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## OFFICIAL NOTIFICATION OF DECISION

December 15, 2022

City of Albuquerque Planning Dept.  
Urban Design & Development Div.  
Attn: Mikaela Renz-Whitmore  
600 Second St. NW, 3rd Floor  
Albuquerque, NM 87106

**Project #2022-007736**  
**SI-2022-001931– Community Planning Area Assessment**  
**Report – Near Heights**

### LEGAL DESCRIPTION:

Rebecca Bolen, City of Albuquerque Planning Department, Urban Design & Development Division (UDD), presents the Community Planning Area (CPA) Assessment Report for the Near Heights CPA, to the EPC for review and comment, pursuant to IDO 14-16-6-3(E)(7), City-wide.

Staff Planner: Catalina Lehner, AICP- Principal Planner

On December 15, 2022, the Environmental Planning Commission (EPC) voted to forward a recommendation of APPROVAL of PR-2022-007736/SI-2022-001931, the Near Heights Community Planning Area (CPA) Assessment Report, based on the following Findings and subject to the following Conditions for Recommendation of Approval:

### FINDINGS:

1. The request is for EPC review and comment regarding the Community Planning Area (CPA) Assessment Report for the Near Heights CPA. The Near Heights CPA is one of the twelve CPAs established by the Comprehensive Plan for the City.
2. The Near Heights area is bounded by Interstate 40 on the north, Kirtland Air Force Base on the south, Wyoming Blvd. on the east, and Interstate 25 on the west, and consists of approximately 12,000 acres.
3. CPA assessments are intended to provide opportunities to generate community-based recommendations for new or revised policies for the Comprehensive Plan, new or revised regulations for the Integrated Development Ordinance (IDO), and new or revised projects or partnerships with implementing City Departments.
4. IDO 14-16-6-3(E)- Community Planning Area Assessments, establishes parameters for CPA assessments. The IDO requires that CPA assessment recommendations accepted by the City Council be included in updates to ranked plans and the IDO annual update at least every five years.

5. The EPC has an advisory role in the Community Planning Area (CPA) Assessments [Ref: IDO 14-16-6-2(E)(3)(f)] and is to review and comment regarding the CPA reports. The assessments shall be forwarded to the City Council for review and acceptance [Ref: IDO 14-16-6-2(E)(7)].
6. The Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. The request is consistent with the Constitution of the State of New Mexico, which allows municipalities to adopt a charter to provide for maximum local self-government (see Article X, Section 6- Municipal Home Rule). The Near Heights CPA Assessment process helps to formulate and shape Comprehensive Plan Goals and policies particular to the Near Heights Area, which will be subsequently incorporated into the Comprehensive Plan as amendments.
8. The request is consistent with the following, relevant Articles of the City Charter:
  - A. Article I, Incorporation and Powers: Conducting the Community Planning Area (CPA) Assessments, producing a report, and subsequently updating the Comprehensive Plan to incorporate new Goals and policies, is an act of maximum local self-government that is consistent with the purpose of the Charter.
  - B. Article IX, Environmental Protection: The CPA Assessment process, the CPA reports, and future related Comprehensive Plan updates will help protect and enhance quality of life for Albuquerque's citizens by promoting and maintaining an aesthetic and humane urban environment. Commissions, Boards, and Committees will have up-to-date guidance to better administer City policy to benefit the residents.
  - C. Article XVII, Planning: The acceptance of the CPA Assessment Reports, which inform future Comprehensive Plan updates, is an instance of the Council exercising its role as the City's ultimate planning and zoning authority. Future updates will help inform the Mayor and the Council about community priorities that can tie into future Capital Improvement Plans.
9. The request furthers the following, applicable Goals and policies from Chapter 4: Community Identity:
  - A. Goal 4.1 - Character: Enhance, protect, and preserve distinct communities.

One purpose of the CPA Assessment Reports is to contribute and reinforce the distinct characteristics of communities. Identification of assets and opportunities will result in development of goals and projects that will help enhance and protect such communities.
  - B. Policy 4.1.4 - Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The cornerstone of the CPA assessment process is community engagement of neighborhoods and communities, in this case, in the Near Heights area. Developing an understanding of what is important to them will help to create recommendations for projects to enhance, protect, and preserve the neighborhoods in the long-term.

- C. Goal 4.2: Process: Engage communities to identify and plan for their distinct character and needs.

A primary goal of the CPA assessment process is to engage communities through mechanisms such as open houses, walking tours, and meetings, so that residents can identify assets and opportunities, priorities, and plan for their needs based on their distinct character.

- D. Policy 4.2.1 - Community Planning Areas: Use Community Planning Areas to track conditions and progress toward implementation of the community vision over time and organize planning efforts to identify distinct community character.

The Near Heights CPA Assessment Report contains metrics for each chapter/subject area in the Comprehensive Plan. The metrics will be used to track progress toward implementation of the community vision over time. The Actions in the report will provide another set of benchmarks.

- E. Goal 4.3- City Community Planning Areas: Protect and enhance the natural and cultural characteristics and features that contribute to distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas. The CPA assessment process aims to discover the characteristics and features that contribute to an area's distinct identity through engagement with community members, who identify local needs and challenges. Prioritizing programs and projects to meet these needs, while protecting and enhancing the area's natural and cultural characteristics, is a key component of the CPA process.

- F. Policy 4.3.1- CPA Assessments: Identify the character-defining elements, priorities for capital investment, and potential programs and partnerships for each CPA through the ongoing, long-range planning assessment.

The Near Heights CPA Assessment Report identifies the character-defining elements of three distinct sub-areas: International District, University Neighborhoods, and Nob Hill. This long-range planning process discusses potential programs and partnerships, as well as capital investment, for the Near Heights Area.

10. The request furthers Goal 5.7 - Implementation Processes of Chapter 5 – Land Use, which is to employ procedures and processes to effectively and equitably implement the Comprehensive Plan. A key component of the CPA assessment process, the cornerstone of which is community engagement, is to equitably implement the Comprehensive Plan by employing procedures to promote equitable participation in the process and ensuring that under-represented community members are included. Comprehensive Plan Goals and policies can be effectively connected to the community through an active and extensive engagement process, in which the community takes the lead at identifying assets and opportunities.

11. The request furthers the following Goal and policy pair from Chapter 6: Transportation:

- A. Goal 6.8 – Context: Provide transportation investments that are responsive to context and natural setting.

Transportation was a main topic throughout the Near Heights CPA process and was identified by the community as a priority. The CPA process is intended to set the stage for future transportation investments that are responsive to the area's context.

- B. Policy 6.8.2 - Community Planning Areas: Provide transportation investments that are responsive to the distinct needs of each neighborhood and sub-area.

The Near Heights CPA assessment report identifies transportation needs based on the distinct needs of neighborhoods and sub-areas, as identified by the community. The report points to investment in north-south transit, increased frequency, maintaining free fares, and improving the pedestrian and bicycle environment, particularly when crossing Central Ave.

12. The request furthers the following Goal and policy pair from Chapter 8: Economic Development:

- A. Goal 8.1-Placemaking: Create places where business and talent will stay and thrive.

The CPA assessment process works with residents and businesses in a given area to identify opportunities and begin to find ways to address them, which will contribute to creating vibrant and distinct places where business and talent can stay and thrive.

- B. Policy 8.1.4 -Leverage Assets: Enhance and market the region's unique characteristics internally and to outside businesses and individuals in order to compete with other regions.

The Near Heights is a large regionally-significant area. Assets that make the Near Heights unique, and opportunities for improvements, are identified in the CPA assessment report. Engagement with the community and future improvements suggested via this process will support and enhance the area and help make it more competitive internally and to outside businesses.

13. The request furthers Goal 10.1- Facilities & Access, from Chapter 10: Parks & Open Space, which is to provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly. The Near Heights contains many parks that are a well-loved and important asset for the community. Parks provide open space and active recreation opportunities to meet residents' needs and have mature trees, a valued natural resource. The CPA Assessment report identifies the amenities parks provide, notes the challenges they face, and aims to facilitate their improvement.

14. The request furthers the following, applicable Goals and policies from Chapter 11: Heritage Conservation:

- A. Policy 11.1.4- Local Heritage: Keep local traditions and heritage alive and cultivate neighborhoods and rural areas as safe and excellent places to live and raise families.

The CPA assessment process engages the community to learn about what is important to them, including assets that make the area an excellent place to live. Local traditions and heritage unite communities, provide a common foundation, and make them distinct; they are an important part of the planning process for these reasons.

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

Historic assets are a defining feature of the Near Heights Area, which contains seven historic districts, Route 66, and many buildings that contribute to the area's character and reflect its past. Preserving and enhancing Near Heights historic assets will help strengthen the area's sense of identity moving into the future.

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

The Near Heights CPA Assessment report lists 39 buildings of significant historical interest that are on the National and State Registers of Historic Places; the planning efforts seek to promote and preserve them.

- D. Policy 11.2.3- Distinct Built Environments: Preserve and enhance the social, cultural, and historical features that contribute to the identities of distinct communities, neighborhoods, and districts.

The CPA Assessment process engages the community to learn about the social, cultural, and historic features important to residents that contribute to the identity of an Area. The Near Heights unique local businesses, proximity to large institutions, cultural diversity, and historic assets should be preserved and enhanced so they can continue to contribute to the distinctness of neighborhoods and districts.

- E. Policy 11.5.1- Arts Promotion: Coordinate and promote the arts and the cultural sector as key assets in a vital economy; major contributors to quality of life and healthy communities; and the heart of high-quality, special places that contribute to the identity of distinct communities.

Key assets in the Near Heights Area in the arts and culture sector are cultural and linguistic diversity, murals and artwork, and two higher education institutions. These assets are major contributors to quality of life that help create special places that contribute to the identity of this distinct community.

15. The request furthers Goal 12.1- Infrastructure from Chapter 12- Resilience & Sustainability, which is to 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 Near Heights CPA Report identifies physical and social infrastructure, which includes facilities such as community centers and libraries, and provides a process through which existing and future infrastructure can be planned and coordinated in order to support the existing community and address challenges.
16. The request furthers Policy 13.5.4- Environmental Justice from Chapter 13: Resilience & Sustainability, which is to recognize and work to address adverse environmental impacts that are experienced disproportionately by underrepresented and at-risk communities, in order to help improve the health outcomes of their residents over time. The CPA Assessment process is one avenue to address past harms and engage communities equitably. Engaging community members, especially those that have been underrepresented, to ensure they have a say in the future of their neighborhoods will help improve residents' lives over time and make the Near Heights a more vibrant place to live, work, and play.
17. The Near Heights CPA Assessment Report (Part 4) introduces seven new policies, and several new sub-policies, particular to the Near Heights Area. These new policies and sub-policies will be

incorporated into the Comprehensive Plan, Chapter 4- Community Identity, Section 4.3.7- Near Heights.

18. The Area Profile of the Near Heights CPA Assessment Report (Part 3) correlates to each chapter in the Comprehensive Plan. Each section within Part 3 identifies Actors, Plans, and Programs, discusses Assets and Challenges identified through the community engagement process, and presents relevant metrics.

19. IDO 14-16-6-3(E)- Community Planning Area Assessments, establishes parameters for how CPA Assessments are conducted. The request fulfills the seven criteria of Subsection 6-3(E), as follows:

A. 6-3(E)(1) The Planning Director shall create a regular, rotating schedule to research, study, and analyze each CPA at least once every 5 years.

The Near Heights CPA is the first CPA scheduled to be conducted in year 1 (2022), in accordance with Council Bill No. R-22-42.

B. 6-3(E)(2) The assessments shall analyze each CPA based on performance measures established by the ABC Comp Plan, as amended, to reflect evolving conditions, trends, and desired outcomes to reflect the unique status of each CPA while also allowing comparison of objective data across the city.

The Near Heights CPA Assessment report uses performance measures established by the Comprehensive Plan for each chapter (see 14.3.2- Comp Plan Metrics). Metrics for the Near Heights CPA are found in Part 7: Appendices of the report.

C. 6-3(E)(3) The City Office of Neighborhood Coordination (ONC) shall be involved in each assessment to ensure adequate notification, representation, and participation of Neighborhood Associations.

Chapter 3 of the Near Heights Assessment Report mentions ONC involvement, particularly with respect to neighborhood sign programs and association websites. ONC also helped promote events throughout the engagement process. Figure 9 shows the boundaries of the 34 neighborhood organizations in the Near Heights Area.

D. 6-3(E)(4) Each assessment shall include visits and interactions with residents, property owners, businesses, neighborhood associations, business associations, and other stakeholders in each CPA.

Public engagement is a key component of the Near Heights CPA assessment process, which included a variety of visits and interactions (ex. open houses, walking tours, meetings) with stakeholders such as residents, property owners, businesses, neighborhood associations, and business associations.

E. 6-3(E)(5) Each assessment shall reflect the history, special places, character, and capital needs of each CPA.

Chapter 2 of the Near Heights Assessment Report discusses the area's history and special places, such as the first residential subdivisions east of UNM constructed in the 1920s and 30s and Nob Hill. The area's character is discussed in Chapter 3- Community Identity; the International

District, University Neighborhoods, and Nob Hill Highland are included. Capital needs are identified by topic area as challenges that need to be addressed.

- F. 6-3(E)(6) At least every 5 years, based on the data, analyses, and findings of the assessments, the Planning Director shall recommend updates and amendments as relevant and necessary to the Rank 1 ABC Comp Plan, as amended; Rank 2 Facility Plans; Rank 3 Plans; the IDO; or the DPM. See also Subsection 14-16-6- 4(D)(4) for the annual IDO update process.

Any new Goals and policies particular to the Near Heights Area have been identified as part of this CPA Assessment process. After the appropriate update process, these will be included in Comprehensive Plan Chapter 4.3- City Community Planning Areas.

- G. 6-3(E)(7) The Planning Director shall report the findings and recommendations from each assessment to the EPC for review and recommendation to the City Council. Assessments shall be forwarded to the City Council for review and acceptance. Staff shall prepare resolutions and/or ordinances to accompany the assessment that will implement the findings and recommendations of the assessment for the consideration of the City Council. City Council shall review for adoption any associated resolutions and/or ordinances.

The Near Heights CPA Assessment report contains recommendations that will be provided to the EPC for review and recommendation to the City Council, which will review any associated legislation prepared by Staff as part of accepting the report.

20. The cornerstone of the CPA assessment process is engagement of community members, residents, businesses, and other stakeholders. Public engagement strategies for the Near Heights CPA planning effort included a range of opportunities for input, discussion, and consensus-building. Hundreds of Near Heights residents, business owners, service providers, and community leaders participated in the development of this report and contributed toward the recommendations it contains.
21. As of the writing of the November 10, 2022 Staff report, Staff received one written comment. The individual expressed overall support for the request, and offered a recommendation regarding Projects and Programs 4.10- Albuquerque Rapid Transit. Two more comments were received, but after the 48-hour rule for the November 10, 2022 hearing. One person requested clarification of the neighborhoods that comprise the International District, and another expressed general support for the Assessment Report.
22. As of the writing of the December 15, 2022 Staff report, Staff received five written comments. One person expressed support and a concern regarding walls and fences, and another expressed support and desires additional transit service. A letter from Councilor Pat Davis was received regarding a site on San Mateo. A comment regarding clarification of the neighborhoods that comprise the International District was resubmitted. Comments from August 2022 from the Nob Hill NA was included. Under the 48-hour rule, five additional comments were received.
23. The CPA process will be strengthened as relationships with other City departments and other partners grow and those partners are increasingly willing to sign on to lead Actions.

24. Planning department efforts to increase education around walls and fences is supported by online and in-person comments. A member of the public recommended that the Planning Department reach out to fence companies, in addition to property owners as well.
25. Community-based input showed support for current wall and fence regulations in the IDO, which are more restrictive than the wall and fence regulations proposed through the 2022 IDO Annual Update. The Planning Department can help facilitate conversations throughout the Near Heights area regarding walls and fences, which could result in increased neighborhood protections for small areas where more restrictive regulations are desired.
26. Though it did not emerge with broad support as part of the two-year public engagement process, adding a policy regarding the San Mateo Commercial corridor could generally help support revitalization efforts that include small businesses and public investment as well as provide some needed emphasis on the area. At the same time, the policy as drafted, may not reflect community priorities since it did not emerge from the stakeholder involvement process. As proposed, the language conflicts with two of the Near Heights MRA Plan goals. Furthermore, because it does not define the length of the corridor and limits revitalization to businesses, it would restrict future (re)development efforts for housing or other non-commercial uses.
27. The Kathryn-San Mateo property (SE corner of the San Mateo Blvd. SE and Kathryn St. SE intersection) was neither included on the Metropolitan Redevelopment Agency (MRA) list of opportunity sites nor identified by the community as an opportunity site through the two-year public engagement process.
28. Rather, the community has indicated interest in development of a park or another public use of the Kathryn-San Mateo property. A memorandum of understanding (MOU) is already in place and has led to the development of International District Markets, which activates the space and serves micro businesses. Funding for public safety services has already been dedicated, as described on p. 76 of the Assessment Report. These activities already occupy the site, which leaves a portion insufficiently large enough to be a MR site. Therefore, there is little to no benefit of labeling it as an opportunity site.
29. The Nob Hill Pedestrian Study, which is not available elsewhere, shall be added to the Appendix of the Assessment Report.

## CONDITIONS

1. A new policy regarding the San Mateo Corridor shall be written as follows:  
Foster development efforts along the San Mateo Blvd. corridor from Gibson Blvd. to Central Ave. in order to support business and economic development, revitalize underused parcels, create support for high-frequency transit service, and help foster communities where people can live, work, learn, shop, and play together.
2. The Planning Department shall facilitate conversations throughout the Near Heights area regarding walls and fences. Increased neighborhood protections, for small areas where more restrictive



regulations are desired, shall be considered. The Action in Section 5.8 shall be correspondingly updated.

3. The following new, short-term Action shall be added:

“The Planning Department will create a handout, trainings, and/or an education campaign for wall/fence companies and the public about IDO regulations.” The Planning department will be the lead, and the amount of outreach will be tracked.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **January 3, 2023**. 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).

Sincerely,

*Catalina Lehner*

for Alan M. Varela,  
Planning Director

AV/CL

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