**Academy/Tramway/Eubank Sector Development Plan**

Originally adopted by the City Council via City Resolution No. O-80-1975

**Amendments**

This Plan incorporates the City of Albuquerque amendments in the following referenced Resolutions, which are inserted at the end of the Plan and are on file with the City Clerk’s Office. Resolutions adopted from December 1999 to the present date are also available (search for No.) on City Council’s Legistar webpage at [https://cabq.legistar.com/Legislation.aspx](https://cabq.legistar.com/Legislation.aspx).

<table>
<thead>
<tr>
<th>Adoption Date</th>
<th>Council Bill No.</th>
<th>City Enactment No.</th>
<th>Plan References</th>
<th>Changed in Plan</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/18/1978</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td>Yes</td>
<td>EPC approval of S-78-1, AX-78-8 and Z-78-58</td>
</tr>
<tr>
<td>12/18/1980</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-1</td>
<td>Yes</td>
<td>EPC approval of Z-78-15-1 revised the density of a parcel at the southwest corner of Spain Rd. and Tramway Blvd. to 10 DU/AC, to allow 212 dwellings.</td>
</tr>
<tr>
<td>7/19/1984</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-5</td>
<td>Yes</td>
<td>City Council passed an ordinance expanding the municipal limits to include the right-of-way of Tramway Blvd. adjacent to this Sector Plan.</td>
</tr>
<tr>
<td>8/6/1984</td>
<td>N/A</td>
<td>N/A</td>
<td>△ 2</td>
<td>Yes</td>
<td>EPC approved a request to increase the number of units in Peppertree Subdivision from 7 to 10.</td>
</tr>
<tr>
<td>8/16/1984</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-6</td>
<td>Yes</td>
<td>EPC approved land use change at the northeast corner of Tramway and Academy to allow office park and restaurants with full service liquor.</td>
</tr>
<tr>
<td>12/17/1984</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-7</td>
<td>Yes</td>
<td>EPC approved land use change west of Tennyson Rd. from office/restaurant to single-family residential not to exceed 6 DU/AC for 27 dwellings.</td>
</tr>
<tr>
<td>9/16/1990</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-8</td>
<td>Yes</td>
<td>EPC approved land use change at the northeast corner of Chelwood and Spain from Neighborhood Commercial to RD-Single family not to exceed 6 DU/AC.</td>
</tr>
<tr>
<td>12/17/1992</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-9</td>
<td>Yes</td>
<td>REPEALED (R-17-213 &amp; O-17-49)</td>
</tr>
<tr>
<td>Date</td>
<td>Resolution 1</td>
<td>Resolution 2</td>
<td>Code</td>
<td>Decision</td>
<td>Description</td>
</tr>
<tr>
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<tr>
<td>2/17/1994</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-10</td>
<td>Yes</td>
<td>EPC approved land use change at the southwest corner of Tramway and Academy from Neighborhood Commercial to Mixed Residential, 192 dwellings.</td>
</tr>
<tr>
<td>7/17/1996</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-11</td>
<td>Yes</td>
<td>EPC approved a map amendment from Office Park and Restaurants with Liquor to SU-1 for C-1 Permissive and Conditional Uses (excluding drive-up windows except at banks) and including package liquor sales within 500 feet of a residential zone.</td>
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<tr>
<td>6/19/1997</td>
<td>N/A</td>
<td>N/A</td>
<td>SD-78-1-12</td>
<td>Yes</td>
<td>EPC approved a map amendment from Flood Control Structure to RD, 4 DU/AC.</td>
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<tr>
<td>3/20/2017</td>
<td>R-16-108</td>
<td>R-2017-026</td>
<td>N/A</td>
<td></td>
<td>Adopting an updated Albuquerque/ Bernalillo County Comprehensive Plan, which incorporates most sector plan goals, policies, and implementation actions.</td>
</tr>
<tr>
<td>11/13/2017</td>
<td>O-17-49</td>
<td>O-2017-025</td>
<td>N/A</td>
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<td>Repealing Resolutions and Plans Whose Regulatory Purpose and Content Has Been Replaced by The Integrated Development Ordinance (IDO)</td>
</tr>
<tr>
<td>11/13/2017</td>
<td>R-17-213</td>
<td>R-2017-102</td>
<td>N/A</td>
<td></td>
<td>Repealing Resolutions and Plans Whose Policy Purpose and Content Has Been Replaced by The Integrated Development Ordinance (IDO)</td>
</tr>
</tbody>
</table>

Notes
1. The amendments in the Resolutions may or may not be reflected in the Plan text: “Yes” in the fifth column indicates they are; “No” indicates they are not.
2. This Plan may include maps showing property zoning and/or platting, which may be dated as of the Plan’s adoption. Refer to the Albuquerque Geographic Information System (AGIS) for up-to-date zoning and platting information at http://www.cabq.gov/gis.
CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL

COUNCIL BILL NO. R-16-106
Enactment No. R-1017-021

SPONSORED BY: Trudy E. Jones and Isaac Benton

RESOLUTION

ADOPTING AN UPDATED ALBUQUERQUE/BERNALILLO COUNTY
COMPREHENSIVE PLAN.

WHEREAS, the Council, the Governing Body of the City of Albuquerque,
has the authority to amend the Comprehensive Plan as authorized by statute,
Section 3-19-9, NMSA 1970, and by its home rule powers; and
WHEREAS, the Comprehensive Plan is the Rank I 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 Comprehensive Plan has not been significantly updated
since its original adoption in 1989 and its subsequent amendment in 2001 to
establish “Centers and Corridors” boundaries and policy language to focus
development in appropriate areas connected by multi-modal transportation
corridors; and
WHEREAS, the City Council, the City’s Planning and Zoning Authority, in
April 2014, via R-14-46 (Enactment No. R-2014-022), directed the City to update
the Albuquerque/Bernalillo County Comprehensive Plan in coordination with
Bernalillo County, NRCOG, and other agencies; and
WHEREAS, an increased range of housing options are needed closer to
employment centers, and employment centers are needed closer to existing
housing, especially west of the Rio Grande; and
WHEREAS, preserving agricultural lands is increasingly important in order
to protect rural character and cultural traditions, provide for regional food
demands locally, and to improve stormwater retention and groundwater
infiltration; and
WHEREAS, the largest demographic segments of the population – Baby
Boomers and Millennials – are increasingly seeking urban lifestyles in mixed-use areas that provide for employment, entertainment, and services without
requiring driving or automobile ownership; and
WHEREAS, the demand for these types of developments are not
sufficiently met in Albuquerque, because, in large part, existing land-use
policies and regulations strongly encourage suburban, single-family detached
development over compact mixed-use; and
WHEREAS, jurisdictional and geographic boundaries limit the opportunity
to accommodate growth in the City via annexation and expansion, prompting
the need to accommodate infill and densification in appropriate locations,
such as Centers and Corridors; and
WHEREAS, an update of the Comprehensive Plan would be an opportunity
to employ contemporary best practices for land use, transportation, and
preservation planning techniques and strategies for regional, interagency
transportation and land-use planning activities; and
WHEREAS, the existing hierarchy of overlapping Rank I, Rank II, and Rank
II Plans were all created at various points in time with little or no strategic
coordination and contain overlapping and sometimes conflicting policies and
regulations that have not been evaluated in a comprehensive manner; and
WHEREAS, these uncoordinated policies often present unnecessary and
counter-productive obstacles to both neighborhood protections and the
development process; and
WHEREAS, these lower-ranking plans need to be analyzed and revised to
ensure they support and are consistent with an updated Rank I
Comprehensive Plan and provide a simpler, clearer, and more effective means
of implementing the growth and development vision; and
WHEREAS, an update to the Comprehensive Plan provides an opportunity
to foster increased collaboration and coordination between the City of
Albuquerque and Bernalillo County by serving as a regional plan for healthy
growth, efficient transportation, infrastructure needs, and land use policies to
better reflect new market demands, diversify and bolster the economy, better serve all demographics, support alternative transportation modes to the automobile, and improve efforts to grow and develop in ways that are sustainable, respect and preserve natural and cultural resources, and improve the quality of life for all citizens; and

WHEREAS, staff of the City of Albuquerque and Bernalillo County have worked together to update the narratives, policies, and maps; and

WHEREAS, on September 1, 2016, the Environmental Planning Commission (EPC), in its advisory role on land use and planning matters, recommended approval to the City Council of the amendment to the Albuquerque/Bernalillo County Comprehensive Plan.

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

SECTION 1. The Albuquerque/Bernalillo County Comprehensive Plan is hereby replaced in its entirety by the 2016 Draft Updated Comprehensive Plan, attached hereto as Exhibit A.

SECTION 2. FINDINGS ACCEPTED. The City Council adopts the following findings as recommended by the Environmental Planning Commission (EPC):

1. The request is for an update to the Albuquerque/Bernalillo County Comprehensive Plan (1988, as subsequently amended, the “Comp Plan”). The update, which will reflect new demographic trends and anticipated growth in the region, is designed to more effectively coordinate land use and transportation and to leverage and enhance a sense of place.

2. The Comp Plan applies to land within the City of Albuquerque municipal boundaries and to the unincorporated area of Bernalillo County (the “County”). Incorporated portions of the County that are separate municipalities are not included.

3. Council Bill No. R-14-46 (Enactment R-2014-022) became effective on May 7, 2014, which directed the City to update the Comp Plan.

4. The EPC’s task is to make a recommendation to the City Council regarding the Comp Plan update. As the City’s Planning and Zoning Authority, the City Council will make the final decision. The EPC is the Council’s recommending body with important review authority. Adoption of an updated City Master Plan (Comp Plan) is a legislative matter.

5. The existing, key concept of Centers and Corridors will remain the same, as will the boundaries of existing Centers. In the City, the existing development areas (Central Urban, Developing & Established Urban, Semi-Urban, and Rural) will be replaced with Areas of Change and Areas of Consistency. In the County, the development areas will remain the same.

6. The 2016 Comp Plan update incorporates changes in the narrative descriptions as well as the goals, policies, and actions of each existing chapter. Approximately 90% of existing Goals and policies from the City’s various Sector Plans (Rank III) and Area Plans (Rank II), except for facility plans and Metropolitan Redevelopment Area (MDA) plans, have been integrated into the updated Comp Plan. Many of these Goals and policies address similar topics and/or can be expanded to apply City-wide.

7. The State Constitution and Statutes, the ROA 1994 (which includes the City of Albuquerque Charter and the Planning Ordinance), the Albuquerque/Bernalillo County Comprehensive Plan, and the City of Albuquerque Comprehensive Zoning Code are incorporated herein by reference and made part of the record for all purposes.

8. State Constitution and Statutes: The Constitution of the State of New Mexico allows municipalities to adopt a charter, the purpose of which is to provide for maximum local self-government (see Article X, Section 6 - Municipal Home Rule). The City of Albuquerque is a home rule municipality and has the authority to adopt a comprehensive plan as granted under Chapter 3, Article 19, Section 9 NMSA 1978 (3-19-9 NMSA 1978) and by the City Charter.

9. The request is consistent with the intent of City Charter Article XVII, Planning, as follows:

A. Section 1 - The review and adoption of an updated Comp Plan is an instance of the Council exercising its role as the City’s ultimate planning and zoning authority. The updated Comp Plan is written and formatted to help inform the Mayor and the Council about community priorities for the formulation and review of Capital Improvement Plans.
B. Section 2 - The updated Comp Plan will help guide the implementation, enforcement, and administration of land use plans and regulations that reflect current trends and priorities as well as the future vision for growth and development. The Plan's implementation strategies are to: build public awareness and engagement; improve inter-governmental coordination; promote growth, development and conservation; and create an ongoing process for monitoring progress toward the vision, which will give the Council and the Mayor a common and effective framework to build upon.

10. Intent of the City Charter - Related Sections:
A. Article I, Incorporation and Powers - Updating the Comprehensive Plan is an act of maximum local self-government and is consistent with the purpose of the City Charter. The updated policy language of the Comp Plan will help guide legislation and provide support for necessary changes to ordinances and standards.

B. Article IX, Environmental Protection - The updated Comprehensive Plan reflects recent best practices for policy to guide the proper use and development of land coordinated with transportation. The update will help protect and enhance quality of life for Albuquerque's citizens by promoting and maintaining an aesthetic and humane urban environment. Committees will have up-to-date guidance to better administer City policy.

11. Intent of the Zoning Code (Section 14-16-1-3): The update to the Comp Plan will provide up-to-date guidance for amendments and changes to land use regulations in the Zoning Code. This will allow the Zoning Code to better implement the city's master plan - in particular the master plan documents that comprise the Comp Plan. This updated Comp Plan will facilitate a comprehensive review of land use regulations and regulatory processes to ensure that they reflect the most recent best practices and the vision for future growth and development in the city to promote the health, safety and general welfare of Albuquerque's citizens.

12. Intent of the Planning Ordinance (Section 14-13-2-2): Updating the Comp Plan will ensure that it will reflect recent best practices for land use and transportation planning, the priority needs and desires of residents and businesses, and a vision of sustainable growth and development for the next twenty years. This will also help ensure that lower ranking plans reflect current ideas, technologies, and up-to-date demographic and market trends. The Comp Plan update process identified several conflicting provisions in lower ranking Plans that require an updated long-range planning process. The proposed Community Planning Area (CPA) assessments will address planning issues City-wide as well as within each CPA on an on-going, proactive basis.

13. The Comp Plan update addresses the main topics in Section 14-13-1, the Planned Growth Strategy (PGS), such as natural resources conservation, traffic congestion, and infrastructure provision, as follows:
A. Sustainable development is a key to the region's long-term viability. The 2016 Comp Plan promotes sustainable development best practices related to water resources, storm water management, multi-modal transportation, and urban design. A new chapter on Resilience and Sustainability (Chapter 13) has been added and includes sections on water quality and air quality, and discusses the importance of becoming more resource-efficient.

B. The update addresses transportation and traffic on a regional basis. A priority is to improve mobility and transportation options (p. 1-11). The Transportation chapter (Chapter 6) discusses the importance of balancing different travel modes and providing complete and well-connected streets to provide a variety of travel options.

C. The Land Use chapter (Chapter 5) includes policies to encourage a development pattern that will foster complete communities, where residents can live, work, learn, shop, and play, and that will maximize public investment in denser areas. One primary goal is to improve the balance of jobs and housing on each side of the river to help reduce traffic congestion and bring jobs to where people already live.

D. The Infrastructure, Community Facilities & Services chapter (Chapter 12) covers a wide range of infrastructure systems, community facilities and public services that support the existing community and the Comp Plan's vision for future growth. The chapter emphasizes increased inter-agency planning and coordination, and ways for pooling resources to maximize efficiencies, bridge service gaps, and provide added value. The guiding
1. The principle of equity helps identify gaps in service provision and how they might be addressed.

14. City language that refers to the Comp Plan is found in various locations of ROA 1994. This language will need to be correspondingly revised with the adoption of the 2016 Comp Plan in order to maintain the intent of the policies and to maintain internal consistency in ROA 1994.

15. The 2016 Comp Plan update improves coordination with the Mid-Region Metropolitan Planning Organization (MRMPO) and the Metropolitan Transportation Plan (MTP), which includes a new growth forecast to 2040 and a preferred growth scenario. The Comp Plan update responds to the MTP by updating Comp Plan Corridors to be consistent with MTP corridors, coordinating Center designations with MTP center designations used to develop a preferred future growth scenario, and developing an analysis tool to analyze performance metrics based on different growth scenarios.

16. A number of elements of the existing Comp Plan will remain the same with the 2016 Comp Plan update, including:

A. The Comp Plan's geographic scope, which includes the area in Albuquerque's municipal limits and the unincorporated areas in Bernalillo County.

B. The Centers and Corridors framework as a means to encourage future growth and density in appropriate areas while protecting existing neighborhoods, natural resources, and open space lands.

C. Most of the goals, policies, and actions in the current Comp Plan, supplemented by those in Sector Development Plans and Area Plans adopted by the City. Approximately 90% of the City's existing 1,200 policies in these plans are represented in the 800 policies and sub-policies of the Comp Plan update.

D. The County's Development Areas (Rural, Reserve, Semi-Urban, Developing Urban, and Established Urban) from the existing Comp Plan will continue to be used in the unincorporated area, and their associated policies will remain unchanged.

17. The 2016 Comp Plan update has reorganized and reworded the existing Comp Plan to reflect new data and trends, be more user-friendly and provide clearer guidance to decision-makers. The most significant changes in the 2016 Comp Plan update are:

A. The inclusion of a Vision chapter (Chapter 3), which serves as a "People's Summary" of the plan and provides an overview.

B. Modifications to the Center and Corridor descriptions and the introduction of new Center and Corridor types.
   i. Three Major Activity Centers have been re-designated as Downtown or as Urban Centers (Uptown and Volcano Heights).
   ii. The remaining Major and Community Activity Centers have been re-designated as Activity Centers or Employment Centers.
   iii. The new Employment Center type reflects the need for concentrated job centers.
   iv. Certain corridors have been designated as Premium Transit corridors to be consistent with MRCOG's MTP; Enhanced Transit Corridors have been re-named and designated as Multi-Modal Corridors, and Express Corridors are renamed and designated as Commuter Corridors. Main Street Corridors have been introduced as a new Corridor type.

C. Reorganization of the Comp Plan into ten Elements (Chapters) that reflect more recent best practices in planning as well as the needs of area residents:
   i. Community Identity and Heritage Conservation (Chapters 4 and 11, respectively) in response to public comments about the importance of neighborhood character, preserving traditional communities, and cultural landscapes.
   ii. A new chapter, Urban Design (Chapter 7) describes design elements that support and/or constitute good design for our community, in distinct rural, suburban, and urban contexts.
   iii. A new chapter, Resilience and Sustainability (Chapter 13), reflects community concerns about conserving natural resources, preparing for climate change and natural hazards, and creating healthy environments for people.

D. The introduction of six guiding principles that indicate what is particularly important to residents.
E. A new focus on coordinating land use and transportation to strengthen Centers and Corridors and to address traffic congestion on river crossings by improving the jobs-housing balance west of the Rio Grande.

F. Two Development Areas in the City, Areas of Change and Areas of Consistency, will replace the six current Development Areas.

G. Updated City and County Community Planning Areas (CPAs) and policies that guide the City Planning Department regularly to engage with residents and other stakeholders in 12 City CPAs on a five-year cycle of assessments.

H. An Implementation chapter (Chapter 14) with strategic actions, performance metrics, and policy actions to be updated on a five-year cycle.

18. In 2017, City Planning Staff intend to initiate an ongoing, proactive engagement and assessment process (Community Planning Area Assessments) to work with communities throughout the City to address planning issues and develop solutions. Performance measures will be used to track progress toward Comp Plan Goals over time.

19. The public engagement process, which offered a range of opportunities for input, discussion, and consensus-building, featured a series of workshops and public meetings that included daytime focus groups organized by topic and evening meetings with a more traditional presentation and a question and answer session. The project team was invited to speak at over 100 meetings and local conferences. To reach more people and a broader cross-section of the community, the project team staffed booths and passed out promotional material at community events and farmers markets.

20. Articles about the ABC-Z project appeared regularly in the City’s Neighborhood News and ads specifically for the Comp Plan update were placed in print and social media. There is also a social media page for the ABC-Z project on Facebook.

21. Staff received official written comments from agencies and interested parties. Agencies that commented include the ABCWUA, the AMAFCA, Bernalillo County, the City Parks and Recreation Department, and PNM. Their comments suggest specific revisions to clarify topics related to their agency’s charge. Staff is considering all comments carefully and addressing them.

22. The comments submitted by interested parties cover a variety of topics, including but not limited to time for public review and comment, annexation, effect on vulnerable populations, and the focus on centers and corridors. Some comments express significant concerns that policies crafted to address localized issues are applied broadly and that sector plans are being replaced. Staff is considering all comments carefully and addressing them.

23. The EPC held two advertised and noticed public hearings, on August 4 and August 25, 2016, to elicit public comments and participation for the record.

24. Planning Department Staff and City Council Staff will continue to collaborate regarding themes raised in the August 2016 Staff Report, and in public, departmental, and agency comments, to consider any additional information that should be included in the Comp Plan update.

SECTION 3. EFFECTIVE DATE AND PUBLICATION. This legislation shall take effect five days after publication by title and general summary.

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.
CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL

COUNCIL BILL NO. C/S O-17-49
ENACTMENT NO. D.2017.025

SPONSORED BY: Trudy E. Jones and Isaac Benton

ORDINANCE

ADOPTING THE INTEGRATED DEVELOPMENT ORDINANCE (IDO) AND IDO
ZONING CONVERSION MAP AND REPEALING THE COMPREHENSIVE CITY
ZONING CODE (§14-16 ET SEQ.) AND EXISTING ZONING MAP; REPEALING
THE LANDMARKS AND URBAN CONSERVATION ORDINANCE (§14-12 ET
SEQ.), THE SUBDIVISION ORDINANCE (§14-14 ET SEQ.), AND THE
AIRPORT ZONING ORDINANCE (§14-15 ET SEQ.), WHOSE REGULATORY
PURPOSES AND CONTENT HAVE BEEN INCORPORATED INTO THE IDO;
REPLACING REFERENCES TO THE REPEALED ORDINANCES IN VARIOUS
LOCATIONS OF REVISED ORDINANCES OF ALBUQUERQUE, NEW
MEXICO, 1994 (ROA 1994) WITH REFERENCES TO THE IDO IN ORDER TO
MAINTAIN INTERNAL CONSISTENCY IN ROA 1994 INCLUDING PART §6-1-4,
PART §6-9-1(A), PART §7-5-2, PART §7-5-3, SECTION §8-2-2-15(D), SECTION
§9-2-1-4, SECTION §9-2-3-3(E), SECTION §9-6-3-4(A), PART §9-9-2, SECTION
§9-10-1-7(B)(3)(c), SECTION §9-10-1-9(E)(1), PART §10-9-8, SECTION §11-1-
1-11(C)(2), PART §13-1-9(A), PART §13-2-6(C), SECTION §13-5-1-13(D), PART
§13-15-2(B), PART §14-4-4(F), PART §14-6-1, PART §14-6-2(A)(5), PART §14-
8-2-3(B), PART §14-11-7(C)(3), AND PART §14-17-5(A); AND AMENDING
VARIOUS ORDINANCES TO COMPARE RELEVANT SECTIONS OF THE CODE
OF ORDINANCES AND TO MAINTAIN INTERNAL CONSISTENCY WITH THE
IDO INCLUDING PART §4-10-3(D), SECTION §6-1-1-12(D), SECTION §6-1-1-
99(C), PART §6-5-5 ET SEQ., ARTICLE §6-6 ET SEQ., PART §6-7-2(B),
SECTION §8-5-1-42(H), SECTION §9-2-1-4, PART §9-8-2, SECTION §9-10-1-
7(B)(3)(e), PART §11-2-3, SECTION §12-2-28, SECTION §14-5-2-10(B),
SECTION §14-8-2-3(A), SECTION §14-8-2-4(D), SECTION §14-8-2-5 ET SEQ.,
SECTION §14-8-2-6 ET SEQ., SECTION §14-8-2-7(A), SECTION §14-8-2-7(B),
SECTION §14-8-2-6 ET SEQ., SECTION §14-8-2-7(A), SECTION §14-8-2-7(B),
SECTION §14-8-2-6 ET SEQ., SECTION §14-8-2-7(A), SECTION §14-8-2-7(B),

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 adopted a Planning Ordinance (§14-13-2) that established a ranked system of plans, with the jointly adopted Comp Plan as the Rank 1 plan that provides a vision, goals, and policies for the Albuquerque metropolitan area, including the entire area within the City’s municipal boundaries, Rank 2 plans that provide more detailed policies for a particular type of facility or a sub-area of the city in order to implement the Comp Plan, and Rank 3 plans that provide an even greater level of detail about an even smaller sub-area; and

WHEREAS, the City amended the Comp Plan in 2001 via R-01-344 (Enactment No. 172-2001) to include a Centers and Corridors vision for future growth and development as recommended by the City’s Planned Growth Strategy (§14-13-1) in order to maintain a sustainable urban footprint and service boundary for infrastructure; 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’s Comprehensive Zoning Code ("Zoning Code"), which is the primary implementation tool for the Comp Plan, has been amended piecemeal hundreds of times but has not been comprehensively updated since 1975; and

WHEREAS, the Zoning Code has not been comprehensively updated to implement the Comp Plan’s Centers and Corridors approach to growth and development or community identity goals and policies for Community Planning Areas; and

WHEREAS, zoning codes typically have a lifespan of 20 years before a comprehensive update is needed; and

WHEREAS, the Zoning Code does not include integrated tools to address the unique needs of sub-areas or establish regulations to protect the character of built environments in particular sub-areas; and

WHEREAS, lower-ranked plans are intended to implement the Rank 1 Comp Plan and supplement the Zoning Code by providing a greater level of detailed planning policy and/or land use and zoning regulations for sub-areas of the city; and

WHEREAS, the City has adopted six Rank 2 Facility Plans – for Arroyos (adopted 1986), for the Bosque (adopted 1993), for Major Public Open Space (adopted 1999), for the Electric System: Transmission & Generation (last amended in 2012), for Route 66 (adopted 2014), and for Bikeways & Trails (last amended in 2015) – to provide policy guidance and implementation actions for implementing departments; and

WHEREAS, Rank 2 Area Plans and Rank 3 Sector Development Plans have been created and adopted over the last 40 years for approximately half the area of the city; and

WHEREAS, the City has adopted five Rank 2 Area Plans – the Sandia Foothills Area Plan in 1983 (never amended), the Southwest Area Plan in 1988, (last amended in 2002), the East Mountain Area Plan in 1992 (never amended), the North Valley Area Plan in 1993 (never amended), and the West Side Strategic Plan in 1997 (last amended in 2014) – that provide
policy guidance about sub-areas to help implement the Comp Plan, yet
three have not been amended since 2001, when the Comp Plan was
amended to adopt a Centers and Corridors vision for future growth and
development; and
WHEREAS, the Southwest Area Plan and East Mountain Area Plan were
jointly adopted with Bernalillo County, as the plan areas include land that is
predominantly within the unincorporated County area; and
WHEREAS, the City has adopted over 50 Sector Development Plans –
some of which include policies and some of which include tailored zoning,
regulations, and approval processes for properties within the plan
boundary; and
WHEREAS, approximately 51% of the adopted Rank 3 Sector
Development Plans were adopted or amended after 2001, when the Comp
Plan was amended to adopt a Centers and Corridors vision for future
growth and development; and
WHEREAS, the City intended to update each Sector Development Plan
every 10 years, but some have never been amended, some have been
amended multiple times, and over half are now more than 10 years old; and
WHEREAS, the Code of Resolutions indicates that the City has adopted
plans that the Planning Department cannot find, which may have been
repealed or replaced in whole or in part, and there may be other adopted
ranked plans that the Planning Department is no longer aware of and have
not been listed on the Planning Department’s publication list; and
WHEREAS, approximately half the properties in the city have not had the
benefit of long-range planning for specific sub-areas with trend analysis by
staff or engagement by area stakeholders, which is an inequitable and
untenable existing condition; and
WHEREAS, City staff and the budget have been restructured and
allocated over the years in such a way as to no longer be adequate to
maintain and update over 50 standalone Sector Development Plans, three
Area Plans, and three Arroyo Corridor Plans, much less the additional plans
that would be needed to provide an equal level of policy guidance and
tailored regulations for the half of the city not currently covered by Rank 2
Area Plans or Rank 3 Sector Development Plans; and
WHEREAS, the mix of policy and regulations in Rank 3 Plans has
sometimes created confusion as to whether language is narrative, policy,
and/or regulatory, and
WHEREAS, the adopted Rank 3 Sector Development Plans have created
over 235 unique SU-2 zones outside of the Zoning Code, many of which
establish zone abbreviations unique to each plan; and
WHEREAS, there are enumerable SU-1 zones adopted for individual
properties throughout the city totaling over 28,500 acres (almost 25% of the
city’s total acreage); and
WHEREAS, the Zoning Code has 24 base zone districts, not including
SU-1, SU-2, and SU-3 zones or overlay zones; and
WHEREAS, the City has struggled to administer and enforce all of these
unique zones consistently over time; and
WHEREAS, the separation of land use and zoning regulation from the
Zoning Code into multiple standalone plans has sometimes resulted in
conflicting language and/or regulations being lost or overlooked by staff
decision-makers in the review/approval and enforcement processes,
which are the primary responsibility of the Planning Department and the
City Council as the ultimate land use and zoning authority; and
WHEREAS, some Rank 3 Sector Development Plans establish separate
decision-making processes and/or criteria, which introduces an uneven
playing field for development and inconsistent protections for
neighborhoods and natural/cultural resources from area to area; and
WHEREAS, the City Council directed the City in April 2014 via R-14-46
(Enactment No. R-2014-022) to update the Comp Plan and the land
development regulations intended to implement it; and
WHEREAS, the City Planning Department and Council Services initiated
a project in February 2015 called “ABC-Z” to update the Albuquerque-
Bernalillo County Comprehensive Plan and develop an Integrated
Development Ordinance (“IDO”) to help implement it in the city; and
WHEREAS, the public engagement process for ABC-Z offered a range of opportunities for input, discussion, and consensus-building with over 130 workshops and public meetings, including daytime focus groups organized by topic, evening meetings with a more traditional presentation and question and answer session, “Comp Plan 101” and “Zoning 101” meetings, and periodic “Ask an Expert” zoning clinics; and
WHEREAS, the project team spoke at over 100 meetings and local conferences by invitation of various stakeholders; and
WHEREAS, the project team staffed booths and passed out promotional material at community events and farmers markets to reach more people and a broader cross-section of the community and met with individuals and small groups during weekly office hours; and
WHEREAS, articles about the ABC-Z project appeared monthly in the City’s Neighborhood News, ads specifically for the proposed IDO were placed in print and social media, as well as on local radio stations, and the project team maintained a project webpage and a social media page on Facebook for the ABC-Z project; and
WHEREAS, the Planning Department has expended additional funds from its general operating budget, and the City Council also provided supplementary funds as part of a budget amendment in November 2015 (R-15-266, Floor Amendment 2, Enactment No. R-2015-113) that were subsequently used for additional paid advertising in print, radio, and social media, including Spanish-language media outlets, to reach a broader and more diverse audience; 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 an updated community vision that is still based on a Centers and Corridors approach to growth; and
WHEREAS, the 2017 ABC Comp Plan adopted an updated Centers and Corridors map that establishes boundaries for the Centers; designates priority for transportation modes on certain Corridors; and identifies Downtown, Urban Centers, Activity Centers, Premium Transit Corridors, Major Transit Corridors, and Main Street Corridors as the Centers and Corridors that are intended to be walkable, with a mix of residential and non-residential land uses, and with higher-density and higher-intensity uses; and
WHEREAS, the 2017 ABC Comp Plan established 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, mixed-use, and dense; and
WHEREAS, the IDO, as a regulatory document that applies citywide, is the primary mechanism to implement the 2017 ABC Comp Plan for land within the municipal boundaries of the City of Albuquerque; and
WHEREAS, the IDO has been drafted to be consistent with and implement Comp Plan goals and policies; and
WHEREAS, the IDO’s stated purpose is to implement the 2017 ABC Comp Plan; ensure that all development in the City is consistent with the spirit and 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 2017 ABC Comp Plan updated the Centers and Corridors map with a new Downtown Center designation as the most urban, walkable, dense, intense, and mixed-use Center in Albuquerque, with the same boundary as the adopted Rank 3 Downtown 2025 Sector Development Plan; and
WHEREAS, the IDO helps to implement the Downtown Center by carrying over and updating zoning regulations and design standards from the adopted Rank 3 Downtown 2025 Sector Development Plan as a mixed-use, form-based zone district (WX-FB-DT); and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Center designation of Urban Centers – intended to be highly walkable, with mixed-use development and high-density, high-intensity uses for Volcano Heights and Uptown, with the same boundaries as identified in the 2013 Comp Plan, which followed boundaries established by SU-2 zoning in the adopted Rank 3 Volcano Heights and Uptown Sector Development Plans; and

WHEREAS, the IDO helps implement these Urban Centers by allowing additional building height and reducing parking requirements in these Centers; and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Corridor designation of Premium Transit Corridors in order to prioritize transit service in the public right-of-way and encourage higher-density and mixed-use transit-oriented development that can support and be supported by transit service; and

WHEREAS, the IDO helps implement Premium Transit Corridors for which funding has been secured and transit station locations have been identified by allowing additional building height and reducing parking requirements within 660 feet (one-eighth of a mile, a distance of two typical city blocks, considered a 5-minute walk) of Premium Transit stations; and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Corridor designation of Main Streets, intended to be pedestrian-oriented and encourage mixed-use and high-density residential development along them; and

WHEREAS, the IDO helps implement Main Street Corridors by allowing additional building height and reducing parking requirements on parcels within 660 feet (one-eighth of a mile, a distance of two typical city blocks, considered a 5-minute walk) of the centerline of Main Street Corridors; and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Center designation of Activity Centers, intended to serve surrounding neighborhoods, be more walkable and allow higher-density and higher-intensity uses than non-Center areas; and

WHEREAS, the IDO helps implement Activity Centers by requiring enhanced building facade design and site design for drive-throughs that results in more pedestrian-oriented layouts within the boundary of these Centers; and

WHEREAS, the IDO helps implement the Centers and Corridors vision by converting existing mixed-use and non-residential zoning in Centers and Corridors intended to be walkable, mixed-use, and dense to IDO zone districts with the closest matching set of permissive uses, as described in more detail below; and

WHEREAS, the IDO helps implement the Centers and Corridors vision by providing different dimensional standards for density, height, and setbacks, lower parking standards, additional building design and site layout standards, and reduced buffering and landscaping requirements that will allow more urban development forms as relevant for walkable, mixed-use, dense Centers and Corridors (excluding Old Town, Employment Centers, and Commuter Corridors); and

WHEREAS, the 2017 ABC Comp Plan included an updated map of City Development Areas Map that replaced the 1975 Development Areas with one of two new Development Area designations: Areas of Change, including all Centers but Old Town and all Corridors but Commuter Corridors, or Areas of Consistency, including single-family neighborhoods, parks, Major Public Open Space, golf courses, airport runway zones, and many arroyos, acequias; and

WHEREAS, the 2017 ABC Comp Plan includes policies to encourage growth and development in Areas of Change and policies to protect the character and built environment in Areas of Consistency from new development or redevelopment; and

WHEREAS, the IDO helps implement the Comp Plan by providing Neighborhood Edge regulations (§14-16-5-9) that require a transition and
buffering between Areas of Change and Residential zones, as well as other
design requirements for development in Areas of Change to minimize
negative impacts on Areas of Consistency; and

WHEREAS, the IDO helps implement the Comp Plan by including
regulations (§14-16-5-2) to avoid sensitive lands such as flood plains, steep
slopes, unstable soils, wetlands, escarpments, rock outcroppings, large
stands of mature trees, archaeological sites; and

WHEREAS, the IDO helps implement the Comp Plan by including specific
regulations (§14-16-5-2(C)) to ensure that development near sensitive lands,
including archaeological sites (§14-16-5-2(D)), arroyos (§14-16-5-2(E)), and
acaequias (§14-16-5-2(F)), is context-sensitive; and

WHEREAS, the IDO helps implement the Comp Plan by incorporating
and updating regulations from adopted Rank 3 Arroyo Corridor Plans as
general regulations for private property abutting any arroyo identified in the
Rank 2 Facility Plan for Arroyos in order to ensure context-sensitive
development next to these natural resources, which function as drainage
facilities as well as providing open space and, in some cases, recreational
opportunities through multi-use trails or parks; and

WHEREAS, the IDO helps implement the Comp Plan by including
specific use restrictions and design standards (§14-16-5-2(H)) to ensure that
development adjacent to or within 330 feet (one-sixteenth of a mile, a
distance of one typical city block) of Major Public Open Space is context-
sensitive; and

WHEREAS, the 2017 ABC Comp Plan includes goals and policies to
protect historic assets and cultural resources, and the IDO implements
these goals and policies by incorporating Historic Protection Overlay zones
(§14-16-3-3) with design standards to ensure compatible new development
and redevelopment in historic districts and View Protection Overlay zones
(§14-16-3-4), and regulations for development next to sensitive lands (§14-
16-5-2); and

WHEREAS, the 2017 ABC Comp Plan includes goals and policies to
protect community health and maintain safe and healthy environments
where people can thrive; and
clarified and streamlined development processes will help ensure the harmonious, orderly, and coordinated development of land in the City, and help create efficiency in governmental operations; that land use is coordinated with transportation corridors to help promote the convenient circulation of people, goods, and vehicles while minimizing traffic hazards; that subdivision standards and review/approval processes serve as a framework to help Staff and the public ensure the safety and suitability of land for development; and

WHEREAS, the IDO (§14-16-6-3) describes a Planning System (§14-16-6-3) that incorporates the ranked system of plans described in the Planning Ordinance (§14-13-2): the Rank 1 plan with which the lower-ranking plans must be consistent and that the lower-ranking plans are intended to help implement, Rank 2 plans for facilities that exist throughout the City in various areas and need to be coordinated and managed with a consistent approach (i.e. Facility Plans), and Rank 3 plans for specific areas that benefit from more detailed guidance related to the area’s unique needs and opportunities (e.g. Metropolitan Redevelopment Plans, Master Plans, and Resource Management Plans); and

WHEREAS, the Planning Ordinance (§14-13-2) is being amended to clarify that Ranked plans will hereby include narrative and policies but not regulations; and

WHEREAS, adopted Rank 2 Facility Plans will remain in effect, to be amended pursuant to the IDO (§14-16-6-3(B)) or as specified in the adopted plan; and

WHEREAS, the 2017 ABC Comp Plan included and updated policies from adopted Rank 2 Area Plans and Rank 3 Sector Development Plans; and

WHEREAS, the 2017 ABC Comp Plan included Sector Development Plans adopted as of March 2017 in the Appendix so that they can be used as informational, reference documents for relevant sub-areas, especially in creating and/or amending Community Planning Area assessments in the future; and

WHEREAS, the IDO is intended to contain all the zoning and land use laws of the City, superseding any and all other zoning and land use laws whether written or based on prior practice; and

WHEREAS, the IDO is intended to integrate and adopt regulations pertaining to land use and development on private land within the City’s municipal boundaries into one document in order to eliminate duplication, inconsistencies, and conflicts to strengthen consistency, coordination, efficiency, effectiveness, and enforcement of these regulations; and

WHEREAS, the IDO does not apply to properties within other jurisdictions, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities; and

WHEREAS, the IDO includes the flexibility to tailor uses, overlay zones, development standards, and review/approval processes for specific sub-areas to protect character, enhance neighborhood vitality, and respect historic and natural resources; and

WHEREAS, regulations from the adopted Rank 3 Sector Development Plans and Rank 3 Arroyo Corridor Plans have been coordinated, updated, and included in the IDO either as citywide regulations or as regulations applying to a mapped area consistent with the applicable area identified in the relevant adopted Sector Development Plan; and

WHEREAS, the IDO carries over as Character Protection Overlay zones (§14-16-3-2) distinct sets of building and site design standards intended to reinforce the existing character of sub-areas of the city from adopted Rank 3 Sector Development Plans, including Coors Corridor Plan (last amended in 2013), Downtown Neighborhood Area (adopted 2012), Huning Highland (last amended in 2005), Los Duanes (adopted 2012), Nob Hill Highland (last amended in 2014), Rio Grande Boulevard Corridor (adopted 1989), Sawmill/Wells Park (last amended in 2002), Volcano Cliffs (last amended in 2014), Volcano Heights (last amended in 2014), and Volcano Trails (last amended in 2014); and

WHEREAS, within the Nob Hill Character Protection Overlay zone, the IDO tailors the dimensional standards associated with Premium Transit stations and Main Street Corridors, as well as the building height bonus
and to improve the viability of multiple transportation methods throughout the city; and

WHEREAS, the IDO references, and as appropriate, defers to the Humane and Ethical Animal Rules and Treatment (HEART) Ordinance (Article 9-2-1 et seq., Enactment O-2006-029), which was adopted to regulate animal-keeping within city municipal boundaries; and

WHEREAS, companion legislation (R-17-213) will revise Resolutions that are incorporated or that need to be amended for consistency with the IDO; and

WHEREAS, the IDO incorporates the purpose and updates the content of the existing Zoning Code (§14-16 et seq.); and

WHEREAS, the IDO includes three categories of uses – Residential, Mixed-use, and Non-residential – with zones in each category that range from the least to the most intense that are appropriate to a mid-size, Southwestern, 21st century city; and

WHEREAS, the existing Official Zoning Map is included by reference in the Zoning Code (§14-16-4-9); and

WHEREAS, the IDO adopts an Official Zoning Map (§14-16-1-6) with zones converted from existing zone districts pursuant to the zoning conversion rules described below; and

WHEREAS, properties with zoning from the Zoning Code have been converted on the zoning conversion map to the IDO zone district with the closest matching set of permissive uses on a conversion map that has been available to the public for review and comment since April 2016; and

WHEREAS, properties with SU-2 or SU-3 zoning from adopted Rank 3 Sector Development Plans have been converted on the zoning conversion map to the IDO zone district with the closest matching set of permissive uses; and

WHEREAS, properties with Residential and Related Uses – Developing Area (RD) zoning, Planned Residential Development (PRD) zoning, or Planned Development Area (PDA) zoning have been converted on the zoning conversion map to the Planned Development (PD) zone district in the
IDO, which is site-plan controlled and allows uses as specified on the approved site plan; and

WHEREAS, properties with SU-1 zoning in an adopted Rank 3 Sector Development Plan that describes the zones by referring to the existing Zoning Code (other than SU-1 for PRD or SU-1 for PDA, whose conversion is described above) have been converted in the conversion zoning map to the IDO zone with the closest matching set of permissive uses; and

WHEREAS, properties with SU-1 zoning whose zone descriptions refer to zones from the existing Zoning Code have been converted on the zoning conversion map to the IDO zone with the closest matching set of permissive uses; and

WHEREAS, properties with SU-1 zoning with zoning descriptions that refer to permitted uses but do not refer to zones from the existing Zoning Code have been converted on the conversion map to the IDO zone district that is site plan controlled – Planned Development (PD); and

WHEREAS, the zoning conversion rules for properties with C-2 zoning, or SU-1, SU-2, or SU-3 zones that reference C-2 zones as the highest uses allowed permissively, were different for the east and west sides of the Rio Grande in order to address the imbalance of jobs and housing on the West Side, so that C-2 properties on the East Side were converted to MX-H to encourage an ongoing mix of residential and commercial uses, while properties on the West Side were converted to Non-Residential Commercial (NR-C) to ensure the addition of retail and services that are currently lacking; and

WHEREAS, the zoning conversion rules for properties with C-3 zoning, or SU-1 and SU-2 zones that reference C-3 zones as the highest uses allowed permissively, were different inside and outside of Centers to help implement the ABC Comp Plan and result in more mixed-use, walkable development within Centers, so that C-3 properties outside of Centers were converted to Non-Residential Commercial (NR-C), while properties east of the river within Urban Centers or Activity Centers or within 660 feet of Premium Transit station areas or 650 feet of the centerline of a Main Street

Corridors were converted to MX-H, west of the river only properties within 660 feet of Premium Transit station areas were converted to MX-H; and

WHEREAS, the City and Bernalillo County jointly adopted the Planned Communities Criteria (Code of Resolutions §1-1-10) that establish a procedure for planning large areas that are intended to function self-sufficiently within their jurisdictions, with development and services that have no net cost to the local jurisdiction and that implement the Comp Plan; and

WHEREAS, the City has approved two Planned Communities – Mesa del Sol and Westland – with Level A “Master Plans,” which will be called Framework Plans in the IDO, and Level B “Master Plans,” which will be called Site Plans or Master Development Plans, based on the zoning designation; and

WHEREAS, properties within a Planned Community have been converted to the IDO’s Planned Community (PC) zone, which will still be regulated pursuant to the relevant approved “Master Plan” as an approved Site Plan – EPC, with uses regulated pursuant to the matching IDO conversion zone for any named zone out of the existing Zoning Code; and

WHEREAS, the IDO includes a Use Table (§14-16-4-2) that clearly indicates land uses that are permitted, conditional, accessory, conditional accessory, conditional vacant, or temporary in each zone district; and

WHEREAS, the IDO includes use-specific standards (§14-16-4-3) to establish use regulations, further design requirements, allowances, area-specific regulations, and/or processes to avoid or mitigate off-site impacts and ensure high-quality development, including those carried over from adopted Rank 3 Sector Development Plans and generalized to apply citywide or mapped to continue to apply to a small area; and

WHEREAS, the IDO includes general development standards (§14-16-5) related to site design and sensitive lands; access and connectivity; parking and loading; landscaping, buffering, and screening; walls; outdoor lighting; neighborhood edges; solar access; building design; signs; and operation and maintenance; and
WHEREAS, the IDO includes and updates standards for the subdivision of land (§14-16-5-4) and associated administrative and enforcement procedures (§14-16-6) in the existing Subdivision Ordinance (§14-14-1 et seq.) in order to ensure that land suitable for development is served by the necessary public services and infrastructure, including a multi-modal transportation network, and platted accordingly; and
WHEREAS, the IDO establishes review and approval processes (§14-16-6) appropriate for each type of land development application in order to clearly establish notice requirements, decision-making bodies, and criteria for decision-making bodies; and
WHEREAS, the IDO establishes thresholds and criteria for administrative review and decision by staff (§14-16-6-5) for minor projects based on objective standards for high-quality, context-sensitive development established by the IDO; and
WHEREAS, the IDO establishes thresholds, criteria, and the appropriate decision-making body for major projects (§14-16-6-6-4) that require a public meeting and/or hearing and whose approval should be based on consideration of objective standards for high-quality, context-sensitive land use and development established by the IDO; and
WHEREAS, the IDO requires review and decision by the Environmental Planning Commission for a zone change (§14-16-6-7(E)) and site plan approval (§14-16-6-6(F)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO in Planned Development (PD), Non-residential Sensitive Use (NR-SU) zone districts, and new Master Development Plans in Non-residential Business Park (NR-BP) zone districts; and
WHEREAS, the IDO incorporates and updates criteria for amendments of the zoning map (i.e. zone changes) adopted by R-76-1980 and differentiates between criteria for Areas of Change and Areas of Consistency to help implement the 2017 ABC Comp Plan; and
WHEREAS, the IDO requires applicants requesting amendments of the zoning map on properties wholly or partially within Areas of Consistency to demonstrate that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character; and
WHEREAS, the IDO requires review and decision by the Environmental Planning Commission (§14-16-6-7(E)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO for amendments to the zoning map up to 10 acres in Areas of Consistency and up to 20 acres in Areas of Change, above which Council has authority; and
WHEREAS, the IDO requires review and recommendation by the Environmental Planning Commission and review and final decision by the City Council for amendment of a Rank 1 Plan (§14-16-6-7(A)), adoption or amendment of a Rank 2 Facility Plan (§14-16-6-7(B)), text amendments to the IDO (§14-16-6-7(D)), or annexations (§14-16-6-7(G)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO for zone changes of 10 acres or more in Areas of Consistency and 20 acres or more in Areas of Change; and
WHEREAS, the IDO establishes procedures and criteria for alterations and demolition within and outside Historic Protection Overlay zones and for amending existing and designating new Historic Protection Overlay zones and landmarks (§14-16-6-7(C)); and
WHEREAS, the IDO requires appeals of all decisions to be reviewed and recommended by the Land Use Hearing Officer and reviewed and decided by the City Council as the City's ultimate land use and zoning authority; and
WHEREAS, the IDO establishes criteria and thresholds appropriate for staff review and decision of minor deviations from zoning dimensional standards (§14-16-6-4(X)(2)); and
WHEREAS, the IDO establishes procedures and criteria for the Zoning Hearing Examiner to decide on requests for conditional uses (§14-16-6-6(A)) or for variances from dimensional zoning standards (§14-16-6-6(L)); and
WHEREAS, the IDO establishes procedures for the Development Review Board (§14-16-6-6(J)) to grant variances to sidewalks, public right-of-way
WHEREAS, the IDO establishes appropriate standards and procedures for enforcing violations and assessing penalties (§14-16-6-8); and

WHEREAS, any violation of the City zoning, subdivision, or land development regulations in effect prior to the effective date of this IDO will continue to be a violation under this IDO and subject to enforcement actions, unless the development or other activity that was a violation of the previous regulations is consistent with the requirements and regulations of this IDO; and

WHEREAS, the City and private property owners will need time to transition from processes related to the existing zoning code to the new IDO, and the IDO is therefore intended to become effective six months from its adoption date; and

WHEREAS, the Planning Department intends to submit and sponsor a series of zone change requests for review/approval within a year of the IDO effective date to address mismatches of land use and zoning that pre-existed the IDO adoption, to address properties with uses that become nonconforming upon the IDO becoming effective, and to consider requests from property owners desiring to downzone their existing zoning to a less intense, less dense zone district in Areas of Consistency; and

WHEREAS, the Planning Department intends to initiate the Community Planning Area assessments within two years after the effective date of the IDO to assess current and anticipated trends and conditions, to understand planning issues and develop solutions to address them, and to track progress on performance measures identified in the ABC Comp Plan over time; and

WHEREAS, the IDO requires the City to create an update process and annual schedule for updates to the IDO; and

WHEREAS, the Office of Neighborhood Coordination sent e-mail notification to neighborhood representatives on December 29, 2016, as required, as part of the Environmental Planning Commission (EPC) application process, and Planning Staff sent a re-notification reminder and Notice of Decision for each hearing to neighborhood representatives on March 21, April 11, April 25, and May 5, 2017; and

standards, and subdivision standards, based on criteria established in the Development Process Manual; and

WHEREAS, the IDO establishes procedures and criteria for the Environmental Planning Commission to grant exceptions to zoning dimensional standards that provide civic benefits or that benefit the natural environment (§14-16-6-6(K)); and

WHEREAS, the IDO establishes notice and meeting requirements (§14-16-6-4) that provide public awareness of development projects and input opportunities appropriate to the scale of the development project – minor projects that are administratively decided requiring notice but no meetings or hearings, major projects that require notice and either a meeting or hearing, and projects requiring discretionary decision-making based on consideration of policy in addition to IDO regulations that are heard and decided at public hearings; and

WHEREAS, approved site plans and permits shall remain valid (as described in §14-16-6-4(W)) unless they expire (as described in §14-16-6-4(W)(2)) or are amended (as described in §14-16-6-4(W)(3)); and

WHEREAS, the IDO establishes the period of validity for development approvals that are subject to expiration; and

WHEREAS, the expiration of approvals granted prior to the effective date of the IDO shall be calculated from the effective date of the IDO; and

WHEREAS, any compliance periods specified in the Zoning Code that are carried over or replaced with new time periods for compliance in the IDO are to be calculated from the effective date of the IDO; and

WHEREAS, all existing development that conforms to the Zoning Code on the date the IDO becomes effective but that does not comply with the IDO shall be considered nonconforming and allowed to continue, subject to limits on expansion and thresholds after which the property must be brought into compliance with the IDO as specified in §14-16-6-8; and

WHEREAS, the IDO establishes adequate provisions for the continuation and expansion of nonconforming uses, structures, lots, signs, and site features (§14-16-6-8), as well as appropriate thresholds or timeframes for when nonconformities must come into compliance with the IDO; and
WHEREAS, the proposed IDO was announced in the *Albuquerque Journal*, the *Neighborhood News* and on the Planning Department’s webpage in January 2017; and

WHEREAS, staff prepared summary handouts for each adopted Sector Development Plan to explain how Sector Development Plan policies were incorporated into the 2017 ABC Comp Plan, how regulations from Sector Development Plan regulations were incorporated into the Integrated Development Ordinance as either a best practice approach to land-use regulation and zoning that was extended citywide or as a regulation that was mapped to apply to the same area as specified in the Sector Development Plan, either as a zone district (§14-16-2-3), a Character Protection Overlay zone (§14-16-3-2), a Historic Protection Overlay zone (§14-16-3-3), a View Protection Overlay zone (§14-16-3-4), a use-specific standard (§14-16-4-3), a development standard (§14-16-5), or an administrative procedure (§14-16-6); and

WHEREAS, the public and staff from City departments and outside agencies had opportunities to make written and verbal comments prior to and during the EPC’s review of the IDO, and the IDO was revised to reflect Conditions of Approval recommended by the EPC; and

WHEREAS, the EPC voted on May 15, 2017 after five hearings to recommend approval of the IDO with a vote of 6-1 (with one Commissioner absent and one Commissioner’s position vacant); and

WHEREAS, the public and staff had opportunities to make written and verbal comments prior to and during the Land Use, Planning, and Zoning Committee’s review of the IDO, and the IDO was revised to reflect changes recommended by the LUPZ Committee; and

WHEREAS, the public and staff had an opportunity to make written and verbal comments prior to and during the full Council’s review of the IDO, and the Council adopted floor amendments to change the IDO in response.

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

Section 1. The City hereby repeals the existing Zoning Code (§14-16-1 et seq.) and adopts the Integrated Development Ordinance, attached to O-17-49 and made a part hereof, as the new §14-16-1 et seq.

Section 2. The City hereby repeals the existing zoning map and replaces it with the Integrated Development Ordinance zoning conversion map.

Section 3. The City hereby repeals the existing Articles of the City Code of Ordinances, Landmarks and Urban Conservation Ordinance (§14-12-1 et seq.), the Subdivision Ordinance (§14-14-1 et seq.), and the Airport Zoning Ordinance (§14-15-1 et seq.), which are incorporated and updated in the Integrated Development Ordinance.

Section 4. Upon its adoption this IDO is the City’s sole document regulating land use within the municipal boundaries. In the event of any conflicts, the terms, requirements and obligations established by this IDO shall prevail over any other ordinance not specifically repealed herein or otherwise remaining after its adoption.

Section 5. The City hereby amends existing ordinances to ensure consistency with Integrated Development Ordinance by replacing the words “Zoning Code,” “Comprehensive City Zoning Code,” or “city’s Comprehensive Zoning Code” with the words “Integrated Development Ordinance” in the following Parts and Sections of the City Code of Ordinances:

- Part 5-1-4, Other Provisions Effect.
- Part 6-9-1(A), General Policies.
- Part 7-5-2, Findings.
- Part 7-5-3, Display and Sale of Motor Vehicles.
- Section 8-2-2-15(D), Clear Sight Triangle.
- Section 9-2-1-4, Definitions, Commercial Property.
- Section 9-2-3-3(E), Permit Holders: General Duties and Requirements.
- Section 9-6-3-4(A), Operational Requirements.
- Section 9-9-2, Definitions, Residential, Office/Commercial, Industrial/Manufacturing.
- Section 9-10-1-7(B)3(c), Storage of Solid Waste for Commercial and Multi-Family Dwelling Collection.
Section 9-10-1-9(E)(1), Dumping, Accumulating, and Scattering of Refuse.

Part 10-9-8, Delegation of Authority.

Section 11-1-1-11(C)(2), Penalties for Public Nuisance Violations.

Part 13-1-9(A), Zoning Notification.

Part 13-2-6(C), Special Dispenser's Permits.

Section 13-5-1-13(D), Exercise of Rights under a Franchise – Minimum Conditions on Use of Property; Construction.

Part 13-15-2(B), Purpose and Intent.

Part 14-4-4(F), Size and Types of Numbers.

Part 14-6-1, Prohibited in Residential Zones.

Part 14-6-2(A)(5), Regulated in Nonresidential Zones.

Section 14-8-2-3(B), Definitions.

Section 14-11-7(C)(3), Permits for Solar Rights.

Part 14-17-5(A), Establishment of a Family Housing Development.

Section 6. City Code of Ordinances Part 4-10-3(D), General Policies, is amended as follows: "(D) Public improvements financed by a TIDD should be in conformance with applicable long-range city policies for development, including, but not limited to, the Albuquerque/Bernalillo County Comprehensive Plan, the Integrated Development Ordinance, the Ordinance adopting elements of a Planned Growth Strategy; the current city enactment relating to the Capital Implementation Program; the Impact Fee Component Capital Improvement Program; other ordinances applicable to the affected land including annexation ordinances and any related annexation agreements, if any; and all supplements and subsequent enactments relating to these measures."

Section 7. City Code of Ordinances Section 6-1-1-12(D), Variances and Appeals, is amended as follows: "Variances to §§ 6-1-1-8 through 6-1-1-10 requirements. A variance to the regulations in §§ 6-1-1-8 through 6-1-1-10 may be issued by the Mayor, through the Development Review Board, provided that the general intent of this article has been met and compliance with this article is proven to cause practical difficulties and unnecessary hardship. The variance procedure for this article will comply with the variance procedure in the Integrated Development Ordinance as currently adopted or subsequently amended. (This procedure is described in § 14-16-5-5.2.K. Appeals of decisions of the Development Review Board are to the City Council. Appeal procedures will comply with those in the Integrated Development Ordinance, §14-16-6-4(U).)"

Section 8. City Code of Ordinances Section 6-1-1-99(C), Penalty, is amended as follows: "Any responsible party who violates any provision of §§ 6-1-1-8 through 6-1-1-10 shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed $500 and/or imprisonment for a period not to exceed 90 days. Application of fines for violations of the regulations in §§ 6-1-1-8 through 6-1-1-10 will comply with the Integrated Development Ordinance as currently adopted or subsequently amended. (See §14-16-6.)"

Section 9. City Code of Ordinances Section 6-5-5-3, Pedestrian Sidewalk, Drive Pad, and Curb and Gutter Required, is amended as follows: "All properties within the city shall have sidewalk, drive pad, curb ramps, curb and gutter in accordance with the standards set forth by § 6-5-5-1 et seq., unless a variance from these standards is allowed through the procedures established by § 6-5-5-1 et seq. or unless such sidewalks, curb ramps, drive pads, curbs and gutters were constructed under standards previously in force. Such previously constructed improvements shall be considered non-conforming and as such may be repaired and maintained but if and when replacement becomes necessary shall be replaced according to the current standards or variance procedures of § 6-5-5-1 et seq. Compliance with the provisions of § 6-5-5-1 et seq. shall be the responsibility of the property owner. The cost of installing sidewalk shall be borne by the abutting property. On property in residential zones where only houses and townhouses are allowed, and where the lot abuts public streets at both its front and the rear lot lines, the property does not bear the cost of constructing missing sidewalk abutting the rear lot line where the property does not have the legal right to vehicular access from that street; this exception applies only to lots platted before June 29, 1983 (the effective date of the city's Subdivision Ordinance, set forth in §14-16-5.4)."
Section 10. City Code of Ordinances Section 6-5-5-4, Definitions, is amended as follows: "DRB. The Development Review Board, an administrative board consisting of six representatives of city departments and other agencies, including the Planning Director as Chairperson, Zoning Enforcement Officer, City Engineer (who may also function as the AMAFCA designee), Traffic Engineer, Parks and Recreation Director, and Albuquerque-Bernalillo County Water Utility Authority Water Resources Engineer." ...

LANDSCAPE/BUFFER AREA. The part of the public right-of-way that is not occupied or planned to be occupied by street, curb, gutter, or sidewalk; that may be used for street furniture, street trees and vegetation, and utilities; and that is typically located between the back of curb and adjacent property line."

Section 11. City Code of Ordinances Section 6-5-5-12, Setback Use, is amended as follows: "LANDSCAPE/BUFFER AREA USE. The landscape/buffer area may be used for the following public purposes so long as such uses are not in conflict with the provisions of §§ 6-5-5-1 et seq. or any other applicable provision of this code or any other ordinance of the city."

Section 12. City Code of Ordinances Section 6-5-5-14(B)(1)(d), Design and Construction Standards and Procedures, is amended as follows: "2. Land zoned for a residential density greater than allowed in the R-T (Residential Townhouse) zone district."

Section 13. City Code of Ordinances Section 6-5-5-14(E), Design and Construction Standards and Procedures, is amended as follows: "Transverse Slope. The transverse slope of the sidewalk and landscape/buffer area shall be no greater than a ratio of 1:50 or 2%, sloping toward the street."

Section 14. City Code of Ordinances Section 6-5-5-15, Development Review Board, is amended as follows: "The DRB as established by §14-16-2(D) Development Review Board, will have responsibilities that may include, but not be limited to, the following:"

Section 15. City Code of Ordinances Sections §§6-5-5-16, Variances, and §§6-5-5-17, Appeals, are deleted and the subsequent sections are renumbered to reflect the deletion.

Section 16. City Code of Ordinances Section § 6-5-5-18, Sidewalks, Drive Pad, and Curb Ramp Repair and Maintenance; Permitting Commercial Advertising on Transit Shelters, is amended as follows: "(A) The lot was platted before June 29, 1983, the effective date of the city's Subdivision Ordinance, set forth in §14-16-5-4."

Section 17. City Code of Ordinances Section 6-6-1-2, Definitions, is amended as follows: "LANDSCAPE/BUFFER AREA. The part of the public right-of-way that is not occupied or planned to be occupied by street, curb, gutter, or sidewalk; that may be used for street furniture, street trees and vegetation, and utilities; and that is typically located between the back of curb and adjacent property line."

Section 18. City Code of Ordinances Section §§6-6-2-1 et seq. are intended to secure the following objectives, in accordance with Policy 5.1.9, Policy 7.1.3, Policy 7.2.1, Policy 7.6.2, and other policies of the Albuquerque/Bernalillo County Comprehensive Plan."

Section 19. City Code of Ordinances Section §§6-6-2-3, Definitions, is amended as follows: "DEVELOPMENT REVIEW BOARD. An administrative board, consisting of six city departments and other agencies. Membership consists of the Planning Director as Chairperson, Zoning Enforcement Officer, City Engineer (who may also function as the AMAFCA designee), Traffic Engineer, Parks and Recreation Director, and Albuquerque-Bernalillo County Water Utility Authority Water Resources Engineer ...

LANDSCAPE/BUFFER AREA. The part of the public right-of-way that is not occupied or planned to be occupied by street, curb, gutter, or sidewalk; that may be used for street furniture, street trees and vegetation, and utilities; and that is typically located between the back of curb and adjacent property line."
Section 20. City Code of Ordinances Section §6-6-2-4(A), Required Street Trees, is amended as follows: "(1) All applicants for building permits for construction of a new building or building addition of 200 square feet or more shall submit a street tree plan for those parts of the lot abutting a major street, a major local street, or another street where street trees are required. (2) Any person who constructs a new building addition of 200 square feet or more or who paves a parking lot or required off-street parking area for apartments and/or non-residential development on a lot abutting a major street, a major local street, or another street where street trees are required shall plant street trees according to a street tree plan approved by the Mayor. Such planting shall occur no later than 60 calendar days after the completion of construction and shall occur before final inspection as required in the Building Code. (3) Street trees shown on an approved street tree plan and required to meet the requirements of §14-16-5-6 shall be maintained alive and healthy. Maintenance and trimming of street trees and replacement of dead trees are the responsibility of the owner of the lot abutting or on which the tree is located. (4) The City shall maintain a list of trees, as part of the Official Albuquerque Plant Palette and Sizing List, generally suitable for use as street trees in Albuquerque. This list shall include a description of the physical characteristics and cultural requirements of each species. (5) City staff, in coordination with appropriate private sector input, shall develop and make available information regarding the required soil volume for trees of a given mature size, and the Planning Director shall make this information available in the Development Process Manual. This soil volume consists of un-compactable and irrigated soil. The root space may be long and linear, to match a landscape buffer area size, and/or the space may be created through mechanical de-compaction, or the use of either structural soils under pavements, or soil vault systems under pavements."

Section 21. City Code of Ordinances Section §6-6-2-5, Street Tree Policies, is amended as follows: "(A)(1) Adequate room and spacing for Street Trees shall be accommodated pursuant to the details and specifications developed by the City in the Development Process Manual. ..."
Section 26. City Code of Ordinances Part 9-2-1-4, Definitions, is amended as follows: “RESIDENTIAL ZONE. “Zone District, Residential” as defined in the Integrated Development Ordinance.”

Section 27. City Code of Ordinances Part 9-9-2, Definitions, is amended as follows: “DOWNTOWN ARTS AND ENTERTAINMENT FOCUS AREA. The area designated as the Downtown Arts and Entertainment Focus Area in the Integrated Development Ordinance.”

Section 28. City Code of Ordinances Section 9-10-1-7(B)(3)(e), Storage of Solid Waste for Commercial and Multi-Family Dwelling Collection, is amended as follows: “Commercial collection sites shall be paved with a concrete apron meeting City of Albuquerque Solid Waste specifications for the designated container. However, commercial collection sites approved prior to October 1, 1985, which sites were paved in a way that met the off-street parking requirements of the Zoning Code (§ 14-16-3-1(E)(1)) in effect at the time of the issuance of building permit are exempt from the concrete-paving requirement if the owner of the property agrees in writing to maintain the paving and hold the city harmless for any damage to the pavement resulting from solid waste collection.”

Section 29. City Code of Ordinances Part 11-2-3, Definitions, is amended as follows: “ADULT ENTERTAINMENT ESTABLISHMENT. An establishment that meets the definition provided by §14-16-7-1 of the Integrated Development Ordinance.”

Section 30. City Code of Ordinances Part 12-2-28, Safety in Public Places, is amended as follows: “ARTS AND ENTERTAINMENT DISTRICT. The Arts and Entertainment District is roughly bordered by Copper Avenue on the north, 8th Street on the west, the alley between Gold and Silver Avenues to the south, and First Street to the east.” ... “NOB HILL DISTRICT. For purposes of this section, the Nob Hill District is the area within the following streets: beginning at the intersection of Girard and Silver, then to Monte Vista to Campus to Copper to Washington to Silver to Carlisle to Silver to Girard.”

Section 31. City Code of Ordinances Section 14-5-2-10(B), Multiple Use of Rights-of-way and Easements, is amended as follows: “Certain drainage

rights-of-way may be credited toward requirements for detached open space in the Integrated Development Ordinance, except for any area which is exclusively used for the drainage control, flood control, stormwater control, or erosion control function.”

Section 32. City Code of Ordinances Section 14-8-2-3(A), Definitions, is amended as follows: “REGISTERED NEIGHBORHOOD OR HOMEOWNER ASSOCIATION, A neighborhood association other than the Recognized neighborhood association for an area, homeowners association, or other association that has notified the City Office of Neighborhood Coordination of two persons’ addresses where it wishes notice to be sent pursuant to § 14-8-2-1 et seq.”

Section 33. City Code of Ordinances Section 14-8-2-4(D), Criteria for Recognition of Neighborhood Associations, is amended as follows: “The appropriate district City Councilor and the City Office of Neighborhood Coordination shall be furnished with names, addresses, email addresses, and available phone numbers of current neighborhood association officers and/or board members.”

Section 34. City Code of Ordinances Section 14-8-2-5, Responsibilities of Recognized and Non-Recognized Neighborhood or Homeowner Associations, is amended as follows: The word “non-recognized” is replaced with “registered” throughout this section, including the title; the word “Councillor” is replaced with “Councilor.”

Section 35. City Code of Ordinances Section 14-8-2-6, Responsibilities of the City, is amended as follows: “(A) The Mayor shall make reasonable attempts to provide electronic or mailed notice of City-initiated amendments of Rank 1, Rank 2, or Rank 3 plans or new Rank 2 or Rank 3 plans to recognized and registered neighborhood or homeowner associations located partially or completely within or adjacent to the relevant plan area. Notice is required at the initiation of the planning effort and at the application for approval; proof of both notices shall be required when the application is filed. The Mayor shall make reasonable attempts to provide notice to such associations concerning all subsequent public hearings of city boards, commissions, and task forces concerning such plan proposals,
except hearings which have been deferred or continued to a specific time announced at the prior hearing. (B) The Mayor shall make reasonable attempts to give directly affected recognized and registered neighborhood or homeowner associations prior mailed or electronic notice of pending major city development and redevelopment projects and changes in services by the city that will have a direct, significant impact on neighborhoods adjacent to, for example, projects that would change the size or type of city parks, building of new city facilities, relocation or reconstruction of privately owned utilities that require a permit, or rerouting of bus service. The Mayor shall provide prior electronic or mailed notice to recognized and registered neighborhood or homeowner associations within one mile of street construction, closure, and/or major repair. (C) The Mayor shall require documentation of prior notice to recognized and registered neighborhood or homeowner associations for development projects located within or adjacent to the association boundary at the time of filing applications, as specified in §14-16-8-1, Table 6-1-1. The Mayor shall send electronic or mailed notices of the hearing to recognized and registered associations for applications specified in §14-16-8-1, Table 6-1-1, as specified in the relevant sub-section. (D) For the purpose of divisions (A), (B), and (C) of this section, email or mailed notice to two contact addresses of recognized or registered association representatives on file with the Office of Neighborhood Coordination shall constitute reasonable attempt to notify. (E) The city shall send an initial response electronically or by mail within seven days of receipt of any correspondence received from any recognized and registered association that requests an answer, definition, or status of any city project within their boundaries.” ... “(F)(8) Along with the district Councilor, serve when appropriate as a liaison between a recognized neighborhood association and city agencies;” ... “(F)(12) Upon request, assist the district Councilor and/or neighborhood associations in the formation of alliances of neighborhood associations;” ... 

Section 36. City Code of Ordinances Section 14-8-2-7, Responsibilities of Applicants and Developers, is amended as follows: “(A) Notification of land use and development applications, shall be provided as required by §14-16-8-1 of the Integrated Development Ordinance, which specifies requirements for mailed or electronic notice, posted signs, web postings, and/or published notice. (B) Notification of applications for issuance or transfer of liquor licenses shall provide notice of their proposal to any recognized and registered neighborhood or homeowner association that includes or is adjacent to the subject property. Certified letters, return receipt requested, mailed to the two designated association representatives on file at the City Office of Neighborhood Coordination constitutes a reasonable attempt to notify an association. Failure by an applicant to show proof of either notification in person or a reasonable attempt to give written notification of its proposal to such designated association representatives shall be grounds for a neighborhood association to request deferral of a hearing. The application for such hearing shall include a signed statement that such notification has been sent.”

Section 37. City Code of Ordinances Section 14-8-2-7(B), Responsibilities of Applicants and Developers, is deleted in whole and replaced with the following: “(C) Pre-Application meetings with City staff for land development applications shall be held as outlined in §14-16-6-1 of the Integrated Development Ordinance. The purpose and requirements for a Pre-Application Meeting are provided in §14-16-6-4(B). (D) Neighborhood meetings for land development applications shall be held as outlined in §14-16-6-1 of the Integrated Development Ordinance. The purpose and requirements for a Neighborhood Meeting are provided in §14-16-6-4(C). These meetings may be recommended for Facilitation, as provided in §14-16-6-4(D).”

Section 38. City Code of Ordinances Part 14-8-7, Board of Appeals for Zoning Special Exceptions, is deleted in whole.

Section 39. City Code of Ordinances Part 14-9-3, Definitions, is amended as follows: “WORKFORCE HOUSING. Dwelling units serving residents and their families whose annualized income is at or below 80% of the Area Median Income for Albuquerque (AMI) as adjusted for household size and determined by the U.S. Department of Housing and Urban Development, and whose monthly housing payment does not exceed 30% of the imputed
income limit applicable to such unit or 35% under special conditions to be defined in the Workforce Housing Plan. "Dwelling unit" is used in this article as defined in the Integrated Development Ordinance (see §14-16-7-1)."

Section 40. City Code of Ordinances Part 14-11-3(A), Intent, is amended as follows: "This article is intended to help achieve Article IX of the Charter of the City of Albuquerque. It is also a means of conforming solar rights to local plans and laws of the Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance of this code of ordinances. It is intended to create orderly, harmonious, and economically sound development in order to promote the health, safety, convenience, and general welfare of the citizens of the city."

Section 41. City Code of Ordinances Section 14-13-1-4(E), Impact Fees; Other Development Related Charges, is amended in title and as follows: "Waivers to impact fees are as is provided in §14-19-15 Exemptions."

Section 42. City Code of Ordinances Section 14-13-2-2, Rank Importance of City Plans, is amended as follows: "Adopted City plans to coordinate land use, development, facilities, and resources are of varying rank importance. Lower-ranking plans should be consistent with higher-ranking plans, and when this is indisputably not the case, the conflicting provision of the lower-ranking plan is null and void. Plans should identify how they relate to relevant, higher-ranking plans. Ranked plans shall only contain policy and may not be regulatory. The highest ranks of City plans are as follows in this section and in § 14-13-2-4: (B)(2) ... (C)(1) Metropolitan Redevelopment Plans provide guidance to the Metropolitan Redevelopment Agency on redevelopment efforts, catalytic projects, and public/private partnerships, subject to amendment per the Metropolitan Redevelopment Agency Ordinance (§14-8-4-3(B)), for an area with common characteristics, typically one square mile or more but occasionally considerably smaller."

Section 43. City Code of Ordinances Section 14-13-2-3, Planned Growth Strategy, is amended as follows: "(B)(4) Planned Communities in the City of Albuquerque. (B)(6) The current annexation review and decision criteria in the Integrated Development Ordinance (Section 14-16-6-7(G)), in part, indicate conditions under which an annexation request may be denied by the City. (B)(6) The City shall request that the Albuquerque/Bernalillo County Water Utility Authority (ABCWA) continue to establish and update new conservation goals below 135 gallons per person per day beyond 2024. The City shall continue to be involved in the ABCWA’s implementation of the Water Resources Management Strategy including the updating of building codes, zoning regulations, and technical standards for rainwater harvesting."

Section 44. City Code of Ordinances Section 14-13-2-4(B), Redevelopment Plans, is amended as follows: "Metropolitan Redevelopment Plans are Rank 3 plans that provide guidance to the Metropolitan Redevelopment Agency on redevelopment efforts, catalytic projects, and public/private partnerships, subject to amendment per the Metropolitan Redevelopment Agency Ordinance (§14-8-4-3(B)), for an area with common characteristics, typically one square mile or more but occasionally considerably smaller."

Section 45. City Code of Ordinances Section 14-13-2-5, Procedure for Plan Adoption or Amendment; Fee, is deleted in whole.

Section 46. City Code of Ordinances Section 14-13-2-6, Annually Revised Planning Program, is deleted in whole.

Section 47. The City Council hereby amends Part 14-13-3, et seq., Environmental Planning Commission, is deleted in whole. Sections 14-13-3-5 Beautification Committee, 14-13-3-6 City of Albuquerque’s Greater Albuquerque Bicycling Advisory Committee, 14-13-3-7 Open Space Advisory Board, and 14-13-3-8 City of Albuquerque’s Greater Albuquerque
Recreational Trails Committee are moved to become new Part 2-6-14, Part 2-6-15, Part 2-6-16, and Part 2-6-17, respectively.

Section 48. City Code of Ordinances Part 14-17-5, Establishment of a Family Housing Development, is amended as follows: “(C) Financial Guarantee. In exchange for the density bonus, as specified in the Integrated Development Ordinance Section 14-16-5-1, the developer and/or builder shall provide a financial guarantee in favor of the city that is equal to the appraised value of the increased density. The financial guarantee shall become due and payable to the city, if the developer and/or builder fails to sell a family affordable ownership unit to a qualified home buyer. The value of the increased density shall be determined by a qualified appraiser who shall perform an appraisal of the property. The city shall release the financial guarantee as the developer and/or builder provides documentation to the city that the family affordable ownership units have been sold to qualified home buyers.” ... “(D)(1) That the proportionate amount of the value of the density bonus and the fee rebate, provided for in the Integrated Development Ordinance Section 14-16-5-1 and subparagraph (E)(2) of this section, for the family housing development that is attributable to each family affordable ownership unit shall be passed on by the developer and/or builder to each qualified home buyer in the form of a deferred loan of a portion of the purchase price of the family affordable ownership unit;” ... “(E)(1) Density Bonus. Any Family Housing Development (FHD) located in the R-1, RA or R-T zones is eligible for a density bonus. In these zones, the FHD may be developed at a density that is at most 20% higher than normally allowed under the Integrated Development Ordinance. All of the controlling setback and open space requirements must be met for the zone in which the FHD is located. (See the Integrated Development Ordinance, Section 14-16-2-3(A), Section 14-16-2-3(B), Section 14-16-2-3(D), and Section 14-16-5-1(C))”

Section 49. City Code of Ordinances Part 14-19-15(A)(5), Exemptions, is amended as follows: “Full or partial waivers of impact fees shall be provided for projects within metropolitan redevelopment areas that meet the criteria set forth in the Development Process Manual. Notwithstanding the provisions of the Development Process Manual, such waivers shall be provided for both non-residential and residential development within the metropolitan redevelopment area that conforms to the metropolitan redevelopment area plan and any others applicable within the metropolitan redevelopment area.”

Section 50. 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 provisions being declared unconstitutional or otherwise invalid.

Section 51. COMPILATION. Sections 1 through 48 of this ordinance shall amend, be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

Section 52. EFFECTIVE DATE AND PUBLICATION; INTERIM AMENDMENTS. This legislation shall take effect six months after publication by title and general summary. Any amendments to the IDO proposed prior to the effective date shall be introduced through the normal City Council process for direct review by Council or Committee of the Council without any requirement for initial referral to the Environmental Planning Commission or any other review board or body.
CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL

COUNCIL BILL NO. C/S R-17-213
ENACTMENT NO. R-2017-102

SPONSORED BY: Trudy E. Jones and Isaac Benton

RESOLUTION
1
2 REPEALING RESOLUTIONS AND PLANS WHOSE REGULATORY PURPOSE
3 AND CONTENT HAS BEEN REPLACED BY THE INTEGRATED DEVELOPMENT
4 ORDINANCE (§14-16, ET SEQ.), INCLUDING PART §1-1-2, PART §1-1-4, PART
5 §1-1-5, PART §1-1-6, PART §1-1-10, PART §1-1-11, PART §1-1-12, PART §1-1-
6 14, PART §1-1-16, PART §1-2-1, ARTICLE 3: METROPOLITAN AREAS AND
7 URBAN CENTERS PLAN, ARTICLE 4: REVITALIZATION STRATEGIES,
8 ARTICLE 5: REDEVELOPMENT PLANS, ARTICLE 7: SECTOR DEVELOPMENT
9 AND COMMUNITY DEVELOPMENT PLANS, ARTICLE 10: OVERLAY ZONES,
10 ARTICLE 11: AREA PLANS, ARTICLE 13: CORRIDOR PLANS, PART §1-13-1,
11 AND PART §2-5-1; CREATING A NEW ARTICLE 14: RANK 2 FACILITY PLANS,
12 ARTICLE 15: RANK 3 MASTER PLANS AND RESOURCE MANAGEMENT
13 PLANS, ARTICLE 16: FRAMEWORK PLANS THAT ARE CONSISTENT WITH
14 THE TERMINOLOGY IN THE IDO; REPLACING REFERENCES TO REPEALED
15 ORDINANCES AND RESOLUTIONS IN VARIOUS LOCATIONS OF THE CODE
16 OF RESOLUTIONS OF ALBUQUERQUE, NEW MEXICO, WITH REFERENCES
17 TO THE INTEGRATED DEVELOPMENT ORDINANCE TO MAINTAIN
18 CONSISTENCY, INCLUDING PART §1-6-7, PART §1-6-8, PART §1-6-9, PART §1-
19 6-16, PART §1-7-16, PART §1-7-43, PART §1-11-9, PART §1-11-12, PART §1-12-
20 12, PART §1-13-2, PART §1-13-3, PART §1-13-4, PART §5-1-1; AND REVISION
21 THE LOCATION IN THE CODE OF RESOLUTIONS FOR SELECT PLANS TO
22 COMPILE RELEVANT SECTIONS OF THE CODE OF RESOLUTIONS AND TO
23 MAINTAIN CONSISTENCY WITH THE IDO, INCLUDING PART §1-4-2, PART §1-
24 4-3, PART §1-6-8, PART §1-6-10, PART §1-6-11, PART §1-6-12, PART §1-6-13,
25 PART §1-6-14, PART §1-6-15, PART §1-11-5, PART §1-11-6, PART §1-11-7,
26 PART §1-11-13, PART §1-11-14, PART §1-13-2, PART §1-13-3, PART §1-13-4,
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 adopted a Planning Ordinance (§14-13-2) that
established a ranked system of plans, with the jointly adopted Comp Plan as
the Rank 1 plan that provides a vision, goals, and policies for the Albuquerque
metropolitan area, including the entire area within the city’s municipal
boundaries, Rank 2 plans that provide more detailed policies for a particular
type of facility or a sub-area of the city in order to implement the Comp Plan,
and Rank 3 plans that provide an even greater level of detail about an even
smaller sub-area; and
WHEREAS, the City amended the Comp Plan in 2001 via R-01-344
(Enactment No. 172-2001) to include a Centers and Corridors vision for future
growth and development as recommended by the City’s Planned Growth
Strategy (§14-13-1) in order to maintain a sustainable urban footprint and
service boundary for infrastructure; 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’s Comprehensive Zoning Code ("Zoning Code"), which
is the primary implementation tool for the Comp Plan, has been amended
piecemeal hundreds of times but has not been comprehensively updated
since 1975; and
WHEREAS, the Zoning Code was not updated comprehensively after the
Comp Plan amendments adopting the Centers and Corridors vision and
community identity goals and policies for Community Planning Areas; and
WHEREAS, zoning codes typically have a lifespan of 20 years before a
comprehensive update is needed; and
WHEREAS, the Zoning Code does not include integrated tools to address
the unique needs of sub-areas or establish regulations to protect the character
of built environments in particular sub-areas; and
WHEREAS, lower-ranked plans are intended to implement the Rank 1 Comp
Plan and supplement the Zoning Code by providing a greater level of detailed
planning policy and/or land use and zoning regulations for sub-areas of the
city; and
WHEREAS, the City has adopted six Rank 2 Facility Plans – for Arroyos
(adopted 1986), for the Bosque (adopted 1993), for Major Public Open Space
(adopted 1999), for the Electric System: Transmission & Generation (last
amended in 2012), for Route 66 (adopted 2014), and for Bikeways & Trails (last
amended in 2015) – to provide policy guidance and implementation actions for
implementing departments; and
WHEREAS, the City’s Rank 2 Facility Plan for Arroyos identifies major
arroyos that serve a drainage function as well as, in many cases, recreational
opportunities through multi-use trails or parks and provides policy guidance
for the design and management of these facilities; and
WHEREAS, the City has adopted three Rank 3 Arroyo Corridor Plans –
Pajarito (adopted in 1990), Amole (adopted in 1991), and Bear Canyon
(adopted in 1991) – which include policy guidance to the City for the
management of these facilities as well as regulations pertaining to private
property abutting these facilities; and
WHEREAS, Rank 2 Area Plans and Rank 3 Sector Development Plans have been created and adopted over the last 40 years for approximately half the area of the city; and

WHEREAS, the City has adopted five Rank 2 Area Plans – the Sandia Foothills Area Plan in 1983 (never amended), the Southwest Area Plan in 1988, (last amended in 2002), the East Mountain Area Plan in 1992 (never amended), the North Valley Area Plan in 1993 (never amended), and the West Side Strategic Plan in 1997 (last amended in 2014) – that provide policy guidance about sub-areas to help implement the Comp Plan, yet three have not been amended since 2001, when the Comp Plan was amended to adopt a Centers and Corridors vision for future growth and development; and

WHEREAS, the Southwest Area Plan and East Mountain Area Plan were jointly adopted with Bernalillo County, as the plan areas include land that is predominantly within the unincorporated County area; and

WHEREAS, the City has adopted over 50 Sector Development Plans – some of which include policies and some of which include tailored zoning, regulations, and approval processes for properties within the plan boundary; and

WHEREAS, approximately 51% of the adopted Rank 3 Sector Development Plans were adopted or amended after 2001, when the Comp Plan was amended to adopt a Centers and Corridors vision for future growth and development; and

WHEREAS, the City intended to update each Sector Development Plan every 10 years, but some have never been amended, some have been amended multiple times, and over half are now more than 10 years old; and

WHEREAS, the Code of Resolutions indicates that the City has adopted plans that the Planning Department cannot find, which may have been repealed or replaced in whole or in part, and there may be other adopted ranked plans that the Planning Department is no longer aware of and have not been listed on the Planning Department’s publication list; and

WHEREAS, approximately half the properties in the city have not had the benefit of long-range planning for specific sub-areas with trend analysis by

staff or engagement by area stakeholders, which is an inequitable and untenable existing condition; and

WHEREAS, City staff and the budget have been restructured and allocated over the years in such a way as to no longer be adequate to maintain and update over 50 standalone Sector Development Plans, three Area Plans, and three Arroyo Corridor Plans, much less the additional plans that would be needed to provide an equal level of policy guidance and tailored regulations for the half of the city not currently covered by Rank 2 Area Plans or Rank 3 Sector Development Plans; and

WHEREAS, the mix of policy and regulations in Rank 3 Plans has sometimes created confusion as to whether language is narrative, policy, and/or regulatory; and

WHEREAS, the adopted Rank 3 Sector Development Plans have created over 235 unique SU-2 zones outside of the Zoning Code, many of which establish zone abbreviations unique to each plan; and

WHEREAS, there are enumerable SU-1 zones adopted for individual properties throughout the city totaling over 28,500 acres (almost 25% of the city’s total acreage); and

WHEREAS, the Zoning Code has 24 base zone districts, not including SU-1, SU-2, and SU-3 zones or overlay zones; and

WHEREAS, the City has struggled to administer and enforce all of these unique zones consistently over time; and

WHEREAS, the separation of land use and zoning regulations from the Zoning Code into multiple standalone plans has sometimes resulted in conflicting language and/or regulations being lost or overlooked by staff and decision-makers in the review/approval and enforcement processes, which are the primary responsibility of the Planning Department and the City Council as the ultimate land use and zoning authority; and

WHEREAS, some Rank 3 Sector Development Plans establish separate decision-making processes and/or criteria, which introduces an uneven playing field for development and inconsistent protections for neighborhoods and natural/cultural resources from area to area; and
WHEREAS, the City Council directed the City in April 2014 via R-14-46 (Enactment No. R-2014-022) to update the Comp Plan and the land development regulations intended to implement it; and

WHEREAS, the City Planning Department and Council Services initiated a project in February 2015 called “ABC-Z” to update the Albuquerque-Bernalillo County Comprehensive Plan and develop an Integrated Development Ordinance (“IDO”) to help implement it; and

WHEREAS, the public engagement process for ABC-Z offered a range of opportunities for input, discussion, and consensus-building with over 130 workshops and public meetings, including daytime focus groups organized by topic, evening meetings with a more traditional presentation and question and answer session, “Comp Plan 101” and “Zoning 101” meetings, and periodic “Ask an Expert” zoning clinics; and

WHEREAS, the project team spoke at over 100 meetings and local conferences by invitation of various stakeholders; and

WHEREAS, the project team staffed booths and passed out promotional material at community events and farmers markets to reach more people and a broader cross-section of the community and met with individuals and small groups during weekly office hours; and

WHEREAS, articles about the ABC-Z project appeared monthly in the City’s Neighborhood News, ads specifically for the proposed IDO were placed in print and social media, as well as on local radio stations, and the project team maintained a project webpage and a social media page on Facebook for the ABC-Z project; and

WHEREAS, the Planning Department has expended additional funds from its general operating budget, and the City Council also provided supplementary funds as part of a budget amendment in November 2015 (R-15-266, Floor Amendment 2, Enactment No. R-2015-113) that were subsequently used for additional paid advertising in print, radio, and social media, including Spanish-language media outlets, to reach a broader and more diverse audience; 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 an updated community vision that is still based on a Centers and Corridors approach to growth; and

WHEREAS, the 2017 ABC Comp Plan adopted an updated Centers and Corridors map that establishes boundaries for the Centers; designates priority for transportation modes on certain Corridors; and identifies Downtown, Urban Centers, Activity Centers, Premium Transit Corridors, Major Transit Corridors, and Main Street Corridors as the Centers and Corridors that are intended to be walkable, with a mix of residential and non-residential land uses, and with higher-density and higher-intensity uses; and

WHEREAS, the 2017 ABC Comp Plan established 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, mixed-use, and dense; and

WHEREAS, the IDO, as a regulatory document that applies citywide, is the primary mechanism to implement the 2017 ABC Comp Plan for land within the municipal boundaries of the City of Albuquerque; and

WHEREAS, the IDO has been drafted to be consistent with and implement Comp Plan goals and policies; and

WHEREAS, the IDO’s stated purpose is to implement the 2017 ABC Comp Plan; ensure that all development in the City is consistent with the spirit and 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 2017 ABC Comp Plan updated the Centers and Corridors map with a new Downtown Center designation as the most urban, walkable, dense, intense, and mixed-use Center in Albuquerque, with the same boundary as the adopted Rank 3 Downtown 2025 Sector Development Plan; and

WHEREAS, the IDO helps to implement the Downtown Center by carrying over and updating zoning regulations and design standards from the adopted Rank 3 Downtown 2025 Sector Development Plan as a mixed-use, form-based zone district (MX-FB-DT); and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Center designation of Urban Centers – intended to be highly walkable, with mixed-use development and high-density, high-intensity uses – for Volcano Heights and Uptown, with the same boundaries as identified in the 2013 Comp Plan, which followed boundaries established by SU-2 zoning in the adopted Rank 3 Volcano Heights and Uptown Sector Development Plans; and

WHEREAS, the IDO helps implement these Urban Centers by allowing additional building height and reducing parking requirements in these Centers; and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Corridor designation of Premium Transit Corridors in order to prioritize transit service in the public right-of-way and encourage higher-density and mixed-use transit-oriented development that can support and be supported by transit service; and

WHEREAS, the IDO helps implement Premium Transit Corridors for which funding has been secured and transit station locations have been identified by allowing additional building height and reducing parking requirements within 660 feet (one-eighth of a mile, a distance of two typical city blocks, considered a 5-minute walk) of Premium Transit stations; and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Corridor designation of Main Streets, intended to be pedestrian-oriented and encourage mixed-use and high-density residential development along them; and

WHEREAS, the IDO helps implement Main Street Corridors by allowing additional building height and reducing parking requirements on parcels within 660 feet (one-eighth of a mile, a distance of two typical city blocks, considered a 5-minute walk) of the centerline of Main Street Corridors; and

WHEREAS, the 2017 ABC Comp Plan updated the Centers and Corridors map with a new Center designation of Activity Centers, intended to serve surrounding neighborhoods, be more walkable and allow higher-density and higher-intensity uses than non-Center areas; and

WHEREAS, the IDO helps implement Activity Centers by requiring enhanced building façade design and site design for drive-throughs that results in more pedestrian-oriented layouts within the boundary of these Centers; and

WHEREAS, the IDO helps implement the Centers and Corridors vision by converting existing mixed-use and non-residential zoning in Centers and Corridors intended to be walkable, mixed-use, and dense to IDO zone districts with the closest matching set of permissive uses, as described in more detail below; and

WHEREAS, the IDO helps implement the Centers and Corridors vision by providing different dimensional standards for density, height, and setbacks, lower parking standards, additional building design and site layout standards, and reduced buffering and landscaping requirements that will allow more urban development forms as relevant for walkable, mixed-use, dense Centers and Corridors (excluding Old Town, Employment Centers, and Commuter Corridors); and

WHEREAS, the 2017 ABC Comp Plan included an updated map of City Development Areas Map that replaced the 1975 Development Areas with one of two new Development Area designations: Areas of Change, including all Centers but Old Town and all Corridors but Commuter Corridors, or Areas of Consistency, including single-family neighborhoods, parks, Major Public Open Space, golf courses, airport runway zones, and many arroyos, acequias; and

WHEREAS, the 2017 ABC Comp Plan includes policies to encourage growth and development in Areas of Change and policies to protect the
WHEREAS, the 2017 ABC Comp Plan includes goals and policies to protect community health and maintain safe and healthy environments where people can thrive; 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 IDO helps implement these goals and policies by providing use-specific standards (§14-16-4-3) that require a distance separation for certain nuisance uses – such as alcohol sales and heavy manufacturing – from residential areas, schools, and churches to mitigate the potential negative impact on quality of life; and

WHEREAS, the 2017 ABC Comp Plan recommends a transition from long-range planning with communities on an as-needed basis to create standalone Rank 2 and 3 plans to a 5-year cycle of planning with each of 12 Community Planning Areas in order to provide opportunities for all areas of the city to benefit from area-specific long-range planning, including regular and ongoing opportunities for stakeholder engagement and analysis by staff of trends, performance measures, and progress toward implementation actions in the Comp Plan; and

WHEREAS, the IDO implements the new proactive approach to long-range planning by committing the City to a proactive, equitable system of assessments (§14-16-6-3(D)) done every five years with residents and stakeholders in each of 12 Community Planning Areas established by the ABC Comp Plan; and

WHEREAS, the IDO furthers the purpose and intent of the Planning Ordinance (§14-13-2) and the Planned Growth Strategy (§14-13-2.3) by establishing a regulatory framework that ensures that development is consistent with the intent of other plans, policies, and ordinances adopted by
WHEREAS, the City Council; that updated development standards help ensure provision of adequate light, air, solar access, open spaces, and water; that clarified and streamlined development processes will help ensure the harmonious, orderly, and coordinated development of land in the City, and help create efficiency in governmental operations; that land use is coordinated with transportation corridors to help promote the convenient circulation of people, goods, and vehicles while minimizing traffic hazards; that subdivision standards and review/approval processes serve as a framework to help Staff and the public ensure the safety and suitability of land for development; and

WHEREAS, the IDO (§14-16-6-3) describes a Planning System (§14-16-6-3) that incorporates the ranked system of plans described in the Planning Ordinance (§14-13-2); the Rank 1 plan with which the lower-ranking plans must be consistent and that the lower-ranking plans are intended to help implement, Rank 2 plans for facilities that exist throughout the City in various areas and need to be coordinated and managed with a consistent approach (i.e. Facility Plans), and Rank 3 plans for specific areas that benefit from more detailed guidance related to the area’s unique needs and opportunities (i.e. Metropolitan Redevelopment Plans, Master Plans, and Resource Management Plans); and

WHEREAS, the Planning Ordinance (§14-13-2) is being amended with the Ordinance adopting the IDO (O-17-49) to clarify that Ranked plans will hereby include narrative and policies but not regulations; and

WHEREAS, adopted Rank 2 Facility Plans will remain in effect, to be amended pursuant to the IDO (§14-16-6-3(B)) or as specified in the adopted plan; and

WHEREAS, the 2017 ABC Comp Plan included and updated policies from adopted Rank 2 Area Plans and Rank 3 Sector Development Plans; and

WHEREAS, the 2017 ABC Comp Plan included Sector Development Plans adopted as of March 2017 in the Appendix so that they can be used as informational, reference documents for relevant sub-areas, especially in creating and/or amending Community Planning Area assessments in the future; and

WHEREAS, the IDO is intended to contain all the zoning and land use laws of the City, superseding any and all other zoning and land use laws whether written or based on prior practice; and

WHEREAS, the IDO is intended to integrate and adopt regulations pertaining to land use and development on private land within the City’s municipal boundaries into one document in order to eliminate duplication, inconsistencies, and conflicts and to strengthen consistency, coordination, efficiency, effectiveness, and enforcement of these regulations; and

WHEREAS, the IDO does not apply to properties within other jurisdictions, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities; and

WHEREAS, the IDO includes the flexibility to tailor uses, overlay zones, development standards, and review/approval processes for specific sub-areas to protect character, enhance neighborhood vitality, and respect historic and natural resources; and

WHEREAS, regulations from the adopted Rank 3 Sector Development Plans and Rank 3 Arroyo Corridor Plans have been coordinated, updated, and included in the IDO either as citywide regulations or as regulations applying to a mapped area consistent with the applicable area identified in the relevant adopted Sector Development Plan; and

WHEREAS, the IDO carries over as Character Protection Overlay zones (§14-16-3-2) distinct sets of building and site design standards intended to reinforce the existing character of sub-areas of the city from adopted Rank 3 Sector Development Plans, including Coors Corridor Plan (last amended in 2013), Downtown Neighborhood Area (adopted 2012), Huning Highland (last amended in 2005), Los Duranes (adopted 2012), Nob Hill Highland (last amended in 2014), Rio Grande Boulevard Corridor (adopted 1989), SawmillWells Park (last amended in 2002), Volcano Cliffs (last amended in 2014), Volcano Heights (last amended in 2014), and Volcano Trails (last amended in 2014); and

WHEREAS, within the Nob Hill Character Protection Overlay zone, the IDO tailors the dimensional standards associated with Premium Transit stations and Main Street Corridors, as well as the building height bonus associated
with Workforce Housing, to recognize the lower building heights that
contribute to the distinctive character of “Lower Nob Hill” between Girard
Blvd. and Aliso Dr., consistent with the intent of the adopted Rank 3 Nob Hill
Highland Sector Development Plan; and
WHEREAS, the IDO carries over as Historic Protection Overlay zones (§14-
16-3-3) historic design standards from the Historic Zone (H-1) and adopted
historic overlay zones, including East Downtown (adopted 2005),
Eighth/Forrester (last amended in 1998), Fourth Ward (adopted 2002), Huning
Highland (adopted 2010), and Silver Hill (last amended in 2010); and
WHEREAS, the IDO carries over and updates view preservation regulations
from the Rank 3 Coors Corridor Plan (last amended in 2013) and Rank 3
Northwest Mesa Escarpment Plan (last amended in 2016) as View Protection
Overlay zones (§14-16-3-4) to protect views from public rights-of-way to
cultural landscapes designated by the 2017 ABC Comp Plan; and
WHEREAS, the IDO includes and updates standards and review/approval
procedures for development from the existing Landmarks and Urban
Conservation Ordinance (§14-12-1 et seq.) in order to protect structures and
areas of historical, cultural, architectural, engineering, archeological, or
geographic significance; and
WHEREAS, the IDO includes and updates portions of the Development
Process Manual (DPM) that pertain to the engineering technical standards for
development on private land and these updates have been coordinated with
technical subcommittees that are updating relevant portions of the DPM as
part of a parallel effort in order to remove conflicts between zoning regulations
and technical standards related to street and parking design, drainage, flood
control, and sewer service; to ensure an orderly and harmonious process and
outcome for coordinating land use, transportation, and infrastructure on
private property and within the public right-of-way; and to improve the viability
of multiple transportation methods throughout the city; and
WHEREAS, the IDO incorporates the purpose and updates the content of
the existing Zoning Code (§14-16 et seq.); and
WHEREAS, the IDO includes three categories of uses – Residential, Mixed-
use, and Non-residential – with zones in each category that range from the
least to the most intense that are appropriate to a mid-size, Southwestern, 21st
century city; and
WHEREAS, the existing Official Zoning Map is included by reference in the
Zoning Code (§14-16-4-9); and
WHEREAS, the IDO adopts an Official Zoning Map (§14-16-1-6) with zones
converted from existing zone districts pursuant to the zoning conversion rules
described below; and
WHEREAS, properties with zoning from the Zoning Code have been
converted on the zoning conversion map to the IDO zone district with the
closest matching set of permissive uses on a conversion map that has been
available to the public for review and comment since April 2016; and
WHEREAS, properties with SU-2 or SU-3 zoning from adopted Rank 3
Sector Development Plans have been converted on the zoning conversion
map to the IDO zone district with the closest matching set of permissive uses;
and
WHEREAS, properties with Residential and Related Uses – Developing
Area (RD) zoning, Planned Residential Development (PRD) zoning, or Planned
Development Area (PDA) zoning have been converted on the zoning
conversion map to the Planned Development (PD) zone district in the IDO,
which is site-plan controlled and allows uses as specified on the approved site
plan; and
WHEREAS, properties with SU-1 zoning in an adopted Rank 3 Sector
Development Plan that describes the zones by referring to the existing Zoning
Code (other than SU-1 for PRD or SU-1 for PDA, whose conversion is
described above) have been converted in the conversion zoning map to the
IDO zone with the closest matching set of permissive uses; and
WHEREAS, properties with SU-1 zoning whose zone descriptions refer to
zones from the existing Zoning Code have been converted on the zoning
conversion map to the IDO zone with the closest matching set of permissive
uses; and
WHEREAS, properties with SU-1 zoning with zoning descriptions that refer
to permitted uses but do not refer to zones from the existing Zoning Code
have been converted on the conversion zoning map to the IDO zone district that is site plan controlled – Planned Development (PD); and
WHEREAS, the zoning conversion rules for properties with C-2 zoning, or SU-1, SU-2, or SU-3 zones that reference C-2 zones as the highest uses allowed permissively, were different for the east and west sides of the Rio Grande in order to address the imbalance of jobs and housing on the West Side, so that C-2 properties on the East Side were converted to MX-M to encourage an ongoing mix of residential and commercial uses, while properties on the West Side were converted to Non-Residential Commercial (NR-C) to ensure the addition of retail and services that are currently lacking; and
WHEREAS, the zoning conversion rules for properties with C-3 zoning, or SU-1 and SU-2 zones that reference C-3 zones as the highest uses allowed permissively, were different inside and outside of Centers to help implement the ABC Comp Plan and result in more mixed-use, walkable development within Centers, so that C-3 properties outside of Centers were converted to Non-Residential Commercial (NR-C), while properties east of the river within Urban Centers or Activity Centers or within 660 feet of Premium Transit station areas or 660 feet of the centerline of a Main Street Corridor were converted to MX-H, west of the river only properties within 660 feet of Premium Transit station areas were converted to MX-H; and
WHEREAS, the City and Bernalillo County jointly adopted the Planned Communities Criteria (Code of Resolutions §1-1-10) that establish a procedure for planning large areas that are intended to function self-sufficiently within their jurisdictions, with development and services that have no net cost to the local jurisdiction and that implement the Comp Plan; and
WHEREAS, the City has approved two Planned Communities – Mesa del Sol and Westland – with Level A “Master Plans,” which will be called Framework Plans in the IDO, and Level B “Master Plans,” which will be called Site Plans or Master Development Plans, based on the zoning designation; and
WHEREAS, properties within a Planned Community have been converted to the IDO’s Planned Community (PC) zone, which will still be regulated pursuant


to the relevant approved “Master Plan” as an approved Site Plan – EPC, with uses regulated pursuant to the matching IDO conversion zone for any named zone out of the existing Zoning Code; and
WHEREAS, the IDO includes a Use Table (§14-16-4-2) that clearly indicates land uses that are permitted, conditional, accessory, conditional accessory, conditional vacant, or temporary in each zone district; and
WHEREAS, the IDO includes use-specific standards (§14-16-4-3) to establish use regulations, further design requirements, allowances, area-specific regulations, and/or processes to avoid or mitigate off-site impacts and ensure high-quality development, including those carried over from adopted Rank 3 Sector Development Plans and generalized to apply citywide or mapped to continue to apply to a small area; and
WHEREAS, the IDO includes general development standards (§14-16-5) related to site design and sensitive lands; access and connectivity; parking and loading; landscaping, buffering, and screening; walls; outdoor lighting; neighborhood edges; solar access; building design; signs; and operation and maintenance; and
WHEREAS, the IDO includes and updates standards for the subdivision of land (§14-16-5-4) and associated administrative and enforcement procedures (§14-16-6) in the existing Subdivision Ordinance (§14-14-1 et seq.) in order to ensure that land suitable for development is served by the necessary public services and infrastructure, including a multi-modal transportation network, and platted accordingly; and
WHEREAS, the IDO establishes review and approval processes (§14-16-6) appropriate for each type of land development application in order to clearly establish notice requirements, decision-making bodies, and criteria for decision-making bodies; and
WHEREAS, the IDO establishes thresholds and criteria for administrative review and decision by staff (§14-16-6-5) for minor projects based on objective standards for high-quality, context-sensitive development established by the IDO; and
WHEREAS, the IDO establishes thresholds, criteria, and the appropriate decision-making body for major projects (§14-16-6-6) that require a public
meeting and/or hearing and whose approval should be based on consideration of objective standards for high-quality, context-sensitive land use and development established by the IDO; and

WHEREAS, the IDO requires review and decision by the Environmental Planning Commission for a zone change (§14-16-6-7(E)) and site plan approval (§14-16-6-7(F)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO in Planned Development (PD), Non-residential Sensitive Use (NR-SU) zone districts, and new Master Development Plans in Non-residential Business Park (NR-BP) zone districts; and

WHEREAS, the IDO incorporates and updates criteria for amendments of the zoning map (i.e. zone changes) adopted by R-270-1980 and differentiates between criteria for Areas of Change and Areas of Consistency to help implement the 2017 ABC Comp Plan; and

WHEREAS, the IDO requires applicants requesting amendments of the zoning map on properties wholly or partially within Areas of Consistency to demonstrate that the new zone would clearly reinforce or strengthen the established character of the surrounding Area of Consistency and would not permit development that is significantly different from that character; and

WHEREAS, the IDO requires review and decision by the Environmental Planning Commission (§14-16-6-7(E)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO for amendments to the zoning map up to 10 acres in Areas of Consistency and up to 20 acres in Areas of Change, above which Council has authority; and

WHEREAS, the IDO requires review and recommendation by the Environmental Planning Commission and final decision by the City Council for amendment of a Rank 1 Plan (§14-16-6-7(A)), adoption or amendment of a Rank 2 Facility Plan (§14-16-6-7(B)), text amendments to the IDO (§14-16-6-7(D)), or annexations (§14-16-6-7(G)) based on consideration of policy as well as objective standards for high-quality, context-sensitive development established by the IDO for zone changes of 10 acres or more in Areas of Consistency and 20 acres or more in Areas of Change; and

WHEREAS, the IDO establishes procedures and criteria for alterations and demolition within and outside Historic Protection Overlay zones and for amending existing and designating new Historic Protection Overlay zones and landmarks (§14-16-6-7(C)); and

WHEREAS, the IDO requires appeals of all decisions to be reviewed and recommended by the Land Use Hearing Officer and reviewed and decided by the City Council as the City’s ultimate land use and zoning authority; and

WHEREAS, the IDO establishes criteria and thresholds appropriate for staff review and decision of minor deviations from zoning dimensional standards (§14-16-6-4(X)(2)); and

WHEREAS, the IDO establishes procedures and criteria for the Zoning Hearing Examiner to decide on requests for conditional uses (§14-16-6-6(A)) or for variances from dimensional zoning standards (§14-16-6-6(L)); and

WHEREAS, the IDO establishes procedures for the Development Review Board (§14-16-6-6(J)) to grant variances to sidewalks, public right-of-way standards, and subdivision standards, based on criteria established in the Development Process Manual; and

WHEREAS, the IDO establishes procedures and criteria for the Environmental Planning Commission to grant exceptions to zoning dimensional standards that provide civic benefits or that benefit the natural environment (§14-16-6-6(k)); and

WHEREAS, the IDO establishes notice and meeting requirements (§14-16-6-4) that provide public awareness of development projects and input opportunities appropriate to the scale of the development project – minor projects that are administratively decided requiring notice but no meetings or hearings, major projects that require notice and either a meeting or hearing, and projects requiring discretionary decision-making based on consideration of policy in addition to IDO regulations that are heard and decided at public hearings; and

WHEREAS, approved site plans and permits shall remain valid (as described in §14-16-6-4(W)) unless they expire (as described in §14-16-6-4(W)(3)); and
WHEREAS, the IDO establishes the period of validity for development approvals that are subject to expiration; and

WHEREAS, the expiration of approvals granted prior to the effective date of the IDO shall be calculated from the effective date of the IDO; and

WHEREAS, any compliance periods specified in the Zoning Code that are carried over or replaced with new time periods for compliance in the IDO are to be calculated from the effective date of the IDO; and

WHEREAS, all existing development that conforms to the Zoning Code on the date the IDO becomes effective but that does not comply with the IDO shall be considered nonconforming and allowed to continue, subject to limits on expansion and thresholds after which the property must be brought into compliance with the IDO as specified in §14-16-6-8; and

WHEREAS, the IDO establishes adequate provisions for the continuation and expansion of nonconforming uses, structures, lots, signs, and site features (§14-16-6-8), as well as appropriate thresholds or timeframes for when nonconformities must come into compliance with the IDO; and

WHEREAS, the IDO establishes appropriate standards and procedures for enforcing violations and assessing penalties (§14-16-6-9); and

WHEREAS, any violation of the City zoning, subdivision, or land development regulations in effect prior to the effective date of this IDO will continue to be a violation under this IDO and subject to enforcement actions, unless the development or other activity that was a violation of the previous regulations is consistent with the requirements and regulations of this IDO; and

WHEREAS, the City and private property owners will need time to transition from processes related to the existing zoning code to the new IDO, and the IDO is therefore intended to become effective six months from its adoption date; and

WHEREAS, the Planning Department intends to submit and sponsor a series of zone change requests for review/approval within a year of the IDO effective date to address mismatches of land use and zoning that pre-existed upon the IDO becoming effective, and to consider requests from property owners desiring to downzone their existing zoning to a less intense, less dense zone district in Areas of Consistency; and

WHEREAS, the Planning Department intends to initiate the Community Planning Areas assessments within two years after the effective date of the IDO to assess current and anticipated trends and conditions, to understand planning issues and develop solutions to address them, and to track progress on performance measures identified in the ABC Comp Plan over time; and

WHEREAS, the IDO requires the City to create an update process and annual schedule for updates to the IDO; and

WHEREAS, the Office of Neighborhood Coordination sent e-mail notification to neighborhood representatives on December 29, 2016, as required, as part of the Environmental Planning Commission (EPC) application process, and Planning Staff sent a re-notification reminder and Notice of Decision for each hearing to neighborhood representatives on March 21, April 11, April 25, and May 5, 2017; and

WHEREAS, the proposed IDO was announced in the Albuquerque Journal, the Neighborhood News, and on the Planning Department’s webpage in January 2017; and

WHEREAS, staff prepared summary handouts for each adopted Sector Development Plan to explain how Sector Development Plan policies were incorporated into the 2017 ABC Comp Plan, how regulations from Sector Development Plan regulations were incorporated into the Integrated Development Ordinance as either a best practice approach to land-use regulation and zoning that was extended citywide or as a regulation that was mapped to apply to the same area as specified in the Sector Development Plan, either as a zone district (§14-16-2-3), a Character Protection Overlay zone (§14-16-3-2), a Historic Protection Overlay zone (§14-16-3-3), a View Protection Overlay zone (§14-16-3-4), a use-specific standard (§14-16-4-3), a development standard (§14-16-5), or an administrative procedure (§14-16-6); and

WHEREAS, the public and staff from City departments and outside agencies had opportunities to make written and verbal comments prior to and during the EPC’s review of the IDO, and the IDO was revised to reflect Conditions of Approval recommended by the EPC; and
WHEREAS, the EPC voted on May 15, 2017 after five hearings to recommend approval of the IDO with a vote of 6-1 (with one Commissioner absent and one Commissioner’s position vacant); and

WHEREAS, the public and staff had an opportunity to make written and verbal comments prior to and during the Land Use, Planning, and Zoning Committee’s review of the IDO, and the IDO was revised to reflect changes recommended by the LUPZ Committee; and

WHEREAS, the public and staff had an opportunity to make written and verbal comments prior to and during the full Council’s review of the IDO, and the Council adopted Floor Amendments to change the IDO in response; and

WHEREAS, the policy purpose of the Rank 2 Area Plans and Rank 3 Sector Development Plans has been replaced by the 2017 ABC Comp Plan update; and

WHEREAS, the planning purpose of Rank 2 Area Plans and Rank 3 Sector Development Plans for sub-areas of the city has been replaced with the 2017 ABC Comp Plan implementation policies and IDO Planning System (§14-16-6-3) to provide a proactive, equitable system of long-range planning for all areas of the city as assessments done every five years with residents and stakeholders in each of 12 Community Planning Areas established by the ABC Comp Plan; and

WHEREAS, the regulatory purpose of the Rank 3 Sector Development Plans has been replaced by the IDO, which includes best practices for coordinating land use and transportation, establishing appropriate land use controls through zoning, protecting single-family neighborhoods and sensitive lands, and providing appropriate tools to protect character in historic districts and unique neighborhoods; and

WHEREAS, the land use and zoning purpose of the Rank 3 Sector Development Plans has been replaced with the IDO, which includes regulations from adopted Rank 3 Sector Development Plans, and the zoning conversion map, which converts SU-Z zoning from Rank 3 Sector Development Plans to zones in the IDO with the closest matching set of permissive uses; and

WHEREAS, the regulatory purpose of the Rank 3 Arroyo Corridor Plans has been replaced by the IDO, which incorporates and updates regulations from adopted Arroyo Corridor Plans and applies then citywide along arroyos designated in the Rank 2 Facility Plan for Arroyos to ensure that development on private land adjacent to arroyos is context-sensitive; and

WHEREAS, the Rank 3 Arroyo Corridor Plans will continue to be used as Resource Management Plans by the relevant implementing departments to provide policy guidance for the management of these resources; and

WHEREAS, Master Plans for City facilities, such as the Balloon Fiesta Park Master Plan and Biopark Master Plan, will continue to be used as Rank 3 Master Plans by the relevant implementing departments for guidance on management and planning these individual facilities, to be developed and amended as specified by the relevant implementing departments; and

WHEREAS, several Sector Development Plans were jointly adopted as Metropolitan Redevelopment Area Plans, including St. Joseph Hospital/Civic Auditorium Area Sector Development Plan (adopted in 1979), McClellan Park Metropolitan Redevelopment Plan (last amended in 1995), Los Candelarias Village Center & Metropolitan Redevelopment Plan (adopted in 2001), South Broadway Sector Development Plan and Metropolitan Redevelopment Plan (last amended in 2002), and Downtown 2025 Sector Development Plan (last amended in 2014); and

WHEREAS, adopted Metropolitan Redevelopment Plans – including Metropolitan Plans that were adopted as joint Sector Development Plans and Metropolitan Plans – will continue to be used by the Metropolitan Redevelopment Agency as Rank 3 Metropolitan Redevelopment Plans to provide guidance on redevelopment efforts, catalytic projects, and public/private partnerships, subject to amendment pursuant to the Metropolitan Redevelopment Agency Ordinance (§14-8.4-3(B)); and

WHEREAS, the City adopted a Rank 2 Bikeways and Trails Facility Plan that replaced the former Trails and Bikeways Plan and On-Street Comprehensive Bike Plan; and

WHEREAS, references in the Code of Resolutions to previous amendments to the Comp Plan and other plans that are no longer necessary should be
removed to be consistent with changes to §14-13-2-2 in the Planning
Ordinance amended via O-17-49 and codified in §14-16-6-3 of the IDO; and
WHEREAS, references in the Code of Resolutions to zone districts the
Zoning Code should be updated to reflect the new zone districts in the IDO;
and
WHEREAS, references in the Code of Resolutions to former Commissions
and procedures that are no longer current practice, such as the Extraterritorial
Zoning Commission and prior notice of annexations by City Council, need to
be updated to match changes to State Law; and
WHEREAS, many resolutions in the Code of Resolutions refer to plans and
practices that are no longer in use, and deleting outdated references and
reorganizing the remaining content is intended to clarify requirements and
increase governmental efficiency, effectiveness, and consistency.
BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
ALBUQUERQUE:
Section 1. The City hereby repeals the Rank 2 Area Plans, whose policy
content has been updated, incorporated into, and replaced by the 2017 ABC
Comp Plan via R-16-08 (Enactment No. R-2017-026) and whose policy purpose
has been invalidated by the amendments to the Planning Ordinance in the
companion legislation adopting the Integrated Development Ordinance (O-17-
49). The Code of Resolutions Land Use – Article 11: Area Plans is hereby
repealed, with the following related actions:
(A) The following Parts are repealed in their entirety:
• §1-11-2 Southwest Area Plan
• §1-11-3 East Mountain Area Plan
• §1-11-4 North Valley Area Plan
• §1-11-6 West Side Strategic Plan
• §1-11-10 Sandia Foothills Area Plan
(B) The following Part is moved as follows:
• §11-11-5 Trails and Bikeways Plan: On-Street Comprehensive Bike Plan
adoption resolutions, which were replaced with the Bikeways & Trails
Facility Plan, are moved to become a new §4-2-9, for historical
reference, and sections (A)(2), (B)(1), and (B)(2) are hereby
rescinded. A reference to §1-14-1 Bikeways & Trails Facility Plan shall
be added.
(C) The following Parts are moved to a new Article 15: Rank 3 Master Plans and
Resource Management Plans, and the City hereby designates the
referred plans as Rank 3 Plans.
• §4-2-5 Albuquerque International Airport Master Plan and Airport Noise
Compatibility Program is moved to become a new §1-15-1, with a
reference to §1-11-7 Airport Master Plan. The text in §1-11-7 is
rescinded.
• §1-11-8 Bosque Action Plan is moved to become a new §1-15-2.
• §4-4-2 Rio Grande Zoological Park Master Plan is moved to become a
new §1-15-3.
• §1-11-13 Los Poblanos Fields Open Space Resource Management Plan
is moved to become a new §1-15-23.
• §4-4-3 Rio Grande Valley State Park Management Plan is hereby
designated a Resource Management Plan and moved to become a new
§1-15-25.
• §1-11-14 Tijeras Arroyo Biological Zone Resource Management Plan is
moved to become a new §1-15-26.
(D) The following Parts are moved to a new Article 16: Framework Plans, and
the City hereby designates the referred plans as adopted Framework Plans.
• §1-11-9 Level A Community Master Plan for Mesa del Sol is moved to
become a new §1-16-1.
• §1-11-12 Westland Master Plan is moved to become a new §1-16-2, and
shall be updated with the text of R-15-5, Enactment No. R-2016-007.

Section 2. The following approved, but uncodified Facility Plans are hereby
incorporated into a new Article 14: Rank 2 Facility Plans, created in Section 1
above. The City hereby designates following plans as Rank 2 Facility Plans:
• Bikeways & Trails Facility Plan. The resolution adopting this plan (R-14-
142 / Enactment No. R-2015-045) shall be added as a new §1-14-1, with
references to §4-2-1 Bikeway Network Plan and §4-2-9 Trails and
Bikeways and On-Street Comprehensive Bike Plan. The text in §1-14-1 is hereby rescinded.

• Facility Plan: Electric System Transmission and Generation (2010-2020). The resolution adopting this plan (R-11-311 / Enactment No. R-2012-023) shall be added as a new §1-14-2, with a reference to §4-3-1


• Facility Plan for Arroyos. The resolution adopting this plan (no number) shall be added as a new §1-14-3.

• Major Public Open Space Facility Plan. The resolution adopting this plan (R-1-1999) shall be added as a new §1-14-4.

• Route 66 Action Plan. The resolution adopting this plan (R-14-115 / Enactment No. R-2014-094) shall be added as a new §1-14-5.

Section 3. The City hereby repeals the existing Rank 3 Sector Development Plans as regulatory documents whose purposes are replaced by the Integrated Development Ordinance, whose regulatory content has been updated, incorporated into, and replaced by the Integrated Development Ordinance, and whose policy content has been updated, incorporated into, and replaced by the 2017 ABC Comp Plan via R-16-08 (Enactment No. R-2017-026). Code of Resolutions Land Use – Article 7: Sector Development and Community Development Plans is hereby repealed, with the following related actions:

(A) Article 4 is amended to repeal the following Parts in their entirety:

• §1-4-1 Downtown 2025 Sector Development Plan

(B) Article 7 is amended to repeal the following Parts in their entirety:

• §1-7-1 Designation of Community Development Areas

• §1-7-2 Academy-Tramway-Eubank Sector Development Plan

• §1-7-3 Los Duranes Sector Development Plan and Community Development Plan

• §1-7-4 Downtown Neighborhood Area Sector Development Plan and Community Development Plan

• §1-7-5 University of Albuquerque Sector Development Plan

• §1-7-6 La Mesa Sector Development Plan and Community Development Plan

• §1-7-7 West Mesa Sector Development Plan and Community Development Plan

• §1-7-8 Los Griegos Sector Development Plan and Community Development Plan

• §1-7-9 Boys’ Club Sector Development Plan

• §1-7-10 North Barelas Sector Development Plan and Community Development Plan

• §1-7-11 Old Town Sector Development Plan and Community Development Plan

• §1-7-12 Huning Highland Sector Development Plan

• §1-7-13 University Neighborhood Sector Development Plan

• §1-7-14 Sawmill-Wells Park Sector Development Plan

• §1-7-15 South Broadway Neighborhoods Sector Development Plan

• §1-7-17 Trumbull Neighborhood Sector Development Plan

• §1-7-18 Huning Castle and Raynolds Addition Neighborhood Sector Development Plan

• §1-7-19 Uptown Sector Development Plan

• §1-7-20 El Rancho Atrisco Sector Development Plan

• §1-7-21 La Cuesta Sector Development Plan

• §1-7-22 Heritage Hills East Sector Development Plan

• §1-7-23 East Gateway Sector Development Plan

• §1-7-24 McClellan Park District Sector Development Plan

• §1-7-25 Lava Shadows Sector Development Plan

• §1-7-26 East Atrisco Sector Development Plan

• §1-7-27 Coors Corridor Sector Development Plan

• §1-7-28 Seven Bar Ranch Neighborhood Sector Development Plan

• §1-7-29 Riverview Neighborhood Sector Development Plan

• §1-7-30 North Interstate 25 Sector Development Plan

• §1-7-31 West Route 66 Sector Development Plan

• §1-7-32 Nob Hill Sector Development Plan
§1-7-33 Rio Bravo Sector Development Plan
§1-7-34 Tower/Unser Sector Development Plan
§1-7-35 Martineztown/Santa Barbara Neighborhoods Sector Development Plan
§1-7-36 Vineyard Sector Development Plan
§1-7-37 High Desert Sector Development Plan
§1-7-38 Quintessence Sector Development Plan
§1-7-39 Barelas Sector Development Plan
§1-7-40 South Martineztown Sector Development Plan
§1-7-41 Window G Sector Development Plan
§1-7-42 La Cueva Sector Development Plan
§1-7-44 East Gateway Sector Planning and Interim Development Management Area
§1-7-45 Volcano Heights Sector Development Plan
§1-7-46 2008 South Yale Sector Development Plan
§1-7-47 North 4th Street Corridor Plan
§1-7-48 Volcano Cliffs Sector Development Plan
§1-7-49 Volcano Trails Sector Development Plan

(C) Article 11 is amended to repeal the following Parts in their entirety:
§1-11-11 Northwest Mesa Escarpment Plan
§1-13-1 Rio Grande Boulevard Corridor Plan

Section 4. The City hereby severs and invalidates the regulatory content of the jointly adopted Rank 3 Sector Development Plans and Metropolitan Redevelopment Plans, which will no longer serve as Sector Development Plans but will continue to serve as Metropolitan Redevelopment Plans to guide the Metropolitan Redevelopment Agency on redevelopment efforts, catalytic projects, and public/private partnerships, subject to amendment pursuant to the Metropolitan Redevelopment Agency Ordinance (§14-8-4-3(b)). Code of Resolutions Land Use - Article 6: Redevelopment Plans is hereby repealed, and Articles 7 and 12 are amended with the following related actions:

(A) The City hereby designates the following plans as Rank 3 Metropolitan Redevelopment Area Plans only, with regulatory content voided and amended with the following changes:

- Part §1-6-7 McCleen Park Metropolitan Redevelopment Plan, is moved to become a new §1-12-17 and is revised to delete subsection (C).
- Part §1-6-8 South Broadway Neighborhoods Metropolitan Redevelopment Plan is moved to become a new §1-12-18 and is revised as follows: “The South Broadway Neighborhoods Metropolitan Redevelopment Plan is hereby approved in all respects.”
- Part §1-7-16 St. Joseph/Civic Auditorium Area Sector Development Plan, is moved to become a new (A) through (F) of Part §1-12-4, and sections (A) and (B) are renumbered to reflect the insertion.
- Part §1-7-43 Downtown 2010 Sector Development Plan, is moved to become a new Part §1-12-19, Downtown 2025 Metropolitan Redevelopment Plan. References to the “Downtown Sector Development Plan” shall be deleted and replaced with “Downtown 2025 Metropolitan Redevelopment Area Plan.”
- Part §1-12-13 Los Candelarias Village Center Metropolitan Redevelopment Area, is revised to delete the words “Sector Development Plan” in and replace with “Metropolitan Redevelopment Area Plan.”

(B) The following Metropolitan Redevelopment Plan resolutions are amended to update their citation reference in the Code of Ordinances and amended with the following changes:

- Part §1-4-2 Sawmill Revitalization Strategy is hereby rescinded in its entirety, whose purpose and intent has been incorporated into the Sawmill Metropolitan Redevelopment Area Plan.
- Part §1-4-3 Bridge/isleta Revitalization Plan is moved to become a new §1-12-20.
- Part §1-6-8 Soldiers and Sailors Park Metropolitan Redevelopment Plan, is moved to become a new §1-12-21 and is revised as follows: “(A)(2) The Plan conforms to the general plans of the city as a whole; and”
§1-6-10 South Barelas Industrial Park Redevelopment Plan, is moved to become a new §1-12-22, and it is renamed "South Barelas Industrial Park Redevelopment Area Plan."

§1-6-11 Barelas Neighborhood Commercial Area Revitalization and Metropolitan Redevelopment Plan, is moved to become a new §1-12-23.

§1-6-12 Near Heights Metropolitan Redevelopment Plan, is moved to become a new §1-12-24, and it is renamed "Near Heights Metropolitan Redevelopment Area Plan."

§1-6-13 Highland Central Metropolitan Redevelopment Plan, is moved to become a new §1-12-25, and it is renamed "Highland Central Metropolitan Redevelopment Area Plan."

§1-6-14 Clayton Heights Metropolitan Redevelopment Plan, is moved to become a new §1-12-26, and it is renamed "Clayton Heights Metropolitan Redevelopment Area Plan."

§1-6-15 Historic Central Metropolitan Redevelopment Plan, is moved to become a new §1-12-27, and it is renamed "Historic Central Metropolitan Redevelopment Area Plan."

Section 5. The City hereby severs and invalidates the regulatory content of the Rank 3 Arroyo Corridor Plans, which has been included or updated in the Integrated Development Ordinance, and shall consider these plans as Resource Management Plans that provide policy guidance to the implementing department(s), Code of Resolutions Land Use - Article 13: Corridor Plans is hereby repealed, with the following related actions:

(A) The following Parts are moved to a new Article 15, and the City hereby designates the referenced plans as Rank 3 Resource Management Plans.

- §1-13-2 Pajarito Arroyo Corridor Plan is moved to become a new §1-15-24, and it is amended as follows: "The Pajarito Arroyo Plan, attached to Resolution No. 115-1990 is hereby adopted as a Rank Three Plan. All management, operations, and improvement activities within the corridor shall be guided by this plan."

- §1-13-3 Bear Canyon Arroyo Plan is moved to become a new §1-15-22, and it is amended as follows: "(A) The Bear Canyon Arroyo Plan, attached to Resolution No. 100-1991 is hereby adopted as a Rank 3 Plan. All management, operations, and improvement activities within the corridor shall be guided by this plan."

All management, operations, and improvement activities within the corridor shall be guided by this plan.

§1-13-4 Amole Arroyo Plan is moved to become a new §1-15-21, and it is amended as follows: "(A) The Amole Arroyo Plan, attached to Resolution No. 165-1991 is hereby adopted as a Rank Three Plan. All management, operations, and improvement activities within the corridor shall be guided by this plan."

(B) The following Part is moved to Chapter 4: Programs and Plans, Article 2: Transportation.

- Part §1-13-5 Interstate Corridor Enhancement Plan is moved to become a new Part §4-2-11, and Parts §4-2-10 and §4-2-11 are renumbered to reflect the insertion.

(C) The following Parts are moved to a new Article 15, and the City hereby designates the referenced plans as Rank 3 Resource Management Plans.

- Part §1-11-13 Los Poblanos Fields Open Space Resource Management Plan is moved to become a new §1-15-23.

- Part §1-11-14 Tijeras Arroyo Biological Zone Resource Management Plan is moved to become a new §1-15-25.

Section 6. The City hereby repeals Article 10: Overlay zones, including the Historic Overlay Zones resolutions (§1-10-1, §1-10-2, §1-10-3), the Design Overlay Zones resolutions (§1-10-20 through §1-10-23), and the Airport Overlay Zone resolutions (§1-10-30), whose regulatory purpose has been replaced by the Integrated Development Ordinance (0-17-49).

(A) The following Overlay Zone plans are hereby rescinded:

- Alameda Boulevard Design Overlay Zone (July 28, 1998)

- Atrisco Vista Wall Overlay Zone (Z-84-115)

- Central Avenue Design Overlay Zone (R-13-165, Enactment No. R-2013-065)

- Sunport Boulevard Design Overlay Zone (R-453, Enactment No. 110-1992)

- Unser Boulevard Overlay Zone (R-14, Enactment No. 95-1992)

(B) The City hereby invalidates other Overlay Zones and plans that may have been adopted that are not otherwise listed in Section 6(A) above.
Section 7. The City hereby repeals §1-1-2, Policies for Zone Map Change Applications, which is commonly referred to by its enactment number of “R-270-1980,” whose procedures and criteria for zone change requests have been replaced by the Integrated Development Ordinance (O-17-49).

Section 8. The City hereby repeals §1-1-4, Annexation Policies, and §1-1-5, Withdrawal of Petitioners for Annexation, whose procedures and criteria for annexation of land into the City has been replaced by the Integrated Development Ordinance (O-17-49).

Section 9. The City hereby repeals §1-1-6, Annual Revised Program of Planning Priorities, whose procedures have been replaced by the Integrated Development Ordinance (O-17-49).

Section 10. The City hereby repeals §1-1-11, Bed and Breakfast Establishments in Residential Areas, whose procedures and criteria for establishing bed and breakfast zoning has been replaced by the Integrated Development Ordinance (O-17-49).

Section 11. The City hereby repeals §1-1-12, High Quality in Site Development Type Plans, whose procedures and criteria for creating site development plans has been replaced by the Integrated Development Ordinance (O-17-49).

Section 12. The City hereby repeals §1-1-16, Establishing a Policy Pursuant to the Pre-Development Facility Fee to Require Plat Review by Albuquerque Public Schools Prior to City Approval for Preliminary Plats and Final Plats Containing Residential Uses, whose procedures and criteria for referral of platting applications to APS has been updated, integrated into, and replaced by the Integrated Development Ordinance (O-17-49).

Section 13. The City hereby repeals Article §1-3, Metropolitan Areas and Urban Centers Plan, whose policies have been replaced by the ABC Comp Plan Centers and Corridors Map via R-16-08 (Enactment No. R-2017-026) and whose regulatory intent has been replaced by the Integrated Development Ordinance (O-17-49).

Section 14. The City hereby repeals Part §2-5-1 Extraterritorial Zoning Commission in its entirety, whose purpose has been invalidated by changes to State Law.

Section 15. The City hereby repeals Part §1-1-14 City Council’s Prior Notice of Annexations Required in its entirety, whose purpose has been invalidated by changes to State Law.

Section 16. The City hereby amends Part §1-1-10 Criteria to Guide the Planning and Development of Planned Communities in the Reserve Area to ensure consistency with the 2017 ABC Comp Plan via R-16-08 (Enactment No. R-2017-026) and the Integrated Development Ordinance (O-17-49).

- Subsection §1-1-10(A) is revised as follows: “Acceptance of planned communities criteria: policy element. The Planned Community Criteria: Policy Element, attached to Resolution No. 151-1990 are accepted and approved in fulfillment of Subsection 2.D of Resolution 138-1988, conditioned upon public hearing and approval by the Albuquerque City Council and the Bernalillo County Commission.”
- Subsections §1-1-10(A)(1) through (A)(4) are deleted.
- Subsection §1-1-10(C) et seq. is deleted with subsequent sections renumbered to reflect the deletion.
- Subsection §1-1-10(E) is revised as follows: “Plan ranking. Planned community master plan ranking relationships are as follows: (1) Planned community master plans will implement and be compatible with the Rank 1 Comprehensive Plan. (2) Planned community master plans will implement and be compatible with relevant Rank 2 plans. However, planned community Level A Community Master Plans may, when specifically so adopted constitute or contain an amendment to a Rank 2 Area Plan previously adopted. (3) Planned community Level B Village Plans shall not conflict with other Rank 2 or Rank 3 plans affecting the same area.”
- Subsection §1-1-10(F) et seq. is deleted.

Section 17. The City hereby amends Part §1-2-1 Comprehensive Plan for Albuquerque and Bernalillo County to ensure consistency with the 2017 ABC Comp Plan via R-16-08 (Enactment No. R-2017-026) and the Integrated Development Ordinance (O-17-49).

- Subsections §1-2-1(B)4 and §1-2-1(B)5 are deleted.
Subsection §1-2-1(C) is amended as follows: “The Implementation
Chapter shall be used as a foundation for procedures to evaluate
accomplishments and recommend amendments to the plan and
revisions to the work priorities associated with implementation; and
such evaluation and adjustment shall be done at least every 5 years.”
Subsections §1-2-1(D) et seq., §1-2-1(E), and §1-2-1(H) through §1-2-
1(DD) are deleted. This resolution shall become a new §1-2-1(D).

Section 18. The City hereby amends Part §1-6-16 Railyards Master
Development Plan to ensure consistency with the Integrated Development
Ordinance (O-17-49).

The title is amended to read: “Railyards Master Plan”

Subsection §1-6-12(A) is amended as follows: “The Railyards Master
Plan and accompanying Site Plan (attached hereto as Exhibit A) are
hereby approved and adopted.”

Subsection §1-6-12(B) is amended as follows: “The City Council adopts
the following Findings as recommended by the Environmental Planning
Commission: (1) This is a Master Plan and accompanying Site Plan for
Tract A of the Plat of Tract A of AT&SF Railway Co. Machine Shop
located on 2nd Street SW between Cromwell Avenue and Hazeldine
Avenue and containing approximately 27.3 acres. (2) The Railyards are
zoned PD. The Master Plan allows for a wide range of permissive uses,
including multifamily residential (R-MH), community commercial uses
such as retail, restaurants, services (MX-M), and light industrial (NR-BP)
each with some limited exceptions. The Master Plan was reviewed by the
EPC and approved by the City Council prior to the issuance of a
building permit for the site (with very limited exceptions). (3) The Master
Plan as submitted contains a site development plan for subdivision with
an accompanying Master Plan document. The Master Plan is the
document that will guide redevelopment of the City-owned Albuquerque
Railyards site. The Albuquerque Railyards are located within the
Barelas neighborhood and adjacent to the South Broadway
neighborhood. (4) The Railyards property is located within the Area
of Change Development Area of the Albuquerque Bernalillo County

Comprehensive Plan (2003)....(9) Section 10.4 of the Master Plan
requests delegation of Site Plan to the Development Review Board with
its review to include historic preservation planner and a Metropolitan
Redevelopment planner.”

Section 19. The City hereby amends Part §§1-1.1 Sale of Alcohol Near
Schools or Churches: Standards for Waiver to ensure consistency with the
Integrated Development Ordinance (O-17-49).

Part §1-1.1(B)(2) is revised as follows: “Any waiver shall be subject to
the zoning requirements in the Integrated Development Ordinance.”

Section 20. The City hereby invalidates any other policy related to zoning
and land use within adopted Resolutions for Rank 2 Area Plans or Rank 3
Sector Development Plans not otherwise listed above, which have been
replaced by the ABC Comprehensive Plan via R-16-08 (Enactment No. R-2017-
026).

Section 21. Upon its adoption this IDO is the City’s sole document
regulating land use within the municipal boundaries. In the event of any
conflicts, the terms, requirements and obligations established by this IDO
shall prevail over any other ordinance not specifically repealed herein or
otherwise remaining after its adoption.

Section 22. 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 23. COMPILATION. Sections 1 through 21 of this resolution shall
amend, be incorporated in and made part of the Code of Resolutions of
Albuquerque, New Mexico, 1994.

Section 24. EFFECTIVE DATE AND PUBLICATION. This legislation shall
take effect six months after publication by title and general summary.

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PASSED AND ADOPTED THIS 13th DAY OF November, 2017

BY A VOTE OF: 6 FOR 3 AGAINST.

For: Benton, Davis, Gibson, Harris, Jones, Lewis
Against: Peña, Sanchez, Winter

Isaac Benton, President
City Council

APPROVED THIS 16th DAY OF NOVEMBER, 2017

Bill No. C/S R-17-213

Richard J. Berry, Mayor
City of Albuquerque

ATTEST:

Natalie Y. Howard, City Clerk