

# CITY of ALBUQUERQUE

## TWENTIETH COUNCIL

COUNCIL BILL NO. O-13-63

ENACTMENT NO. 0-2014-009

SPONSORED BY: Trudy E. Jones

### ORDINANCE

1 AMENDING CHAPTER 14, ARTICLE 16, PART 4, SECTION 4(A)(2) ROA 1994 TO  
2 REMOVE THE EXCEPTION IN THE APPEALS PROCESS THAT REQUIRES  
3 ZONE MAP AMENDMENTS TO BE HEARD ONLY BY THE CITY COUNCIL AND  
4 NOT BY THE LAND USE HEARING OFFICER.

5 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
6 ALBUQUERQUE:

7 SECTION 1. Section 14-16-4-4(A)(2) ROA 1994 is amended as follows:

8 (2) Appeal of the following actions is to the City Council through  
9 the Land Use Hearing Officer:

10 (a) Any action which is authorized by the Zoning Code and is  
11 made by the Planning Commission;

12 (b) Denial of an application for the HO Historic Overlay Zone or  
13 UCO Urban Conservation Overlay Zone by the Landmarks and Urban  
14 Conservation Commission;

15 (c) A decision on a special use permit by the Landmarks and  
16 Urban Conservation Commission;

17 (d) Appeals of a decision of the Board of Appeals; and  
18 (e) Appeals of a decision of the Development Review Board."

19 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
20 clause, word or phrase of this ordinance is for any reason held to be invalid  
21 or unenforceable by any court of competent jurisdiction, such decision shall  
22 not affect the validity of the remaining provisions of this ordinance. The  
23 Council hereby declares that it would have passed this ordinance and each  
24 section, paragraph, sentence, clause, word or phrase thereof irrespective of  
25 any provision being declared unconstitutional or otherwise invalid.

1       **SECTION 3. COMPILATION.** The ordinance amendment prescribed by  
2       **SECTION 1** shall be incorporated in and made part of the Revised Ordinances  
3       of Albuquerque, New Mexico, 1994.

4       **SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect five days  
5       after publication by title and general summary.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

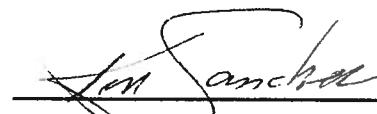
1 PASSED AND ADOPTED THIS 21<sup>st</sup> DAY OF April 2014  
2 BY A VOTE OF: 7 FOR 0 AGAINST.

3

4 Excused: Lewis, Winter

5

6

7   
8 Ken Sanchez, President

9

City Council

10

11

12

13

14

15

16

17

Bill No. O-13-63

18

19

20

21

22

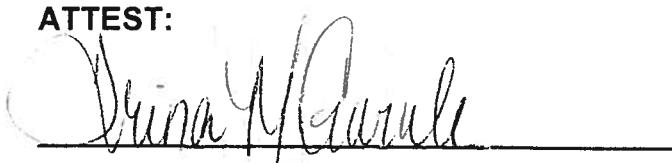
23

24

25

26

ATTEST:

  
Richard J. Berry, Mayor

27

28

29

30

31

32

33

[+ Bracketed/Underlined Material] - New  
[- Bracketed/Strikethrough Material] - Deletion

Trina M. Gurule, Acting City Clerk