

CITY of ALBUQUERQUE

TWENTIETH COUNCIL

COUNCIL BILL NO. O-13-63 ENACTMENT NO. _____

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.

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