)-2018-6

CITY OF ALBUQUERQUE **CITY COUNCIL**

4/10/18

INTEROFFICE MEMORANDUM

TO:

Timothy M. Keller, Mayor

FROM:

Jon K. Zaman, Director of Council Services

SUBJECT: Transmittal of Legislation

Transmitted herewith is <u>Bill No. O-18-11</u> Adopting Amendments To The Integrated Development Ordinance (IDO) And Repealing Or Rescinding Sections Of The Code Of Ordinances That Have Been Integrated Into The IDO (Benton, Jones), which was passed at the Council meeting of April 2, 2018 by a vote of 9 FOR AND 0 AGAINST.

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

JKZ:mh **Attachment** MISSER SO PH 2: 01



City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Trina Gurule, Acting City Clerk

Interoffice Memorandum

April 24, 2018

To:

CITY COUNCIL

From:

TRINA GURULE, ACTING CITY CLERK

Subject:

BILL NO. O-18-11; ENACTMENT NO. O-2018-009

I hereby certify that on April 20, 2018, the Office of the City Clerk received Bill No. O-18-11 as signed by the president of the City Council, Ken Sanchez. Enactment No. O-2018-009 was passed at the April 02, 2018 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-18-11.

Sincerely,

Trina Gurule Acting City Clerk

CITY of ALBUQUERQUE TWENTY THIRD COUNCIL

COUNCIL BILL NO. 0-18-11 **ENACTMENT NO.** SPONSORED BY: Isaac Benton and Trudy E. Jones 1 **ORDINANCE** 2 ADOPTING AMENDMENTS TO THE INTEGRATED DEVELOPMENT 3 ORDINANCE (IDO) AND REPEALING OR RESCINDING SECTIONS OF THE 4 CODE OF ORDINANCES THAT HAVE BEEN INTEGRATED INTO THE IDO. 5 WHEREAS, the City Council adopted the Integrated Development 6 Ordinance (IDO) via O-17-49 on November 13, 2017; and WHEREAS, section 52 of O-17-49 enacted a six-month delay of the IDO 7 8 becoming effective, making the effective date of the document May 17, 2018; 9 and 10 WHEREAS, section 52 of O-17-49 stated that amendments made to the IDO 11 prior to May 17, 2018 may be heard directly by the full City Council or by a Bracketed/Underscored Material] - New 12 committee of the Council rather than first being referred to the Environmental 13 Planning Commission; and Bracketed/Strikethrough Material] 14 WHEREAS, from the time of adoption the City Planning Department staff 15 and City Council staff has been reviewing the IDO with the public and City 16 staff to identify errors or omissions in the text as it was adopted on November 17 13, 2017; and 18 WHEREAS, for purposes of this legislation, "Exhibit A" is the IDO as it was 19 adopted by the City Council; and 20 WHEREAS, "Exhibit 1" to this ordinance contains a spreadsheet of 21 amendments to Exhibit A that are technical in nature; and 22 WHEREAS, "Exhibit 2" to this ordinance contains amendments to Exhibit A 23 related to regulations in the EDo Character Protection Overlay (CPO) and the

EDo Historic Protection Overlay (HPO); and

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1	WHEREAS, "Exhibit 3" to this ordinance contains amendments to Exhibit A
2	related to fees to add a fee sheet to the IDO where there would otherwise not
3	be any information on fees related to planning and zoning requests; and
4	WHEREAS, "Exhibit 3" does not raise fees related to planning and zoning
5	requests, but rather carries them over as they exist in the City's Code of
6	Ordinances today; and
7	WHEREAS, "Exhibit 3" outlines new fees related to processes in the IDO
8	that did not exist in today's zoning code, however these new fees were
9	determined based upon similar fees associated with procedures from today's
10	zoning code; and
11	WHEREAS, "Exhibit 4" to this ordinance contains amendments to Exhibit A
12	related to the City's sign regulations; and
13	WHEREAS, "Exhibit 5" to this ordinance contains amendments to Exhibit A
14	related to the City's Front Yard Parking regulations; and
15	WHEREAS, the two sections the ordinance seeks to repeal have been
16	incorporated into the IDO and therefor do not need to exist as standalone
17	ordinances.
18	BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
19	ALBUQUERQUE:
20	Section 1. The City hereby repeals ROA 1994 §13-11-6 STANDARDS for
21	Methadone Clinics.
22	Section 2. The City hereby repeals ROA 1994 §9-15-5 STANDARDS for
23	Syringe Exchange Facility Locations.
24	Section 3. The City hereby adopts the amendments to the Integrated
25	Development Ordinance.
26	Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
27	clause, word or phrase of this ordinance is for any reason held to be invalid or
28	unenforceable by any court of competent jurisdiction, such decision shall not
29	affect the validity of the remaining provisions of this ordinance. The Council
30	hereby declares that it would have passed this ordinance and each section,
31	paragraph, sentence, clause, word or phrase thereof irrespective of any
32	provisions being declared unconstitutional or otherwise invalid.

	1	Section 5. COMPILATION. The amendments set forth in Sections 1 through
	2	3 above shall amend, be incorporated in and made part of the Revised
	3	Ordinances of Albuquerque, New Mexico, 1994.
	4	Section 6. EFFECTIVE DATE. This ordinance shall take effect five days after
	5	publication by title and general summary.
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