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1 WHEREAS, the Comp Plan is the Rank 1 Plan for the City of Albuquerque
2 and unincorporated Bernalillo County to set out a community vision, goals
3 and policies, and implementation actions; and

4 WHEREAS, the City Council amended the boundary of the 2025 Downtown
5 Metropolitan Redevelopment Area (MRA) to include the former McClellan Park
6 MRA, Railroad MRA, and the two subject sites (R-25-123) in order to facilitate
7 higher-density residential development and mixed-use development and help
8 respond to the need for housing as analyzed in the Albuquerque Region
9 Housing Needs Assessment (2024); and

10 WHEREAS, the City Charter, Albuquerque/Bernalillo County
11 Comprehensive Plan, the Integrated Development Ordinance (IDO), Downtown
12 2025 Metropolitan Redevelopment Area, as amended (R-25-123), and
13 Albuquerque Region Housing Needs Assessment are incorporated herein by
14 reference and made part of the record for all purposes; and

15 WHEREAS, the intent of the request is to proactively facilitate the
16 development of higher-density residential development in this area,
17 specifically the vacant property; and

18 WHEREAS, the current zoning does not allow residential development, and
19 a Zoning Map Amendment will be needed to allow residential or mixed-use
20 development in the future; and

21 WHEREAS, the Martineztown/Santa Barbara Character Protection Overlay
22 (CPO) zone (CPO-7) was established in 2017 with the adoption of the IDO; and

23 WHEREAS, the CPO-7 has a maximum building height of 26 feet for
24 residential and mixed-use zone districts, which is a significant impediment to
25 higher-density residential development and mixed-use development; and

26 WHEREAS, the subject sites are located on Lomas Blvd. NE in
27 southwestern portion of CPO-7 near the intersection of Broadway Blvd. NE
28 and Lomas Blvd. NE; and

29 WHEREAS, Lomas Blvd. is designated as a Major Transit Corridor by the
30 Comprehensive Plan and is the southern boundary of CPO-7; and

31 WHEREAS, the subject sites are located within the Central ABQ
32 Community Planning Area (CPA), as designated by the Comprehensive Plan;
33 and

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1 WHEREAS, the subject sites are within an Area of Change as designated by
2 the Comprehensive Plan, and Areas of Change include Centers, Corridors, and
3 Metropolitan Redevelopment Areas, where new development and
4 redevelopment are desired and appropriate; and

5 WHEREAS, Areas of Change are intended to be the focus of urban-scale
6 development that benefits job growth and housing opportunities.

7 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
8 ALBUQUERQUE:

9 SECTION 1. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE TO
10 CHANGE THE BOUNDARY OF THE MARTINEZTOWN/SANTA BARBARA CPO –
11 7 TO REMOVE ALL OR A PORTION OF TWO PARCELS (THE “SUBJECT
12 SITES”).

13 A. Tract A-1 Plat of Tract A-1, B-1 & B-2 Slade-Olson Subdivision
14 (Comprising of Lots 1, 2, 3 Block A, K. W. Phillips Addition Tract A, located at
15 229 Broadway Blvd. NE, comprised of approximately 2.8 acres.

16 B. Tract B Slade-Olsen Tract 195A2, Tract 202A & Tract 203A MRGCD
17 Map 37); Map 37 Tract 196, located at 101 Lomas Blvd. NE, comprised of
18 approximately 1.0 acre.

19 SECTION 2. ADOPT FINDINGS SUPPORTING THE COMP PLAN
20 AMENDMENT.

21 1. The request is for a Text Amendment to the Integrated Development
22 Ordinance (IDO) for a Small Area in coordination with the Biennial IDO update
23 (TA-2025-00002) required by IDO § 14-16-6-3(D). The proposed text amendment
24 affects the Martineztown/Santa Barbara Character Protection Overlay zone
25 (CPO-7, the “subject area”) as established in IDO § 14-16-3-4(H).

26 2. The proposed amendment would change the boundary of the
27 Martineztown/Santa Barbara CPO-7 to remove all or a portion of two parcels
28 (the “subject sites”):

29 A. Tract A-1 Plat of Tract A-1, B-1 & B-2 Slade-Olson Subdivision
30 (Comprising of Lots 1, 2, 3 Block A, K. W. Phillips Addition Tract A, located at
31 229 Broadway Blvd. NE, comprised of approximately 2.8 acres.

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1 **B. Tract B Slade-Olsen Tract 195A2, Tract 202A & Tract 203A MRGCD**
2 **Map 37); Map 37 Tract 196, located at 101 Lomas Blvd. NE, comprised of**
3 **approximately 1.0 acre.**

4 **3. The parcel at 229 Broadway Blvd. NE is a vacant lot, and the parcel at**
5 **101 Lomas Blvd. NE is an existing restaurant with a drive-through.**

6 **4. The EPC is hearing this case pursuant to IDO § 14-16-6-7(E), Amendment**
7 **to IDO Text – Small Area. The EPC’s role is to review the proposed changes**
8 **and make a recommendation to the City Council. As the City’s Planning and**
9 **Zoning Authority, the City Council will make the final decision. This is a quasi-**
10 **judicial matter.**

11 **5. The City Charter, Albuquerque/Bernalillo County Comprehensive Plan,**
12 **the City of Albuquerque Integrated Development Ordinance (IDO),**
13 **Albuquerque Region Housing Needs Assessment, and Downtown 2025**
14 **Metropolitan Redevelopment Area, as amended (R-25-123), are incorporated**
15 **herein by reference and made part of the record for all purposes.**

16 **6. The intent of the request is to proactively facilitate the development of**
17 **high-density residential uses in this area, specifically the vacant site.**
18 **Currently, the zoning doesn’t allow residential development, but the applicant**
19 **intends to submit a Zoning Map Amendment to change the zoning to allow**
20 **residential or mixed-use development in the future.**

21 **7. The Martineztown/Santa Barbara CPO-7 was established in 2017 as one**
22 **of 13 Character Protection Overlay (CPO) zones. The subject sites are located**
23 **in southwestern portion of CPO-7 near the intersection of Broadway Blvd. NE**
24 **and Lomas Blvd. NE. Lomas Blvd. is a Major Transit Corridor as designated by**
25 **the Comprehensive Plan and is the southern boundary of CPO-7.**

26 **8. The subject sites are located within the Central ABQ Community**
27 **Planning Area (CPA) as designated by the Comprehensive Plan.**

28 **9. The subject sites border Lomas Blvd. NE and are within 660 feet of the**
29 **Lomas Blvd Major Transit Corridor.**

30 **10. The subject sites are within an Area of Change as designated by the**
31 **Comprehensive Plan. Areas of Change include Centers, Corridors, and**
32 **Metropolitan Redevelopment Areas, where new development and**
33 **redevelopment are desired and appropriate. Areas of Change are intended to**

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1 be the focus of urban-scale development that benefits job growth and housing
2 opportunities.

3 11. The request is consistent with the following Goals and Policies related
4 to Centers, Corridors, Complete Communities, Development, and Areas of
5 Change, Identity, and Design from Comprehensive Plan Chapter 5: Land Use.

6 A. GOAL 5.1 CENTERS & CORRIDORS: Grow as a community of strong
7 Centers connected by a multi-modal network of Corridors.

8 The subject sites border and are located within 660 feet of the Lomas Blvd
9 Major Transit Corridor. Although the subject sites are not within the
10 Downtown Center, they are directly adjacent to its eastern boundary. The text
11 amendment would continue to provide the opportunity for growth as a
12 community of strong Centers connected by a multi-modal network of
13 Corridors, which would be accessible to the surrounding area because the
14 subject sites would allow more flexible development options.

15 B. POLICY 5.1.10 MAJOR TRANSIT CORRIDORS: Foster corridors that
16 prioritize high frequency transit service with pedestrian-oriented development.

17 SUB-POLICY 5.1.10.a: Encourage higher-density residential developments
18 within ¼ mile of transit stops and stations.

19 This request would continue the momentum in encouraging higher-density
20 residential development near transit stops and stations because there are
21 approximately 14 bus stops within ¼ mile of the subject sites. These bus
22 routes run in all directions throughout Downtown and have connections to
23 other parts of the City. The request would be a step forward to ensure
24 development of residential uses with a higher maximum building height than
25 what would be allowed in CPO-7. New higher-density residential development
26 within ¼ mile of transit stops encourage opportunities for pedestrians to
27 access the transit system.

28 C. GOAL 5.2 COMPLETE COMMUNITIES: Foster communities where
29 residents can live, work, learn, shop, and play together.

30 POLICY 5.2.1 LAND USES: Create healthy, sustainable, and distinct
31 communities with a mix of uses that are conveniently accessible from
32 surrounding neighborhoods.

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1 SUB-POLICY 5.2.1.m: Encourage more productive use of vacant lots,
2 under-utilized lots, including surface parking lots.

3 This request for a small text amendment proactively initiates the steps to
4 develop the vacant site at 229 Broadway Blvd. NE because it will enable a
5 more productive use of this vacant and underutilized lot. By taking the steps
6 to prepare the vacant site for future development, it will likely foster complete
7 communities where residents can live, work, learn, shop and play together.

8 D. GOAL 5.6 CITY DEVELOPMENT AREAS: Encourage and direct
9 growth to Areas of Change where it is expected and desired and ensure that
10 development in and near Areas of Consistency reinforces the character and
11 intensity of the surrounding areas. The subject sites are located in Areas of
12 Change, where growth is encouraged, directed, expected, and desired. The
13 site at 229 Broadway Blvd. NE is vacant, directly east of the Downtown Center
14 and completely surrounded by Areas of Change. Removing the two parcels
15 from the CPO-7 boundary would encourage facilitation of high-density
16 residential development on the vacant site. This vacant site is a prime location
17 for development because of its location and its proximity to the Downtown
18 Center. This request to remove the subject sites from CPO-7 would create
19 opportunity for direct growth on a vacant site next to the other subject site at
20 101 Lomas Blvd. NE with an active existing use in an Area of Change.

21 E. POLICY 5.6.2 AREAS OF CHANGE: Direct growth and more intense
22 development to Centers, Corridors, industrial and business parks, and
23 Metropolitan Redevelopment Areas where change is encouraged.

24 The subject sites are in Areas of Change, and the text amendment would
25 facilitate the process to develop the subject site. In May 2025, City Council
26 approved an amendment to expand the Downtown 2025 Metropolitan
27 Redevelopment Area (MRA) boundary to include the McClellan Park and
28 Railroad Metropolitan Redevelopment Areas and properties at Lomas and
29 Broadway (R-25-123). The vacant site at 229 Broadway Blvd. NE is now part of
30 the MRA and is an ideal site for redevelopment. The request to remove the
31 subject sites from CPO-7 aligns with the amended boundaries of the MRA to
32 encourage more intense growth in the form of higher density residential
33 development.

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1 **SUB-POLICY 5.6.2.d: Encourage higher-density housing and mixed-use**
2 **development as appropriate land uses that support transit and commercial**
3 **and retail uses.**

4 **The small area text amendment would advance the housing objectives in**
5 **the Downtown 2025 MRA and the Albuquerque Region Housing Needs**
6 **Assessment. The ability to encourage higher-density residential development**
7 **on a vacant site (229 Broadway Blvd. NE) as an appropriate land use would be**
8 **accomplished by the rezoning of the site from NR-LM (Non-residential – Light**
9 **Manufacturing) to a residential or mixed-used zoning district. The location of**
10 **the vacant site is near transit and commercial retail uses which will be**
11 **advantageous for residents of any future residential and or mixed-use**
12 **development on the vacant site.**

13 **12. The request is consistent with the POLICY 8.1.1 DIVERSE PLACES:**
14 **Foster a range of interesting places and contexts with different development**
15 **intensities, densities, uses, and building scale to encourage economic**
16 **development opportunities, from Comprehensive Plan Chapter 8: Economic**
17 **Development.**

18 **The text amendment would encourage higher-density residential**
19 **development, fostering diversity in the Downtown 2025 MRA. Removing the**
20 **subject sites from the CPO-7 would allow the building scale of any future**
21 **residential development to be higher than the current 26 feet maximum**
22 **building height limit in residential and mixed-use zone districts on project**
23 **sites less than 5 acres [IDO § 14-16-3-4(H)(4)(a)]. Any future residential**
24 **development would encourage economic development opportunities by**
25 **having available housing downtown close to where people work.**

26 **13. The request is consistent with POLICY 9.3.1 CENTERS AND**
27 **CORRIDORS: Encourage higher-density, multi-unit housing and mixed-use**
28 **development in Downtown, Urban, Activity, and Village Centers, and along**
29 **Premium and Major Transit Corridors to capture growth, relieve development**
30 **pressure at the edge of the urban footprint, and maintain low densities in rural**
31 **areas, from Comprehensive Plan Chapter 9: Housing.**

32 **The small area text amendment would encourage higher-density, multi-unit**
33 **housing development along the Lomas Blvd Major Transit Corridor, where**

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1 such growth is desired. The subject sites are within the Downtown 2025 MRA
2 and just east of the Downtown Center. Any future high-density development
3 such as residential and or mixed-use on the vacant site at 229 Broadway Blvd.
4 NE is anticipated to encourage and capture growth Downtown.

5 14. The proposed small area text amendment meets the review and
6 decision criteria for Amendment to IDO Text – Small Area in IDO Subsection
7 14-16-6-7(E)(3)(a-e).

8 A. Criterion 14-16-6-7(E)(3)(a) The proposed small area amendment is
9 consistent with the health, safety, and general welfare of the City as shown by
10 furthering (and not being in conflict with) a preponderance of applicable Goals
11 and Policies in the ABC Comp Plan, as amended, and other applicable plans
12 adopted by the City.

13 As previously shown in responses to applicable Goals and Policies, the
14 proposed small area amendment is consistent with the health, safety, and
15 general welfare of the City as shown by furthering (and not being in conflict
16 with) a preponderance of applicable Goals and Policies in the ABC Comp Plan,
17 as amended. The request would create a boundary that is identical to the
18 approved MRA and provide incentive for the vacant subject site to be
19 developed.

20 Applicable citations: Goal 5.1 Centers & Corridors, Policy 5.1.10 Major
21 Transit Corridors, Policy 5.1.10.a Centers & Corridors, Goal 5.2 Complete
22 Communities, Policy 5.2.1 Land Uses, Sub-policy 5.2.1.m, Goal 5.6 City
23 Development Areas, Policy 5.6.2 Areas of Change, Sub-policy 5.6.2.d, Policy
24 8.1.1 Diverse Places, Policy 9.3.1 Centers and Corridors.

25 B. Criterion 14-16-6-7(E)(3)(b) If the proposed small area amendment is
26 located partially or completely in an Area of Consistency (as shown in the
27 ABC Comp Plan, as amended), the applicant must demonstrate that the
28 proposed amendment would clearly reinforce or strengthen the established
29 character of the surrounding Area of Consistency and would not allow
30 development that is significantly different from that character. The applicant
31 must also demonstrate that the existing zoning regulations are inappropriate
32 because they meet any of the following criteria:

1 1. There has been a significant change in neighborhood or community
2 conditions affecting the small area.

3 2. The proposed zoning regulations are more advantageous to the
4 community as articulated by the ABC Comp Plan, as amended (including
5 implementation of patterns of land use, development density and intensity,
6 and connectivity), and other applicable adopted City plan(s).

7 The subject site is located wholly in an Area of Change, so this criterion
8 does not apply.

9 C. Criterion 14-16-6-7(E)(3)(c) If the proposed small area amendment is
10 located wholly in an Area of Change (as shown in the ABC Comp Plan, as
11 amended), the applicant must demonstrate that the existing zoning
12 regulations are inappropriate because they meet at least one of the following
13 criteria:

14 1. There has been a significant change in neighborhood or community
15 conditions affecting the small area that justifies this request.

16 2. The proposed zoning regulations are more advantageous to the
17 community as articulated by the ABC Comp Plan, as amended (including
18 implementation of patterns of land use, development density and intensity,
19 and connectivity), and other applicable adopted City plan(s).

20 The location is wholly in an area of change. The small area amendment
21 meets Criterion 1 because the vacant site conditions changed in the
22 community. The vacant site was a former detention pond and was filled in
23 when the need for it was eliminated because of a new pump station across
24 Broadway Blvd. NE. The vacant property has been utilized for many temporary
25 uses and was recently included in the amended MRA boundaries. The MRA
26 has plans that align with the Albuquerque Region Housing Needs Assessment
27 and has designated this area for more housing. Removing the subject sites
28 could be more advantageous to the community by enabling the vacant site to
29 be developed without the building height restrictions of CPO-7.

30 The request also meets Criterion 2 because the applicant's policy-based
31 analysis demonstrates the request would further a preponderance of
32 applicable Comprehensive Plan Goals and Policies from Chapters 5: Land
33 Use, Chapter 8: Economic Development, and Chapter 9: Housing of the ABC

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1 Comp Plan, therefore would be more advantageous to the community than
2 remaining in the CPO-7 boundary. The applicant also provided responses to
3 the analysis based on the goals and policies of the Comprehensive Plan and
4 the MRA and Housing Needs Assessment relative to the request.

5 D. Criterion 14-16-6-7(E)(d) If the proposed amendment changes
6 allowable uses, the proposed amendment does not allow permissive uses that
7 would be harmful to adjacent property, the neighborhood, or the community,
8 unless the Use-specific Standards in Section 16-16-4-3 associated with that
9 use will adequately mitigate those harmful impacts.

10 The proposed amendment will not change allowable uses or allow
11 permissible uses that would be harmful to the community because the NR-LM
12 zoning is to remain on the subject sites. Any future rezoning action after the
13 removal of the subject sites from the CPO-7 would be to downzone to allow
14 residential development on the vacant site. Any future rezoning would be
15 subject to a separate EPC review and decision pursuant to IDO § 14-16-6-7(G).

16 E. Criterion 14-16-6-7(E)(3)(e) The applicant’s justification is not based
17 completely or predominantly on the cost of land or economic considerations.

18 Economic considerations or cost of land are not factors, and the
19 applicant’s justification is not based upon them. Rather, the applicant has
20 adequately demonstrated that the request furthers a preponderance of
21 applicable Comprehensive Plan goals and policies and does not conflict with
22 them. The request to remove the subject sites from the CPO-7 boundaries
23 would enable the building height standards on vacant subject site to be less
24 restrictive and more aligned with the MRA and any future high-density
25 residential development on the site.

26 15. Council Planning staff and the District 2 Policy Analyst met with the
27 Martineztown/Santa Barbara Neighborhood Association on September 9, 2025,
28 to discuss their concerns, which included not being engaged before the
29 amendment was submitted, potentially losing Gross Receipt Tax revenue from
30 future MRA plans, and displacement caused by future development. When the
31 Neighborhood questioned why a variance would not work to get around the
32 height restrictions, staff explained that variances should be avoided, as it
33 means that a regulation is wrong or broken and that the boundary amendment

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1 was a more appropriate approach. Council staff explained that this
2 amendment does not affect the boundary of the Downtown Metropolitan
3 Redevelopment Area, which was recently amended (R-25-123), to also include
4 the subject sites.

5 16. The Martineztown/Santa Barbara Neighborhood Association (NA) sent
6 emails to the Councilor, Council Planning Staff, and Planning Staff opposing
7 the text amendment and requested the amendment be deferred to a future
8 hearing to allow time for a facilitated meeting with City Council Planning Staff.
9 Planning Staff responded via email to their concerns on October 10, 2025, and
10 informed the NA that a request for a facilitated meeting is not required for this
11 application type [IDO 14-16-6-4(K)] and the applicant can choose not to accept.
12 In this case, the applicant already held a neighborhood meeting with the NA.

13 17. The City Planning Department referred the case for Agency comments.

14 A. The Department of Municipal Development, Transportation Section
15 commented that per the City of Albuquerque Vision Zero Year-in-
16 Review/Action Plan Update (Action Plan): less than a 1,500-foot radius from
17 the Lomas and Broadway intersection are designated roads that are part of the
18 City’s Prioritized High Fatal and Injury Network (HFIN). Zoning that supports
19 land use for increased multimodal and transit-oriented development is an
20 important component to help work toward the City’s Vision Zero goal because
21 it supports the creation of more transportation options in addition to private
22 automobile travel.

23 B. AMAFCA commented that there is an existing agreement between
24 AMAFCA and the City of Albuquerque regarding this site (Martineztown Flood
25 Relief Agreement for Acquisition and Construction of the Post Office Interim
26 Stormwater Detention Pond dated October 28, 2008) and AMAFCA is a joint
27 legal owner of this property. The terms of that agreement (including use or
28 quitclaim of AMAFCA interest in the property) are still valid and coordination
29 between AMAFCA and the City of Albuquerque on this property is required.

30 18. Neighborhood Association representatives within 660 feet of the
31 subject area were notified as required.

32 19. Property owners within 100 feet of the subject sites and subject area
33 were notified by the applicant, as required. One letter of support was received.

1 **20. The applicant was not required to offer a tribal meeting, and the City**
2 **was not required to refer the case for tribal comments. The subject area is not**
3 **within 660 feet of Major Public Open Space or tribal land.**

4 **SECTION 3. SEVERABILITY. If any section, paragraph, clause, word, or**
5 **provision of this Ordinance shall for any reason be held to be invalid or**
6 **unenforceable by any court of competent jurisdiction, such decision shall not**
7 **affect the validity of the remaining provisions of this Ordinance.**

8 **SECTION 4. COMPILATION. Sections 1, 2, and 3 of this Ordinance shall be**
9 **incorporated in and made part of the Revised Ordinances of Albuquerque,**
10 **New Mexico, 1994.**

11 **SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect after**
12 **publication by title and general summary upon the sooner of the effective date**
13 **of the 2025 IDO Update or July 1, 2026.**

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