

PLANNING DEPARTMENT  
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## OFFICIAL NOTIFICATION OF DECISION

January 18, 2024

City of Albuquerque  
Council Services  
1 Civic Plaza  
Albuquerque NM, 87103

**Project # PR-2023-009664**  
RZ-2023-00052- Amendment of Comprehensive Plan

### **LEGAL DESCRIPTION:**

The City of Albuquerque Council Services Department, requests an amendment to the 2017 Albuquerque/Bernalillo County Comprehensive Plan, as required, and to update previous and add new policies, actions, data, and progress made since its original adoption, affecting properties citywide.

Staff Planner: China Osborn

On January 18, 2024, the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL to the City Council of Project # PR-2023-009664, RZ-2023-00052- Amendment of Comprehensive Plan, based on the following Findings and subject to the following Conditions for recommendation of Approval:

### FINDINGS:

1. The request is for an amendment to the Albuquerque/Bernalillo County Comprehensive Plan (2017, as subsequently amended, the “Comp Plan”). The amendment updates and reports on progress on the Comp Plan Policy Implementation Action Matrix, contains modifications and additions to the Policies and Actions, includes the addition of narratives from the Community Planning Area (CPA) Assessment Reports from Near Heights and Southwest Mesa CPAs, the Vision Zero Action Plan, Age-Friendly Action Plan and Climate Action Plan, and contains minor text amendments, and map and figure updates throughout the document.
2. The Albuquerque/Bernalillo County Comprehensive Plan is designated as the “Rank One Plan,” the basic long range city policy for the development and conservation of the entire metropolitan area.
3. 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.

4. Council Resolution No. R-22-42, which became effective on August 30, 2022, directed the City to update the Comprehensive Plan and the Community Planning Area assessment cycle.
5. 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 (Comprehensive Plan) is a legislative matter.
6. The request is consistent with the Constitution of the State of New Mexico Article X, Section 6- Municipal Home Rule, which allows municipalities to adopt a charter, the purpose of which is to provide for maximum local self-government.
7. The City of Albuquerque is a home rule municipality and has the authority to adopt a comprehensive plan as granted by State Statutes Chapter 3, Article 19, Section 9, and which charges the municipal planning commission with the adoption of a master plan (i.e. comprehensive plan) (NM Stat § 3-19-9 (2022)), and in accordance with Article 21, Section 5, which requires that the regulations and restrictions of the municipal zoning authority be in accordance with a comprehensive plan and be designed to promote health and the general welfare (NM Stat § 3-21-5(2022)).
8. 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.
9. The request is consistent with the intent of the following Articles of the City Charter:
  - 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, provide support for necessary changes to ordinances and standards, and guide the substance of policy analysis for proposed development.
  - B. Article IX, Environmental Protection- The updated Comprehensive Plan reflects recent best practices for policy to guide the proper protection, use and development of land. The update will help protect and enhance quality of life for Albuquerque's citizens by promoting environmental protection policies, while maintaining an aesthetic and humane urban

environment. Commissions, Boards, Committees, Council, and City staff will have up-to-date guidance to better administer City policy and projects.

10. The request is consistent with the intent of the Zoning Code (Section 14-16-1-3):
  - A. The update to the Comp Plan will provide up-to-date guidance for amendments and changes to land use regulations contained in the Zoning Code (Integrated Development Ordinance-IDO). This will allow the IDO 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 regulatory processes to ensure they reflect the most recent best practices and its vision serve as the comprehensive guide for urban growth management for development in the city to promote the health, safety and general welfare of Albuquerque's citizens.
11. The request is consistent with the intent of the Planning Ordinance (Section 14-13-2-2):
  - A. Updating the Comp Plan will ensure that it will reflect most recent best practices for land use planning, the priority needs and desires of residents and businesses, and a vision of sustainable growth and development for the coming years and ensuring that lower ranking plans reflect current ideas, technologies, and demographic and economic trends.
  - B. The Comp Plan as amended is consistent with the Planned Growth Strategy and shall serve as the comprehensive guide for urban growth management.
12. The request meets IDO Subsection 14-16-6-7(D)(3)(a-d), Review and Decision criteria for Amendment to IDO Text-Citywide, as follows:
  - A. CRITERIA 6-7(A)(3)(a) is met, because this update is a direct response to changed economic, social and environmental conditions, and is necessary to protect the public health, safety and welfare of the residents of Albuquerque. New narratives and updated maps will provide the City of Albuquerque staff and residents with the most current data and actions within the various City departments.
  - B. CRITERIA 6-7(A)(3)(b) is met, because the amendment will protect the public health, safety, or welfare better than retention of the continued application of the existing Comprehensive Plan, by adding current data, information and practices so that the City can ensure that decisions are reflective of Albuquerque's current situation rather than the past.
  - C. CRITERIA 6-7(A)(3)(c) is met, because the amendment will result in general benefits to a large portion of the residents or property owners in the city, providing clear, precise and transparent public information.
  - D. CRITERIA 6-7(A)(3)(d) is met, because the amendment was not proposed by a small group of residents or property owners, but rather in conjunction with various City departments for the betterment of all Albuquerque residents, and furthermore, is required by Resolution R-22-42, which details the Community Planning Area schedule and calls for a targeted Comprehensive Plan Update in 2023.

13. The framework of the existing Comp Plan will remain the same with the 2023 Comp Plan update, including:
  - A. The 10 Comp Plan Elements will remain the same and continue to contain the guiding principles, goals, policies and actions for development of the natural and build environment in Albuquerque.
  - B. Most of the goals, policies, and actions in the current Comp Plan will remain the same, and are supplemented by newly adopted Citywide Action Plans.
  - C. The current Centers and Corridors identified in the 2017 Update will remain the same in this update.
  - D. The Areas of Change and Areas of Consistency Methodology will remain the same, but will be updated to reflect new Metropolitan Redevelopment Plans, and those areas will be incorporated into the Existing areas of Change.
  - E. The Citywide demographic information will not be updated with this cycle of amendments, but rather be addressed in the next Comp Plan amendment, as this update is limited in scope to focus on the inclusion of new actions and narrative compiled from other City-adopted action plans and Community Planning Area Assessments.
14. The 2023 Comp Plan amendment has updated the existing Comp Plan to reflect new City departments data and trends, and provide clearer guidance to decision-makers. The most significant changes in the 2023 Comp Plan update are:
  - A. The Table 14-3 Policy Implementation Action Matrix is updated with reports from departments and agencies responsible for implementation of the actions, department and agency names have been actualized, action time frames and progress we edited for accuracy, and new policies were added to reflect the results of recently adopted citywide Action Plans.
  - B. Updated City Community Planning Area (CPA) narratives are included from recently completed Assessment Reports, and updated policies and actions have been included in the Comp Plan. The CPA Assessment Reports incorporated into this Comp Plan Update are the Near Heights CPA Assessment (EC-23-237) and the Southwest Mesa CPA Assessment (EC-23-390).
  - C. Narratives and actions from other adopted City Action Plans have been incorporated into this Comp Plan amendment, specifically the Vision Zero Action Plan (EC-23-376), Age-Friendly Action Plan (R-21-221), and Climate Action Plan (R-19-187).
  - D. This Comp Plan amendment will edit typos, add language for clarity and update narratives for consistency with current programs and practices, and update maps and graphics throughout the document that do not change the context or framework of the Comp Plan.
15. The adoption of the Implementation Policy Action Matrix in this Comp Plan update will assure greater transparency and accountability for responsible departments, and the proposed changes to

the actions themselves will ensure a more favorable outcome for the public being served and the city as a whole. The Policy Implementation Action Matrix will continue to be used to track progress toward Comp Plan policies for future Comp Plan updates.

16. The proposed text amendments were announced in the Albuquerque Journal, the Neighborhood News and on the Planning Department's web page. The Office of Neighborhood Coordination (ONC) sent e-mail notification on December 5, 2023 to neighborhood association representatives. As of this writing, Staff has not received any comments or inquiries regarding this request. There is no known opposition to the request.
17. The public engagement process offered a range of opportunities for input, discussion, and information gathering, featuring a series of public meetings, both in-person and on-line.
18. Staff received official written comments from agencies and interested parties. Agency comments were received from COA Transit Department (ABQ Ride), Bernalillo County, Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA), Albuquerque Public Schools (APS), the Mid-Region Metropolitan Planning Organization (MRMPO), and Public Service Company Of New Mexico (PNM). Their comments do not oppose the comprehensive plan amendment, as proposed, but rather suggest minor revisions and edits, or requests to clarify topics related to their agency's charge, which have been addressed in the proposed conditions for approval of the project.

CONDITIONS FOR RECOMMENDATION OF APPROVAL:

1. Make any necessary clerical corrections to the document, including fixing typos, numbering, and cross references, including, but not limited to the following:
  - a. In Appendix P, page 68, Action 13.4.1.2, in the 2023 Progress Update, replace "emmsions" with "emissions."
2. Make any necessary editorial changes to the document, including minor text additions, revisions for clarity (without changing substantive content), adding cross references, reorganizing content for better clarity and consistency throughout, revisions to graphic content for clarity, and updating tables of contents, including, but not limited to the following:
  - a. In Appendix P, page 14, Action 6.1.1.1, update to "DPM & County ~~Street~~ Infrastructure Standards..."
  - b. In Appendix P, page 68, Action 13.4.1.1, revise the 2023 Progress Update as follows: "The air quality monitoring network is being ~~attained~~ maintained to determine compliance with EPA National Ambient Air Quality Standards (NAAQS) and providing data to assess growth impacts on air quality."
  - c. In Chapter 12, page 12-10, Figure 12-1: In map key, rename "AMAFCA Detention ~~Dam~~-Basin"
  - d. In Chapter 12, page 12-31, replace the AMAFCA SWQ Program URL with <https://amafca.org/stormwater-runoff-water-quality/>

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- e. In the Appendix, page A-3, edit the definition of “arroyo, channelized,” as follows: “a concrete-lined or engineered channel that diverts or confines stormwater flows for flood protection. Also known as a drainage channel.”
  - f. In the Appendix, page A-8, add the following sentence to beginning of the definition of floodplain: “any land area susceptible to being inundated by floodwaters from any source.”
  - g. Add the following sentence to Chapter 12, page 12-22, in column 3, after the first sentence of paragraph 1: “As the largest public education service provider for students, from early childhood to high school ages, in the region, Albuquerque Public Schools provides significant services in the region beyond education, including, but not limited to transportation (bus service), health (school clinics), public safety (campus police), and physical spaces (schools, gyms and fields) that contribute to the fabric of a community.”
3. In Chapter 14, page 14-40 and Appendix P, page 24, Action 6.7.2.6 Regional Systems, edit as follows:
    - a. In Table, edit Action to read: “Explore the option of allowing Sun Van and DSA transportation to travel outside Albuquerque City limits to medical facilities more convenient for patrons living on the edge of city limits. [A]”
    - b. In Table, under Lead Responsibility replace ABQ Ride with “Senior Affairs” add “ABQ Ride” and “Rio Metro” as “Coordinating Departments/Agencies.”
  4. In Appendix M, update Table A-20 on page A-94 and Figure A-36 on page A-96, to include the Medical Arts Historic District registered on January 2, 2024.
  5. In Appendix M, update Figure A-36 on page A-96, to ensure that all National Registration Districts are correctly marked as well, as State Cultural Properties.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **February 2, 2024**. The date of the EPC’s decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the IDO must be complied with, even after approval of the referenced application(s).

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Sincerely,

*Megan Jones*

for Alan M. Varela,  
Planning Director

AV/CO

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