



Legislation Text

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CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL

COUNCIL BILL NO. R-16-108 ENACTMENT NO. _____

SPONSORED BY: Trudy E. Jones and Isaac Benton

RESOLUTION

**Adopting An Updated Albuquerque/ Bernalillo County Comprehensive Plan (Jones,
Benton)**

**ADOPTING AN UPDATED ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE
PLAN.**

**WHEREAS, the Council, the Governing Body of the City of Albuquerque, has the
authority to amend the Comprehensive Plan as authorized by statute, Section 3-19-9,
NMSA 1970, and by its home rule powers; and**

**WHEREAS, the Comprehensive Plan is the Rank I plan for the physical development
and conservation of areas within the City of Albuquerque and unincorporated Bernalillo
County, which sets out the context, goals and policies, monitoring and implementation,
and supporting information to further its vision and purpose; and**

**WHEREAS, the Comprehensive Plan has not been significantly updated since its
original adoption in 1989 and its subsequent amendment in 2001 to establish “Centers and
Corridors” boundaries and policy language to focus development in appropriate areas
connected by multi-modal transportation corridors; and**

**WHEREAS, the City Council, the City’s Planning and Zoning Authority, in April 2014, via
R-14-46 (Enactment No. R-2014-022), directed the City to update the Albuquerque/Bernalillo
County Comprehensive Plan in coordination with Bernalillo County, MRCOG, and other
agencies; and**

WHEREAS, an increased range of housing options are needed closer to employment centers, and employment centers are needed closer to existing housing, especially west of the Rio Grande; and

WHEREAS, preserving agricultural lands is increasingly important in order to protect rural character and cultural traditions, provide for regional food demands locally, and to improve stormwater retention and groundwater infiltration; and

WHEREAS, the largest demographic segments of the population - Baby Boomers and Millennials - are increasingly seeking urban lifestyles in mixed-use areas that provide for employment, entertainment, and services without requiring driving or automobile ownership; and

WHEREAS, the demand for these types of developments are not sufficiently met in Albuquerque, because, in large part, existing land-use policies and regulations strongly encourage suburban, single-family detached development over compact mixed-use; and

WHEREAS, jurisdictional and geographic boundaries limit the opportunity to accommodate growth in the City via annexation and expansion, prompting the need to accommodate infill and densification in appropriate locations, such as Centers and Corridors; and

WHEREAS, an update of the Comprehensive Plan would be an opportunity to employ contemporary best practices for land use, transportation, and preservation planning techniques and strategies for regional, interagency transportation and land-use planning activities; and

WHEREAS, the existing hierarchy of overlapping Rank I, Rank II, and Rank III Plans were all created at various points in time with little or no strategic coordination and contain overlapping and sometimes conflicting policies and regulations that have not been evaluated in a comprehensive manner; and

WHEREAS, these uncoordinated policies often present unnecessary and counter-productive obstacles to both neighborhood protections and the development process; and

WHEREAS, these lower-ranking plans need to be analyzed and revised to ensure they support and are consistent with an updated Rank I Comprehensive Plan and provide a simpler, clearer, and more effective means of implementing the growth and development vision; and

WHEREAS, an update to the Comprehensive Plan provides an opportunity to foster

increased collaboration and coordination between the City of Albuquerque and Bernalillo County by serving as a regional plan for healthy growth, efficient transportation, infrastructure needs, and land use policies to better reflect new market demands, diversify and bolster the economy, better serve all demographics, support alternative transportation modes to the automobile, and improve efforts to grow and develop in ways that are sustainable, respect and preserve natural and cultural resources, and improve the quality of life for all citizens; and

WHEREAS, staff of the City of Albuquerque and Bernalillo County have worked together to update the narratives, policies, and maps; and

WHEREAS, on September 1, 2016, the Environmental Planning Commission (EPC), in its advisory role on land use and planning matters, recommended approval to the City Council of the amendment to the Albuquerque/Bernalillo County Comprehensive Plan.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. The Albuquerque/Bernalillo County Comprehensive Plan is hereby replaced in its entirety by the 2016 Draft Updated Comprehensive Plan, attached hereto as Exhibit A.

SECTION 2. FINDINGS ACCEPTED. The City Council adopts the following findings as recommended by the Environmental Planning Commission (EPC):

1. The request is for an update to the Albuquerque/Bernalillo County Comprehensive Plan (1989, as subsequently amended, the “Comp Plan”). The update, which will reflect new demographic trends and anticipated growth in the region, is designed to more effectively coordinate land use and transportation and to leverage and enhance a sense of place.
2. The Comp Plan applies to land within the City of Albuquerque municipal boundaries and to the unincorporated area of Bernalillo County (the “County”). Incorporated portions of the County that are separate municipalities are not included.
3. Council Bill No. R-14-46 (Enactment R-2014-022) became effective on May 7, 2014, which directed the City to update the Comp Plan.
4. The EPC’s task is to make a recommendation to the City Council regarding the Comp Plan update. As the City’s Planning and Zoning Authority, the City Council will make the final decision. The EPC is the Council’s recommending body with important review authority. Adoption of an updated City Master Plan (Comp Plan) is a legislative matter.

5. The existing, key concept of Centers and Corridors will remain the same, as will the boundaries of existing Centers. In the City, the existing development areas (Central Urban, Developing & Established Urban, Semi-Urban, and Rural) will be replaced with Areas of Change and Areas of Consistency. In the County, the development areas will remain the same.
6. The 2016 Comp Plan update incorporates changes in the narrative descriptions as well as the goals, policies, and actions of each existing chapter. Approximately 90% of existing Goals and policies from the City's various Sector Plans (Rank III) and Area Plans (Rank II), except for facility plans and Metropolitan Redevelopment Area (MRA) plans, have been integrated into the updated Comp Plan. Many of these Goals and policies address similar topics and/or can be expanded to apply City-wide.
7. The State Constitution and Statutes, the ROA 1994 (which includes the City of Albuquerque Charter and the Planning Ordinance), 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.
8. State Constitution and Statutes: The Constitution of the State of New Mexico allows municipalities to adopt a charter, the purpose of which is to provide for maximum local self-government (see Article X, Section 6- Municipal Home Rule). The City of Albuquerque is a home rule municipality and has the authority to adopt a comprehensive plan as granted under Chapter 3, Article 19, Section 9 NMSA 1978 (3-19-9 NMSA 1978) and by the City Charter.
9. The request is consistent with the intent of City Charter Article XVII, Planning, as follows:
 - A. Section 1 - The review and adoption of an updated Comp Plan is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. The updated Comp Plan is written and formatted to help inform the Mayor and the Council about community priorities for the formulation and review of Capital Improvement Plans.
 - B. Section 2 - The updated Comp Plan will help guide the implementation, enforcement, and administration of land use plans and regulations that reflect current trends and priorities as well as the future vision for growth and development. The Plan's implementation strategies are to: build public awareness and engagement; improve inter-governmental coordination; promote growth, development and conservation; and create

an ongoing process for monitoring progress toward the vision, which will give the Council and the Mayor a common and effective framework to build upon.

10. Intent of the City Charter - Related Sections:

A. Article I, Incorporation and Powers- Updating the Comprehensive Plan is an act of maximum local self -government and is consistent with the purpose of the City Charter. The updated policy language of the Comp Plan will help guide legislation and provide support for necessary changes to ordinances and standards.

B. Article IX, Environmental Protection- The updated Comprehensive Plan reflects recent best practices for policy to guide the proper use and development of land coordinated with transportation. The update will help protect and enhance quality of life for Albuquerque's citizens by promoting and maintaining an aesthetic and humane urban environment. Committees will have up-to-date guidance to better administer City policy.

11. Intent of the Zoning Code (Section 14-16-1-3): The update to the Comp Plan will provide up-to-date guidance for amendments and changes to land use regulations in the Zoning Code. This will allow the Zoning Code to better implement the city's master plan -in particular the master plan documents that comprise the Comp Plan. This updated Comp Plan will facilitate a comprehensive review of land use regulations and regulatory processes to ensure that they reflect the most recent best practices and the vision for future growth and development in the city to promote the health, safety and general welfare of Albuquerque's citizens.

12. Intent of the Planning Ordinance (Section 14-13-2-2): Updating the Comp Plan will ensure that it will reflect recent best practices for land use and transportation planning, the priority needs and desires of residents and businesses, and a vision of sustainable growth and development for the next twenty years. This will also help ensure that lower ranking plans reflect current ideas, technologies, and up-to-date demographic and market trends. The Comp Plan update process identified several conflicting provisions in lower ranking Plans that require an updated long-range planning process. The proposed Community Planning Area (CPA) assessments will address planning issues City-wide as well as within each CPA on an on-going, proactive basis.

13. The Comp Plan update addresses the main topics in Section 14-13-1, the Planned Growth Strategy (PGS), such as natural resources conservation, traffic congestion, and infrastructure provision, as follows:

A. Sustainable development is a key to the region’s long-term viability. The 2016 Comp Plan promotes sustainable development best practices related to water resources, storm water management, multi-modal transportation, and urban design. A new chapter on Resilience and Sustainability (Chapter 13) has been added and includes sections on water quality and air quality, and discusses the importance of becoming more resource-efficient.

B. The update addresses transportation and traffic on a regional basis. A priority is to improve mobility and transportation options (p. 1-11). The Transportation chapter (Chapter 6) discusses the importance of balancing different travel modes and providing complete and well-connected streets to provide a variety of travel options.

C. The Land Use chapter (Chapter 5) includes policies to encourage a development pattern that will foster complete communities, where residents can live, work, learn, shop, and play, and that will maximize public investment in denser areas. One primary goal is to improve the balance of jobs and housing on each side of the river to help reduce traffic congestion and bring jobs to where people already live.

D. The Infrastructure, Community Facilities & Services chapter (Chapter 12) covers a wide range of infrastructure systems, community facilities and public services that support the existing community and the Comp Plan’s vision for future growth. The chapter emphasizes increased inter-agency planning and coordination, and ways for pooling resources to maximize efficiencies, bridge service gaps, and provide added value. The guiding principle of equity helps identify gaps in service provision and how they might be addressed.

14. City language that refers to the Comp Plan is found in various locations of ROA 1994. This language will need to be correspondingly revised with the adoption of the 2016 Comp Plan in order to maintain the intent of the policies and to maintain internal consistency in ROA 1994.

15. The 2016 Comp Plan update improves coordination with the Mid-Region Metropolitan Planning Organization (MRMPO) and the Metropolitan Transportation Plan (MTP), which includes a new growth forecast to 2040 and a preferred growth scenario. The Comp Plan update responds to the MTP by updating Comp Plan Corridors to be consistent with MTP corridors, coordinating Center designations with MTP center designations used to develop a preferred future growth scenario, and developing an analysis tool to analyze performance metrics based on different growth scenarios.

16. A number of elements of the existing Comp Plan will remain the same with the 2016 Comp Plan update, including:

A. The Comp Plan’s geographic scope, which includes the area in Albuquerque’s municipal limits and the unincorporated areas in Bernalillo County.

B. The Centers and Corridors framework as a means to encourage future growth and density in appropriate areas while protecting existing neighborhoods, natural resources, and open space lands.

C. Most of the goals, policies, and actions in the current Comp Plan, supplemented by those in Sector Development Plans and Area Plans adopted by the City. Approximately 90% of the City’s existing 1,200 policies in these plans are represented in the 800 policies and sub-policies of the Comp Plan update.

D. The County’s Development Areas (Rural, Reserve, Semi-Urban, Developing Urban, and Established Urban) from the existing Comp Plan will continue to be used in the unincorporated area, and their associated policies will remain unchanged.

17. The 2016 Comp Plan update has reorganized and reworded the existing Comp Plan to reflect new data and trends, be more user-friendly and provide clearer guidance to decision-makers. The most significant changes in the 2016 Comp Plan update are:

A. The inclusion of a Vision chapter (Chapter 3), which serves as a “People’s Summary” of the plan and provides an overview.

B. Modifications to the Center and Corridor descriptions and the introduction of new Center and Corridor types.

i. Three Major Activity Centers have been re-designated as Downtown or as Urban Centers (Uptown and Volcano Heights).

ii. The remaining Major and Community Activity Centers have been re-designated as Activity Centers or Employment Centers.

iii. The new Employment Center type reflects the need for concentrated job centers.

iv. Certain corridors have been designated as Premium Transit corridors to be consistent with MRCOG’s MTP; Enhanced Transit Corridors have been re-named and designated as Multi-Modal Corridors, and Express Corridors are renamed and designated as Commuter Corridors. Main Street Corridors have been introduced as a new Corridor type.

C. Reorganization of the Comp Plan into ten Elements (Chapters) that reflect more

recent best practices in planning as well as the needs of area residents:

i. **Community Identity and Heritage Conservation (Chapters 4 and 11, respectively)** in response to public comments about the importance of neighborhood character, preserving traditional communities, and cultural landscapes.

ii. **A new chapter, Urban Design (Chapter 7)** describes design elements that support and/or constitute good design for our community, in distinct rural, suburban, and urban contexts.

iii. **A new chapter, Resilience and Sustainability (Chapter 13),** reflects community concerns about conserving natural resources, preparing for climate change and natural hazards, and creating healthy environments for people.

D. The introduction of six guiding principles that indicate what is particularly important to residents.

E. A new focus on coordinating land use and transportation to strengthen Centers and Corridors and to address traffic congestion on river crossings by improving the jobs-housing balance west of the Rio Grande.

F. Two Development Areas in the City, Areas of Change and Areas of Consistency, will replace the six current Development Areas.

G. Updated City and County Community Planning Areas (CPAs) and policies that guide the City Planning Department regularly to engage with residents and other stakeholders in 12 City CPAs on a five-year cycle of assessments.

H. An Implementation chapter (Chapter 14) with strategic actions, performance metrics, and policy actions to be updated on a five-year cycle.

18. In 2017, City Planning Staff intend to initiate an ongoing, proactive engagement and assessment process (Community Planning Area Assessments) to work with communities throughout the City to address planning issues and develop solutions. Performance measures will be used to track progress toward Comp Plan Goals over time.

19. The public engagement process, which offered a range of opportunities for input, discussion, and consensus-building, featured a series of workshops and public meetings that included daytime focus groups organized by topic and evening meetings with a more traditional presentation and a question and answer session. The project team was invited to speak at over 100 meetings and local conferences. To reach more people and a broader cross-section of the community, the project team staffed booths and passed out

promotional material at community events and farmers markets.

20. Articles about the ABC-Z project appeared regularly in the City's Neighborhood News and ads specifically for the Comp Plan update were placed in print and social media. There is also a social media page for the ABC-Z project on Facebook.

21. Staff received official written comments from agencies and interested parties.

Agencies that commented include the ABCWUA, the AMAFCA, Bernalillo County, the City Parks and Recreation Department, and PNM. Their comments suggest specific revisions to clarify topics related to their agency's charge. Staff is considering all comments carefully and addressing them.

22. The comments submitted by interested parties cover a variety of topics, including but not limited to time for public review and comment, annexation, effect on vulnerable populations, and the focus on centers and corridors. Some comments express significant concerns that policies crafted to address localized issues are applied broadly and that sector plans are being replaced. Staff is considering all comments carefully and addressing them.

23. The EPC held two advertised and noticed public hearings, on August 4 and August 25, 2016, to elicit public comments and participation for the record.

24. Planning Department Staff and City Council Staff will continue to collaborate regarding themes raised in the August 2016 Staff Report, and in public, departmental, and agency comments, to consider any additional information that should be included in the Comp Plan update.

SECTION 3. EFFECTIVE DATE AND PUBLICATION. This legislation shall take effect five days after publication by title and general summary.

SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

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