

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339

OFFICIAL NOTIFICATION OF DECISION

April 11, 2017

City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Project# 1001620
16EPC-40082 Amendment to Zoning Code or Subdivision
Regulations Text

LEGAL DESCRIPTION:

Adoption of the Integrated Development Ordinance (IDO) to replace the Zoning Code, Subdivision Ordinance, Airport Zone Ordinance, and Landmarks & Urban Conservation Ordinance and include portions of the Planning Ordinance and the Development Process Manual (DPM). City-wide.

Staff Planners: Catalina Lehner and Mikaela Renz-Whitmore

PO Box 1098 On April 10, 2017 the Environmental Planning Commission (EPC) voted to CONTINUE Project #1001620/ 16EPC-40082, adoption of the Integrated Development Ordinance (IDO), to the April 24, 2017 EPC hearing based on the following findings:

Albuquerque
FINDINGS:

NM 87103

www.cabq.gov

1. This request is for adoption of the Integrated Development Ordinance, or IDO. The IDO would repeal and replace the City of Albuquerque Comprehensive Zoning Code (the "Zoning Code"), the Subdivision Ordinance, the Airport Zone Ordinance, the Landmarks and Urban Conservation Ordinance, and portions of the Planning Ordinance and the Development Process Manual (DPM), and incorporate them into a single, consolidated document.
2. Council Bill No. R-14-46 (Enactment R-2014-022), which became effective on May 07, 2014, directed the City to update the Albuquerque-Bernalillo County Comprehensive Plan (the "Comp Plan") and the land development regulations intended to implement it. The Comp Plan update and the new IDO were developed together through a planning effort called ABC-Z, undertaken to confirm the Centers and Corridors community vision, update goals and policies, and implement the vision and goals through updated regulations and review and approval processes.
3. On March 20, 2017, the City Council voted to adopt the updated Comp Plan (R-16-108) and to revise ROA 1994 to refer to Areas of Consistency and Areas of Change (O-16-27) and update associated terms in annexation policies (R-16-109).

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4. The IDO is a single document that includes a revised Zoning Code (§14-16-1-1 et seq.) that incorporates the Subdivision Ordinance (§14-14-1-1 et seq.), the Airport Zone Ordinance (§14-15-1 et seq.), and the Landmarks and Urban Conservation Ordinance (§14-12-1 et seq.), and includes portions of the Planning Ordinance (§14-13-2-1 et seq.) and the Development Process Manual (DPM), which will be clearer and easier to use than the existing documents. The IDO modernizes the City's development standards and processes, incorporates best practices, and integrates regulations from over 40 adopted Sector Development Plans in order to implement the updated Comp Plan.
5. The IDO applies citywide to land within the City of Albuquerque municipal boundaries. The IDO does not apply to properties controlled by another jurisdiction, such as the State of New Mexico, Federal lands, and lands in unincorporated Bernalillo County or other municipalities.
6. The EPC's task is to make a recommendation to the City Council regarding the new IDO. As the City's Planning and Zoning Authority, the City Council will make the final decision. The EPC is a recommending body to the Council and has important review authority. Adoption of the IDO is a legislative matter.
7. Language that refers to the Zoning Code is found in various locations of ROA 1994. This language will need to be correspondingly revised with the adoption of the IDO in order to maintain internal consistency in ROA 1994.
8. After adoption of the IDO, City Planning Staff will initiate an ongoing 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.
9. The proposed IDO was 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 to neighborhood representatives on December 29, 2016, as required, as part of the EPC application process. On March 22, 2017, Planning Staff sent a re-notification reminder to neighborhood representatives.
10. 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, and met with individuals and small groups during weekly office hours and periodic "Ask an Expert" zoning clinics.
11. Articles about the ABC-Z project appeared regularly in the City's *Neighborhood News*, and ads specifically for the proposed IDO were placed in print and social media. There is also a social media page for the ABC-Z project on Facebook.

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12. Staff received official written comments from agencies. Among the agencies that commented are the ABCWUA, the NMDOT, ABQ Ride, the City Parks and Recreation Department, and PNM. Their comments suggest specific revisions to clarify topics related to each agency's charge. Staff is considering all comments carefully and addressing them.
13. 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 concerns that regulations crafted to address localized issues are applied broadly and that sector plans are being replaced. Staff is considering all comments carefully and addressing them.
14. At the April 6, 2017 EPC hearing, some members of the public provided testimony that expressed general support for the improved clarity and consistency that the proposed IDO would provide. Support was also expressed for the Citizen's Academy and the idea of directing growth inward, rather than continuing the trend of sprawl development.
15. Some members of the public raised concerns that include, but are not limited to, the following: the IDO effort is progressing too quickly, the details of the document are not well understood by the public, increased use of administrative (Staff) approval would limit public input, EPC review would be greatly reduced from what it is currently, allowable building height and density would be too great, view preservation and the environment are insufficiently addressed, the Board of Appeals (BOA) would be eliminated, the sector development plan system would be replaced, more consideration for environmental justice issues is needed, and mixed use (M-X) zones could adversely affect established neighborhoods.
16. Staff recommends a continuance of this case to provide an additional time to discuss substantive issues, including the abovementioned concerns and other issues raised during public testimony. -In order to make the most informed recommendation to the City Council that it can, the EPC needs multiple hearings to review and discuss the request.
17. The EPC has received substantial public testimony at the April 6, 2017 and April 10, 2017 hearings; no further public testimony is to be allowed at the April 24, 2017 hearing.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **APRIL 25, 2017**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th 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 14-16-4-4 of the Zoning Code. 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 EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's recommendation.

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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 City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

Sincerely,



Suzanne Lubar
Planning Director

SL/CLL

cc: List of Neighborhood Representatives from the Office of Neighborhood Coordination (ONC) letter dated 12-28-16

G.P. 2820 Azar Pl. NW, ABQ, NM 87104
Jaime Jaramillo, 302 8th St. NW, ABQ, NM 87102
Karen Salazar, 219 Arvada Ave NE, ABQ, NM 87102
Carl Salazar, 219 Arvada Ave NE, ABQ, NM 87102
Rob Dickson, 301 Central NE, ABQ, NM 87102
Kim Murphy, 8633 Kacey Ln SW, ABQ, NM 87105
Christina Sandoval, 1801 4th St. NW, ABQ, NM 87103
Laurie Moye, 2401 Aztec NE, ABQ, NM 87107
Ken Balizer, 1912 Tierra Vida Pl. NW, ABQ, NM 87107
Steven Abeyta, 2419 William St. SE, ABQ, NM 87102
Michael Contreras, P.O. Box 91088, ABQ, NM 87199
Pat Gallagher, 24 Link St. NW, ABQ, NM 87120
Kathy Adams, 5 ARCO NW, ABQ, NM 87120
David Blanc, 600 Central Ave NW, 87121
Camille Varoz, 427 El Paraiso Rd NW, Los Ranchos, NM 87107
David Silverman, 1419 Coal Ave SW, ABQ, NM 87104
Jennifer Dann, 521 Tulane Dr. SE, ABQ, NM 87106
Barbara Grothus, 905 Silver NW, ABQ, NM 87102
Kalvin Davis, 201 Coal SW, ABQ, NM 87102
Esther Abeyta, 2419, William SE, ABQ, NM 87102
Elizabeth Vencill, 115 Quincy St. NE, ABQ, NM 87108

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Virginia Kinney, P.O. Box 1932, Tijeras, NM 87059
Gary Eyster, 316 Amherst NE, ABQ, NM 87106
Susan Michie, 402 Lafayette Pl. NE, ABQ, NM 87106
Govinda Haines, 336 Aliso Dr. NE, ABQ, NM 87108
Veronica Salinas, 336 Aliso Dr. NE, ABQ, NM 87108
Stephanie Zaslav, 333 Aliso Dr. NE, ABQ, NM 87108
Jeanne Whitehouse, 521 Aliso Dr. NE, ABQ, NM 87108
Dennis Trujillo, 613 Bryn Mawr NE, ABQ, NM 87106
Laurie Moye, c/o PNM, 415 Silver Ave SW, ABQ, NM 87158
Matt Vencill, 805 Van Buren Pl. SE, ABQ, NM 87108
Carol Krause, 800 Mountain Rd NE, ABQ, NM 87102
Nique, 1113 Edith Blvd NE, ABQ, NM 87102
Angela Vigil, 1405 Edith Blvd NE, ABQ, NM 87106
Diana Dorn Jones, 1108 Edith St. SE, ABQ, NM 87102
Pete Dinelli, 1309 Dakota NE, ABQ, NM 87110
Kristi Houde, 617 Edith NE #7, ABQ, NM 87102
Elizabeth Vencill, 115 Quincy St. NE, ABQ, NM 87108
David Solano, 1004 Walter St. SE, ABQ, NM 87102
Librada L. Marquez, 1011 ½ Edith NW, ABQ, NM 87102
Crista Solano, 1004 Walter St. NE, ABQ, NM 87102
Olivia Greathouse, 408 Bethel Dr. SE, ABQ, NM 87102
Beth Silberglert, 613 Bryn Mawr NE, ABQ, NM 87106
Jim Strozier, 302 8th St., NW, ABQ, NM 87102
Isaac Benton, City Councilor, 1 Civic Plaza, ABQ, NM 87102
Judy Young, 13309 Rachel Rd SE, ABQ, NM 87123
Keith Meyer, 6801 Jefferson NE, ABQ, NM 87109
Jackie Fishman, 302 8th St NW, ABQ, NM 87102
John Gallegos, 504 Camino Espanol NW, ABQ, NM 87107
Craig Vencill, 115 Quincy St NE, ABQ, NM 87108
Jim Wible, 6801 Jefferson NE, ABQ, NM 87109
Michelle Heath Vencill, 805 Van Buren Pl SE, ABQ, NM 87108