



Legislation Details (With Text)

File #: R-17-213
Type: Resolution **Status:** Enacted
File created: 6/19/2017 **In control:** City Council
Final action: 11/13/2017
Enactment date: 11/16/2017 **Enactment #:** R-2017-102

Title: C/S Repealing Resolutions And Plans Whose Regulatory Purpose And Content Has Been Replaced By The Integrated Development Ordinance (IDO) (§14-16, et seq.), Replacing References To Repealed Ordinances And Resolutions In Various Locations Of The Code Of Resolutions Of Albuquerque, New Mexico, With References To The IDO To Maintain Consistency; And Revising The Location In The Code Of Resolutions For Select Plans To Compile Relevant Sections Of The Code Of Resolutions And To Maintain Consistency With The IDO (Jones, Benton)

Sponsors: Isaac Benton, Trudy E. Jones

Indexes:

Code sections:

Attachments: 1. R-213, 2. R-213 Approved Committee Substitute.pdf, 3. CS R-213Enacted

Date	Ver.	Action By	Action	Result
11/16/2017	2	City Clerk	Published	
11/16/2017	2	Mayor	Signed by the Mayor	
11/16/2017	2	City Council	Sent to Mayor for Signature	
11/13/2017	2	City Council	Passed	Pass
11/6/2017	2	City Council	Continued	Pass
10/16/2017	2	City Council	Postponed	Pass
10/16/2017	2	City Council	Accepted Without Recommendation, as Substituted (Immediate Action)	
10/11/2017	2	Land Use, Planning, and Zoning Committee	Substituted	Pass
10/11/2017	2	Land Use, Planning, and Zoning Committee	Sent to Council Without Recommendation	Pass
10/11/2017	2	Land Use, Planning, and Zoning Committee	Sent to Council for Immediate Action	Pass
9/27/2017	2	Land Use, Planning, and Zoning Committee	Postponed	Pass
9/13/2017	2	Land Use, Planning, and Zoning Committee	Postponed	Pass
8/16/2017	1	Land Use, Planning, and Zoning Committee	Substituted	Pass
8/16/2017	1	Land Use, Planning, and Zoning Committee	Postponed as Substituted	Pass
6/19/2017	1	President	Referred	
6/19/2017	1	City Council	Introduced and Referred	

CITY of ALBUQUERQUE

TWENTY SECOND COUNCIL

COUNCIL BILL NO. C/S R-17-213 ENACTMENT NO. _____

SPONSORED BY: Trudy E. Jones and Isaac Benton

RESOLUTION

C/S Repealing Resolutions And Plans Whose Regulatory Purpose And Content Has Been Replaced By The Integrated Development Ordinance (IDO) (§14-16, et seq.), Replacing References To Repealed Ordinances And Resolutions In Various Locations Of The Code Of Resolutions Of Albuquerque, New Mexico, With References To The IDO To Maintain Consistency; And Revising The Location In The Code Of Resolutions For Select Plans To Compile Relevant Sections Of The Code Of Resolutions And To Maintain Consistency With The IDO (Jones, Benton)

REPEALING RESOLUTIONS AND PLANS WHOSE REGULATORY PURPOSE AND CONTENT HAS BEEN REPLACED BY THE INTEGRATED DEVELOPMENT ORDINANCE (§14-16, ET SEQ.), INCLUDING PART §1-1-2, PART §1-1-4, PART §1-1-5, PART §1-1-6, PART §1-1-10, PART §1-1-11, PART §1-1-12, PART §1-1-14, PART §1-1-16, PART §1-2-1, ARTICLE 3: METROPOLITAN AREAS AND URBAN CENTERS PLAN, ARTICLE 4: REVITALIZATION STRATEGIES, ARTICLE 6: REDEVELOPMENT PLANS, ARTICLE 7: SECTOR DEVELOPMENT AND COMMUNITY DEVELOPMENT PLANS, ARTICLE 10: OVERLAY ZONES, ARTICLE 11: AREA PLANS, ARTICLE 13: CORRIDOR PLANS, PART §1-13-1, AND PART §2-5-1; CREATING A NEW ARTICLE 14: RANK 2 FACILITY PLANS, ARTICLE 15: RANK 3 MASTER PLANS AND RESOURCE MANAGEMENT PLANS, ARTICLE 16: FRAMEWORK PLANS THAT ARE CONSISTENT WITH THE TERMINOLOGY IN THE IDO; REPLACING REFERENCES TO REPEALED ORDINANCES AND RESOLUTIONS IN VARIOUS LOCATIONS OF THE CODE OF RESOLUTIONS OF ALBUQUERQUE, NEW MEXICO, WITH REFERENCES TO THE INTEGRATED DEVELOPMENT ORDINANCE TO MAINTAIN CONSISTENCY, INCLUDING PART §1-6-7, PART §1-6-8, PART §1-6-9, PART §1-6-16, PART §1-7-16, PART §1-7-43, PART §1-11-9, PART §1-11-12, PART §1-12-12, PART §1-13-2, PART §1-13-3, PART §1-13-4, PART §5-1-

1; AND REVISING THE LOCATION IN THE CODE OF RESOLUTIONS FOR SELECT PLANS TO COMPILE RELEVANT SECTIONS OF THE CODE OF RESOLUTIONS AND TO MAINTAIN CONSISTENCY WITH THE IDO, INCLUDING PART §1-4-2, PART §1-4-3, PART §1-6-8, PART §1-6-10, PART §1-6-11, PART §1-6-12, PART §1-6-13, PART §1-6-14, PART §1-6-15, PART §1-11-5, PART §1-11-6, PART §1-11-7, PART §1-11-13, PART §1-11-14, PART §1-13-2, PART §1-13-3, PART §1-13-4, PART §1-13-5, PART §4-2-5, PART §4-2-1, PART §4-2-9, PART §4-4-2, PART §4-3-1, AND PART §4-4-3.

WHEREAS, the City Council, the Governing Body of the City of Albuquerque, has the authority to adopt and amend plans for the physical development of areas within the planning and platting jurisdiction of the City authorized by statute, Section 3-19-3, NMSA 1978, and by its home rule powers; and

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

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

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

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

WHEREAS, the City's Comprehensive Zoning Code ("Zoning Code"), which is the primary

implementation tool for the Comp Plan, has been amended piecemeal hundreds of times but has not been comprehensively updated since 1975; and

WHEREAS, the Zoning Code was not updated comprehensively after the Comp Plan amendments adopting the Centers and Corridors vision and community identity goals and policies for Community Planning Areas; and

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

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

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

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

WHEREAS, the City's Rank 2 Facility Plan for Arroyos identifies major arroyos that serve a drainage function as well as, in many cases, recreational opportunities through multi-use trails or parks and provides policy guidance for the design and management of these facilities; and

WHEREAS, the City has adopted three Rank 3 Arroyo Corridor Plans - Pajarito (adopted in 1990), Amole (adopted in 1991), and Bear Canyon (adopted in 1991) - which include policy guidance to the City for the management of these facilities as well as regulations pertaining to private property abutting these facilities; and

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

WHEREAS, the City has adopted five Rank 2 Area Plans - the Sandia Foothills Area Plan in 1983 (never amended), the Southwest Area Plan in 1988, (last amended in 2002), the East Mountain Area Plan in 1992 (never amended), the North Valley Area Plan in 1993 (never amended), and the West Side Strategic Plan in 1997 (last amended in 2014) - that provide policy guidance about sub-areas to help implement the Comp Plan, yet three have not been amended

since 2001, when the Comp Plan was amended to adopt a Centers and Corridors vision for future growth and development; and

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

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

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

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

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

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

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

Rank 3 Sector Development Plans; and

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

WHEREAS, the adopted Rank 3 Sector Development Plans have created over 235

unique SU-2 zones outside of the Zoning Code, many of which establish zone abbreviations unique to each plan; and

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

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

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

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

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

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

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

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

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

WHEREAS, the project team staffed booths and passed out promotional material at community events and farmers markets to reach more people and a broader cross-section of

the community and met with individuals and small groups during weekly office hours; and

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

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

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

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

WHEREAS, the 2017 ABC Comp Plan established a hierarchy of Centers and Corridors from the most to the least walkable, mixed-use, and dense, with Downtown, Urban Centers, Premium Transit Corridors, and Main Street Corridors all intended to be highly walkable, mixed-use, and dense; and

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

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

WHEREAS, the IDO's stated purpose is to implement the 2017 ABC Comp Plan; ensure that all development in the City is consistent with the spirit and intent of other plans and

policies adopted by City Council; ensure provision of adequate public facilities and services for new development; protect quality and character of residential neighborhoods; promote economic development and fiscal sustainability of the City; provide efficient administration of City land use and development regulations; protect health, safety, and general welfare of the public; provide for orderly and coordinated development patterns; encourage conservation and efficient use of water and other natural resources; implement a connected system of parks, trails, and open spaces to promote improved outdoor activity and public health; provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health; and encourage efficient and connected transportation and circulation systems for motor vehicles, bicycles, and pedestrians; and

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

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

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Center designation of Urban Centers - intended to be highly walkable, with mixed-use development and high-density, high-intensity uses - for Volcano Heights and Uptown, with the same boundaries as identified in the 2013 Comp Plan, which followed boundaries established by SU-2 zoning in the adopted Rank 3 Volcano Heights and Uptown Sector Development Plans; and

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

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

WHEREAS, the IDO helps implement Premium Transit Corridors for which funding has been secured and transit station locations have been identified by allowing additional

building height and reducing parking requirements within 660 feet (one-eighth of a mile, a distance of two typical city blocks, considered a 5-minute walk) of Premium Transit stations; and

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

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

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

WHEREAS, the IDO helps implement Activity Centers by requiring enhanced building façade design and site design for drive-throughs that results in more pedestrian-oriented layouts within the boundary of these Centers; and

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

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

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

acequias; and

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

WHEREAS, the IDO helps implement the Comp Plan by providing Neighborhood Edge regulations (§14-16-5-9) that require a transition and buffering between Areas of Change and Residential zones, as well as other design requirements for development in Areas of Change to minimize negative impacts on Areas of Consistency; and

WHEREAS, the IDO helps implement the Comp Plan by including regulations (§14-16-5-2) to avoid sensitive lands such as flood plains, steep slopes, unstable soils, wetlands, escarpments, rock outcroppings, large stands of mature trees, archaeological sites; and

WHEREAS, the IDO helps implement the Comp Plan by including specific regulations (§14-16-5-2(C)) to ensure that development near sensitive lands, including archaeological sites (§14-16-5-2(D)), arroyos (§14-16-5-2(E)), and acequias (§14-16-5-2(F)), is context-sensitive; and

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

WHEREAS, the IDO helps implement the Comp Plan by including specific use restrictions and design standards (§14-16-5-2(H)) to ensure that development adjacent to or within 330 feet (one-sixteenth of a mile, a distance of one typical city block) of Major Public Open Space is context-sensitive; and

WHEREAS, the 2017 ABC Comp Plan includes goals and policies to protect historic assets and cultural resources, and the IDO implements these goals and policies by incorporating Historic Protection Overlay zones (§14-16-3-3) with design standards to ensure compatible new development and redevelopment in historic districts, View Protection Overlay zones (§14-16-3-4), and regulations for development next to sensitive lands (§14-16-5-2); and

WHEREAS, the 2017 ABC Comp Plan includes goals and policies to protect community

health and maintain safe and healthy environments where people can thrive; and

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

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

WHEREAS, the IDO helps implement these goals and policies by providing use-specific standards (§14-16-4-3) that require distance separations between uses that pose potential negative impacts on nearby properties - such as pawn shops, bail bonds, small loan businesses, and liquor retail - to prevent clustering of such uses; and

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

WHEREAS, the IDO implements the new proactive approach to long-range planning by committing the City to a proactive, equitable system of assessments (§14-16-6-3(D)) done every five years with residents and stakeholders in each of 12 Community Planning Areas established by the ABC Comp Plan; and

WHEREAS, the IDO furthers the purpose and intent of the Planning Ordinance (§14-13-2) and the Planned Growth Strategy (§14-13-2-3) by establishing a regulatory framework that ensures that development is consistent with the intent of other plans, policies, and ordinances adopted by the City Council; that updated development standards help ensure provision of adequate light, air, solar access, open spaces, and water; that clarified and streamlined development processes will help ensure the harmonious, orderly, and coordinated development of land in the City, and help create efficiency in governmental operations; that land use is coordinated with transportation corridors to help promote the convenient circulation of people, goods, and vehicles while minimizing traffic hazards; that subdivision standards and

review/approval processes serve as a framework to help Staff and the public ensure the safety and suitability of land for development; and

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

WHEREAS, the Planning Ordinance (§14-13-2) is being amended with the Ordinance adopting the IDO (O-17-49) to clarify that Ranked plans will hereby include narrative and policies but not regulations; and

WHEREAS, adopted Rank 2 Facility Plans will remain in effect, to be amended pursuant to the IDO (§14-16-6-3(B)) or as specified in the adopted plan; and

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

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

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

WHEREAS, the IDO is intended to integrate and adopt regulations pertaining to land use and development on private land within the City's municipal boundaries into one document in order to eliminate duplication, inconsistencies, and conflicts and to strengthen consistency, coordination, efficiency, effectiveness, and enforcement of these regulations; and

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

WHEREAS, the IDO includes the flexibility to tailor uses, overlay zones, development standards, and review/approval processes for specific sub-areas to protect character,

enhance neighborhood vitality, and respect historic and natural resources; and

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

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

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

WHEREAS, the IDO carries over as Historic Protection Overlay zones (§14-16-3-3) historic design standards from the Historic Zone (H-1) and adopted historic overlay zones, including East Downtown (adopted 2005), Eighth/Forrester (last amended in 1998), Fourth Ward (adopted 2002), Huning Highland (adopted 2010), and Silver Hill (last amended in 2010); and

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

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

archeological, or geographic significance; and

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

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

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

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

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

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

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

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

WHEREAS, properties with SU-1 zoning in an adopted Rank 3 Sector Development Plan

that describes the zones by referring to the existing Zoning Code (other than SU-1 for PRD or SU-1 for PDA, whose conversion is described above) have been converted in the conversion zoning map to the IDO zone with the closest matching set of permissive uses; and

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

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

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

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

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

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

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

WHEREAS, the IDO includes a Use Table (§14-16-4-2) that clearly indicates land uses that are permitted, conditional, accessory, conditional accessory, conditional vacant, or temporary in each zone district; and

WHEREAS, the IDO includes use-specific standards (§14-16-4-3) to establish use regulations, further design requirements, allowances, area-specific regulations, and/or processes to avoid or mitigate off-site impacts and ensure high-quality development, including those carried over from adopted Rank 3 Sector Development Plans and generalized to apply citywide or mapped to continue to apply to a small area; and

WHEREAS, the IDO includes general development standards (§14-16-5) related to site design and sensitive lands; access and connectivity; parking and loading; landscaping, buffering, and screening; walls; outdoor lighting; neighborhood edges; solar access; building design; signs; and operation and maintenance; and

WHEREAS, the IDO includes and updates standards for the subdivision of land (§14-16-5 -4) and associated administrative and enforcement procedures (§14-16-6) in the existing Subdivision Ordinance (§14-14-1 et seq.) in order to ensure that land suitable for development is served by the necessary public services and infrastructure, including a multi-modal transportation network, and platted accordingly; and

WHEREAS, the IDO establishes review and approval processes (§14-16-6) appropriate for each type of land development application in order to clearly establish notice requirements, decision-making bodies, and criteria for decision-making bodies; and

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

WHEREAS, the IDO establishes thresholds, criteria, and the appropriate decision-making body for major projects (§14-16-6-6) that require a public meeting and/or hearing and whose approval should be based on consideration of objective standards for high-quality, context-sensitive land use and development established by the IDO; and

WHEREAS, the IDO requires review and decision by the Environmental Planning Commission for a zone change (§14-16-6-7(E)) and site plan approval (§14-16-6-7(F)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO in Planned Development (PD), Non-residential Sensitive Use (NR-SU) zone districts, and new Master Development Plans in Non-residential Business Park (NR-BP) zone districts; and

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

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

WHEREAS, the IDO requires review and decision by the Environmental Planning Commission (§14-16-6-7(E)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO for amendments to the zoning map up to 10 acres in Areas of Consistency and up to 20 acres in Areas of Change, above which Council has authority; and

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

WHEREAS, the IDO establishes procedures and criteria for alterations and demolition within and outside Historic Protection Overlay zones and for amending existing and designating new Historic Protection Overlay zones and landmarks (§14-16-6-7(C)); and

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

WHEREAS, the IDO establishes criteria and thresholds appropriate for staff review and decision of minor deviations from zoning dimensional standards (§14-16-6-4(X)(2)); and

WHEREAS, the IDO establishes procedures and criteria for the Zoning Hearing Examiner to decide on requests for conditional uses (§14-16-6-6(A)) or for variances from dimensional zoning standards (§14-16-6-6(L)); and

WHEREAS, the IDO establishes procedures for the Development Review Board (§14-16-6-6(J)) to grant variances to sidewalks, public right-of-way standards, and subdivision standards, based on criteria established in the Development Process Manual; and

WHEREAS, the IDO establishes procedures and criteria for the Environmental Planning Commission to grant exceptions to zoning dimensional standards that provide civic benefits or that benefit the natural environment (§14-16-6-6(K)); and

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

WHEREAS, approved site plans and permits shall remain valid (as described in §14-16-6-4(W)) unless they expire (as described in §14-16-6-4(W)(2)) or are amended (as described in §14-16-6-4(W)(3)); and

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

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

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

WHEREAS, all existing development that conforms to the Zoning Code on the date the IDO becomes effective but that does not comply with the IDO shall be considered nonconforming and allowed to continue, subject to limits on expansion and thresholds after which the property

must be brought into compliance with the IDO as specified in §14-16-6-8; and

WHEREAS, the IDO establishes adequate provisions for the continuation and expansion of nonconforming uses, structures, lots, signs, and site features (§14-16-6-8), as well as appropriate thresholds or timeframes for when nonconformities must come into compliance with the IDO; and

WHEREAS, the IDO establishes appropriate standards and procedures for enforcing violations and assessing penalties (§14-16-6-9); and

WHEREAS, any violation of the City zoning, subdivision, or land development regulations in effect prior to the effective date of this IDO will continue to be a violation under this IDO and subject to enforcement actions, unless the development or other activity that was a violation of the previous regulations is consistent with the requirements and regulations of this IDO; and

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

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

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

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

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

WHEREAS, the proposed IDO was announced in the *Albuquerque Journal*, the

Neighborhood News , and on the Planning Department's webpage in January 2017; and

WHEREAS, staff prepared summary handouts for each adopted Sector Development Plan to explain how Sector Development Plan policies were incorporated into the 2017 ABC Comp Plan, how regulations from Sector Development Plan regulations were incorporated into the Integrated Development Ordinance as either a best practice approach to land-use regulation and zoning that was extended citywide or as a regulation that was mapped to apply to the same area as specified in the Sector Development Plan, either as a zone district (§14-16-2-3), a Character Protection Overlay zone (§14-16-3-2), a Historic Protection Overlay zone (§14-16-3-3), a View Protection Overlay zone (§14-16-3-4), a use-specific standard (§14-16-4-3), a development standard (§14-16-5), or an administrative procedure (§14-16-6); and

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

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

WHEREAS, the public and staff had an opportunity to make written and verbal comments prior to and during the Land Use, Planning, and Zoning Committee's review of the IDO, and the IDO was revised to reflect changes recommended by the LUPZ Committee; and

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

WHEREAS, the policy purpose of the Rank 2 Area Plans and Rank 3 Sector Development Plans has been replaced by the 2017 ABC Comp Plan update; and

WHEREAS, the planning purpose of Rank 2 Area Plans and Rank 3 Sector Development Plans for sub-areas of the city has been replaced with the 2017 ABC Comp Plan implementation policies and IDO Planning System (§14-16-6-3) to provide a proactive, equitable system of long-range planning for all areas of the city as assessments done every five years with residents and stakeholders in each of 12 Community Planning Areas established by the ABC Comp Plan; and

WHEREAS, the regulatory purpose of the Rank 3 Sector Development Plans has been replaced by the IDO, which includes best practices for coordinating land use and

transportation, establishing appropriate land use controls through zoning, protecting single-family neighborhoods and sensitive lands, and providing appropriate tools to protect character in historic districts and unique neighborhoods; and

WHEREAS, the land use and zoning purpose of the Rank 3 Sector Development Plans has been replaced with the IDO, which includes regulations from adopted Rank 3 Sector Development Plans, and the zoning conversion map, which converts SU-2 zoning from Rank 3 Sector Development Plans to zones in the IDO with the closest matching set of permissive uses; and

WHEREAS, the regulatory purpose of the Rank 3 Arroyo Corridor Plans has been replaced by the IDO, which incorporates and updates regulations from adopted Arroyo Corridor Plans and applies them citywide along arroyos designated in the Rank 2 Facility Plan for Arroyos to ensure that development on private land adjacent to arroyos is context-sensitive; and

WHEREAS, the Rank 3 Arroyo Corridor Plans will continue to be used as Resource Management Plans by the relevant implementing departments to provide policy guidance for the management of these resources; and

WHEREAS, Master Plans for City facilities, such as the Balloon Fiesta Park Master Plan and BioPark Master Plan, will continue to be used as Rank 3 Master Plans by the relevant implementing departments for guidance on management and planning these individual facilities, to be developed and amended as specified by the relevant implementing departments; and

WHEREAS, several Sector Development Plans were jointly adopted as Metropolitan Redevelopment Area Plans, including St. Joseph Hospital/Civic Auditorium Area Sector Development Plan (adopted in 1979), McClellan Park Metropolitan Redevelopment Plan (last amended in 1995), Los Candelarias Village Center & Metropolitan Redevelopment Plan (adopted in 2001), South Broadway Sector Development Plan and Metropolitan Redevelopment Plan (last amended in 2002), and Downtown 2025 Sector Development Plan (last amended in 2014); and

WHEREAS, adopted Metropolitan Redevelopment Plans - including Metropolitan Plans that were adopted as joint Sector Development Plans and Metropolitan Plans - will continue to be used by the Metropolitan Redevelopment Agency as Rank 3 Metropolitan Redevelopment Plans to provide guidance on redevelopment efforts, catalytic projects, and public/private partnerships, subject to amendment pursuant to the Metropolitan Redevelopment Agency Ordinance (§14-8-4-3(B)); and

WHEREAS, the City adopted a Rank 2 Bikeways and Trails Facility Plan that replaced the former Trails and Bikeways Plan and On-Street Comprehensive Bike Plan; and

WHEREAS, references in the Code of Resolutions to previous amendments to the Comp Plan and other plans that are no longer necessary should be removed to be consistent with changes to §14-13-2-2 in the Planning Ordinance amended via O-17-49 and codified in §14-16-6-3 of the IDO; and

WHEREAS, references in the Code of Resolutions to zone districts the Zoning Code should be updated to reflect the new zone districts in the IDO; and

WHEREAS, references in the Code of Resolutions to former Commissions and procedures that are no longer current practice, such as the Extraterritorial Zoning Commission and prior notice of annexations by City Council, need to be updated to match changes to State Law; and

WHEREAS, many resolutions in the Code of Resolutions refer to plans and practices that are no longer in use, and deleting outdated references and reorganizing the remaining content is intended to clarify requirements and increase governmental efficiency, effectiveness, and consistency.

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

Section 1. The City hereby repeals the Rank 2 Area Plans, whose policy content has been updated, incorporated into, and replaced by the 2017 ABC Comp Plan via R-16-08 (Enactment No. R-2017-026) and whose policy purpose has been invalidated by the amendments to the Planning Ordinance in the companion legislation adopting the Integrated Development Ordinance (O-17-49). The Code of Resolutions Land Use - Article 11: Area Plans is hereby repealed, with the following related actions:

(A) The following Parts are repealed in their entirety:

- §1-11-2 Southwest Area Plan
- §1-11-3 East Mountain Area Plan
- §1-11-4 North Valley Area Plan
- §1-11-8 West Side Strategic Plan
- §1-11-10 Sandia Foothills Area Plan

(B) The following Part is moved as follows:

- §1-11-5 Trails and Bikeways Plan; On-Street Comprehensive Bike Plan adopting resolutions, which were replaced with the Bikeways & Trails Facility Plan, are

moved to become a new §4-2-9, for historical reference, and sections (A)(1), (A)(2), (B)(1), and (B)(2) are hereby rescinded. A reference to §1-14-1 Bikeways & Trails Facility Plan shall be added.

(C) The following Parts are moved to a new Article 15: Rank 3 Master Plans and Resource Management Plans, and the City hereby designates the referenced plans as Rank 3 Plans.

- §4-2-5 Albuquerque International Airport Master Plan and Airport Noise Compatibility Program is moved to become a new §1-15-1, with a reference to §1-11-7 Airport Master Plan. The text in §1-11-7 is rescinded.
- §1-11-6 Bosque Action Plan is moved to become a new §1-15-2.
- §4-4-2 Rio Grande Zoological Park Master Plan is moved to become a new §1-15-3.
- §1-11-13 Los Poblanos Fields Open Space Resource Management Plan is moved to become a new §1-15-23.
- §4-4-3 Rio Grande Valley State Park Management Plan is hereby designated a Resource Management Plan and moved to become a new §1-15-25.
- §1-11-14 Tijeras Arroyo Biological Zone Resource Management Plan is moved to become a new §1-15-26.

(D) The following Parts are moved to a new Article 16: Framework Plans, and the City hereby designates the referenced plans as adopted Framework Plans.

- §1-11-9 Level A Community Master Plan for Mesa del Sol is moved to become a new §1-16-1.
- §1-11-12 Westland Master Plan is moved to become a new §1-16-2, and shall be updated with the text of R-15-5, Enactment No. R-2016-007.

Section 2. The following approved, but uncodified Facility Plans are hereby incorporated into a new Article 14: Rank 2 Facility Plans, created in Section 1 above. The City hereby designates following plans as Rank 2 Facility Plans:

- Bikeways & Trails Facility Plan. The resolution adopting this plan (R-14-142 / Enactment No. R-2015-045) shall be added as a new §1-14-1, with references to §4-2-1 Bikeway Network Plan and §4-2-9 Trails and Bikeways and On-Street Comprehensive Bike Plan. The text in §1-14-1 is hereby rescinded.

- **Facility Plan: Electric System Transmission and Generation (2010-2020).** The resolution adopting this plan (R-11-311 / Enactment No. R-2012-023) shall be added as a new §1-14-2, with a reference to §4-3-1 Facility Plan: Electric Service Transmission and Sub-transmission Facilities (1995-2005). The text of §4-3-1 is hereby rescinded.
- **Facility Plan for Arroyos.** The resolution adopting this plan (no number) shall be added as a new §1-14-3.
- **Major Public Open Space Facility Plan.** The resolution adopting this plan (R-1-1999) shall be added as a new §1-14-4.
- **Route 66 Action Plan.** The resolution adopting this plan (R-14-115 / Enactment No. R-2014-094) shall be added as a new §1-14-5.

Section 3. The City hereby repeals the existing Rank 3 Sector Development Plans as regulatory documents whose purposes are replaced by the Integrated Development Ordinance, whose regulatory content has been updated, incorporated into, and replaced by the Integrated Development Ordinance, and whose policy content has been updated, incorporated into, and replaced by the 2017 ABC Comp Plan via R-16-08 (Enactment No. R-2017-026). Code of Resolutions Land Use - Article 7: Sector Development and Community Development Plans is hereby repealed, with the following related actions:

(A) Article 4 is amended to repeal the following Parts in their entirety:

- **§1-4-1 Downtown 2025 Sector Development Plan**

(B) Article 7 is amended to repeal the following Parts in their entirety:

- **§1-7-1 Designation of Community Development Areas**
- **§1-7-2 Academy-Tramway-Eubank Sector Development Plan**
- **§1-7-3 Los Duranes Sector Development Plan and Community Development Plan**
- **§1-7-4 Downtown Neighborhood Area Sector Development Plan and Community Development Plan**
- **§1-7-5 University of Albuquerque Sector Development Plan**
- **§1-7-6 La Mesa Sector Development Plan and Community Development Plan**
- **§1-7-7 West Mesa Sector Development Plan and Community Development Plan**
- **§1-7-8 Los Griegos Sector Development Plan and Community Development Plan**
- **§1-7-9 Boys' Club Sector Development Plan**

- **§1-7-10 North Barelmas Sector Development Plan and Community Development Plan**
- **§1-7-11 Old Town Sector Development Plan and Community Development Plan**
- **§1-7-12 Huning Highland Sector Development Plan**
- **§1-7-13 University Neighborhood Sector Development Plan**
- **§1-7-14 Sawmill/Wells Park Sector Development Plan**
- **§1-7-15 South Broadway Neighborhoods Sector Development Plan**
- **§1-7-17 Trumbull Neighborhood Sector Development Plan**
- **§1-7-18 Huning Castle and Reynolds Addition Neighborhood Sector Development Plan**
- **§1-7-19 Uptown Sector Development Plan**
- **§1-7-20 El Rancho Atrisco Sector Development Plan**
- **§1-7-21 La Cuesta Sector Development Plan**
- **§1-7-22 Heritage Hills East Sector Development Plan**
- **§1-7-23 East Gateway Sector Development Plan**
- **§1-7-24 McClellan Park District Sector Development Plan**
- **§1-7-25 Lava Shadows Sector Development Plan**
- **§1-7-26 East Atrisco Sector Development Plan**
- **§1-7-27 Coors Corridor Sector Development Plan**
- **§1-7-28 Seven Bar Ranch Neighborhood Sector Development Plan**
- **§1-7-29 Riverview Neighborhood Sector Development Plan**
- **§1-7-30 North Interstate 25 Sector Development Plan**
- **§1-7-31 West Route 66 Sector Development Plan**
- **§1-7-32 Nob Hill Sector Development Plan**
- **§1-7-33 Rio Bravo Sector Development Plan**
- **§1-7-34 Tower/Unser Sector Development Plan**
- **§1-7-35 Martineztown/Santa Barbara Neighborhoods Sector Development Plan**
- **§1-7-36 Vineyard Sector Development Plan**
- **§1-7-37 High Desert Sector Development Plan**
- **§1-7-38 Quintessence Sector Development Plan**

- **§1-7-39 Barelás Sector Development Plan**
- **§1-7-40 South Martineztown Sector Development Plan**
- **§1-7-41 Window G Sector Development Plan**
- **§1-7-42 La Cueva Sector Development Plan**
- **§1-7-44 East Gateway Sector Planning and Interim Development Management Area**
- **§1-7-45 Volcano Heights Sector Development Plan**
- **§1-7-46 2008 South Yale Sector Development Plan**
- **§1-7-47 North 4th Street Corridor Plan**
- **§1-7-48 Volcano Cliffs Sector Development Plan**
- **§1-7-49 Volcano Trails Sector Development Plan**

(C) Article 11 is amended to repeal the following Parts in their entirety:

- **§1-11-11 Northwest Mesa Escarpment Plan**

(D) Article 13 is amended to repeal the following Parts in their entirety:

- **§1-13-1 Rio Grande Boulevard Corridor Plan**

Section 4. The City hereby severs and invalidates the regulatory content of the jointly adopted Rank 3 Sector Development Plans and Metropolitan Redevelopment Plans, which will no longer serve as Sector Development Plans but will continue to serve as Metropolitan Redevelopment Plans to guide the Metropolitan Redevelopment Agency on redevelopment efforts, catalytic projects, and public/private partnerships, subject to amendment pursuant to the Metropolitan Redevelopment Agency Ordinance (§14-8-4-3(B)). Code of Resolutions Land Use - Article 6: Redevelopment Plans is hereby repealed, and Articles 7 and 12 are amended with the following related actions:

(A) The City hereby designates the following plans as Rank 3 Metropolitan Redevelopment Area Plans only, with regulatory content voided and amended with the following changes:

- **Part §1-6-7 McClellan Park Metropolitan Redevelopment Plan, is moved to become a new §1-12-17 and is revised to delete subsection (C).**
- **Part §1-6-9 South Broadway Neighborhoods Metropolitan Redevelopment Plan is moved to become a new §1-12-18 and is revised as follows: “The South Broadway Neighborhoods Metropolitan Redevelopment Plan is hereby approved in all respects.”**

- **Part §1-7-16 St. Joseph/Civic Auditorium Area Sector Development Plan, is moved to become a new (A) through (F) of Part §1-12-4, and sections (A) and (B) are renumbered to reflect the insertion.**
- **Part §1-7-43 Downtown 2010 Sector Development Plan, is moved to become a new Part §1-12-19, Downtown 2025 Metropolitan Redevelopment Plan. References to the “Downtown 2010 Sector Development Plan” shall be deleted and replaced with “Downtown 2025 Metropolitan Redevelopment Area Plan.”**
- **Part §1-12-12 Los Candelarias Village Center Metropolitan Redevelopment Area, is revised to delete the words “Sector Development Plan” in and replace with “Metropolitan Redevelopment Area Plan.”**

(B) The following Metropolitan Redevelopment Plan resolutions are amended to update their citation reference in the Code of Ordinances and amended with the following changes:

- **Part §1-4-2 Sawmill Revitalization Strategy is hereby rescinded in its entirety, whose purpose and intent has been incorporated into the Sawmill Metropolitan Redevelopment Area Plan.**
- **Part §1-4-3 Bridge/Isleta Revitalization Plan is moved to become a new §1-12-20.**
- **Part §1-6-8 Soldiers and Sailors Park Metropolitan Redevelopment Plan, is moved to become a new §1-12-21 and is revised as follows: “(A)(2) The Plan conforms to the general plans of the city as a whole; and”**
- **§1-6-10 South Barelás Industrial Park Redevelopment Plan, is moved to become a new §1-12-22, and it is renamed “South Barelás Industrial Park Redevelopment Area Plan.”**
- **§1-6-11 Barelás Neighborhood Commercial Area Revitalization and Metropolitan Redevelopment Plan, is moved to become a new §1-12-23.**
- **§1-6-12 Near Heights Metropolitan Redevelopment Plan, is moved to become a new §1-12-24, and it is renamed “Near Heights Metropolitan Redevelopment Area Plan.”**
- **§1-6-13 Highland Central Metropolitan Redevelopment Plan, is moved to become a new §1-12-25, and it is renamed “Highland Central Metropolitan Redevelopment Area Plan.”**

- **§1-6-14 Clayton Heights Metropolitan Redevelopment Plan, is moved to become a new §1-12-26, and it is renamed “Clayton Heights Metropolitan Redevelopment Area Plan.”**
- **§1-6-15 Historic Central Metropolitan Redevelopment Plan, is moved to become a new §1-12-27, and it is renamed “Historic Central Metropolitan Redevelopment Area Plan.”**

Section 5. The City hereby severs and invalidates the regulatory content of the Rank 3 Arroyo Corridor Plans, which has been included or updated in the Integrated Development Ordinance, and shall consider these plans as Resource Management Plans that provide policy guidance to the implementing department(s). Code of Resolutions Land Use - Article 13: Corridor Plans is hereby repealed, with the following related actions:

(A) The following Parts are moved to a new Article 15, and the City hereby designates the referenced plans as Rank 3 Resource Management Plans.

- **§1-13-2 Pajarito Arroyo Corridor Plan is moved to become a new §1-15-24, and it is amended as follows: “The Pajarito Arroyo Plan, attached to Resolution No. 115-1990 is hereby adopted as a Rank Three Plan. All management, operations, and improvement activities within the corridor shall be guided by this plan.”**
- **§1-13-3 Bear Canyon Arroyo Plan is moved to become a new §1-15-22, and it is amended as follows: “(A) The Bear Canyon Arroyo Plan, attached to Resolution No. 100-1991 is hereby adopted as a Rank 3 Plan. All management, operations, and improvement activities within the corridor shall be guided by this plan.”**
- **§1-13-4 Amole Arroyo Plan is moved to become a new §1-15-21, and it is amended as follows: “(A) The Amole Arroyo Plan, attached to Resolution No. 165-1991 is hereby adopted as a Rank Three Plan. All management, operations, and improvement activities within the corridor shall be guided by this plan.”**

(B) The following Part is moved to Chapter 4: Programs and Plans, Article 2: Transportation.

- **Part §1-13-5 Interstate Corridor Enhancement Plan is moved to become a new Part §4-2-11, and Parts §4-2-10 and §4-2-11 are renumbered to reflect the insertion.**

(C) The following Parts are moved to a new Article 15, and the City hereby designates the referenced plans as Rank 3 Resource Management Plans.

- **Part §1-11-13 Los Poblanos Fields Open Space Resource Management Plan is**

moved to become a new §1-15-23.

- Part §1-11-14 Tijeras Arroyo Biological Zone Resource Management Plan is moved to become a new §1-15-25.

Section 6. The City hereby repeals **Article 10: Overlay zones, including the Historic Overlay Zones resolutions (§1-10-1, §1-10-2, §1-10-3), the Design Overlay Zones resolutions (§1-10-20 through §1-10-23), and the Airport Overlay Zone resolutions (§1-10-30), whose regulatory purpose has been replaced by the Integrated Development Ordinance (O-17-49).**

(A) The following Overlay Zone plans are hereby rescinded:

- Alameda Boulevard Design Overlay Zone (July 28, 1998)
- Atrisco Vista Wall Overlay Zone (Z-84-115)
- Central Avenue Design Overlay Zone (R-13-165, Enactment No. R-2013-065)
- Sunport Boulevard Design Overlay Zone (R-453, Enactment No. 110-1992)
- Unser Boulevard Overlay Zone (R-14, Enactment No. 95-1992)

(B) The City hereby invalidates other Overlay Zones and plans that may have been adopted that are not otherwise listed in Section 6(A) above.

Section 7. The City hereby repeals §1-1-2, Policies for Zone Map Change Applications, which is commonly referred to by its enactment number of “R-270-1980,” whose procedures and criteria for zone change requests have been replaced by the Integrated Development Ordinance (O-17-49).

Section 8. The City hereby repeals §1-1-4, Annexation Policies, and §1-1-5, Withdrawal of Petitioners for Annexation, whose procedures and criteria for annexation of land into the City has been replaced by the Integrated Development Ordinance (O-17-49).

Section 9. The City hereby repeals §1-1-6, Annual Revised Program of Planning Priorities, whose procedures have been replaced by the Integrated Development Ordinance (O-17-49).

Section 10. The City hereby repeals §1-1-11, Bed and Breakfast Establishments in Residential Areas, whose procedures and criteria for establishing bed and breakfast zoning has been replaced by the Integrated Development Ordinance (O-17-49).

Section 11. The City hereby repeals §1-1-12, High Quality in Site Development Type Plans, whose procedures and criteria for creating site development plans has been replaced by the Integrated Development Ordinance (O-17-49).

Section 12. The City hereby repeals §1-1-16, Establishing a Policy Pursuant to the Pre-Development Facility Fee to Require Plat Review by Albuquerque Public Schools Prior to City Approval for Preliminary Plats and Final Plats Containing Residential Uses, whose procedures and criteria for referral of platting applications to APS has been updated, integrated into, and replaced by the Integrated Development Ordinance (O-17-49).

Section 13. The City hereby repeals Article §1-3, Metropolitan Areas and Urban Centers Plan, whose policies have been replaced by the ABC Comp Plan Centers and Corridors Map via R-16-08 (Enactment No. R-2017-026) and whose regulatory intent has been replaced by the Integrated Development Ordinance (O-17-49).

Section 14. The City hereby repeals Part §2-5-1 Extraterritorial Zoning Commission in its entirety, whose purpose has been invalidated by changes to State Law.

Section 15. The City hereby repeals Part §1-1-14 City Council's Prior Notice of Annexations Required in its entirety, whose purpose has been invalidated by changes to State Law.

Section 16. The City hereby amends Part §1-1-10 Criteria to Guide the Planning and Development of Planned Communities in the Reserve Area to ensure consistency with the 2017 ABC Comp Plan via R-16-08 (Enactment No. R-2017-026) and the Integrated Development Ordinance (O-17-49).

- **Subsection §1-1-10(A) is revised as follows: "Acceptance of planned communities criteria: policy element. The Planned Community Criteria: Policy Element, attached to Resolution No. 151-1990 are accepted and approved in fulfillment of Subsection 2.D of Resolution 138-1988, conditioned upon public hearing and approval by the Albuquerque City Council and the Bernalillo County Commission."**
- **Subsections §1-1-10(A)(1) through (A)(4) are deleted.**
- **Subsection §1-1-10(C) et seq. is deleted with subsequent sections renumbered to reflect the deletion.**
- **Subsection §1-1-10(E) is revised as follows: "Plan ranking. Planned community master plan ranking relationships are as follows: (1) Planned community master plans will implement and be compatible with the Rank 1 Comprehensive Plan. (2) Planned community master plans will implement and be compatible with relevant Rank 2 plans. However, planned community Level A Community Master Plans may,**

when specifically so adopted constitute or contain an amendment to a Rank 2 Area Plan previously adopted. (3) Planned community Level B Village Plans shall not conflict with other Rank 2 or Rank 3 plans affecting the same area.”

- Subsection §1-1-10(F) et seq. is deleted.

Section 17. The City hereby amends Part §1-2-1 Comprehensive Plan for Albuquerque and Bernalillo County to ensure consistency with the 2017 ABC Comp Plan via R-16-08 (Enactment No. R-2017-026) and the Integrated Development Ordinance (O-17-49).

- Subsections §1-2-1(B)4 and §1-2-1(B)5 are deleted.
- Subsection §1-2-1(C) is amended as follows: “The Implementation Chapter shall be used as a foundation for procedures to evaluate accomplishments and recommend amendments to the plan and revisions to the work priorities associated with implementation; and such evaluation and adjustment shall be done at least every 5 years.”
- Subsections §1-2-1(D) et seq., §1-2-1(E), and §1-2-1(H) through §1-2-1(BB) are deleted. This resolution shall become a new §1-2-1(D).

Section 18. The City hereby amends Part §1-6-16 Railyards Master Development Plan to ensure consistency with the Integrated Development Ordinance (O-17-49).

- The title is amended to read: “Rail Yards Master Plan”
- Subsection §1-6-12(A) is amended as follows: “The Rail Yards Master Plan and accompanying Site Plan (attached hereto as Exhibit A) are hereby approved and adopted.”
- Subsection §1-6-12(B) is amended as follows: “The City Council adopts the following Findings as recommended by the Environmental Planning Commission: (1) This is a Master Plan and accompanying Site Plan for Tract A of the Plat of Tract A of AT&SF Railway Co. Machine Shop located on 2nd Street SW between Cromwell Avenue and Hazeldine Avenue and containing approximately 27.3 acres. (2) The Rail Yards are zoned PD. The Master Plan allows for a wide range of permissive uses, including multifamily residential (R-MH), community commercial uses such as retail, restaurants, services (MX-M), and light industrial (NR-BP) each with some limited exceptions. The Master Plan was reviewed by the EPC and approved by the City Council prior to the issuance of a building permit for the site (with very limited exceptions). (3) The Master Plan as submitted contains a site development plan for

subdivision with an accompanying Master Plan document. The Master Plan is the document that will guide redevelopment of the City-owned Albuquerque Rail Yards site. The Albuquerque Rail Yards are located within the Barelmas neighborhood and adjacent to the South Broadway neighborhood.... (5) The Rail Yards property is located within the Area of Change Development Area of the Albuquerque Bernalillo County Comprehensive Plan (2003).... (9) Section 10.4 of the Master Plan requests delegation of Site Plan to the Development Review Board with its review to include historic preservation planner and a Metropolitan Redevelopment planner.”

Section 19. The City hereby amends Part §5-1-1 Sale of Alcohol Near Schools or Churches; Standards for Waiver to ensure consistency with the Integrated Development Ordinance (O-17-49).

- **Part §5-1-1(B)(2) is revised as follows: “Any waiver shall be subject to the zoning requirements in the Integrated Development Ordinance.”**

Section 20. The City hereby invalidates any other policy related to zoning and land use within adopted Resolutions for Rank 2 Area Plans or Rank 3 Sector Development Plans not otherwise listed above, which have been replaced by the ABC Comprehensive Plan via R-16-08 (Enactment No. R-2017-026).

Section 21. Upon its adoption this IDO is the City’s sole document regulating land use within the municipal boundaries. In the event of any conflicts, the terms, requirements and obligations established by this IDO shall prevail over any other ordinance not specifically repealed herein or otherwise remaining after its adoption.

Section 22. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

Section 23. COMPILATION. Sections 1 through 21 of this resolution shall amend, be incorporated in and made part of the Code of Resolutions of Albuquerque, New Mexico, 1994.

Section 24. EFFECTIVE DATE AND PUBLICATION. This legislation shall take effect six months after publication by title and general summary.

x:\city council\share\cl-staff_legislative staff\legislation\22 council\r-213 approved committee substitute.final.docx