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1 development of areas within the planning and platting jurisdiction of the  
2 City authorized by statute, Section 3-19-3, NMSA 1978, and by its home rule  
3 powers; and

4 WHEREAS, the City’s zoning powers are established by the City charter,  
5 in which: Article I, Incorporation and Powers, allows the City to adopt new  
6 regulatory structures and processes to implement the Albuquerque-  
7 Bernalillo County Comprehensive Plan (“Comp Plan”) and help guide future  
8 legislation; Article IX, Environmental Protection, empowers the City to adopt  
9 regulations and procedures to provide for orderly and coordinated  
10 development patterns and encourage conservation and efficient use of  
11 water and other natural resources; and Article XVII, Planning, establishes  
12 the City Council as the City’s ultimate planning and zoning authority; and

13 WHEREAS, the City adopted a Planning Ordinance (§14-13-2) that  
14 established a ranked system of plans, with the jointly adopted Comp Plan as  
15 the Rank 1 plan that provides a vision, goals, and policies for the  
16 Albuquerque metropolitan area, including the entire area within the city’s  
17 municipal boundaries, Rank 2 plans that provide more detailed policies for a  
18 particular type of facility or a sub-area of the city in order to implement the  
19 Comp Plan, and Rank 3 plans that provide an even greater level of detail  
20 about an even smaller sub-area; and

21 WHEREAS, the City amended the Comp Plan in 2001 via R-01-344  
22 (Enactment No. 172-2001) to include a Centers and Corridors vision for  
23 future growth and development as recommended by the City’s Planned  
24 Growth Strategy (§14-13-1) in order to maintain a sustainable urban  
25 footprint and service boundary for infrastructure; and

26 WHEREAS, the City amended the Comp Plan in 2001 via R-01-343  
27 (Enactment No. 171-2001) to identify Community Planning Areas and  
28 provide goals and policies to protect and enhance distinct community  
29 identity in each area; and

30 WHEREAS, the City’s Comprehensive Zoning Code (“Zoning Code”),  
31 which is the primary implementation tool for the Comp Plan, has been  
32 amended piecemeal hundreds of times but has not been comprehensively  
33 updated since 1975; and

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1           WHEREAS, the Zoning Code has not been comprehensively updated to  
2 implement the Comp Plan’s Centers and Corridors approach to growth and  
3 development or community identity goals and policies for Community  
4 Planning Areas; and

5           WHEREAS, zoning codes typically have a lifespan of 20 years before a  
6 comprehensive update is needed; and

7           WHEREAS, the Zoning Code does not include integrated tools to  
8 address the unique needs of sub-areas or establish regulations to protect  
9 the character of built environments in particular sub-areas; and

10           WHEREAS, lower-ranked plans are intended to implement the Rank 1  
11 Comp Plan and supplement the Zoning Code by providing a greater level of  
12 detailed planning policy and/or land use and zoning regulations for sub-  
13 areas of the city; and

14           WHEREAS, the City has adopted six Rank 2 Facility Plans – for Arroyos  
15 (adopted 1986), for the Bosque (adopted 1993), for Major Public Open Space  
16 (adopted 1999), for the Electric System: Transmission & Generation (last  
17 amended in 2012), for Route 66 (adopted 2014), and for Bikeways & Trails  
18 (last amended in 2015) – to provide policy guidance and implementation  
19 actions for implementing departments; and

20           WHEREAS, Rank 2 Area Plans and Rank 3 Sector Development Plans  
21 have been created and adopted over the last 40 years for approximately half  
22 the area of the city; and

23           WHEREAS, the City has adopted five Rank 2 Area Plans – the Sandia  
24 Foothills Area Plan in 1983 (never amended), the Southwest Area Plan in  
25 1988, (last amended in 2002), the East Mountain Area Plan in 1992 (never  
26 amended), the North Valley Area Plan in 1993 (never amended), and the  
27 West Side Strategic Plan in 1997 (last amended in 2014) – that provide  
28 policy guidance about sub-areas to help implement the Comp Plan, yet  
29 three have not been amended since 2001, when the Comp Plan was  
30 amended to adopt a Centers and Corridors vision for future growth and  
31 development; and

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1           WHEREAS, the Southwest Area Plan and East Mountain Area Plan were  
2 jointly adopted with Bernalillo County, as the plan areas include land that is  
3 predominantly within the unincorporated County area; and

4           WHEREAS, the City has adopted over 50 Sector Development Plans –  
5 some of which include policies and some of which include tailored zoning,  
6 regulations, and approval processes for properties within the plan  
7 boundary; and

8           WHEREAS, approximately 51% of the adopted Rank 3 Sector  
9 Development Plans were adopted or amended after 2001, when the Comp  
10 Plan was amended to adopt a Centers and Corridors vision for future  
11 growth and development; and

12           WHEREAS, the City intended to update each Sector Development Plan  
13 every 10 years, but some have never been amended, some have been  
14 amended multiple times, and over half are now more than 10 years old; and

15           WHEREAS, the Code of Resolutions indicates that the City has adopted  
16 plans that the Planning Department cannot find, which may have been  
17 repealed or replaced in whole or in part, and there may be other adopted  
18 ranked plans that the Planning Department is no longer aware of and have  
19 not been listed on the Planning Department’s publication list; and

20           WHEREAS, approximately half the properties in the city have not had the  
21 benefit of long-range planning for specific sub-areas with trend analysis by  
22 staff or engagement by area stakeholders, which is an inequitable and  
23 untenable existing condition; and

24           WHEREAS, City staff and the budget have been restructured and  
25 allocated over the years in such a way as to no longer be adequate to  
26 maintain and update over 50 standalone Sector Development Plans, three  
27 Area Plans, and three Arroyo Corridor Plans, much less the additional plans  
28 that would be needed to provide an equal level of policy guidance and  
29 tailored regulations for the half of the city not currently covered by Rank 2  
30 Area Plans or Rank 3 Sector Development Plans; and

31           WHEREAS, the mix of policy and regulations in Rank 3 Plans has  
32 sometimes created confusion as to whether language is narrative, policy,  
33 and/or regulatory; and

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1 WHEREAS, the adopted Rank 3 Sector Development Plans have created  
2 over 235 unique SU-2 zones outside of the Zoning Code, many of which  
3 establish zone abbreviations unique to each plan; and

4 WHEREAS, there are enumerable SU-1 zones adopted for individual  
5 properties throughout the city totaling over 28,500 acres (almost 25% of the  
6 city’s total acreage); and

7 WHEREAS, the Zoning Code has 24 base zone districts, not including  
8 SU-1, SU-2, and SU-3 zones or overlay zones; and

9 WHEREAS, the City has struggled to administer and enforce all of these  
10 unique zones consistently over time; and

11 WHEREAS, the separation of land use and zoning regulation from the  
12 Zoning Code into multiple standalone plans has sometimes resulted in  
13 conflicting language and/or regulations being lost or overlooked by staff  
14 and decision-makers in the review/approval and enforcement processes,  
15 which are the primary responsibility of the Planning Department and the  
16 City Council as the ultimate land use and zoning authority; and

17 WHEREAS, some Rank 3 Sector Development Plans establish separate  
18 decision-making processes and/or criteria, which introduces an uneven  
19 playing field for development and inconsistent protections for  
20 neighborhoods and natural/cultural resources from area to area; and

21 WHEREAS, the City Council directed the City in April 2014 via R-14-46  
22 (Enactment No. R-2014-022) to update the Comp Plan *and the land*  
23 *development regulations intended to implement it*; and

24 WHEREAS, the City Planning Department and Council Services initiated  
25 a project in February 2015 called “ABC-Z” to update the Albuquerque-  
26 Bernalillo County Comprehensive Plan and develop an Integrated  
27 Development Ordinance (“IDO”) to help implement it in the city; and

28 WHEREAS, the public engagement process for ABC-Z offered a range of  
29 opportunities for input, discussion, and consensus-building with over 130  
30 workshops and public meetings, including daytime focus groups organized  
31 by topic, evening meetings with a more traditional presentation and  
32 question and answer session, “Comp Plan 101” and “Zoning 101” meetings,  
33 and periodic “Ask an Expert” zoning clinics; and

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1           WHEREAS, the project team spoke at over 100 meetings and local  
2 conferences by invitation of various stakeholders; and

3           WHEREAS, the project team staffed booths and passed out promotional  
4 material at community events and farmers markets to reach more people  
5 and a broader cross-section of the community and met with individuals and  
6 small groups during weekly office hours; and

7           WHEREAS, articles about the ABC-Z project appeared monthly in the  
8 City’s Neighborhood News, ads specifically for the proposed IDO were  
9 placed in print and social media, as well as on local radio stations, and the  
10 project team maintained a project webpage and a social media page on  
11 Facebook for the ABC-Z project; and

12           WHEREAS, the Planning Department has expended additional funds  
13 from its general operating budget, and the City Council also provided  
14 supplementary funds as part of a budget amendment in November 2015 (R-  
15 15-266, Floor Amendment 2, Enactment No. R-2015-113) that were  
16 subsequently used for additional paid advertising in print, radio, and social  
17 media, including Spanish-language media outlets, to reach a broader and  
18 more diverse audience; and

19           WHEREAS, the City Council adopted an updated Albuquerque-Bernalillo  
20 County Comprehensive Plan (“ABC Comp Plan”) on March 20, 2017 via R-  
21 16-108 (Enactment No. R-2017-026), including an updated community vision  
22 that is still based on a Centers and Corridors approach to growth; and

23           WHEREAS, the 2017 ABC Comp Plan adopted an updated Centers and  
24 Corridors map that establishes boundaries for the Centers; designates  
25 priority for transportation modes on certain Corridors; and identifies  
26 Downtown, Urban Centers, Activity Centers, Premium Transit Corridors,  
27 Major Transit Corridors, and Main Street Corridors as the Centers and  
28 Corridors that are intended to be walkable, with a mix of residential and  
29 non-residential land uses, and with higher-density and higher-intensity  
30 uses; and

31           WHEREAS, the 2017 ABC Comp Plan established a hierarchy of Centers  
32 and Corridors from the most to the least walkable, mixed-use, and dense,

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1 with Downtown, Urban Centers, Premium Transit Corridors , and Main Street  
2 Corridors all intended to be highly walkable, mixed-use, and dense; and

3 WHEREAS, the IDO, as a regulatory document that applies citywide, is  
4 the primary mechanism to implement the 2017 ABC Comp Plan for land  
5 within the municipal boundaries of the City of Albuquerque; and

6 WHEREAS, the IDO has been drafted to be consistent with and  
7 implement Comp Plan goals and policies; and

8 WHEREAS, the IDO’s stated purpose is to implement the 2017 ABC  
9 Comp Plan; ensure that all development in the City is consistent with the  
10 spirit and intent of other plans and policies adopted by City Council; ensure  
11 provision of adequate public facilities and services for new development;  
12 protect quality and character of residential neighborhoods; promote  
13 economic development and fiscal sustainability of the City; provide efficient  
14 administration of City land use and development regulations; protect health,  
15 safety, and general welfare of the public; provide for orderly and  
16 coordinated development patterns; encourage conservation and efficient  
17 use of water and other natural resources; implement a connected system of  
18 parks, trails, and open spaces to promote improved outdoor activity and  
19 public health; provide reasonable protection from possible nuisances and  
20 hazards and to otherwise protect and improve public health; and encourage  
21 efficient and connected transportation and circulation systems for motor  
22 vehicles, bicycles, and pedestrians; and

23 WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors  
24 map with a new Downtown Center designation as the most urban, walkable,  
25 dense, intense, and mixed-use Center in Albuquerque, with the same  
26 boundary as the adopted Rank 3 Downtown 2025 Sector Development Plan;  
27 and

28 WHEREAS, the IDO helps to implement the Downtown Center by carrying  
29 over and updating zoning regulations and design standards from the  
30 adopted Rank 3 Downtown 2025 Sector Development Plan as a mixed-use,  
31 form-based zone district (MX-FB-DT); and

32 WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors  
33 map with a new Center designation of Urban Centers – intended to be highly

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1 walkable, with mixed-use development and high-density, high-intensity uses  
2 – for Volcano Heights and Uptown, with the same boundaries as identified  
3 in the 2013 Comp Plan, which followed boundaries established by SU-2  
4 zoning in the adopted Rank 3 Volcano Heights and Uptown Sector  
5 Development Plans; and

6 WHEREAS, the IDO helps implement these Urban Centers by allowing  
7 additional building height and reducing parking requirements in these  
8 Centers; and

9 WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors  
10 map with a new Corridor designation of Premium Transit Corridors in order  
11 to prioritize transit service in the public right-of-way and encourage higher-  
12 density and mixed-use transit-oriented development that can support and  
13 be supported by transit service; and

14 WHEREAS, the IDO helps implement Premium Transit Corridors for  
15 which funding has been secured and transit station locations have been  
16 identified by allowing additional building height and reducing parking  
17 requirements within 660 feet (one-eighth of a mile, a distance of two typical  
18 city blocks, considered a 5-minute walk) of Premium Transit stations; and

19 WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors  
20 map with a new Corridor designation of Main Streets, intended to be  
21 pedestrian-oriented and encourage mixed-use and high-density residential  
22 development along them; and

23 WHEREAS, the IDO helps implement Main Street Corridors by allowing  
24 additional building height and reducing parking requirements on parcels  
25 within 660 feet (one-eighth of a mile, a distance of two typical city blocks,  
26 considered a 5-minute walk) of the centerline of Main Street Corridors; and

27 WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors  
28 map with a new Center designation of Activity Centers, intended to serve  
29 surrounding neighborhoods, be more walkable and allow higher-density  
30 and higher-intensity uses than non-Center areas; and

31 WHEREAS, the IDO helps implement Activity Centers by requiring  
32 enhanced building façade design and site design for drive-throughs that

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1 results in more pedestrian-oriented layouts within the boundary of these  
2 Centers; and

3 WHEREAS, the IDO helps implement the Centers and Corridors vision by  
4 converting existing mixed-use and non-residential zoning in Centers and  
5 Corridors intended to be walkable, mixed-use, and dense to IDO zone  
6 districts with the closest matching set of permissive uses, as described in  
7 more detail below; and

8 WHEREAS, the IDO helps implement the Centers and Corridors vision by  
9 providing different dimensional standards for density, height, and setbacks,  
10 lower parking standards, additional building design and site layout  
11 standards, and reduced buffering and landscaping requirements that will  
12 allow more urban development forms as relevant for walkable, mixed-use,  
13 dense Centers and Corridors (excluding Old Town, Employment Centers,  
14 and Commuter Corridors); and

15 WHEREAS, the 2017 ABC Comp Plan included an updated map of City  
16 Development Areas Map that replaced the 1975 Development Areas with one  
17 of two new Development Area designations: Areas of Change, including all  
18 Centers but Old Town and all Corridors but Commuter Corridors, or Areas  
19 of Consistency, including single-family neighborhoods, parks, Major Public  
20 Open Space, golf courses, airport runway zones, and many arroyos,  
21 acequias, and; and

22 WHEREAS, the 2017 ABC Comp Plan includes policies to encourage  
23 growth and development in Areas of Change and policies to protect the  
24 character and built environment in Areas of Consistency from new  
25 development or redevelopment; and

26 WHEREAS, the IDO helps implement the Comp Plan by providing  
27 Neighborhood Edge regulations (§14-16-4-8) that require a transition and  
28 buffering between Areas of Change and Residential zones, as well as other  
29 design requirements for development in Areas of Change to minimize  
30 negative impacts on Areas of Consistency; and

31 WHEREAS, the IDO helps implement the Comp Plan by including  
32 regulations (§14-16-4-2.3) to avoid sensitive lands such as flood plains,

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1 steep slopes, unstable soils, wetlands, escarpments, rock outcroppings,  
2 large stands of mature trees, archaeological sites; and

3 WHEREAS, the IDO helps implement the Comp Plan by including specific  
4 regulations (§14-16-2.4) to ensure that development near sensitive lands,  
5 including archaeological sites (§14-16-2.4), arroyos (§14-16-2.5), and  
6 acequias (§14-16-2.6), is context-sensitive; and

7 WHEREAS, the IDO helps implement the Comp Plan by incorporating  
8 and updating regulations from adopted Rank 3 Arroyo Corridor Plans as  
9 general regulations for private property abutting any arroyo identified in the  
10 Rank 2 Facility Plan for Arroyos in order to ensure context-sensitive  
11 development next to these natural resources, which function as drainage  
12 facilities as well as providing open space and, in some cases, recreational  
13 opportunities through multi-use trails or parks; and

14 WHEREAS, the IDO helps implement the Comp Plan by including  
15 specific use restrictions and design standards (§14-16-2.8) to ensure that  
16 development adjacent to or within 330 feet (one-sixteenth of a mile, a  
17 distance of one typical city block) of Major Public Open Space is context-  
18 sensitive; and

19 WHEREAS, the 2017 ABC Comp Plan includes goals and policies to  
20 protect historic assets and cultural resources, and the IDO implements  
21 these goals and policies by incorporating Historic Protection Overlay zones  
22 (§14-16-2-7.3) with design standards to ensure compatible new development  
23 and redevelopment in historic districts and View Protection Overlay zones  
24 (§14-16-2-7.4), and regulations for development next to sensitive lands (§14-  
25 16-4-2); and

26 WHEREAS, the 2017 ABC Comp Plan includes goals and policies to  
27 protect community health and maintain safe and healthy environments  
28 where people can thrive; and

29 WHEREAS, the IDO helps to implement these goals and policies by  
30 providing a set of zones (§14-16-2) that range from low intensity to high  
31 intensity and designating the appropriate mix of land uses in each zone;  
32 and

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1           WHEREAS, the IDO helps implement these goals and policies by  
2 providing use-specific standards (§14-16-3.3) that require a distance  
3 separation for certain nuisance uses – such as alcohol sales and heavy  
4 manufacturing – from residential areas, schools, and churches to mitigate  
5 the potential negative impact on quality of life; and

6           WHEREAS, the IDO helps implement these goals and policies by  
7 providing use-specific standards (§14-16-3.3) that require distance  
8 separations between uses that pose potential negative impacts on nearby  
9 properties – such as pawn shops, bail bonds, small loan businesses, and  
10 liquor retail – to prevent clustering of such uses; and

11           WHEREAS, the 2017 ABC Comp Plan recommends a transition from  
12 long-range planning with communities on an as-needed basis to create  
13 standalone Rank 2 and 3 plans to a 5-year cycle of planning with each of 12  
14 Community Planning Areas in order to provide opportunities for all areas of  
15 the city to benefit from area-specific long-range planning, including regular  
16 and ongoing opportunities for stakeholder engagement and analysis by  
17 staff of trends, performance measures, and progress toward implementation  
18 actions in the Comp Plan; and

19           WHEREAS, the IDO implements the new proactive approach to long-  
20 range planning by committing the City to a proactive, equitable system of  
21 assessments (§14-16-5-3.3) done every five years with residents and  
22 stakeholders in each of 12 Community Planning Areas established by the  
23 ABC Comp Plan; and

24           WHEREAS, the IDO furthers the purpose and intent of the Planning  
25 Ordinance (§14-13-2) and the Planned Growth Strategy (§14-13-2-3) by  
26 establishing a regulatory framework that ensures that development is  
27 consistent with the intent of other plans, policies, and ordinances adopted  
28 by the City Council; that updated development standards help ensure  
29 provision of adequate light, air, solar access, open spaces, and water; that  
30 clarified and streamlined development processes will help ensure the  
31 harmonious, orderly, and coordinated development of land in the City, and  
32 help create efficiency in governmental operations; that land use is  
33 coordinated with transportation corridors to help promote the convenient

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1 circulation of people, goods, and vehicles while minimizing traffic hazards;  
2 that subdivision standards and review/approval processes serve as a  
3 framework to help Staff and the public ensure the safety and suitability of  
4 land for development; and

5 WHEREAS, the IDO (§14-16-5-3) describes a Planning System (§14-16-5-  
6 3) that incorporates the ranked system of plans described in the Planning  
7 Ordinance (§14-13-2): the Rank 1 plan with which the lower-ranking plans  
8 must be consistent and that the lower-ranking plans are intended to help  
9 implement, Rank 2 plans for facilities that exist throughout the City in  
10 various areas and need to be coordinated and managed with a consistent  
11 approach (i.e. Facility Plans), and Rank 3 plans for specific areas that  
12 benefit from more detailed guidance related to the area’s unique needs and  
13 opportunities (e.g. Metropolitan Redevelopment Plans, Master Plans, and  
14 Resource Management Plans); and

15 WHEREAS, the Planning Ordinance (§14-13-2) is being amended to  
16 clarify that Ranked plans will hereby include narrative and policies but not  
17 regulations; and

18 WHEREAS, adopted Rank 2 Facility Plans will remain in effect, to be  
19 amended pursuant to the IDO (§14-16-5-5.3.B) or as specified in the adopted  
20 plan; and

21 WHEREAS, the 2017 ABC Comp Plan included and updated policies from  
22 adopted Rank 2 Area Plans and Rank 3 Sector Development Plans; and

23 WHEREAS, the 2017 ABC Comp Plan included Sector Development  
24 Plans adopted as of March 2017 in the Appendix so that they can be used as  
25 informational, reference documents for relevant sub-areas, especially in  
26 creating and/or amending Community Planning Area assessments in the  
27 future; and

28 WHEREAS, the IDO is intended to contain all the zoning and land use  
29 laws of the City, superseding any and all other zoning and land use laws  
30 whether written or based on prior practice; and

31 WHEREAS, the IDO is intended to integrate and adopt regulations  
32 pertaining to land use and development on private land within the City’s  
33 municipal boundaries into one document in order to eliminate duplication,

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1 inconsistencies, and conflicts and to strengthen consistency, coordination,  
2 efficiency, effectiveness, and enforcement of these regulations; and

3 WHEREAS, the IDO does not apply to properties within other  
4 jurisdictions, such as the State of New Mexico, Federal lands, and lands in  
5 unincorporated Bernalillo County or other municipalities; and

6 WHEREAS, the IDO includes the flexibility to tailor uses, overlay zones,  
7 development standards, and review/approval processes for specific sub-  
8 areas to protect character, enhance neighborhood vitality, and respect  
9 historic and natural resources; and

10 WHEREAS, regulations from the adopted Rank 3 Sector Development  
11 Plans and Rank 3 Arroyo Corridor Plans have been coordinated, updated,  
12 and included in the IDO either as citywide regulations or as regulations  
13 applying to a mapped area consistent with the applicable area identified in  
14 the relevant adopted Sector Development Plan; and

15 WHEREAS, the IDO carries over as Character Protection Overlay zones  
16 (§14-16-2-7.2) distinct sets of building and site design standards intended to  
17 reinforce the existing character of sub-areas of the city from adopted Rank 3  
18 Sector Development Plans, including Coors Corridor Plan (last amended in  
19 2013), Downtown Neighborhood Area (adopted 2012), Huning Highland (last  
20 amended in 2005), Los Duranes (adopted 2012), Nob Hill Highland (last  
21 amended in 2014), Rio Grande Boulevard Corridor (adopted 1989),  
22 Sawmill/Wells Park (last amended in 2002), Volcano Cliffs (last amended in  
23 2014), Volcano Heights (last amended in 2014), and Volcano Trails (last  
24 amended in 2014); and

25 WHEREAS, within the Nob Hill Character Protection Overlay zone, the  
26 IDO tailors the dimensional standards associated with Premium Transit  
27 stations and Main Street Corridors, as well as the building height bonus  
28 associated with Workforce Housing, to recognize the lower building heights  
29 that contribute to the distinctive character of “Lower Nob Hill” between  
30 Girard Blvd. and Aliso Dr., consistent with the intent of the adopted Rank 3  
31 Nob Hill Highland Sector Development Plan; and

32 WHEREAS, the IDO carries over as Historic Protection Overlay zones  
33 (§14-16-2-7.3) historic design standards from the Historic Zone (H-1) and

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1 adopted historic overlay zones, including East Downtown (adopted 2005),  
2 Eighth/Forrester (last amended in 1998), Fourth Ward (adopted 2002),  
3 Huning Highland (adopted 2010), and Silver Hill (last amended in 2010); and

4 WHEREAS, the IDO carries over and updates view preservation  
5 regulations from the Rank 3 Coors Corridor Plan (last amended in 2013) and  
6 Rank 3 Northwest Mesa Escarpment Plan (last amended in 2016) as View  
7 Protection Overlay zones (§14-16-2-7.4) to protect views from public rights-  
8 of-way to cultural landscapes designated by the 2017 ABC Comp Plan; and

9 WHEREAS, the IDO includes and updates the content of the existing  
10 Airport Zoning Ordinance (§14-15-1 et seq.) and the Airport Design Overlay  
11 Zone regulations (§14-16-2-28(E)) in a manner that is clearer and easier to  
12 apply and enforce than the existing article of ROA 1994, which is separate  
13 from other zoning regulations; and

14 WHEREAS, the IDO includes and updates standards and review/approval  
15 procedures for development from the existing Landmarks and Urban  
16 Conservation Ordinance (§14-12-1 et seq.) in order to protect structures and  
17 areas of historical, cultural, architectural, engineering, archeological, or  
18 geographic significance; and

19 WHEREAS, the IDO includes and updates portions of the Development  
20 Process Manual (DPM) that pertain to the engineering technical standards  
21 for development on private land and these updates have been coordinated  
22 with technical subcommittees that are updating relevant portions of the  
23 DPM as part of a parallel effort in order to remove conflicts between zoning  
24 regulations and technical standards related to street and parking design,  
25 drainage, flood control, and sewer service; to ensure an orderly and  
26 harmonious process and outcome for coordinating land use, transportation,  
27 and infrastructure on private property and within the public right-of-way;  
28 and to improve the viability of multiple transportation methods throughout  
29 the city; and

30 WHEREAS, the IDO references, and as appropriate, defers to the Humane  
31 and Ethical Animal Rules and Treatment (HEART) Ordinance (Article 9-2-1 et  
32 seq., Enactment O-2006-029), which was adopted to regulate animal-keeping  
33 within city municipal boundaries; and

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1 WHEREAS, companion legislation (R-17-213) will revise Resolutions that  
2 are incorporated or that need to be amended for consistency with the IDO;  
3 and

4 WHEREAS, the IDO incorporates the purpose and updates the content of  
5 the existing Zoning Code (§14-16 et seq.); and

6 WHEREAS, the IDO includes three categories of uses – Residential,  
7 Mixed-use, and Non-residential – with zones in each category that range  
8 from the least to the most intense that are appropriate to a mid-size,  
9 Southwestern, 21st century city; and

10 WHEREAS, the existing Official Zoning Map is included by reference in  
11 the Zoning Code (§14-16-4-9); and

12 WHEREAS, the IDO adopts an Official Zoning Map (§14-16-1-6) with  
13 zones converted from existing zone districts pursuant to the zoning  
14 conversion rules described below; and

15 WHEREAS, properties with zoning from the Zoning Code have been  
16 converted on the zoning conversion map to the IDO zone district with the  
17 closest matching set of permissive uses on a conversion map that has been  
18 available to the public for review and comment since April 2016; and

19 WHEREAS, properties with SU-2 or SU-3 zoning from adopted Rank 3  
20 Sector Development Plans have been converted on the zoning conversion  
21 map to the IDO zone district with the closest matching set of permissive  
22 uses; and

23 WHEREAS, properties with Residential and Related Uses – Developing  
24 Area (RD) zoning, Planned Residential Development (PRD) zoning, or  
25 Planned Development Area (PDA) zoning have been converted on the  
26 zoning conversion map to the Planned Development (PD) zone district in the  
27 IDO, which is site-plan controlled and allows uses as specified on the  
28 approved site plan; and

29 WHEREAS, properties with SU-1 zoning in an adopted Rank 3 Sector  
30 Development Plan that describes the zones by referring to the existing  
31 Zoning Code (other than SU-1 for PRD or SU-1 for PDA, whose conversion  
32 is described above) have been converted in the conversion zoning map to  
33 the IDO zone with the closest matching set of permissive uses; and

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1           WHEREAS, properties with SU-1 zoning whose zone descriptions refer to  
2 zones from the existing Zoning Code have been converted on the zoning  
3 conversion map to the IDO zone with the closest matching set of permissive  
4 uses; and

5           WHEREAS, properties with SU-1 zoning with zoning descriptions that  
6 refer to permitted uses but do not refer to zones from the existing Zoning  
7 Code have been converted on the conversion zoning map to the IDO zone  
8 district that is site plan controlled – Planned Development (PD); and

9           WHEREAS, the zoning conversion rules for properties with C-2 zoning,  
10 or SU-1, SU-2, or SU-3 zones that reference C-2 zones as the highest uses  
11 allowed permissively, were different for the east and west sides of the Rio  
12 Grande in order to address the imbalance of jobs and housing on the West  
13 Side, so that C-2 properties on the East Side were converted to MX-M to  
14 encourage an ongoing mix of residential and commercial uses, while  
15 properties on the West Side were converted to Non-Residential Commercial  
16 (NR-C) to ensure the addition of retail and services that are currently  
17 lacking; and

18           WHEREAS, the zoning conversion rules for properties with C-3 zoning,  
19 or SU-1 and SU-2 zones that reference C-3 zones as the highest uses  
20 allowed permissively, were different inside and outside of Centers to help  
21 implement the ABC Comp Plan and result in more mixed-use, walkable  
22 development within Centers, so that C-3 properties outside of Centers were  
23 converted to Non-Residential Commercial (NR-C), while properties east of  
24 the river within Urban Centers or Activity Centers or within 660 feet of  
25 Premium Transit station areas or 660 feet of the centerline of a Main Street  
26 Corridors were converted to MX-H, west of the river only properties within  
27 660 feet of Premium Transit station areas were converted to MX-H; and

28           WHEREAS, the City and Bernalillo County jointly adopted the Planned  
29 Communities Criteria (Code of Resolutions §1-1-10) that establish a  
30 procedure for planning large areas that are intended to function self-  
31 sufficiently within their jurisdictions, with development and services that  
32 have no net cost to the local jurisdiction and that implement the Comp Plan;  
33 and

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1           WHEREAS, the City has approved two Planned Communities – Mesa del  
2 Sol and Westland – with Level A “Master Plans,” which will be called  
3 Framework Plans in the IDO, and Level B “Master Plans,” which will be  
4 called Site Plans or Master Development Plans, based on the zoning  
5 designation; and

6           WHEREAS, properties within a Planned Community have been converted  
7 to the IDO’s Planned Community (PC) zone, which will still be regulated  
8 pursuant to the relevant approved “Master Plan” as an approved Site Plan –  
9 EPC, with uses regulated pursuant to the matching IDO conversion zone for  
10 any named zone out of the existing Zoning Code; and

11           WHEREAS, the IDO includes a Use Table (§14-16-3-2) that clearly  
12 indicates land uses that are permitted, conditional, accessory, conditional  
13 accessory, conditional vacant, or temporary in each zone district; and

14           WHEREAS, the IDO includes use-specific standards (§14-16-3-3) to  
15 establish use regulations, further design requirements, allowances, area-  
16 specific regulations, and/or processes to avoid or mitigate off-site impacts  
17 and ensure high-quality development, including those carried over from  
18 adopted Rank 3 Sector Development Plans and generalized to apply  
19 citywide or mapped to continue to apply to a small area; and

20           WHEREAS, the IDO includes general development standards (§14-16-4)  
21 related to site design and sensitive lands; access and connectivity; parking  
22 and loading; landscaping, buffering, and screening; walls; outdoor lighting;  
23 neighborhood edges; solar access; building design; signs; and operation  
24 and maintenance; and

25           WHEREAS, the IDO includes and updates standards for the subdivision  
26 of land (§14-16-4-4) and associated administrative and enforcement  
27 procedures (§14-16-5) in the existing Subdivision Ordinance (§14-14-1 et  
28 seq.) in order to ensure that land suitable for development is served by the  
29 necessary public services and infrastructure, including a multi-modal  
30 transportation network, and platted accordingly; and

31           WHEREAS, the IDO establishes review and approval processes (§14-16-  
32 5) appropriate for each type of land development application in order to

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1 clearly establish notice requirements, decision-making bodies, and criteria  
2 for decision-making bodies; and

3 WHEREAS, the IDO establishes thresholds and criteria for administrative  
4 review and decision by staff (§14-16-5-5.1) for minor projects based on  
5 objective standards for high-quality, context-sensitive development  
6 established by the IDO; and

7 WHEREAS, the IDO establishes thresholds, criteria, and the appropriate  
8 decision-making body for major projects (§14-16-5-5.2) that require a public  
9 meeting and/or hearing and whose approval should be based on  
10 consideration of objective standards for high-quality, context-sensitive land  
11 use and development established by the IDO; and

12 WHEREAS, the IDO requires review and decision by the Environmental  
13 Planning Commission for a zone change (§14-16-5-5.3.E) and site plan  
14 approval (§14-16-5-5.2.F) based on consideration of policy as well as  
15 objective standards for high-quality, context-sensitive development  
16 established by the IDO in Planned Development (PD), Non-residential  
17 Sensitive Use (NR-SU) zone districts, and new Master Development Plans in  
18 Non-residential Business Park (NR-BP) zone districts; and

19 WHEREAS, the IDO incorporates and updates criteria for amendments of  
20 the zoning map (i.e. zone changes) adopted by R-270-1980 and differentiates  
21 between criteria for Areas of Change and Areas of Consistency to help  
22 implement the 2017 ABC Comp Plan; and

23 WHEREAS, the IDO requires applicants requesting amendments of the  
24 zoning map on properties wholly or partially within Areas of Consistency to  
25 demonstrate that the new zone would clearly reinforce or strengthen the  
26 established character of the surrounding Area of Consistency and would  
27 not permit development that is significantly different from that character;  
28 and

29 WHEREAS, the IDO requires review and decision by the Environmental  
30 Planning Commission (§14-16-5-5.3.E) based on consideration of policy as  
31 well as objective standards for high-quality, context-sensitive development  
32 established by the IDO for amendments to the zoning map up to 10 acres in

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1 Areas of Consistency and up to 20 acres in Areas of Change, above which  
2 Council has authority; and

3 WHEREAS, the IDO requires review and recommendation by the  
4 Environmental Planning Commission and review and final decision by the  
5 City Council for amendment of a Rank 1 Plan (§14-16-5-5.3.A), adoption or  
6 amendment of a Rank 2 Facility Plan (§14-16-5-5.3.B), text amendments to  
7 the IDO (§14-16-5-5.3.C), or annexations (§14-16-5-5.3.G) based on  
8 consideration of policy as well as objective standards for high-quality,  
9 context-sensitive development established by the IDO for zone changes of  
10 10 acres or more in Areas of Consistency and 20 acres or more in Areas of  
11 Change; and

12 WHEREAS, the IDO establishes procedures and criteria for alterations  
13 and demolition within and outside Historic Protection Overlay zones and for  
14 amending existing and designating new Historic Protection Overlay zones  
15 and landmarks (§14-16-5-3.D); and

16 WHEREAS, the IDO requires appeals of all decisions to be reviewed and  
17 recommended by the Land Use Hearing Officer and reviewed and decided  
18 by the City Council as the City’s ultimate land use and zoning authority; and

19 WHEREAS, the IDO establishes criteria and thresholds appropriate for  
20 staff review and decision of minor deviations from zoning dimensional  
21 standards (§14-16-5-4.15); and

22 WHEREAS, the IDO establishes procedures and criteria for the Zoning  
23 Hearing Examiner to decide on requests for conditional uses (§14-16-5-2.B)  
24 or for variances from dimensional zoning standards (§14-16-5-2.K); and

25 WHEREAS, the IDO establishes procedures for the Development Review  
26 Board (§14-16-5-2.L) to grant variances to sidewalks, public right-of-way  
27 standards, and subdivision standards, based on criteria established in the  
28 Development Process Manual; and

29 WHEREAS, the IDO establishes procedures and criteria for the  
30 Environmental Planning Commission to grant exceptions to zoning  
31 dimensional standards that provide civic benefits or that benefit the natural  
32 environment (§14-16-5-2.F); and

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1           WHEREAS, the IDO establishes notice and meeting requirements (§14-  
2 16-5-5) that provide public awareness of development projects and input  
3 opportunities appropriate to the scale of the development project – minor  
4 projects that are administratively decided requiring notice but no meetings  
5 or hearings, major projects that require notice and either a meeting or  
6 hearing, and projects requiring discretionary decision-making based on  
7 consideration of policy in addition to IDO regulations that are heard and  
8 decided at public hearings; and

9           WHEREAS, approved site plans and permits shall remain valid (as  
10 described in §14-16-1-10) unless they expire (as described in §14-16-5-4.23)  
11 or are amended (as described in §14-16-5-4.24); and

12           WHEREAS, the IDO establishes the period of validity for development  
13 approvals that are subject to expiration; and

14           WHEREAS, the expiration of approvals granted prior to the effective date  
15 of the IDO shall be calculated from the effective date of the IDO; and

16           WHEREAS, any compliance periods specified in the Zoning Code that  
17 are carried over or replaced with new time periods for compliance in the IDO  
18 are to be calculated from the effective date of the IDO; and

19           WHEREAS, all existing development that conforms to the Zoning Code  
20 on the date the IDO becomes effective but that does not comply with the  
21 IDO shall be considered nonconforming and allowed to continue, subject to  
22 limits on expansion and thresholds after which the property must be  
23 brought into compliance with the IDO as specified in §14-16-5-6; and

24           WHEREAS, the IDO establishes adequate provisions for the continuation  
25 and expansion of nonconforming uses, structures, lots, signs, and site  
26 features (§14-16-5-6), as well as appropriate thresholds or timeframes for  
27 when nonconformities must come into compliance with the IDO; and

28           WHEREAS, the IDO establishes appropriate standards and procedures  
29 for enforcing violations and assessing penalties (§14-16-5-7); and

30           WHEREAS, any violation of the City zoning, subdivision, or land  
31 development regulations in effect prior to the effective date of this IDO will  
32 continue to be a violation under this IDO and subject to enforcement  
33 actions, unless the development or other activity that was a violation of the

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1 previous regulations is consistent with the requirements and regulations of  
2 this IDO; and

3 WHEREAS, the City and private property owners will need time to  
4 transition from processes related to the existing zoning code to the new  
5 IDO, and the IDO is therefore intended to become effective six months from  
6 its adoption date; and

7 WHEREAS, the Planning Department intends to submit and sponsor a  
8 series of zone change requests for review/approval within a year of the IDO  
9 effective date to address mismatches of land use and zoning that pre-  
10 existed the IDO adoption, to address properties with uses that become  
11 nonconforming upon the IDO becoming effective, and to consider requests  
12 from property owners desiring to downzone their existing zoning to a less  
13 intense, less dense zone district in Areas of Consistency; and

14 WHEREAS, the Planning Department intends to initiate the Community  
15 Planning Areas assessments within two years after the effective date of the  
16 IDO to assess current and anticipated trends and conditions, to understand  
17 planning issues and develop solutions to address them, and to track  
18 progress on performance measures identified in the ABC Comp Plan over  
19 time; and

20 WHEREAS, the IDO requires the City to create an update process and  
21 annual schedule for updates to the IDO; and

22 WHEREAS, the Office of Neighborhood Coordination sent e-mail  
23 notification to neighborhood representatives on December 29, 2016, as  
24 required, as part of the Environmental Planning Commission (EPC)  
25 application process, and Planning Staff sent a re-notification reminder and  
26 Notice of Decision for each hearing to neighborhood representatives on  
27 March 21, April 11, April 25, and May 5, 2017; and

28 WHEREAS, the proposed IDO was announced in the *Albuquerque*  
29 *Journal*, the *Neighborhood News* and on the Planning Department's  
30 webpage in January 2017; and

31 WHEREAS, staff prepared summary handouts for each adopted Sector  
32 Development Plan to explain how Sector Development Plan policies were  
33 incorporated into the 2017 ABC Comp Plan, how regulations from Sector

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1 Development Plan regulations were incorporated into the Integrated  
2 Development Ordinance as either a best practice approach to land-use  
3 regulation and zoning that was extended citywide or as a regulation that  
4 was mapped to apply to the same area as specified in the Sector  
5 Development Plan, either as a zone district (§14-16-4.5.C), a Character  
6 Protection Overlay zone (§14-16-2-7), a Historic Protection Overlay zone  
7 (§14-16-2-7.3), a View Protection Overlay zone (§14-16-2-7.4), a use-specific  
8 standard (§14-16-3.3), a development standard (§14-16-4), or an  
9 administrative procedure (§14-16-5-5.2); and

10 WHEREAS, the public and staff from City departments and outside  
11 agencies had opportunities to make written and verbal comments prior to  
12 and during the EPC’s review of the IDO, and the IDO was revised to reflect  
13 Conditions of Approval recommended by the EPC; and

14 WHEREAS, the EPC voted on May 15, 2017 after five hearings to  
15 recommend approval of the IDO with a vote of 6-1 (with one Commissioner  
16 absent and one Commissioner’s position vacant); and

17 WHEREAS, the public and staff had opportunities to make written and  
18 verbal comments prior to and during the Land Use, Planning, and Zoning  
19 Committee’s review of the IDO, and the IDO was revised to reflect changes  
20 recommended by the LUPZ Committee; and

21 WHEREAS, the public and staff had an opportunity to make written and  
22 verbal comments prior to and during the full Council’s review of the IDO,  
23 and the Council adopted Floor Amendments to change the IDO in response.

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

26 Section 1. The City hereby repeals the existing Zoning Code (§14-16-1 et  
27 seq.) and adopts the Integrated Development Ordinance, attached to O-17-  
28 49 and made a part hereof, as the new §14-16-1 et seq.

29 Section 2. The City hereby repeals the existing zoning map and replaces  
30 it with the Integrated Development Ordinance zoning conversion map.

31 Section 3. The City hereby repeals the existing Articles of the City Code  
32 of Ordinances: Landmarks and Urban Conservation Ordinance (§14-12-1 et  
33 seq.), the Subdivision Ordinance (§14-14-1 et seq.), and the Airport Zoning

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1 Ordinance (§14-15-1 et seq.), which are incorporated and updated in the  
2 Integrated Development Ordinance.

3 Section 4. The City hereby invalidates any other regulation related to  
4 zoning and land use within existing Ordinances not otherwise listed above,  
5 which have been replaced by the Integrated Development Ordinance,  
6 intended to be the City’s sole document regulating zoning and land use  
7 within the city’s municipal boundaries.

8 Section 5. The City hereby amends existing ordinances to ensure  
9 consistency with Integrated Development Ordinance by replacing the words  
10 “Zoning Code,” “Comprehensive City Zoning Code,” or “city’s  
11 Comprehensive Zoning Code” with the words “Integrated Development  
12 Ordinance” in the following Parts and Sections of the City Code of  
13 Ordinances:

- 14 • Part 5-1-4, Other Provisions Effect.
- 15 • Part 6-9-1(A), General Policies.
- 16 • Part 7-5-2, Findings.
- 17 • Part 7-5-3, Display and Sale of Motor Vehicles.
- 18 • Section 8-2-2-15(D), Clear Sight Triangle.
- 19 • Section 9-2-1-4, Definitions, Commercial Property.
- 20 • Section 9-2-3-3(E), Permit Holders: General Duties and Requirements.
- 21 • Section 9-6-3-4(A), Operational Requirements.
- 22 • Section 9-9-2, Definitions, Residential, Office/Commercial,  
23 Industrial/Manufacturing.
- 24 • Section 9-10-1-7(B)(3)(c), Storage of Solid Waste for Commercial and  
25 Multi-Family Dwelling Collection.
- 26 • Section 9-10-1-9(E)(1), Dumping, Accumulating, and Scattering of  
27 Refuse.
- 28 • Part 10-9-8, Delegation of Authority.
- 29 • Section 11-1-1-11(C)(2), Penalties for Public Nuisance Violations.
- 30 • Part 13-1-9(A), Zoning Notification.
- 31 • Part 13-2-6(C), Special Dispenser’s Permits.
- 32 • Section 13-5-1-13(D), Exercise of Rights under a Franchise – Minimum  
33 Conditions on Use of Property; Construction.

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- 1 • Part 13-15-2(B), Purpose and Intent.
- 2 • Part 14-4-4(F), Size and Types of Numbers.
- 3 • Part 14-6-1, Prohibited in Residential Zones.
- 4 • Part 14-6-2(A)(5), Regulated in Nonresidential Zones.
- 5 • Section 14-8-2-3(B), Definitions.
- 6 • Section 14-11-7(C)(3), Permits for Solar Rights.
- 7 • Part 14-17-5(A), Establishment of a Family Housing Development.

8 Section 6. City Code of Ordinances Part 4-10-3(D), General Policies, is  
9 amended as follows: “(D) Public improvements financed by a TIDD should  
10 be in conformance with applicable long-range city policies for development,  
11 including, but not limited to, the Albuquerque/Bernalillo County  
12 Comprehensive Plan, ~~applicable Rank 2 and Rank 3 Plans, the Subdivision~~  
13 ~~Ordinance, the Zoning Code, § 14-13-2-3 ROA 1994, and §§ 14-13-1-1 et seq.,~~  
14 ~~ROA 1994, the Integrated Development Ordinance,~~ the Ordinance adopting  
15 elements of a Planned Growth Strategy; the current city enactment relating  
16 to the Capital Implementation Program; the Impact Fee Component Capital  
17 Improvement Program; other ordinances applicable to the affected land  
18 including annexation ordinances and any related annexation agreements, if  
19 any; and all supplements and subsequent enactments relating to these  
20 measures.”

21 Section 7. City Code of Ordinances Section 6-1-1-12(D), Variances and  
22 Appeals, is amended as follows: “Variances to §§ 6-1-1-8 through 6-1-1-10  
23 requirements. A variance to the regulations in §§ 6-1-1-8 through 6-1-1-10  
24 may be issued by the Mayor, through the ~~Zoning Hearing Examiner~~  
25 Development Review Board, provided that the general intent of this article  
26 has been met and compliance with this article is proven to cause practical  
27 difficulties and unnecessary hardship. The variance procedure for this  
28 article will comply with the variance procedure in the ~~Zoning Code~~  
29 Integrated Development Ordinance as currently adopted or subsequently  
30 amended. (This procedure is described in ~~§ 14-16-4-2, 14-16-5-5.2.K~~)  
31 Appeals of decisions of the ~~Zoning Hearing Examiner~~ Development Review  
32 Board are to the ~~Environmental Planning Commission. Appeals of decisions~~  
33 ~~of the Environmental Planning Commission are to the City Council. Appeal~~

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1 ~~is made by filing written notice with the Planning Department within 15 days~~  
2 ~~after the request for variance has been denied.~~ Appeal procedures will  
3 comply with those in the ~~Zoning Code, § 14-16-4-4.~~ Integrated Development  
4 Ordinance, §14-16-5-4.21.

5 Section 8. City Code of Ordinances Section 6-1-1-99(C), Penalty, is  
6 amended as follows: “Any responsible party who violates any provision of  
7 §§ 6-1-1-8 through 6-1-1-10 shall be deemed guilty of a misdemeanor, and  
8 upon conviction thereof, shall be punished by a fine not to exceed \$500  
9 and/or imprisonment for a period not to exceed 90 days. Application of  
10 fines for violations of the regulations in §§ 6-1-1-8 through 6-1-1-10 will  
11 comply with the Zoning Code Integrated Development Ordinance as  
12 currently adopted or subsequently amended. (See ~~§§ 14-16-4-1 through 14-~~  
13 ~~16-4-12, and 14-16-4-99).~~ §14-16-5).

14 Section 9. City Code of Ordinances Section 6-5-5-3, Pedestrian Sidewalk,  
15 Drive Pad, and Curb and Gutter Required, is amended as follows: “All  
16 properties within the city shall have sidewalk, drive pad, curb ramps, curb  
17 and gutter in accordance with the standards set forth by § 6-5-5-1 et seq.,  
18 unless a variance from these standards is allowed through the procedures  
19 established by § 6-5-5-1 et seq. or unless such sidewalks, curb ramps, drive  
20 pads, curbs and gutters were constructed under standards previously in  
21 force. Such previously constructed improvements shall be considered non-  
22 conforming and as such may be repaired and maintained but if and when  
23 replacement becomes necessary shall be replaced according to the current  
24 standards or variance procedures of § 6-5-5-1 et seq. Compliance with the  
25 provisions of § 6-5-5-1 et seq. shall be the responsibility of the property  
26 owner. The cost of installing sidewalk shall be borne by the abutting  
27 property. On property in residential zones where only houses and  
28 townhouses are allowed, and where the lot abuts public streets at both its  
29 front and the rear lot lines, the property does not bear the cost of  
30 constructing missing sidewalk abutting the rear lot line where the property  
31 does not have the legal right to vehicular access from that street; this  
32 exception applies only to lots platted before June 29, 1983 (the effective

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1 date of the city's present Subdivision Ordinance, [set forth in Chapter 14,  
2 Article 14] §14-16-4-4).

3 Section 10. City Code of Ordinances Section 6-5-5-4, Definitions, is  
4 amended as follows: “DRB. The Development Review Board, a ~~five-member~~  
5 ~~administrative board, representing major city agencies which meets for~~  
6 ~~purposes including subdivision review and approval.~~ an administrative  
7 board consisting of six representatives of city departments and other  
8 agencies, including the Planning Director as Chairperson, Zoning  
9 Enforcement Officer, City Engineer (who may also function as the AMAFCA  
10 designee), Traffic Engineer, Parks and Recreation Director, and  
11 Albuquerque-Bernalillo County Water Utility Authority Water Resources  
12 Engineer.” [...] “~~SETBACK LANDSCAPE/BUFFER AREA~~. The part of the  
13 public right-of-way which that is not occupied or planned to be occupied by  
14 street, curb, gutter, or sidewalk; that may be used for street furniture, street  
15 trees and vegetation, and utilities; and that is typically located between the  
16 back of curb and adjacent property line.”

17 Section 11. City Code of Ordinances Section 6-5-5-12, Setback Use, is  
18 amended as follows: “~~SETBACK LANDSCAPE/BUFFER AREA USE~~. The  
19 ~~setback~~ landscape/buffer area may be used for the following public  
20 purposes so long as such uses are not in conflict with the provisions of §§  
21 6-5-5-1 et seq. or any other applicable provision of this code or any other  
22 ordinance of the city.”

23 Section 12. City Code of Ordinances Section 6-5-5-14(B)(1)(d), Design  
24 and Construction Standards and Procedures, is amended as follows: “2.  
25 ~~Land zoned SU-3; or 3.~~ 2. Land zoned for a greater residential density  
26 greater than allowed in the R-T (Residential Townhouse homes) zone  
27 district.”

28 Section 13. City Code of Ordinances Section 6-5-5-14(E), Design and  
29 Construction Standards and Procedures, is amended as follows:  
30 “Transverse Slope. The transverse slope of the sidewalk and ~~setback~~  
31 landscape/buffer area shall be no greater than a ratio of 1:50 or 2%, sloping  
32 toward the street.”

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1 Section 14. City Code of Ordinances Section 6-5-5-15, Development  
2 Review Board, is amended as follows: “The DRB as established by Chapter  
3 ~~14, Article 14, Subdivision Regulations, §14-16-5-2.4~~ Development Review  
4 Board, will have responsibilities which that may include, but not be limited  
5 to, the following:”

6 Section 15. City Code of Ordinances Sections §6-5-5-16, Variances, and  
7 §6-5-5-17, Appeals, are deleted and the subsequent sections are  
8 renumbered to reflect the deletion.

9 Section 16. City Code of Ordinances Section § 6-5-5-18, Sidewalks, Drive  
10 Pad, and Curb Ramp Repair and Maintenance; Permitting Commercial  
11 Advertising on Transit Shelters, is amended as follows: “(A)(4) The lot was  
12 platted before June 29, 1983, the effective date of the city's present  
13 Subdivision Ordinance, set forth in Chapter ~~14, Article 14~~ §14-16-4-4.” and  
14 sub-sections (D) and (F) are amended to replace the words “sidewalk  
15 setback” with “landscape/buffer.”

16 Section 17. City Code of Ordinances Section 6-6-1-2, Definitions, is  
17 amended as follows: “~~PARKING STRIP~~ LANDSCAPE/BUFFER AREA. That  
18 ~~portion of any lot or lots situated between the street curb line and property~~  
19 ~~line along all the public highways within the city.~~ The part of the public  
20 right-of-way that is not occupied or planned to be occupied by street, curb,  
21 gutter, or sidewalk; that may be used for street furniture, street trees and  
22 vegetation, and utilities; and that is typically located between the back of  
23 curb and adjacent property line.”

24 Section 18. City Code of Ordinances Section §6-6-2-2, Intent, is amended  
25 as follows: “Sections 6-6-2-1 et seq. are intended to secure the following  
26 objectives, in accordance with Policy ~~A-2.n~~ 5.1.9, Policy 7.1.3, Policy 7.2.1,  
27 Policy 7.6.2, and other policies of the Albuquerque/Bernalillo County  
28 Comprehensive Plan.”

29 Section 19. City Code of Ordinances Section §6-6-2-3, Definitions, is  
30 amended as follows: “~~DEVELOPMENT REVIEW BOARD.~~ An administrative  
31 board, consisting of six members representing major city departments and  
32 other agencies. Membership consists of the Planning Director as  
33 Chairperson, Zoning Enforcement Officer, City Engineer (who may also

1 function as the AMAFCA designee), Traffic Engineer, Parks and Recreation  
2 Director, and Albuquerque-Bernalillo County Water Utility Authority Water  
3 Resources Engineer, Environmental Health Director and Parks and  
4 Recreation Director.” [...] “LANDSCAPE/BUFFER AREA. The part of the  
5 public right-of-way that is not occupied or planned to be occupied by street,  
6 curb, gutter, or sidewalk; that may be used for street furniture, street trees  
7 and vegetation, and utilities; and that is typically located between the back  
8 of curb and adjacent property line.” [...] “PARKWAY. Arable land located  
9 behind the back of the street curb and in front of the sidewalk.”

10 Section 20. City Code of Ordinances Section §6-6-2-4(A), Required Street  
11 Trees, is amended as follows: “(1) All applicants for building permits for  
12 construction of a new building or building addition of ~~over~~ 200 square feet  
13 or more shall submit a street tree plan for those parts of the lot abutting a  
14 major street, a major local street, or another street where street trees are  
15 required. (2) Any person who constructs a new building addition of ~~over~~ 200  
16 square feet or more or who paves a parking lot or required off-street parking  
17 area for apartments and/or non-residential development on a lot abutting a  
18 major street, a major local street, or another street where street trees are  
19 required shall plant street trees according to a street tree plan approved by  
20 the Mayor. Such planting shall occur no later than 30 60 calendar days after  
21 the completion of construction and shall occur before final inspection as  
22 required in the Building Code. (3) Street trees shown on an approved street  
23 tree plan and required to meet the requirements of ~~§ 14-16-3-10(H)~~ §14-16-4-  
24 6 shall be maintained alive and healthy. Maintenance and trimming of street  
25 trees and replacement of dead trees are the responsibility of the owner of  
26 the lot abutting or on which the tree is located. (4) The ~~Parks and Recreation~~  
27 Department City shall maintain a list of trees, as part of the Official  
28 Albuquerque Plant Palette and Sizing List, generally suitable for use as  
29 street trees in Albuquerque. This ~~Street Tree List~~ list shall include a  
30 description of the physical characteristics and cultural requirements of each  
31 species. (5) City staff, in coordination with appropriate private sector input,  
32 shall develop and make available information regarding the required soil  
33 volume for trees of a given mature size, and the Planning Director shall

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1 make this information available in the Development Process Manual. This  
2 soil volume consists of un-compacted and irrigated soil. The root space  
3 may be long and linear, to match a parkway landscape/buffer area size,  
4 and/or the space may be created through mechanical de-compaction, or the  
5 use of either structural soils under pavements, or soil vault systems under  
6 pavements.”

7 Section 21. City Code of Ordinances Section §6-6-2-5, Street Tree  
8 Policies, is amended as follows: “(A)(1) Adequate room and spacing for  
9 Street Trees ~~(subsection citation)~~ shall be accommodated/ provided:  
10 ~~minimum 80 sq. ft. planting area for each tree; and maximum of 25 feet~~  
11 ~~spacing on-center. For planting areas with over 800 CF of un-compacted~~  
12 ~~soil, tree spacing may be increased to up to 35 feet on-center. (2) The~~  
13 ~~planting hole shall be twice as wide as the root ball of the tree being~~  
14 ~~planted, but only as deep as the distance from the bottom of the root ball to~~  
15 ~~the top of the highest first-order root in the root ball. pursuant to the details~~  
16 ~~and specifications developed by the City in the Development Process~~  
17 Manual. Details and specifications for planting holes shall be developed by  
18 ~~the City Forester. [...]~~ (B) Street trees shall be placed between the curb and  
19 the public sidewalk and in the parkway landscape/buffer area, unless traffic  
20 safety requires different locations of trees, as specified in division (2) of this  
21 division (B). [...] (B)(1)(b) Where less than three feet of space exists, street  
22 trees shall not be planted into the ~~parkway-strip~~ landscape/buffer area. [...] (C)(6)(a) Plantings of ~~five (5)~~ ten (10) or fewer trees may all be of the same  
23 genus; (b) Plantings of ~~six to~~ more than ten trees must use at least two  
24 different genera, with roughly equal numbers of each; (c) ~~Plantings of more~~  
25 ~~than ten trees shall use no more than 30% of trees in any one genus. [...]~~  
26 (C)(7) One of every three street trees planted may be an accent tree per the  
27 Official Albuquerque Plant Palette and Sizing List, provided the guidelines  
28 in ~~§ 14-16-3-10(G)(1)~~ §14-16-4-6.4 are met.  
29

30 Section 21. City Code of Ordinances Section §6-6-2-7, More Detailed  
31 Regulations, is amended as follows: “Regulations detailing the provisions  
32 of §§ 6-6-2-1 et seq. should be enacted in coordination with and through the  
33 ~~Parks and Recreation Department~~ Departments with installation and

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1 maintenance responsibilities, and be amended by the Environmental  
2 Planning Commission for regulations in the Integrated Development  
3 Ordinance and by the DPM Executive Committee for technical standards in  
4 the Development Process Manual at an advertised public hearing.”

5 Section 22. City Code of Ordinances Section §6-6-2-9, Appeals, is  
6 amended as follows: “Appeals from the decision of the Mayor on requests  
7 for waivers or variances may be taken to the ~~Environmental Planning~~  
8 ~~Commission~~ City Council, through the Land Use Hearing Officer, by filing  
9 written notice with the Planning Division within 15 days after the request for  
10 variance has been ~~denied~~ decided.”

11 Section 23. City Code of Ordinances Part 6-7-2(B), Definitions, is  
12 amended as follows: “Words not defined herein, but which are defined in §  
13 ~~14-16-1-5~~ §14-16-6-1 of the ~~Zoning Code~~ Integrated Development Ordinance,  
14 are to be construed as defined therein.”

15 Section 24. City Code of Ordinances Section 8-5-1-42(H), Mobile Food  
16 Units on Public Streets, is amended as follows: “This section establishes  
17 traffic code regulations pertaining to Mobile Food Units. Other aspects of  
18 Mobile Food Units are regulated in other parts of the Municipal Code. Please  
19 refer to ~~Zoning Code §14-16-3-25~~ Integrated Development Ordinance §14-16  
20 and Health, Safety & Sanitation Code §9-6-5.”

21 Section 25. City Code of Ordinances Part 9-2-1-4, Definitions, is amended  
22 as follows: “RESIDENTIAL ZONE. “Zone District, Residential” as defined in  
23 the city’s ~~Comprehensive Zoning Code~~ Integrated Development Ordinance.”

24 Section 26. City Code of Ordinances Part 9-9-2, Definitions, is amended  
25 as follows: “DOWNTOWN ARTS AND ENTERTAINMENT FOCUS AREA. The  
26 area designated as the Downtown Arts and Entertainment Focus Area in the  
27 ~~Downtown 2025 Sector Development Plan~~ Integrated Development  
28 Ordinance.”

29 Section 27. City Code of Ordinances Section 9-10-1-7(B)(3)(e), Storage of  
30 Solid Waste for Commercial and Multi-Family Dwelling Collection, is  
31 amended as follows: “Commercial collection sites shall be paved with a  
32 concrete apron meeting City of Albuquerque Solid Waste specifications for  
33 the designated container. However, commercial collection sites approved

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1 prior to October 1, 1985, which sites were paved in a way which that met the  
2 off-street parking requirements of the Zoning Code (§ 14-16-3-1(E)(1) in  
3 effect at the time of the issuance of building permit are exempt from the  
4 concrete-paving requirement if the owner of the property agrees in writing  
5 to maintain the paving and hold the city harmless for any damage to the  
6 pavement resulting from solid waste collection.”

7 Section 28. City Code of Ordinances Part 11-2-3, Definitions, is amended  
8 as follows: “ADULT AMUSEMENT ENTERTAINMENT ESTABLISHMENT. The  
9 entity by this name An establishment that meets the definition defined  
10 provided by § 14-16-1-5 §14-16-6-1 of the Zoning Code Integrated  
11 Development Ordinance.”

12 Section 29. City Code of Ordinances Part 12-2-28, Safety in Public  
13 Places, is amended as follows: “ARTS AND ENTERTAINMENT DISTRICT.  
14 ~~The Arts and Entertainment District is the district within the Downtown Core~~  
15 ~~as designated in the Downtown 2010 Plan as adopted in Resolution R-21,~~  
16 ~~Enactment Number 50-2000.~~ The Arts and Entertainment District as shown  
17 in the District's map in the Downtown 2010 Plan, is roughly bordered by  
18 Copper Avenue on the north, 8th Street on the west, the alley between Gold  
19 and Silver Avenues to the south, and First Street to the East.” [...] “NOB  
20 HILL DISTRICT. ~~The Nob Hill District is a portion of the district approved in~~  
21 ~~the Nob Hill Sector Development Plan as adopted in Resolution R-362,~~  
22 ~~Enactment Number 12-1988 and R-51, Enactment Number 79-1992.~~ For  
23 purposes of this section, the Nob Hill District is the area within the following  
24 streets: beginning at the intersection of Girard and Silver, then to Monte  
25 Vista to Campus to Copper to Washington to Silver to Carlisle to Silver to  
26 Girard.”

27 Section 30. City Code of Ordinances Section 14-5-2-10(B), Multiple Use of  
28 Rights-of-way and Easements, is amended as follows: “Certain drainage  
29 rights-of-way in ~~Sector Development Plans~~ may be credited ~~Zoning Code~~  
30 toward requirements for detached open space in the Integrated  
31 Development Ordinance, except for any area which is exclusively used for  
32 the drainage control, flood control, stormwater control, or erosion control  
33 function.”

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1 Section 31. City Code of Ordinances Section 14-8-2-3(A), Definitions, is  
2 amended as follows: “~~NON-RECOGNIZED~~ REGISTERED NEIGHBORHOOD  
3 OR HOMEOWNER ASSOCIATION. A neighborhood association other than  
4 the Recognized neighborhood association for an area, ~~or~~ homeowners  
5 association, or other association that has notified the City Office of  
6 Neighborhood Coordination of two persons' addresses where it wishes  
7 notice to be sent pursuant to § 14-8-2-1 et seq.; ~~and that such designation~~  
8 ~~shall be changed by the neighborhood association when appropriate.~~

9 Section 32. City Code of Ordinances Section 14-8-2-4(D), Criteria for  
10 Recognition of Neighborhood Associations, is amended as follows: “The  
11 appropriate district City Councillor Councilor and the City Office of  
12 Neighborhood Coordination shall be furnished with names, addresses,  
13 email addresses, and available phone numbers of current neighborhood  
14 association officers and/or board members.”

15 Section 33. City Code of Ordinances Section 14-8-2-5, Responsibilities of  
16 Recognized and Non-Recognized Neighborhood or Homeowner  
17 Associations, is amended as follows: The word “non-recognized” is  
18 replaced with “registered” throughout this section, including the title; the  
19 word “Councillor” is replaced with “Councilor.”

20 Section 34. City Code of Ordinances Section 14-8-2-6, Responsibilities of  
21 the City, is amended as follows: “(A) The Mayor shall make reasonable  
22 attempts to provide electronic or give mailed notice of City-initiated  
23 amendments of Rank 1, Rank 2, or Rank 3 plans or new Rank 2 or Rank 3  
24 plans to recognized and ~~non-recognized~~ registered neighborhood or  
25 homeowner associations ~~of~~ located partially or completely within or  
26 adjacent to the relevant plan rank one, two, and three plan area.  
27 ~~applications, which plans would cover areas within or contiguous to the~~  
28 ~~recognized and non-recognized neighborhood or homeowner association’s~~  
29 ~~boundaries~~ Notice is required at the initiation of the planning effort and at  
30 the application for approval; proof of both notification notices shall be  
31 required when the application is filed. ~~Recognized and non-recognized~~  
32 ~~neighborhood or homeowner associations shall be notified of new plans~~  
33 ~~and plan amendments upon initiation of such a project by city departments~~

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1 ~~and within five days of application filing by others.~~ The Mayor shall make  
2 reasonable attempts to ~~mail~~ provide notice to such associations ~~notice~~  
3 concerning all subsequent public hearings of city boards, commissions,  
4 and task forces concerning such plan proposals, except hearings which  
5 have been deferred or continued to a specific time announced at the prior  
6 hearing. (B) The Mayor shall make reasonable attempts to give directly  
7 affected recognized and ~~non-recognized~~ registered neighborhood or  
8 homeowner associations prior mailed ~~notification~~ or electronic notice of  
9 pending major city development and redevelopment projects and changes  
10 in services by the city ~~which~~ that will have a direct, significant impact on  
11 ~~that neighborhood;~~ neighborhoods adjacent to, for example, permanent and  
12 ~~temporary street construction and major repair, total closing of streets,~~  
13 projects that would changes the in-size or type of city parks, building of new  
14 city facilities, relocation or reconstruction of privately owned utilities ~~which~~  
15 that require a permit, or rerouting of bus service ~~are examples.~~ With regard  
16 ~~to permanent and temporary street construction and major repair, the.~~ The  
17 Mayor shall ~~give mailed~~ provide prior electronic or mailed ~~notification~~ notice  
18 to the recognized and ~~non-recognized~~ registered neighborhood or  
19 homeowner associations within one mile of the street construction, closure,  
20 and/or major repair. (C) The Mayor shall require ~~written affirmation~~  
21 documentation of prior notice to recognized and ~~non-recognized~~ registered  
22 neighborhood or homeowner associations for development projects located  
23 within or adjacent to the association boundary at the time of filing  
24 applications, as specified in ~~§ 14-8-2-7~~ §14-16-5.1, Table 5-1-1. ~~Not less than~~  
25 ~~15 days prior to the first public hearing on applications specified in § 14-8-2-~~  
26 ~~7, the Mayor shall mail notices of the hearing to such recognized and non-~~  
27 ~~recognized neighborhood or homeowner associations.~~ The Mayor shall  
28 send electronic or mailed notices of the hearing to recognized and  
29 registered associations for applications specified in §14-16-5-1, Table 5-1-1,  
30 as specified in the relevant sub-section. (D) For the purpose of divisions (A),  
31 (B), and (C) of this section, ~~first class letters~~ email or mailed notice to two  
32 contact addresses ~~submitted by a neighborhood association of recognized~~  
33 or registered association representatives on file with the Office of

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1 Neighborhood Coordination shall constitute reasonable attempt to notify.  
2 (E) The city shall ~~mail~~ send an initial response electronically or by mail  
3 within seven days of receipt of any correspondence received from any  
4 recognized and ~~non-recognized neighborhood or homeowner~~ registered  
5 association that requests an answer, definition, or status of any city project  
6 within their boundaries.” [...] “(F)(8) Along with the district ~~Councillor~~  
7 Councilor, serve when appropriate as a liaison between a recognized  
8 neighborhood association and city agencies;” [...] “(F)(12) Upon request,  
9 assist the district ~~Councillor~~ Councilor and/or neighborhood associations in  
10 the formation of alliances of neighborhood associations; and” [...] “(I) ~~The~~  
11 ~~Mayor shall make reasonable attempts to give directly affected recognized~~  
12 ~~and non-recognized neighborhood or homeowner associations prior mailed~~  
13 ~~notification of pending major city development and redevelopment projects~~  
14 ~~and changes in services by the city which will have a direct, significant~~  
15 ~~impact on neighborhoods within one mile of, for example, the permanent~~  
16 ~~and temporary street construction and major repair, total closing of streets,~~  
17 ~~changes in size or type in city parks, building of new city facilities,~~  
18 ~~relocation or reconstruction of privately owned utilities which require a~~  
19 ~~permit, or rerouting of bus service.”~~

20 Section 35. City Code of Ordinances Section 14-8-2-7, Responsibilities of  
21 Applicants and Developers, is amended as follows: “(A) Notification of land  
22 use and development applications, shall be provided as required by §14-16-  
23 5-1 of the Integrated Development Ordinance, which specifies requirements  
24 for mailed or electronic notice, posted signs, web postings, and/or  
25 published notice. ~~Applicants for approval of amendments of the zone map,~~  
26 ~~site development plans (except houses and accessory buildings), major~~  
27 ~~subdivisions, vacations of public right-of-way, mapping historic districts,~~  
28 ~~landmarking sites, and (B) Notification of applications for issuance or~~  
29 ~~transfer of liquor licenses shall, prior to filing the application, make a~~  
30 ~~reasonable attempt to give written notification~~ provide notice of their  
31 proposal to any recognized and ~~non-recognized~~ registered neighborhood or  
32 homeowner association which ~~covers, abuts, or is across public right of~~  
33 ~~way from the subject site~~ that includes or is adjacent to the subject

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1 property. Certified letters, return receipt requested, mailed to the two  
2 designated neighborhood association representatives on file at the City  
3 Office of Neighborhood Coordination constitutes a reasonable attempt to  
4 notify an association. Failure by an applicant to show proof of either  
5 notification in person or a reasonable attempt to give written notification of  
6 its proposal to such designated association representatives shall be  
7 grounds for a neighborhood association to request deferral of a hearing.  
8 The application for such hearing shall include a signed statement that such  
9 notification has been sent.”

10 Section 36. City Code of Ordinances Section 14-8-2-7(B), Responsibilities  
11 of Applicants and Developers, is deleted in whole and replaced with the  
12 following: “(C) Pre-Application meetings with City staff for land  
13 development applications shall be held as outlined in §14-16-5-1 of the  
14 Integrated Development Ordinance. The purpose and requirements for a  
15 Pre-Application Meeting are provided in §14-16-5-4.2. (D) Neighborhood  
16 meetings for land development applications shall be held as outlined in §14-  
17 16-5-1 of the Integrated Development Ordinance. The purpose and  
18 requirements for a Neighborhood Meeting are provided in §14-16-5-4.3.  
19 These meetings may be recommended for Facilitation, as provided in §14-  
20 16-5-4.4.”

21 Section 37. City Code of Ordinances Part 14-8-7, Board of Appeals for  
22 Zoning Special Exceptions, is deleted in whole.

23 Section 38. City Code of Ordinances Part 14-9-3, Definitions, is amended  
24 as follows: “**WORKFORCE HOUSING.** Dwelling units serving residents and  
25 their families whose annualized income is at or below 80% of the Area  
26 Median Income for Albuquerque (AMI) as adjusted for household size and  
27 determined by the U.S. Department of Housing and Urban Development, and  
28 whose monthly housing payment does not exceed 30% of the imputed  
29 income limit applicable to such unit or 35% under special conditions to be  
30 defined in the Workforce Housing Plan. “Dwelling unit” is used in this article  
31 as defined in the ~~Comprehensive City Zoning Code~~ Integrated Development  
32 Ordinance (see ~~§ 14-16-1-5~~ §14-16-6-1).

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1 Section 39. City Code of Ordinances Part 14-11-3(A), Intent, is amended  
2 as follows: “This article is intended to help achieve Article IX of the Charter  
3 of the City of Albuquerque. It is also a means of conforming solar rights to  
4 local plans and laws: the Albuquerque/Bernalillo County Comprehensive  
5 Plan, ~~the Zoning Code,~~ and the Subdivision Regulations Integrated  
6 Development Ordinance of this code of ordinances. It is intended to create  
7 orderly, harmonious, and economically sound development in order to  
8 promote the health, safety, convenience, and general welfare of the citizens  
9 of the city.”

10 Section 40. City Code of Ordinances Section 14-13-1-4(E), Impact Fees;  
11 ~~Utility Expansion Charges; Other Development Related Charges,~~ is  
12 amended in title and as follows: “Waivers to impact fees are as is provided  
13 in §14-19-15 Exemptions.”

14 Section 41. City Code of Ordinances Section 14-13-2-2, Rank Importance  
15 of City Plans, is amended as follows: “Adopted ~~city~~ City plans ~~for urban~~  
16 ~~development and conservation~~ to coordinate land use, development,  
17 facilities, and resources are of varying rank importance. Lower-ranking  
18 plans should be consistent with higher-ranking plans, and when this is  
19 indisputably not the case, the conflicting provision of the lower -ranking  
20 plan is null and void. Plans should identify how they relate to relevant,  
21 higher-ranking plans. Ranked plans shall only contain policy and may not  
22 be regulatory. The highest ranks of ~~city~~ City plans are as follows in this  
23 section and in § 14-13-2-4” [...] “(B)(2) ~~Area Plans each cover diverse, major~~  
24 ~~geographic parts of the metropolitan area, typically 15 or more square~~  
25 ~~miles, and specify important development standards. Sites of key land use,~~  
26 ~~utility, and public facility development are usually indicated.” [...] “(C)(1)~~  
27 ~~Sector Development~~ Metropolitan Redevelopment Plans provide guidance  
28 to the Metropolitan Redevelopment Agency on redevelopment efforts,  
29 catalytic projects, and public/private partnerships, subject to amendment  
30 per the Metropolitan Redevelopment Agency Ordinance (§14-8-4-3(B)), for  
31 ~~ever~~ an area with common characteristics, typically one square mile ~~or~~  
32 ~~more~~ but occasionally considerably smaller; ~~such an area may be called a~~  
33 ~~neighborhood. These plans, which are defined by the Zoning Code create~~

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1 ~~special zoning regulations for the area covered, and may also specify other~~  
2 ~~fairly detailed development parameters. (2) Neighborhood Development~~  
3 ~~Plans are similar in scope to sector development plans except these plans~~  
4 ~~do not set special zoning regulations. They may, however, propose~~  
5 ~~rezoning. (2) Master Plans provide guidance to the implementing~~  
6 ~~department for the development of a City facility or joint facilities, such as a~~  
7 ~~community center, library, and/or park. Master Plans typically include land~~  
8 ~~uses, site layout, and design standards. (3) Resource Management Plans~~  
9 ~~provide guidance to the Parks and Recreation Department’s Open Space~~  
10 ~~Division about how best to manage and protect natural, historic, or cultural~~  
11 ~~resources on City-owned or City-managed Major Public Open Space~~  
12 ~~(MPOS). Resource Management Plans can also guide the overall planning,~~  
13 ~~visitor uses, budgeting, and decision-making for specific MPOS properties.~~

14 Section 42. City Code of Ordinances Section 14-13-2-3, Planned Growth  
15 Strategy, is amended as follows: (B)(4) *Planned Communities in the*  
16 ~~*Comprehensive Plan Rural and Reserve Areas*~~ *City of Albuquerque.* ~~;(B)(5)~~  
17 The current annexation policy and related provisions in the Development  
18 Process Manual review and decision criteria in the Integrated Development  
19 Ordinance (Section 14-16-5-5.3F), in part, indicate conditions under which  
20 an annexation request may be denied by the City; (B)(6) The Water  
21 Resources Division of the Pubic Works Department shall evaluate  
22 increasing the water conservation goal of the City to approximately 150  
23 gallons per person per day by the year 2005, and develop a preliminary plan  
24 with significant public input. This Plan and recommendation shall be  
25 submitted to the Council. The City shall request that the  
26 Albuquerque/Bernalillo County Water Utility Authority (ABCWUA) continue  
27 to establish and update new conservation goals below 135 gallons per  
28 person per day beyond 2024. The City shall continue to be involved in the  
29 ABCWUA’s implementation of the Water Resources Management Strategy  
30 including the updating of building codes, zoning regulations, and technical  
31 standards for rainwater harvesting.

32 Section 43. City Code of Ordinances Section 14-13-2-4(B),  
33 Redevelopment Plans, is amended as follows: “Plans that cover areas

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1 ~~characteristic of sector development plans or neighborhood development~~  
2 ~~plans are rank three plans.~~ **“Metropolitan Redevelopment Plans are Rank 3**  
3 **plans that provide guidance to the Metropolitan Redevelopment Agency on**  
4 **redevelopment efforts, catalytic projects, and public/private partnerships,**  
5 **subject to amendment per the Metropolitan Redevelopment Agency**  
6 **Ordinance (§14-8-4-3(B)), for an area with common characteristics, typically**  
7 **one square mile or more but occasionally considerably smaller.”**

8 Section 44. City Code of Ordinances Section 14-13-2-5, Procedure for  
9 Plan Adoption or Amendment; Fee, is deleted in whole.

10 Section 45. City Code of Ordinances Section 14-13-2-6, Annually Revised  
11 Planning Program, is deleted in whole.

12 Section 46. The City Council hereby amends Part 14-13-3, et seq.,  
13 Environmental Planning Commission, is deleted in whole. Sections 14-13-3-  
14 5 Beautification Committee, 14-13-3-6 City of Albuquerque’s Greater  
15 Albuquerque Bicycling Advisory Committee, 14-13-3-7 Open Space  
16 Advisory Board, and 14-13-3-8 City of Albuquerque’s Greater Albuquerque  
17 Recreational Trails Committee are moved to become new Part 2-6-14, Part 2-  
18 6-15, Part 2-6-16, and Part 2-6-17, respectively.

19 Section 47. City Code of Ordinances Part 14-17-5, Establishment of a  
20 Family Housing Development, is amended as follows: “(C) Financial  
21 Guarantee. In exchange for the density bonus, as specified in ~~subparagraph~~  
22 ~~E(1) of this section~~ **the Integrated Development Ordinance Section 14-16-4-**  
23 **1.3,** the developer and/or builder shall provide a financial guarantee in favor  
24 of the city that is equal to the appraised value of the increased density. The  
25 financial guarantee shall become due and payable to the city, if the  
26 developer and/or builder fails to sell a family affordable ownership unit to a  
27 qualified home buyer. The value of the increased density shall be  
28 determined by a qualified appraiser who shall perform an appraisal of the  
29 property. The city shall release the financial guarantee as the developer  
30 and/or builder provides documentation to the city that the family affordable  
31 ownership units have been sold to qualified home buyers.” [...] “(D)(1) That  
32 the proportionate amount of the value of the density bonus and the fee  
33 rebate, provided for **in the Integrated Development Ordinance Section 14-16-**

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1 4-1.3 and subparagraphs ~~E(1) and E(2)~~ of this section, for the family housing  
2 development that is attributable to each family affordable ownership unit  
3 shall be passed on by the developer and/or builder to each qualified home  
4 buyer in the form of a deferred loan of a portion of the purchase price of the  
5 family affordable ownership unit;” [...] “(E)(1) Density Bonus. Any family  
6 housing development Family Housing Development (FHD) located in the R-  
7 1, RA-1, RA-2, or R-T or ~~RLT~~ zones is eligible for a density bonus. In these  
8 zones, the FHD may be developed at a density that is at most 20% higher  
9 than normally allowed under the ~~Comprehensive City Zoning Code~~  
10 Integrated Development Ordinance. All of the controlling setback and open  
11 space requirements must be met for the zone in which the FHD is located.  
12 (See the ~~City of Albuquerque Zoning Code Section 14-16-2-4, Section 14-16-~~  
13 ~~2-5, Section 14-16-2-6, Section 14-16-2-8 and Section 14-16-2-9~~). Integrated  
14 Development Ordinance, Section 14-16-2-3.1, Section 14-16-2-3.2, Section  
15 14-16-2-3.4, and Section 14-16-4-1.3.)”

16 Section 48. City Code of Ordinances Part 14-19-15(A)(6), Exemptions, is  
17 amended as follows: “Full or partial waivers of impact fees shall be  
18 provided for projects within metropolitan redevelopment areas that meet the  
19 criteria set forth in the Development Process Manual. Notwithstanding the  
20 provisions of the Development Process Manual, such waivers shall be  
21 provided for both non-residential and residential development within the  
22 metropolitan redevelopment area that conforms to the metropolitan  
23 redevelopment area and ~~any sector development or area plan~~ and any  
24 others applicable within the metropolitan redevelopment area.”

25 Section 49. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
26 clause, word or phrase of this ordinance is for any reason held to be invalid  
27 or unenforceable by any court of competent jurisdiction, such decision shall  
28 not affect the validity of the remaining provisions of this ordinance. The  
29 Council hereby declares that it would have passed this ordinance and each  
30 section, paragraph, sentence, clause, word or phrase thereof irrespective of  
31 any provisions being declared unconstitutional or otherwise invalid.

1           **Section 50. COMPILATION.** Sections 1 through 48 of this ordinance shall  
2 amend, be incorporated in and made part of the Revised Ordinances of  
3 Albuquerque, New Mexico, 1994.

4           **Section 51. EFFECTIVE DATE AND PUBLICATION.** This legislation shall  
5 take effect six months after publication by title and general summary.

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