



Landmarks Commission



Agenda Item: 7
Case # RZ-2022-00012
Project # PR-2018-001843
February 9, 2022

Staff Report

Agent	CABQ Planning Dept.
Applicant	CABQ Planning Dept.
Request	IDO Text Amendment
Address/Location	Citywide
Size	All properties within City of Albuquerque
Zoning	All zoning classifications
Historic Location	All

Staff Recommendation

APPROVAL of Case # RZ-2022-00012, PR-2018-001843, a request for review of proposed amendments to the IDO text pertaining to Demolition outside of an HPO, based on the Findings beginning on page 6.

Leslie Naji
Historic Preservation Planner

Summary of Analysis

The application is a request for review of proposed amendments to the IDO text pertaining to Demolition Outside an HPO.

The request was reviewed against the relevant guidelines for Text Amendment to the IDO, the requirements of Section 14-16-6-7(D) of the IDO: Review and Decision Criteria for an application to Amend IDO Text, and the objectives of the Landmarks Commission Subsection 14-16- 6- 2(H)(3).

Staff considers the proposal consistent with the guidelines and the criteria, and recommends approval.

SUMMARY OF REQUEST

<i>Request</i>	<i>Review of proposed amendments to the IDO text pertaining to demolition outside an HPO.</i>
<i>Historic Location</i>	<i>Citywide</i>

I INTRODUCTION

Proposal and History

The application is a request for review and approval of proposed amendments to the text of IDO Section 14-16-6-6(B), pertaining to demolition outside an HPO. The proposed amendment to IDO text is similar to the existing ordinance but removes the small areas to which this currently applies and expands the possibility of review to historic properties citywide. It also limits the age of properties to those over 60 years as opposed to the existing 50 years.

The current IDO ordinance only covers those properties in the Downtown Area, Downtown Neighborhood Area, East Downtown, and Nob Hill/ Highland Area. Buildings outside those designated areas can be demolish without any hope of review. Although the review period for properties outside an HPO is only 120 days and no denial can be issued, it does allow some time for an alternative to demolition to be found should a significant building come up for demolition.

Due to the expanded coverage to include all buildings in the city, the age of buildings to potentially be reviewed is being extended to 60 years rather than 50 years. This is being suggested for two reasons:

1. The 50 years was a largely political decision
2. The extended age is intended to ease concerns of developers

Context

The initial ordinance for demolition review was for the purpose of preserving and protecting historic structures within the City of Albuquerque that constitute or reflect distinctive features of the architectural, cultural, economic, political, or social history of the City. The purpose of the ordinance was to limit the detrimental effect of demolition on the character of the City and therefore provide the time necessary to initiate designation as a City Landmark consistent with [Article 14-12 R.O.A. 1994], or to consider alternative preservation strategies for a structure. Through this ordinance, owners of such structures are encouraged to seek out alternative options that will preserve, rehabilitate or restore such structures and residents of the City are alerted to impending demolitions of such structures.

Concerns from the development community brought a weakening of the policy to only include properties that already had demolition review, those within HPOs, City Landmarks and areas whose Sector Development Plans called for demolition review. With the IDO, these areas with their

demolition review, are covered under Section 14-16-6-6(B), Demolition Outside of an HPO. This leaves the majority of the city, and its historic properties, open to unrestricted demolition.

APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

III ANALYSIS

Policies are written in regular text and staff analysis and comment in italic print.

Integrated Development Ordinance (IDO)

In May 2018, the Integrated Development Ordinance (IDO) replaced the City's Zoning Code. The Integrated Development Ordinance Part 14-16-6-6(B) establishes controls and procedures for Demolition Outside of an HPO. Part 14-16-6-7(D)(3) stipulates Review and Decision Criteria for amendments to IDO text.

Part 14-16-6-7(D)(3) Amendment to IDO text: Review and Decision Criteria

An application for an Amendment to IDO Text shall be approved if it meets all of the following criteria:

6-7(D)(3)(a) The proposed amendment is consistent with the spirit and intent of the ABC Comp Plan, as amended (including the distinction between Areas of Consistency and Areas of Change), and with other policies and plans adopted by the City Council.

The proposed changes to the IDO affect properties citywide and therefore, will include both Areas of Consistency and Areas of Change. Applicable goals and policies include:

Chapter 4: Community Identity

GOAL 4.1 - Character: Enhance, protect, and preserve distinct communities.

The intent of this proposal is to add a tool to be able to possibly protect and preserve distinct buildings within communities.

POLICY 4.1.3 - Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

The proposed amendment to IDO text is similar to the existing ordinance but expands its area of application to include all properties over 60 years old. Most areas of the city have no historic demolition review. This can result in the easy demolition of character defining buildings that contribute to a neighborhood's character or sense of identity or place.

Chapter 11: Heritage Conservation

GOAL 11.2 – Historic Assets: Preserve and enhance significant historic districts and buildings to reflect our past as we move into the future and to strengthen our sense of identity.

POLICY 11.2.2 - Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest. [ABC]

- a) Preserve and maintain historically significant buildings and spaces.
- b) Recognize historic buildings and districts as vital elements of the community.
- c) Encourage the adaptive reuse of historic structures as a strategy to preserve character and encourage reinvestment.

The preservation and registration of historic building is contingent upon them not being torn down. Without a mechanism to halt demolitions, at least for three months while an alternative to demolition is sought, the ability to preserve historic buildings is greatly restricted.

POLICY 11.2.3 Distinct Built Environments: Preserve and enhance the social, cultural, and historical features that contribute to the identities of distinct communities, neighborhoods, and districts. [ABC]

While not every proposed demolition should be given a review period, having that as an option for historic buildings will allow properties to be reviewed for significance to the community in which it is located.

6-7(D)(3)(b) The change to the IDO text does not apply to a single lot or development project.

The revised text will be applied uniformly to all properties within the City of Albuquerque that are over sixty (60) years old.

6-7(D)(3)(c) The proposed amendment also meets any of the following criteria:

1. The change to the IDO text is required because of changed conditions or circumstances in all or a significant portion of the city.

The requested change to the IDO text is necessary as the city ages and more communities have properties over 50 years old.

2. The change to the IDO text is required in order to address a new or unforeseen threat to the public health, safety, and welfare.

Not applicable

3. The change to the IDO text is required in order to promote economic growth and investment in the City as a whole that will not create material risks to the public health, safety, and general welfare.

Not applicable

Neighborhood Notification

The City of Albuquerque has notified all registered neighborhood associations in the city. A facilitated meeting was requested (details attached) and held January 3, 2022 via Zoom. The meeting was attended by neighborhood residents and members of the development community.

Conclusions

As discussed in the analysis above, the proposed amendment complies with the requirements of Section 6-7(D)(3) of the IDO: Review and Decision Criteria for an application to Amend IDO Text.

Staff concludes that the proposed amendment to the text of IDO Subsection 14-16-6-6(B)(1), Demolition Outside of an HPO, is beneficial to the City of Albuquerque and approval is recommended.

FINDINGS for APPROVAL of a request for amendments to the IDO text pertaining to Demolition Outside of an HPO. Case # RZ-2022-00012 / Project # PR-2018-001843, February 9, 2022

1. The application is a request for review and approval of proposed amendments to the IDO text pertaining to Demolition Outside of an HPO.
2. It is proposed to amend the text of IDO Subsection 14-16-6-6(B)(1) Applicability, to include all areas of the city.
3. The amended text is similar to the existing ordinance but changes the age of structure eligible for consideration from over 50 years old to over 60 years old.
5. The IDO Text Amendment also removes the limitation of demolition review to a few small areas. Thereby extending review to all areas if the City of Albuquerque.
6. IDO Part 14-16-6-7(D)(3) stipulates Review and Decision Criteria for amendments to IDO text. It states that amendments shall be approved if they meet with the requirements of 6-7(D)(3)(a), 6-7(D)(3)(b) and 6-7(D)(3)(c).

The proposed amendment to IDO text meets with the requirements of 6-7(D)(3)(a) as it affects properties citywide and therefore, will include both Areas of Consistency and Areas of Change. is similar to the existing ordinance but clarifies some areas of ambiguity.

- The revised text will be applied uniformly to all properties within the Old Town Historic Protection Overlay Zone (HPO-5)
- The proposed amendment will promote growth within the Old Town area which supports investment Citywide. It will not create material risks to the public health, safety, and general welfare.

7. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Chapter2: Community Identity:

- A. GOAL 4.1 - Character: Enhance, protect, and preserve distinct communities.

The intent of this proposal is to add a tool to be able to possibly protect and preserve distinct buildings within communities.

- B. POLICY 4.1.3 - Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

The proposed amendment to IDO text is similar to the existing ordinance but expands its area of application to include all properties over 60 years old. Most areas of the city have no historic demolition review. This can result in the easy demolition of character defining buildings that contribute to a neighborhood's character or sense of identity or place.

8. The request generally furthers the following, applicable Comprehensive Plan Goals and policies in regards to Chapter 11: Heritage Conservation:

- A. POLICY 11.2.2 - Historic Registration: Promote the preservation of historic buildings and districts determined to be of significant local, State, and/or National historical interest. [ABC]
- a) Preserve and maintain historically significant buildings and spaces.
 - b) Recognize historic buildings and districts as vital elements of the community.
 - c) Encourage the adaptive reuse of historic structures as a strategy to preserve character and encourage reinvestment.

The preservation and registration of historic building is contingent upon them not being torn down. Without a mechanism to halt demolitions, at least for three months while an alternative to demolition is sought, the ability to preserve historic buildings is greatly restricted.

- B. POLICY 11.2.3 Distinct Built Environments: Preserve and enhance the social, cultural, and historical features that contribute to the identities of distinct communities, neighborhoods, and districts. [ABC]

While not every proposed demolition should be given a review period, having that as an option for historic buildings will allow properties to be reviewed for significance to the community in which it is located.

9. IDO Part 14-16-6-7(D)(3) states that amendments shall be approved if they meet with the requirements of 6-7(D)(3)(b).

The proposed amendment to IDO text meets with the requirements of 6-7(D)(3)(b) as the change to the IDO text does not apply to a single lot or development project but will be applied uniformly to all properties within the City of Albuquerque that are over sixty (60) years old.

10. IDO Part 14-16-6-7(D)(3) states that amendments shall be approved if they meet one of the requirements of 6-7(D)(3)(c).

The proposed amendment to IDO text meets with the requirements of 6-7(D)(3)(c) because of changed conditions in all or a significant portion of the city. The requested change to the IDO text is necessary as changes in society work towards equity and inclusion of all the city's populations and cultures

11. The IDO Section 14-12-6-6-2(H)(3)(g) provides that:

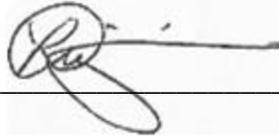
The Landmarks Commission shall consider methods for encouraging and achieving historic preservation and make recommendations to the Mayor and City Council. '

12. The proposed amendment to the IDO text complies with IDO Section 14-12-6-6-2(H), the Landmarks Commission's duty to promote the preservation of Albuquerque's historic and architectural character and to administer the development requirements for designated City historic districts and landmarks.

RECOMMENDATION

Case # RZ-2022-00012 / Project # PR-2018-001843 February 9, 2022

APPROVAL of Case # RZ-2022-00012 / Project # PR-2018-001843, an application for review and approval of proposed amendments to the IDO text pertaining to Demolition Outside of an HPO, based on the above twelve (12) findings.



Leslie Naji, Historic Preservation Planner
Urban Design and Development Division