HISTORY

City Council Resolution 18-29
Interoffice Memorandum

May 9, 2018

To: CITY COUNCIL

From: TRINA GURULE, ACTING CITY CLERK

Subject: BILL NO. R-18-29 ENACTMENT NO. R-2018-019

I hereby certify that on May 9, 2018, the Office of the City Clerk received Bill R-18-29 as signed by the president of the City Council, Ken Sanchez. Enactment No. R-2018-019 was passed at the May 7, 2018 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor’s approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-18-29.

Sincerely,

Trina Gurule
Acting City Clerk
CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO. F/S R-18-29
ENACTMENT NO. R-2018-019

SPONSORED BY: Trudy E. Jones and Isaac Benton

RESOLUTION

REPEALING AND REPLACING C/S R-17-240; ESTABLISHING A PROCESS FOR
IDO-RELATED ZONING CONVERSIONS THAT ARE TO BE PROCESSED BY
THE CITY PLANNING DEPARTMENT COMMENCING ON THE EFFECTIVE DATE
OF THE IDO, AND CONCLUDING WITHIN ONE YEAR THEREFROM.

WHEREAS, the City Council, the governing body of the City of
Albuquerque, has the authority to adopt and amend plans for the physical
development of areas within the planning and platting jurisdiction of the City
authorized by statute, Section 3-19-3, NMSA 1978, and by its home rule
powers; and

WHEREAS, the City's 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 to implement the Albuquerque-Bernalillo
County Comprehensive Plan ("Comp Plan") and help guide future legislation;
Article IX, Environmental Protection, empowers the City to adopt regulations
and procedures to provide for orderly and coordinated development patterns
and encourage conservation and efficient use of water and other natural
resources; and Article XVII, Planning, establishes the City Council as the
City's ultimate planning and zoning authority; and

WHEREAS, the City amended the Comp Plan in 2001 via R-01-343
(Enactment No. 171-2001) to identify Community Planning Areas and provide
goals and policies to protect and enhance distinct community identity in each
area; and

WHEREAS, the City Council adopted an updated Comp Plan on March 20,
2017 via R-16-108 (Enactment No. R-2017-026), including an updated
community vision based on a Centers and Corridors approach to growth,
including an updated Centers and Corridors map with boundaries for Centers
and distances from the centerline for Corridors; priority designations for transportation modes on each Corridor; and

WHEREAS, the Comp Plan establishes a hierarchy of Centers and Corridors from the most to the least walkable, mixed-use, and dense, with Downtown, Urban Centers, Premium Transit Corridors, and Main Street Corridors all intended to be highly walkable, with a mix of residential and non-residential land uses, and with higher-density and higher-intensity uses; and

WHEREAS, the Comp Plan includes goals and policies to protect community health and maintain safe and healthy environments where people can thrive; and

WHEREAS, the Comp Plan establishes a complementary set of Development Areas – Areas of Change, where growth is encouraged and higher-density and intensity uses are the most appropriate – and Areas of Consistency, where the existing pattern of uses, density, and intensity is to be maintained and reinforced over time; and

WHEREAS, the Integrated Development Ordinance (IDO) was drafted as part of a citywide effort to update and replace the City’s 40-year-old, 1970's-era Comprehensive Zoning Code, and as the primary regulatory tool to implement the Comp Plan for land within the municipal boundaries of the City of Albuquerque; and

WHEREAS, the IDO’s stated purpose is to implement the Comp Plan; ensure that all development in the City is consistent with the intent of other plans and policies adopted by City Council; ensure provision of adequate public facilities and services for new development; protect quality and character of residential neighborhoods; promote economic development and fiscal sustainability of the City; provide efficient administration of City land use and development regulations; protect health, safety, and general welfare of the public; provide for orderly and coordinated development patterns; encourage conservation and efficient use of water and other natural resources; implement a connected system of parks, trails, and open spaces to promote improved outdoor activity and public health; provide reasonable protection from possible nuisances and hazards and to otherwise protect and
improve public health; and encourage efficient and connected transportation
and circulation systems for motor vehicles, bicycles, and pedestrians; and
WHEREAS, the IDO was drafted to be consistent with and implement Comp
Plan goals and policies; and
WHEREAS, the IDO helps to implement these goals and policies by
providing a set of zones (§14-16-2) that range from low intensity to high
intensity and designating the appropriate mix of land uses in each zone; and
WHEREAS, the City Council adopted an Official Zoning Map (§14-16-1-6)
that converted pre-existing zone districts from the City Comprehensive Zoning
Code to base zone districts in the IDO according to a set of zoning conversion
rules for base zones and Special Use zones (SU-1, SU-2, and SU-3) that
matched as closely as possible the permissive uses in each zone; and
WHEREAS, this conversion from approximately 1,200 zones to a set of 19
zones necessarily involved changes to individual allowable uses in many
zones; and
WHEREAS, as a result of the conversions some uses that were allowed in
the prior zone designations were changed to correspond with the Use Table in
the IDO (§14-16-4-2) that indicates land uses as permissive, conditional,
accessory, conditional accessory, conditional vacant, or temporary in each
zone district of the IDO; and
WHEREAS, the Community Planning Area assessment process is intended
to provide opportunities on a 5-year cycle to analyze and recommend zone
map amendments in specific geographic areas to better implement the Comp
Plan, particularly encouraging walkable, higher-density and higher-intensity
development in Centers and Corridors; and
WHEREAS, the intent of the IDO was to update the City's land use and
zoning framework for future development without eliminating or limiting the
ability of lawful, existing land uses to continue after the IDO's adoption; and
WHEREAS, the City understands that predictability of zoning and
compatibility of land use and zoning are essential in order to maintain and
strengthen economic value and viability for property owners and businesses,
and to ensure appropriate and adequate protections for neighboring
properties; and
WHEREAS, the Planning Department has committed to a phase II of the
City's comprehensive zoning conversion process, where such amendments
fall within the criteria outlined by this resolution, are accompanied by written
participation requests and agreement from property owners, and satisfy
conversion rules consistent with the Comprehensive Plan and the IDO
implementation goals; and

WHEREAS, C/S R-17-240 was adopted by the City Council on November 13,
2017 and established the process for zoning conversions related to the phase
II IDO conversion; and

WHEREAS, C/S R-17-240 erroneously designated the EPC as the final
decision maker on zoning conversions under the phase II process where the
City Council is required to be the final decision maker in this process, and
thus needs to be repealed and replaced to make this correction and related
changes.

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

SECTION I. C/S R-17-240 is hereby repealed in its entirety, and replaced
with this resolution.

SECTION II. The City Planning Department shall administer a zoning
conversion process beginning on the effective date of the IDO pursuant to the
following:

Section 1. Outreach. The City Planning Department shall do outreach and
advertising citywide to alert property owners of the opportunity to participate
in the zone map amendment process pursuant to this resolution. Outreach
efforts shall include coordination with Neighborhood Associations and other
relevant organizations to share information about the potential opportunities
and implications of zone changes.

Section 2. Eligible Properties. The City Planning Department shall evaluate,
analyze, process and recommend a phase II zoning conversion per zoning
conversion rules consistent with the Comprehensive Plan and the IDO
implementation goals, city-wide, for properties that fall within at least one of
the following categories:
A. Nonconforming Use. The zoning conversion could remedy a nonconforming use of the property;

B. Voluntary Downzone. The zoning conversion would result in a less intense or less dense IDO zone district in an Area of Consistency that is compatible in scale and intensity with the existing land use at the site and surrounding development patterns;

C. Floating Zone Line. The zoning conversion could remedy a boundary that does not correspond to a lot line in either the Bernalillo County Assessor’s data or Albuquerque Geographic Information Systems (AGIS) City parcel data (i.e. a “floating zone line”);

D. Prior Special Use Zoning. The zoning conversion is for undeveloped property previously regulated by the Residential and Related Uses Zone, Developing Area (R-D), or by special use zoning (SU-1, SU-2 or SU-3), and an IDO zone designation other than what was assigned through the Phase 1 conversion process would be more appropriate for the site; or

E. Size Thresholds. The zoning conversion is for property converted to PD or NR-BP zone districts that does not meet size thresholds set by the IDO for those zone districts.

Section 3. Process.

A. Request Form; Participation Agreement. The Planning Department shall create a participation request and agreement form that must be completed by the owner(s) or agent representing the owners of any premises that may be eligible for inclusion in this phase II zoning conversion process;

B. Acceptance. Such form must be submitted to and accepted as complete by the Planning Department within one year of the IDO becoming effective, but will not be accepted prior to the IDO effective date. For purposes of this section, participation forms will be deemed complete upon submittal of a signed and fully completed participation request and agreement form together with any supplemental material required by the Planning Department. Any professional services costs associated with the preparation of materials required for this submittal shall be borne by the individual property owners;

C. Determination of Eligibility. The Planning Department shall evaluate each participation request to determine whether it reasonably falls within the
criteria established by Section 2 of this Resolution. In the event that it does not, the Planning Department shall decline to process the associated zoning conversion. However, nothing shall prevent an owner so situated from appealing this administrative determination by the Planning Department through the appeal process established by the IDO, or from otherwise pursuing a zone map amendment request for the subject premise through the regular zone map amendment process established by the IDO;

D. Final Decision Making Authority. The Phase II zoning conversion called for by this resolution is part of the comprehensive, City-wide rezoning associated with the IDO, and becomes effective only upon a final legislative action by the City Council. Property owners that are not eligible for the process outlined by this resolution, or that are otherwise unsatisfied with the zoning on their respective properties notwithstanding the results of this phase II process, may seek an individual zone map amendment through the relevant IDO zone map amendment process outlined in Section 14-16-6-7.

Section 4. Stay of Enforcement Pending Completion. The Planning Department shall not enforce the provisions related to nonconforming uses in Subsection 14-16-6-8 of the IDO for premises that are eligible for and participating in the zoning conversion process established by this resolution unless and until the final action on the relevant zoning conversion fails to cure the nonconformity.

Section 5. Use of Consultants. The City shall engage consultants as necessary to complete this project.

Section 6. Cooperation with Departments. All relevant City Departments and Divisions, including but not limited to the Legal Department, Municipal Development Department, Parks and Recreation Department, Cultural Services Department, Senior Affairs Department, and the Office of Neighborhood Coordination, shall work with the Planning Department as necessary to coordinate and implement this project.
PASSED AND ADOPTED THIS 7th DAY OF May, 2018
BY A VOTE OF: 8 FOR 0 AGAINST.

Excused: Harris

Ken Sanchez, President
City Council

APPROVED THIS _______ DAY OF __________________, 2018

Bill No. F/S R-18-29

__________________________
Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:

__________________________
Trina Gurule, Acting City Clerk
APPLICATION INFORMATION
A City of Albuquerque

DEVELOPMENT REVIEW APPLICATION
Effective 4/17/19

Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

<table>
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<tr>
<th>Administrative Decisions</th>
<th>Decisions Requiring a Public Meeting or Hearing</th>
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<td>□ Site Plan – EPC including any Variances – EPC (Form P1)</td>
<td>□ Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)</td>
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<td>□ WTF Approval (Form W1)</td>
<td>□ Historic Design Standards and Guidelines (Form L)</td>
<td>□ Amendment to Zoning Map – EPC (Form Z)</td>
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<td>□ Alternative Signage Plan (Form P3)</td>
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<td>□ Amendment to Zoning Map – Council (Form Z)</td>
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<td>□ Minor Amendment to Site Plan (Form P3)</td>
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<td>□ Decision by EPC, LC, ZHE, or City Staff (Form A)</td>
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</tbody>
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APPLICATION INFORMATION:

Applicant: City of Albuquerque
Address: 600 2nd Street NW, 3rd Floor
Email: abctoz@cabq.gov
City: Albuquerque State: NM Zip: 87102

Professional/Agent (if any): City of Albuquerque Planning Department / Urban Design & Development
Address: 600 2nd Street NW, 3rd Floor
Email: abctoz@cabq.gov
City: Albuquerque State: NM Zip: 87102

Proprietary Interest in Site: N/A
List all owners: N/A

BRIEF DESCRIPTION OF REQUEST

Phase 2 IDO Zoning Conversions (Batch 2), city-wide

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: various
Block: Unit:
Subdivision/Addition:
MRGCD Map No.:
UPC Code:
Zone Atlas Page(s):
Existing Zoning:
# of Existing Lots:
Total Area of Site (acres):
Proposed Zoning:
# of Proposed Lots:

LOCATION OF PROPERTY BY STREETS

Site Address/Street:
Between: and:

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request)

1001620

Signature: Date: 5/30
Printed Name: Mikaela Renz-Whitmore

□ Applicant or □ Agent

FOR OFFICIAL USE ONLY

Case Numbers | Action | Fees | Case Numbers | Action | Fees
---|---|---|---|---|---
RZ-2019-00035 | | | | | |

Meeting/Hearing Date: Date: 5-30-19 Project #: PR-2018-00843

Staff Signature: Date: S-30-19

Fee Total: $0
Form Z: Policy Decisions
Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.

A single PDF file of the complete application including all plans and documents being submitted must be emailed to PLNDRS@cebr.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.

**INFORMATION REQUIRED FOR ALL POLICY DECISIONS (Except where noted)**

- Interpreter Needed for Hearing? no
- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Letter of authorization from the property owner if application is submitted by an agent, Council R-18-29, Authorization Forms
- Traffic Impact Study (TIS) form (not required for Amendment to IDO Text), see attachment

N/A Zone Atlas map with the entire site/plan amendment area clearly outlined and labeled (not required for Amendment to IDO Text) NOTE: For Annexation of Land, the Zone Atlas must show that the site is contiguous to City limits.

☐ ADOPTION OR AMENDMENT OF COMPREHENSIVE PLAN
☐ ADOPTION OR AMENDMENT OF FACILITY PLAN

- Plan, or part of plan, to be amended with changes noted and marked
- Letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-7(A)(3) or 14-16-6-7(B)(3), as applicable
- Required notices with content per IDO Section 14-16-6-4(K)(6)
  - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - Proof of emailed notice to affected Neighborhood Association representatives
  - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☐ AMENDMENT TO IDO (TEXT) – Phase 2 IDO Zoning Conversions (Batch 2) per R-18-29

N/A Section(s) of the Integrated Development Ordinance to be amended with changes noted and marked

- Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(D)(3)
- Required notices with content per IDO Section 14-16-6-4(K)(6)
  - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing

☐ ZONING MAP AMENDMENT – EPC
☐ ZONING MAP AMENDMENT – COUNCIL

- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(F)(3) or Section 14-16-6-7(G)(3), as applicable
- Required notices with content per IDO Section 14-16-6-4(K)(6)
  - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - Proof of emailed notice to affected Neighborhood Association representatives
  - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
  - Sign Posting Agreement

☐ ANNEXATION OF LAND

- Application for Zoning Map Amendment Establishment of zoning must be applied for simultaneously with Annexation of Land.
- Petition for Annexation Form and necessary attachments
- Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-7(E)(3)
- Board of County Commissioners (BCC) Notice of Decision

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: 
Printed Name: Mikaela Renz-Whitmore
Date: 5/30/2019

Project Number: PR-2019-000048
Case Numbers: RZ-2019-00035

Staff Signature: 
Date: 5-30-19

Effective 5/17/18
CITY OF ALBUQUERQUE
TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: City of Albuquerque DATE OF REQUEST: 5/3/19 ZONE ATLAS PAGE(S): city-wide

CURRENT:
ZONING Various
PARCEL SIZE (AC/SQ. FT.)

REQUESTED CITY ACTION(S):
ANNEXATION [ ]
ZONE CHANGE [ ]: From ____ To ____
SECTOR, AREA, FAC, COMP PLAN [ ]
AMENDMENT (Map/Plan) [X]

PROPOSED DEVELOPMENT:
NO CONSTRUCTION/DEVELOPMENT [X]
NEW CONSTRUCTION [ ]
EXPANSION OF EXISTING DEVELOPMENT [ ]

SITE DEVELOPMENT PLAN:
SUBDIVISION [ ] AMENDMENT [ ]
BUILDING PERMIT [ ] ACCESS PERMIT [ ]
BUILDING PURPOSES [ ] OTHER [ ]
*Includes platting actions

GENERAL DESCRIPTION OF ACTION:
# OF UNITS: N/A
BUILDING SIZE: N/A (sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE Kimble (To be signed upon completion of processing by the Traffic Engineer)

DATE 5/3/19

Planning Department, Development & Building Services Division, Transportation Development Section - 2nd Floor West, 600 2nd St NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [X] BORDERLINE [ ]
THRESHOLDS MET? YES [ ] NO [X] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]
Notes: No immediate development

If a TIS is required; a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

TRAFFIC ENGINEER

DATE 5/3/19

Required TIS must be completed prior to applying to the EPC and/or the DRB. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED / / FINALIZED / / TRAFFIC ENGINEER DATE

Revised January 20, 2011
May 30, 2019

Dan Serrano, Chair  
Environmental Planning Commission  
c/o City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102  

Dear Chair Serrano,  

The Planning Department is pleased to submit the second of two batches of proposed zoning conversions for the Environmental Planning Commission’s (EPC) review and recommendation to the City Council. These Phase 2 zoning conversions are intended to resolve issues not addressed by the adoption of the Integrated Development Ordinance (IDO) in November 2017 via Ordinance 17-49 (Enactment No. O-2017-025).  

The City Council’s adoption of the IDO established new zone districts and converted approximately 1,200 individual zones into one of the 20 new zone districts via a set of conversion rules. This Phase 1 zoning conversion matched permissive uses as closely as possible from the pre-existing zoning districts to the new IDO zone districts. These Phase 1 zoning conversions went into effect on May 17, 2018, following 6-month amendments adopted via Ordinance 18-11 (Enactment No. O-2018-009) (Exhibit 1).  

There were five issues known at the time of the IDO adoption and the 6-month amendments that were not addressed through the Phase 1 conversion but that were included as criteria in Resolution 18-29, adopted by the City Council at the same time as the IDO 6-month amendments. Resolution 18-29 (Enactment No. R-2018-019) directed the Planning Department to create a voluntary process for property owners to resolve the following five zoning issues on properties throughout the city. These five issues are described briefly here and in more detail in a separate section below.  

1. **Nonconforming Use**: The zoning conversion would remedy a nonconforming use of the property.  
2. **Voluntary Downzone**: The zoning conversion would result in a less intense or less dense IDO zone district in an Area of Consistency that is compatible in scale and intensity with the existing land use at the site and surrounding development patterns.  
3. **Floating Zone Line**: The zoning conversion would remedy a boundary that does not correspond to a lot line in either the Bernalillo County Assessor’s data or Albuquerque Geographic Information Systems (AGIS) City parcel data (i.e. a “floating zone line”).  
4. **Prior Special Use or R-D Zoning**: The zoning conversion is for undeveloped property previously regulated by the Residential and Related Uses Zone, Developing Area (R-D), or by special use zoning (SU-1, SU-2, or SU-3), and an IDO zone designation other than what was assigned through the Phase 1 conversion process would be more appropriate for the site.  
5. **Size Thresholds**: The zoning conversion is for property converted to Planned Development (PD) or Non-residential Business Park (NR-BP) zone districts that does not meet size thresholds set by the IDO for those zone districts.
This batch includes approximately 1,230 properties whose owners have opted into this process. City staff has analyzed these requests to confirm eligibility via at least one of the criteria above. In some cases, staff has recommended a different zoning conversion than the property owner requested, based on context, the compatibility of the zone district with surrounding zones and uses, and consistency with other zoning conversions.

The EPC is a recommending body for this legislative process to review the requests per the Phase 2 zoning conversion rules for these properties. The EPC is to review the proposed zoning conversions and make a recommendation to the City Council for final decision. The criteria for decision are based on whether the proposed Phase 2 zoning conversion rules are consistent with the ABC Comprehensive Plan and the IDO implementation goals, city-wide, for properties that fall within at least one of the five categories outlined in Resolution 18-29.

Please see the attached list of properties for consideration by the EPC for conversion to a different IDO zone district (Exhibit 2). The list of properties includes the eligibility criteria, former zone, IDO zone, the zoning conversion requested by the property owner, and the zoning conversion recommended by staff. The list has been sorted according to the eligibility criterion to be applied. Within all categories other than Voluntary Downzone (which includes properties in Areas of Consistency exclusively), properties are grouped according to their Development Area – into either Areas of Consistency or Areas of Change.

Justification of Phase 2 Zoning Conversions (Batch 2) under the Criteria in R-18-29

1. **Nonconforming Use**

   "Nonconforming uses" are uses that were legal when they were established on a property, but became nonconforming when the City changed zoning rules to prohibit the use in that zone district.

   As the first comprehensive overhaul of the City’s zoning code since 1975, the IDO changed the allowances of uses in each zone district, which made some existing uses on some properties nonconforming.

   Additionally, some properties had uses that were nonconforming as of the first Zoning Code or zoning established by a Sector Development Plan. As a 300-year old city, Albuquerque has numerous properties where the land use on the property has never matched the zoning established on the property, from the first zoning established in 1959 to subsequent zoning codes in 1965, 1975, or the hundreds of amendments since, nor in zoning established by Sector Development Plans that covered approximately half the city.

   This voluntary zoning conversion process provides the opportunity to convert the zoning on these properties to a zone district that allows the existing use on the property, either conditionally or permissively. Staff looked at the surrounding land uses and zoning to recommend the most compatible and appropriate zone district.

   ABC Comprehensive Plan policies that support this criterion for new zoning conversion rules and action that the Phase 2 conversion helps implement include the following:
Goal 5.6 City Development Areas
Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.2 Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

b) Encourage development that expands employment opportunities.
d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.
e) Encourage job creation in business and industrial parks, near freight routes, and where adequate transitions and buffers can be provided to protect abutting residential uses.
g) Encourage development where adequate infrastructure and community services exist.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.
e) In areas with predominantly non-residential uses, carefully consider zone changes from non-residential to mixed-use or residential zones for potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.

Policy 5.7.2 Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

Action 5.7.2.16 Work with property owners to identify mismatches between existing land uses, zoning, and the Comp Plan vision and recommend City-sponsored zone changes for the future.

2. Voluntary Downzone
Zone districts allow residential uses that range in density from multi-family (i.e. higher density) to single-family (i.e. lower density) dwellings. The IDO establishes protections in residential zone districts for low-density residential development, which includes single-family detached houses, duplexes, manufactured home communities, and townhouses. Many properties throughout Albuquerque developed with low-density residential uses, even though the zone district allowed high-density uses. For example, some property owners with single-family land uses and R-T zoning (which may allow townhouses and
duplexes as well as single-family detached homes) want the R-1 zone district, which more closely matches their land use.

The ABC Comprehensive Plan establishes Areas of Consistency, where the character, scale, and pattern of the built environment is to be protected and reinforced over time.

This voluntary zoning conversion process provides the opportunity to convert the zoning on properties in Areas of Consistency from a higher-density to a lower-density zone district that still allows the existing use on the property.

ABC Comprehensive Plan policies that support this criterion for new zoning conversion rules and action that the Phase 2 zoning conversion helps implement include the following:

**Policy 4.1.2 Identity and Design:** Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

**Policy 4.1.4 Neighborhoods:** Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

**Policy 5.2.1 Land Uses:** Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.
  c) Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development patterns.

**Goal 5.6 City Development Areas**

Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

**Policy 5.6.3 Areas of Consistency:** Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.
  b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.
  d) In areas with predominantly single-family residential uses, support zone changes that help align the appropriate zone with existing land uses.

**Policy 5.7.2 Regulatory Alignment:** Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

**Action 5.7.2.16** Work with property owners to identify mismatches between existing land uses, zoning, and the Comp Plan vision and recommend City-sponsored zone changes for the future.
3. Former SU and R-D

Many of the City's previous zone districts established allowable uses and development standards for each property through a site plan and/or sector development plan. As of June 2017, there were approximately 23,525 properties zoned SU-1 or R-D. There were approximately 400 unique SU-2 zones established by an adopted sector development plan. Together, almost 40% of the acreage in the City was controlled by one-off regulations outside of the Zoning Code.

The Phase 1 conversion looked at the title/descriptor of the SU-1, SU-2, or SU-3 zone district and matched the bundle of uses as closely as possible to a new IDO zone district that allowed the same uses in a set of conversion rules adopted by the City Council. Where the development entitlements were unclear in the zone district title/descriptor, the property was converted to Planned Development (PD) — the IDO zone district that is site-plan controlled — to maintain the existing entitlements. This Phase 2 conversion allows more detailed contextual and site-specific research to determine the most appropriate conversion.

Some SU zone districts established allowable uses by referencing a base zone from the Zoning Code and identifying additional uses. The Phase 1 zoning conversion matched the base zone to the closest corresponding IDO zone district, potentially eliminating the additional allowable uses. For example, “SU-1 for C-1 and drive-through restaurant” converted to MX-L, which is the corresponding base zone for C-1 throughout the city.

Some SU zone districts established unique ranges of uses. The Phase 1 zoning conversion matched the uses as closely as possible, but some individual uses were not allowed in the IDO zone district that was assigned for the conversion. This Phase 2 conversion allows property owners intending to use one of the allowable uses from an SU zone to convert to an IDO zone district that allows that use.

Properties zoned R-D or SU-1 for PRD that were developed at the time of the Phase 1 zoning conversion were converted to the IDO zone district that matched the single-family land use (R-1) or townhouse land use (R-T). Properties with any other land use were converted to PD to maintain the existing entitlements. Undeveloped properties were converted to PD to ensure that the future development would still be subject to an approved site plan.

For undeveloped properties formerly zoned SU or R-D that have never had a site plan approved to further define allowable uses, this Phase 2 conversion allows a zoning conversion to a different IDO zone district than was assigned in the Phase 1 zoning conversion that is appropriate in that location and that reflects the intentions of the property owner for future development.

This voluntary zoning conversion process provides the opportunity to convert the zoning on these properties to an IDO zone district that better matches the intended future development on the property and that is compatible with the surrounding land uses and zone districts.
ABC Comprehensive Plan policies that support this criterion for new zoning conversion rules and actions that the Phase 2 zoning conversion helps implement include the following:

**Policy 5.7.2 Regulatory Alignment:** Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

c) Avoid the use of SU-1 as a tool to negotiate design or use standards between stakeholders and limit its application to uses specified in the SU-1 zone.

**Action 5.7.2.5** Minimize the use of Planned Developments and Special Use Permits by establishing by-right zoning for uses that implement the Centers and Corridors vision, with clear design standards for high-quality development and adequate transitions and buffers between uses of different intensity and scale.

**Action 5.7.2.17** Minimize the use of Planned Development zones by encouraging an appropriate mix of permissive land uses in residential, mixed-use, and non-residential zones.

**Action 5.7.2.18** Limit the list of uses allowed in the SU-1 zone to those that are unique, infrequently occurring, and not adequately addressed by other zones.

**Policy 5.6.2 Areas of Change:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

b) Encourage development that expands employment opportunities.

d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

e) Encourage job creation in business and industrial parks, near freight routes, and where adequate transitions and buffers can be provided to protect abutting residential uses.

g) Encourage development where adequate infrastructure and community services exist.

**Policy 5.6.3 Areas of Consistency:** Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

c) Carefully consider zone changes from residential to non-residential zones in terms of scale, impact on land use compatibility with abutting properties, and context.

e) In areas with predominantly non-residential uses, carefully consider zone changes from non-residential to mixed-use or residential zones for
potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.

4. Floating Zone Line
Throughout Albuquerque, for a variety of historical reasons, there are many properties with two zone districts on one parcel (i.e. a "floating" zone line). In the Phase 1 zoning conversion, each zone on the parcel converted to an IDO zone district, but the floating zone line was not resolved.

This Phase 2 zoning conversion process provides the opportunity to convert the zoning on these properties to one IDO zone district that matches the existing uses on the property and is compatible with the surrounding land uses and zoning.

ABC Comprehensive Plan policies that support this criterion for new zoning conversion rules include the following:

**Policy 5.7.2 Regulatory Alignment:** Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

**Policy 5.6.2 Areas of Change:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.
   b) Encourage development that expands employment opportunities.
   d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.
   e) Encourage job creation in business and industrial parks, near freight routes, and where adequate transitions and buffers can be provided to protect abutting residential uses.
   g) Encourage development where adequate infrastructure and community services exist.

**Policy 5.6.3 Areas of Consistency:** Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.
   b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.
   c) Carefully consider zone changes from residential to non-residential zones in terms of scale, impact on land use compatibility with abutting properties, and context.
   e) In areas with predominantly non-residential uses, carefully consider zone changes from non-residential to mixed-use or residential zones for potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.
5. **Size Thresholds**

The IDO establishes size thresholds for the Planned Development (PD) and Non-residential Business Park (NR-BP) zone districts. PD properties are required to be a minimum of 2 acres and a maximum of 20 acres. NR-BP properties are to be a minimum of 20 acres. Many properties that converted to either of these zone districts during the Phase 1 zoning conversion do not meet these size thresholds.

In the case of NR-BP properties, many are properties that once were part of a larger piece of land that was subsequently subdivided. These NR-BP properties less than 20 acres but controlled by a Master Development Plan were not deemed eligible for the Phase 2 zoning conversion process, as they need to remain NR-BP to make clear that they are subject to design controls in the approved Master Development Plan.

For PD properties less than 2 acres or greater than 20 acres and NR-BP properties less than 20 acres that were never subject to a Master Development Plan, this Phase 2 zoning conversion process provides the opportunity to convert to a different IDO zone district that matches the existing uses or previous entitlements on the property and is compatible with the surrounding land uses and zoning.

ABC Comprehensive Plan policies that support this criterion for new zoning conversion rules and actions that the Phase 2 zoning conversion helps implement include the following:

**Policy 5.7.2 Regulatory Alignment:** Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

c) Avoid the use of SU-1 as a tool to negotiate design or use standards between stakeholders and limit its application to uses specified in the SU-1 zone.

**Action 5.7.2.5** Minimize the use of Planned Developments and Special Use Permits by establishing by-right zoning for uses that implement the Centers and Corridors vision, with clear design standards for high-quality development and adequate transitions and buffers between uses of different intensity and scale.

**Action 5.7.2.17** Minimize the use of Planned Development zones by encouraging an appropriate mix of permissive land uses in residential, mixed-use, and non-residential zones.

**Action 5.7.2.18** Limit the list of uses allowed in the SU-1 zone to those that are unique, infrequently occurring, and not adequately addressed by other zones.

**Policy 5.6.2 Areas of Change:** Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

b) Encourage development that expands employment opportunities.
d) Encourage higher-density housing and mixed-use development as appropriate land uses that support transit and commercial and retail uses.

e) Encourage job creation in business and industrial parks, near freight routes, and where adequate transitions and buffers can be provided to protect abutting residential uses.

g) Encourage development where adequate infrastructure and community services exist.

i) Discourage zone changes from industrial uses to either mixed-use or residential zones.

Policy 5.6.3 Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

c) Carefully consider zone changes from residential to non-residential zones in terms of scale, impact on land use compatibility with abutting properties, and context.

e) In areas with predominantly non-residential uses, carefully consider zone changes from non-residential to mixed-use or residential zones for potential impact on land use compatibility with abutting properties, employment opportunities, and historic development patterns.

Public Outreach

The Planning Department has done substantial advertising and outreach for this process as required by the language in R-18-29. Free advertising included Constant Contact emails sent to a distribution list of more than 10,000 people, including all Neighborhood Association representatives. Monthly articles appeared in the City’s Neighborhood News. A slider with information appeared at the top of the ABC Libraries webpage from early September through early November.

Paid advertising in September and October included ads in the Albuquerque Journal and the Weekly Alibi, radio ads on several I Heart Radio stations, and bus ads on City buses. Every property owner in Albuquerque received information about this process in English and Spanish via an insert in their tax bill from the Bernalillo County Treasurer in early November 2018. The Planning Department identified 29,000 properties that were potentially eligible for this process based on mapped data and mailed postcards to individual property owners and sent letters to owners of multiple properties.

Outreach included presenting to several neighborhood groups by request, as well as to the Apartment Association of New Mexico. Between August and October, staff distributed information at the Downtown Growers’ Market, the Rail Yards Market, the Mile-Hi Market, and the International Festival. Staff offered weekly office hours for property owners and small groups.
Conclusion
These proposed zoning conversions support existing uses, allow new uses compatible with surrounding development, and encourage desirable development in appropriate locations in Albuquerque. The Planning Department is proud to submit the second batch of properties for Phase 2 IDO zoning conversions to the Environmental Planning Commission for consideration, as the first step of the review and approval process.

Sincerely,

[Signature]

David S. Campbell, Director
City of Albuquerque Planning Department
PRE-APPLICATION REVIEW TEAM (PRT) MEETING REQUEST

Pre-application Review Team (PRT) Meetings are available to help applicants identify and understand the allowable uses, development standards, and processes that pertain to their request. **PRT Meetings are for informational purposes only; they are non-binding and do not constitute any type of approval.** Any statements regarding zoning at a PRT Meeting are not certificates of zoning. The interpretation of specific uses allowed in any zone district is the responsibility of the Zoning Enforcement Officer (ZEO).

When you submit PRT notes to meet a Pre-application Meeting requirement in Table 6-1-1, you will be charged a $50 PRT fee.

![Table with fields filled in]

Applicant Name: CABQ Planning Dept  Phone#: 924-3844  Email: aclark@cabq.gov

PROJECT INFORMATION:
*For the most accurate and comprehensive responses, please complete this request as fully as possible and submit any relevant information, including site plans, sketches, and previous approvals.*

Size of Site: Existing Zoning: Proposed Zoning: Previous case number(s) for this site:

Applicable Overlays or Mapped Areas:

Residential – Type and No. of Units:

Commercial – Estimated building square footage: No. of Employees:

Mixed-use – Project specifics:

LOCATION OF REQUEST:

Physical Address: Citywide  Zone Atlas Page (Please identify subject site on the map and attach)  

BRIEFLY DESCRIBE YOUR REQUEST (What do you plan to develop on this site?)

IDO Annual Update 2019 - Amendments to IDO Text
- Phase 2 Zone Conversion - Batch 2  as IDO Text Amendment

QUESTIONS OR CONCERNS (Please be specific so that our staff can do the appropriate research)

Confirmation of process requirements
PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 19-143  Date: 5-7-19  Time: 2:00 pm
Address: City-wide/Various

AGENCY REPRESENTATIVES AT MEETING:
Planning: Catalina Lehner
Code Enforcement: Carla Garcia, Jacobo Martinez
Fire Marshall: ____________________________
Transportation: ____________________________
Other: ____________________________

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!
THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL.
Additional research may be necessary to determine the exact type of application and/or process needed.
Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: Phase 2 zone conversion - Batch 2 as
I DO Text Amendment, Legislation

SITE INFORMATION:
Zone: All ZDO zones  Size: City-wide
Use: ____________________________  Overlay Zone: ____________________________
Comp Plan Area Of: ____________________________  Comp Plan Corridor: ____________________________
Comp Plan Center: ____________________________  MPOS or Sensitive Lands: ____________________________
Parking: ____________________________  MR Area: ____________________________
Landscaping: ____________________________  Street Trees: ____________________________
Use Specific Standards: See Council Bill R-29
Dimensional Standards: ____________________________

*Neighborhood Organization/s: ____________________________
*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at www.cabq.gov/neighborhoods/resources.

PROCESS:
Type of Action: Amendment to IZO Text - 6-7(D), p 921
Review and Approval Body: EPC Is this PRT a requirement? Yes
City Council
This is Phase 2, Batch 2 of the zoning conversions (Batch 1 was in January 2019).
The Process Table, 6-6-1, p.328 contains a category “Amendment to IDO Text” - see 6-7(D), p.421.
The EPC hears amendments to IDO text and makes a recommendation to the City Council.
(Note: the legislation is most closely related to a text amendment).
Notification required - mailed notification, p.345 6-4(b)(2)(a)(2) - for city-wide applications
notifications go to all neighbor organizations.
apply by 12pm on May 30 for the July 1 hearing.
City will publish legal ad.
email notice not required.
ZONING CONVERSION RULES -

Batch 2 Properties
OUTREACH & ADVERTISING
Follow-up Zoning Conversions

Following the adoption of the Integrated Development Ordinance (IDO) in May 2018, the City Council directed the Planning Department to provide a free, one-year process for property owners to request a zone conversion to a zone that better matched the existing uses or prior entitlements on their properties based on five criteria. As of May 2019, the Planning Department received over 1,300 forms from property owners who wanted to take advantage of this opportunity.

Batch 1

Batch 1 was heard by the Environmental Planning Commission (EPC) in January 2019 and recommended for approval to the City Council. The case file is still making its way to the City Council. When City Council receives the case, it will be scheduled for a Land Use, Planning, and Zoning (LUPZ) Committee hearing, which typically takes place the third Wednesday of each month, beginning at 5:30 p.m.

Batch 2

The Planning Department submitted the second batch of zoning conversion requests to the City's review and approval process in May 2019. A map of the location of all properties and a spreadsheet with all properties are available for review at: https://tinyurl.com/zc-project

Batch 2 properties will be reviewed at an EPC hearing on July 11, 2019 in the Vincent E. Griego Chambers in the basement of City Hall. Parking will be validated. The regular monthly cases will be first. EPC hearings start at 8:30 a.m. The agenda and staff report are typically posted a week before the hearing here: https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes

If the EPC needs additional time for taking comments, discussion, and voting on a recommendation, a second hearing is scheduled for July 18, 2019 beginning at 8:30 a.m. in the Vincent E. Griego Chambers.

A third backup hearing is scheduled for July 25, 2019 beginning at 8:30 a.m. in the Vincent E. Griego Chambers.

Please check the EPC webpage after the first hearing to confirm whether additional hearings will be needed: https://www.cabq.gov/planning/boards-commissions/environmental-planning-commission

https://tinyurl.com/batch1zc-map

continued on page 9
Zoning of all properties in the City of Albuquerque converted to a new set of zones in the Integrated Development Ordinance on May 17, 2018.

The City is offering property owners a voluntary, free process for zoning conversions for eligible properties until May 17, 2019.

To see if your property may be eligible or to opt in to the process, visit: https://abc-zone.com/post-ido-voluntary-zone-conversion-process
La zonificación de todas las propiedades en la ciudad de Albuquerque se convirtió en un nuevo conjunto de zonas en la Ordenanza de Desarrollo Integrado el 17 de mayo de 2018.

La Ciudad ofrece a los propietarios un proceso voluntario y gratuito para conversiones de zonificación para propiedades que califican hasta el 17 de mayo de 2019.

Para ver si su propiedad califica o para participar del proceso, visite: https://abc-zone.com/post-ido-voluntary-zone-conversion-process
K NOW Y OUR ZONE

LOOK-UP
Go to tinyurl.com/IDOzonelookup.

SEARCH
Type your address in the search bar and hit enter.

DISCOVER
Click on your property to see your zone.

KNOW
Your zone will be described in the summary table.

Now you know your zone!
Keep in mind, you may be eligible for a free zone conversion.
Learn more at tinyurl.com/zoneconversion.
DO YOU OWN PROPERTY IN ABQ?

IS YOUR USE NOT ALLOWED IN YOUR ZONE?

DO YOU WANT A LESS INTENSE ZONE CATEGORY?

DO YOU HAVE AN UNDEVELOPED PROPERTY THAT USED TO BE ZONED SU-1, SU-2, SU-3, OR R-D?

DOES YOUR PROPERTY HAVE MORE THAN 1 ZONE?

IS YOUR PROPERTY ZONED PD AND LESS THAN 2 ACRES OR GREATER THAN 20 ACRES? OR ZONED NR-BP AND LESS THAN 20 ACRES?

If you answered yes to any of these questions, you may be eligible for a free zoning conversion.

Get more information or opt in now at TINYURL.COM/IDOZONECONVERSION
Own property in Albuquerque?

Do you know your zone changed?

Look up your zone today!

Go to: tinyurl.com/ZoneLookUp

KNOW YOUR ZONE

Library Website - English
¿Es usted propietario en Albuquerque?

¿Sabe que su zonificación ha cambiado?

¡Descubrir su zonificación hoy!

Haga clic en: tinyurl.com/ZoneLookUp

CONOZCA SU ZONIFICACIÓN
Advertising on City Busses

Look up your zone today!

Do you know your zone changed?

Know your zone today!

Go to: tinyurl.com/ZoneLookUp

Own property in Albuquerque?

Do you know your zone changed?

Look up your zone today!

Go to: tinyurl.com/ZoneLookUp

KNOW YOUR ZONE
Type your address in the search bar and hit enter.

Go to tinyurl.com/zonelookup.

This is the website developed by the CABQ Planning Department to help you find your zone.

Be sure to include your quadrant (NE, SE, NW, SW).

Type your address in the search bar and hit enter.

You will see a combination of letters or numbers separated by a dash (R-IB or MX-H).

Click on your property to see your zone.

Your zone will be described in the summary table.

The IDO has 19 zones in 3 categories: Residential, Mixed-use, and Non-residential.

Now you know your zone!

Keep in mind, you may be eligible for a free zone conversion.

Learn more at tinyurl.com/zoneconversion.