



Legislation Text

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CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL

COUNCIL BILL NO. R-16-109 ENACTMENT NO. _____

SPONSORED BY: Trudy E. Jones and Isaac Benton

RESOLUTION

Revising Code Of Resolutions (ROA 1994) To Update Terms In Annexation Policies That Refer To
Designated Comprehensive Plan Areas, Which Are Being Updated As Part Of The
Comprehensive Plan Update (Jones, Benton)

REVISING CODE OF RESOLUTIONS (ROA 1994) TO UPDATE TERMS IN ANNEXATION
POLICIES THAT REFER TO DESIGNATED COMPREHENSIVE PLAN AREAS, WHICH ARE
BEING UPDATED AS PART OF THE COMPREHENSIVE PLAN UPDATE.

WHEREAS, the Council, the Governing Body of the City of Albuquerque, has the authority to
amend the Comprehensive Plan as authorized by statute, Section 3-19-9, NMSA 1970, and by its
home rule powers; and

WHEREAS, Council Bill No. R-14-46, which became effective on May 7, 2014, directed the City
Planning Department to update the Comprehensive Plan and coordinate with all parties to
implement the update effort; and

WHEREAS, on September 1, 2016, the EPC, in its advisory role on land use and planning
matters, recommended approval to the City Council of the updates to the Comprehensive Plan,
based on findings and subject to conditions for recommendation of approval; and

WHEREAS, Finding 14 of the EPC Official Notice of Decision dated September 2, 2016 notes
that "City language that refers to the Comp Plan is found in various locations of ROA 1994. This
language will need to be correspondingly revised with the adoption of the 2016 Comp Plan in
order to maintain the intent of the policies and to maintain internal consistency in ROA 1994."

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

SECTION 1. The Code of Resolutions, Annexation Policies shall be updated to refer to updated Development Areas in the unincorporated County:

A. §1-1-4 Annexation Policies.

(A) Areas that are designated by the Albuquerque/Bernalillo County Comprehensive Plan as Established Urban, and Developing Urban are particularly appropriate for the range of urban services that the city can provide, and annexation of such areas into the city is desired and encouraged. More specifically, annexation of areas planned to be urban intensity of development will be approved when the following policies are met, unless the city concludes that the anticipated delay in provision of city services is so far into the future as to be speculative and therefore an unreasonable basis to provide for annexation.

SECTION 2. EFFECTIVE DATE AND PUBLICATION. This legislation shall take effect five days after publication by title and general summary.

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.

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