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1 of Consistency, where the existing pattern of uses, density, and intensity is to
2 be maintained and reinforced over time; and

3 WHEREAS, the Integrated Development Ordinance (IDO) was drafted as
4 part of a citywide effort to update and replace the City’s 40-year-old, 1970s-era
5 Comprehensive Zoning Code, and as the primary regulatory tool to implement
6 the Comp Plan for land within the municipal boundaries of the City of
7 Albuquerque; and

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

22 WHEREAS, the IDO was drafted to be consistent with and implement Comp
23 Plan goals and policies; and

24 WHEREAS, the IDO helps to implement Comp Plan goals and policies by
25 providing a set of zone districts (§14-16-2) that range from low intensity to
26 high intensity and designating the appropriate mix of land uses in each zone
27 district; and

28 WHEREAS, with the adoption of the IDO, the City Council adopted zoning
29 conversion rules for approximately 750 categories of Special Use zones that
30 were site-specific (i.e. SU-1 zones), approximately 450 Special Use zones
31 established by the adoption of Sector Development Plans (i.e. SU-2 and SU-3
32 zones), and approximately 20 base zones from the Comprehensive Zoning
33 Code to convert pre-existing zone districts to base zone districts established

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1 by the IDO in the Official Zoning Map (§14-16-1-6) that matched as closely as
2 possible the permissive uses in each zone; and

3 WHEREAS, the intent of the IDO was to update the City’s land use and
4 zoning framework to protect the character of existing development and to
5 regulate future development without eliminating or limiting the ability of
6 lawful, existing land uses to continue after the IDO’s adoption; and

7 WHEREAS, the City understands that predictability of zoning and
8 compatibility of land use and zoning are essential in order to maintain and
9 strengthen economic value and viability for property owners and businesses,
10 and to ensure appropriate and adequate protections for neighboring
11 properties; and

12 WHEREAS, the Official Zoning Map is used to apply land use regulations in
13 the IDO to development throughout the city and in decision-making for zoning
14 map amendments and long-range planning; and

15 WHEREAS, an accurate and transparent Official Zoning Map is critical to
16 the City’s role in providing for the health, welfare, and safety of the public; and

17 WHEREAS, updating the Official Zoning Map to better match zoning with
18 existing land uses is consistent with the objectives of the IDO and the Comp
19 Plan and benefits the City and property owners by eliminating
20 nonconformities where appropriate and improving the accuracy of information
21 and regulatory requirements for individual parcels; and

22 WHEREAS, many uses developed legally on properties either before City
23 zoning was established in 1959, before City zoning actions in subsequent
24 years that disallowed particular uses in particular zones, or before the IDO
25 established different allowable uses in the new zone districts, making such
26 existing uses legally nonconforming; and

27 WHEREAS, many properties in the City have developed with a low-density
28 residential use (e.g. townhouse, duplex, or single-family detached house) in
29 zones that otherwise would have allowed more dense and more intense uses,
30 and converting these properties to a zone district that allows less dense and
31 less intense uses with the permission of the property owner will help preserve
32 neighborhood stability and land use predictability – thus advancing two
33 leading objectives of the City’s in the area of land use regulation; and

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1 WHEREAS, there are many properties with two or more zone districts
2 covering a single lot (whether based on plat or deed) for a variety of historical
3 reasons, which has resulted in a floating zone line that cannot accurately be
4 associated with any actual physical boundary for purposes of implementing
5 the respective zoning requirements of the multiple zones; and

6 WHEREAS, there are many undeveloped properties with former Special
7 Use or R-D zoning, which often required further review and decision
8 processes to define allowable uses, that converted in Phase 1 to zones that
9 may not accurately allow uses matching those that were previously
10 anticipated and that are otherwise consistent with surrounding land use and
11 zoning patterns; and

12 WHEREAS, pursuant to the Phase 1 conversion rules, many properties
13 were converted to PD (which properties may or may not have an approved Site
14 Plan) or NR-BP (which properties may or may not have an approved Master
15 Development Plan) even though they do not all meet the size thresholds for
16 those zone districts established by the IDO, and although this may not impact
17 the ultimately usability of those properties, it does present a nonconformity
18 that can otherwise be cured; and

19 WHEREAS, City Council Resolution 18-29 directed the Planning
20 Department to create a Phase 2 zoning conversion process to evaluate,
21 analyze, process, and recommend citywide zoning conversions consistent
22 with the Comprehensive Plan and the IDO implementation goals, wherein
23 property owners would voluntarily convert the zoning on their properties to
24 address one or more of 5 following issues that were known at the time of the
25 IDO adoption but not resolved by the initial zoning conversion that became
26 effective as of May 17, 2018: 1) Nonconforming use(s), 2) Voluntary downzone,
27 3) Floating zone line(s), 4) Prior Special Use or R-D zoning, and 5) Size
28 thresholds for PD and NR-BP; and

29 WHEREAS, City Council Resolution 18-29 directed the Planning
30 Department to evaluate each property whose owner submitted a request and
31 agreement form to determine whether it reasonably falls within at least one of
32 the 5 identified criteria and decline to process those that do not; and

1 WHEREAS, for properties to be eligible through the nonconforming use
2 criterion, Planning Department staff determined that the existing use had to
3 have been legally allowed when the use began or that the use began before
4 the City established regulations on that use; and

5 WHEREAS, for properties to be eligible through the voluntary downzone
6 criterion, Planning Department staff determined that the property had to have
7 been zoned R-T, R-ML, R-MH, or MX-T and included an existing low-density
8 residential use (e.g. single-family detached house, duplex, or townhouse) and
9 that the property owner requested a less intense or less dense zone district
10 that still allowed the existing use; and

11 WHEREAS, for properties to be eligible through the floating zone line
12 category, Planning Department staff determined that the property had to have
13 2 zone districts on one parcel – either a platted parcel (as mapped by AGIS) or
14 deeded parcel (as mapped by the Bernalillo County Assessor) – and that the
15 zoning conversion would be completed along lot lines documented in the
16 AGIS layer called “City Parcel”; and

17 WHEREAS, for properties to be eligible through the prior Special Use or R-
18 D zoning criterion, Planning Department staff determined that the property had
19 to be undeveloped (i.e. contained no structure up to the time the Phase 2,
20 Batch 1 properties were submitted to the Environmental Planning Commission
21 for review and recommendation) and had previously been zoned SU-1, SU-2,
22 SU-3, or R-D; and

23 WHEREAS, for properties to be eligible through the size threshold criterion
24 for PD or NR-BP, Planning Department staff determined that a property zoned
25 PD had to be less than 2 acres in size or greater than 20 acres in size or that a
26 property zoned NR-BP had to be less than 20 acres in size and not part of an
27 approved Master Development Plan; and

28 WHEREAS, properties zoned NR-BP that are less than 20 acres in size and
29 part of an approved Master Development Plan are governed by the Master
30 Development Plan, and changing the zoning on those properties would make
31 it less transparent to the fact that they would still be governed by the Master
32 Development Plan unless the Master Development Plan were amended to
33 remove those properties from the Master Development Plan boundary; and

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1 WHEREAS, for those properties whose owners requested conversion to a
2 zone district that did not match the land use and zoning pattern of the
3 surrounding area or that was not compatible, Planning staff recommended a
4 zoning conversion that was more compatible with the surrounding land use
5 and zoning pattern and that still resolved the relevant issues in the R-18-29
6 criteria; and

7 WHEREAS, there are many properties with lot lines that differ spatially
8 between platted lots (approved by the City, recorded by the Bernalillo County
9 Clerk, and mapped by AGIS) and deeded lots (recorded and mapped by the
10 Bernalillo County Assessor); and

11 WHEREAS, Phase 2 zoning conversions will be completed only on lots
12 mapped in the AGIS layer “City Parcel”; and

13 WHEREAS, in some cases a platting action may be needed to create a
14 platted parcel to be mapped in the AGIS layer “City Parcel” that corresponds
15 spatially with the piece of land on which the property owner desires the zoning
16 conversion; and

17 WHEREAS, the Planning Department conducted public outreach efforts
18 that included advertisements in print media, online media, and radio; inserts
19 mailed with the Property Tax Bill to all property owners in Albuquerque;
20 tabling at community events; attendance at Neighborhood Association
21 meetings; and office hour appointments; and

22 WHEREAS, owners of 122 eligible properties signed a Property Owner
23 Request and Agreement Form to opt in to the Phase 2 zoning conversion
24 process by the submittal date of the first batch of properties for review and
25 recommendation by the Environmental Planning Commission; and

26 WHEREAS, owners of 4 eligible properties (all of which were in Areas of
27 Consistency, with Form ID number 14 under Criterion 1 Nonconforming Use
28 and Form ID numbers 128-130 under Criterion 5 PD < 2 acres) opted out of the
29 Phase 2 zoning conversion process since the Environmental Planning
30 Commission review and recommendation and have been removed from the
31 Batch 1 properties for which City Council will consider adopting zoning
32 conversion rules; and

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1 WHEREAS, Planning staff confirmed the eligibility of these Batch 1
2 properties and recommended appropriate zoning conversions to address the 5
3 issues in R-18-29, meet the goals of IDO implementation, and further the goals
4 and policies in the Comp Plan; and

5 WHEREAS, Planning staff either confirmed the zoning conversion
6 requested by the property owner as appropriate or recommended a more
7 appropriate zoning conversion given the existing lawful use of the property
8 and the surrounding land use and zoning patterns; and

9 WHEREAS, the voluntary process established by R-18-29 necessarily
10 results in a phased conversion of various parcels on a citywide basis; and

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

15 WHEREAS, the Comp Plan describes a Community Planning Area
16 assessment process to provide opportunities for community engagement and
17 analysis of each of the City’s 12 Community Planning Areas every 5 years,
18 culminating in an update to the goals and policies in the Comp Plan, as
19 recommended by the assessments; and

20 WHEREAS, the IDO establishes a Community Planning Area assessment
21 process as the City’s new process for long-range planning with communities,
22 intended to provide opportunities on a 5-year cycle to analyze and recommend
23 zoning and regulatory changes in specific geographic areas to better
24 implement the Comp Plan; and

25 WHEREAS, concerns about the resulting changes to zoning patterns from
26 Phase 2 zoning conversions can be addressed through Community Planning
27 Area assessments, which may result in recommendations to City Council for
28 future zoning actions for certain neighborhoods, districts, or corridors, as
29 appropriate; and

30 WHEREAS, on January 10, 2019, the Environmental Planning Commission
31 (EPC), in its advisory role on land use and planning matters, recommended
32 approval of this request (Project 2018-001843, Case RZ-2018-00057), pursuant
33 to 21 findings as follows:

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- 1 1. This is a request for legislative adoption of zoning conversion rules for
2 122 properties located city-wide whose owners have voluntarily opted into the
3 Phase 2 zoning conversion process established by Council Resolution 18-29
4 (Enactment No. R-2018-019).
- 5 2. The request is analogous to an amendment to IDO Text and will be
6 processed according to the procedural requirements in Section 14-16-6-7(D) of
7 the IDO.
- 8 3. The criteria for review and decision for this Phase 2 zoning conversion
9 process as established in City Council Resolution 18-29 is whether the
10 proposed zoning conversions are consistent with the Comp Plan and the IDO
11 implementation goals, city-wide, for properties that fall within at least one of
12 the following five categories outlined in Resolution 18-29:
 - 13 A. Nonconforming Use: The zoning conversion will remedy a
14 nonconforming use of the property.
 - 15 B. Voluntary Downzone: The zoning conversion will result in a less
16 intense or less dense IDO zone district in an Area of Consistency
17 that is compatible in scale and intensity with the existing land use at
18 the site and surrounding development patterns.
 - 19 C. Floating Zone Line: The zoning conversion will remedy a boundary
20 that does not correspond to a lot line in either the Bernalillo County
21 Assessor’s data or Albuquerque Geographic Information Systems
22 (AGIS) City parcel data (i.e. a “floating zone line”).
 - 23 D. Prior Special Use or R-D Zoning: The zoning conversion is for
24 undeveloped property previously regulated by the Residential and
25 Related Uses Zone, Developing Area (R-D), or by special use zoning
26 (SU-1, SU-2, or SU-3), and an IDO zone designation other than what
27 was assigned through the Phase 1 conversion process will be more
28 appropriate for the site.
 - 29 E. Size Thresholds: The zoning conversion is for property converted to
30 Planned Development (PD) or Non-residential Business Park (NR-BP)
31 zone districts that does not meet size thresholds set by the IDO for
32 those zone districts.

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1 4. The Phase 2 zoning conversion rules support existing uses, allow new
2 uses compatible with surrounding development, and encourage desirable
3 development in appropriate locations in the city.

4 5. This Phase 2 zoning conversion process is intended to address issues
5 not resolved by the adoption of the IDO, in which approximately 1,200 zone
6 districts were converted to one of 20 new zone districts established by the IDO
7 via 1 of 3 sets of Phase 1 zoning conversion rules: “base zones” from the
8 Zoning Code, SU-1 or R-D zones, and SU-2/SU-3 zones from adopted Sector
9 Development Plans.

10 6. The Albuquerque/Bernalillo County Comprehensive Plan and the City of
11 Albuquerque Integrated Development Ordinance (IDO) are incorporated herein
12 by reference and made part of the record for all purposes.

13 7. Throughout Albuquerque, many platted parcels mapped by AGIS differ
14 from ownership parcels mapped by the Bernalillo County Assessor. For the
15 Phase 2 zoning conversion process, the City will convert zoning to match
16 platted parcels.

17 8. The request furthers the following, applicable goal and policy pairs from
18 Comprehensive Plan Chapter 4 - Community Identity:

19 A. Goal 4.1 - Character: Enhance, protect, and preserve distinct
20 communities.

21 Policy 4.1.4 - Neighborhoods: Enhance, protect, and preserve
22 neighborhoods and traditional communities as key to our long-term
23 health and vitality.

24 The request will make zoning and land use patterns in communities more
25 transparent, accurate, and contextually compatible, which will help to
26 enhance, protect, and preserve distinct communities, neighborhoods, and
27 established, traditional communities.

28 B. Goal 4.2 - Process: Engage communities to identify and plan for their
29 distinct character and needs.

30 C. Policy 4.2.2 - Community Engagement: Facilitate meaningful
31 engagement opportunities and respectful interactions in order to
32 identify and address the needs of all residents.

1 An extensive public outreach effort to engage communities is part of the
2 request (see also Section III of this report). The outreach focused on helping
3 residents learn what their IDO zoning designation is and determine if the
4 existing use is allowed. This effort engaged communities and individuals to
5 better understand zoning and land use, and thereby identify and plan for the
6 distinct character and needs of their property and area (Goal 4.2). Staff
7 worked with individuals and neighborhoods to facilitate meaningful
8 engagement opportunities to address residents' needs (Policy 4.2.2).

9 9. The request furthers the following, applicable policies from
10 Comprehensive Plan Chapter 4-Community Identity:

- 11 A. Policy 4.1.1 - Distinct Communities: Encourage quality development
12 that is consistent with the distinct character of communities.
- 13 B. Policy 4.1.2 - Identity and Design: Protect the identity and
14 cohesiveness of neighborhoods by ensuring the appropriate scale
15 and location of development, mix of uses, and character of building
16 design.

17 The request will promote the protection and enhancement of neighborhood
18 character by establishing zoning conversions that allow appropriate and
19 contextual land uses. The proposed zoning conversions are compatible with
20 surrounding land uses and zoning patterns, which will act to reinforce
21 established character and protect identity and cohesiveness in developed
22 neighborhoods (Policy 4.1.2). Regarding vacant land, the request will
23 encourage development that is consistent with the distinct character of
24 communities (Policy 4.1.1).

25 10. The request furthers the following, applicable Goal and policy from
26 Comprehensive Plan Chapter 5 - Land Use:

- 27 A. Goal 5.2 - Complete Communities: Foster communities where
28 residents can live, work, learn, shop, and play together.

29 The request will generally foster communities where residents can live,
30 work, learn, shop, and play because it will convert mismatched zoning to zone
31 districts that serve as transitions between zones of different intensities and
32 that allow a mix of uses, including uses that provide services for residential
33 areas.

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1 **B. Policy 5.2.1 - Land Uses: Create healthy, sustainable, and distinct**
2 **communities with a mix of uses that are conveniently accessible**
3 **from surrounding neighborhoods.**

4 **c) Maintain the characteristics of distinct communities through**
5 **zoning and design standards that are consistent with long-**
6 **established residential development patterns.**

7 **h) Encourage infill development that adds complementary uses**
8 **and is compatible in form and scale to the immediately surrounding**
9 **development.**

10 **The request will contribute to creating healthy, sustainable, and distinct**
11 **communities with a mix of uses because the proposed zoning conversions are**
12 **compatible with surrounding development patterns, which will support the**
13 **community while facilitating a contextually-appropriate mix of uses. In**
14 **addition, the request will maintain the characteristics of distinct communities**
15 **through establishing zoning that is consistent with established residential**
16 **development patterns. Infill development will be encouraged because prior**
17 **zoning entitlements will be more accurately reflected in zoning that is more**
18 **contextually appropriate and subject to standards that create high-quality**
19 **development.**

20 **11. The request furthers the following, applicable goal and policies from**
21 **Comprehensive Plan Chapter 5 - Land Use, pertaining to City Development**
22 **Areas:**

23 **A. Goal 5.6 City Development Areas: Encourage and direct growth to**
24 **Areas of Change where it is expected and desired and ensure that**
25 **development in and near Areas of Consistency reinforces the**
26 **character and intensity of the surrounding area.**

27 **B. Policy 5.6.2 - Areas of Change: Direct growth and more intense**
28 **development to Centers, Corridors, industrial and business parks,**
29 **and Metropolitan Redevelopment Areas where change is**
30 **encouraged.**

31 **Batch 1 of the Phase 2 Zoning Conversion process contains 14 properties**
32 **in an Area of Change. The proposed zoning conversions will result in zoning**
33 **and land uses that are compatible with surrounding development and**

1 therefore will reinforce the character of the area in Areas of Consistency and
2 allow for growth and compatibility in Areas of Change. Specifically, the
3 request will direct more intense development and redevelopment to occur
4 where existing infrastructure and community services exist, where change is
5 encouraged.

6 C. Policy 5.6.3 - Areas of Consistency: Protect and enhance the
7 character of existing single-family neighborhoods, areas outside of
8 Centers and Corridors, parks, and Major Public Open Space.

9 Batch 1 of the Phase 2 Zoning Conversion process contains 108 properties
10 in an Area of Consistency. The proposed zoning conversions will establish
11 appropriate zone districts that protect and enhance the character of existing
12 single-family neighborhoods and areas outside of Centers and Corridors.

13 12. The request furthers the following, applicable Goal, policies, and
14 actions from Comprehensive Plan Chapter 5 - Land Use, pertaining to
15 implementation and regulatory alignment:

16 A. Goal 5.7 - Implementation Processes: Employ procedures and
17 processes to effectively and equitably implement the Comp Plan.

18 The IDO's procedures and processes work to effectively and equitably
19 implement the Comprehensive Plan. The proposed zoning conversions are a
20 necessary follow-up procedure to address mismatches of land use and zoning
21 and create greater zoning and land use compatibility between properties in
22 neighborhoods, which will support efforts to effectively and equitably
23 implement the Comprehensive Plan.

24 B. Policy 5.7.2 - Regulatory Alignment: Update regulatory frameworks
25 to support desired growth, high quality development, economic
26 development, housing, a variety of transportation modes, and quality
27 of life priorities.

28 c) Avoid the use of SU-1 as a tool to negotiate design or use
29 standards between stakeholders and limit its application to uses
30 specified in the SU-1 zone.

31 The request will serve to update a regulatory framework by establishing
32 legislative conversion rules that apply zoning districts that are appropriate for
33 existing uses and contextually compatible with the area surrounding them. In

1 addition to supporting desired growth and economic development, this will
2 move the City’s zoning system away from one-off approaches for individual
3 properties to a regulatory code that includes appropriate mixes of land uses in
4 base zones and predictable standards to facilitate high-quality development.

5 13. The request implements Actions 5.7.2.16 and 5.7.2.17 of the
6 Comprehensive Plan:

7 Action 5.7.2.16: Work with property owners to identify mismatches between
8 existing land uses, zoning, and the Comp Plan vision and recommend City-
9 sponsored zone changes for the future.

10 Action 5.7.2.17: Minimize the use of Planned Development zones by
11 encouraging an appropriate mix of permissive land uses in residential, mixed-
12 use, and non-residential zones.

13 These actions were specifically added to recognize existing issues
14 regarding mismatches of land use and zoning and the intended regulatory
15 updates needed to address them. From the outset, the Phase 2 zoning
16 conversion process established by R-18-29 was explicitly intended to
17 accomplish regulatory alignment beyond what was accomplished in Phase 1.

18 14. Regarding the criteria of Resolution 18-29, the request meets the intent
19 of the Community Identity chapter of the Comprehensive Plan as follows:

- 20 A. Nonconforming Uses: For the 22 properties that qualify based on
21 nonconforming uses, these zoning conversions will establish a zone
22 district that is appropriate for the context and that allows existing
23 nonconforming uses.
- 24 B. Voluntary Downzones: For the 83 properties that qualify as voluntary
25 downzones, these zoning conversions will establish zone districts
26 that better match existing land uses and lot sizes.
- 27 C. Floating Zone Lines: For the 4 properties that qualify based on
28 floating zone lines, these zoning conversions will clean up the
29 Official Zoning Map by adjusting floating zone lines to match existing
30 platted lot lines.
- 31 D. Undeveloped Prior SU-1 & RD: For the 12 properties that qualify
32 based on undeveloped prior SU-1 or RD zoning, these zoning
33 conversions will establish a zone district appropriate for the context

1 for undeveloped properties where the IDO zone does not match prior
2 entitlements.

3 E. Size Thresholds in PD & NR-BP: For the 8 properties that qualify
4 based on size thresholds in PD & NR-BP, these zoning conversions
5 will establish a zone district that is appropriate for the context and
6 that matches existing uses.

7 15. Regarding the criteria of Resolution 18-29, the request meets the intent
8 of the Land Use chapter of the Comprehensive Plan as follows:

9 A. Nonconforming Use: For the 9 properties in Areas of Change that
10 qualify based on nonconforming uses, the zoning conversions allow
11 existing uses to continue and expansions or redevelopment to occur
12 over time.

13 B. Undeveloped Prior SU or RD: For the 4 properties in Areas of Change
14 that qualify based on prior special use zoning, the zoning
15 conversions allow the development of non-residential and mixed
16 uses in zone districts compatible with surrounding development.

17 C. Size Threshold in PD & NR-BP: For the 1 property in an Area of
18 Change that qualifies based on the size threshold in the NR-BP zone,
19 the zoning conversion allows the existing use on the premises to
20 continue and expansions or redevelopment to occur over time.

21 16. As directed by Resolution 18-29, Planning staff developed an extensive
22 outreach strategy to let the public know about the voluntary zoning
23 conversion process, including articles, announcements, meetings,
24 presentations, and a mail insert.

25 17. The required notice for an Amendment to IDO Text is published,
26 mailed, and posted on the web. The City published notice of the EPC hearing
27 in the ABQ Journal legal ads. First class mailed notice was sent to the two
28 representatives of each neighborhood organization registered with the Office
29 of Neighborhood Coordination. Notice was posted on the Planning Department
30 website and on the project website.

31 18. Additional notification consisted of an article published in the
32 Neighborhood News in January 2019 and email notice sent to approximately

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1 10,000 subscribers to the ABC-Z project update email list on December 10,
2 2018 and January 3, 2019.

3 19. Though a neighborhood meeting is not required for an Amendment to
4 IDO Text, Staff met with area residents at four neighborhood association (NA)
5 meetings: Wells Park NA, Bear Canyon NA, University Heights NA, and Near
6 North Valley NA.

7 20. As of this writing, Staff has not received any comments. There is no
8 known support or opposition to the request.

9 21. There are concerns about how future planning and development
10 decisions will be affected by the creation of “checkerboard” or “Swiss
11 cheese” zoning patterns in particular neighborhoods. City Council should
12 consider how zoning patterns affected by these Phase 2 zoning conversions
13 will affect future development decisions, including both future zone map
14 amendment requests that implicate a spot zone and site plan requests. Long-
15 range planning efforts should address these concerns in Community Planning
16 Area assessments for neighborhoods during comprehensive planning efforts.
17 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
18 ALBUQUERQUE:**

19 Section 1. **ZONING CONVERSION RULES.** The City Council hereby adopts
20 zoning conversion rules for the properties in Batch 1 of the Phase 2 zoning
21 conversion process as listed in Exhibit X.

22 Section 2. **OFFICIAL ZONING MAP.** The City Planning Department shall
23 update the Official Zoning Map to reflect the adopted zoning conversion rules
24 for the Batch 1 properties in Exhibit X.

25 Section 3. **SEVERABILITY.** If any section, paragraph, sentence, clause,
26 word or phrase of this Ordinance is for any reason held to be invalid or
27 unenforceable by any court of competent jurisdiction, such decision shall not
28 affect the validity of the remaining provisions of this Ordinance. The Council
29 hereby declares that it would have passed this Ordinance and each section,
30 paragraph, sentence, clause, word or phrase thereof irrespective of any
31 provision being declared unconstitutional or otherwise invalid.

32 Section 4. **EFFECTIVE DATE.** This Ordinance shall take effect five days
33 after publication by title and general summary.