CITY of ALBUQUERQUE
TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. O-26-65 ENACTMENT NO. _____

SPONSORED BY: Brook Bassan

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ORDINANCE

REMOVING § 14-16-6-3(D) BIENNIAL UPDATES FROM THE INTEGRATED DEVELOPMENT ORDINANCE AND ADDING A NEW PROCESS FOR IDO UPDATES BY THE PLANNING DEPARTMENT AND ADDING TWO EFFECTIVE DATES ANNUALLY.

WHEREAS, the City adopted the Integrated Development Ordinance and repealed the former zoning code on November 13, 2017; and

WHEREAS, the originally adopted IDO contained the description of an Annual Update under § 6-3(D), requiring the Planning Department to submit a package of amendments to the EPC every year; and

WHEREAS, the Annual update was created in order to have a predictable process for the public and the Planning Department to make necessary amendments for cleaning up the newly adopted IDO, as well as proposing policy changes in the development, housing and planning industry; and

WHEREAS, during the 2023 Annual update, Council decided that an annual update was no longer needed and adopted the Biennial Update, where the Planning Department would bring forward the same type of amendment package to Council, but only once every two years in odd-numbered years; and

WHEREAS, during the first Biennial Update in 2025, the amendment package had doubled, bringing forth hundreds of amendments in a single package; and

WHEREAS, Councilors heard from members of the public regarding the size of the amendment package and how difficult it was to analyze the amount of amendments even after months of public education meetings; and

WHEREAS, this Ordinance looks to break down the size of the amendment package by splitting the purpose of the amendments into two different categories: Policy Implementation and Clean Up; and

WHEREAS, the goal of these categories is to split up the amendments that are generally proposed for internal Planning Department efficiencies from the policy-oriented amendments that tend to get more attention from the public and policy makers; and

WHEREAS, these two categories are proposed to come to Council on odd-numbered years, 6-months apart from each other; and

WHEREAS, Goal 5.7 Implementation Process of the City's Rank 1 Comprehensive Plan states "Employ procedures and processes to effectively and equitably implement the Comp Plan"; and

WHEREAS, Action 5.7.2.1 of the City's Rank 1 Comprehensive Plan states "Review and revise zoning codes to achieve a mix of land uses and housing options within market constraints"; and

WHEREAS, Action 5.7.2.14 of the City's Rank 1 Comprehensive Plan states "Simplify the zoning code and review process"; and

WHEREAS, Policy 5.7.5 Public Engagement of the City's Rank 1 Comprehensive Plan states, "Provide regular opportunities for residents and stakeholders to better understand and engage in the planning and development process"; and

WHEREAS, this Ordinance is being introduced in hopes of creating a more transparent and efficient process for updating the IDO for the public, policy makers and Planning Department staff.

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

SECTION 1. The Integrated Development Ordinance is hereby amended to create two effective dates and replace the Biennial update process with a framework of proposed amendments by the Planning Department into two separate applications in odd-numbered years.

1-5 EFFECTIVE DATE[S]

[1-5(A)] The effective date of this IDO shall be May 17, 2018.

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[1-5(B) All text amendments of the IDO shall become effective on the earlier of the following dates:

(1) July 1st.

(2) January 1st.]

6-3 THE PLANNING SYSTEM

~~[6-3(D) Biennial Updates to the IDO~~

~~The Planning Department shall prepare amendments to the text of this IDO to be submitted every other calendar year for an EPC hearing in October. Submittals shall occur in odd-numbered years. These amendments shall be reviewed and decided pursuant to § 14-16-6-7(D) (Amendment to IDO Text – Citywide) or § 14-16-6-7(E) (Amendment to IDO Text – Small Area), as applicable.~~

~~6-3(D)(2) The Planning Department shall compile these recommendations, perform analyses, revise recommendations as necessary, and submit proposed amendments that further applicable goals and policies of the ABC Comp Plan, as amended, as well as other City plans, and that protect the public health, safety, and welfare. Each proposed amendment shall include all of the following information:~~

~~6-3(D)(2)(a) The page of the IDO that the amendment would revise.~~

~~6-3(D)(2)(b) The section number and heading of the IDO that the amendment would revise.~~

~~6-3(D)(2)(c) A summary to explain the amendment's intent, origin, and need.~~

~~6-3(D)(3) Changes recommended by a Community Planning Area (CPA) assessment that has been accepted by City Council pursuant to § 14-16-6-3(E)(7) shall be submitted for consideration at this time.~~

~~6-3(D)(4) Notwithstanding the schedule for updates to the IDO in this § 14-16-6-3(D), the Planning Director may determine that an interim amendment to the text of this IDO shall be submitted~~

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~~for review and decision to prevent a significant threat to public health or safety.~~

~~6-3(D)(5) Within 90 days of the effective date of each update, the Planning Department shall provide presentations and/or trainings for relevant City boards and commissions.]~~

6-4(D) WHO CAN SUBMIT AN APPLICATION

6-4(D)(3) An application to amend the text of this IDO may be submitted by the City or any resident or property owner in the city.

6-4(D)(3)(a) City Council may adopt text amendments at any time.

1. **Such applications do not need to be submitted to the EPC for review and recommendation but may at the request of the sponsoring City Councilor.**
2. **These amendments do not require consideration beyond what is required for the City Council to adopt any ordinance[, except that no final action shall be taken on a bill proposing to amend the IDO without a public hearing at the Environmental Planning Commission, Land Use, Planning, and Zoning Committee, or City Council prior to the meeting at which final action is taken].**
3. **A sponsoring City Councilor is not required to automatically recuse themselves from applications they sponsor or sponsor by request.**

~~[4. No final action shall be taken on a bill proposing to amend the IDO without a public meeting prior to the meeting at which final action is taken.]~~

6-4(D)(3)(b) The Planning Department shall submit [applications for citywide text amendments for review and

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recommendation by the Environmental Planning Commission at least once every 2 years in odd-numbered years but no more than once every six months. Applications in each of the following categories shall be submitted as follows: ~~[to the text of this IDO pursuant to § 14-16-6-3(D) (Biennial Updates to the IDO).]~~

[1. The EPC shall review each proposed amendment for compliance with the categories set forth below. The EPC may strike any proposed amendment that does not comply with the applicable category and shall document and transmit the basis for striking the proposed amendment.]

[~~1~~][a]. Policy Implementation.

Any IDO text amendments proposed to further applicable goals and policies of the ABC Comp Plan, as amended, as well as other City reports, analyses, and plans, or that protect the public health, safety, and welfare shall be submitted as separate applications, with amendments grouped by substantive topic.

[~~2~~][b]. Clean Up.

Any IDO text amendments proposed to clarify language, address technical or legal challenges, or improve existing processes shall be submitted as a single application.]

[2. For each proposed amendment, the Planning Department shall include:

a. The page of the IDO that the amendment would revise.

b. The section number and heading of the IDO that the amendment would revise.

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c. A summary to explain the amendment's intent and need.]

[3. When the Planning Department submits proposed legislation to the City Council, the titles of the ordinances shall specify the category as either Policy Implementation or Clean Up. Additionally, the titles of all Policy Implementation ordinances shall reflect the specific substantive topic of the proposed amendments.]

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

SECTION 3. COMPILATION. SECTION 1 of this Ordinance is to amend Article 16 in Chapter 14 of the Revised Ordinances of Albuquerque, New Mexico, 1994, titled "Integrated Development Ordinance."

SECTION 4. EFFECTIVE DATE. This Ordinance takes effect January 1, 2027.

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