



Legislation Text

File #: O-24-17, Version: 1

CITY of ALBUQUERQUE
TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-24-17 ENACTMENT NO. _____

SPONSORED BY: Joaquín Baca, by request

ORDINANCE

Adopting A Small Area Text Amendment To The Integrated Development Ordinance To Require Development Standards, Including Building Height Stepdowns, Landscape Buffering, Building Design, And Parking Reductions, For Properties Located Adjacent To The Rail Trail (Baca, by request)

WHEREAS, the City Council adopted an updated Albuquerque-Bernalillo County Comprehensive Plan ("ABC Comp Plan") in 2017 via R-16-108 (Enactment No. R-2017-026); and

WHEREAS, the City Council adopted the Integrated Development Ordinance (IDO) to implement Comp Plan Goals and Policies; and

WHEREAS, the City of Albuquerque's Metropolitan Redevelopment Agency (MRA) has been planning the Albuquerque Rail Trail since 2020, and the Rail Trail's design reflects input from community members, City staff from MRA, Parks and Recreation, and Municipal Development, consultants, and the Rail Trail Steering Committee; and

WHEREAS, the MRA has requested a small area text amendment to the IDO to facilitate and encourage development along the planned Rail Trail corridor that will enhance it for the enjoyment, security, and safety of users; and

WHEREAS, the proposed amendment includes a building height stepdown and an outdoor seating and gathering area requirement that seek to create an attractive and active pedestrian realm directly along the Rail Trail; and

WHEREAS, the City held public review meetings for proposed amendments in the 2023 IDO

Annual update, including small area amendments, on October 12, October 13, and November 17, 2023; and

WHEREAS, the City offered a Pre-submittal Neighborhood Meeting as required by the IDO and held the meeting on September 20, 2023 to present and discuss the Rail Trail proposed changes, respond to questions, and gather feedback; and

WHEREAS, the City provided all required notice for an Amendment to IDO Text - Small Area, including publishing a legal ad in the Albuquerque Journal, emailing two representatives of each neighborhood organization registered with the Office of Neighborhood Coordination (ONC), mailing property owners within the small area and within 100 feet, and posting notice on the Planning Department website and on the project website; and

WHEREAS, the IDO requires an Amendment to IDO Text - Small Area to be reviewed by the Environmental Planning Commission (EPC) and decided as a quasi-judicial action by City Council as the City's zoning authority in §14-16-6-7(E)(2)(c) and (d); and

WHEREAS, the EPC held a study session for the 2023 IDO Annual Update on December 7, 2023 and considered this request at two public hearings on December 14, 2023 and January 11, 2024, prior to making a recommendation on the request; and

WHEREAS, the EPC, following study and consideration, found that this proposed amendment furthers the spirit and intent of the ABC Comp Plan, including applicable goals and policies related to Land Use, Urban Design, Economic Development, Housing, and Resilience and Sustainability and therefore satisfies the review and decision criteria for an Amendment to IDO Text - Small Area in §14-16-6-7(E)(3) and forwarded to the City Council a recommendation of approval subject to findings and recommended conditions in the record; and

WHEREAS, Planning staff has incorporated the proposed amendments along with the EPC recommended conditions of approval into an exhibit for review by City Council.

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

SECTION 1. Amend IDO §14-16-5-2, §14-16-5-5, and §14-16-7-1 by adding new content as shown in Exhibit A and renumbering subsequent subsections, as needed.

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. Section 1 of this ordinance 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 after publication by title and general summary upon the sooner of the effective date of the 2023 IDO Annual Update or January 31, 2025.