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- 1 (a) Providing visual relief from urbanization;
- 2 (b) Establishing a consistent, attractive streetscape that generates a sense of
- 3 continuity and a strong, positive City image;
- 4 (c) Improving the aesthetic appearance of commercial, industrial and multi-
- 5 family residential development thereby protecting and enhancing public/
- 6 private investments and property values;
- 7 (d) Ensuring the use of native and/or adapted, low water-use or xeric species,
- 8 regionally appropriate, sustainable design and maintenance techniques to
- 9 conserve water resources; and
- 10 (e) Contributing to the processes of air purification, oxygen regeneration,
- 11 ground water recharge, and storm water runoff retention. Landscape
- 12 should be designed to retain soil moisture, prevent erosion and help
- 13 encourage the growth of abutting plantings, and mitigate urban, heat-
- 14 island effects whilst aiding in the abatement of air and water pollution,
- 15 dust, noise, heat and glare.
- 16 (f) Providing shade and comfort for pedestrians and visually narrowing
- 17 streets, which has been shown to reduce vehicle speeding and accidents.
- 18 (C) *Landscape Plan*. See also the definition of this term in § 14-16-1-5 of this
- 19 Zoning Code.
- 20 (1) As to apartment and nonresidential developments, all applicants for building
- 21 permits for construction of a new building or building addition over 200
- 22 square feet shall submit and have approved by the Planning Director a
- 23 landscape plan prior to issuance of a related building permit; however,
- 24 foundation permits may be issued on the basis of simple designation of
- 25 appropriate areas of the site to be landscaped to meet the minimum
- 26 requirements. Landscape plans shall include street trees for those parts of
- 27 the lot abutting a major street, a major local street, or another street, where
- 28 street trees are required.
- 29 (2) Prior to design, the existence of underground utility lines shall be verified.
- 30 Underground utility lines to be checked are as follows: water and sewer,
- 31 traffic signal, fire alarm, gas, telephone, electric, and cable television.
- 32 Planting must be located so as to not interfere, either at the time of
- 33 installation or later, with the function of such underground lines; trees and

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- 1 shrubs shall be planted no less than three feet from existing gas mains or
2 gas service lines and/or underground electric utility lines.
- 3 (3) All plans and plants depicted within shall be drawn to scale. The Planning
4 Director and/or his/her designee shall create and maintain a checklist of
5 plan requirements to assist applicants and staff at design and review. The
6 landscape plan shall show at a minimum, the following.
- 7 (a) The common and botanical names of the plants and shrubs to be used;
8 if there is no common name only the botanical name shall be used; the
9 quantities of shrubs and trees and their mature height and spread shall
10 be provided;
- 11 (b) Topography in the form of finished contour lines;
- 12 (c) The type of watering system;
- 13 (d) The parties responsible for maintenance of the landscaping;
- 14 (e) The square footage for each separate area of landscape and also a
15 total for all landscape on the site.
- 16 (D) *Installation and Maintenance.*
- 17 (1) Landscape shall be installed according to the approved plan; installation shall
18 be completed within 60 days of the related building's occupancy.
- 19 (2) Landscape shall have adequate maintenance. Landscapes which die shall
20 be replaced by the owner as expeditiously as possible, but in no case longer
21 than 60 days after notification.
- 22 (3) Any damage to utility lines resulting from the negligence of the abutting
23 landowner, his agents, or employees in the installation and maintenance of
24 the landscaped area in the public right-of-way shall be the responsibility of
25 such landowner. Any damage to utility lines resulting from the growth of plant
26 materials, which have been approved by the applicable public utility as part of
27 a plan for landscape on the public right-of- way, shall be the responsibility of
28 such public utility. If a public utility disturbs a landscaped area in the public
29 right-of-way, it shall make every reasonable effort to preserve the landscape
30 materials and return them to their prior locations after the utility work. If,
31 nonetheless some plant materials die, it is the obligation of the abutting
32 landowner to replace the plant materials.

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

9 (E) *Landscape Area Requirements.*

- 10 (1) A minimum of 15% of the net lot area of each development shall be
11 landscaped.
- 12 (2) NET LOT AREA is defined as means the total area of the lot minus the
13 following:
- 14 (a) The area of the lot covered by buildings;
 - 15 (b) The portions of the lot that are not required for off-street parking or a
16 parking lot and which are fully screened from view from any abutting lot or
17 public right-of-way by an opaque wall or fence at least six feet high, in
18 which no landscape will be required except required buffer landscaping;
19 chain link fence with slats does not constitute acceptable full screening;
 - 20 (c) The area of any approved landscape that the property owner installs and
21 maintains in the abutting public right-of-way, exclusive of the area of any
22 existing or planned public sidewalk.
- 23 (3) Required Vegetative Coverage. All landscape areas 36 square feet in size or
24 larger shall be covered with living, vegetative materials, such as trees,
25 grasses, vines, shrubs, or flowers. To minimize water consumption, the use of
26 vegetative ground cover other than turf grass is encouraged. Coverage will
27 be calculated from the realistic, mature spread of the plants, including the
28 mature canopies of trees, all calibrated for Albuquerque's desert
29 climate/environment, and as follows:
- 30 (a) The total landscaped area shall have at least 75% coverage by living,
31 vegetative materials.
 - 32 (b) A minimum of 30% coverage of the total landscaped area shall be
33 achieved by ground-level plants (shrubs, groundcover, grasses, etc.).

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- 1 (c) A minimum of five species must be used on the site to have a mix of living
2 vegetative materials represented in understory plantings.
- 3 (d) Trees selected from the Official Albuquerque Plant Palette and Sizing List
4 and included on a landscape plan contained within a Site Development
5 Plan or a Building Permit set that satisfy the requirements of the
6 landscape regulations contained within Section 14-16-3-10, subsections
7 (E) - Landscape Area Requirements, (F) - Special Landscape Standards
8 and (G) - Street Tree Policies Abutting the Public Right-of-Way may also
9 be counted provided that the provisions of section 14-16-3-10(E)(1)(a)(b)
10 and (c) are met. Any street trees required by the City that are planted
11 within 20-feet of the back of curb of the abutting street may be used to
12 help fulfill section 14-16-3-1(H) and landscape regulations for off-street
13 parking areas abutting a street frontage, street tree and coverage
14 requirements.
- 15 (4) Plant Palette and Plant Sizes. The Planning Director or his/her designee,
16 appropriate staff and entities such as the ABCWUA, the local chapter of the
17 American Society of Landscape Architects, local landscape maintenance
18 firms, and local nurseries, shall create an official, Albuquerque-specific tree
19 and plant palette (Official Albuquerque Plant Palette and Sizing List). Except
20 as otherwise specified in this section, the minimum acceptable sizes of plants
21 or amounts of seed, at the time of planting, are as follows:
- 22 (a) Trees.
- 23 1. Deciduous Trees: Two inches in caliper measured six inches above
24 grade;
- 25 2. Evergreen Trees: six feet in height;
- 26 3. Multi-trunk Trees: Minimum of two trunks, with a combined minimum
27 caliper of two inches
- 28 (b) Shrubs: one gallon;
- 29 (c) Ground cover: adequate to provide general ground coverage within one
30 growing season after planting.
- 31 (5) Right-of-Way Landscape. The installation of an adequate irrigation system
32 that meets the minimum technical requirements of the City of Albuquerque
33 with a separate meter for the landscape area in the public right-of-way, or a

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- 1 separate valve(s) at the property line allowing isolation of the irrigation to the
2 landscape within the public right-of-way. Drip irrigation systems and artificial
3 turf shall not be allowed within the public right-of-way.
- 4 (6) Clear sight areas as specified in the Development Process Manual (DPM)
5 shall be maintained at all exits of parking areas. The clear sight triangle (at
6 street corners), as defined in Section 8-2-2-15, Traffic Code, and also in §
7 14-16-1-5 of this Zoning Code, shall be kept clear.
- 8 (7) Standard Landscape Buffers. Landscape buffer areas are required to
9 separate off-street parking and circulation areas from front, side, and rear
10 boundaries of premises. On sites controlled by the shopping center
11 regulations (§ 14-16-3-2) and planned development areas controlled by site
12 development plans, these requirements shall be based on the entire area of
13 the planning site unless otherwise approved by the Planning Commission.
14 Landscape buffers may be crossed by driveways connecting to abutting
15 land. No parking is permitted within a required landscape buffer area.
16 Landscape approved within the abutting public right-of-way may be counted
17 toward this requirement if there is no existing or planned public sidewalk
18 between such landscape and the premises, but in no case shall the width of
19 the on-site landscape buffer be less than five feet. Specific required
20 landscape buffer locations and minimum widths shall be as follows:
- 21 (a) Front
- 22 1. Ten feet, if there is/are no building(s) or forecourt(s) within ten feet of
23 the front property line;
 - 24 2. The landscape buffer can be reduced or eliminated if the building(s),
25 forecourt(s) and/or frontage(s) are located within ten feet of the front
26 property line as allowed by underlying zoning;
 - 27 3. Adequate room and spacing for required Street Trees (§14-16-3-10(H))
28 may be accommodated/provided in the public right-of-way and/or on the
29 site immediately abutting the public sidewalk: minimum 60 square feet
30 planting area with a minimum width of four feet for each tree; and
31 maximum of 25 - 30 feet spacing on-center. For planting areas with
32 over 1,000 cubic feet (CF) of uncompacted soil, tree spacing may be
33 increased to up to 35 feet on-center.

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- 1 (b) Side - Six feet, where the side yard of a property abuts and/or fronts a
2 street.
- 3 (8) Special Buffer Landscaping/Screening Requirements. Where a
4 nonresidential zone is developed after April 2, 1990 for a nonresidential
5 purpose and the site abuts a residential zone, special buffer landscape is
6 required to minimize noise and sight impact of the non-residential activities in
7 the residential area. Buffers shall meet required vegetative coverage.
- 8 (a) The standard buffer landscape shall be a landscape strip at least ten feet
9 wide where located along the residential/nonresidential boundary.
- 10 (b) The buffer landscape shall include trees, capable of reaching a height at
11 maturity of at least 25 feet. Spacing of the trees shall be equal to 75% of
12 the mature canopy diameter of the trees; where utilities and/or utility
13 easements may interfere with tree placement and/or growth, the number
14 of trees may be reduced and/or the trees may be grouped to minimize
15 conflicts with utilities and/or utility easements. Trees shall not be planted
16 near existing or proposed street light poles.
- 17 (c) Where parking or vehicle circulation areas abut the landscape buffer, a
18 minimum six foot high opaque wall or fence shall also be required to
19 visually screen the parking or circulation area from the abutting
20 residential zone; chain link fence with slats shall not constitute acceptable
21 screening; the landscape area may be reduced by up to 25% if the
22 surface of the parking or vehicle circulation area is of a permeable
23 material and approved by the Planning Director or her/his designee.
- 24 (d) This division (4) requirement does not apply to lots which were entirely
25 developed as of January 1, 1976.
- 26 (9) Special Screening Requirements for Certain Uses. In addition to the above
27 requirements in division (4), an additional screening requirement applies
28 where a principal business is:
- 29 (a) A mobile home sales lot; or
- 30 (b) Outdoor vehicle storage where the vehicles are typically not moved for
31 one week or more: if the site is so developed after April 2, 1990, and
32 abuts a residential zone or is separated only by public right-of-way from a
33 residential zone, a minimum eight foot high opaque wall or fence shall be

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1 required to visually screen the parking or display area from the abutting
2 residential zone; chain link fence with slats shall not constitute acceptable
3 screening.

4 (F) *Special Landscape Standards.*

5 (1) Off-Street Parking Area Landscape. Trees are required in and around off-
6 street parking areas to provide shade and relieve the adverse visual impact of
7 large expanses of pavement and parked cars. Quantity and distribution of
8 trees shall be as follows:

- 9 (a) One tree is required per ten parking spaces;
- 10 (b) No parking space may be more than 100 feet from a tree trunk;
- 11 (c) The minimum size of tree planters within off-street parking areas shall be
12 60 square feet per tree; the open tree planter area may be reduced to 36
13 square feet if the surface of the parking or vehicle circulation area
14 adjacent to the tree planter is of a permeable material, and combined with
15 the open tree planter area, meets the 60 square foot per tree requirement;
- 16 (d) At least 75% of the required parking area trees shall be deciduous
17 canopy-type shade trees, capable of achieving a mature canopy diameter
18 of at least 25 feet.

19 (2) Street Trees. Street trees meeting the requirements of §§ 14-16-3-10(H),
20 Street Trees, are required along all arterial and collector street frontages.

21 (3) Artificial turf/grass. Artificial turf/grass shall not be counted as living vegetative
22 material or to meet the Required Vegetative Coverage Requirements section
23 referenced under §14-16-3-10 (E)(2) above.

24 (4) Tree Requirements for Multi-Family Residential Developments. In addition to
25 the above requirements, multi-family residential sites must provide trees in
26 areas around residential structures as follows:

- 27 (a) Trees shall be provided at not less than the rate of one tree per ground
28 floor dwelling unit and one tree per two second-story dwelling units. No
29 additional trees are required for units above the second story;
- 30 (b) At least 50% of the required trees shall be deciduous canopy-type shade
31 trees or coniferous trees capable of attaining a mature canopy diameter of
32 at least 25 feet.

33 (G) *Street Tree Policies Abutting the Public Right-of-Way.*

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- 1 The following standards apply to trees planted on private property abutting the
2 public right-of-way that may be counted toward the street tree requirement.
- 3 (1) Required Street Trees.
- 4 (a) Street trees shall be installed no later than 30 days after the completion of
5 construction and shall occur before final inspection as required in the
6 Building Code.
- 7 (b) Street trees shall be maintained alive and healthy. Maintenance and
8 trimming of street trees and replacement of dead trees are the
9 responsibility of the owner of the lot on which the tree is located.
- 10 (2) The following city policies govern the placement of all street trees which are
11 planted on private property, abutting the public right-of-way, or which are
12 required to be planted near streets pursuant to city plans, policies and
13 ordinances; the policies are applicable for all street trees:
- 14 (a) Size of the trees at maturity should be in proportion to the planting space
15 provided for them. Spacing between evenly spaced street trees should be
16 no greater than the diameter of the tree canopy at maturity, per the Official
17 Albuquerque Plant Palette and Sizing List. Smaller species of trees will
18 require closer spacing, and larger trees will require greater spacing.
19 Spacing shall be approved as part of the plan approval process.
- 20 1. Adequate room and spacing for Street Trees shall be
21 accommodated/provided: minimum 60 sq. ft. planting area for each
22 tree.
- 23 2. On sites where evenly-spaced street trees are not possible or do not
24 conform to the overall design objectives of the site, random clustering
25 of street trees may be acceptable, provided that the number of trees
26 planted equals or exceeds the number that would be required if the
27 trees were evenly-spaced. But in no case shall there be a gap of more
28 than 100 feet between street trees.
- 29 (b) Where less than three feet of space exists between the curb and the
30 public sidewalk, street trees shall not be planted into the parkway strip.
31 Any street trees required by the City shall be planted within 20-feet of the
32 back of curb of the abutting street. In addition to fulfilling the street tree
33 requirement, such trees can be included in the calculation described in 14-

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- 1 16-3-10.E.2. Furthermore, if an off-street parking area is located along the
2 frontage of the site, these trees may be used concurrently to fulfill the
3 landscape regulations for these areas, in possible addition to the street
4 tree and coverage requirements.
- 5 (3) As it is desirable to have a mix of species and genera represented in the urban
6 forest in order to protect against the loss of trees due to disease, insects or
7 environmental conditions, the following guidelines shall be used:
- 8 (a) Plantings of ten or fewer trees may all be of the same genus;
9 (b) Plantings of more than ten trees must use at least two different genera,
10 with roughly equal numbers of each;
11 (c) One of every three street trees planted may be an accent tree per the
12 Official Albuquerque Plant Palette and Sizing List, provided the guidelines
13 in (G) 1, above, are met.
- 14 (4) Street Tree Programs.
- 15 (c) The Mayor or his/her designee shall prepare, distribute, and continue to
16 keep available to the public a booklet or other printed material encouraging
17 street trees, indicating recommended species, city regulations, appropriate
18 street tree locations, and tree care.
- 19 (d) The Mayor or his/her designee shall, through the Capital Improvements
20 Program, cause street trees to be planted near the street frontages of all
21 city-owned lots, at least meeting the requirements of §6-6-2-1 et seq.
- 22 (e) The Mayor or his/her designee shall propose to the City Council
23 appropriate major streets for special assessment districts for the planting
24 and maintenance of street trees. The Mayor shall designate appropriate
25 city staff to administer such supports.
- 26 (f) Whenever a city project on the public right-of-way removes or kills one or
27 more street trees, the Mayor or his/her designee shall replace each such
28 tree with one of the same species in approximately the same location,
29 unless the species or location is contrary to §6-6-2-1 et seq. or to related
30 regulations or plans, in which event each such tree shall be replaced with
31 a tree of conforming species and location.
- 32 (5) More Detailed Regulations: Regulations detailing the provisions of §6-6-2-1 et
33 seq. should be enacted in coordination with and through the Parks and

1 Recreation Department, and be amended by the Environmental Planning
2 Commission at an advertised public hearing.

3 (6) Waivers.

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

6 (g) Street trees would necessarily contribute to unsafe conditions on the public
7 right-of-way;

8 (h) The lot frontage is sufficiently forested to be in general compliance with the
9 intent of §6-6-2-1 et seq. or

10 (i) Alternative landscape plans, in harmony with the surroundings and meeting
11 the intent of §6-6-2-1 et seq. are proposed.

12 (7) Appeals.

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

17 SECTION 2. §14-16-3-1 THE OFF-STREET PARKING REGULATIONS ARE
18 HEREBY AMENDED *to replace the text in section (H) below.*

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

24 (1) Pedestrian walkways within a site shall be a minimum of six feet in width,
25 unobstructed, and clearly demarcated by the use of techniques such as
26 special paving, grade separation, or pavement marking of a permanent
27 nature, except that clear width may be reduced to 4 feet 6 inches at
28 planting areas for a maximum distance of 10 feet. Pedestrian walkways
29 shall also be lined with adjacent shade trees spaced approximately 25
30 feet on center and placed within defined planting areas that have a
31 minimum interior dimension of ~~36~~ 80 square feet ~~and a minimum width of~~
32 ~~four feet,~~ these trees may also be counted toward Section 14-16-3-10

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1 (E)(2) of the Landscape Regulations provided that the provisions of
2 section 14-16-3-10(E)(1)(a)(b) and (c) are met.

3 SECTION 3. FINDINGS ACCEPTED. The City Council adopts the following
4 findings as recommended by the Environmental Planning Commission (EPC):

- 5 1.The request is for a recommendation to City Council regarding text amendments
6 to amend the City’s Comprehensive Zoning Code §14-16-3-10 (Landscaping
7 Regulations) and §14-16-3-1 (Off-Street Parking Regulations). These changes
8 are directly related to Sections §6-6-2-4 (Required Street Trees), §6-6-2-5 (Street
9 Tree Policies), §6-6-2-6 (Street Tree Programs), §6-6-2-7 (More Detailed
10 Regulations) and §6-6-2-8 (Waivers and Variances) to establish standards that
11 enhance, improve and maintain the quality of the public environment. The
12 proposed text amendments are being requested by the Planning Department.
- 13 2.The purpose of the proposed text amendments are to clarify the intent and
14 purpose of the overall regulations, create an official plant palette and sizing list,
15 re-focus the vegetative coverage requirement to encourage trees canopy, update
16 standard landscaping buffer requirements, update the installation plant size
17 requirements, permit the limited installation of artificial turf and improve
18 coordination with the Off-Street Parking Regulations and Street Tree Ordinance.
- 19 3.The coordination of the Landscaping Regulations, Off-Street Parking Regulations
20 and the Street Tree Ordinance acknowledges that street trees may be
21 accommodated provided that on a site immediately abutting the public sidewalk,
22 on private property and that these trees may be counted towards the vegetative
23 coverage requirements (§14-16-3-1 and §14-16-3-10).
- 24 4.The task of the Environmental Planning Commission (EPC) is to make a
25 recommendation to the City Council for the proposed text amendments with
26 regard to the Landscaping and Off-Street Parking Regulations of the Zoning
27 Code.
- 28 5.The Street Tree Ordinance is located within Part 2 (Trees, Vegetation and
29 Landscaping) of the City’s Water, Sewers and Streets Code. The Street Tree
30 Ordinance will need to be amended to reference the Official Albuquerque Plant
31 Palette and Sizing List, tree planting requirements to avoid conflicts with
32 overhead and underground utility lines and to allow administrative approval of
33 alternative planting schemes. Amendments to the Street Tree Ordinance must

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1 be sponsored by a member of the Albuquerque City Council. The City Council is
2 the City's Zoning Authority and will make the final decision on all parts of this
3 request.

4 6.Intent of the City Charter: Amending the Landscaping, Off-Street Parking and
5 Street Tree regulations is an exercise in local self-government (City Charter,
6 Article 1). Clarifying the intent and purpose of the Landscaping Regulations and
7 calling for the coordination of the Street Tree Ordinance requirements with the
8 Landscaping Regulations, generally expresses the Council's desire to ensure the
9 proper use and development of land, and promote and maintain a humane urban
10 environment (City Charter, Article IX).

11 7.Intent of the Zoning Code (§14-16-1-3): The application for proposed text
12 amendments was filed in accordance with Zoning Code requirements. The
13 proposed text amendments generally further the Zoning Code goals of promoting
14 the health, safety and welfare of the citizens and enhancing the appearance of
15 the landscape.

16 8.The Albuquerque/Bernalillo County Comprehensive Plan and the City of
17 Albuquerque Comprehensive Zoning Code are incorporated herein by reference
18 and made part of the record for all purposes.

19 9.The request furthers the following, applicable Comprehensive Plan Goals and
20 Policies:

21 A. Developed Landscaping Goal: The Goal is to maintain and improve the
22 natural and the developed landscapes' quality. The proposed text
23 amendments seek to improve the natural and developed landscapes'
24 quality by prescribing landscaping regulations that appropriately respond
25 to Albuquerque's high desert environment and its many existing
26 microclimates.

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

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

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- 1 ii. Policy II.C.8.d: Landscaping shall be encouraged within public and
2 private rights-of-way to control water erosion and dust, and create a
3 pleasing visual environment; native vegetation should be used
4 where appropriate.
5 *The proposed text amendments ensure the use of native and or*
6 *adapted, low water use or xeric species that are regionally*
7 *appropriate to conserve water resources, as well as regulating*
8 *landscaping design to prevent water erosion. The request further*
9 *Policy II.C.8.d.*
- 10 B. Community Identity and Urban Design Goal: The Goal is to preserve and
11 enhance the natural and built characteristics, social, cultural and historical
12 features that identify Albuquerque and Bernalillo County sub-areas as
13 distinct communities and collections of neighborhoods. The proposed text
14 amendments preserve and enhance the natural and built characteristics of
15 Albuquerque and Bernalillo County by establishing consistent, attractive
16 streetscapes that generate a sense of continuity and a positive City image.
- 17 i. Policy II.C.9.b.(2): In each Community Area, strategic planning,
18 neighborhood planning, development and redevelopment shall be
19 evaluated in light of its relationship to and effect upon the following:
20 2) Built environment
21 - Landscaping materials, both planting and hardscape
22 *The proposed text amendments address strategic and neighborhood*
23 *planning, development and redevelopment and their relationship to*
24 *the build environment by improving the aesthetic appearance of*
25 *commercial, industrial and multi-family residential development and*
26 *enhancing public/private investments. The request further Policy*
27 *II.C.9.b(2).*
- 28 10. Agencies reviewed the proposed text amendments from June 1, 2015 to June
29 12, 2015. Several comments were received and reviewed by Planning Staff,
30 which are reflected in the current draft of the proposed text amendment
31 language.
- 32 11. In response to the agency comments submitted by the Planning and Design
33 Division of the Parks and Recreation Department, Planning Department Staff met

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1 with Parks and Recreation Department Staff to discuss their agency’s concerns.
2 As a follow up to this meeting, The Planning Department revised the proposed
3 text amendment language to reflect the tangible feedback provided by the Parks
4 and Recreation Department.

5 12. The proposed text amendments were posted on the Planning Department’s main
6 web page and were announced in the June/July 2015 issue of the Neighborhood
7 News, published by the Office of Neighborhood Coordination (ONC). There is no
8 known neighborhood opposition to this request.

9 SECTION 4. EFFECTIVE DATE AND PUBLICATION. This legislation shall take
10 effect five days after publication by title and general summary.

11 SECTION 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
12 clause, word or phrase of this ordinance is for any reason held to be invalid or
13 unenforceable by any court of competent jurisdiction, such decision shall not affect
14 the validity of the remaining provisions of this ordinance. The Council hereby
15 declares that it would have passed this ordinance and each section, paragraph,
16 sentence, clause, word or phrase thereof irrespective of any provisions being
17 declared unconstitutional or otherwise invalid.

18 Section 6. COMPILATION. Section 1 and 2 of this ordinance shall be
19 incorporated in and made part of the Revised Ordinances of Albuquerque, New
20 Mexico, 1994.

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