



***Environmental
Planning
Commission***

***Agenda Number: 03
Project #: 2018-001843
Case #: RZ-2018-00057
Hearing Date: January 10, 2019***

Staff Report

Agent City of Albuquerque

Applicant City of Albuquerque

Request Text Amendments to the Integrated Development Ordinance (IDO) to adopt zoning conversion rules for 122 properties submitted to the Phase 2 zoning conversion process

Location City-wide

Staff Recommendation

That a recommendation of APPROVAL of case #RZ-2018-00057, based on the Findings beginning on p. 28, be forwarded to the City Council.

Staff Planners

***Catalina Lehner, Senior Planner
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Summary of Analysis

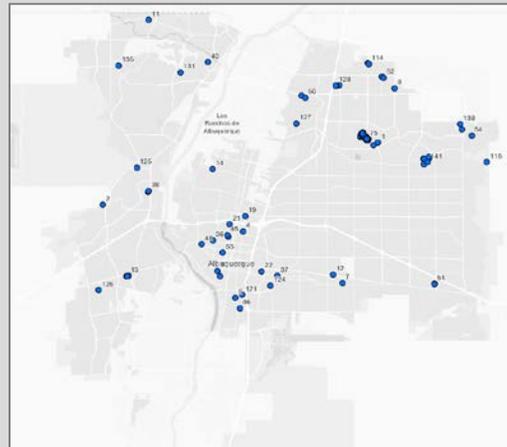
The request is for a legislative amendment to the text of the IDO to adopt zoning conversion rules for 122 properties that were submitted to the Phase 2 zoning conversion process. These properties, known collectively as Batch 1, meet the criteria for a voluntary zoning conversion that the City Council established for property owners via Resolution 18-29. Details regarding each property are found in the summary tables attached to this Staff report.

The request furthers several applicable goals and policies in the Comprehensive Plan that pertain to community identity and land use.

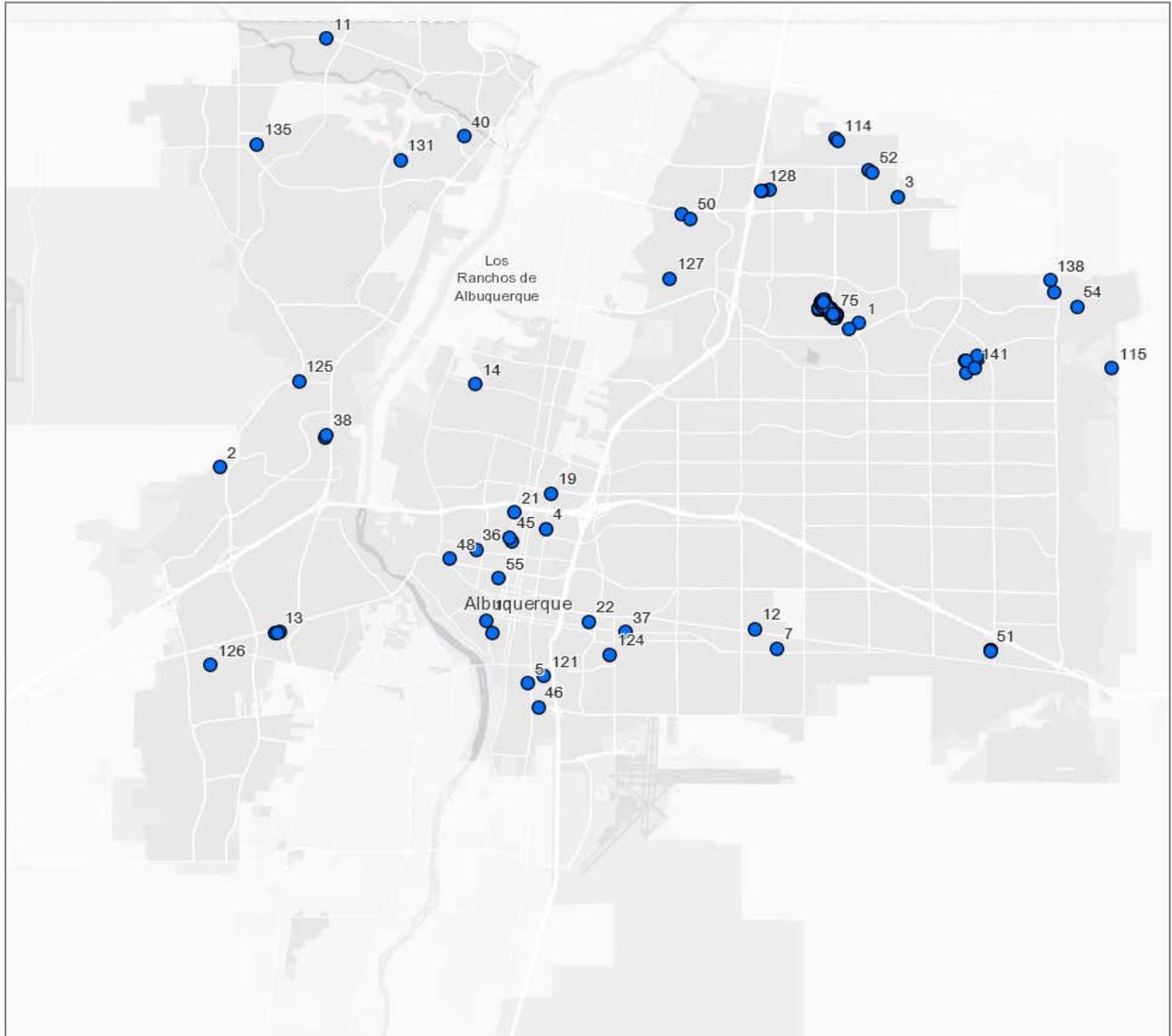
As directed by Resolution 18-29, Staff developed an extensive outreach strategy to let the public know about the voluntary zoning conversion process, including articles, announcements, meetings, presentations, and a mailed insert.

As of this writing, Staff has not received any comments and is not aware of any opposition. Staff recommends that a recommendation of approval be forwarded to the City Council.

Map – City-wide



Interactive map available online:
<https://tinyurl.com/batch1zc>



This is a legislative action to adopt IDO Zoning Conversion Rules for the properties identified in the map above and described in detail in tables included in the attachments.

The map above is available online here: <https://tinyurl.com/batch1zc>

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I. INTRODUCTION

Request

This is a request for a legislative amendment to the Integrated Development Ordinance (IDO) text to adopt zoning conversion rules for 122 properties that have been submitted to the Phase 2 zoning conversion process and that meet the criteria for a voluntary zoning conversion, as directed by City Council via Resolution 18-29 (Enactment No. R-018-019). (See attachment.)

If the City Council ultimately adopts the legislation (i.e. the zoning conversion rules for 122 properties), the properties will be converted to the recommended zone districts and the Official Zoning Map will be revised accordingly. This is a city-wide action.

The request is being processed according to the procedural requirements in IDO Section 14-16-6-7(D) - Amendment to IDO Text. The review and decision criteria will be those identified in Council Resolution 18-29. (See attachment – PRT Meeting Notes.)

These Phase 2 zoning conversions are intended to resolve issues not addressed by the adoption of the IDO in November 2017 via Ordinance 17-49 (Enactment No. O-2017-025) and amended via Ordinance 18-11 (Enactment No. O-2018-009).

This batch (Batch 1) includes 122 properties whose owners have opted into this process. Staff has analyzed these zoning conversion requests to confirm eligibility based on at least one of the five conversion criteria identified in R-18-29.

Organization

The Rules for Zoning Conversion – Batch 1 Properties is an itemized list of properties for consideration for conversion to a different IDO zone district. The list of properties includes the pre-IDO zoning, IDO zone district, the zoning conversion requested by the property owner, the zoning conversion recommended by Staff, and the applicable eligibility criteria. The list also includes a brief description of Staff's recommendation.

The first table is organized according to the Form ID number, which is a unique identifying number for each property for which the City received a Request and Agreement Form from a property owner. (See attachments.)

The 122 properties in Batch 1 are also organized into tables based on each eligibility criterion. (See attachments.) Since properties can be eligible under multiple criteria, some properties appear on more than one criterion table. Within all categories other than Voluntary Downzone (which includes properties in Areas of Consistency exclusively), properties are grouped according to City Development Area, i.e. into Areas of Consistency or Areas of Change.

EPC Role

The EPC is hearing this case pursuant to Integrated Development Ordinance (IDO) Section 14-16-6-7(D), Amendment to IDO Text.

As a recommending body for this legislative process, the EPC is tasked with reviewing the proposed zoning conversions and making a recommendation to the City Council, which will make the final decision.

The EPC should base its recommendation on whether the proposed Phase 2 zoning conversion rules are consistent with the ABC Comprehensive Plan (Comp Plan) and the IDO implementation goals, city-wide, for properties that meet at least 1 of the 5 eligibility criteria outlined in Resolution 18-29.

History/Background

The City Council adopted the IDO via Ordinance 17-49 (Enactment No. O-2017-025), and it became effective May 17, 2018. The IDO was enacted as part of a city-wide effort to update and replace the City's 40-year-old, 1970s-era Comprehensive Zoning Code with a new regulatory tool to implement the Comprehensive Plan for land within the municipal boundaries of the City of Albuquerque. The intent of the IDO was to update the City's land use and zoning framework for future development without eliminating the ability for lawful, existing land uses to continue after the IDO's adoption.

The IDO established new zone districts and converted approximately 1,200 individual zones into one of the 20 new zone districts through the application of zoning conversion rules. This Phase 1 zoning conversion matched permissive uses as closely as possible from the pre-existing zoning districts to the new IDO zone districts. The Phase 1 zoning conversions went into effect on May 17, 2018, following 6-month amendments adopted via Ordinance 18-11 (Enactment No. O-2018-009).

Five issues known at the time of IDO adoption were not addressed through the Phase I conversion effort, but were included as criteria in Resolution 18-29 (Enactment No. R-2018-019), adopted by the City Council at the same time as the IDO 6-month amendments. Resolution 18-29 directed the Planning Department to create a voluntary process for property owners to resolve these five issues on properties throughout the City. (See attachment.) The five issues are described briefly here and in more detail in Section IV of this report.

1. **Nonconforming Use:** The zoning conversion will remedy a nonconforming use of the property.
2. **Voluntary Downzone:** The zoning conversion will result in a less intense or less dense IDO zone district in an Area of Consistency that is compatible in scale and intensity with the existing land use at the site and surrounding development patterns.

3. **Floating Zone Line:** The zoning conversion will remedy a boundary that does not correspond to a lot line in either the Bernalillo County Assessor's data or in Albuquerque Geographic Information Systems (AGIS) City parcel data (i.e. a "floating zone line").
4. **Prior Special Use or R-D Zoning:** The zoning conversion is for undeveloped property previously regulated by the Residential and Related Uses Zone, Developing Area (R-D), or by special use zoning (SU-1, SU-2, or SU-3), and an IDO zone designation other than what was assigned through the Phase 1 conversion process will be more appropriate for the site.
5. **Size Thresholds:** The zoning conversion is for property converted to Planned Development (PD) or Non-residential Business Park (NR-BP) zone districts, but the property does not meet size thresholds IDO established for those zone districts.

Process

Property owners opted into the zoning conversion process by signing a Phase 2 Zoning Conversion Request and Agreement Form. (See attachment.) If there were multiple owners, each owner submitted a signed form for the same property. Staff confirmed the eligibility of the property pursuant to the five criteria in R-18-29 and recommended a zone conversion based on the owner's request, appropriate resolution of the issue identified in R-18-29, and compatibility with the surrounding land use and zoning patterns.

In most cases, Staff recommends the same zoning conversion that the property owner requested. Where they differ, Staff recommends a different zoning conversion because that zone district allows existing uses on the property, resolves any issues identified in R-18-29, and is more compatible with surrounding land use and zoning patterns than what the property owner requested.

In a number of cases, the person who submitted the Request and Agreement Form was not the property owner of record. The person was either an agent for the owner, the owner of a company that owns the property, or a trustee of a trust that owns the property. In order to ensure notice to the property owners of record, a confirmation of the signed form, Staff recommendation, and inclusion of the property in the Phase 2 zoning conversion process was sent to the person who submitted the form and all owners of record with the Bernalillo County Assessor.

Property owners can remove their properties from this process at any time before the City Council takes final action on this legislation.

II. ANALYSIS OF APPLICABLE PLANS, POLICIES, AND ORDINANCES

Integrated Development Ordinance (IDO)

The request was submitted subsequent to the IDO's effective date of May 17, 2018, and therefore is subject to its applicable standards and processes.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

The request for an amendment to IDO text to adopt zoning conversion rules for 122 properties that will be reflected on the Official Zoning Map furthers the following, applicable Comprehensive Plan Goals and Policies:

Chapter 4: Community Identity

Goal 4.1-Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.4-Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

If approved, the request would make zoning and land use patterns in communities more transparent, accurate, and contextually compatible, which would help to enhance, protect, and preserve distinct communities, neighborhoods, and established, traditional communities. The request furthers Goal 4.1-Character and Policy 4.1.4-Neighborhoods.

Policy 4.1.1-Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Policy 4.1.2-Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

If approved, the request would promote the protection and enhancement of neighborhood character by establishing zoning conversions that allow appropriate and contextual land uses. The proposed zoning conversions are compatible with surrounding land uses and zoning patterns, which would act to reinforce established character and protect identity and cohesiveness in developed neighborhoods (Policy 4.1.2). Regarding vacant land, the request would encourage development that is consistent with the distinct character of communities (Policy 4.1.1). The request furthers Policy 4.1.1-Distinct Communities, Policy 4.1.2- Identity and Design, and Policy 4.1.4-Neighborhoods.

Regarding each criterion in R-18-29:

- **Nonconforming Uses**: For the 22 properties that qualify based on nonconforming uses, these zoning conversions will establish a zone district that is appropriate for the context and that allows existing nonconforming uses.
- **Voluntary Downzones**: For the 83 properties that qualify as voluntary downzones, these zoning conversions will establish zone districts that better match existing land uses and lot sizes.

- **Floating Zone Lines:** For the 4 properties that qualify based on floating zone lines, these zoning conversions will clean up the Official Zoning Map by adjusting floating zone lines to match existing platted lot lines.
- **Undeveloped Prior SU-1 & RD:** For the 12 properties that qualify based on undeveloped prior SU-1 or RD zoning, these zoning conversions will establish a zone district appropriate for the context for undeveloped properties where the IDO zone does not match prior entitlements.
- **Size Thresholds in PD & NR-BP:** For the 8 properties that qualify based on size thresholds in PD & NR-BP, these zoning conversions will establish a zone district that is appropriate for the context and that matches existing uses.

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

Policy 4.2.2- Community Engagement: Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.

An extensive public outreach effort to engage communities is part of the request. (See also Section III of this report.) The outreach focused on helping residents learn what their IDO zoning designation is and determine if the existing use is allowed. This effort engaged communities and individuals to better understand zoning and land use, and thereby identify and plan for the distinct character and needs of their property and area (Goal 4.2). Staff worked with individuals and neighborhoods to facilitate meaningful engagement opportunities to address residents' needs (Policy 4.2.2). The request furthers Goal 4.2-Process and Policy 4.2.2 Community Engagement.

Goal 5.2-Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

If approved, the request would generally foster communities where residents can live, work, learn, shop, and play because it would convert mismatched zoning to zone districts that serve as transitions between zones of different intensities and that allow a mix of uses, including uses that provide services for residential areas. The request furthers Goal 5.2- Complete Communities.

Policy 5.2.1- Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

- c) Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development patterns.
- h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

If approved, the request would contribute to creating healthy, sustainable, and distinct communities with a mix of uses because the proposed zoning conversions are compatible with surrounding development patterns, which would support the community while

facilitating a contextually-appropriate mix of uses. In addition, the request would maintain the characteristics of distinct communities through establishing zoning that is consistent with established residential development patterns. Infill development would be encouraged because prior zoning entitlements would be more accurately reflected in zoning that is more contextually appropriate and subject to standards that create high-quality development. The request furthers Policy 5.2.1-Land Uses.

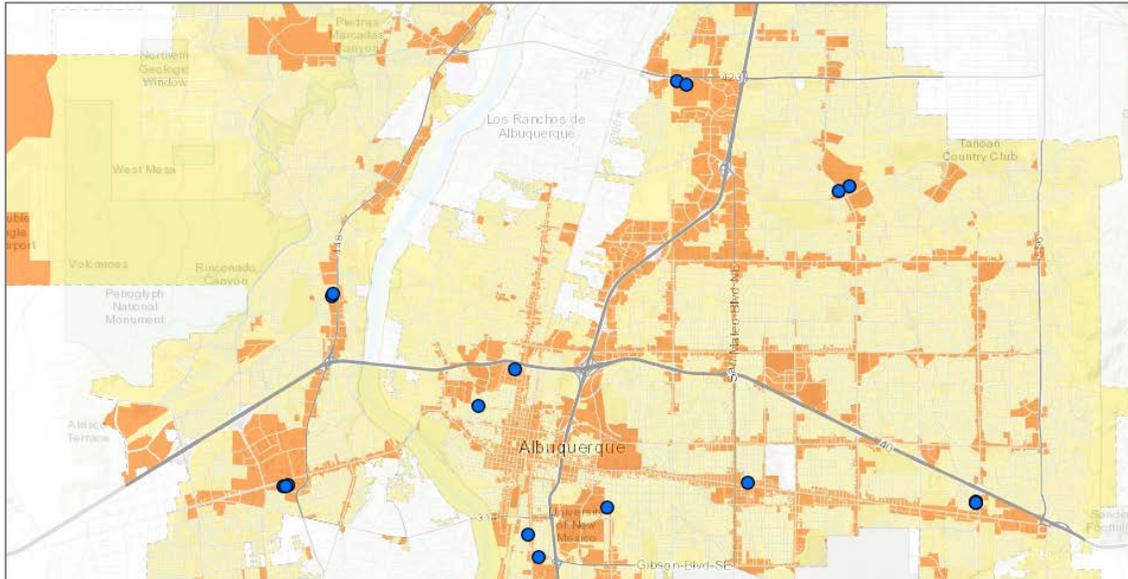
Goal 5.6-City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

Policy 5.6.2-Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

Batch 1 of the Phase 2 Zoning Conversion process contains 14 properties in an Area of Change, as shown in the map below. (Note: Some of these properties are eligible via multiple R-18-29 criteria.) If approved, the proposed zoning conversions would result in zoning and land uses that are compatible with surrounding development and therefore would reinforce the character of the area in Areas of Consistency and allow for growth and compatibility in Areas of Change (Goal 5.6). Specifically, the request would direct more intense development and redevelopment to occur where existing infrastructure and community services exist, where change is encouraged. The request furthers Goal 5.6-City Development Areas and Policy 5.6.2- Areas of Change.

Regarding each criterion in R-18-29:

- **Nonconforming Use**: For the 9 properties in Areas of Change that qualify based on nonconforming uses, the zoning conversions allow existing uses to continue and expansions or redevelopment to occur over time.
- **Undeveloped Prior SU or RD**: For the 4 properties in Areas of Change that qualify based on prior special use zoning, the zoning conversions allow the development of non-residential and mixed uses in zone districts compatible with surrounding development.
- **Size Threshold in PD & NR-BP**: For the 1 property in an Area of Change that qualifies based on the size threshold in the NR-BP zone, the zoning conversion allows the existing use on the premises to continue and expansions or redevelopment to occur over time.



Batch 1 Properties in Areas of Change (14 of 122 properties)

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.

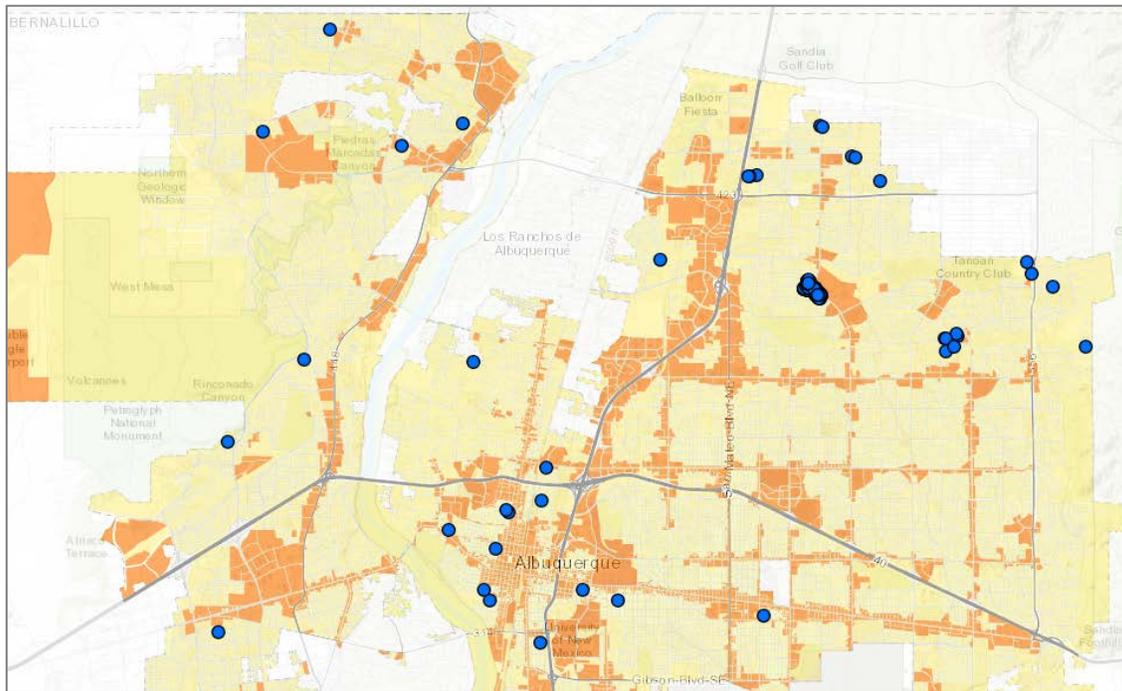
Batch 1 of the Phase 2 Zoning Conversion process contains 108 properties in an Area of Consistency, as shown in the map below. (Note: Some of these properties are eligible via multiple R-18-29 criteria.) If approved, the proposed zoning conversions would establish appropriate zone districts that protect and enhance the character of existing single-family neighborhoods and areas outside of Centers and Corridors. The request furthers Policy 5.6.3- Areas of Consistency.

Regarding each criterion in R-18-29:

- **Nonconforming Uses:** For the 13 properties in Areas of Consistency that qualify based on nonconforming uses, these zoning conversions will establish a zone district that allows existing nonconforming uses and that is appropriate for the context.
- **Voluntary Downzones:** For the 83 properties in Areas of Consistency that qualify based on the voluntary downzone criterion, these zoning conversions will establish zone districts that align with existing land uses and match surrounding lot sizes, particularly in areas with predominantly single-family residential uses.
- **Floating Zone Lines:** For the 4 properties in Areas of Consistency that qualify based on floating lot lines, these zoning conversions will clean up the Official Zoning Map by adjusting floating zone lines to match existing platted lot lines.
- **Undeveloped Prior SU-1 & RD:** For the 8 properties in Areas of Consistency that qualify based on prior special use zoning, these zoning conversions will establish a zone district appropriate for the context for undeveloped properties where the IDO

zone does not match prior entitlements.

- **Size Thresholds in PD & NR-BP:** For the 7 properties in Areas of Consistency that qualify based on the lot size in the PD zone district, these zoning conversions will establish a zone district that is appropriate for the context and that matches existing uses.



Batch 1 Properties in Areas of Consistency (108 of 122 properties)

Goal 5.7-Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

The IDO's procedures and processes work to effectively and equitably implement the Comprehensive Plan. The proposed zoning conversions are a necessary follow-up procedure to address mismatches of land use and zoning and create greater zoning and land use compatibility between properties in neighborhoods. If adopted, the zoning conversions would support efforts to effectively and equitably implement the Comprehensive Plan. The request furthers Goal 5.7- Implementation Processes.

Policy 5.7.2-Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

- c) Avoid the use of SU-1 as a tool to negotiate design or use standards between stakeholders and limit its application to uses specified in the SU-1 zone.

If approved, the request would serve to update a regulatory framework by establishing

legislative conversion rules that apply zoning districts that are appropriate for existing uses and contextually compatible with the area surrounding them. In addition to supporting desired growth and economic development, this request would move the City's zoning system away from one-off approaches for individual properties to a regulatory code that includes appropriate mixes of land uses in base zones and predictable standards to facilitate high-quality development. The request furthers Policy 5.7.2-Regulatory Alignment.

Action 5.7.2.16: Work with property owners to identify mismatches between existing land uses, zoning, and the Comp Plan vision and recommend City-sponsored zone changes for the future.

Action 5.7.2.17: Minimize the use of Planned Development zones by encouraging an appropriate mix of permissive land uses in residential, mixed-use, and non-residential zones.

The above actions were specifically added to the 2017 Comprehensive Plan to recognize existing issues regarding mismatches of land use and zoning and the intended regulatory updates needed to address them. From the outset, the Phase 2 zoning conversion process established by R-18-29 was explicitly intended to accomplish regulatory alignment beyond what was accomplished in Phase I. The request implements Actions 5.7.2.16 and 5.7.2.17.

Regarding each criterion in R-18-29:

- **Nonconforming Uses:** For the 22 properties that qualify based on nonconforming uses, these zoning conversions will match existing nonconforming uses to an appropriate zone district that allows the use and is compatible with the surrounding context.
- **Voluntary Downzones:** For the 83 properties that qualify as voluntary downzones, these zoning conversions will establish zone districts that match existing land uses.
- **Floating Zone Lines:** For the 4 properties that qualify based on floating zone lines, these zoning conversions will clean up the Official Zoning Map by adjusting floating zone lines to match existing platted lot lines.
- **Undeveloped Prior SU-1 & RD:** For 7 of the 12 properties that qualify based on undeveloped Prior SU-1 or RD zoning, these zoning conversions will convert zoning from PD to base zone districts with established standards for high-quality development that allow an appropriate mix of permissive land uses.
- **Size Thresholds in PD & NR-BP:** For 7 of the 8 properties that qualify based on size thresholds in PD & NR-BP, these zoning conversions will convert zoning from PD to base zone districts with established standards for high-quality development that match existing uses and allow an appropriate mix of permissive land uses for future development.

III. Public Outreach

City Council Resolution 18-29 directed the Planning Department to do outreach and advertising city-wide to alert property owners of the opportunity to participate in the Phase 2 zoning conversion process. (See attachments.) Consequently, the Planning Department developed an extensive and robust public outreach strategy.

Free Advertising

Free advertising included Constant Contact emails sent to a distribution list of more than 10,000 people, including all Neighborhood Association representatives with email addresses on file with the Office of Neighborhood Coordination. Monthly articles or advertisements appeared in the City's Neighborhood News in June, July, August, October, and November 2018. A slider with information appeared at the top of the ABC Libraries webpage in September and October, 2018.

Since adoption of the IDO, the Planning Department has also used social media, including Facebook and Next Door, to post information about this process. From September to November 2018, the social media campaign focused on the Phase 2 conversion effort. (See attachment for more detail on these free advertising campaigns.)

Paid Media Advertising

Paid print advertising included ads in the *Albuquerque Journal* on September 10, 22, and 24 and October 6, 2018 and in the *Weekly Alibi* on September 13 and 27, 2018. Radio ads aired on I Heart Media stations from September 10 to 16 and September 24 to 30, 2018. Advertisements were placed on City buses from September 10, 2018 to the present.

Mailed Outreach

Every property owner in Albuquerque received information about this process in English and Spanish via an insert in their Property Tax bill from the Bernalillo County Treasurer in early November 2018.

Meetings and Presentations

Since adoption of the IDO, the Planning Department has met with, or presented to, approximately 680 people. These events included public meetings, neighborhood association or coalition presentations, office hour appointments, and tabling at various community events.

Planning Staff was invited to either present at, or be available for, one-on-one questions with area residents at four neighborhood association (NA) meetings: Wells Park NA, Bear Canyon NA, University Heights NA, and Near North Valley NA. Outreach also included presenting to several groups by request, including UNM and the Apartment Association of New Mexico.

Staff continues to offer weekly office hours for property owners and small groups. Approximately 35 individuals and neighborhood association groups have attended office hours so far.

Between August and October, Staff tabled and distributed information at nine community events, including the Downtown Growers' Market, the Rail Yards Market, the Mile-Hi Market, and the International Festival.

IV. R-18-29 CRITERIA FOR ZONING CONVERSIONS

Criterion 1: Nonconforming Use (22 of 122 properties)

The first criterion adopted by City Council in R-18-29 is for properties where “[the] zoning conversion could remedy a nonconforming use of the property.” Nonconforming uses are uses that were legal when they were established, but at some point became prohibited when the City changed zoning rules while the use was still in operation.

As the first comprehensive overhaul of the City’s zoning code since 1975, the IDO changed the allowances of uses in each zone district. This action made some existing uses on some properties nonconforming.

Additionally, some properties had uses that were nonconforming to the prior zoning established by the Zoning Code or a Sector Development Plan. As a 300-year old city, Albuquerque has numerous properties where the land use on the property has never matched the zoning assigned to the property. This has occurred from the first zoning established in 1959 to subsequent zoning codes adopted in 1965, 1975, or by the multitude of amendments since then, or in zoning established by Sector Development Plans that covered approximately half the City.

The Phase 2 zoning conversion process provides the opportunity to convert the zoning on these properties to a zone district that allows the existing, legal use of the property, either conditionally or permissively. Staff considered the surrounding land uses and zoning to recommend the most appropriate and compatible zone district.

There are 22 properties whose owners have opted into the voluntary zoning conversion process to remedy nonconforming uses, as shown in the map below. (See attachment – Rules for Zoning Conversion – Batch 1 Properties, Criteria 1: Nonconforming Use.)

Code Enforcement Staff reviewed the reported land use along with prior zoning entitlements to determine that the existing uses and requested zone districts met the nonconforming criterion established in R-18-29. The nonconforming uses fell into several different categories. This Staff report analyzes the properties based on the Residential, Commercial, and Industrial general land use categories.

Residential Uses

There are 11 properties with residential uses in a zone district that does not allow that the specific use that is developed at that location.

- Detached single-family land uses are not allowed in the MX-L zone district and above; there are 7 properties with single-family land uses that are nonconforming under the IDO. Staff reviewed these properties and recommended a conversion to a zone district that allows the use permissively and is the closest in intensity to the surrounding zones (Form IDs 7, 14, 21, 37, 46, 54, and 131).
- Four properties zoned R-1 had multiple dwellings on one lot, which is not allowed in R-1. Staff recommended that 3 properties convert to R-T, which is the first zone district that allows multiple detached dwellings on one lot. Staff recommended one property convert to MX-T, which is a transition between the surrounding R-1 and MX-M and is a zone that allows apartments (Form IDs 9, 10, 22, and 121).

Commercial Uses

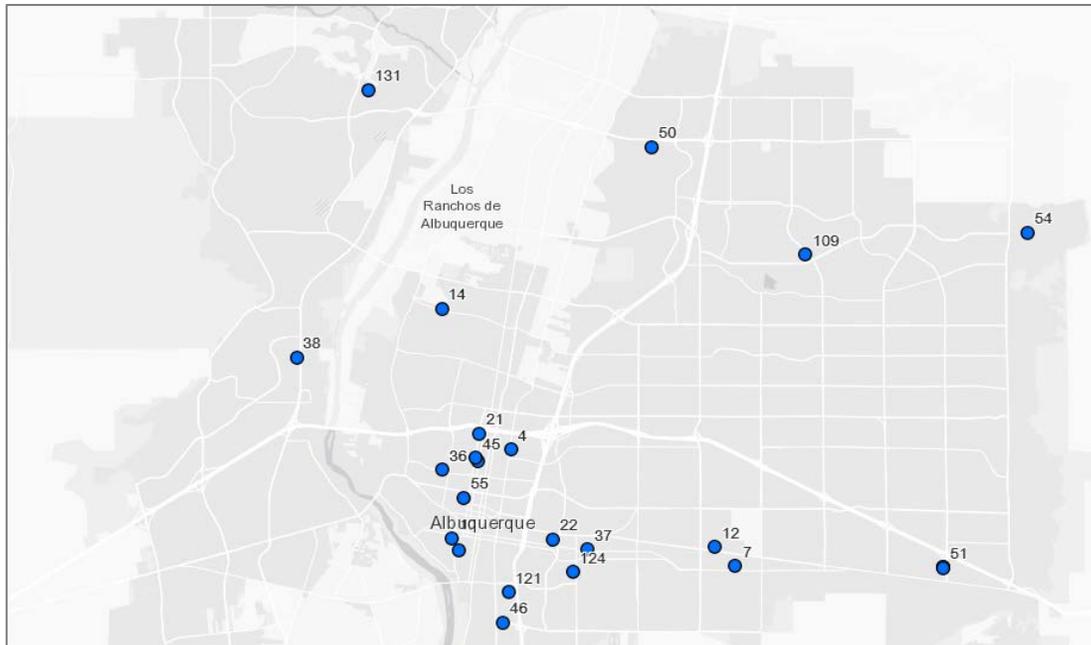
There are 9 properties with commercial uses in zone districts that do not allow the specific uses in operation at those locations.

- There is one bed and breakfast property that was previously allowed in an SU-2 zone district but is not allowed in the IDO zone district to which the property was converted. Staff recommends that this property convert to R-MH, which is the first zone district where this use is allowed as a primary use (Form ID 55).
- Three properties had commercial uses in residential zones. Staff recommends that one property convert to MX-T, which is the first zone that allows office use. Staff recommends that two locations convert to MX-L, which is the first zone that allows the small-scale commercial uses that are in operation (Form IDs 6, 36, and 45).
- There is one shopping center with establishments over 10,000 SF of gross floor area. This size of establishment is considered “General Retail, Medium” as the land use. Staff recommends that this property to convert to MX-M, which is the first zone that allows this land use (Form ID 109).
- Finally, there are 4 properties with the following uses – a contractor yard, auto repair and outdoor storage, and storage and repair of heavy vehicles. Staff recommends that these properties convert to NR-C because that zone district allows those uses (Form IDs 4, 38, 51, and 124).

Industrial Uses

There are 2 properties with industrial land uses in zone districts that do not allow the specific uses that currently operate at those locations. For each of these uses, Staff determined which IDO land use matches the reported land use. Staff recommends that each property convert to the first zone district where the use is allowed as a primary use.

- One property has a light manufacturing use, which is first allowed as a primary use in the NR-C zone district (Form ID 12).
- The other property has an electric generation facility, which is only allowed in the NR-GM zone district according to the Use-specific Standards (Form ID 50).



Batch 1 Properties – Nonconforming Use Criterion (22 of 122 properties)

Note: Some properties are eligible via multiple R-18-29 criteria.

R-18-29 Criterion 2: Voluntary Downzone (83 of 122 properties)

The second criterion adopted by City Council in R-18-29 is for properties where “[the] zoning conversion would result in a less intense or less dense IDO zone district in an Area of Consistency that is compatible in scale and intensity with the existing land use at the site and surrounding development patterns.”

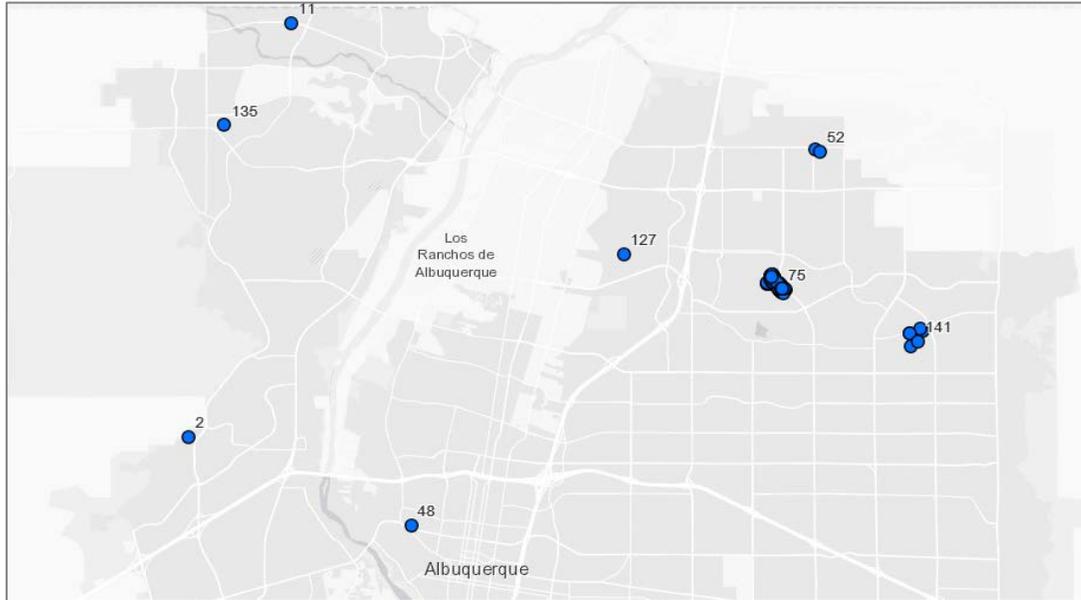
The IDO establishes protections for certain residential zone districts that are intended only for low-density residential development, which includes single-family detached houses, duplexes, manufactured home communities, and townhouses. Many properties throughout Albuquerque developed with low-density residential uses, even though the zone district allowed higher-density uses. For example, some areas are zoned R-ML (which allows duplexes, townhouses, and multi-family uses) but developed with single-family land uses. Property owners in these areas may prefer the R-1 zone district, which more closely matches their land use pattern and may provide additional protections.

The Comprehensive Plan establishes Areas of Consistency, where the character, scale, and pattern of the built environment is to be protected and reinforced over time.

This Phase 2 zoning conversion process provides the opportunity to convert the zoning on properties in Areas of Consistency from a higher-density to a lower-density zone district that still allows the existing use on the property.

There are 83 properties in an Area of Consistency whose owners have opted in to the voluntary zoning conversion process for a voluntary downzone, as shown in the map below. (See attachment – Rules for Zoning Conversion – Batch 1 Properties, Criteria 2: Voluntary Downzone.)

- There are 12 properties with a detached single-family dwelling with zoning that allows more than one house per lot (i.e. R-T, R-ML, or MX-T). Each of these zone districts allows detached single-family land uses, but the property owners would prefer the R-1 zone district because it *only* allows detached single-family dwellings. Staff recommends such a conversion (Form IDs 2, 11, 15, 23, 49, 52, 53, 127, 133, 134 135, 141).
- There are 71 properties with either detached single family, duplex, or townhouse uses in an R-ML or R-MH zone district where the owner requested R-T, which would better match the pattern of development and would provide additional protections for the low-density residential development. Staff agrees that these conversions are appropriate as voluntary downzones (Form IDs 16, 24-34, 41-44, 47, 48, 56-68, 70-85, 89-102, 110-113, 116-120, and 143).



Batch 1 Properties – Voluntary Downzone Criterion (83 of 122 properties)

Note: Some properties are eligible via multiple R-18-29 criteria.

R-18-29 Criterion 3: Floating Zone Line (4 of 122 properties)

The third criterion adopted by City Council in R-18-29 is for properties where “[the] zoning conversion could remedy a boundary that does not correspond to a lot line in either the Bernalillo County Assessor’s data or Albuquerque Geographic Information Systems (AGIS) data (i.e., a ‘floating zone line’).”

Throughout Albuquerque, for a variety of historical reasons, there are many properties with two zone districts on one parcel (i.e. a “floating” zone line). In the Phase 1 zoning conversion, each zone on the parcel converted to the corresponding IDO zone district, but the floating zone line was not resolved. This Phase 2 zoning conversion process provides the opportunity to convert the zoning on these properties to one IDO zone district that matches the existing uses on the property and is compatible with the surrounding land uses and zoning.

For the Phase 2 zoning conversion, properties with a floating zone line on either a platted parcel or ownership parcel are eligible under this criterion. Floating zone lines often occur where platted parcels mapped by AGIS differ from ownership parcels mapped by the Bernalillo County Assessor. Because AGIS maps parcels based on legal plats recorded with the Bernalillo County Clerk, the City will convert zoning to match platted parcels for this Phase 2 zoning conversion process.

There are four properties that have two zone districts designated on one parcel whose owners have opted in to the voluntary zoning conversion process to establish one zone district for the entire parcel, as shown in the map below. (See attachment – Rules for Zoning Conversion – Batch 1 Properties, Criteria 3: Floating Zone Line.)

- Two properties with a floating zone line across the property were also eligible under the voluntary downzone criterion. Staff recommended a conversion for the entire property that reflected the requested downzone (Form IDs 99 and 101).
- Two properties have both R-1 and MX-M zones established on one parcel. Staff recommends conversion to MX-T as an appropriate transition zone between the abutting zones (Form IDs 10 and 19).



Batch 1 Properties – Floating Zone Line Criterion (4 of 122 properties)

Note: Some properties are eligible via multiple R-18-29 criteria.

R-18-29 Criterion 4: Prior Special Use or RD Zoning (12 of 122 properties)

The fourth criterion adopted by City Council in R-18-29 is for properties where “[the] zoning conversion is for undeveloped property previously regulated by the Residential and Related Uses Zone, Developing Area (R-D), or by special use zoning (SU-1, SU-2, or SU-3), and an IDO zone designation other than what was assigned through the Phase 1 conversion process would be more appropriate for the site.”

Many of the City's previous zone districts established allowable uses and development standards for each property through a site development plan (including 23,525 properties zoned SU-1 or R-D) and/or Sector Development Plan (including over 400 unique SU-2 zones). Together, almost 40% of the acreage in the City was controlled by one-off regulations outside of the Zoning Code for individual sites or small geographic areas.

For the Phase 1 conversion, Staff reviewed the title/descriptor of the SU-1, SU-2, or SU-3 zone district and matched the bundle of uses as closely as possible to a new IDO zone district that allowed the same uses in a set of conversion rules adopted by the City Council. Where the development entitlements were unclear in the zone district title/descriptor, the property was converted to Planned Development (PD) – the IDO zone district that is site-plan-controlled – to maintain the existing entitlements.

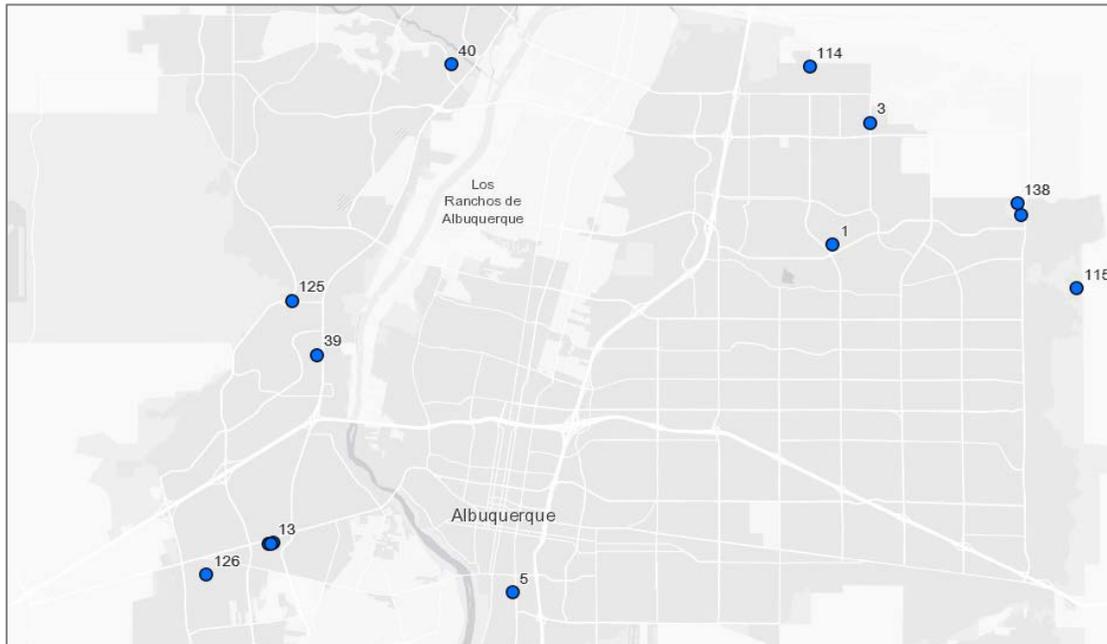
- Some SU zone districts established allowable uses by referencing a base zone from the Zoning Code and identifying additional uses. The Phase 1 zoning conversion matched the base zone to the closest corresponding IDO zone district, potentially eliminating the additional allowable uses. For example, “SU-1 for C-1 and drive-through restaurant” converted to MX-L, which is the corresponding base zone for C-1 throughout the city but does not allow drive-through restaurants.
- Some SU zone districts established unique ranges of uses. The Phase 1 zoning conversion matched the uses as closely as possible, but some individual uses were not allowed in the IDO zone district that was assigned for the conversion.

For the Phase 1 zoning conversion, Staff converted properties zoned R-D, SU-1 for PRD, PUD, PD, or SU-1 for Single-family Residential Use that were developed with a single-family dwelling or townhouse as shown by AGIS land use data to R-1 or R-T, respectively. Properties with any other land use were converted to PD to maintain the existing entitlements. Undeveloped properties were converted to PD to preserve their existing entitlements as closely as possible.

For undeveloped properties formerly zoned SU or RD, the Phase 2 conversion allows a zoning conversion to an IDO zone district that reflects the intentions of the property owner for future development, whether to restore a use allowed under the prior SU or RD zone or to establish allowable uses by the conversion to a base zone district for properties that never had an approved site development plan to define allowable uses. This Phase 2 zoning conversion process provides the opportunity to determine a more appropriate zone district for such properties based on existing entitlements and surrounding context.

There are 12 properties that are undeveloped land with prior SU or R-D zoning, as shown in the map below. Four of these are in an Area of Change, and 8 are in an Area of Consistency. (See attachment – Rules for Zoning Conversion – Batch 1 Properties, Criteria 4: Prior SU or RD Zoning.)

- Two SU-1 zones allowed a range of uses as specified in the referenced R-2, O-1, C-2, and/or IP zones. In the Phase 1 IDO zoning conversion, Staff matched the most intense of the referenced zones, which converted both properties to a Non-residential zone. This conversion had the result of prohibiting residential uses that would have been allowed under the referenced R-2 zone. Where the property is undeveloped and the owner prefers to keep his/her entitlement to the previously allowed residential uses, Staff supports the requested zoning conversion to a Mixed-use zone district where the context is generally compatible with residential uses (Form IDs 13 and 40).
- Properties that were zoned R-D allowed R-1, R-T, R-2, O-1, or C-1 uses depending on the type of approval secured by the property owner. The R-D zone district was predominantly established at the edges of the developed city, where non-residential and mixed uses could be appropriate dependent on context. Staff analyzed the requested zoning conversions and recommended a zoning conversion that is consistent with the surrounding context and supported by Comp Plan policies (Form IDs 3, 114, 125, 126, 138 and 139).
- One property had prior zoning that allowed a range of residential and non-residential uses but was subdivided into residential lots. Staff recommended R-T as a zoning conversion appropriate for the subdivided residential lots (Form ID 115).
- Two properties had prior entitlements that allowed commercial or mixed uses, and the properties are in locations where mixed-use zone districts are appropriate (Form IDs 1 and 5).
- One undeveloped property converted according to the base zone referenced in the prior SU-1 zone designation (O-1), which resulted in the additional use – outdoor storage – that was identified in the zoning designation and shown on the approved site plan becoming prohibited. The recommended Phase 2 zoning conversion is to NR-C, where outdoor storage is first allowed (Form ID 39).



Batch 1 Properties – Prior SU or RD Zoning Criterion (12 of 122 properties)

Note: Some properties are eligible via multiple R-18-29 criteria.

R-18-29 Criterion 5: Size Thresholds (8 of 122 properties)

The fifth criterion adopted by City Council in R-18-29 is for properties where “[the] zoning conversion is for property converted to PD or NR-BP zone districts that does not meet size thresholds set by the IDO for those zone districts.”

The IDO establishes size thresholds for the Planned Development (PD) and Non-residential Business Park (NR-BP) zone districts. PD properties are required to be a minimum of 2 acres and a maximum of 20 acres. NR-BP properties are to be a minimum of 20 acres. Many properties that converted to either of these zone districts during the Phase 1 zoning conversion do not meet the size thresholds.

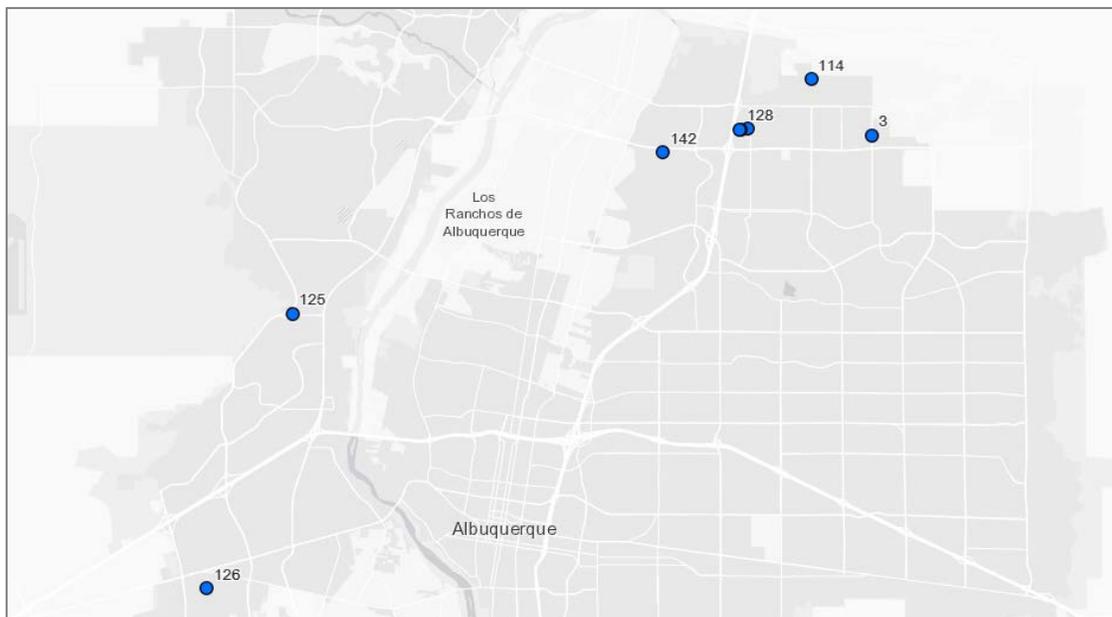
In the case of NR-BP properties, many were once part of a larger piece of land with a Master Development Plan that was subsequently subdivided for development. NR-BP properties less than 20 acres that are controlled by a Master Development Plan were not deemed eligible for the Phase 2 zoning conversion process, as they should remain NR-BP to make clear that they are subject to design controls in the approved Master Development Plan.

For PD properties less than 2 acres or greater than 20 acres and NR-BP properties less than 20 acres that were never subject to a Master Development Plan, this Phase 2 zoning conversion process provides the opportunity to convert to a different IDO zone district that matches the existing uses or previous entitlements on the property and is compatible with the surrounding land uses and zoning.

There are 8 properties that do not meet the size thresholds established for the PD and NR-BP zone districts, as shown in the map below. (See attachment – Rules for Zoning Conversion – Batch 1 Properties, Criteria 5: Size Thresholds.)

- Seven of these sites are below the minimum 2-acre size for the PD zone.
 - Two of the properties are undeveloped land that was previously zoned SU or R-D and also qualify for this process under R-18-29 Criterion 4. Staff recommended the appropriate mixed-use zone district based on the surrounding context for these properties (Form IDs 125 and 126).
 - Two of the properties are undeveloped land that was previously zoned R-D, with a specified residential density, e.g., “R-D / 5 DU/A.” Staff recommended conversion to the R-1 zone with the lot size that matches the surrounding area (Form IDs 3 and 114).

- Three of the properties are used for a single-family mobile home dwelling. Staff recommended conversion to R-MC for all of these properties, because this is the only zone where mobile home dwellings are allowed (Form IDs 128, 129 and 130).
- The final site is zoned NR-BP and is less than 20 acres. The property owner requested NR-GM zone district. Staff recommends that zoning conversion as appropriate because it matches the recommended zone for the remainder of the premises (Form ID 142).



Batch 1 Properties - Size Thresholds Criterion (8 of 122 properties)

Note: Some properties are eligible via multiple R-18-29 criteria.

V. NOTICE

Required Notice for the EPC Hearing

The required notice for an Amendment to IDO Text is published, mailed, and posted on the web. (See Table 6-1-1: Summary of Development Review Procedures.) A neighborhood meeting is not required for an Amendment to IDO Text. The City published notice of the EPC hearing on January 10, 2019 in the ABQ Journal legal ads. (See attachment.)

First class mailed notice was sent to the two representatives of each Neighborhood Association and Coalition that is registered with the Office of Neighborhood Coordination according to the requirements of IDO Subsection 6-4(K)(2)(a). (See attachment for the full list of notified Neighborhood Association representatives.)

The City posted notice of the EPC hearing on the Planning Department website at this address: <http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-agendas-reports-minutes>.

The City also posted notice of the application and EPC hearing on the project website at this address: <https://www.abc-zone.com/post-ido-voluntary-zone-conversion-process>

Additional Notice Provided for the EPC Hearing

An article about this voluntary zoning conversion process and the EPC hearing was published in the Office of Neighborhood Coordination Neighborhood News in January 2019. (See attachment – Neighborhood News article.)

Email notice about the application and the EPC hearing was sent to approximately 10,000 subscribers to the ABC-Z project update email list on December 10, 2018 and January 3, 2019. (See attachment – Email Notice.)

VI. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

Few agency comments were received. Agencies that commented noted “no comment” or “no objection” regarding the request. Long-Range Planning provided a comment that briefly explains the request and applicable procedure. Agency comments begin on p. 35.

Neighborhood/Public

Mailed and email notice was sent to every neighborhood organization registered with the Office of Neighborhood Coordination. (See attachments and Section V of this report.) As of this writing, Staff has not received any comments. There is no known support or opposition to the request.

VII. CONCLUSION

The request is for a legislative amendment to the IDO text to adopt zoning conversion rules for 122 properties that have been submitted to the Phase 2 zoning conversion process and that meet the criteria for a voluntary zoning conversion found in Resolution 18-29 (Enactment No. R-018-019). If approved, the properties will convert to the recommended zone districts, and the Official Zoning Map will be revised accordingly.

These proposed zoning conversions support existing uses, allow new uses compatible with surrounding development, and encourage desirable development in appropriate locations in Albuquerque. These 122 properties are the first of two batches of Phase 2 IDO zoning conversions submitted to the EPC for review and recommendation to City Council.

Staff developed an extensive and robust public outreach strategy, as directed by Resolution R-18-29, to alert property owners of the opportunity to participate in the Phase 2 zoning conversion process. The City notified neighborhood associations and published notice as required. Staff has not received any comments in support or opposition to the request. Staff recommends that a recommendation of approval be forwarded to the City Council.

FINDINGS – RZ: 2018-00057, January 10, 2018-Text Amendment to the IDO

1. This is a request for legislative adoption of zoning conversion rules for 122 properties located city-wide whose owners have voluntarily opted into the Phase 2 zoning conversion process established by Council Resolution 18-29 (Enactment No. R-2018-019).
2. The request is analogous to an amendment to the Integrated Development Ordinance (IDO) Text and will be processed according to the procedural requirements in Section 14-16-6-7(D) of the IDO.
3. The criteria for review and decision for this Phase 2 zoning conversion process as established in City Council Resolution 18-29 is whether the proposed zoning conversions are consistent with the Comprehensive Plan and the IDO implementation goals, city-wide, for properties that fall within at least one of the following five categories outlined in Resolution 18-29:
 - A. **Nonconforming Use:** The zoning conversion will remedy a nonconforming use of the property.
 - B. **Voluntary Downzone:** The zoning conversion will result in a less intense or less dense IDO zone district in an Area of Consistency that is compatible in scale and intensity with the existing land use at the site and surrounding development patterns.
 - C. **Floating Zone Line:** The zoning conversion will remedy a boundary that does not correspond to a lot line in either the Bernalillo County Assessor’s data or Albuquerque Geographic Information Systems (AGIS) City parcel data (i.e. a “floating zone line”).
 - D. **Prior Special Use or R-D Zoning:** The zoning conversion is for undeveloped property previously regulated by the Residential and Related Uses Zone, Developing Area (R-D), or by special use zoning (SU-1, SU-2, or SU-3), and an IDO zone designation other than what was assigned through the Phase 1 conversion process will be more appropriate for the site.
 - E. **Size Thresholds:** The zoning conversion is for property converted to Planned Development (PD) or Non-residential Business Park (NR-BP) zone districts that does not meet size thresholds set by the IDO for those zone districts.
4. The Phase 2 zoning conversion rules support existing uses, allow new uses compatible with surrounding development, and encourage desirable development in appropriate locations in the city.
5. This Phase 2 zoning conversion process is intended to address issues not resolved by the adoption of the IDO, in which approximately 1,200 zone districts were converted to one of 20 new zone districts established by the IDO via 1 of 3 sets of Phase 1 zoning conversion

rules: “base zones” from the Zoning Code, SU-1 or R-D zones, and SU-2/SU-3 zones from adopted Sector Development Plans.

6. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. Throughout Albuquerque, many platted parcels mapped by AGIS differ from ownership parcels mapped by the Bernalillo County Assessor. For the Phase 2 zoning conversion process, the City will convert zoning to match platted parcels.
8. The request furthers the following, applicable goal and policy pairs from Comprehensive Plan Chapter 4-Community Identity:
 - A. Goal 4.1-Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.4-Neighborhoods: Enhance, protect, and preserve neighborhoods and traditional communities as key to our long-term health and vitality.

The request will make zoning and land use patterns in communities more transparent, accurate, and contextually compatible, which will help to enhance, protect, and preserve distinct communities, neighborhoods, and established, traditional communities.
 - B. Goal 4.2-Process: Engage communities to identify and plan for their distinct character and needs.

Policy 4.2.2- Community Engagement: Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents.

An extensive public outreach effort to engage communities is part of the request (see also Section III of this report). The outreach focused on helping residents learn what their IDO zoning designation is and determine if the existing use is allowed. This effort engaged communities and individuals to better understand zoning and land use, and thereby identify and plan for the distinct character and needs of their property and area (Goal 4.2). Staff worked with individuals and neighborhoods to facilitate meaningful engagement opportunities to address residents’ needs (Policy 4.2.2).
9. The request furthers the following, applicable policies from Comprehensive Plan Chapter 4-Community Identity:

- A. Policy 4.1.1-Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.
- B. Policy 4.1.2-Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request will promote the protection and enhancement of neighborhood character by establishing zoning conversions that allow appropriate and contextual land uses. The proposed zoning conversions are compatible with surrounding land uses and zoning patterns, which will act to reinforce established character and protect identity and cohesiveness in developed neighborhoods (Policy 4.1.2). Regarding vacant land, the request will encourage development that is consistent with the distinct character of communities (Policy 4.1.1).

10. The request furthers the following, applicable Goal and policy from Comprehensive Plan Chapter 5-Land Use:

- A. Goal 5.2-Complete Communities: Foster communities where residents can live, work, learn, shop, and play together.

The request will generally foster communities where residents can live, work, learn, shop, and play because it will convert mismatched zoning to zone districts that serve as transitions between zones of different intensities and that allow a mix of uses, including uses that provide services for residential areas.

- B. Policy 5.2.1- Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.
 - c) Maintain the characteristics of distinct communities through zoning and design standards that are consistent with long-established residential development patterns.
 - h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request will contribute to creating healthy, sustainable, and distinct communities with a mix of uses because the proposed zoning conversions are compatible with surrounding development patterns, which will support the community while facilitating a contextually-appropriate mix of uses. In addition, the request will maintain the characteristics of distinct communities through establishing zoning that is consistent with established residential development patterns. Infill development will be encouraged because prior zoning entitlements will be more accurately reflected in zoning that is more contextually appropriate and subject to standards that create high-quality development.

11. The request furthers the following, applicable goal and policies from Comprehensive Plan Chapter 5-Land Use, pertaining to City Development Areas:

A. 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.

B. Policy 5.6.2-Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged.

Batch 1 of the Phase 2 Zoning Conversion process contains 14 properties in an Area of Change. The proposed zoning conversions will result in zoning and land uses that are compatible with surrounding development and therefore will reinforce the character of the area in Areas of Consistency and allow for growth and compatibility in Areas of Change. Specifically, the request will direct more intense development and redevelopment to occur where existing infrastructure and community services exist, where change is encouraged.

C. 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.

Batch 1 of the Phase 2 Zoning Conversion process contains 108 properties in an Area of Consistency. The proposed zoning conversions will establish appropriate zone districts that protect and enhance the character of existing single-family neighborhoods and areas outside of Centers and Corridors.

12. The request furthers the following, applicable Goal, policies, and actions from Comprehensive Plan Chapter 5-Land Use, pertaining to implementation and regulatory alignment:

A. Goal 5.7-Implementation Processes: Employ procedures and processes to effectively and equitably implement the Comp Plan.

The IDO's procedures and processes work to effectively and equitably implement the Comprehensive Plan. The proposed zoning conversions are a necessary follow-up procedure to address mismatches of land use and zoning and create greater zoning and land use compatibility between properties in neighborhoods, which will support efforts to effectively and equitably implement the Comprehensive Plan.

B. Policy 5.7.2-Regulatory Alignment: Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities.

c) Avoid the use of SU-1 as a tool to negotiate design or use standards between stakeholders and limit its application to uses specified in the SU-1 zone.

The request will serve to update a regulatory framework by establishing legislative conversion rules that apply zoning districts that are appropriate for existing uses and contextually compatible with the area surrounding them. In addition to supporting desired growth and economic development, this will move the City's zoning system away from one-off approaches for individual properties to a regulatory code that includes appropriate mixes of land uses in base zones and predictable standards to facilitate high-quality development.

13. The request implements Actions 5.7.2.16 and 5.7.2.17 of the Comprehensive Plan:

Action 5.7.2.16: Work with property owners to identify mismatches between existing land uses, zoning, and the Comp Plan vision and recommend City-sponsored zone changes for the future.

Action 5.7.2.17: Minimize the use of Planned Development zones by encouraging an appropriate mix of permissive land uses in residential, mixed-use, and non-residential zones.

These actions were specifically added to recognize existing issues regarding mismatches of land use and zoning and the intended regulatory updates needed to address them. From the outset, the Phase 2 zoning conversion process established by R-18-29 was explicitly intended to accomplish regulatory alignment beyond what was accomplished in Phase 1.

14. Regarding the criteria of Resolution 18-29, the request meets the intent of the Community Identity chapter of the Comprehensive Plan as follows:

- A. **Nonconforming Uses:** For the 22 properties that qualify based on nonconforming uses, these zoning conversions will establish a zone district that is appropriate for the context and that allows existing nonconforming uses.
- B. **Voluntary Downzones:** For the 83 properties that qualify as voluntary downzones, these zoning conversions will establish zone districts that better match existing land uses and lot sizes.
- C. **Floating Zone Lines:** For the 4 properties that qualify based on floating zone lines, these zoning conversions will clean up the Official Zoning Map by adjusting floating zone lines to match existing platted lot lines.
- D. **Undeveloped Prior SU-1 & RD:** For the 12 properties that qualify based on undeveloped prior SU-1 or RD zoning, these zoning conversions will establish a zone district appropriate for the context for undeveloped properties where the IDO zone does not match prior entitlements.
- E. **Size Thresholds in PD & NR-BP:** For the 8 properties that qualify based on size thresholds in PD & NR-BP, these zoning conversions will establish a zone district that is appropriate for the context and that matches existing uses.

15. Regarding the criteria of Resolution 18-29, the request meets the intent of the Land Use chapter of the Comprehensive Plan as follows:
 - A. **Nonconforming Use:** For the 9 properties in Areas of Change that qualify based on nonconforming uses, the zoning conversions allow existing uses to continue and expansions or redevelopment to occur over time.
 - B. **Undeveloped Prior SU or RD:** For the 4 properties in Areas of Change that qualify based on prior special use zoning, the zoning conversions allow the development of non-residential and mixed uses in zone districts compatible with surrounding development.
 - C. **Size Threshold in PD & NR-BP:** For the 1 property in an Area of Change that qualifies based on the size threshold in the NR-BP zone, the zoning conversion allows the existing use on the premises to continue and expansions or redevelopment to occur over time.

16. As directed by Resolution 18-29, Staff developed an extensive outreach strategy to let the public know about the voluntary zoning conversion process, including articles, announcements, meetings, presentations, and a mail insert.

17. The required notice for an Amendment to IDO Text is published, mailed, and posted on the web. The City published notice of the EPC hearing in the ABQ Journal legal ads. First class mailed notice was sent to the two representatives of each neighborhood organization registered with the Office of Neighborhood Coordination (ONC). Notice was posted on the Planning Department website and on the project website.

18. Additional notification consisted of an article published in the Neighborhood News in January 2019 and email notice sent to approximately 10,000 subscribers to the ABC-Z project update email list on December 10, 2018 and January 3, 2019.

19. Though a neighborhood meeting is not required for an Amendment to IDO Text, Staff met with area residents at four neighborhood association (NA) meetings: Wells Park NA, Bear Canyon NA, University Heights NA, and Near North Valley NA.

20. As of this writing, Staff has not received any comments. There is no known support or opposition to the request.

RECOMMENDATION

That a recommendation of APPROVAL of Project #: 2018-001843, RZ-2018-00057, a request for Text Amendments to the IDO, be forwarded to the City Council based on the preceding Findings.

Catalina Lehner

**Catalina Lehner
Senior Planner**



**Mikaela Renz-Whitmore
Project Manager**

Notice of Decision cc list:

List will be finalized subsequent to the EPC hearing on January 10, 2019.

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Office of Neighborhood Coordination

Long Range Planning

This is a request for a legislative action to amend the Official Zoning Map for properties that meet the criteria for a voluntary zoning conversion, as directed by City Council via Resolution 18-29. Long Range Planning is the applicant for this request.

This request is analogous to a text amendment, and will be processed according to the Amendment to IDO Text procedure requirements in Section 14-16-6-7(D) of the Integrated Development Ordinance (IDO). The review and decision criteria will be as identified in Council Resolution 18-29.

CITY ENGINEER

Transportation Development

No objection to the request.

Hydrology Development

New Mexico Department of Transportation (NMDOT)

NMDOT has no comments.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

No comment.

Traffic Engineering Operations (Department of Municipal Development)

No comment.

Street Maintenance (Department of Municipal Development)

WATER UTILITY AUTHORITY

Utility Services

No adverse comments to the proposed amendment.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

City Forester

POLICE DEPARTMENT/Planning - no comment

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division-no comment

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No objections.

ALBUQUERQUE PUBLIC SCHOOLS

MID-REGION COUNCIL OF GOVERNMENTS

MRMPO has no adverse comments.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has no comments based on information provided to date.

Attachments

1. History- City Council Resolution 18-29
2. Application Information
 - a. Project Letter
 - b. Application
 - c. TIS Form
 - d. PRT Notes
3. Zoning Conversion Rules – Batch 1 Properties
 - a. Organized by Form ID
 - b. Criteria 1: Nonconforming Use
 - c. Criteria 2: Voluntary Downzone
 - d. Criteria 3: Floating Zone Line
 - e. Criteria 4: Prior Special Use or RD Zoning
 - f. Criteria 5: Size Thresholds
4. Outreach & Advertising
 - Free*
 - a. Neighborhood News articles
 - b. Email notices – December 10, 2018 and January 3, 2019
 - Paid*
 - c. Insert in Property Tax bill
 - d. Bus advertising
 - e. Print media ad
5. Required Notification & Neighborhood Information
 - a. Inquiry to ONC
 - b. List of Neighborhood Representatives Notified
 - c. One letter sent to those representing more than one organization
 - d. Certification of Mailed Notice
 - e. Mailing list of Neighborhood Representatives notified