

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

0-2021-018

CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO:

Timothy M. Keller, Mayor

FROM:

Chris Melendrez, Acting Director of Council Services

SUBJECT: Transmittal of Legislation

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.

CPM:mh **Attachment**

CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

ENACTMENT NO. 0-2021-018 COUNCIL BILL NO. O-21-60 SPONSORED BY: Isaac Benton and Trudy E. Jones 1 **ORDINANCE** ADOPTING TEXT AMENDMENTS TO THE INTEGRATED DEVELOPMENT 2 3 ORDINANCE §14-16 FOR THE 2020 IDO ANNUAL UPDATE; INCLUDING TEXT 4 AMENDMENTS FOR SMALL MAPPED AREAS. 5 WHEREAS, the City Council, the Governing Body of the City of 6 Albuquerque, has the authority to adopt and amend plans for the physical development of areas within the planning and platting jurisdiction of the City 7 8 authorized by statute, Section 3-19-3, NMSA 1978, and by its home rule 9 powers; and 10 WHEREAS, the City's zoning powers are established by the City charter, in 11 which: Article I, Incorporation and Powers, allows the City to adopt new Bracketed/Underscored Material - New 12 regulatory structures and processes to implement the Albuquerque-Bernalillo 13 County Comprehensive Plan ("Comp Plan") and help guide future legislation; Bracketed/Strikethrough Material 14 Article IX, Environmental Protection, empowers the City to adopt regulations 15 and procedures to provide for orderly and coordinated development patterns 16 and encourage conservation and efficient use of water and other natural 17 resources; and Article XVII, Planning, establishes the City Council as the 18 City's ultimate planning and zoning authority; and 19 WHEREAS, the City Council adopted an updated Albuquerque-Bernalillo County Comprehensive Plan ("ABC Comp Plan") in 2017 via R-16-108 20 (Enactment No. R-2017-026), including an updated community vision that is 21 22 based on a Centers and Corridors approach to growth; and WHEREAS, the 2017 ABC Comp Plan adopted an updated Centers and 23 Corridors map that establishes boundaries for the Centers; designates priority 24 25 for transportation modes on certain Corridors; and identifies Downtown, 26 Urban Centers, Activity Centers, Premium Transit Corridors, Major Transit

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properties; and

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

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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•	WILKEAS, the EFC 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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