



# City of Albuquerque

## Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

### Interoffice Memorandum

June 30, 2021

To: CITY COUNCIL

From: Camille Cordova, Assistant City Clerk

Subject: BILL NO. O-21-60; ENACTMENT NO. O-2021-018

I hereby certify that on June 30, 2021, the Office of the City Clerk received Bill No. O-21-60 as signed by the president of the City Council, Cynthia D. Borrego. Enactment No. O-2021-018 was passed at the June 17, 2021 City Council meeting. Mayor Keller did not sign the approved Ordinance within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Ordinance is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. O-21-60.

Sincerely,

Ethan Watson  
City Clerk

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**CITY OF ALBUQUERQUE  
CITY COUNCIL**

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**INTEROFFICE MEMORANDUM**

**TO: Timothy M. Keller, Mayor**

**FROM: Chris Melendrez, Acting Director of Council Services**

*CM for 6/25/21*

**SUBJECT: Transmittal of Legislation**

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Transmitted herewith is Bill No. O-21-60 Adopting Text Amendments To The Integrated Development Ordinance §14-16 For The 2020 IDO Annual Update; Including Text Amendments For Small Mapped Areas (Benton, Jones), which was passed at the Special Council meeting of June 17, 2021 by a vote of 6 FOR AND 3 AGAINST.

**For: Bassan, Benton, Davis, Gibson, Harris, Jones  
Against: Borrego, Peña, Sena**

In accordance with the provisions of the City Charter, your action is respectfully requested.



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1 Corridors, and Main Street Corridors as the Centers and Corridors that are  
2 intended to be walkable, with a mix of residential and non-residential land  
3 uses, and with higher-density and higher-intensity uses; and

4 WHEREAS, the 2017 ABC Comp Plan established a hierarchy of Centers  
5 and Corridors from the most to the least walkable, mixed-use, and dense, with  
6 Downtown, Urban Centers, Premium Transit Corridors, and Main Street  
7 Corridors all intended to be highly walkable, mixed-use, and dense; and

8 WHEREAS, the City Council adopted the Integrated Development  
9 Ordinance (IDO) to implement Comp Plan goals and policies; and

10 WHEREAS, the IDO implements the ABC Comp Plan by establishing  
11 building design standards specific to Urban Centers (UC), Main Streets (MS),  
12 and Premium Transit (PT) areas; and

13 WHEREAS, the IDO establishes zone districts, overlay zones, allowable  
14 uses, use-specific standards, and general regulations in Parts 1 through 5 that  
15 set the bar for high-quality development that is compatible with surrounding  
16 land uses and provides appropriate transitions and buffers to lower-intensity  
17 uses nearby; procedures for review and decision of applications related to  
18 land use and development in Part 6; and definitions and acronyms in Part 7;  
19 and

20 WHEREAS, the IDO requires the City to submit proposed changes on an  
21 annual basis to further the implementation of the Comp Plan (§14-16-6-3); and

22 WHEREAS, Planning staff compiled proposed amendments that would  
23 improve the clarity and implementation of the IDO based on challenges in  
24 applying new regulations and neighborhood protections in real-world contexts  
25 with real-world projects; and

26 WHEREAS, other proposed amendments to IDO text would establish a new  
27 regulatory intent responding to changes in market demands for housing and  
28 business needs as well as other current trends; and

29 WHEREAS, the City understands that predictability of zoning and  
30 compatibility of land use and zoning are essential in order to maintain and  
31 strengthen economic value and viability for property owners and businesses,  
32 and to ensure appropriate and adequate protections for neighboring  
33 properties; and

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1       **WHEREAS, the IDO establishes the procedure for adopting and amending**  
2       **small area regulations where different regulations are needed to achieve the**  
3       **character of development in a particular area that differs from results intended**  
4       **from citywide regulations; and**

5       **WHEREAS, the Planning Department submitted two applications for**  
6       **Amendment to IDO Text – for citywide and small areas – that met all the**  
7       **application requirements; and**

8       **WHEREAS, the IDO requires Amendments to IDO Text to be reviewed by**  
9       **the Environmental Planning Commission (EPC) and decided by City Council**  
10       **as the City’s zoning authority (§14-16-6-7(D)); and**

11       **WHEREAS, the City provided all required notice for an Amendment to IDO**  
12       **Text, including publishing a legal ad in the Albuquerque Journal, mailing two**  
13       **representatives of each neighborhood organization registered with the Office**  
14       **of Neighborhood Coordination (ONC), and posting notice on the Planning**  
15       **Department website and on the project website; and**

16       **WHEREAS, the City provided additional notice with announcements on the**  
17       **Planning Department webpage, and email notice sent to approximately 10,000**  
18       **subscribers to the ABC-Z project update email list on December 9, 2020 and**  
19       **January 29, 2021; and**

20       **WHEREAS, the Amendment to IDO Text – Citywide is to be reviewed and**  
21       **decided as a legislative action; and**

22       **WHEREAS, though a neighborhood meeting is not required for an**  
23       **Amendment to IDO Text - Citywide, Planning staff held two open houses on**  
24       **the proposed IDO Annual Update text amendments in 2020 to present**  
25       **proposed changes, respond to questions, and gather feedback; and**

26       **WHEREAS, the Amendment to IDO Text – Small Area is to be reviewed and**  
27       **decided as a quasi-judicial action; and**

28       **WHEREAS, offer of a neighborhood meeting is required for an Amendment**  
29       **to IDO Text – Small Area, and Planning staff held 2 neighborhood meetings in**  
30       **2020 and also held a series of 12 public meetings and 4 open houses on the**  
31       **proposed small area IDO text amendments in 2019 to present proposed**  
32       **changes, respond to questions, and gather feedback; and**

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1       **WHEREAS, the EPC found that the proposed amendments would further a**  
2       **preponderance of adopted City policies; and**

3       **WHEREAS, the EPC voted to send a recommendation of APPROVAL to the**  
4       **City Council with findings and recommended conditions that are in the official**  
5       **record; and**

6       **WHEREAS, Planning staff has incorporated the proposed amendments**  
7       **along with the EPC recommended conditions of approval for both applications**  
8       **into a single redline draft for review by City Council.**

9       **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**  
10       **ALBUQUERQUE:**

11       **SECTION 1. The IDO text is amended as shown in Exhibit 1 (Redline Draft).**

12       **SECTION 2. Commercial on-site cannabis consumption is prohibited in all**  
13       **zones until regulations promulgated by the State become effective, in which**  
14       **case all other City provisions regarding on-site consumption not prohibited by**  
15       **state regulation will become effective.**

16       **SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,**  
17       **clause, word or phrase of this ordinance is for any reason held to be invalid or**  
18       **unenforceable by any court of competent jurisdiction, such decision shall not**  
19       **affect the validity of the remaining provisions of this ordinance and each**  
20       **section, paragraph, sentence, clause, word, or phrase thereof irrespective of**  
21       **any provision being declared unconstitutional or otherwise invalid.**

22       **SECTION 4. EFFECTIVE DATE AND PUBLICATION. This ordinance shall**  
23       **take effect one month after publication by title and general summary.**  
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1 PASSED AND ADOPTED THIS 17<sup>th</sup> DAY OF June, 2021  
2 BY A VOTE OF: 6 FOR 3 AGAINST.

3  
4 For: Bassan, Benton, Davis, Gibson, Harris, Jones

5 Against: Borrego, Peña, Sena  
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10 Cynthia D. Borrego, President  
11 City Council  
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15 APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021  
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18 Bill No. O-21-60  
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24 Timothy M. Keller, Mayor  
25 City of Albuquerque  
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28 ATTEST:  
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31 Ethan Watson, City Clerk  
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