



Legislation Text

File #: O-13-63, Version: 2

CITY of ALBUQUERQUE
TWENTIETH COUNCIL

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

SPONSORED BY: Trudy E. Jones

ORDINANCE

Amending Chapter 14, Article 16, Part 4, Section 4(A)(2) ROA 1994 To Remove The Exception In
The Appeals Process That Requires Zone Map Amendments To Be Heard Only By The City
Council And Not By The Land Use Hearing Officer (Jones)

AMENDING CHAPTER 14, ARTICLE 16, PART 4, SECTION 4(A)(2) ROA 1994 TO REMOVE
THE EXCEPTION IN THE APPEALS PROCESS THAT REQUIRES ZONE MAP AMENDMENTS
TO BE HEARD ONLY BY THE CITY COUNCIL AND NOT BY THE LAND USE HEARING
OFFICER.

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

SECTION 1. Section 14-16-4-4(A)(2) ROA 1994 is amended as follows:

“(2) Appeal of the following actions is to the City Council through the Land Use
Hearing Officer:

(a) Any action which is authorized by the Zoning Code and is made by the Planning
Commission;

(b) Denial of an application for the HO Historic Overlay Zone or UCO Urban
Conservation Overlay Zone by the Landmarks and Urban Conservation Commission;

(c) A decision on a special use permit by the Landmarks and Urban Conservation
Commission;

(d) Appeals of a decision of the Board of Appeals; and

(e) Appeals of a decision of the Development Review Board.”

SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance 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 ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 3. COMPILATION. The ordinance amendment prescribed by SECTION 1 shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.

X:\CITY COUNCIL\SHARE\CL-Staff\Legislative Staff\Legislation\20 Council\O-63final.docx