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Cross-reference:

[Environment; boards and commissions, see Ch. 2, Art. 8](#)

~~§ 3-9-1 AIR POLLUTION ABATEMENT.~~

~~—(A) The Mayor, the Metropolitan Environmental Health Advisory Board, the Environmental Planning Commission, and the Bernalillo County Planning Commission shall be charged with monitoring of the implementation of the Comprehensive Policies Plan previously adopted by the City Council and the Board of Commissioners. Said implementation shall be aggressively pursued in light of worsening air pollution in the area. Furthermore, the enforcement and monitoring of this effort shall be instituted immediately and rated as high priority. The Mayor and others charged by this section are furthermore urged to support and encourage the many efforts that are already part of the city's governmental planning process which includes:~~

~~—(1) The Metropolitan Environmental Health Advisory Board's role in advising the Environmental Planning Commission on matters that may have an impact on air quality such as major residential, commercial, or industrial development plans and master plan review.~~

~~—(2) Enhancement of traffic flow by the implementation of designs to maximize the available resources in the incorporation of synchronized traffic signals to reduce travel times and delays which would otherwise add to the air pollution burden.~~

~~—(3) Required paving of streets and parking lots to minimize dust emissions within the planning and air pollution control jurisdiction.~~

~~—(4) Discouragement of strip zoning and developments which proliferate urban sprawl by carefully administering zoning codes and laws.~~

~~—(5) Providing alternate modes of transportation through expansion of the transit system, encouraging use of car pools, and construction and design of a bicycle lane network.~~

~~—(B) By the adoption of this section, the City Council is going on record as re-enforcing the Comprehensive Policies Plan, and particularly portions excerpted from it and attached as part of Resolution No. 36-1980 shall be recognized as essential policies necessary to reduce air pollution. Be it hereby acknowledged that each of these excerpted policies are presently in force throughout all planning activities by the city. It is further resolved that the Council desires that these specific policies be followed closely by staff departments of the city to assure compliance with the spirit and intent of the Comprehensive Policies Plan.~~

~~—(C) Those departments designated by the Mayor's Chief Administrative Officer as individual or joint lead cognizant organizations responsible for each section of the Comprehensive Policies Plan herein emphasized as necessary to reduce air pollution shall monitor the compliance with these aforementioned policies and report at least once each year to the CAO as to the status of major actions and developments occurring in the city and county. Said report shall detail those projects which compliment these policies or identify those that were denied or significantly modified in order to comply with said policies plan subsections.~~

~~(Res. 36-1980, approved 2-12-80)~~

3-9-1 SUSTAINABLE ECONOMIC DEVELOPMENT

(A) As required by COA § 2-14-1-8(B), the City shall consider community and environmental impacts in all business recruitment and incentive packages.

1. All applicants for economic incentives are required to provide an analysis of how they are meeting COA § 2-14-1-8(B) in their applications.

2. All incentive packages shall consider community and environmental impacts of the proposed project, such as energy efficiency, water conservation, and environmental social governance (ESG) practices. Incentive packages include Local Economic Development Act funding, Industrial Revenue Bonds, and any other discretionary incentive offers.

(B) Per the 2021 City of Albuquerque Climate Action Plan, the City shall give preference to companies in the energy efficiency, renewable and alternative energy product manufacturing industry.

(C) The City shall encourage job training and opportunities in sustainable careers, such as renewable energy, energy efficiency, electrification of buildings and modernization of the energy grid, including but not limited to the installation and maintenance of EV charging stations, transportation efficiency, materials management, upstream waste reduction, and local food and agriculture jobs.

~~§ 3-9-2 PRO-ENVIRONMENTAL QUALITY ECONOMIC GROWTH POLICY.~~

~~—(A) The city shall take concerted actions to enhance manufacturing, technical services (including research and development) and diversified job opportunities within the metropolitan area, such actions to be consistent with maintaining high level air quality, water quality and quality of life standards as articulated in the Albuquerque/Bernalillo County Comprehensive Plan.~~

~~—(B) The city intends to work with a positive problem solving attitude and sense of urgency to attract and establish new and diverse industries to this community.~~

~~—(C) The Administration is encouraged to initiate or continue activities aimed at creating a positive business climate, including but not limited to the following:~~

~~—(1) Identify and articulate the city's role in supporting industrial recruitment; and~~

~~—(2) Review existing city legislation and resultant rules and make recommendations intended to provide a more responsive environment for manufacturing and technical services job growth; and~~

~~—(3) Strive to improve the city's land use regulation planning process by making it more understandable, concise and timely by applying quality management principles; and~~

~~—(4) Review of the sector planning process to make it more flexible and timely to fit specific planning needs of areas and to more clearly encourage quality growth and development; and~~

~~—(5) Identify areas of potential industrial development and seek to provide infrastructure development in those areas through appropriate use of the capital improvement program, including water and sewer capital projects.~~

~~—(D) The rights and interests of the residents in areas surrounding new areas of employment shall be balanced with the above efforts to expand employment opportunities.~~

~~—(E) The Administration shall prepare an annual report to the Council on progress toward creating a business climate that enables industrial manufacturing and technical~~

services job growth. It shall be submitted to the City Council by December 31 of each year.

~~(Res. 83-1992, approved 6-9-92)~~

~~§ 3-9-3 GREEN BUILDING COUNCIL LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) SILVER STANDARD.~~

~~—(A)—All city building construction projects and major remodels over 5,000 square feet, with a 341,300 BTU per hour connected energy load or with a 50 kilowatt or greater service capacity entering the pre-design phase shall be built and certified to the United States Green Building Council Leadership in Energy and Environmental Design (LEED) Silver Standard. In achieving its LEED Silver Standard the city shall earn at least five points under Energy & Atmosphere Credit 1, one point under Energy & Atmosphere Credit 3 and at least one point under Indoor Environmental Quality Credit 8.~~

~~—(B)—The Municipal Development Department shall develop processes and procedures to ensure that green building practices are integrated into the design and construction processes for all new construction and remodels.~~

~~—(C)—The Municipal Development Department shall insure that requests for proposals and bids shall explain the processes for new city facilities and major remodels over 5,000 square feet.~~

~~—(D)—The Municipal Development Department shall report to Council on the processes and procedures it develops within six months of the enactment of this Resolution.~~

~~(Res. R-2005-063, approved 4-28-05)~~

~~§ 3-9-4 RENEWABLE ENERGY POLICY.~~

~~—(A)—Renewable Energy is any energy resource that is naturally regeneration over a short time scale and is:~~

~~—(1)—Generated by use of low or zero-emissions generation technology with substantial long-term production potential; and~~

~~—(2)—Generated by use of renewable energy resources that may include:~~

~~—(a)—Solar, wind, hydropower and geothermal resources;~~

~~—(b)—Fuel cells that are not fossil fueled; and~~

~~—(c)—Biomass resources, such as agriculture or animal waste, small diameter timber, salt cedar and other phreatophyte or woody vegetation removed from river basins or watersheds in New Mexico, landfill gas and anaerobically digested waste biomass; but~~

~~—(3)—Does not include electric energy generated by use of fossil fuel, waste products from fossil sources, waste products from inorganic sources or nuclear energy.~~

~~—(B)—A Renewable Energy Policy is adopted for the City and shall include the following elements:~~

~~—(1) *Solar Energy Incentives.* The City Office of Economic Development and the Energy Conservation Council shall develop within 9 months from the effective date of this Resolution a program for providing incentives and tax credits for entities located within the city that manufacture solar energy products or that create solar energy technology. Upon approval of the program, the Council's intent is that up to \$1,000,000 will initially be appropriated to fund the program from the City's CIP Decade Plan and Energy Conservation Grants.~~

~~—(2) *City-Owned and Constructed Buildings.* The City Department of Municipal Development, in consultation with the Energy Conservation Council, shall begin a process to equip or retrofit all City-owned buildings and develop energy procurement policies to achieve the goal of securing 15% of the power for City-owned facilities from renewable sources, solar energy, in particular, within 7 years from the effective date of this Resolution. A minimum of 33% of the power acquired from renewable sources shall come from on-site renewable energy. The on-site power generation may be funded through third party financing, City funds, Federal and State Grants and sources as available.~~

~~—(3) *New City-Owned and Constructed Building and Additions over 50,000 Square Feet.* All new buildings and additions built for or by the City that are over 50,000 square feet shall have 15% of the power to the building generated by on-site renewable energy.~~

~~—(4) *Energy Efficiency Upgrades.* The Department of Municipal Development and the Energy Conservation Council, shall report back within 6 months of the enactment of this legislation on the progress of the 1% for Energy Conservation bond program, and make recommendations to extend the program beyond the 2007 bond cycle and for expansion of the program to increase energy efficiency and add investment in renewable technologies, pursuant to subsection 2 of this section.~~

~~—(5) *Energy Efficient Design Standards for City Owned Buildings.* The Department of Municipal Development in consultation with the Energy Conservation Council shall within 2 years of the effective date of this Resolution adopt energy efficient design standards for new City buildings, additions to City buildings and remodels of City buildings that reduce energy consumption 10% below that required by the State Building Code.~~

~~—(6) *Renewable Fleet Fuels.* The City fleet shall be fueled with a minimum of 20% non-petroleum based fuels within 5 years.~~

~~—(7) *Rebate Program.* The City, through the Finance Department, the Municipal Development and the Energy Conservation Council, shall develop a rebate program, similar to that of the City's water conservation program, to encourage the use of renewable energy, including solar panels, by city residents and present it to the Council.~~

~~—(8) *Natural Design Energy Management.* The City Department of Environmental Health, Parks and Recreation Department and the Planning Department shall within 12 months of the effective date of this resolution, develop landscape design guidelines, and a program to disseminate these guidelines, that promote the use of natural plants and material to enhance energy conservation and quality of life.~~

~~—(9) *The Energy Conservation Council*, by March 30, 2006, shall submit to the Administration and to the City Council a 5-year education plan that includes a budget component, to fulfill the education mandate set forth in 14-8-5-4 ROA 1994.~~

~~—(10) *IRB Scoring for Renewable Energy and Demand Side Supply via Energy Efficiency*. The City shall amend the scoring criteria for approving Industrial Revenue Bond applications to provide added points for creating, producing or using renewable energy and renewable energy technology.~~

~~—(11) *Development Standards and Incentives*. The City, Planning Department and the Energy Conservation Council in cooperation with the New Mexico Chapter of the United States Green Building Council shall propose to the Council within 9 months of the enactment of this legislation revised development standards or incentives for new residential developments based on energy efficiency.~~

~~—(12) *Application for State Funds*. The City, through the Department of Municipal Development and the Energy Conservation Council, shall apply for a "Clean Energy Grant" pursuant to the Advanced Energy Technologies Economic Development Act, Sections 71-7-1 et seq. NMSA 1978, to obtain funding to develop efficiency technology for the City.~~

~~—(13) *Purchase of Environmentally Safe Products*. The City, through the Department of Finance and Administration, in consultation with the Energy Conservation Council shall propose to the Council within one year of the enactment date of this Resolution amendments to the Purchasing Ordinance which develop specifications for City purchases that reduce exposure of city residents and visitors to potentially toxic chemicals, reduce greenhouse gas emissions and other air pollutants, protect the ground and surface waters, maximize water and energy efficiency, favor renewable energy sources, maximize post-consumer recycled content and readily recyclable or compostable materials, favor long-term use through product durability, repairability, and reuse, and consider life-cycle economics of a product including its manufacture, transportation, use and disposal.~~

~~—(14) *Net Metering*. The City, as part of its legislation priorities for the 2006 state legislature shall lobby for adoption of the Public Regulation Commission's net-metering measure that will provide the City with opportunities to sell back to utility companies any excess renewable energy and renewable energy credits produced by installations on City-owned facilities.~~

~~—(C) The Administration and the Energy Conservation Council in the development of the policies and programs established in this Resolution shall consult with, and when possible, include the participation of, other interested parties.~~

~~—(D) The Administration shall provide a report to the Council within 6 months of the effective date of this Resolution regarding the status of the development of the policies and programs set forth herein and shall continue to provide reports every 6 months until the policies and programs set forth in this Resolution are implemented.~~

~~(Res. R-153-2005, approved 9-28-05)~~

3-9-2 ENERGY

(A) Energy Efficiency

1. Upgrades to Municipal Facilities. The City shall maximize energy efficiency by implementing efficient HVAC controls, optimizing lighting systems, and adopting other energy-saving measures. The Energy and Sustainability Management Division (ESMD) at the City's General Services Department (GSD) in collaboration with the Albuquerque Energy Council (AEC) shall continue its practice of utilizing a dedicated portion of the Capital Improvement Program, amounting to 3%, for the Energy Conservation Program. This initiative aims to bolster the energy efficiency of city buildings through a range of measures.
2. City Projects shall encompass a comprehensive approach to energy conservation, including but not limited to implementation of advanced building controls, integration of battery storage systems, energy efficiency upgrades targeting both new and existing municipal buildings, and various additional enhancements geared towards maximizing energy efficiency.
3. Equitable Access to Energy Efficiency Programs. The City is dedicated to assisting all residents, particularly those most vulnerable, in accessing energy-saving opportunities and participating in carbon-reducing initiatives. The City shall provide energy efficiency programs to support community resiliency of Justice40 census tracts and promote sustainability and resiliency in historically disadvantaged neighborhoods.
 - a. City, in partnership with local utilities, shall provide low-income residents with energy efficiency improvements through the Community Energy Efficiency Project, the Community Energy Efficiency Development Block Grant Program, and other funding sources. Energy efficiency improvements may include, but are not limited to: free energy audits, free (or reduced cost) energy efficiency upgrades, and other improvements.
 - b. City shall create public awareness campaigns to educate residents and make information and potential savings from energy rebates as easy and accessible as possible. Methods may include a single universal rebate form, forms translated into several languages, and other methods to assist residents, especially those in historically disadvantaged neighborhoods.

4. Weatherization. The City shall consider adopting design guidelines or other building requirements, including but not limited to higher energy efficiency standards for low-income multi-family housing projects, qualifying single-family homes in the Community Energy Efficiency Program, or others that are utilizing City funds.

(B) Renewable Energy Use

1. Upgrades to Municipal Facilities. The City shall achieve 100% renewable energy use for government operations. The Energy and Sustainability Management Division (ESMD) at the General Services Department (GSD), is dedicated to utilizing a portion of the Capital Improvement Program, equivalent to 3%, through the Energy Conservation Program. This initiative aims to convert city buildings and operations to renewable energy sources, thereby reducing the carbon footprint of city operations.

2. Increasing Funds for Renewable Conversion. The City shall explore additional avenues for funding to bolster investments in greenhouse gas emission reduction initiatives. As part of this endeavor, new City projects will prioritize renewable energy conversion, and other energy savings, across municipal operations.

(C) Support for Alternative Energy Savings Strategies

1. The City shall support alternative energy production and savings solutions including community solar programs, micro-grid establishment, and grid modernization, especially in low-income areas.

2. Community Solar. The City will support the State of New Mexico Community Solar Program as defined by State's Community Solar Rule, 17.9.573 NMAC. Within one year of the enactment of this legislation, the General Services Department shall report back with recommendations for how the City can best support the State's Community Solar Program.

3. BRAIN Energy Management. The City shall track energy use and efficiency with the Balanced Resource Acquisition and Information Network (BRAIN). Deployment of The BRAIN energy management solution will enable effective monitoring of energy consumption and facilitate optimized energy management practices.

3-9-3: TRANSPORTATION

(A) Transition to Low- or Zero-Emission Vehicles

1. City Fleet. The City shall work to transition all vehicles including fleet vehicles, transit buses, and airport support vehicles to low- or zero-emission. The City shall follow the recommendations in its Fleet Transition Plan (currently in development), to implement the transition to low- and zero- emission vehicles.
2. Private Vehicles. The City shall provide public awareness campaigns and educational materials to residents and organizations to encourage the purchase and adoption of low- or zero-emission vehicles.

(B) Reduce Vehicle Miles Traveled

1. The City shall continue to enhance transit services to increase ridership and accessibility to desired destinations, including Zero Fares policies for transit riders, transit network improvements, and improved multi-modal first-mile/last-mile connections to the transit network.
2. The City shall continue to implement Vision Zero and Complete Streets principles in roadway design to encourage safe and efficient alternative modes of transportation.
3. The City shall encourage carpooling, rideshare, carshare, bikeshare, and other shared mobility services.
4. The City shall encourage active transportation, such as walking, cycling, and other forms of micro-mobility.

(C) Smart City Design. The City shall:

1. Incentivize mixed-use and neighborhood-scale development, to reduce the distance in which residents need to travel for goods and services and support walkable, people-friendly neighborhood design.
2. Incentivize transit-oriented development.
3. Consider removing or further reducing minimum vehicle parking requirements and establishing maximum parking limits to reduce the cost of development, allow for more beneficial land uses, and encourage the use of alternative transportation modes.
4. Utilize intelligent transportation system methods to optimize traffic flow patterns that reduce idling vehicles.
5. Develop new EV Charging networks accessible city-wide.

6. 3-9-4 BUILT ENVIRONMENT

- (A) Building Emissions. The City shall consider renewable energy sources to offset energy consumed by City-owned buildings, and minimize natural gas emissions.

(B) Energy and Sustainability Design Guide. The Municipal Development and General Services Departments shall develop processes and procedures to ensure that Energy and Sustainability Design Guide requirements are integrated into the design and construction processes for all new construction and remodels.

(C) Heat Mitigation. Where practicable, the City shall identify and implement alternative pavement and roofing options, such as cool pavement, cool roofs, permeable paving, etc.

(D) Electrification of City Buildings. The City shall prioritize the electrification of new City facilities and major renovations to existing City facilities.

1. The Municipal Development Department shall insure that Requests for Proposals and bids shall explain the application of the Energy and Sustainability Design Guide for new city facilities and major remodels.

3-9-5 SUSTAINABLE MATERIALS MANAGEMENT

This section addresses the waste stream, and an economic- and systems-based approach to protecting finite resources.

1. Recycling. The Office of Sustainability in conjunction with The Solid Waste Department, and Office of Equity and Inclusion shall develop standards, procedures, and educational material for short-term and long-term waste diversion from the landfill through increased recycling.
2. Food Waste Prevention and Composting. The Office of Sustainability in conjunction with The Solid Waste Department, and Office of Equity and Inclusion shall develop programs to increase access to food waste prevention/reduction/composting.
3. Local Circular Economy. The City shall encourage and recruit businesses with upstream product principles, such as employing conservation principles in product development, production, and transportation, before it reaches the consumer. The City shall develop educational materials about the circular economy and other sustainable practices for local businesses and city residents.
4. Local Agriculture. Per the City's Buy Local Initiative, the City shall develop preferential procurement measures to support local agriculture. In addition, where practicable, the City's Parks and Recreation, Open Space and other divisions shall consider regenerative agriculture practices.

~~§ 3-9-5 HAZARDOUS FIRE CONDITIONS~~

~~—(A) The Council proclaims that a dangerous situation currently exists within the City of Albuquerque, with the lack of precipitation and abundance of light fire fuels represents a fire hazard and a significant and immediate threat to the safety, health and welfare of the citizens of the City of Albuquerque. The Council therefore authorizes the Chief of the Albuquerque Fire Department to work cooperatively with community groups and other government agencies to promote public awareness of fire prevention techniques and to maintain a state of preparedness in the event of a wildland fire that may endanger the citizens and property of the City of Albuquerque.~~

~~—(B) The Council authorizes the Albuquerque Fire Department to prohibit campfires, open fires, open burning of rubbish and vegetation including but not limited to all weeds within the City and in any Open Space recreation area or campground, or Bosque; and prohibit smoking and the unauthorized use of off-road vehicles, motor bikes and chain saws within campgrounds, wildlands, and other public areas, including but not limited to the Bosque area, and the issuances of licenses or permits for burning. These prohibitions shall remain in effect until the City Fire Chief determines that the fire danger has been alleviated or for a period of 140 days, whichever comes first.~~

~~(R-2007-069, approved 6-27-07; Am. Res. R-2009-070, approved 5-18-09)~~

3-9-6 NATURE-BASED SUSTAINABLE PRACTICES

(A) The Urban Tree Canopy. In alignment with § 4-4-4, of the Code of Resolutions and the City's 100,000 tree planting goal, the Parks and Recreation Department (PRD) shall work with Let's Plant ABQ Coalition to meet this goal by 2030.

1. Tree Planting. § 6-6-1-1, PRD will work with community organizations to market benefits of trees to citizens for the promotion of tree plantings on private properties in order to improve the City's ambient air quality and mitigate urban heat islands.

2. Climate-friendly Trees. Referencing § 6-6-1-1, trees will be climate-ready, have regional adaptability, be non-invasive, have street or landscape appeal, include family and species diversity, and other features stipulated by community organizations.

3. Relaunch Project Tree Start. In accordance with § 4-4-4, of the Code of Resolutions, PRD will relaunch this project to help meet the City's 100,000 tree planting goal by 2030.

(B) Natural Design Energy Management. The City Parks and Recreation Department and the Planning Department shall within one year of the effective date of this resolution, develop landscape design guidelines, and a program to disseminate these guidelines.

that promote the use of nature-based energy efficiency measures, such as plants, trees, and other material to enhance energy conservation and quality of life.

(C) Conversion of Non-functional Turf Grass. In an effort to conserve water, the Parks and Recreation Department shall develop a plan to identify turf suitable for conversion to more sustainable turf alternatives, native landscaping, and pollinating plants.

(D) Equitable Access to Trees, Parks and Open Space.

1. The City shall assure a goal of a park, trail, open space, or green space within a 10-minute walk of each residence.

2. The Office of Equity and Inclusion and the Office of Sustainability will identify front line communities and those in historically disadvantaged areas as sites for tree planting.

3. The City will work to educate businesses and residents on rebates that are available through the Albuquerque Bernalillo County Water Utility Authority, and other agencies, to offset water usage to plant and establish new trees.

(E) Green Storm Water Infrastructure. Where practicable, the City shall use green storm water infrastructure to facilitate water filtration, improve water retention and soil health, and help to recharge the water table.

1. Implementation shall include swales and basins, when possible, to help with water retention, limiting storm water runoff, minimizing localized flooding, and encouraging water conservation.

2. Use of permeable surfaces. The City may consider permeable surfaces to include planting beds, mulch with local soil or neighborhood compost, gravel, or permeable pavers.

(F) Cool Pavement. Where practicable, the City shall consider the application of cool pavement for impermeable surfaces to temper solar reflectivity and reduce heat islands.

3-9-7 SUSTAINABLE PROCUREMENT PRACTICES

(A) Purchase of Environmentally Safe Products. Where practicable, the City shall follow procurement practices that consider reduced exposure of city residents and visitors to potentially toxic chemicals, reduce greenhouse gas emissions and other

air pollutants, protect ground and surface waters, maximize water and energy efficiency, favor renewable energy sources, maximize post-consumer recycled content and readily recyclable or compostable materials, favor long-term use through product durability, repairability, and reuse, and consider life cycle economics of a product including its manufacture, transportation, use and disposal.

(B) Buy Local. Where practicable, the City shall follow the Buy Local Initiative and AI NO: 3-3 Small Purchases and Use of Local Vendors. Within one year of the enactment date of this Resolution the Sustainability Office, in collaboration with Purchasing, propose amendments to the Buy Local Procurement policy that improve the City's ability to prefer locally grown/made products over imported product, when available.

(C) Compost. The City shall, where practicable, use locally-sourced compost.