



Legislation Text

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CITY of ALBUQUERQUE
TWENTY SIXTH COUNCIL

COUNCIL BILL NO. R-24-27 ENACTMENT NO. _____

SPONSORED BY: Tammy Fiebelkorn and Renée Grout, by request

RESOLUTION

Adopting An Updated Albuquerque/Bernalillo County Comprehensive Plan (Fiebelkorn and Grout, by request)

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

WHEREAS, the City's planning and 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 and implement the Albuquerque/Bernalillo County Comprehensive Plan ("Comp Plan") guiding future legislation; Article IX, Environmental Protection, empowers the City to adopt regulations and procedures to protect and preserve environmental features such as water, air and other natural endowments, ensure the proper use and development of land, and promote and maintain an aesthetic and humane urban environment; and Article XVII, Planning, establishes the City Council as the City's ultimate planning and zoning authority, including adoption of the Comp Plan; and

WHEREAS, the Comp Plan is the Rank 1 Plan for the physical development and conservation of areas within the City of Albuquerque and unincorporated Bernalillo County, which sets out the context, goals and policies, monitoring and implementation, and supporting information to further its vision and purpose; and

WHEREAS, the City Council adopted an update to the Albuquerque/Bernalillo County

Comprehensive Plan in 2017 via R-16-108 (Enactment No. R-2017-026); and

WHEREAS, the City Council directed the City to update the Albuquerque/Bernalillo County Comprehensive Plan in August 2022 via R-22-42 (Enactment No. R-2022-061); and

WHEREAS, the proposed update to the Comp Plan incorporates visions, goals, and policies from other City plans and reports completed since the last update to the Comp Plan in 2017, including the Age-Friendly Action Plan (R-21-221, Enactment No. R-2022-008), the Climate Action Plan (EC-21-378), the Vision Zero Year-in-Review and Prioritization report (EC-23-376), and Community Planning Area Assessment Reports (R-22-42); and

WHEREAS, the update to the Comp Plan adds language for clarity, updates narratives for consistency with current programs and practices, and updates maps and graphics to reflect current conditions in the City; and

WHEREAS, the update to the Comp Plan tracks progress toward implementing Comp Plan policies by updating the Implementation Policy Action Matrix to provide greater transparency and accountability for responsible departments; and

WHEREAS, an update of the Comp Plan provides an opportunity to apply best practices for land use, transportation, and preservation and strategies for regional, interagency transportation and land-use planning; and

WHEREAS, an update of the Comp Plan helps protect the public health, safety, and welfare; and

WHEREAS, an update to the Comp Plan provides an opportunity to foster increased collaboration and coordination between City of Albuquerque departments and partnering agencies by tracking progress toward regional goals and policies for healthy growth, efficient transportation, infrastructure needs, and development to reflect new market demands, diversify and bolster the economy, better serve all constituents, support efforts to grow and develop in sustainable ways, respect and preserve natural and cultural resources, and improve the quality of life for all residents; and

WHEREAS, the Integrated Development Ordinance requires a Comprehensive Plan Amendment to be reviewed and recommended by the Environmental Planning Commission and decided as a legislative action by City Council [§14-16-6-7(A)(2)(c)]; and

WHEREAS, the City provided all required notice for a Comprehensive Plan Amendment, including publishing a legal ad in the Albuquerque Journal, emailing two representatives of each

neighborhood organization registered with the Office of Neighborhood Coordination (ONC), and posting notice on the Planning Department website; and

WHEREAS, the City provided additional notice on a project webpage and emails to approximately 9,500 subscribers on January 10, 2023; and

WHEREAS, though a Pre-submittal Neighborhood Meeting is not required for a Comprehensive Plan Amendment, Council staff held six (6) public review meetings in October and November 2023 to present and discuss the proposed changes to the Comp Plan, respond to questions, and gather feedback; and

WHEREAS, the City advertised the public review meetings through multiple social media posts; and

WHEREAS, the EPC held a public hearing on January 18, 2024 and found that the proposed amendments satisfy the review and decision criteria for an Amendment of Comprehensive Plan in IDO §14-16-6-7(A)(3) and forwarded to the City Council a recommendation of approval, subject to findings and recommended conditions that are in the record as the Notice of Decision; and

WHEREAS, Council staff has incorporated the proposed updates to the Comp Plan along with the EPC recommended conditions of approval into a redline draft for review by City Council.

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

SECTION 1. The Albuquerque/Bernalillo County Comprehensive Plan is amended as shown in Exhibit 1 (EPC Redline Draft) as recommended by the EPC, except as modified by amendments adopted subsequently in Section 2 and/or Section 3 below.

SECTION 2. The Albuquerque/Bernalillo County Comprehensive Plan is amended from Exhibit 1 (EPC Redline Draft) by Committee Amendments approved by the City Council's Land Use, Planning, and Zoning (LUPZ) Committee, as shown in Exhibit 2 (LUPZ Committee Amendments).

SECTION 3. The Albuquerque/Bernalillo County Comprehensive Plan is amended from Exhibit 1 (EPC Redline Draft) and/or from Exhibit 2 (LUPZ Committee Amendments), as relevant, by Floor Amendments approved by the City Council, as shown in Exhibit 3 (Council Floor Amendments).

SECTION 4. 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 5. COMPILATION. This resolution shall be incorporated in and made part of Chapter 1, Article 2, Section 1, the Code of Resolutions of Albuquerque, New Mexico, 1994.

SECTION 6. EFFECTIVE DATE AND PUBLICATION. This legislation shall take effect one month after publication by title and general summary.