



Legislation Text

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CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-191 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton & Klarissa Peña, by request

RESOLUTION

Establishing A Process For The City Council To Consider Reenactment Of The Sector Development Plans Listed In Appendix D Of The Comprehensive Plan, Including The Regulatory Aspects Of The Plans (Benton and Peña, by request)

WHEREAS, the City Council rescinded all Sector Development Plans as of May 18, 2018 when the Integrated development Ordinance ("IDO") became effective; and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 Albuquerque Bernalillo County Comprehensive Plan ("ABC Comp Plan") as adopted by the City continues to include Sector Development Plans adopted as of March 2017 in its Appendix 'D' so that they can be used as informational, reference documents for relevant sub-areas, especially in creating and/or amending Community Planning Area ("CPA") assessments in the future; and

WHEREAS, the rescinded Sector Development Plans were foundational in the development of the updated ABC Comp Plan and the IDO, and the IDO was packaged as by and large including and exceeding community safeguards and protections of various sector plans; and

WHEREAS, some impacted property owners and community members believe that provisions from the rescinded Sector Development Plans were not fully incorporated into the IDO.; and

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

Section 1. Enactment of Sector Development Plans. The City Planning Department shall accept petitions from any interested person or organization requesting that the rescinded Sector Development Plan affecting their specific property or, in the case of a neighborhood association, homeowner's association, or similar community organization the property of one or more of its members, be considered for re-adoption. In facilitating this process, the Planning Department shall:

- A. Continue to publish and maintain the list of rescinded Sector Development Plans referenced in Appendix 'D' of the ABC Comp Plan;
- B. Within thirty days of the enactment of this resolution, develop a petition form addressing all relevant information to be completed for purpose of requesting consideration under this process, and upon completion of the form, the Planning Department shall include the form on its website and otherwise distribute it to the public as appropriate;
- C. Petitions must be completed and returned to the Planning Department within 30 days of the date the form is initially made available to the public. The Planning Department shall identify the specific deadline for completion and submission of the form to the Planning Department, and publicize this date on its website and through other informational avenues as appropriate;
- D. Upon the close of the deadline for completion referenced in subparagraph 'C' above, the Planning Department shall evaluate each petition and process the requests for final consideration pursuant to IDO Section 14-16-6-7(D), (F) or (G), prescribing the process for text amendments, small map amendments, and large map amendments respectively, as appropriate under the circumstances.

Section 2. 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.

