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Title: Establishing A Process For Conducting A Series Of Community Meetings And Report To Consider Previous Sector Development Plan Protections And The Land Use And Zoning Appeal Process (Winter, Peña)

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CITY of ALBUQUERQUE TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-204 ENACTMENT NO.

SPONSORED BY: Brad Winter, Klarissa J. Peña

RESOLUTION

Establishing A Process For Conducting A Series Of Community Meetings And Report To Consider Previous Sector Development Plan Protections And The Land Use And Zoning Appeal Process (Winter, Peña)

WHEREAS, the City Council adopted the Integrated Development Ordinance ("IDO") on

November 13, 2017, and the IDO became effective on May 18, 2018; and

WHEREAS, the City Council rescinded all Sector Development Plans as of May 18, 2018 when the IDO became effective; and

WHEREAS, the IDO contains a built-in update process through the Annual Updates to the IDO (Section 14-16-6-3(D)) that requires the Planning Department to prepare and submit amendments to the text of the IDO once every calendar year; 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 updated policies carried over from adopted Rank 3 Sector Development Plans; and

WHEREAS, the 2017 ABC Comp Plan implements policies that transition from the old system of sector planning to a 5-year planning cycle that focuses on each of 12 Community Planning Areas in order to provide opportunities for every area 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 ABC Comp Plan; and

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

WHEREAS, past area-specific planning processes offered ways to support and preserve the City's historic communities, and as the City moves forward with the IDO and updated ABC Comp Plan, the City must continue to preserve and enhance these communities through community-based planning processes that provide for greater self-determination and that recognize the importance of these areas to the City's history, culture, and future advancement; and

WHEREAS, the previous Sector Development Plans were foundational in the development of the updated ABC Comp Plan and the IDO, and the IDO generally includes, and in some cases exceeds, the community safeguards and protections of the various Sector Development Plans, however it has been the experience of some impacted property owners and community members that some protective provisions of the previous Sector Development Plans were not fully incorporated into the IDO; and

WHEREAS, the community is concerned that under the IDO the land use and zoning appeal

process has changed; and

WHEREAS, conducting a process independent of the 2019 IDO Annual Update and independent of the Community Planning Area (CPA) process will provide stakeholders additional opportunities to provide input on how to improve the IDO and the ABC Comp Plan.

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

Section 1. Community Meetings. The Planning Department in coordination with City Council staff shall hold a series of advertised community meetings to discuss the previous Sector Development Plan protections and the land use and zoning appeal process. These meetings are to be facilitated by a third-party consultant. A minimum of five public meetings will be held (one per quadrant of the City).

Section 2. Report. Subsequent to the meetings, the third-party facilitator shall provide a report that includes a summary of the meetings, the discussion at each meeting, and any findings and recommendations. The facilitator shall provide this report to the City Council by no later than March 31st, 2020. The report shall be made available to all Councilors, the Mayor, the Planning Department, and the public. The findings of the report may be used by the City Council and/or the Planning Department to inform future IDO Annual Updates and the CPA process. Any recommendations that result in amendment(s) to the IDO and/or ABC Comp Plan resulting from this process shall be submitted as prescribed by the IDO.

Section 3. 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.

