

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTICE OF DECISION

May 21, 2026

Albuquerque Bernalillo County Water
Utility Authority (ABCWUA)
c/o Consensus Planning, Inc.
302 8th St NW
Albuquerque, NM 87102
fishman@consensusplanning.com

Project # PR-2018-001355
Plan # [ZMA-2026-00005](#)
Zoning Map Amendment (Zone Change)

LEGAL DESCRIPTION:

Consensus Planning, Inc., agent for Albuquerque Bernalillo County Water Authority (ABCWUA), requests a Zoning Map Amendment (Zone Change) from NR-SU to NR-LM for all or a portion of Tract A, Plat of Tract A, City of Albuquerque Water Treatment Facility, located at 6000 Alexander Blvd NE, NW corner of the Mission Ave. and Chappell Dr. NE intersection, approximately 165 acres.
(E-16)(F-16)

Staff Planner: Catherine Heyne

On May 21, 2026, the Environmental Planning Commission (EPC) voted to forward a recommendation APPROVAL of Project # PR-2018-001355, Plan # ZMA-2026-00005 to City Council, a Zoning Map Amendment (Zone Change), based on the following Findings.

FINDINGS – Project #: 2018-001355, ZMA-2026-00005 – Zoning Map Amendment (Zone Change)

1. This request is for a Zoning Map Amendment – Council from NR-SU to NR-LM for an approximately 165-acre, Albuquerque Bernalillo County Water Utility Authority property legally described as all or a portion of Tract A, Plat of Tract A, City of Albuquerque Water Treatment Facility, located at the NW corner of Mission Ave and Chappell Dr. NE (“subject site”). The subject site was originally used for natural resource extraction but now provides water treatment for the greater Albuquerque metropolitan area.
2. The EPC is a recommending body to City Council for this request because the subject site is 10 gross acres or more of land and is completely in an Area of Consistency [IDO § 14-16-6-7(H)(1)(a)]. The City Council is the final decision-making body. The request is a quasi-judicial matter.
3. When the EPC approved a Major Amendment to the Site Plan in 2018 (PR-2018-001355, SI-2018-00123) and in April 2026 (PR-2018-001355, SP-2026-00028), a Condition of Approval was included in the notice of decisions requiring a zone change to remedy the nonconforming Major

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Utility use in the NR-SU zone district without a primary sensitive use on the property. This request will satisfy these conditions.

3. The subject site is currently zoned NR-SU (Non-Residential – Sensitive Use). The purpose of the NR-SU zone district is to accommodate highly specialized public, civic, institutional, or natural resource-related uses that require additional review of location, site design, and impact mitigation to protect the safety and character of surrounding properties. The purpose of the NR-LM zone district is to accommodate moderate-intensity commercial, light assembly, fabrication, and manufacturing uses, while buffering adjacent lower-intensity, Residential and Mixed-use zone districts from the traffic, noise, and other impacts of those uses, and includes Major Utility, other as a permissive use.
4. History:
 - A. Sand and gravel extraction began at the subject site in the 1960s.
 - B. In 1997, in response to studies indicating a limited groundwater supply, the City implemented the first Water Resources Management Strategy (WRMS) to move the City away from its primary water source of groundwater to aquifer storage and recovery (ASR), water reuse, water conservation, and other measures to reduce demand and diversify supply.
 - C. The water treatment facility received a permit for operation on the western portion of the subject site in 2003 (Project # 1003170, 03EPC 02194), and a plat for the subject site was recorded in 2004 (Project # 1003170, 03EPC-02194).
 - D. When the Integrated Development Ordinance (IDO) became effective in 2018, zoning at the subject site was converted to NR-SU. Currently, the entire site is being used for water treatment facilities as a Major Utility (IDO §14-16-7-1), which is nonconforming as a primary use (IDO §14-16-6-8).
 - E. A Condition of Approval of a Major Amendment to the Site Plan in 2018 (PR-2018-001355, SI-2018-00123) required the applicant to pursue a Post-IDO Voluntary Zone Conversion because the natural resource extraction activities had ceased; however, this Condition was not completed.
 - F. In April 2026, EPC approved a Major Amendment to the Site Plan (PR-2018-001355, SP-2026-00028) to add ASR infrastructure, a warehouse complex, a retention pond, a future soils yard, a vault infrastructure area, and space for future phased development on the eastern portion of the subject site. EPC approved a Condition of Approval requiring the applicant to “adhere to the November 8, 2018, EPC Notice of Decision, Condition of Approval # 2, which requires the applicant pursue a Zoning Map Amendment to a district where Major Utility is an allowed primary use.”
5. The Albuquerque/Bernalillo County Comprehensive Plan, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is within an Area of Consistency as designated by the Comprehensive Plan, which has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Development in Areas of Consistency is expected to reinforce the scale, intensity, and built pattern of the immediately surrounding contexts.
7. The subject site is located within the North I-25 Community Planning Area (CPA) as designated by the Comprehensive Plan. The CPA is bound by Edith Blvd on the west, I-25 on the east, Montano on the south, and the city limit in the north. North I-25 CPA includes both Bernalillo County and

City land within its boundaries. City lands mostly support business parks, light and heavy manufacturing, and other commercial ventures, many of which are big-box stores and companies.

8. The request is consistent with the following goals and policies related to CHAPTER 5: LAND USE:

- A. GOAL 5.3 EFFICIENT DEVELOPMENT PATTERNS: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

The zone change would facilitate phased infill development at the subject site, which maximizes the use of existing infrastructure and public facilities. This, combined with the reuse of heavily impacted lands from extractive activities, contributes to the efficient use of disturbed lands. Infill development helps maximizes land use, reduces sprawl, and utilizes existing infrastructure that maximizes the utility of existing infrastructure and public facilities contributing to the efficient use of land to support the public good.

- B. POLICY 5.3.1 INFILL DEVELOPMENT: Support additional growth in areas with existing infrastructure and public facilities.

The original uses at the subject site were related to the extractive industry, a high-impact land use. The subsequent introduction and expansion of the existing water treatment facilities at the subject site effectively reuses the highly disturbed lands within an existing industrial area. The request will allow continued infill at the site where there is existing infrastructure and public facilities including water, sewer, road, and electric infrastructure with a use that matches the zone district.

- C. GOAL 5.6: City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is located wholly within an Area of Consistency. The request reinforces the character and intensity of the surrounding, predominantly NR-LM and NR-BP zoning to the north, south, and east, as the request would designate the current existing, nonconforming water utility use as a permissible use. IDO Use and Development Standards would also help ensure that the use, character, and intensity of any current development as well as future growth conforms to the proposed zone district.

- D. POLICY 5.6.3 AREAS OF CONSISTENCY: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The request is in an historically non-residential area of the city with a focus on light manufacturing and business activities, and therefore, the proposed zone change to NR-LM would maintain and reinforce the scale, intensity, and built pattern of the surrounding City context outside of a Center, Corridor, park, and Major Public Open Space. Unincorporated county lands to the west and elementary school to the southwest are buffered from subject site activity by setbacks, a substantial earthen berm, landscaping, and/or a fence. The below-grade development in some areas as well as landscaping at the subject site along Tokay St, Chappell Dr. and Mission Ave. should reduce potential impacts to surrounding neighborhoods.

9. The request is consistent with GOAL 7.6 CONTEXT-SENSITIVE INFRASTRUCTURE: Match infrastructure design to intended densities and development patterns to minimize lifecycle costs and conserve natural resources related to CHAPTER 7: URBAN DESIGN:

Land uses are most successful when they match the character and capacity of streets, as well as other existing infrastructure design and development. The subject site currently houses ABCWUA water treatment and ASR systems at what was once a sand and gravel resource extraction enterprise. The reuse of the site, especially by ABCWUA, which contributes to City infrastructure, matches the intended development densities and development patterns as well as the general character of the surrounding non-residential NR-LM and NR-BP development. The existing roads, sidewalks, sewer lines, water systems, and public lighting accommodate current use, and any future development would be reviewed for compliance against all IDO, DPM, and any other adopted City regulation and Use and Development Standards for that zoning to assure that added infrastructure design adheres to intended densities and development patterns. The proposal furthers Goal 7.6 – Context-sensitive Infrastructure.

10. The request is consistent with the following goal and policy related to CHAPTER 12: INFRASTRUCTURE, COMMUNITY FACILITIES & SERVICES:

- A. GOAL 12.1 INFRASTRUCTURE: Plan, coordinate, and provide for efficient, equitable, and environmentally sound infrastructure to support existing communities and the Comp Plan’s vision for future growth.

The zone change is required for the Major Utility use for the water utility, which provides critical infrastructure, to continue as a permissive use at the subject site. When the IDO became effective in 2018, zoning at the subject site was converted to NR-SU because of the ongoing Natural Resource Extraction use; water treatment was a secondary or accessory use. Currently, the entire site is being used for water treatment facilities as a Major Utility (IDO §14-16-7-1), which is nonconforming as a primary use (IDO §14-16-6-8). A Condition of Approval requires the applicant to pursue this request, which will ultimately support the continued planning, coordination, and provision of environmentally sound infrastructure to support existing communities and the Comp Plan’s vision for future growth by strengthening a more resilient and decentralized water supply.

- B. POLICY 12.1.2 WATER AND WASTEWATER UTILITY: Ensure consistency between Comp Plan and ABCWUA policies by coordinating infrastructure planning and programming.

When the Integrated Development Ordinance (IDO) became effective in 2018, zoning at the subject site was converted to NR-SU because of the ongoing Natural Resource Extraction use; water treatment was a secondary or accessory use. The request would ensure consistency between the Comp Plan with goals and policies that promote the protection and preservation of such environmental resources as water and the ABCWUA. Namely, the proposed zoning for the subject site would permissively allow the Major Utility use, unlike the current NR-SU zone district and would allow for continued development of infrastructure planning and programming consistent with IDO regulation.

11. The request is consistent with the following goal and policy related to CHAPTER 13: RESILIENCE & SUSTAINABILITY:

- A. GOAL 13.2 WATER SUPPLY & QUALITY: Protect and conserve our region’s limited water supply to benefit the range of uses that will keep our community and ecosystem healthy.

The request would facilitate the development of additional water utility infrastructure permissively which would more easily since the Major Utility use would not conflict with the existing zone district (NR-SU). The facilities at the subject site secure water supplies through water treatment and conservation storage in City aquifers to use during dry periods. This technology helps protect and conserve the region’s limited water supply to benefit the range of uses that will keep the Albuquerque community and ecosystem healthy not only by storing water

for dry times, but also by reducing water loss through evaporation, and eliminating the need for more expensive above ground storage facilities.

- B. **POLICY 13.2.3 WATER QUALITY:** Coordinate with the ABCWUA, state, and other agencies to maintain the quality of our groundwater and surface waters.

The proposed zone change to NR-LM is being undertaken by the ABCWUA, which uses direct injection and infiltration to store purified San Juan-Chama drinking water in the City’s aquifer. Projects must meet federal Safe Drinking Water Act standards, and obtain permits from the New Mexico Office of the State Engineer (OSE) and NM Environmental Department. Treatment ensures that the water is compatible with the aquifer's chemistry, maintains the quality and health of ground as well as surface waters, and then ensures safety for consumption. ABCWUA typically coordinates these efforts in partnership with consultants who provide technical and other support. The request shall comply with all applicable provisions of this IDO, the DPM, and other adopted City regulations.

- 12. The request generally meets the Zoning Map Amendment Review & Decision Criteria pursuant to §14-16-6-7(H)(3)(a-c) of the Integrated Development Ordinance:

- A. 6-7(H)(3)(a) The criteria for approval of a Zoning Map Amendment – EPC in Subsection 14-16-6-7(G)(3).

- i. 6-7(G)(3)(a) The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by furthering (and not being in conflict with) a preponderance of applicable Goals and Policies in the ABC Comp Plan, as amended, and other applicable plans adopted by the City.

The proposed zone change is consistent with the health, safety, and general welfare of the City as shown by the applicant’s policy-based response that reviews five goals and four policies related to Land Use; Urban Design; Infrastructure, Community Facilities & Services; and Resilience & Sustainability, and adequately demonstrates the request furthers a preponderance of applicable goals and policies. The request does not present any significant conflicts with the Comprehensive Plan, as amended, or other applicable plans adopted by the City as shown in the sections above.

Applicable citations: Goal 5.3-Efficient Development Pattern, Policy 5.3.1-Infill Development, Goal 5.6-City Development Areas, Policy 5.6.3-Areas of Consistency; Goal 7.6-Context-Sensitive Infrastructure; Goal 12.1-Infrastructure, Policy 12.1.2-Water and Wastewater Utility; Goal 13.2-Water Supply & Quality, Policy 13.2.3-Water Quality.

- ii. 6-7(G)(3)(b) If the subject property is located partially or completely in an Area of Consistency (as shown in the ABC Comp Plan, as amended), the applicant has demonstrated 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. The applicant must also demonstrate that the existing zoning is inappropriate because it meets any of the following criteria.
 - 1. There was a typographical or clerical error when the existing zone district was applied to the property.
 - 2. There has been a significant change in neighborhood or community conditions affecting the site.

3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

This request concerning a subject site located completely within an Area of Consistency meets Criteria 2 and 3. The subject site was once a site of natural resource extraction. Natural resource extraction requires an NR-SU zoning for that use to be permissive. Currently the site supports the local water utility uses, which are characterized by the use of a Major Utility, other. Because there has been a significant change in the primary use of the subject site, the existing zoning is inappropriate. The proposed NR-LM zone district is more advantageous to the community because it would allow a Major Utility that ensures a safe, clean, and long-term water supply for the City.

- iii. 6-7(G)(3)(c) If the subject property is located wholly in an Area of Change (as shown in the ABC Comp Plan, as amended) and the applicant has demonstrated that the existing zoning is inappropriate because it meets any of the following criteria:
 1. There was a typographical or clerical error when the existing zone district was applied to the property.
 2. There has been a significant change in neighborhood or community conditions affecting the site that justifies this request.
 3. A different zone district is more advantageous to the community as articulated by the ABC Comp Plan, as amended (including implementation of patterns of land use, development density and intensity, and connectivity), and other applicable adopted City plan(s).

The subject site is located wholly in an Area of Consistency and not in an Area of Change.

- iv. 6-7(G)(3)(d) The requested zoning does not include permissive uses that would be harmful to adjacent property, the neighborhood, or the community, unless the Use-specific Standards in Section 14-16-4-3 associated with that use will adequately mitigate those harmful impacts.

The applicant states that the zone change “adds numerous permissive uses, none of which will have a harmful impact on the surrounding mostly industrial area”. However, since the property does abut both Mission Avenue Elementary (grades K-5) and Sandia preparatory school (grades 6-12), it is important to consider all permissive Uses that would be allowed with the proposed zone change as the requested zoning does include permissive uses that could be considered harmful to adjacent property, the neighborhood, or the community. These potentially harmful uses include Adult Entertainment, Bar, Nightclub, Adult retail, and Cannabis related uses.

Future development of any harmful uses would be required to meet applicable IDO use specific standards [e.g., IDO § 14-16-4-3(D) & (E)], DPM standards, and in the case of Cannabis related uses, New Mexico state law regulation, including, but not limited to, requirements regarding minimum spacing from other uses or facilities. These regulations are designed to further mitigate any potential adverse impacts associated with such activities and serve to protect and preserve the identity of the neighborhood by mitigating the impacts of potentially incompatible uses, although it cannot outright prohibit permissive uses within a zone district (see IDO Table 4-2-1: Allowable Uses).

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- v. 6-7(G)(3)(e) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, meet any of the following criteria:
 1. Have adequate capacity to serve the development made possible by the change of zone.
 2. Will have adequate capacity based on improvements for which the City has already approved and budgeted capital funds during the next calendar year.
 3. Will have adequate capacity when the applicant fulfills its obligations under the IDO, the DPM, and/or an Infrastructure Improvements Agreement (IIA).
 4. Will have adequate capacity when the City and the applicant have fulfilled their respective obligations under a City-approved Development Agreement between the City and the applicant.

Existing infrastructure at the subject site includes streets, sidewalks, public and private utility facilities, sanitary sewer and water system facilities, drainage and flood control facilities, street lighting, and other improvements used by the public and in common by the property owners. The subject site should have adequate capacity to serve the development made possible by the change of zone, thereby, meeting Criterion 1.

- vi. 6-7(G)(3)(f) The applicant's justification for the Zoning Map Amendment is not completely based on the property's location on a major street.

The subject site is a partially developed parcel comprised of ABCWUA water utility infrastructure within an Area of Consistency. The requested zone change is not based on the property's location on a major street, but rather, based on the appropriate size and ability of the Major Utility to reuse a heavily impacted site due to natural resource extraction. Also, this request is an attempt to bring the current use of Major Utility into conformance with the IDO and previous Major Amendment actions ((PR-2018-001355, SI-2018-00123, SP-2026-00028) which require the property to reflect a zone district that would allow Major Utility as a permissive use.

- vii. 6-7(G)(3)(g) The applicant's justification is not based completely or predominantly on the cost of land or economic considerations.

The applicant's justification is not based upon the cost of land or economic considerations. Although the applicant indicates this request is based on the long-term use of the property as a major utility and the numerous EPC approvals for site development, the applicant's request is actually an attempt to bring the current use of Major Utility into conformance with the IDO and previous Major Amendment actions ((PR-2018-001355, SI-2018-00123, SP-2026-00028) which require the property to reflect a zone district that allows a Major Utility as a permissive use.

- viii. 6-7(G)(3)(h) The Zoning Map Amendment does not apply a zone district different from surrounding zone districts to one small area or one premises (i.e., create a "spot zone") or to a strip of land along a street (i.e., create a "strip zone") unless the requested zoning will clearly facilitate implementation of the ABC Comp Plan, as amended, and at least 1 of the following applies.

1. The subject property is different from surrounding land because it can function as a transition between adjacent zone districts.
2. The subject property is not suitable for the uses allowed in any adjacent zone district due to topography, traffic, or special adverse land uses nearby.

3. The nature of structures already on the subject property makes it unsuitable for the uses allowed in any adjacent zone district.

Since the properties adjacent to the north of the subject site are currently zoned NR-LM, the proposed NR-LM zone district for the subject site does not apply a zone district different from surrounding zone districts to create either a “spot zone” or “strip zone”.

- B. 6-7(H)(1)(b) Pursuant to Section 3-21-6 NMSA 1978, an application for a Zoning Map Amendment – EPC for which a protest of the final action has been received within 15 calendar days of the Notice of Decision that meets both of the following criteria.

1. All of the equitable owners of land that comprises at least 20 percent of the area proposed for change or 20 percent of the area within 100 feet in any direction (excluding public right-of-way) of the area proposed for change have protested in writing the proposed Zoning Map Amendment.
2. The persons filing the protest have shown that this Subsection 14-16-6-7(H)(1)(b) applies through clear and convincing evidence.

This request is not for the creation or amendment of an NR-BP zone district, but for a zone district change from an NR-SU to NR-LM zone district.

- C. 6-7(H)(1)(c) An application to amend the Official Zoning Map by any entity other than the City may not be submitted within 1 year after the date of final action by the City denying or approving (with or without conditions) a prior application to amend the Official Zoning Map with the same requested change.

This request is not for the creation or amendment of a PC zone district, but for a zone district change from an NR-SU to NR-LM.

13. The applicant notified the two neighborhood organizations—District 4 Coalition of Neighborhood Associations and the North Valley Coalition—within 660-feet of the subject site, and all property owners within 100 feet of the subject site as required.
14. Eleven Agency comments were received; none requires further action at this time.
15. The applicant was not required to offer a tribal meeting as part of a pre-submittal requirement for a Site Plan-EPC. Staff referred the applications for Agency Comment to Indian Nations, Tribes, or Pueblos and Tribal Representatives, and no comment was received.

APPEAL

If you wish to appeal, you must do so within 15 days of the EPC’s decision or by **June 5, 2026**. The date of the EPC’s decision is not included in this 15-day period. If the 15th day falls on a Saturday, Sunday, or Holiday, the next working day is considered the deadline for filing an appeal.

For more information regarding the appeal process, please refer to the Integrated Development Ordinance (IDO), §14-16-6-4(U) (Appeals). The IDO is available online here: <https://www.cabq.gov/ido>. A non-refundable fee is required to be paid when the appeal is filed. It is not possible to appeal EPC recommendations to the City Council, because a recommendation is not a final decision.

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You will receive notification if anyone files an appeal. If the decision is not appealed, you can receive building permits any time after the appeal deadline, provided all conditions of approval associated with the decision and all other applicable regulations have been met.

Sincerely,

A handwritten signature in black ink that reads "Megan Jones". The signature is written in a cursive, flowing style.

for Alan Varela
Planning Director

AV/MJ/CH

cc: Jackie Fishman, fishman@consensusplanning.com
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