trees shall be selected from the species in the Official  
26 Albuquerque Plant Palette and Sizing List maintained by the City  
27 Forester. The most appropriate species will depend upon the  
28 conditions of the particular site.

29 (b) Street trees shall be at 2.0 inches in caliper at the time of planting.

30 (c) Notwithstanding the other provisions of this section, trees planted  
31 in abutting to the public right-of-way or in easements for  
32 underground utilities should be located so as not to interfere, either  
33 at the time of installation or later, with the function of overhead and

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1 underground utility lines. Where this is not possible ~~feasible in an~~  
2 ~~acceptable place on the public right-of-way~~, street trees shall  
3 normally be planted near but off the public right-of-way. Reasonable  
4 location is the responsibility of the person preparing the street tree  
5 plan and the person planting the tree. The City Forester Per criteria  
6 that is acceptable to the City Forester, the Planning Director or  
7 his/her designee may approve alternative planting schemes if it can  
8 be shown that the resulting tree canopies will still provide adequate  
9 shading for the sidewalk.

10 (d) Property owners acknowledge that approved landscaping and trees  
11 installed and maintained in public rights-of-way abutting private  
12 properties are the property of the City, and that that the City reserves  
13 the right to remove it if necessary for a transportation project without  
14 compensation, but at no cost to the property owner. Landscaping  
15 installed in the abutting public right-of-way by property owners and  
16 later removed by the City shall not impact previously approved Net  
17 Lot Area calculations for required landscaping as described in §14-  
18 16-3-10 (E)(2).

19 (e) Street trees should normally be deciduous. Adequate vertical  
20 clearance below the branches must be maintained for pedestrians,  
21 cars, and bicyclists. The minimum height to the lowest permanent  
22 branch overhanging a sidewalk shall be seven (7) feet; the lowest  
23 height of a permanent branch overhanging a street shall be 14 feet.  
24 Coniferous trees may be used as street trees only when the  
25 minimum required vertical clearance over streets and sidewalks can  
26 be maintained throughout the life of the tree and only where they will  
27 not at maturity block solar access to abutting buildings.

28 (f) As it is desirable to have a mix of species and genera represented in  
29 the urban forest in order to protect against the loss of trees due to  
30 disease, insects or environmental conditions, the following  
31 guidelines shall be used:

32 1. Plantings of five (5) or fewer trees may all be of the same genus;

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

5           (g) One of every three street trees planted may be an accent tree per the  
6                           Official Albuquerque Plant Palette and Sizing List, provided the  
7                           guidelines in §14-16-3-10(G)(1) are met.

8   **§ 6-6-2-6 STREET TREE PROGRAMS.**

9   (1) The Mayor shall prepare, distribute, and continue to keep available to the  
10           public a booklet or other printed material encouraging street trees,  
11           indicating recommended species, city regulations, appropriate street tree  
12           locations, and tree care.

13   (2) The Mayor shall, through the Capital Improvements Program, cause street  
14           trees to be planted near the street frontages of all city-owned lots, at least  
15           meeting the requirements of §6-6-2-1 et seq.

16   (3) The Mayor shall propose to the City Council appropriate major streets for  
17           special assessment districts for the planting and maintenance of street  
18           trees. The Mayor shall designate appropriate city staff to administer such  
19           supports.

20   (4) Whenever a city project on the public right of way removes or kills one or  
21           more street trees, the Mayor shall replace each such tree with one of the  
22           same species in approximately the same location, unless the species  
23           or location is contrary to §6-6-2-1 et seq or to related regulations or plans,  
24           in which event each such tree shall be replaced with a tree of conforming  
25           species and location.

26   **§ 6-6-2-7 MORE DETAILED REGULATIONS.**

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

31   **§ 6-6-2-8 WAIVERS AND VARIANCES.**

32   The Mayor, upon application of land owners, may waive or modify  
33           requirements§6-6-2-1 et seq, if it is found that:

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

7 Appeals.  
8 Appeals from the decision of the Mayor on requests for waivers or variances  
9 may be taken to the Environmental Planning Commission by filing written  
10 notice with the Planning Division within 15 days after the request for variance  
11 has been denied.

12 SECTION 2. EFFECTIVE DATE AND PUBLICATION. This legislation shall take  
13 effect five days after publication by title and general summary.

14 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
15 clause, word or phrase of this ordinance is for any reason held to be invalid or  
16 unenforceable by any court of competent jurisdiction, such decision shall not  
17 affect the validity of the remaining provisions of this ordinance. The Council  
18 hereby declares that it would have passed this ordinance and each section,  
19 paragraph, sentence, clause, word or phrase thereof irrespective of any  
20 provisions being declared unconstitutional or otherwise invalid.

21 Section 4. COMPILATION. Section 1 of this ordinance shall be incorporated  
22 in and made part of the Revised Ordinances of Albuquerque, New Mexico,  
23 1994.

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