




TIMOTHY M. KELLER, MAYOR

CITY OF ALBUQUERQUE
OFFICE OF THE MAYOR/ CHIEF ADMINISTRATIVE OFFICE

INTEROFFICE MEMORANDUM

TO: CITY COUNCIL

FROM: TIMOTHY M. KELLER, MAYOR 

SUBJECT: VETO OF O-22-33, AMENDING §14-16 THE INTEGRATED DEVELOPMENT
ORDINANCE TO REMOVE ALL REFERENCES TO SAFE OUTDOOR SPACES (BASSAN)

DATE: DECEMBER 16, 2022

This action marks the third time this year I have received similar legislation designed to remove a small tool from the city's options for helping our unsheltered population and making our community safer. The case has never been made that Safe Outdoor Spaces would be an overall solution to homelessness, rather, that Albuquerque does need the flexibility to try every tool that can make a difference, improve safety, and help the most vulnerable among us.

I hope that this corresponding third veto, will be an opportunity for Council to move on from this old, and repetitive debate that has been an unfortunate diversion from needed discussion on meaningful ways we can move our city forward. Our Albuquerque community urgently wants solutions, not roadblocks and repetitive debate.

The fact remains that there are a small number of Safe Outdoor Spaces that have been granted permits to operate in our city. As I mentioned in my veto of R-22-65, which sought to redirect funding for administrative oversight for Safe Outdoor Spaces, we must retain the ability to ensure appropriate security and staffing levels at these locations. Similarly, we must ensure that the Integrated

Development Ordinance, which governs our land use and zoning policy, is reflective of our current priorities. For these reasons, I am exercising my veto authority for O-22-33. My administration has been consistent in our commitment to asking for an all-of-the-above approach to fighting homelessness. In the coming year, I hope to work with City Council to reduce barriers to additional housing and bring the Gateway Center fully on-line to address the needs of unhoused residents. No mayor can solve these challenges on their own and I trust that Council will be a partner in our future attempts to address homelessness in our city.

CITY OF ALBUQUERQUE

CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Chris Melendrez, Director of Council Services

mb 12/9/22

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. O-22-33 Amending §14-16 The Integrated Development Ordinance To Remove All References To Safe Outdoor Spaces (Bassan), which was passed at the Council meeting of December 5, 2022, by a vote of 5 FOR AND 4 AGAINST.

For: Bassan, Grout, Lewis, Peña, Sanchez

Against: Benton, Davis, Fiebelkorn, Jones

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

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-22-33 ENACTMENT NO. _____

SPONSORED BY: Brook Bassan

1 **ORDINANCE**

2 **AMENDING §14-16 THE INTEGRATED DEVELOPMENT ORDINANCE TO**
3 **REMOVE ALL REFERENCES TO SAFE OUTDOOR SPACES.**

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

6 **SECTION 1. AMEND THE INTEGRATED DEVELOPMENT ORDINANCE**

7 **The Integrated Development Ordinance shall be amended as follows:**

- 8 1. Delete “Safe outdoor space” in the Use Table 4-2-1.
9 2. Delete all use-specific standards associated with Safe outdoor spaces in
10 §14-16-4-3(G) and any applicable use-specific standards in §14-16-4-3(C).
11 3. Delete “Safe outdoor space” in Table 5-5-1: Minimum Off-street Parking
12 Requirements.
13 4. Delete the definition of Safe Outdoor Space in §14-16-7.

14 **Any cross-references or other applicable provisions related to safe outdoor**
15 **spaces not listed above shall be removed from §14-16.**

16 **SECTION 2. 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 3. EFFECTIVE DATE AND PUBLICATION.** This ordinance shall
23 **take effect five days after publication by title and general summary.**

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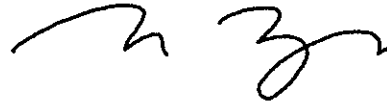
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1 PASSED AND ADOPTED THIS 5th DAY OF December, 2022
2 BY A VOTE OF: 5 FOR 4 AGAINST.

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4 For: Bassan, Grout, Lewis, Peña, Sanchez

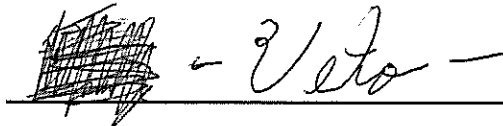
5 Against: Benton, Davis, Fiebelkorn, Jones
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9 _____
10 Isaac Benton, President
11 City Council

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13 APPROVED THIS 16 DAY OF December, 2022
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17 Bill No. O-22-33
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21 Timothy M. Keller, Mayor
22 City of Albuquerque
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25 ATTEST:
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29 Ethan Watson, City Clerk
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